



# Public Safety & Transportation Committee Report

## City of Newton In City Council

**Wednesday, September 20, 2023**

Present: Councilors Downs (Chair), Markiewicz, Oliver, Lucas, Lipof, Malakie, Bowman and Grossman

City Staff: David Koses, Transportation Coordinator; Isaac Prizant, City Transportation Engineer; Jini Fairley, ADA Coordinator and Josh Ostroff, Director Transportation Planning

Others Present: NewTV

For more information regarding this meeting, a video recording can be found at the following link: [https://youtu.be/9JQQT8Tvfjc?list=PLqjIDbsvfNjVWX8R9k0Ox5M\\_0URb-iS39](https://youtu.be/9JQQT8Tvfjc?list=PLqjIDbsvfNjVWX8R9k0Ox5M_0URb-iS39)

### **#271-23      Appeal of Traffic Council Decision TC30-23**

COUNCILOR MALAKIE on behalf of Matthew Chao, 95 Columbia Avenue, appealing the approval of Traffic Council petition TC30-23 on July 13, 2023 for changes to the parking regulations on Columbia Avenue, in order to install bicycle accommodations. (Ward 8)

**Action:      Public Safety & Transportation Denied 7-0-1, Councilor Malakie abstaining**

**Note:**      Mr. Chao, Mr. Ostroff, Ms. Fairley, Mr. Prizant and Mr. Koses joined the Committee.

Mr. Koses provided a PowerPoint, attached.

Mr. Koses stated that the item refers to the first three blocks of Columbia Avenue between Winchester Street and Needham Street. The first block allows two-way traffic, the street changes to one-way traffic towards Needham Street.

The bicycle accommodation concept plan intends to improve bicycle safety traveling from Needham Street with new bicycle lanes and accommodations. Students and others would be officially allowed to bicycle down Columbia Avenue and Heatherland Road from Avalon Bay and areas on Needham Street towards the Countryside School.

As shown on the concept plan, sharrows or bicycle markings would be painted along the first block of Columbia Avenue, in both directions on this two-way segment. Once past Kenneth Street, a contraflow bike lane would be painted on the south side. On the two-way portion and

southern side, parking would be removed where the bicycle lane would be added. "No Right Turn" signs (except for bicycles) would be posted from Kenneth Street onto Columbia Avenue and from High Street onto Columbia Avenue. A stop sign (for bicycles) would be posted at the end of Columbia Avenue at Winchester Street.

Traffic Council voted to approve painting sharrows on the north side, and keep parking on the north side. On the south side, paint a bike lane where parking is prohibited. The bike lane would continue on to this third block. The north side, no change except to paint a sharrow on the north side, and also adding a stop sign at the very end for bicycles coming down Columbia Avenue. The appellants home is on the north side where parking would remain and would still be a one way street. The only change to the north side would be painted sharrows.

Mr. Chao thanked Councilor Malakie for docketing this item on his behalf. He stated that he is totally blind and uses a guide dog. I want to make one thing perfectly clear; I'm not opposed to bike lanes per se but rather, the apparent unregulated development and promotion of same with little or no regard given to pedestrian safety. I have been struck by a bike. I've had close calls with other bikes, and I've been hit by cars twice. I am not a timid traveler, and am cautious. Why make an otherwise quiet residential street busier and more dangerous by openly publicizing aka sharrows and marking this lane as part of the bike network. I have serious safety concerns for the following reasons: 1) narrowing of street by marking off a bike lane may force traffic further over to my side of the street, putting my dog and myself at risk while she is either relieving herself or while we are crossing the street. 2) Columbia Avenue goes downhill at my house further presenting a risk to my seeing eye dog and myself as most bike riders tend to maximize their speed in these areas. 3) Bikes are silent, potentially, "silent killers" because by the time I hear them, it's too late. That applies to other folks who are blind/visually impaired who either use dogs or canes as mobility aids. If I get taken out by a bike or car going the wrong way down Columbia Avenue, you not only take me out, but my seeing eye dog as well. 4) Given the above, if approved as per the last meeting, I have concerns for my personal safety. If bike lane development moves forward without more attention given to both bike and pedestrian safety. It is not a question of if a bike pedestrian encounter occurs but when? Unfortunately, I speak from experience and some people may say that such accidents of this type are rare. However, it is not rare if it happens to you. 5) The one way that becomes two ways is equally a problem. It's been this whole thing about bikes being silent has been highlighted by the fact that you know when I walk down Winchester Street, or anywhere else, I often don't hear bikes until they're right on my hip. The other thing is to be concerned about here is the possible proliferation of E bikes, which go faster than your regular bike. E bikes travel 25 to 40 mph. Even though Columbia Avenue is legally one way, at my end of the street, I've observed many cars going the wrong way down the south side of Columbia Avenue towards Winchester Street. City vehicles do not oblige to the one way sign.

Public Comment:

A resident stated that he supports the appeal because Mr. Chao is blind. I do not want cars driving too close to his house. Perhaps a bump out should be created in front of his house to prevent cars from going too close to his house so that he can take his dog into the street.

Jenn Martin, Chair of the Safe Routes to School Task Force, stated that the Newton Public Schools Wellness Policy encourages students to walk, bike, carpool, ride the bus or van to school. The Task Force includes parent volunteers, city and school staff as well as elected officials to work together to create safe convenient and comfortable walking, rolling and biking routes to school. This is one of those routes. It is a quiet 1/2 mile low stress direct connection connecting Needham Street to Countryside School. There really isn't a safe alternative. The other option for walking is to go on Dedham Street, which isn't a safe bike route for elementary school students. I was first alerted about this route by parents back when we crowd sourced bike routes to school at the beginning of COVID. Because students would need to ride on the sidewalk for that one way section, we chose not to share it out amongst our list of bike routes to school. Riding on sidewalks is legal outside of business districts but I certainly prefer to see cyclists riding on the street. Since then, I've heard from families at the Avalon that they wish there was a bike route to Countryside School and also a safe route to our three south side secondary schools. The changes create a legal safe on street bike route that will help organize movements of pedestrians, cyclists and drivers throughout the corridor. The Taskforce is happy to work with the Countryside School, principal, PTO, PE teachers to help educate families about this route and bike etiquette. Newton Police this year are providing bike safety education and training including etiquette to all elementary school students.

Mr. Ostroff stated he urges the committee to deny the appeal, upholding Traffic Council's decision. I understand the concerns of the appellant and it is my job to try to improve safer conditions for people traveling on all modes particularly vulnerable road users, including people walking, cycling, people with disabilities. I have no doubt that the appellant feels that he is at risk. I think that the city needs to do a better job in a few areas. 1) assuring safe routes. 2) ensure that our sidewalks are smoother, intact and that we have appropriate curb ramps and tactile warning strips for people with impaired vision. The education and enforcement are also critical parts of this. We need to have better visual cues for drivers. I'm concerned about the reports of cars traveling the wrong way, that certainly requires an enforcement response. Mr. Ostroff offered to meet with the appellant and others to strategize solutions to assure the safety of everybody that travels our roads.

Jane Hanser stated that the situation around this item can accommodate both the needs of the children who live in the Avalon and in the near future Northland who want to bike safely to and from Countryside School and accommodate the needs of Mr. Chao. I would like to be assured of his own safety and we must honor his feelings and his fears. The bike lane and contra flow bike lane from Needham Street to Andrew Street will successfully modify motor vehicle behavior and minimize the type of illegal driver behavior that many have observed. City vehicles are not immune from traveling on the way and it needs to be addressed. I spent time

learning about guide dog training. The guide dog is trained in his daily habits and patterns, predictability are a necessary part of this training. Perhaps we could remove a parking space where the dog is trained to relieve herself and put planters on both sides. Mr. Chao would not be going out into the street or cars would not be coming into that space. Planters would be more flexible than a bump out and could be moved. Working together we can accommodate both groups and Mr. Chao's needs and address his fears. Most recently, DPW moved the 'Blind Person In Area' to a more visible spot. Based on my experience with paint, paint at the corners gets drivers to slow down, gets drivers into a certain lane and narrows roads even though the paint is only at the intersection.

Mr. Prizant stated there was a sight meeting at the end of the spring with Mr. Ayala, Mr. Koses, DPW, Councilors and Ms. Martin. We walked through this area from the school back entrance way to Needham Street. We observed many students biking. I want to emphasize that biking is happening now. The point of that meeting was to come together to see what can be done to make it a bit more formal and making it legal. The contraflow bike lanes, comes down to recognizing that these are one way streets. We have guidance from National Association of Transportation City Officials (NATCO) and MassDOT bike guidance. Both speak very strongly on striping contraflow lanes where we're legalizing bicycles to head in the opposite direction of an otherwise one way roadway. From DPW standpoint, if we have an existing action that's taking place, and we want to formalize it, I think the bike line really just helps organize folks. I understand the concerns with wrong way driving, pinching down and folks in conflict with each other. Having markings and better signage just helps organize bikers better. I don't see it as something that's going to be a major conflict point. There's an opportunity to update signage and pavement markings to help deter wrong way driving behavior.

Nathan Philips, member of the Steering Committee of Bike Newton, spoke only as a parent of two alumni who attempted to bike safely to school through Williams, Brown and South. Experiencing the thought of whether his children were going to make it to school safely on bike. I want to say that we have striven over the years as we've grown to be more about mobility for everyone at any level of ability, and that people can have choices about their mobility including children having the legal safe route to get to their school. I think that Mr. Chao's concerns are legitimate. I feel that the root problem here is the illegal behavior of the cars and that should be the first thing addressed. If we can address that, then it can be safe for other modes and making a safer combination for Mr. Chao as well. I urge denying this request, upholding Traffic Council's decision.

Ms. Fairley stated that she has little vision and uses a guide dog. She explained that her dog was trained just like Mr. Chao's dog and how they are trained to relieve themselves on pavement. Mr. Chao's dog relieves herself at the end of the driveway where she circles into the street. Suggestions made have been excellent if nothing else can be done. The distance we're talking isn't 1000 feet, it's 390 feet in the third block. It might take a child or an adult, a minute to two to get off the bike and walk the 300 feet. Actually, that's safer, because I don't think enforcement will be present. I'm not against bike lanes. The Federal Highway Administration

states when there are shared use paths, shared streets, you must have considerations for people who are visually impaired/blind. This is not a precedent, this is our city, considering that this resident has needs that may contradict the contraflow bike lane. Biking is happening. They are not coming close to Mr. Chao but could. How is it legal that it's a one way street just by a sign? Why can't we put a sign that just says one way street indicating no cars allowed past this point, only bikes. Why can't students get off their bikes and walk past Mr. Chaos home on a quiet residential street? I would like to see the ground not painted for the contraflow bike lane but to do it legally by a sign. I caution that planters and flex posts come out during the winter for plowing. Bump outs, not usually unless the plow takes it out. I hope you will approve this appeal and not uphold Traffic Council's decision.

Mr. Prizant stated that Traffic Council voted to remove parking and having that exception in the TPR, when it comes to one way roads, except bikes. Traffic Council does not approve the striping but is a critical piece of this discussion. We can have that conversation about a compromise on where we do and don't have striping and what type of striping it is. It may be good to note, it doesn't sound like anyone's opposed to restricted parking, which is something Traffic Council voted in. It doesn't seem like folks are opposed to the concept of bicycles traveling in the direction against one way vehicles. It's sort of almost like we're having two discussions at the same time.

A resident asked what is a bump out? Mr. Prizant answered that a bump out is a constructed physical alteration in the roadway, where it comes into the roadway farther than the existing sidewalk. There are such things as flex post bump outs and painted bump outs that aren't quite to the same extent. We will want to have a discussion to understand what could work better for Mr. Chao. I don't know that DPW would be prepared to commit to a physical bump out which has drainage and funding implications.

Mike Halle stated when paint is used to restrict lanes the major concern of motor vehicle behavior and speeds has often been improved. For the numerous reasons that we put in the TAG letter we think that that is likely the way to go.

Committee members comments, concerns, questions, answers:

Planters would not impede the bike lane because they would be installed on the north side.

I'm hearing people say they want to keep what Traffic Council passed in concept but how can we support Mr. Chao without destroying a bike route to school? Mr. Prizant can review the striping, but it is necessary for the police to enforce Columbia Avenue if people are traveling a one way street the wrong way. Perhaps we should review the docket in a two-step process.

Councilor Malakie, docketer stated that she heard from a parent, who had a very good system for making sure his children could handle any particular route or condition before he let them go to school on their own. I was feeling like there was a lot of kind of dismissing of his concerns by sighted people who'd never been through guide dog training. I didn't understand myself, on

why can't the dog just go over there instead of over here until I learned about how the training starts from puppyhood and it's done a certain way. I was trying to think of ways we can make the situation safer to allow Mr. Chao to do what he and his dog must do without any danger rather than people saying this is going to be better for you. I would like the suggestions made come to fruition. It is a little mind bending that the Traffic Council decision is just about the parking and not the striping. But it seems like the striping would be a natural consequence of the Traffic Council decision being upheld. An option may be for children to get off the bike and walk for two blocks, it may be even safer. The idea of the route itself is great, but I really would like to drop the striping until we can do something for Mr. Chao and his dogs safety. A reasonable accommodation would be to make the two short blocks of walking rather than children staying on their bike for that stretch.

Bikes traveling eastbound on Columbia Avenue direction towards Winchester Street, it slopes downhill into a very speedy Winchester Street. Is there a stop sign in that area or will one be installed? Mr. Prizant answered yes, at the Winchester Street approach a smaller stop sign would be installed.

Approximately how many students bike to Countryside School taking this route? Mr. Prizant answered that DPW does not have this data, but perhaps a dozen. Observations that one day initiated the discussion. The general idea is being mindful the fact that we anticipate more bicycling, especially with the future Northland Development.

I want the city to work with Mr. Chao on any safety measures that they can do to help him and protect him from cars and bikes when he is out in front of his house. All efforts must be made.

This discussion is the most compelling conversation this Committee has ever had with a Traffic Council decision.

We heard a lot of good ideas to help meet Mr. Chao's needs and concerns. Could DPW comment on what, if any of those ideas are feasible, and could be incorporated?

Do we have the option to condition our decision on any of those particular changes or accommodations? Vice-Chair Markiewicz answered that it's actually a great question. The testimony tonight has been incredibly helpful. If this item is denied, follow up actions are necessary.

Will Mr. Ostroff and Mr. Prizant be willing to take the suggestions and put them to fruition?

Clerk Delaney have you seen this case scenario before? Ms. Delaney answered no, I think you could make a motion and make suggestions to DPW to address Mr. Chao's safety concerns.

Is anyone from DPW present is in a position to pledge to work on one of these particular solutions, and sort of make a commitment to Mr. Chao?

Vice-Chair Markiewicz suggested Chair Downs, himself, Mr. Prizant, Mr. Koses, Ms. Fairley, Mr. Ostroff and any Committee members to reconvene to ensure some suggestions made come to fruition addressing Mr. Chaos concerns. Chair Downs added that there is a working group of DPW, school officials, planners and elected officials who should also attend.

Please review the placement of the one-way sign at the bottom of High Street. Perhaps the sign can be moved to the right making it more visible.

Please install a second "Do Not Enter" sign on the left to make it clearer to motorists not to head down Columbia Avenue in the wrong direction.

My dream for roads like this is really to neck down the major street, the entrance at Winchester and Needham Streets.

This makes a good connection not just for students biking to Countryside School, but it makes a good biking connection for adults connecting from the neighborhood over to Needham Street and beyond.

Getting off a bike and walking is not convenient.

Making our streets and our city more possible for people to bike safely is critical to meeting our health goals, our transportation goals and our climate goals in a way that's respectful for all road users.

Is there a difference in the width of Columbia Avenue at Needham versus Winchester Streets? Mr. Prizant answered yes, the first segment between Needham and Kenneth was just a bit narrower. We're just proposing to restrict parking, it's still two-way. There's no space for a bike lane. It's about making drivers aware that bicycles do at times share the roadway. The section that we're more focused on of Columbia Avenue is 23 feet. The plan was to have a six foot contraflow bike lane, a standard bike lane width. We need to be mindful about sort of how it's interpreted by vehicles as well. We don't want it too wide, where it looks like a vehicular lane.

Mr. Koses summarized the follow up actions because what's being voted on tonight are very specific. Officially making it a one-way road except for bicycles, removing some parking, and adding a stop sign for bikes. These are specific changes in the TPR. If we meet and decide that we want to put in a bump out or a planter, maybe we would need another Traffic Council item to remove additional parking. If we just want to change the striping, maybe we don't need to have a bike lane striped along a certain portion, a DPW decision. If we're talking about adding a second sign or changing the location of the sign, that's something that can be done, it does not need a Traffic Council vote.

Mr. Ostroff asked if there are similar conflicts or potential perceived conflicts elsewhere in the city? As we develop the network plan, we can think of more city wide recommendations. We

want to try to make sure that as we consider this one case that we are doing something more comprehensive.

Mr. Koses provided the approved TPR language in Traffic Council:

Removing from the provisions of Sec. TPR-85. One-way streets., Columbia Avenue, from Winchester Street to Kenneth Street. Inserting into the provisions of Sec. TPR-85. One-way streets., the following: Columbia Avenue, from Winchester Street to Kenneth Street, except non-motorized vehicles.

Inserting into the provisions of Sec. TPR-147. Obedience to isolated stop signs., the following: Columbia Avenue at Winchester Street, eastbound.

Removing from the provisions of Sec. TPR-176. Parking regulations pertaining to particular streets., the following: Columbia Avenue (1) Prohibited, all days, north side, from a point 90 feet west of Needham Street to Needham Street. (2) Prohibited, all days, south side from High Street to Kenneth Street. Inserting into the provisions of Sec. TPR-176. Parking regulations pertaining to particular streets., the following: Columbia Avenue (1) Prohibited, all days, south side, between Winchester Street and Kenneth Street. (2) Prohibited, all days, both sides, between Kenneth Street and Needham Street.

Five additional emails received in support of denying the appeal are attached.

Without further discussion, Councilor Downs made a motion to deny this item, upholding Traffic Councils decision. Committee members agreed 7-0-1, Councilor Malakie abstaining.

**#270-23 Appeal of Traffic Council Decision TC35-23**

ILIJA JOVANOVIĆ, 131 Farwell Street, appealing the approval of Traffic Council petition TC35-23 on July 13, 2023 for prohibiting parking at all times along the following areas of Farwell Street: south and west side from a point 170 feet west of Farwell Circle to North Street (southerly intersection). (Ward 3)

**Action:** **Public Safety & Transportation voted to Remand to Traffic Council for Further Review 8-0**

**Note:** Mr. Jovanov, Mr. Prizant and Mr. Koses joined the Committee.

Mr. Koses provided a PowerPoint, attached.

Mr. Koses stated that Farwell Street is a 20-foot wide road, with parking on both sides except within a section of the street that is 22-feet with parking on both sides. There is a section of the middle of Farwell Street where parking is not allowed on the west side.

We received an anonymous request from a resident living on Farwell Street requesting parking restrictions on a portion of Farwell Street. He/she also sent a video showing a school bus having difficulty to get through. Parking is currently not restricted on either side, even around the curb, or at the beginning of the street. Our recommendation because of the street width and buses



to restrict parking on one side of the street, beginning at the curve, no parking anytime from the fire hydrant around the curve and continuing. We have the current no parking zone already in place. We're recommending extending the no parking zone around the curve to where it's currently already restricted, and then continue the restriction down to North Street.

On July 13, 2023, Traffic Council approved a parking prohibition on Farwell Street, all days, south and west side from a point 170 feet west of Farwell Circle to North Street (southerly intersection).

After the appeal, Mr. Koses spoke with Regina Moody, Transportation Director, she confirmed that the bus does pick up and drop off right around the corner on North Street just before Farwell Street taking that turn on to Farwell Street to turn around. The bus travels on that first block of Farwell Street takes the right onto Joseph Road and a right onto Albemarle Road. Ms. Moody hasn't heard any complaints from any of the drivers about parking on that stretch of Farwell Street and supports restricting parking on one side with no need to restrict parking on both sides if that was the reason for the appeal. As long as parking is restricted on one side, the buses would be able to get through. The video shows cars parked on both sides of this first block from North Street and the bus traveling through that first block, and then making the right hand turn onto Joseph Road; the bus is able to get through when a car is parked on one side, but wouldn't be able to get through if cars were parked on both sides.

Mr. Jovanov stated that he was the first to report that the bus was unable to get through after seeing it on his ring camera video. Vans and trucks sometimes parked in that location is a bit tricky. I guess it doesn't happen often enough and people were close enough to move their vehicles. In the video, the problem is the even side of Farwell Street. If we provide parking on the odd side it allows the bus to go through. Now we're going to be on the even side where the children are getting on the bus. The bus goes into Farwell Street because otherwise it blocks North Street that has a lot more traffic. I've talked to neighbors since Traffic Council approved the parking prohibition and they informed me that they don't want to see this implemented because Farwell Street existed for a very long time without parking restrictions. There are a high number of driveways on the odd side of Farwell Street making it difficult to legally park. Neighbors who live on the corner of Farwell and North Streets park off the street because there is no curbing. If the parking restriction is implemented, they would have to park their car either on Joseph Road or Summer Street because they don't park on busy North Street. When there's cars parked on the odd side of Farwell Street, drivers have to go around those cars, and they have slowed down to check if there's oncoming traffic. If there's no cars parked, they just speed to the intersection. I've gathered signatures opposed to the decision to provide parking restrictions on that side of the street, especially because a lot of neighbors have children and sometimes nannies temporarily park there while the parents leave their house. It would make life a lot more difficult for a lot more people where I don't feel like the problem is really on the odd side of Farwell Street.

Public Comment:

Mike Halle, 62 Cherry Place, stated this is an excellent low stress bike route. I've suggested it as a future Bike Ped Route for safety. I think the restriction does make sense and believe the original petition with Ms. Moody and Mr. Koses that this change is useful if we can implement it in a safe effective way.

Sharon Hughes, 50 Joseph Road, stated that she agrees with Mr. Jovanov. I don't think there's anyone in this neighborhood that thinks this is a particularly good idea. I have not seen a public safety vehicle have a problem coming down the street. I don't think I've ever seen a bicycle except a couple of kids who ride their bikes to school. I'm not sure what problem we're really trying to solve here. I think a parking restriction would inconvenience many people and not resolve anything.

Committee members comments, questions and answers:

Did Traffic Council vote on removing parking on the wrong side of Farwell Street? Mr. Koses answered that Traffic Council voted to put in restrictions on one side because it's a narrow street. We were concerned about emergency vehicles having access. We chose the west side of the street because there was already a parking restriction on the west side of the street. We extended that restriction, northerly and southerly and continued to allow parking on the opposite side of the street as it is now.

Who brought the original item to Traffic Council? Mr. Koses answered he was the original docketer after receiving the video from a resident of the street.

Please explain why the appeal is before us. Is it because the parking prohibition was placed on the wrong side of the street? Mr. Koses answered that it all began with an anonymous video showing a school bus was stuck and not able to get through the street. We did a site visit and noticed it was a narrow street with parking allowed on both sides. The street is not wide enough to allow parking on both sides. Our number one concern is for the safety on the street, we don't want the one time you have one car parked on the east side, another car parked on the west side, and not be able to have a firetruck get down the street. This is all across the city. It's the same situation when we see a street that's less than 24 feet, less than 23 feet or even 22 feet wide. In this case, it's 20 feet wide. We restrict parking on one side of the street for safety sake.

School buses are not allowed to back up. We cannot have school buses getting stuck. State Law states that Police have to respond when a school bus has children on it, and it needs to go in reverse.

The question is which side of the street should parking be prohibited.

At the Traffic Council meeting did you have a lot of participation from neighbors? Was there discussion about whether it should be the east side or the west side? Was the decision made because one side of the street has the largest number of parking spaces? Mr. Koses answered

that he recalls Traffic Council did not have a lot of participation from residents on the street, although everybody on the entire street was notified. I don't recall if we received any written letters. I think at the meeting, it was a little confusing to me, honestly, but it seemed like the resident might have been asking to restrict parking on both sides of that first block, but we felt that it wasn't necessary. We wanted to restrict parking on one side and extend it from where it already restricted.

I fully support a parking restriction on one side of the street, but will not opine which side.

Why was parking restricted on the west side and why that particular stretch? Mr. Koses answered that it has been restricted for quite a long time.

Why is the parking restriction in the middle of the block? It is not near any turning areas and does not encompass the whole apartment stretch. Mr. Koses answered that the first thing that he observed is that it's only restricted in the middle. Why is it not restricted around the bend? I thought it should be restricted on the inside of the 90 degree turn, and extend it also to the south.

Did Mr. Jovanov send in the anonymous video? Mr. Jovanov answered yes.

Of the 30 notices mailed does that include some apartments? Mr. Koses answered that everybody was notified that abutted the street. I don't think apartments abut the street notified.

Additional neighborhood input is necessary.

It is only appropriate for parking to be on one side. We cannot count on the fact that people don't usually park there. If two cars park opposite they will keep a fire engine from coming through.

The people who spoke don't want the restriction. It appears people sort of self-regulate parking. You don't want people parking on both sides at the same time, it seems like a first come first serve situation.

Mr. Prizant asked if in the first block, where the school bus travels, do we have a consensus that we want to ensure?

Ms. Hughes stated when cars park opposite of each other on Joseph Road that's when the school bus has the problem making the corner. There are people who depend on parking on Farwell Street who are going to need someplace else to park. I think you might be creating a problem that doesn't seem to exist right now.

Mr. Jovanov stated that the likely reason that the parking was not extended down Farwell Street to North Street from that zone is because you have driveways nearly five feet apart. It's not possible to park because you will be blocking a driveway, which is why I assume the zone ended where it did. If you prevent cars from parking on the odd side of Farwell Street now pushing that entire traffic on the even side of Farwell Street. The cars that were previously not in the way of the school bus, suddenly become in the way of the school bus. For the most part, it is a self-regulating street. I feel the solution to the problem is going to cause more issues for residents.

Chair Downs stated Mr. Jovanov made two excellent points, but they contradict each other. First, if you restrict the odd side of the street, south of Joseph Road, there are so many driveways so close together, that you can't find a parking spot. Is that correct? Mr. Jovanov answered that is the section of the apartment building from Joseph Road to North Street. Chair Downs stated that you might be able to park one car without it being a hazard. The duplexes, have two driveways, you'd be blocking a driveway. Second, if we restrict parking on one side of the street, those cars may then park on the opposite side. On this particular block, only one car can park. Is this correct? Mr. Jovanov answered that he has seen multiple cars parked, there is room to park one car at #131 and a second car at #129. Chair Downs stated that she agrees with Mr. Jovanov on #131, but anywhere besides #131, you're within five feet of an intersection or within five feet of a driveway. Mr. Jovanov explained that he observes a car parked in the driveway of #129, all day and once in a while sees a car parked behind. I see cars parked between the two driveways of #131 and #129. Chair Downs stated between units #131 and #129 the space is within five feet of the driveways.

Mr. Prizant stated that maybe we should review this area as two segments. First, look at Farwell Street from North to Joseph Road. Second, review the rest of the section.

If this appeal is upheld, does the item go back to Traffic Council to discuss what can be accomplished for this neighborhood? Chair Downs asked Mr. Koses if it can be brought up again in Traffic Council in a modified form? Mr. Koses answered that the item could be sent back to Traffic Council for further review.

Chair Downs stated that she would prefer to remand this item back to Traffic Council for further review.

Mr. Prizant asked two clarifying questions. 1) The request from neighbors in this meeting, is to have zero restrictions on the street. 2) Are you still looking at that first segment differently, where you've pointed out the issue with the school bus and sent us the video. Mr. Jovanov answered that the neighborhood as a whole agreed that they don't want to have any changes. If there's a problem, we can address it separately in Traffic Council. I think we shouldn't have to be impacted by a restriction. Perhaps we can restrict parking at specific times during bus pickups/drop-offs.

Mr. Prizant stated we will ask for written input from Ms. Moody when she spoke with the school bus driver, informing us what will benefit them. Hopefully we can acknowledge that at a future Traffic Council meeting, and consider the rest of the street separately.

One of the issues is the fear that restricted parking may push parking over to another street. Do we need to docket something to look at adjacent streets when Traffic Council discusses? Mr. Koses answered this item was only for Farwell Street. He looked at Joseph Road noticing it was narrow with parking on both sides. I think it would be safe to restrict parking on one side of Joseph Road as well but that was never docketed, perhaps it should be docketed.

Chair Downs stated that she will docket an item to accompany this item. While neighbors may want to have parking on both sides, in the first block, only one legal space exists on Farwell Street odd side. Streets this narrow must accommodate school buses and emergency vehicles without difficulty. We must make that possible first and foremost.

Without further discussion, Councilor Bowman made a motion to Remand to Traffic Council for further review. Committee members agreed 8-0.

The Committee adjourned at 9:05 p.m.

**Respectfully submitted,**

**Chris Markiewicz, Vice Chair**

**Andreae Downs, Chair**

# Public Safety & Transportation

City of Newton

September 20, 2023

## Agenda

- **#271-23 Appeal of Traffic Council Decision TC30-23 COUNCILOR MALAKIE on behalf of Matthew Chao, 95 Columbia Avenue, appealing the approval of Traffic Council petition TC30-23 on July 13, 2023 for changes to the parking regulations on Columbia Avenue, in order to install bicycle accommodations. (Ward 8)**
- **#270-23 Appeal of Traffic Council Decision TC35-23 ILIJA JOVANOV, 131 Farwell Street, appealing the approval of Traffic Council petition TC35-23 on July 13, 2023 for prohibiting parking at all times along the following areas of Farwell Street: south and west side from a point 170 feet west of Farwell Circle to North Street (southerly intersection). (Ward 3)**

# 271-23



Appeal of Traffic Council Decision TC30-23 (Columbia Avenue)

9.20.23

3

Traffic Council

## Location Map: Route to Countryside and Columbia Avenue

# 271-23



9.20.23

4

Traffic Council

**View of Columbia Avenue  
Looking East from Needham Street**

#271-23 and #270-23

271-23



9.20.23

5

Traffic Council

**View of Columbia Avenue  
Looking East From Kenneth Street**

271-23



9.20.23

6

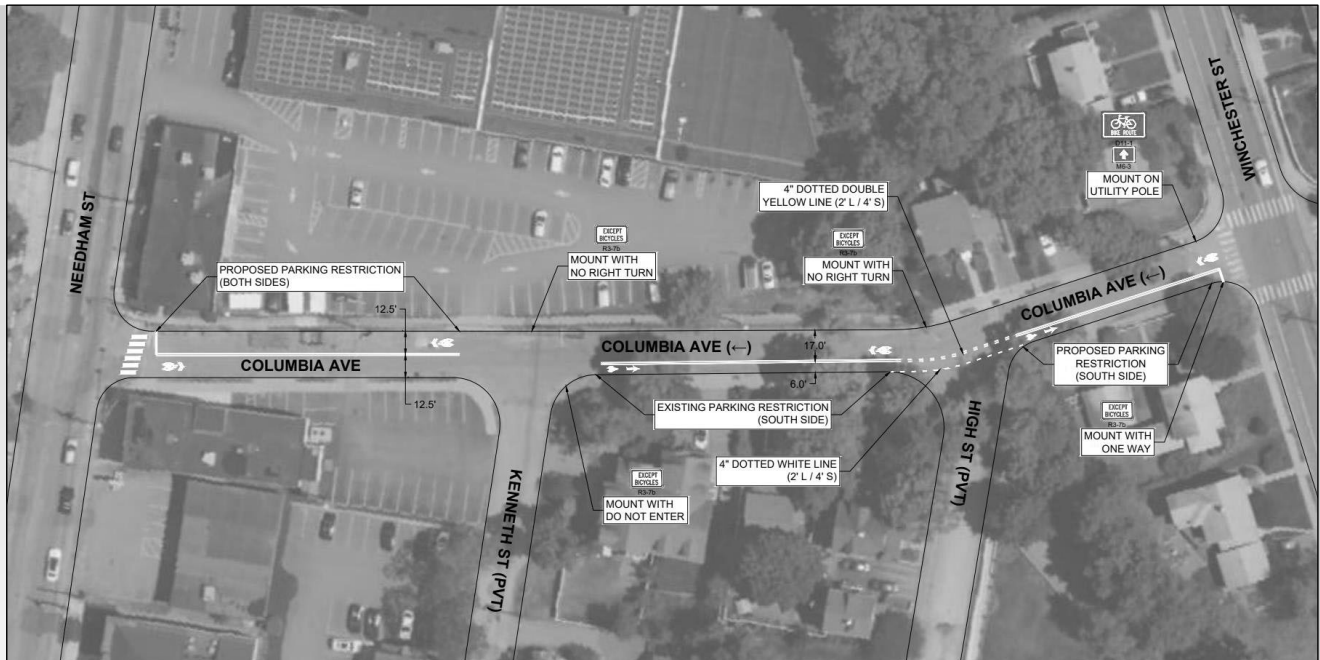
Traffic Council



# Concept Plan for Bicycle Accommodation & Contra-Flow Bicycle Lane on Columbia Avenue

#271-23 and #270-23

271-23



9.20.23

7

Traffic Council

## Recommended Changes to the TPR For Columbia Avenue

271-23

By REMOVING from the provisions of Sec. TPR-85. One-way streets., the following:  
*Columbia Avenue*, from Winchester Street to Kenneth Street.

By INSERTING into the provisions of Sec. TPR-85. One-way streets., the following:  
*Columbia Avenue*, from Winchester Street to Kenneth Street, except non-motorized vehicles.

By INSERTING into the provisions of Sec. TPR-147. Obedience to isolated stop signs., the following:

*Columbia Avenue at Winchester Street*, eastbound.

CONTINUED ON NEXT SLIDE >>>

9.20.23

8

Traffic Council

# Recommended Changes to the TPR For Columbia Avenue

#271-23 and #270-23

## 271-23

By REMOVING from the provisions of Sec. TPR-176. Parking regulations pertaining to particular streets., the following:

*Columbia Avenue*

(1) Prohibited, all days, west side, between High Street and Kenneth Street.

By INSERTING into the provisions of Sec. TPR-176. Parking regulations pertaining to particular streets., the following:

*Columbia Avenue*

(1) Prohibited, all days, south side, between Winchester Street and Kenneth Street.

(2) Prohibited, all days, both sides, between Kenneth Street and Needham Street.

**CAN BE APPEALED**

Appeal Deadline is August 2, 2023

9.20.23

9

Traffic Council

# Action Taken at the 7/13/23 Meeting

## 271-23

### Action Taken by Traffic Council on 7/13/2023 for Columbia Avenue:

- Approved changes to the parking regulations on Columbia Avenue, as shown in the Concept Plan.
- Approved 5-0.

### Action Taken by Traffic Council on 7/13/2023 for Heatherland Road:

- Approved changes to the parking regulations on Heatherland Road, as shown in the Concept Plan.
- Approved 5-0.
- Not Appealed
- On hold, pending resolution of the Columbia Avenue appeal.

9.20.23

10

Traffic Council

# 270-23



Appeal of Traffic Council Decision TC35-23 (Farwell Street)

9.20.23

11

Traffic Council

## Location Map: Farwell

## 270-23



9.20.23

Traffic Council

**View of Farwell Street**  
**Looking South toward North Street**

#271-23 and #270-23

270-23



9.20.23

13

Traffic Council

**View of Farwell Street**  
**Looking South toward Joseph Rd & North St**

270-23



9.20.23

14

Traffic Council

**View of Farwell Street  
Looking North from Joseph Road**

#271-23 and #270-23

270-23



9.20.23

15

Traffic Council

**View of Farwell Street Looking East  
Around the Curve and Toward Farwell Circle**

270-23



9.20.23

16

Traffic Council

# Background

#271-23 and #270-23

## 270-23

- Existing Parking Regulations on Farwell Street: Prohibited, all days, northwest side from a point 440 feet northeast of North Street northeasterly 415 feet.
- Transportation Division received anonymous request to restrict parking on a portion of Farwell Street.
- Video received showing bus unable to pass through.
- Currently not restricted around the curve, either side.



9.20.23

17

Traffic Council

**Recommendation: Begin “No Parking” zone before hydrant, continue to North Street**

## 270-23



9.20.23

18

Traffic Council

# Recommendation

## Recommended TPR language

#271-23 and #270-23

# 270-23

*Extend parking prohibition easterly, around the curve, and southerly and southerly to North Street.*

**CAN BE APPEALED**

Appeal Deadline is August 2, 2023

By REMOVING from the provisions of Sec. TPR-176. Parking regulations pertaining to particular streets., the following:

### *Farwell Street*

(1) Prohibited, all days, northwest side from a point 440 feet northeast of North Street northeasterly 415 feet.

By INSERTING into the provisions of Sec. TPR-176. Parking regulations pertaining to particular streets., the following:

### *Farwell Street*

(1) Prohibited, all days, south and west side from a point 170 feet west of Farwell Circle to North Street (southerly intersection).



9.20.23

19

Traffic Council

# Action Taken at the 7/13/23 Meeting and Subsequently

# 270-23

### Action Taken by Traffic Council on 7/13/2023:

- Prohibit parking at all times along the following areas of Farwell Street: south and west side from a point 170 feet west of Farwell Circle to North Street (southerly intersection).
- APPROVED 5-0.

### Action Taken After Appeal was Filed:

- Spoke with Transportation Director of the NPS
  - Bus picks up on North Street (NB) just before Farwell.
  - Bus needs to turn around – so R onto Farwell; R onto Joseph; R onto Albemarle.
  - No complaints from drivers about this stretch of Farwell Street.
  - Transportation Director supports restricting parking on one side.
  - No need to restrict parking on both sides at this time – can revisit if it becomes problematic.

9.20.23

20

Traffic Council

Video Taken 9.14.23

270-23



9.20.23

Traffic Council



**Danielle Delaney**

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**From:** Jenn Martin <jennmartin.srts@gmail.com>  
**Sent:** Monday, September 18, 2023 1:05 PM  
**To:** Andreae Downs; Christopher J. Markiewicz; John Oliver; Tarik Lucas; Julia Malakie; Alicia Bowman; Rebecca Walker Grossman; Richard Lipof  
**Cc:** David Kalis; Danielle Delaney; Traffic Council; David Koses; Stephanie Gilman; Elizabeth Herlihy; Joshua Ostroff  
**Subject:** In opposition to Item #271-23, Appeal of Traffic Council Decision TC30-23  
**Attachments:** CountrysideRoute.png

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

Dear Chair Downs and City Councilors of the Public Safety and Transportation Committee,

On behalf of the citizen members of the Newton Safe Routes to School Task Force, I am writing to ask that item #271-23 Appeal of Traffic Council Decision TC30-23 be denied. The changes to Heatherland (TC29-23) and Columbia (TC30-23) approved at the July 13 Traffic Council meeting would create a legal on-street bike connection between the Aven (formerly the Avalon) and Countryside Elementary School using quiet streets and the back entrance to Countryside School grounds via Andrew St. See attached map. These changes will also provide a bike route via the Upper Falls Greenway/Newton Community Way for Countryside families who live in Newton Upper Falls. The traffic signal at Columbia and Needham St. was recently updated as part of the MassDOT Needham-Newton Corridor Project, and Needham St. will have off-street bike lanes and shared-use paths upon its completion.

It is legal in Newton to bike on sidewalks outside of business districts; as such, students and community members are already using this route, which is a half mile bike ride to school. There is not an alternative safe, convenient on-street bicycle route for students. Adding on-street bicycle accommodations like those approved will help organize the movements of both drivers and people on bikes, and provide a legal option other than the sidewalk for people on bikes, thereby making it safer for everyone.

The illegal driving behavior on Columbia Ave outlined by the petitioner poses a danger for everyone - drivers, pedestrians and people on bikes - and should be brought to the attention of Newton Police and Newton Department of Public Works so that possible solutions can be identified to stop that unsafe and illegal driver behavior.

The Newton Public Schools [Wellness Policy](#) "encourage(s) walking, bicycling, school bus/van, car pool, and other means of mass transit to access school buildings". This year the need for safe walking, rolling and bicycle routes became even more critical with the introduction of a new \$400 bus fee for elementary school students; the bus had previously been free and was popular for Countryside students residing in the Avalon. The new bus fee gave urgency to making these changes this summer.

Thank you to Councilor Kalis and Councilor Downs for docketing the items this summer for Traffic Council and for meeting with me and DPW transportation staff last school year to investigate and lay out the route.

Thank you for your consideration,

Jenn Martin  
Chair, Newton Safe Routes to School Task Force  
on behalf of its citizen members  
[www.NewtonSafeRoutes.org](http://www.NewtonSafeRoutes.org)  
FB: [@NewtonSafeRoutes](#)

**Danielle Delaney**

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**From:** Adam L. Peller <adam@peller.org>  
**Sent:** Monday, September 18, 2023 4:22 PM  
**To:** Danielle Delaney  
**Cc:** Traffic Council  
**Subject:** In support of TC29-23 and TC-30-23

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

Dear Chair Koses and members of Traffic Council:

I am troubled that anyone would oppose a safety measure to help get our kids to school safely. Creating a safe, convenient, marked route to Countryside from Needham Street housing should not be called some sort of "lobbying" evil. It is an action to protect some of our youngest, most vulnerable road users. The sidewalk, considered a fair alternative by some, is actually among the most dangerous places for cyclists. There, they must contend with more points of conflict with vehicles, pedestrians, and yes, also with people with disabilities. Many of our bicycle/vehicle crashes involve cyclists using the sidewalk with a false sense of security crossing driveways or intersections. Fast moving cyclists on the sidewalk also have less visibility to motorists entering and backing out of driveways and at danger everytime they transition from sidewalk to street.

The needs of those with disabilities must be addressed through safe roadway design, a common understanding of traffic laws and enforcement, where necessary, but not by denying safe routes to our children.

Sincerely,

Adam Peller  
28 Daniel Street

**Danielle Delaney**

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**From:** Carol Moore  
**Sent:** Wednesday, September 20, 2023 12:14 PM  
**To:** Danielle Delaney  
**Subject:** FW: TAG comments on PS&T item #271-23 (Appeal of TC decision on Countryside bike route)

-----Original Message-----

From: Michael Halle <m@halle.us>  
Sent: Tuesday, September 19, 2023 10:50 PM  
To: City Council <citycouncil@newtonma.gov>  
Cc: David Koses <dkoses@newtonma.gov>; Isaac Prizant <iprizant@newtonma.gov>; Adrian Ayala <aayala@newtonma.gov>; Jenn Martin <jennmartin.srts@gmail.com>  
Subject: TAG comments on PS&T item #271-23 (Appeal of TC decision on Countryside bike route)

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

Dear City Councilors,

As Chair of Newton's Transportation Advisory Group (TAG), and representing its citizen members, I wish to comment on PS&T docket item #271-23, the appeal of Traffic Council Decision TC30-23. We ask you to DENY the appeal of this item and allow the creation of an inexpensive, low-stress bicycle connection from Needham Street to Countryside School on local roadways.

We support the comments on this issue made by Jenn Martin on behalf of Newton Safe Routes to School, while amplifying and extending those remarks here. As David Moses noted in the Traffic Council meeting, the vote taken was to change the streets in question to be two way for bicyclists and to remove parking appropriately. That decision is what is being appealed. With regard to the contraflow lane itself, as Mr. Koses has said, Traffic Council does not decide striping, so the question of whether a marked contraflow lane is painted is not part of the Traffic Council decision and thus is also not before this committee as part of this appeal, we believe.

So on the question at hand, legalizing the two-way travel for bicyclists on a low-stress, highly desirable direct route to a school has clear transportation and safety benefits. It protects bicyclists from the legal liability of wrong-way riding should a crash occur, and it promotes good habits of legal behavior for riders who may just be learning the rules of the road.

That said, we agree with Newton Traffic Engineer Issac Prizant's comments in the Traffic Council meeting regarding the appropriateness of a marked contraflow lane at this location. On a street where by testimony some drivers may already be unaware of the one-way nature of the street, a marked contraflow lane more clearly indicates the safe and legal space for drivers and bicyclists. Furthermore, marked on-street facilities encourage bicyclists to not use the sidewalks where the greatest risk of conflict of conflict with pedestrians can occur.

Contrary to comments in the meeting, the city is not proposing to use bike lanes on all local streets. Rather, it is proposing to use them at this location in accordance with guidance from numerous transportation sources: for short sections of roadway where conflict may otherwise be likely and additional visibility is warranted.

The risk of conflict between vehicles (including motor vehicles and bicycles) and people with disabilities is real and should be mitigated as much as possible. With a width of about 22 ft, and with infrequent parking, Columbia Ave. is

sufficiently wide to allow inappropriate vehicle lane positioning and speeds and, occasionally, illegal two way traffic. Narrowing the travel lane to a still-wide 16' by adding a contraflow lane is the kind of countermeasure that has been used in other locations to encourage legal driver behavior. The road will "read" more like the one-way street it is with the addition of a well-marked contraflow bike lane. The installation of any additional warning signs to alert drivers to directional restrictions or the presence of a blind resident should be considered separate from this discussion.

In summary, creating this legal bike route is a good idea that helps bicyclists of all ages and abilities reach neighborhood destinations such as Countryside School safer and easier. It can be implemented quickly and inexpensively. The question before Traffic Council, and thus before you, is only whether to legalize the existing behavior of two-way bicycling on this route. We urge you to deny the appeal and allow this change to Newton Traffic and Parking Regulations to occur. We also support the installation of a marked contraflow lane at this location and believe it will support greater safety and predictability for all modes of travel. Finally, we encourage the installation of additional measures to improve the safety of vulnerable road users on Columbia Ave and at the Winchester intersection.

Thank you for your consideration of this matter.

Sincerely,  
Michael Halle  
Chair, Newton Transportation Advisory Group

62 Cherry Place, West Newton

**Danielle Delaney**

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**From:** Adam Lipson <ALipson@novocure.com>  
**Sent:** Tuesday, September 19, 2023 10:47 PM  
**To:** Danielle Delaney  
**Subject:** Countryside bike route

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

Ms. Delaney,

As an introduction I am one of the current co-presidents of the countryside PTO and I wanted to briefly write in support of the bicycle corridor from the Avalon to Countryside by way of Columbia St both from PTO and from myself as an individual. I have personal experience biking this route both by myself and with my kids and think it's a fantastic idea to codify the bike route. This is a route that today is used frequently by cyclists and scooters both from Avalon and as a safe corridor to Needham St. This route is safer, more direct, and more protected than traversing down Needham St to Dedham St. I have done this with my then 5 year old daughter and will regardless of the official marking continue to use this corridor and I know many other families who have done so as well both on bike and scooters.

I understand the concern from the resident who wrote to advocate for not marking a designated corridor but I think his concerns are somewhat misplaced. He has focused on this being particularly challenging due to illegal activity (parking, driving) on the street. This illegal parking narrows the street and thus he believes his mobility is at risk. Having been hit by a car making an illegal turn while biking I can totally sympathize with him as getting hit by any vehicle is traumatic especially if you have vision loss and fear being hit again. However, I think the citizen misses the point that having a predictable flow of bikes and scooters in a marked corridor will in fact help make this route safer for both him and the children commuting to countryside as it will provide a marked corridor that when used will be well known to him and thus should put him at ease. Secondly when looking at when the corridor will be in use it will be for less than 60 minutes per day roughly 7:50-8:10 and after school from 3-3:30. This predictability along with perhaps enhanced enforcement of the parking / driving laws on his street should give him solace and the children a safer route to school. We should do everything we can to encourage kids to be outside, bike to school, and be active in a responsible way and giving them a clear path to safely be active while respecting the neighbors does exactly that.

Thank you for your consideration,  
Adam

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**Danielle Delaney**

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**From:** Ed Olhava <ed@bikenewton.org>  
**Sent:** Wednesday, September 20, 2023 12:43 PM  
**To:** Andreae Downs; Christopher J. Markiewicz; John Oliver; Tarik Lucas; Julia Malakie; Alicia Bowman; Rebecca Walker Grossman; Richard Lipof  
**Cc:** David Kalis; Danielle Delaney; Traffic Council; David Koses; Joshua Ostroff  
**Subject:** Bike Newton requests Item #271-23 Appeal of Traffic Council Decision TC30-23 be denied

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

Dear Members of the Public Safety & Transportation Committee,

I am writing as President of Bike Newton, representing its membership of over 1900 people, to ask that item #271-23 Appeal of Traffic Council Decision TC30-23 be denied.

Bike Newton focuses on "Everyday Biking for Everyday People." The bicycle facility approved by Traffic Council on July 13 for Heatherland St. and Columbia St. is just that. With some simple paint and sign changes, there will be a neighborhood connection to the existing shared-use Upper Falls Greenway Path and the Needham St. bike lanes that are under development. Low-stress routes like this one play a crucial role in promoting biking as a safe, viable and attractive mode of transportation and recreation. This route will connect students along and to the west of the Needham St. corridor to Countryside Elementary, Oak Hill Middle, Brown Middle, and Newton South High Schools, allowing them to bicycle to school in a safe way. The route will also connect neighborhood residents to the many amenities of Needham St., including a grocery store, retail shops and restaurants without adding another vehicle to the street or parking lot.

With reduced vehicle traffic and lower speeds, quiet streets and shared use paths provide a safer, more comfortable environment for people on bikes, pedestrians, and other vulnerable road users. In this case, the Columbia/Heatherland bicycle route is accessible to a wide range of vulnerable road users, including children, seniors, and novice cyclists. The alternative Dedham St. route has high vehicle speeds, heavier traffic volume, and vehicles parked near Countryside at the peak times that elementary and secondary school students would use the route.

Please deny the appeal so that this bicycle connection can be created.

Thank you for your time and consideration.

Sincerely,

Ed Olhava  
President, Bike Newton, on behalf of its members  
[www.BikeNewton.org](http://www.BikeNewton.org)