

**TOWN COUNCIL MINUTES  
ORDINANCE COMMITTEE  
July 14, 2020  
Zoom # 879 3906 3204**

Present: Kenneth DiFazio, Chairman  
Brian Dwyer, Vice Chair  
Rebecca Haugh, Councilor  
Christopher Heffernan, Councilor  
Arthur Mathews, Councilor

Also Present: Kathy Deree, Town Clerk  
Joseph Callanan, Town Solicitor  
Robert Luongo, Planning Director  
Eric Schneider, Principal Planner  
Owen MacDonald, Traffic Engineer  
Kenan Connell, DPW Director

Recording Secretary: Mary Barker

Chairman DiFazio called the meeting to order at 6:30 PM. The town clerk called the roll, with all members present.

**20 088- Traffic Regulation- Speed Limit – A Portion of East Street**

This measure was referred to the Ordinance Committee on March 9, 2020. The measure was a result of two years of calls and requests from the residents regarding speeding and accidents on a portion of East Street. A neighborhood meeting was held on May 28, 2020. The committee met on June 25, 2020 and mailed notifications to the neighbors. A memo was issued on July 10, 2020 from the Traffic Engineer, Owen MacDonald, who outlined all of the concerns. The measure calls for a speed reduction; however, he asked the committee to consider the information received so far and what may be presented here. He is open to any amendments to the measure that may be presented as a result.

Owen MacDonald reported on the bullet points outlined in his memo.

Traffic Regulations Requiring Council Vote:

- 25 mph speed limit between Hanian Dr. and Commercial (submitted measure 20 088)
- all-way stop, East St./Unicorn Ave. intersection
- extension of 25 mph speed limit between Green St. and Hanian Dr.

A number of other suggestions were made:

Non-regulation Potential Town Actions:

- speed humps/tables
- outreach to auto-oriented business abutters
- sidewalk parking enforcement
- speed traps

- limited sight distance warning signs
- remove sight obstruction to Unicorn Ave stop sign
- Refresh crosswalk lines and install pedestrian crossing warning signs near Unicorn Ave.
- Speed feedback sign on southbound approach to Unicorn Ave. intersection
- Refreshed edge of road delineation and /or sidewalk reconstruction
- Utility pole delineators-ask NGRID
- Supplemental street lighting-ask NGRID
- Install guard rail at #311
- Contact MBTA/Keolis regarding train horn

#### Miscellaneous

- Post “not a through Street” – not applicable since East St. connects Green and Commercial St.
- Enact Safety Zone – not applicable; MassDOT directive regarding sec. 194 of Chapter 218 of Acts of 216 indicated that Safety Zones are for locations where vulnerable road users are likely to be present – i.e.: significant numbers of pedestrians cross or directly abut the street.

Discussion ensued on many of these suggestions. Mr. Luongo asked DPW Director Connell to comment on the efficacy of speed bumps. Mr. Connell responded that a lot have been tried and a lot fail. The major result is to keep an honest person honest, but they don’t address negligent drivers. Speed bumps are problematic with upkeep and maintenance and damage from plows, even with speed tables. Many major cities and towns do not use them. They can lead to accidents with speeders along main roadways and are used more often in parking lots. Most use suggested traffic calming measures these days; bump-outs, marked arrow lanes and it wears out the fog lines painted on the roadway, it was noted that these cost money to paint. They are more of a burden on the department, including signs- they do get many requests. A fundamental speed limit decrease from 30 to 25 throughout town might be better – but he would let the police speak to that. Many signs attract vandalism, and with seasonal help cut backs, it’s a challenge with over 1,000 streets. Utility pole illuminators are a good deal. Ownership of street lights is through the Asset Management Department; not DPW.

Mr. Luongo asked if Unicorn / East intersection meets the criteria for stop sign? Mr. MacDonald responded that it doesn’t meet the criteria and it does not require state authorization.

Sgt. Morse, WPD, reported that following the meeting in mid-March, a speed board was erected and he ran through the stats; 10,000 vehicles were tracked in a 9-day span; 50% averaged 30 mph or below, 37% at between 31-35 mph, and 10% at 36-40 mph and 2% were at 41-59 mph; 59% was the highest recorded speed. There were 9 accidents in the area of East and Unicorn. Overall, the speed reduction implemented town-wide has been proven effective. Boston successfully decreased speeds by a city-wide reduction.

Chair DiFazio noted he took notes at the June 25, 2020 meeting and he summarized two prevalent points:

- Everyone needs to recognize that the street has narrow width, blind curves, often no sidewalks, no realistic parking, multiple elevation changes and curves at the same time- these are a composite of the logistics. It’s terrible to travel especially in the dark.
- Almost everyone was in favor of a traffic signal or sign at the intersection of East and Unicorn.

Mr. Luongo agreed with this summary.

Councilor Haugh asked Mr. MacDonald if only the first bullet point is going forward on the measure. Mr. MacDonald responded yes; any of the others would require amendment. Councilor Haugh asked if the measure was being amended. The chair responded that after they heard from all the residents, Mr. MacDonald had concluded that yes, this area required a speed reduction. Chair DiFazio noted that there were so many comments that applied to different areas of East Street, that from his perspective, the measure should be moved to the committee, but that there were many other problems that it warranted the committee hear the concerns and consider any amendments. Councilor Haugh noted in years past District 1 has piggybacked on this area.

Councilor Mathews reviewed the memo dated July 13, 2020 from Mr. MacDonald and Sgt. Morse. He noted that they are being asked to do things that don't meet the criteria, and he is unsure he wants to set that precedent in town. There are clearly concerns with the residents. The biggest deterrent he sees is police enforcement- word travels fast. If people know enforcement is happening they are less likely to speed. He is not saying he is in favor of changing speed limits. He wants to hear from the public. The town would not want to be liable for an accident that happens with signage that is not in line with state guidelines. He asked Mr. MacDonald to review the memo.

Mr. MacDonald responded that an all-way stop sign was prominently mentioned and supported by the residents at the public meeting. A stop sign will make any law abiding person who is in control of his vehicle-- stop. He reviewed the crash diagrams. The crashes that occurred approaching from the north slid, lost control. and crashed on slippery roads. Another, #4, resulted from a run stop sign. Others; #2,6,7 involved motorists flagrantly in violation of the law (speed/impairment) and the fatality further back southerly also involved higher than reasonable speed. Sgt. Morse reported that is correct, and the accident is still under investigation pending the Medical Examiner's report. Mr. MacDonald asked if a stop sign would have caused them to observe the law? He is unsure.

Councilor Mathews noted the second page of that memo- cites sections of East St, - he inquired about this one. The East Street, Unicorn Ave does not meet any of the criteria.

Mr. MacDonald summarized with the diagram on last page of the report and reviewed the 2<sup>nd</sup> page-specific criteria. He also noted the counts were taken before the pandemic on a reasonably mild day in January.

Chair DiFazio asked Solicitor Callanan to comment on Councilor Mathews' comments regarding the town's liability, if due to the elevation change and angle of the turn-- if at a stop or traffic light, an accident occurred-if the town would be liable? Solicitor Callanan responded that his strong recommendation is that any control comply with state and federal standards. Once you defer from that, it becomes a costly event; in defense, in a lawsuit, even if found not liable. If they comply with all national state standards, they could be out of the case early. They could avoid depositions, turnover of materials; insurance would pay but it would come back to the town as increased insurance costs. Short answer is, is there increased liability for damages? No; but defense costs and premiums would most certainly increase.

Councilor Heffernan noted the intersection oat Pine Street-there is a high rate of accidents. If they meet with fixes that work and constantly policed the lower limit-- the message gets out. Most recently, they did a bump out where the cemetery is. If this situation is met with a combination of solutions, they might avoid what the solicitor noted.

Vice Chair Dwyer asked if these are MUTCD compliant?

Mr. MacDonald responded that MUTCD guidelines are in the ordinances. Vice Chair Dwyer noted his concern about falling back on regulations “unless it’s required, it shouldn’t be provided.” He couldn’t disagree more. They are just trying to make it a better place to live. To Sgt. Morse’s point, he believes that as a town, if some metropolis can implement reductions across the board and see a significant reduction in accidents, Weymouth could certainly benefit. The slower the speed, the better the chance of avoiding an accident.

Councilor Haugh asked to clarify- there are only 9 accidents in a 5-year period? Mr. MacDonald responded that yes; 9 reportable accidents.

Chair DiFazio asked if the parties had any other materials to present?

Director Luongo asked what is in MGL relative to speed reduction and MassDOT recommendations? Sgt. Morse responded that MassDOT recommends uniformity town-wide to alleviate confusion. It does not take effect on state roads in thickly settled neighborhood that don’t really go anywhere. Mr. MacDonald added that there can be exceptions posted, such as longer roads less thickly settled, and there is a process. Chair DiFazio asked if Green Street is an isolated exception? Mr. MacDonald responded yes. There are a few in town. Chair DiFazio asked if the recommendation is to lower the limit to 25 mph across the town? Mr. MacDonald responded it would be between only the segment between Hanian Dr. and Commercial. They will take another look at the section between Green and Hanian Dr., which is more winding. He’s less confident being able to justify it to the state. Chair DiFazio noted at least one person reported vehicles peeling out of the north end by the businesses.

Councilor Mathews had a few comments:

1. Pine and Oak bump out – it was originally part of the Arbor Hill mitigation and since it was put in a few years ago as a speed calming measure, construction vehicles and snowplow nightmares have occurred, and it garners a lot of complaints. He personally doesn’t think it’s successful.
2. He perceives the other one in Columbian Square will be more successful. But it is a cause and effect. It slows the traffic but cars dart across and it slows the traffic but cars dart across.
3. He likes seeing the electronic boards and the police enforcement; he is in favor of the policing and he would like to see something like this on East Street. It has been more of a deterrent. One suggestion over something like speed bumps or bump outs.

Councilor Mathews reported the Council is waiting for the Planning Board’s recommendation of the 5 zoning measures, and will schedule a Council Meeting. He hopes to meet either at the end of July or early August.

Chair DiFazio asked Mr. Luongo to provide written notice of public hearing to residents of East St. neighbors, because of the multiple issues, and longevity of the complaints, they want to hear from residents of the streets. As soon as he receives the Planning Board’s recommendations, he will schedule the public hearing.

Mr. Luongo reported that the only item subject to public hearing is the 25 mph speed limit.

Councilor Mathews reminded them that the original measure for Filomena St. was amended because of the public hearing feedback.

Mr. Luongo added that the other items that they reviewed don't require Town Council action. The original measure will be what is advertised. They can take the other comments under advisement. Then, if they chose, they could pursue other changes later. Councilor Haugh asked if changing the speed limit on the whole street is typical? Mr. MacDonald responded that most are but there are exceptions. Chair DiFazio noted that changing speeds on a street are easy to overlook. He would rather see the whole length a uniform speed, but he is willing to listen to what the residents have to say.

#### ADJOURNMENT

At 7:41 PM, there being no further business, a motion was made by Councilor Mathews to adjourn and was seconded by Councilor Heffernan. A roll call vote was taken:

Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Mathews-Yes, Vice Chair Dwyer-Yes, Chair DiFazio- Yes. UNANIMOUSLY VOTED.

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Kenneth DiFazio as Ordinance Committee Chairman  
Voted unanimously on 10 August 2020