

City of Keene
New Hampshire

MUNICIPAL SERVICES, FACILITIES AND INFRASTRUCTURE COMMITTEE
MEETING MINUTES

Wednesday, October 7, 2020

5:30 PM

Remote Meeting via Zoom

Members Present:

Janis O. Manwaring, Chair
Michael Giacomo, Vice Chair
Randy L. Filiault
Bettina A. Chadbourne
Robert C. Williams

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas P. Mullins, City Attorney
Rebecca Landry, IT Director/Assistant City
Manager
Steven Russo, Police Chief
Kürt Blomquist, Public Works
Director/Emergency Management Director
Don Lussier, City Engineer

Members Not Present:

Chair Manwaring called the meeting to order at 5:30 PM and read the executive order authorizing a remote meeting: Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04. Pursuant to this Order, Committee members stated their locations and whether alone.

1) Heather Servant – In Support of Lower Speed Limits on Eastern Avenue

Chair Manwaring welcomed this petition's organizer, Heather Servant of Eastern Avenue, on behalf of her neighbors. Ms. Servant stated that 30 miles per hour (mph) is too fast a speed limit on Eastern Avenue. She said there are many families living on the street with young children, including herself. The speed limit on Eastern Avenue is not safe for kids, with there being little to no space between the street and front yards in this area as well as few sidewalks. She explained that where there are sidewalks, many parts are cracking or impassible with a stroller, causing her to walk with kids in the street, which is unsafe due to the speeding and road conditions. Ms. Servant explained that Eastern Avenue is used in conjunction with South Lincoln Street to bypass downtown or other areas. She said the neighbors request that the City lower the speed limit on Eastern Avenue and not only install lower speed signs, but to ensure reliable police enforcement of that limit. Additionally, infrastructure is needed to keep the neighborhood safe, including sidewalks on both sides to narrow the road as a natural solution to speeding and/or speed tables. While she knows that infrastructure is expensive, Ms. Servant thinks this work should be a priority in 2021, before an injury or death results as has happened elsewhere in the City. She said the City can and should protect its residents, and that as Keene continues expanding, consideration should be given to all those who have been here throughout the growth.

Chair Manwaring asked whether Ms. Servant observed increased traffic on Eastern Avenue with the Marlboro Street construction this past summer. Ms. Servant said yes and her neighbors concurred that with various road construction over time, such as on Water Street, people have realized that Eastern Avenue is a good alternate route to avoid downtown.

Councilor Williams said that Eastern Avenue is the best route from his house to go south and agreed that the neighborhood has been impacted by recent nearby construction. He said he has been more cautious on the street since seeing this petition and he hopes all citizens will be more conscientious throughout Keene. The Councilor said this is a case where the neighbors face a burden placed on them both from surrounding neighborhoods as well as economic development to the south. While economic development is great, Councilor Williams said not when at the expense of neighborhoods. He recognized the problem and it concerned him.

Chair Manwaring welcomed Police Chief, Steve Russo, who agreed that Eastern Avenue is a main arterial throughway and that Marlboro Street being under construction probably increased traffic for that duration. Regardless, he said conditions are always changing and data is needed to demonstrate the current problem. As such, the City's trailers that flash speed at drivers had been placed non-flashing for one week leading up to this meeting to collect data. That data had not yet been sorted at the time of this meeting but the data would be reviewed to identify the times of day that there is the most traffic and/or speeding so that directed police patrols can occur for some time. He continued data from those patrols can help guide future education, enforcement, and a long-term Public Works plan. After directed patrols, the speed trailers would be placed on Eastern Avenue again, but this time flashing speed at drivers. While Chief Russo said that data from four years ago on Eastern Avenue demonstrated that speed was not a problem, he said there are many new factors warranting updated data.

Chair Manwaring welcomed the Public Works Director, Kürt Blomquist, who asked Ms. Servant to call his office and speak with himself or the Office Manager, Maria, to tell them particular sections of the sidewalk where she must exit into the street so he can alert the Highway Division to spot repair before leaf collection/winter.

The Public Works Director continued showing varied photos of the 6/10-mile long Eastern Avenue – between Water and Marlboro Streets – which was constructed in 1869 as a connector from the east to the north/south. There has been discussion about a Victoria Street extension to help relieve some of the commercial vehicles using Eastern Avenue and other surrounding areas. The right-of-way on Eastern Avenue is only 50 feet, which is uncommon in the area but due to the road being physically closer to the east side of the right-of-way because the west side slopes upward, causing many homes/yards to be very close to the sidewalk or street. On some parts of Eastern Avenue, the edge of houses directly abut the public right-of-way. The Public Works Director continued saying that the City Engineer, Don Lussier, determined that to overlay the existing sidewalk on Eastern Avenue would cost approximately \$88,000. There is no curbing between the street and sidewalk along much of the roadway due to the aforementioned sloping

and very limited drainage, and so rain water is allowed to sheet-flow off the street. Therefore, to construct a new sidewalk on Eastern Avenue built to the City's five-foot wide standard with curbing and drainage, the cost would be approximately \$320,000. The Public Works Director said that both approaches and budget figures are within the Capital Improvement Program (CIP) range allotted for such projects, should the Council choose to direct funds toward this issue. Other options to address this concern on Eastern Avenue include speed tables, but he used Victoria Street as an example of speed tables increasing neighborhood noise from commercial vehicles, making it hard to locate the infrastructure in residential neighborhoods. He said the Public Works Department needs time to decide how to best manage the street. Finally, the Public Works Director recalled that Councilor Kate Bosley asked Staff to look at speed City-wide and in February 2020. In response, the City Council asked Staff to develop a conceptual plan to reconsider speed limits throughout the City. Due to Covid-19, coordinating all of the City departments to develop such a plan has been challenging, and so Staff plans to return to the project this fall/early winter and to return to the Council with a possible speed program in March/April 2021.

Councilor Filiault said that if the criteria for moving forward with projects is waiting for Covid-19 to end, then projects could be on hold a long time. Like many things, he said Councilor Bosley's request was placed on more time, which Councilor Filiault called the "black hole of no return." He cited precedent for lowering speed limits throughout the City, such as Stonehouse Lane. He wanted to see the speed limit lowered on Eastern Avenue in the short-term instead of waiting on the possibility of sidewalk construction. Councilor Filiault said he has family living on Eastern Avenue whose dog ran recently into the street and was killed. Without clearance between front yards and the street, he said that could have easily been a child running into the street and a driver would have little opportunity for reaction time. He said Ms. Servant's letter was extensive and he agreed with the entirety but knew from his time on Council that getting sidewalks repaired/constructed is a challenge. He suggested taking Ms. Servant's letter one item at a time and said the fastest remedy is to lower the speed limit to 25mph because many people default to 5mph over the speed limit and because of the high use of Eastern Avenue. He appreciated Chief Russo wanting a few more weeks to review the newest data, to which Councilor Filiault was amenable, but he was not comfortable placing this item on more time indefinitely.

Vice Chair Giacomo agreed with Councilor Filiault and the petitioners, as he grew up playing on Eastern Avenue and knows how fast it can feel when a car passes. He recalled the discussion during Councilor Bosley's proposal that the closer you are to the road the faster a passing car looks and feels. Vice Chair Giacomo lives on a similar street without curbing between the sidewalk and street, and he said it does feel uncomfortably close to a passing vehicle. He asked whether there is a stipulation for some study before lowering a speed limit or whether the Council could lower the speed limit on Eastern Avenue by edict immediately. Per NH statute, the Public Works Director said the lowest speed allowed for an urban street is 25mph but modifying that speed requires an engineering/traffic study to justify the lowering; Chief Russo agreed.

The City Manager, Elizabeth Dragon, clarified that the overall speed study is not on hold waiting for Covid-19 to end, but rather that in addition to the pandemic, Staff had to keep addressing many other City priorities, like the Community Development Department's Land Use Code Update project, which was prioritized before the speed study. She agreed with the Public Works Director that Eastern Avenue needed to be analyzed before lowering the speed and she also agreed with Councilor Filiault not wanting this entire issue placed on more time. She agreed that the sidewalk portion of this request would remain likely on more time because it would be a part of the CIP and budget consideration. She thought the next step of directed police patrols Chief Russo explained would make more difference than changing the speed limit. She said in the short-term, the process Police Russo explained would move forward.

Councilor Williams said there are other means of traffic calming in addition to speed limits and asked if collapsible pylons could visually narrow the roadway encouraging slower speed; he asked if adding white painted lines to the street sides could do the same. He noted that when he walked Eastern Avenue he noticed that where cracks in the road were sealed with tar in recently, that application did not continue onto the sidewalks, contributing to their quicker deterioration and the need to walk in the roadway. The Public Works Director replied that edge striping has been used in the City in the past to visually narrow roadways and he said Eastern Avenue would benefit from defined edges, though the City does not have the necessary equipment in-house and therefore the effort would occur as a part of City-wide line painting in 2021. He said the collapsible pylons mentioned work well temporarily as evidenced in the Maple Acres area but said they get damaged quickly, in part due to winter, and so costs rise quickly for replacing them.

Councilor Chadbourne said she walks along Eastern Avenue and said speeds are always fast, regardless of the Marlboro Street construction. She agreed that walking there feels unprotected and very close to the roadway because the sidewalk is so low and crumbling. She agreed with not wanting this entire matter placed on more time without a deadline to return with Chief Russo's data. She heard all the short-term solutions listed but stated she still wanted to lower the speed limit to 25mph and she supported the white edge lines as soon as possible, neither of which require long-term planning costing the hundreds of thousands.

Councilor Filiault agreed that of course police enforcement of the speed limit is needed but said that resident's comments from Stonehouse Lane lauded the positive benefits of lowering the speed to 25mph, stating that it even slowed those who do not speed intentionally. Lowering the speed could help rectify some of the problems on Eastern Avenue. He supported Chief Russo wanting two more weeks to analyze the data but Councilor Filiault said he intended in two weeks to make a motion to lower the speed on Eastern Avenue to 25mph and the rest could be considered down the road.

Ms. Servant agreed with the short-term plan and thanked all for their respect, concern, and support.

Vice Chair Giacomo moved to place the petition In Support of Lower Speed Limits on Eastern Avenue on more time for one meeting cycle, which Councilor Filiault seconded.

On a vote of 5 -0, the Municipal Services, Facilities and Infrastructure Committee recommended that the petition to lower the speed limit on Eastern Avenue be placed on more time for one meeting cycle.

Chair Manwaring noted that she forgot to open this matter for public comment and so she urged any member of the public wishing to comment to email their City Councilor or the City Clerk and assured those comments would be reviewed first at the next public meeting.

**2) Colonial Theater Group, Inc. – Petition for Discontinuance
R-2020-38**

Chair Manwaring welcomed the Public Works Director, Kürt Blomquist, who said this petition is in connection with the Colonial Theater Group, Inc. expansion of the Colonial Theater. He recalled that the Council laid-out the Commercial Street parking lot in 1969 as a public way with a Resolution for certain designations of that layout. As a result of property owners not wanting their properties in that layout, in 1970, the Council attempted to pass a Resolution to undo that 1969 action but the law was not followed properly to do so and therefore, the 1969 Resolution remains. He recalled the Hamblet's coming forward in 2019 with a similar discontinuance request for their property. In this instance, the Colonial Theater Group needs a discontinuance to build an addition over the top of that public way. The Mayor scheduled site visits for this matter first to Winchester Street and then to the Commercial Street parking lot on November 5 at 5:15 PM and a public hearing on November 10 at 7:10 PM. The Public Works Director recommended placing this item on more time until after the site visits and public hearing.

Vice Chair Giacomo moved to recommend placing the Petition for Discontinuance R-2020-38 on more time to allow for a site visit and public hearing to occur, which Councilor Chadbourne seconded.

On a vote of 5 -0, the Municipal Services, Facilities and Infrastructure Committee recommended that Resolution R-2020-38 be placed on more time to allow the site visit and public hearing to occur.

3) Adjournment

There being no further business, Chair Manwaring adjourned the meeting at 6:17 PM.

Respectfully submitted by,
Katrnya Kibler, Minute Taker
October 10, 2020