

## Danielle Delaney

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**From:** Danielle Delaney  
**Sent:** Tuesday, May 30, 2023 12:04 PM  
**To:** Andreae E. Downs  
**Subject:** FW: Jeremy email re: PS&T

because clerks don't usually reply to constituents. I don't.

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**From:** Danielle Delaney  
**Sent:** Tuesday, May 30, 2023 11:51 AM  
**To:** Andreae Downs <[andreaedowns@gmail.com](mailto:andreaedowns@gmail.com)>  
**Subject:** RE: Jeremy email re: PS&T

I think it may be best if you reply.

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**From:** Andreae Downs <[andreaedowns@gmail.com](mailto:andreaedowns@gmail.com)>  
**Sent:** Tuesday, May 30, 2023 11:43 AM  
**To:** Danielle Delaney <[ddelaney@newtonma.gov](mailto:ddelaney@newtonma.gov)>  
**Subject:** Re: Jeremy email re: PS&T

[DO NOT OPEN links/attachments unless you are sure the content is safe. ]

Sorry--do you need me to reply, or will you?

On Tue, May 30, 2023 at 11:36 AM Danielle Delaney <[ddelaney@newtonma.gov](mailto:ddelaney@newtonma.gov)> wrote:

Per City Ord and Rules and Orders there is no mention of asking a petitioner first if they can attend. These have been the guidelines I have followed for 17 years.

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**From:** Andreae Downs <[andreaedowns@gmail.com](mailto:andreaedowns@gmail.com)>  
**Sent:** Tuesday, May 30, 2023 11:08 AM  
**To:** Danielle Delaney <[ddelaney@newtonma.gov](mailto:ddelaney@newtonma.gov)>  
**Subject:** Re: Jeremy email re: PS&T

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I am, but you should state the policy & copy me.

On Tue, May 30, 2023 at 11:05 AM Danielle Delaney <[ddelaney@newtonma.gov](mailto:ddelaney@newtonma.gov)> wrote:

Hi Andreae,



Are you still in Newton to respond to his email?

If not, I will let him know who was notified (TC original map including 2 men who spoke and people who signed appeal notice).

We do not consult people first.

thanks Danielle.

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From: Jeremy Freudberg <[jeremyfreudberg@gmail.com](mailto:jeremyfreudberg@gmail.com)>  
Sent: Friday, May 26, 2023 1:35 PM  
To: Danielle Delaney <[ddelaney@newtonma.gov](mailto:ddelaney@newtonma.gov)>; Andreae Downs <[adowns@newtonma.gov](mailto:adowns@newtonma.gov)>  
Cc: David Koses <[dkoses@newtonma.gov](mailto:dkoses@newtonma.gov)>  
Subject: PS&T June 7

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Hi Danielle,

I just got the letter in today's mail regarding the scheduling of my appeal at PS&T.

A few things...

I'm not even sure that I'm available on this date. I would've appreciated being consulted on the date.

Which addresses received letters?



**PER CITY ORDINANCE**

**Updated 03/26/2020**

**Sec. 19-33. Role of city council; appeals from Traffic Council.**

(a) The city council may establish policies and standards regarding traffic and parking matters for particular locations, and periodically review and revise such policies and standards, to be used as guidelines by the traffic council.

(b) Following the traffic council's adoption, amendment or repeal of a regulation pursuant to said council's authority under section 19-26(a), an appeal may be taken to the city council in accordance with the procedures set out in section 19-34. The clerk of the city council shall send or deliver notice of hearing on appeal to all persons notified of the original traffic council hearing and to such other persons as the city council may determine.

(c) Upon the filing of an appeal relative to the traffic council's adoption, amendment or repeal of a regulation, the status quo shall be maintained pending final outcome of the appeal. Upon the receipt of such an appeal petition, the clerk of the city council shall treat the appeal as a new item for the city council and place it on the city council's docket.

(d) The city council's decision of such an appeal may adopt, amend, or repeal regulations concerning the geographic area that was the subject of the petition initially filed with the traffic council, or may remand the matter to the traffic council for further review.

**Sec. 19-34. Procedures for filing appeals**

(a) An appeal shall be filed with the clerk of the city council by filing a petition meeting the requirements of this section within twenty (20) days of the traffic council's adoption, amendment or repeal of a regulation pursuant to its authority under section 19-26(a).

(b) No appeal may be filed unless the following signature requirements are met:

(1) In the case of an appeal from a petition filed under Sections 19-28 c), d) or e), the owner/tenant signature requirements for filing the original petition are met;

(2) In the case of an appeal from a petition filed under Section 19-28 f), the signature of any petitioner(s), provided that members of the traffic council may not file an appeal.

(3) In the case of an appeal from a petition filed under Section 19-28 f) where any petitioner(s) does not appeal, an appeal may be taken by (1) any city councilor, or (2) by an interested party provided the same owner/tenant signature requirements to initiate a petition under Sections 19-28 c), d) or e) are met. (Ord. No. Z-12, 12-03-07)

**PER CITY COUNCIL RULES AND ORDERS 2022-2023**

**Section 5. Committee procedure.**

G. A committee is encouraged to follow the following procedure for hearing appeals of Traffic Council decisions:



- (1) Notification of abutters/interested parties by the Clerk should include, at a minimum, the notification list utilized for the original Traffic Council hearing. The Committee Chair may request the Clerk provide additional notification at his/her discretion;
- (2) The Traffic Council report(s) and any correspondence received since the appeal was filed should be attached to the Committee's agenda;
- (3) A Traffic Council member who voted in favor on the original petition should begin the hearing with a presentation summarizing the original petition and the corresponding Traffic Council decision that was appealed;
- (4) The Committee Chair should provide an opportunity for comment by the appellant. The Chair, at his or her discretion, may provide opportunity for additional public comment and shall limit or close the meeting to public comments at any time at his/her discretion;
- (5) The committee shall discuss the appeal among Councilors and City staff only;
- (6) The committee will then take a vote and if acted upon, the item is referred to the full Council;
- (7) The full City Council votes, and may uphold the Traffic Council decision, or according to Ordinance §19-33(d) "...may order the traffic council to adopt, amend, or repeal regulations concerning the geographic area that was the subject of the petition initially filed with the traffic council, or may remand the matter to the traffic council for further review; and
- (8) If the appeal item is held in committee, notification and public comment at subsequent meetings shall be undertaken at the Committee's Chair's discretion."