



Public Safety & Transportation Committee Report

City of Newton **In City Council**

Wednesday, January 17, 2018

Present: Councilors Ciccone (Chair), Auchincloss, Cote, Downs, Markiewicz, Noel and Grossman

Absent: Councilor Lipof

City Staff: Sgt. Jay Babcock, Newton Police Department; Faye Morrison, Parking Manager and David Koses, Transportation Coordinator

#36-18 Appeal of Traffic Council Decision #84-17 Fairway Drive

DOUGLAS L. JONES, 81 Waban Avenue, Waban appealing the portion of the approval of Traffic Council Petition TC84-17 applicable to 81 through 113 Waban Avenue. The residents would like amended relief on the north side of Waban Avenue directly in front of 81 to 113 Waban Avenue by designating that section either 1) 2-hour parking, 9 AM to 5PM, Monday through Friday or 2) No Parking School Days, 8 AM to 4 PM except for residents and service vehicles.

ACTION: **Public Safety & Transportation No Action Necessary 6-0, Councilor Cote not voting**

NOTE: Douglas Jones, petitioner did not attend tonight's discussion. Today, Mr. Jones provided an email to Committee members for consideration, attached to this report.

Sgt. Babcock and David Koses, Transportation Coordinator joined the Committee for discussion on this item.

Chair Ciccone stated that this request is for 1) 2-hour parking, 9 AM to 5PM, Monday through Friday or 2) No Parking School Days, 8 AM to 4 PM except for residents and service vehicles. The Committee will not vote on the section reading "except for residents and service vehicles". Uniformity is necessary on Citywide parking restrictions.

Mr. Koses provided Committee members with a PowerPoint presentation, attached to this report. He briefly explained to Committee members the location, site photos, road characteristics and parking observations. The Traffic Council report and PowerPoint presentation from the Traffic Council meeting held on November 16, 2017 were attached to the agenda.

On November 16, 2017, Traffic Council approved a 2-hour parking zone, Monday to Friday, 8:00 a.m. to 4:00 p.m., except by Waban Parking Permit on the south side of this section of Waban Avenue, and a No Parking School Days zone on the north side. The appeal petition requests from the residents that they would like amended relief on the north side of Waban Avenue directly in front of 81 to 113

Waban Avenue by designating that section either 1) 2-hour parking, 9 AM to 5PM, Monday through Friday or 2) No Parking School Days, 8 AM to 4 PM except for residents and service vehicles.

There are no current parking restrictions along this section of Waban Avenue because the appeal was filed for consideration. Mr. Koses stated that in Traffic Council, he opposed approving a parking restriction for only the twelve vehicles that he observed.

Mr. Koses stated that this section of Waban Avenue is very scenic. Waban Avenue is a public way, approximately 22-23 feet wide (in this section). The utility poles and sidewalks are located on the north side. No fire hydrants observed. Mr. Koses stated that in November 2017, staff observed between seven to twelve vehicles parking on Waban Avenue, northern roadway between Manitoba Road and Crofton Road. Today, Mr. Koses observed two vehicles parked at this location. The remainder of Waban Avenue is generally free of parked vehicles.

Mr. Koses said that at the Traffic Council meeting he provided Council members with several reasons to consider on voting “no action” on this request including the following:

- (1) Maximum of only 12 vehicles were observed by staff – all on the south side.
- (2) Most of this block typically has few parked vehicles.
- (3) Adding a parking regulation would require the addition of signs along a very scenic area.

Mr. Koses stated that since the opening of the Angier Elementary School parents are parking up this area of Waban Avenue and Nehoiden Road during drop-off and pick-up times. It appears commuters are also parking up the area. If vehicles were parking on both sides of Waban Avenue, Traffic Council would make some sort of parking restriction on a 23-foot wide road.

Mr. Koses stated that the following section would need to be changed if an additional type of restriction is to be added within the Waban Village Parking District:

(d) The public streets and private ways listed in Section TPR-207(c) shall have one of the following restrictions in place:

- (1) No parking any time.
- (2) No standing any time.
- (3) Two hour limit, 9:00 a.m. to 5:00 p.m., Monday through Friday, except by Waban permit.
- (4) Prohibited, 9:00 a.m. to 5:00 p.m., Monday through Friday.
- (5) No parking school days.

Sgt. Babcock stated that two-hour parking restrictions are complaint driven. The two-hour restriction begins once an officer arrives at the scene and takes note of the time, after two-hours, a citation is issued. Parking time restrictions must be uniform throughout the City. The permit allows a resident to override a two-hour parking restriction. Sgt. Babcock then stated that the Police Department on two occasions observed only two vehicles parking.

Mr. Koses stated that residents may obtain their permits from the Traffic Bureau. If the Waban Parking Plan is expanded up to 8 permits may be issued. Mr. Koses stated that if this item were not appealed, the follow-up actions would include four additional non-resident permits would become available to

park on Waban Avenue. The Traffic Bureau may choose to distribute them to the Angier School Principal for distribution to staff, distribute them to other non-residents working in the area or not to distribute at this time.

At the Traffic Council meeting, Mr. Koses provided Committee members with an option of adding this section of Waban Avenue into the Waban Village Parking Plan by implementing no parking on north side, two-hour limit 9:00 a.m. to 5:00 p.m., except by permit on the south side issuing four new permits for non-residents. This parking plan would have provided parking for residents and their visitors and discourage commuters from parking in the area.

Chair Ciccone opened the discussion to members of the public who were present. A resident stated that she is happy with the permit parking in the area where she resides. She then said that vehicles have the tendency to park on the south side.

Committee members questions and suggestions:

- A Committee member suggested remanding this item back to Traffic Council for further review.
- A Committee member asked why Traffic Council took action on both the north and south sides?
- A Committee member stated that Mr. Jones' email does not express concern regarding "The residents prefer 2-hour parking...because it permits parents of Angier children easy access for parking for drop-off in the morning and pick-up at the end of the school day."
- A Committee member suggested negating Traffic Council's vote eliminating all approved actions on Waban Avenue.

A straw vote was taken to negate Traffic Council's action on November 16, 2017. Council members agreed.

Without further discussion, Councilor Auchincloss made a motion for no action necessary. Committee members agreed 6-0, Councilor Cote not voting. The committee voted to vacate the Traffic Council vote, meaning that that no signage will be added to either side of this section of Waban Avenue, and no parking regulations will be added. Mr. Koses stated that a Traffic Council petition may be filed again at any time, if desired.

#38-18 Amend overtime parking ordinance

TRANSPORTATION COORDINATOR requesting an ordinance amendment to **Chapter 19, Section 190 Overtime parking.** to clarify the language and improve enforcement.

ACTION: **Public Safety & Transportation Held 7-0**

NOTE: Sgt. Babcock, Faye Morrison, Parking Manager and David Koses, Transportation Coordinator joined the Committee for discussion on this item.

Mr. Koses reviewed with Committee members the current and proposed ordinance language provided.

Current Ordinance

Sec. 19-190. Overtime parking. No person shall park a vehicle for a longer consecutive period than the limit specified and between the hours specified on any of the streets or parts of streets designated as parking meter zones in which parking meters and parking meter spaces are to be established pursuant to the traffic and parking regulations.

Mr. Koses stated that the current overtime parking ordinance appears to possibly cause confusion. The ordinance is clear stating that drivers cannot put change into the meters. However, the ordinance is not clear when parking at short-term parking meters. How does one determine the proper distance to move their vehicle on the street without being issued a citation. This is not clear for parking patrol officers, staff and for appeals purposes. There is no mention in the current ordinance of non-metered parking spaces.

Proposed language

Sec. 19-190 Overtime Parking. No person shall park a vehicle within a designated metered parking space or in a parking space within a time-restricted area for a longer period than the time limit specified or beyond the hours specified. No person shall park a vehicle for a longer consecutive period than the time limit specified within an off-street municipal parking lot or on a street within the area between the nearest two street intersections.

Mr. Koses stated that the proposed overtime parking ordinance appears to be clear. The ordinance is clear stating that that one does not need to determine the distance to move their vehicle. A driver must remove their vehicle from a parking lot and not to another parking meter to allow turnover or remove their vehicle from the block and not to another meter to allow turnover. This would be clear to parking patrol officers, staff and for appeals purposes.

Sgt. Babcock stated that the parking patrol officers issue citations between the hours of Monday through Saturday from 8:00 a.m. to 6:00 p.m. When the meter expires, a driver must remove their vehicle from a parking lot and not to another parking meter or remove their vehicle from the block and not to another meter to avoid citations. He then stated that the Police Department has received complaints from residents and commuters regarding the current ordinance. The parking control officers suggested creating clear ordinance language regarding the overtime parking. Sgt. Babcock then stated that 25% of drivers do not understand the current ordinance.

Ms. Morrison stated that the current ordinance is difficult for employees and business owners. The wording of the current ordinance is difficult for drivers to determine the proper distance to move their vehicle without being issued a citation. Drivers continue to receive tickets repeatedly. The proposed ordinance language appears to be clear and fair and will allow turnover.

Mr. Koses stated that if this item were approved, it would be necessary for the City to alert drivers of the new ordinance.

Committee member concerns, questions and suggestions:

- A Committee member agreed that turnover is necessary and asked Mr. Koses to obtain information from surrounding municipalities (Brookline, Cambridge, Boston, etc.) on their overtime parking ordinance language. Ms. Morrison stated that perhaps the Law Department received this language prior to drafting this proposed overtime parking language. She then stated that not every municipality has an overtime parking ordinance.
- A Committee member stated that they would not support the proposed language as written. It is necessary to clarify the proposed language for all. Perhaps, if the proposed language is not clear clients and shoppers will not frequent nearby businesses.
- Committee members asked how the City would alert drivers of a new overtime parking ordinance?
- A Committee member stated that it is unfair to require a driver to move from a City parking lot when there are adequate parking spaces remaining.
- A Committee member stated that if the ordinance does not require drivers to vacate from a parking lot, it may be unfortunate because commuters and employees may have the tendency to park up the parking lot.

Without further discussion, Councilor Auchincloss made a motion to hold this item pending information from surrounding municipalities on their overtime parking ordinance language, approach, charges, fines and information. How do municipalities communicate that a driver must remove their vehicle from a parking lot and not to another parking meter or remove their vehicle from the block and not to another meter. Committee members agreed 7-0.

#39-18 Submittal of the Traffic Council's annual report

CHAIR OF THE TRAFFIC COUNCIL submitting the Annual Report of the work of the Traffic Council for 2017.

ACTION: Public Safety & Transportation No Action Necessary 7-0

NOTE: Sgt. Babcock and David Koses, Transportation Coordinator joined the Committee for discussion on this item.

Mr. Koses reviewed with Committee members the work of Traffic Council in 2017, this material was attached to the agenda. Mr. Koses said that during 2017, Traffic Council held eleven evening meetings and heard 140 items and took final action on 136 items. As of tonight, four items remain being held. Traffic Council approved (or approved as amended) 79% of all items heard, took no action on 14%, and denied six items. Three appeals were submitted to the City Council.

In 2017, Traffic Council began a new process of incorporating accessible parking spaces into the Traffic and Parking Regulation (TPR). Duplicate and unnecessary accessible parking spaces were removed. A new process was developed for traffic calming requests to be removed from Traffic Council. The Transportation Division now completes traffic calming requests administratively. The City receives traffic calming requests from constituents and/or Councilors by phone, email or WebQA/311.

Committee member questions and suggestions:

- A Committee member asked what other types of Traffic Council items could be handled administratively? Chair Ciccone stated that he would oppose the Transportation Division handling other Traffic Council items.
- A Committee member asked Mr. Koses to explain the backlog during 2017? Mr. Koses stated that the number of backlog items are waiting to be discussed in Traffic Council. In July 2017, the maximum backlog was 56 items. In February 2017, the minimum backlog was 26 items. The average backlog for 2017 is 33 items.
- A Committee member suggested grouping related items together in Appendix B: List of all Traffic Council items heard during 2017. Mr. Koses said that in 2017, approximately 80% of Traffic Council items heard were accessible parking spaces. He then said that he would provide this request.

Without further discussion, Councilor Auchincloss moved no action necessary. Committee members agreed 7-0.

Committee Clerk's Note: On January 18, 2018, Mr. Koses provided to Council members the following information on the distribution of Traffic Council "Request Types" that were handled in 2017. A few items included more than one request.

#	Request Type
48	Add or remove an accessible parking space
41	Change a parking regulation
21	Add a stop sign
6	Add a traffic signal, RRFB or a blinking signal
5	Change TPR to match existing signage
3	General discussion
3	Change a street into a one-way direction
3	Change a meter time limit
3	Add a yield sign
3	Add a "do not enter" restriction
2	Reduce a speed limit
2	Add a school zone
1	Add a "no u-turn" restriction
1	Add a bus zone

Without further discussion, Councilor Auchincloss moved no action necessary. Committee members agreed 7-0.

At approximately 8:45 p.m., the Committee adjourned.

Respectfully submitted,

Allan Ciccone, Jr. Chair

Danielle Delaney

From: Danielle Delaney
Sent: Wednesday, January 17, 2018 2:06 PM
To: Andreae Downs; Brenda Noel; Christopher J. Markiewicz; Jake Auchincloss; James R. Cote; Jay Ciccone Jr. ; Rebecca Walker Grossman; Richard Lipof
Cc: David Koses; John J. Babcock; 'allan ciccone'; Stephen Simoglou; Nicole Freedman
Subject: email re: Appeal #36-18 for tonight discussion

Hello,

Doug Jones, petitioner asked that I forward you this email. He will not be attending tonight's discussion.

Hard copies of this email will be available at tonight's meeting.
Danielle

Thank you
Danielle Delaney
Committee Clerk
City Council
617-796-1211
ddelaney@newtonma.gov

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

From: Virginia Drachman []
Sent: Wednesday, January 17, 2018 1:59 PM
To: Danielle Delaney
Cc: Douglas Jones
Subject: Appeal, 81-113 Waban Avenue

TO THE PUBLIC SAFETY AND TRANSPORTATION COMMITTEE:

I HAD PLANNED TO BE AT TONIGHT'S MEETING, BUT UNFORTUNATELY I AM HOME SICK AND CANNOT ATTEND.

I HAVE ASKED THAT DANIELLE OR ANOTHER PERSON IN ATTENDANCE TONIGHT AT THE APPEAL OF THE TRAFFIC COUNCIL DECISION FOR WABAN AVENUE PLEASE PASS ALONG MY STATEMENT.

MY NEIGHBORS AND I ARE PLEASED WITH THE TRAFFIC COUNCIL'S DECISION TO MAKE THE SOUTH SIDE OF THE NORTHERLY SIDE OF WABAN AVENUE (81-113, ADJACENT TO THE AQUEDUCT) A 2-HOUR PARKING AREA, MONDAY TO FRIDAY. THIS DECISION ALLEVIATES PARKING CONGESTION BY COMMUTERS AND OTHERS, WHILE PRESERVING SHORT-TERM PARKING FOR RESIDENTS AND PARENTS DROPPING CHILDREN OFF AT ANGIER SCHOOL

BUT MY NEIGHBORS AND I ON WABAN AVENUE STRONGLY REQUEST ADDITIONAL RELIEF FROM THE DECISION OF THE TRAFFIC COUNCIL TO IMPOSE "NO PARKING SCHOOL DAYS" ON THE NORTHERLY SIDE OF WABAN AVENUE WHERE ALL THE HOMES ARE LOCATED. THE REGULATION ADOPTED BY THE COUNCIL IS TOO RESTRICTIVE; IT DENIES RESIDENTS READY ACCESS TO THEIR HOMES AT VIRTUALLY ALL TIMES OF THE DAY, AND PROHIBITS SERVICE VEHICLES DIRECT ACCESS TO THE HOUSES.

RATHER, WE PROPOSE ONE OF THE FOLLOWING DESIGNATIONS FOR THE NORTHERLY SIDE OF WABAN AVENUE (81-113).

OPTION ONE: 2-HOUR PARKING, 9-5, MONDAY TO FRIDAY

OPTION TWO: NO PARKING SCHOOL DAYS, 8 AM TO 4 PM, EXCEPT FOR RESIDENTS AND SERVICE VEHICLES.

A FEW POINTS IN FURTHER SUPPORT OF THE CHANGE ON THE NORTHERLY SIDE OF WABAN AVENUE:

1. THE RESIDENTS PREFER OPTION ONE, 2-HOUR PARKING 9-5, MONDAY TO FRIDAY, BECAUSE IT ACCOMPLISHES TWO IMPORTANT GOALS:

—FIRST, IT GIVES RESIDENTS READY ACCESS TO THEIR HOMES AND ALLOWS SERVICE VEHICLES TO PARK FOR SHORT PERIODS OF TIME.

—SECOND, IT PERMITS PARENTS OF ANGIER CHILDREN EASY ACCESS FOR PARKING FOR DROP-OFF IN THE MORNING AND PICK-UP AT THE END OF THE SCHOOL DAY.

2. WE BELIEVE THAT OPTION ONE BEST BALANCES THE INTERESTS OF THE RESIDENTS AND ANGIER PARENTS, WITH SAFETY CONCERNS FOR ALL.

3. OTHER STREETS IN WABAN AND THROUGHOUT NEWTON HAVE 2-HOUR RESTRICTIVE PARKING ON BOTH SIDES OF THE SAME STREET. WE BELIEVE THAT SUCH REGULATIONS ON THOSE STREETS SHOULD BE USED AS THE BEST PRECEDENT FOR PARKING REGULATIONS ON THIS BLOCK OF WABAN AVENUE.

4. IN SUMMARY, WE BELIEVE THAT OPTION ONE BEST BALANCES THE NEEDS OF THE RESIDENTS, THE SAFETY OF PARENTS AND CHILDREN AT ANGIER, AND THE SAFE USE OF WABAN AVENUE.

THANK YOU.

DOUG JONES

Public Safety and Transportation

City of Newton

January 17, 2018

Agenda (partial)

- ❖ TC84-17 DOUGLAS JONES, 81 Waban Avenue, requesting a two-hour parking restriction, 9:00 a.m. to 5:00 p.m., Monday through Friday on Waban Avenue, from # 81 to #119, north side, between Manitoba Road and Crofton Road to enhance safety. (Ward 5)

TC84-17

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Parking restriction on Waban Avenue, from # 81 to #119, north side

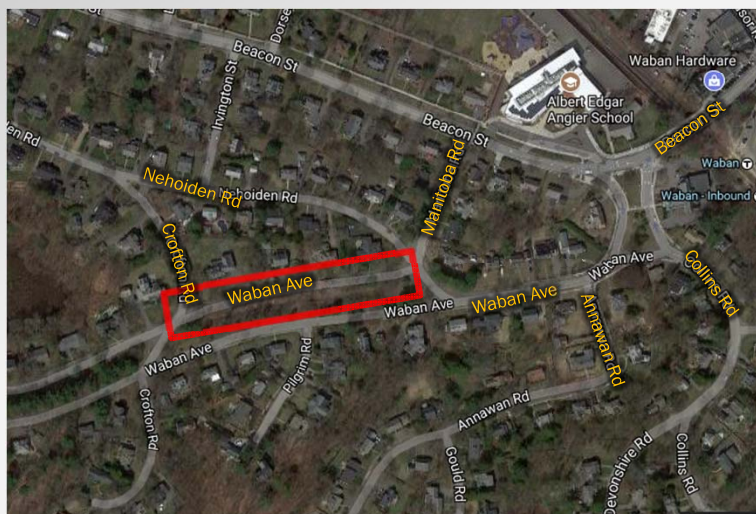
11.16.17

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Traffic Council

Location Map: Waban Avenue

TC84-17



Traffic Council

Site Photo — Waban Ave, north roadway		TC84-17
 <p>Looking west toward Crofton</p>	 <p>Looking east toward Manitoba</p>	
11.16.17	5	

Waban Avenue — northern roadway		TC84-17																
<p><u>General Characteristics</u></p> <ul style="list-style-type: none"> • 700 feet (Manitoba to Crofton) • Public Way • 22-23 feet wide (along this section) • Utility poles on the north side • No hydrants observed • Sidewalks on the north side 																		
<p><u>Current Parking Restrictions</u></p> <ul style="list-style-type: none"> • None along this section 																		
<p><u>Parking Observations:</u></p>																		
<table border="1"> <thead> <tr> <th>Date / Time</th> <th>Waban Ave, northern roadway between Manitoba & Crofton</th> </tr> </thead> <tbody> <tr> <td>Wed 11/1/17 @ 1:25 PM</td> <td>9</td> </tr> <tr> <td>Thu 11/2/17 @ 1:25 PM</td> <td>6</td> </tr> <tr> <td>Tue 11/7/17 @ 12:45 PM</td> <td>12</td> </tr> <tr> <td>Thu 11/9/17 @ 2:00 PM</td> <td>10</td> </tr> <tr> <td>Mon 11/13/17 @ 11:35 AM</td> <td>10</td> </tr> <tr> <td>Mon 11/13/17 @ 2:00 PM</td> <td>10</td> </tr> <tr> <td>Tue 11/14/17 @ 1:15 PM</td> <td>7</td> </tr> </tbody> </table>	Date / Time	Waban Ave, northern roadway between Manitoba & Crofton	Wed 11/1/17 @ 1:25 PM	9	Thu 11/2/17 @ 1:25 PM	6	Tue 11/7/17 @ 12:45 PM	12	Thu 11/9/17 @ 2:00 PM	10	Mon 11/13/17 @ 11:35 AM	10	Mon 11/13/17 @ 2:00 PM	10	Tue 11/14/17 @ 1:15 PM	7		
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11.16.17	Traffic Council																	

Reasons to consider taking no action

TC84-17

- Maximum of 12 vehicles observed by staff – all on the south side
- Most of this block typically has few vehicles parked
- Adding a parking regulation would require the addition of signs along a very scenic area.

11.16.17

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Traffic Council

Options

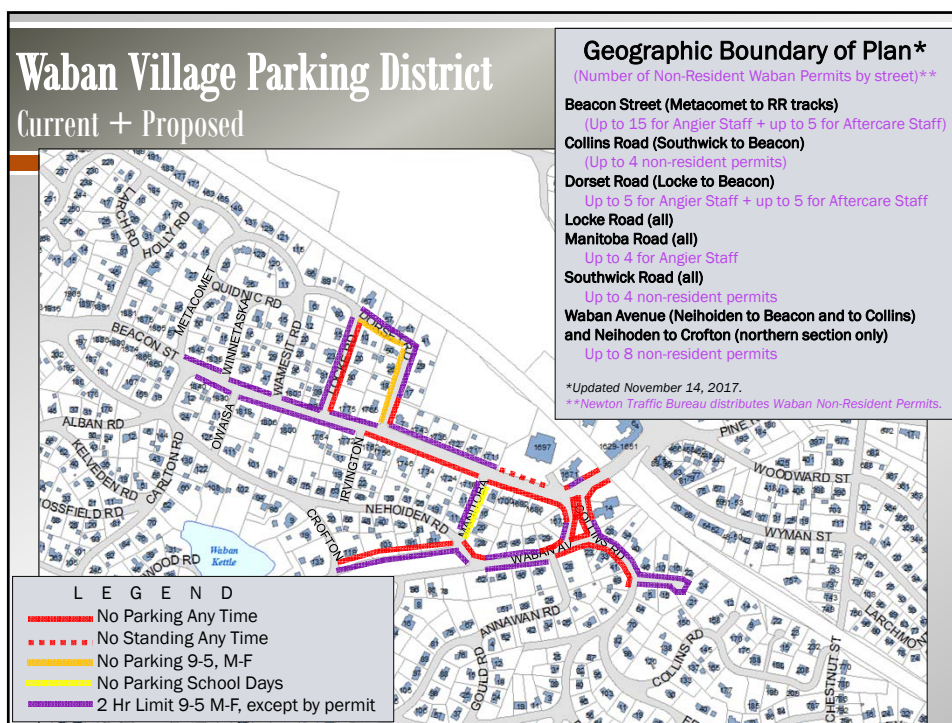
TC84-17

- Take No Action
- Or, consider adding this section of Waban Avenue into the Waban Village Parking Plan *(as shown in the next slide)*
 - No parking on north side
 - 2 Hr Limit 9-5 M-F, except by permit on the south side
 - 4 new permits to become available for non-residents
 - Provides parking for residents and their visitors, activities in the neighborhood
 - Discourages commuters from parking – Woodland or Riverside MBTA has parking availability

11.16.17

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Traffic Council



Optional TPR Language

TC84-17

By DELETING from **Sec. TPR-208. Waban Village Parking District.**, the following:

(g) The maximum number of Waban village parking permits issued to a non-resident shall be as follows:

Up to four (4) Waban Village Parking Permits for Waban Avenue.

By INSERTING into **Sec. TPR-208. Waban Village Parking District**, the following:

(g) The maximum number of Waban village parking permits issued to a non-resident shall be as follows:

Up to eight (8) Waban Village Parking Permits for Waban Avenue.

(c) The following streets or sections of streets compose the geographic boundary of the Waban Village Parking District:

Waban Avenue


(d) Northern section, Neiholden Road to Crofton Road.

CAN BE APPEALED
Appeal Deadline is Dec 6, 2017

Optional TPR Language (continued)	TC84-17
<p>By DELETING from Sec. TPR-176. Parking regulations pertaining to particular streets., the following:</p> <p><i>Waban Avenue</i></p> <p>(2) Two-hour limit, 9:00 a.m. to 5:00 p.m., except by Waban Resident parking permit (Up to four non-resident permits permitted).</p> <p>By INSERTING into Sec. TPR-176. Parking regulations pertaining to particular streets., the following:</p> <p><i>Waban Avenue</i></p> <p>(1) Prohibited, all times, all hours:</p> <p>e) north side, Northern section, Neiholden Road to Crofton Road</p> <p>(2) Two-hour limit, 9:00 a.m. to 5:00 p.m., except by Waban Resident parking permit (Up to eight non-resident permits permitted).</p> <p>e) south side, Northern section, Neiholden Road to Crofton Road</p> <div data-bbox="933 856 1247 919" style="background-color: yellow; border: 1px solid black; padding: 2px; text-align: center;"> CAN BE APPEALED Appeal Deadline is Dec 6, 2017 </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> 11.16.17 11 Traffic Council </div>	

Follow-Up Actions (if added to Waban Parking District)	TC84-17
<p>Four <i>additional</i> non-resident permits would become available to park on Waban Avenue. Traffic Bureau may choose:</p> <ul style="list-style-type: none"> To distribute them to the Angier School Principal for distribution to staff To distribute them to other non-residents working in the area Not to distribute at this time. <div style="display: flex; justify-content: space-between; margin-top: 20px;"> 11.16.17 12 Traffic Council </div>	

<p>TRAFFIC COUNCIL VOTE ON 11.16.17</p>	<p>TC84-17</p>
<p>APPROVED AS AMENDED 3-1 (Koses opposed). Approved language of TPR Number 376.</p> <p>TPR 376 creates the following:</p> <ul style="list-style-type: none"> • South side: 2-hour parking zone, Monday to Friday, 8:00 a.m. to 4:00 p.m., except by Waban Parking Permit on this section of Waban Avenue, • North side: No Parking School Days 	
<p>11.16.17</p>	<p>13 Traffic Council</p>

<p>Photo from 11AM Jan 17, 2018</p>	<p>TC84-17</p>
<div data-bbox="524 1297 961 1829">  </div>	
<p>11.16.17</p>	

Sec. TPR-208. Waban Village Parking District.

TC84-17

The following section will need to be changed if an additional type of restriction is to be added within the Waban Village Parking District:

(d) The public streets and private ways listed in Section TPR-207(c) shall have one of the following restrictions in place:

- (1) No parking any time.
- (2) No standing any time.
- (3) Two hour limit, 9:00 a.m. to 5:00 p.m., Monday through Friday, except by Waban permit.
- (4) Prohibited, 9:00 a.m. to 5:00 p.m., Monday through Friday.
- (5) No parking school days

11.16.17

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Traffic Council