

**City of Salem  
Traffic and Parking Commission  
Meeting Minutes  
Wednesday, August 10, 2022**

A meeting of the Salem Traffic and Parking Commission was held remotely on Wednesday, August 10, 2022 at 6:00pm, in accordance with Chapter 20 of the Acts of 2021, and as amended by Chapter 22 of the Acts of 2022, and a Special Act extending remote participation meetings until March 31, 2023.

**Present:** Commission Chair Tonya Shallop, Commission Vice Chair Eric Papetti, Commissioner Jaime Garmendia, Commissioner Jeff Swartz, Commission Lt. David Tucker, Director of Traffic and Parking David Kucharsky, Assistant Director of Traffic and Parking Christina Hodge, and Traffic and Parking Staff Russell Findley **Absent:** None

**CALL OF MEETING**

The meeting was called to order at 6:01 pm by Chair Shallop. Ms. Shallop explains how members of the public may participate during the remote meeting.

**PUBLIC COMMENTS**

Commission Chair Shallop opens the floor to public comment.

Steve Kapantais of 23 Wisteria Street introduces himself and states he would like to get a better understanding of traffic calming, and what process and priority staff are following, as well as what data is reviewed before decisions are made. Mr. Kapantais notes that three speed cushions were installed on Union Street but that he does not recall that street ever being discussed. Mr. Kapantais contends he reviewed past agendas and could not see it mentioned there, or in any City plans. Mr. Kapantais states he found a traffic study performed for Union Street, which reflected average speeds of 18 miles per hour, with only three percent of vehicles found speeding. He questions why money and resources would be spent on this street before other locations that have more of a need without any discussion.

Gabriel Ciociola of 11 Winter Street introduces himself as the Vice President of the Salem Common Neighborhood Association. Mr. Ciociola thanks staff and the Commission for installing useful pedestrian safety measures on Washington Square North, noting they are working well. He suggests installing similar features on Washington Square East where the playground is. Mr. Ciociola also suggests the area around Pleasant Street and Andrew Street could use a stop sign or crosswalks. Mr. Ciociola states he has heard discussions regarding changing or rerouting route 1A where it goes down Winter Street, and he was wondering if anyone knew any updates on the matter.

Sue Formica of 13 Mall Street introduces herself and echoes Mr. Ciociola's comments. She also states she has heard lots of positive feedback regarding speed humps on Mall Street, noting a significant decline in speeding.

## **NEW/OLD BUSINESS**

### **Director's Update**

Mr. Kucharsky explains that the third level of the Museum Place garage opened last week, and that work will continue on the fourth level, along with the installation of security camera conduits throughout the facility. During the recent heavy rains there were no issues, so improvements seem to be working well. Mr. Kucharsky indicates that both stairwells at the South Harbor garage are complete and have reopened, and that the bathrooms are open. Work on the visitor's center continues. Regarding traffic calming, Mr. Kucharsky notes that striping was to begin on Proctor Street, but was delayed due to the weather. Staff are working with DPS and the contractor on a new date. Mr. Kucharsky also explains that speed humps will be installed on Federal Street, and that striping recently occurred.

Mr. Kucharsky indicates the Department was awarded a Shared Streets grant for North Street close to \$100,000 to implement the work that has been ongoing. An additional Shared Streets grant for equipment of \$50,000 was awarded, which will go toward purchasing a device that can clean bike lanes throughout the City. Mr. Kucharsky states that next week staff will work with DPS to pilot elements in development for Liberty Hill Avenue and North Street.

Vice Chair Papetti asks if the grants will provide additional money or supplant funds, noting significant amounts in the local CIP for the project already. Mr. Kucharsky indicates the grants will allow for other projects, like instituting protected bike lanes on Lafayette Street to the town line with Marblehead, affording opportunities to move funds to additional projects that have been waiting.

### **October Parking Overlay Regulations**

Mr. Kucharsky explains that efforts began months ago to attempt to formalize the practice of private lot owners charging for parking in October on their facilities, as it has been going on for years. Staff worked with the City Solicitor, Building Commissioner, and Mayor's office to develop the ordinance now before City Council, and one of the requests from Council was to develop regulations working with the Traffic and Parking Commission. Mr. Kucharsky presents staff recommendations based on feedback from councilors and others. If adopted, language will be submitted to Council which will meet in the OLLA subcommittee later in the month. The recommendations discuss application requirements, defined parking areas, hours of operation, and signage.

Chair Shallop asks for additional process details.

Mr. Kucharsky again notes working with the City Solicitor, Building Commissioner, and Mayor's Office to develop an ordinance amendment which was submitted to council. The intent is to formalize the practice for businesses that have parking lots within the B5 district as well as within a buffer zone of a quarter of a mile. He presents a map which identifies some of the businesses that would be affected. Mr. Kucharsky explains that these businesses have historically sold parking in October, and that this would require them to come before the Department to obtain a permit. Staff would work to make sure those with permits are in good standing and with no issue. Mr. Kucharsky further explains that this would allow enforcement to check on these locations to make sure they are not stacking cars or blocking sidewalks. Mr. Kucharsky acknowledges some have criticized the measure as encouraging people to drive into the City, but he notes that these businesses have already done this, and that this formalization of the process can be one tool to ensure visitors and businesses are respectful of public ways. He also notes that other measures, such as expanding the shuttle program and T services are being examined and done as well. The application process would be on a rolling basis with an annual renewal cost of \$100, considering staff time and enforcement. Mr. Kucharsky states that parking areas must conform to what exists in Section 5.1 of the zoning ordinance, be lit for safety, and comply with MAAB regulations for accessibility. Mr. Kucharsky notes hours of operation would be Monday through Sunday 8AM to 6PM to address concerns from abutters. Businesses must have staff for those hours. Mr. Kucharsky explains that no signage can be in public rights of way or on municipal lights or signposts and provides further details regarding enforcement. Tiers of violations include a warning, followed by a \$300 citation, and then revocation of one's permit.

Vice Chair Papetti asks if the MAAB regulations are stricter than ADA regulations for accessible parking. Mr. Kucharsky states the language references the stricter regulations. Regarding being lit for public safety, Mr. Papetti asks if the language might be more specific.

Commissioner Swartz suggests the recommendations are logical and asks if there was a minimum number of spaces being considered, stating he recalled a consideration of 4 minimum lined spaces. Mr. Kucharsky states he does not recall a minimum but can check with the Building Commissioner. He notes the dimensions and line requirements are identified in Section 5.1. Commissioner Swartz suggests the language regarding operating hours be clarified to state it is permitted from 8AM to 6PM, not that it is required. Mr. Swartz and Mr. Kucharsky discuss reaching out to and educating businesses as there will likely be an initial learning curve. Commissioner Swartz states he would be in favor of this covering the whole City if it goes well for downtown.

Chair Shallop asks about businesses in violation of not having a permit, rather than violations for permitted businesses. Mr. Kucharsky indicates that would be enforced by zoning or the building commissioner, which have their own tiers and fall under their purview. Chair Shallop asks about the magnitude of the fines, wondering if it would be large enough to deter businesses to comply with obtaining a permit.

Commissioner Swartz states he looked up the City municipal codes and that under Section 9 of the zoning ordinance, the building commissioner is to address violations as a

misdemeanor, with fines of not more than \$300 per violation, with violators also paying for all costs involved in the case. Each day would be considered an offense.

Chair Shallop and Mr. Kucharsky discuss the process whereby OLLA will weigh in on amendment language, which clarifies that the Commission would develop regulations. The drafted recommendations are being put forth for Council to consider what the procedure might look like moving forward.

Chair Shallop opens the floor to public comment.

Steve Kapantais of 23 Wisteria Street states there are well written regulations for off street parking that address issues not specifically outlined here, such as the owners' rights, width of aisles in parking lots, width of entrance, and others. Mr. Kapantais notes the recommendations only reference Section 5.1 for the site of parking spaces and suggests language stating property owners must comply with all existing off-street parking regulations under Section 5.1.

Councilor Meg Stott-Riccardi introduces herself and speaks favorably of the idea overall. She notes she has received feedback from neighbors regarding prior concerns, which she believes will be addressed by these regulations. Councilor Stott-Riccardi states it is helpful to see a draft of regulations before considering passage and formalizing this use. She raises concerns about lighting, asking that it not be overly bright and shining into residences. She also expresses concerns regarding idling cars queueing in neighborhoods while accessing lots, as well as late night noises from people returning to their cars. Councilor Stott-Riccardi agrees with the comments about incorporating all of Section 5.1 requirements, suggests adding language that areas be adequately lit for safety but not detrimental to abutters.

Chair Shallop indicates the suggestions seem like reasonable edits and asks Mr. Kucharsky if there is any reason they would not work or be appropriate. Mr. Kucharsky states the conformity with Section 5.1 overall is a good suggestion, and that he can investigate the issue of queueing/idling cars with the City Solicitor and Building Commissioner.

Commissioner Lt. Tucker notes that Section 5.1 does not require lighting, just requires it be done a certain way if you do have lighting, and that here the intention is to require lighting for Halloween nighttime parking. Regarding cars queueing, he states he would certainly not want lot operators to encourage grid lock but acknowledges there is only so much they can do sometimes, so he cautions about creating a situation where an operator of a lot can be in violation based on customer behavior. He expresses similar sentiments regarding noise concerns, noting that when responding to noise calls there is often no issue by the time enforcement arrives, and that it must be important to be fair to everyone.

Commissioner Swartz asks Lt. Tucker about enforcing access to roads, and if police can use enforcement as a mechanism to prevent blocking sidewalks or the street by idling. Lt. Tucker says yes, and that it comes down to who is responsible, whether the lot owner is encouraging the behavior, and if so, they would be faulted, or they are making a good faith

effort and a motorist is causing an issue, in which case enforcement normally tell them to move along. Lt. Tucker states motorists could certainly be cited for the behavior though.

Chair Shallop states she is in favor of the suggestion so far regarding hours of operation and asks if there is a closing time or time when vehicles not part of the regular business need to vacate the lots. Mr. Kucharsky states that language is not in the recommendations, and that he does not think such restrictions exist for regular businesses. Chair Shallop asks if the lots would be staffed during all hours, or only until 6PM, noting that noise complaints would likely be in the later hours when people return to vehicles.

Mr. Kucharsky states he can take these suggestions back to the City Solicitor and Building Commissioner and if it makes sense can make edits for the Commission to vote on that can then go to Council.

Vice Chair Papetti agrees with comments provided by Councilor Stott-Riccardi and Mr. Kapantais. Mr. Papetti expresses concern, however, that the exact dimensional requirements of Section 5.1 might be unrealistic and whether it would be appropriate to apply them to seasonal parking spaces, particularly when there are plenty of lots that currently do not comply with Section 5.1 and face zero enforcement. As an example, Vice Chair Papetti notes that at the Hawthorne Hotel, cars park all over the pedestrian area and have for years, violating City ordinance with impunity. He expresses concerns of equity if there is sudden strict enforcement on seasonal lots while regular violators are overlooked.

Commissioner Garmendia responds to Vice Chair Papetti stating he agrees that if existing situations are problematic or businesses are in violation that should be addressed. Mr. Garmendia indicates the zoning officer has stated this is all or nothing from a zoning perspective and must be enforced across the board. He maintains that we should enforce the laws on the books or change them if we do not agree with them. Regarding Chair Shallops concerns about staffing, Commissioner Garmendia suggests that may approach an undue burden on businesses, particularly if permanent facilities for staff to hang out in do not exist. He questions what would happen if car owners do not return by a certain time and whether staff would need to wait for them or call for a tow and wait for that. Mr. Garmendia states he would be hesitant of late staffing requirements.

Chair Shallop suggests it would be reasonable for lots to, at a minimum, indicate hours of operation, particularly from a neighborhood perspective, and that she would appreciate seeing staff stay beyond the point at which they stop collecting money.

Commissioner Swartz agrees with Chair Shallop but suggests perhaps a balance can be found since business owners cannot always control what customers do, yet expectations should be set for customers. Commissioner Swartz suggests basing staffing on number of cars as an option, or having business owners ending hours, after which a vehicle would be towed. He suggests that it could provide a balance, and at that point by 10PM or 11PM more parking should be available elsewhere. Commissioner Swartz agrees with Commissioner Garmendia's caution.

Commission Lt. Tucker states he does not think requirements regarding noise will be effective, and notes that towing is often louder than noise made by people. Lt. Tucker states that a time limit could be set, but that enforcement could be difficult. He agrees that parking would likely be available elsewhere at later hours, and that the idea could be attempted. Chair Shallop states she would be in favor of 10PM or 11PM, but also indicates she is realistic about enforcement in October.

Commissioner Swartz suggests five hours from 6PM to 11PM is still a significant amount of time, but that he would want more input from businesses as they would be the first line of enforcement.

Commissioner Garmendia suggests that if there are mandatory closing times for parking, they should consider giving patrons appropriate time to have dinner at local restaurants and get back to their cars to be accommodating for businesses. Chair Shallop contends that 11PM is not unreasonable and could even be considered late for some neighborhoods.

Mr. Kucharsky states he will work on edits ahead of the OLLA meeting at the end of the month, such that Council will have something to go on. Commissioners discussed meeting again in August before the OLLA meeting to provide a recommendation on the regulations to Council as they deliberate whether to adopt the overlay. Mr. Kucharsky will work with other staff to edit the regulations and share with Commissioners prior to the next meeting.

### **Neighborhood Traffic Calming Request Procedure**

Mr. Kucharsky explains he received lots of feedback during the last meeting from both Commissioners and City Councilors, and that work has continued on the prioritization tool developed using GIS. Mr. Kucharsky presents a spreadsheet demonstrating all the streets in Salem, with the demographic and land use scoring combined for an overall score. The spreadsheet identifies the top 20 streets based on those two criteria, and Mr. Kucharsky indicates additional speed and volume data will be inputted for streets where it has not yet been collected, as well crash history data for locations. Staff will work with Lt. Tucker to collect additional speed and volume data to incorporate into the spreadsheet to help establish priorities and determine whether those streets need interventions of some sort.

Mr. Kucharsky explains that some of the identified roads already have long term improvement plans, such as Harbor, Congress, and Peabody Street, but that the spreadsheet helps to identify others as well. Mr. Kucharsky indicates the plan is to further break out the roads into segments, as there may be areas or sections of streets that are more problematic than others. The spreadsheet is preliminary and will continue to be worked on with additional data and weighting/scoring incorporated. Mr. Kucharsky states that if applications from residents come in for the Traffic Calming Program, the spreadsheet can be utilized to see where the road ranks, and whether volume and speed data has been collected. Residents would be informed based on the criteria and prioritization; an application/petition alone may not be enough to make the cut. Mr. Kucharsky states that staff can bring streets within the top 20 that could benefit from

traffic calming measures before the Commission and notify abutters of any findings and recommendations.

Chair Shallop thanks staff and says she is very happy to see this spreadsheet. She looks forward to using the analysis to determine which streets are most dangerous and utilizing the data and staff knowledge to provide appropriate interventions.

Commissioner Swartz thanks staff and suggests the spreadsheet will be helpful anytime the Commission or staff discuss traffic calming or review a new proposal. He states he is excited to use it as a resource moving forward.

Vice Chair Papetti thanks staff and states it is a great step forward, with much to think about. Mr. Papetti suggests while looking at the average combined scores is a great starting point, he suggests also identifying top ten roads for access to school as an example, or a top ten list for access to public parks or other amenities. Mr. Kucharsky assures that will be a component of further breaking down the roads by segment, as there are parts that serve schools in one section, but a mile away become a very different roadway. The plan is to drill down into more data and looking for useful ways to look at the data overall. Vice Chair Papetti states it could be a great way to get more partners on board such as schools and their leaders. Vice Chair Papetti notes that some of the main thoroughfares are not included in the top 20 list, despite the occurrence of fatalities and serious injuries, and encourages keeping those main streets on the list. Mr. Kucharsky states there is to be more refinement to the spreadsheet, including adding and weighting crash and safety data. The hope is to use the information and work with engineering to target quick builds and move things quicker.

Commissioner Garmendia echoes comments from other Commissioners and states he loves the spreadsheet. He states he would love for it to exist live and available to the public on the City website. Mr. Garmendia suggests it is not only important for our use, but for other urban planning uses as well. Commissioner Garmendia also notes it could be a good case study for MAPC and other quasi-state agencies interested in the information. Such bodies often have grant money they like to give away for these types of projects, according to Commissioner Garmendia.

Chair Shallop agrees with Commissioner Garmendia, stating it would be a great tool for communicating with the public and being transparent about prioritization.

Mr. Kucharsky states there is also a narrative on the website regarding the program that can be tweaked to better set expectations for the program. He notes the data and land use tools are all currently on the website.

The Commission discusses the data and volume of streets included, which total over 600. They discuss how the spreadsheet will always be iterative and a living document to some extent, with further refinements and score changes based on new or changing data. Chair Shallop suggests it will be a great tool to show applicants where their proposed street ranks based on various criteria.

Commissioner Swartz asks if a category could be added to indicate “near misses” if possible, in addition to crashes. Mr. Kucharsky and Lt. Tucker indicate there is no code for a near miss, and so the data may be difficult to obtain. Chair Shallop asks if a category or code for near misses could be added for enforcement in the future, and Commission Lt. Tucker states it could be possible.

Vice Chair Papetti suggests also proactively looking at safety risk exposures based on roadway design, and not just relying on police reports and speed data. He states that the prioritization should also be informed by basic roadway design deficiencies, such as needing to cross multilane roadways for crosswalks or crossings that are longer than a certain distance.

Chair Shallop opens the floor to public comment.

Steve Kapantais of 23 Wisteria Street states he loves the spreadsheet and is a big fan of data and how it can be used. Mr. Kapantais suggests that crashes and injuries be weighted more heavily, noting that two streets with the highest number of crashes and injuries are 9th and 17th on the priority list. He opines that those streets (Congress and New Derby) should be closer to number one and two.

Chair Shallop reminds the public that the spreadsheet is not complete, and that this is the first pass with more data input and weighting to come. Mr. Kucharsky confirms that is the case. He states he and Mr. Findley will continue to work on weighting and obtaining and inputting additional data points.

### **OTHER BUSINESS THAT MAY LEGALLY COME BEFORE THE COMMISSION**

Commissioner Garmendia asks about the public comment process, noting the Commission received some direct questions, and that he is unsure of when it is appropriate to provide direct answers to those questions in a public meeting.

Chair Shallop explains that the Commission does not engage in discussions or deliberations about topics that are not on the agenda, but that the public is allotted an open comment period to bring up topics or questions, some of which make it onto future meeting agendas. Chair Shallop further explains that for specific questions, people can reach out to Mr. Kucharsky or another staff member at the Traffic and Parking Department.

Commissioner Garmendia suggests providing a regular reminder for the public comment period explaining the protocol and format, because there may be new people attending who are not aware of the procedures. Chair Shallop thanks Mr. Garmendia for the suggestion.

### **UPCOMING MEETINGS SCHEDULE**

The next meeting is scheduled for September 10th, 2022 at 6:00PM.



## **MEETING MINUTES APPROVAL**

July 13, 2022

**Motion and Vote:** Commissioner Swartz motions to approve the minutes for the July 13, 2022 meeting of the Traffic and Parking Commission as drafted. Commissioner Papetti seconds the motion. The vote is five (5) in favor and none (0) opposed. **The motion passes.**

## **ADJOURNMENT**

*On a motion duly made by Commissioner Swartz and seconded by Commissioner Papetti, the Traffic and Parking Commission meeting was adjourned at 7:42 PM.*