



Public Safety & Transportation Committee Report

City of Newton **In City Council**

Wednesday, April 4, 2018

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

Absent: Councilor Downs

Also Present: Councilors Lappin, Baker and Albright

City Staff: Sgt. Jay Babcock, Chief David MacDonald, Newton Police Department; Jason Sobel, Interim Director of Transportation Operations; Ouida Young, Acting City Solicitor; Nicole Freedman, Director of Transportation Planning; Maura O'Keefe, Assistant City Solicitor and Barney Heath, Director, Planning & Development

Others Present: Attorney Frank Stearns, Holland & Knight, LLP

#150-18 Ordinance amendments related to pilotless aircraft

COUNCILORS ALBRIGHT AND BAKER proposing amendments to respond to recent litigation regarding the provisions of Ordinance Sec 20-64 involving pilotless aircraft.

Action: **Public Safety & Transportation Approved 7-0**

Note: Maura O'Keefe, Assistant City Solicitor, Chief David MacDonald, Councilors Albright and Baker joined the Committee for discussion on this item.

Councilor Baker stated that he and Councilor Albright have been working with the Law Department to determine what amendments to the pilotless aircraft ordinance could be made since the Federal Court's decision last year struck down the registration requirements along with certain prohibitions that were in the ordinance.

Committee members were provided with a redline draft ordinance, attached to this report for review in order to conform with the Federal Aviation Administration (FAA) regulations.

Ms. O'Keefe explained in detail to Committee members the deletions and additions to the ordinance in the following sections including purpose, operating prohibitions, permit may be required, proof of Federal Registration, proof of certificate of waiver or authorization, noise ordinance, penalties, separate violations and severability and regulations. She stated that the ordinance is intended to promote the public safety and welfare of the City and its residents. In furtherance of its stated purpose, this section is intended to be read and interpreted so as not to conflict with any relevant rules and regulations of the FAA, or any other federal, state and local laws and regulations. The FAA controls

safety. The City may regulate in order to prevent nuisances and other disturbances in order to protect properties. Ms. O'Keefe stated that the penalty section of this ordinance is another "tool" as it addresses concerns in a civil manner by a warning for the first offense and shall be punishable by a fine of \$50.00 for each offense thereafter.

The Federal Court would not allow the following in the former ordinance: Individual or Club Registration, over private property at an altitude below 400 feet without the express permission of the owner of said private property, at a distance beyond the visual line of sight of the Operator and over any school, school grounds, or other City property or sporting event without prior permission from the City, unless a permit is required.

The Proof of Federal Registration; Proof of Certificate of Waiver or Authorization: Operators who are subject to FAA registration or who are required to seek and obtain a Certificate of Waiver or Authorization shall provide proof of such documentation to authorized City personnel upon request has been added to this ordinance to allow growth with the FAA as laws move forward.

Ms. O'Keefe stated that delivery and construction drones are not permissive under the FAA regulations because the drone must be flown within visual line of sight of the operator.

Chief MacDonald stated that since 2004, there have been four Police reports with the word "drone" reported. These "tools" are necessary to address nuisances, trespassing and harassments issues. If the Newton Police Department receives any complaints, they can request the proof of certificate of waiver or authorization on the person. If not, the drone operator is violating the ordinance and may be reported to the FAA. The Federal Emergency Management Agency (FEMA) use drones for good uses including the marathon, recreational and harassment issues.

Councilor Albright stated that there are over 300 local cities that have a drone ordinance.

Committee member's questions, suggestions and concerns.

Questions:

- Please explain the meaning of permits may be issued by the Parks and Recreation Department Head, or designee, or the City entity charged with managing the property, or designee? The response was that it would be at the discretion of the Parks and Recreation Department and that the Parks & Recreation Department designates areas for flying drones. The City's website includes policy, a list of allowable locations and times. The website is updated regularly.
- Will information on the areas drones are allowed to fly and the request of a permit be included in this ordinance? The response was that this section of the ordinance was not modified.
- Can you fly a drone over games or people? The response was yes, if there is a proof of certificate of waiver or authorization from the FAA. The City cannot prohibit this. If the Newton Police Department receives any complaints, they can request the proof of certificate of waiver or authorization on the person. If not, the drone operator is violating the ordinance and may be reported to the FAA.

- A Committee member asked why this ordinance is necessary? It was noted, that this revised draft ordinance was created to be clear on drone operations and does not require individual or group registrations.

Suggestions/Concerns:

- Several Committee members suggested speaking with the Commissioner of Parks & Recreation before voting on this request. It is concerning if after this ordinance is voted, it may be difficult to add or delete necessary language from this draft ordinance. Chair Ciccone stated that if necessary, a request could be made to have a conversation with the Commissioner on the policy. Councilor Baker stated that if Committee members are not satisfied with the Parks & Recreation policy, the ordinance could be amended.

Chair Ciccone opened the discussion to members of the public who were present. There was no public comment.

Without further discussion, Councilor Cote made the motion to approve the ordinance amendment. Committee members agreed 7-0.

#189-18 Appeal of Traffic Council Decision TC9-17 Lagrange Street

COUNCILOR LAPPIN, appealing the approval of Traffic Council petition TC9-17 on February 15, 2018 for flashing warning lights at Lagrange Street, 75 feet west of the Brookline Town Line: Flashing red (southbound from driveway at 200 Estate Drive) and flashing yellow beacon (Lagrange Street east and westbound). (Ward 8)

Action: **Public Safety & Transportation Approved 7-0**

Note: Jason Sobel, Interim Director of Transportation Operations; Councilor Lappin, Sgt. Jay Babcock and Attorney Frank Stearns joined the Committee for discussion on this item.

Mr. Sobel provided Committee members with a PowerPoint presentation, attached to this report. Committee members were provided with a location map, site photos, a proposed location and the recommendation of installing a rectangular rapid flashing beacon (RRFB).

Mr. Sobel stated that Chestnut Hill Realty proposed and Traffic Council approved on February 15, 2018; the installation of flashing warning light locations at Lagrange Street, 75 feet west of the Brookline Town Line by installing a flashing red (southbound from driveway at 200 Estate Drive) and a flashing yellow beacon at (Lagrange Street east and westbound). Councilor Lappin appealed this approval.

Mr. Sobel stated that approximately 13,000 vehicles travel on Lagrange Street per day. The posted speed limit is 30 mph. The average travel speeds are 32 mph eastbound and 33 mph westbound. The 85th percentile speeds were 36 mph eastbound and 37 mph westbound.

Mr. Sobel proposed to Committee members the recommendations of installing a Rectangular Rapid Flashing Beacon (RRFB) at the crosswalk at Lagrange Street, 20 and 60 feet west of the Brookline Town Line: A Flashing yellow (pedestrian activated) signal). Mr. Sobel stated that an RRFB light significantly increases the rate for yielding vehicles and pedestrian safety increasing awareness and visibility. The

signal will not have a countdown phase because there is not a red signal or walk phase. The signal can be mounted on the side of the road typically where the pedestrian stands waiting to cross or the signal can be installed overhead. An RRFB is only activated when a pedestrian is trying to cross the road by pressing the button.

Councilor Lappin stated that this item was previously held in order to obtain additional information addressing traffic and pedestrian needs. In Traffic Council, it was suggested to also install “flashing” warning signs indicating that pedestrians are crossing ahead and a driveway is present. The Hancock Estates is an 80-unit development with 20 affordable housing units. The Special Permit Board Order addresses the sidewalk and pedestrian activated signals. It is necessary to alert drivers that they are approaching a driveway and crosswalks by installing a signal and warning signs indicating that pedestrians are crossing ahead. Currently, there are few pedestrians crossing Lagrange Street, but this number will increase when the development is occupied. The bus stop is located across the street from the development, requiring that pedestrians cross Lagrange Street.

Sgt. Babcock provided a photo of an RRFB signal, on file. Sgt. Babcock said that the crosswalk abuts a dirt and gravel berm; there is no sidewalk on the south side. Pedestrians will have to cross Lagrange Street to access sidewalks and the bus stop on the north side. He then stated that he is opposed to flashing warning lights in this area because they provide a false sense of security. Sgt. Babcock feels that it is necessary to install an overhead beacon to alert drivers traveling on Lagrange Street from Brookline to see pedestrians due to the hills.

Mr. Sobel stated that today, he discussed the overhead signal option with Mr. Stearns and Chestnut Hill Realty, a final decision was not made regarding a side post mount or overhead mount signal.

Committee member’s questions and suggestions.

Questions:

- A Committee member asked if vehicles exiting the development are prohibited from traveling either west or eastbound?
- A Committee member asked for clarification on why the Traffic Council report indicates that the Special Permit identified installing a RRFB, which the State did not approve?

Suggestions:

- A Committee member suggested the installation of a HAWK signal.

Mr. Sobel stated that the Special Permit identified installing a HAWK signal, which did not meet warrants. He then explained that the Federal Highway withdrew the approval due to a patten issue because the Federal Highway does not allow patten devices into the Manual Uniform Traffic Control Devices (MUTCD) guidelines. In the past three months, the Federal Highway has learned that the patten holder has abandoned the patten, now the Federal Highway has issued a new interim approval re-allowing the signal.

Chair Ciccone opened the discussion to members of the public who were present. Residents expressed their concerns, questions and suggestions.

Concerns: A resident stated that an RRFB is not sufficient, pedestrian safety is necessary. The waze app has rerouted traffic onto Lagrange Street. Drivers have the tendency to speed making it difficult to exit driveways. The hills also prohibit clear site distances. The driveway to the Hancock Estates is too narrow for emergency vehicle access. A resident expressed concern on the lack of sidewalks in the area.

Questions: A resident asked if the proposed signal would be installed on both sides of Lagrange Street?

Suggestions: A resident suggested the installation of a stop sign. A study is necessary to determine the difference between stop signs, traffic signals or flashing signals. It is necessary to slow driver's speeds at this location. Residents present agree that the current situation is dire.

Chair Ciccone stated that the Committee would not approve a trial of a stop sign. He then stated that the residents should contact the police department for enforcement issues. Councilor Lappin stated that the full traffic signal, did not meet warrants.

Councilor Lappin said that the developer has considered widening the driveway. She then referenced the Special Permit Board Order stating on page 3, section 13, the following: "The Board finds that the petitioner's voluntary contribution of funding and/or the construction of roadway and safety improvements at the intersection of Corey/LaGrange/Vine Streets, accessibility improvements at the intersection of LaGrange Street and Broadlawn Park, the creation of a pedestrian crosswalk with pedestrian signalization, sidewalk connection on northwest side of LaGrange Street, the repair of existing sidewalks on the southeast side of LaGrange Street, and installation of 2 handicap curb cuts on Broadlawn Park are a public benefit to the City of Newton that will enhance the safety of pedestrian and vehicular movements for residents of the project and the surrounding neighborhood".

Mr. Stearns stated that Chestnut Hill Realty is committed to agree with the solution the City's recommends of a pedestrian activated signal in conjunction with a flashing light.

Mr. Sobel clarified and stated that the City *does not recommend* a Rectangular Rapid Flashing Beacon (RRFB) and a flashing light because an overhead flashing beacon and a pedestrian activated signal is that 1) drivers have a tendency to ignore flashing beacons losing the benefits and 2) the effectiveness of an RRFB draws the drivers attention making them aware of pedestrians and crosswalks. *The City is only recommending an RRFB.*

Mr. Stearns stated that the developer and City have had detailed discussions on alternative options and discussions will continue to determine what is the best option. Prior to tonight's meeting, there was discussion of a traffic signal or flashing lights to provide vehicle and pedestrian safety. The outcome is important. Chestnut Hill Realty will be in compliant with the Special Permit Board Order. The developer has met the voluntary funding contribution. Mr. Stearns stated he would be happy to have conversations with neighbors regarding their concerns.

Sgt. Babcock reiterated and stated that it is also necessary to install an overhead beacon to alert drivers traveling on Lagrange Street from Brookline to see pedestrians due to the hills.

Mr. Stearns then stated that options they were provided was either a post mounted on the side of the road or an overhead post, not both.

Without further discussion, Councilor Auchincloss made a motion to approve a pedestrian activated signal with a flashing yellow light at the recommended site. Mr. Sobel stated that the recommendation tonight, in the draft Traffic and Parking Regulation (TPR) approves language for a Rectangular Rapid Flashing Beacon (RRFB). Tonight, the Committee discussed the benefits of installing a third overhead RRFB in conjunction with the two post mounted RRFB's. Committee members agreed 7-0.

Chair Ciccone asked Mr. Sobel to have a conversation with the Town of Brookline regarding the advanced warning signs.

#81-18 Discussion regarding preparedness for automated, electric and shared vehicles

COUNCILOR ALBRIGHT, COTE AND DOWNS, requesting a discussion with the Director of Transportation for Planning regarding Newton's preparedness for automated vehicles, electric vehicles and shared vehicles to serve the needs of Newton's residents.

Action: Public Safety & Transportation No Action Necessary 6-0, Councilor Lipof not voting

Note: Docket items #81-18 and #80-18 were discussed together. Please refer to #80-18 for the report of these discussions.

Councilor Auchincloss made the motion for no action necessary. Committee members agreed 6-0, Councilor Lipof not voting.

#80-18 Discussion on the ability to test and implement self-driving vehicles in Newton

COUNCILOR ALBRIGHT, COTE AND DOWNS, requesting the Director of Transportation for Planning create the ability to test and implement self-driving vehicles in Newton by the following: The Transportation division is requested to lead the oversight of testing and implementation of autonomous vehicles in Newton by 1) publishing guidelines for testing autonomous vehicles in Newton which may limit, the time, place and manner of the testing giving greater latitude to potential partners as their performance justifies, 2) provide regular public reporting of autonomous vehicle testing, 3) create policy recommendations with respect to autonomous vehicle technology, business models, and effect on street regulation and design, if any, 4) create policies that ensure equitable access to opportunities for those least well served by existing transportation options, including seniors, youth and those with physical disabilities, 5) provide solutions to the "last mile" problems rampant in Newton by policy that support access by all to public transportation, 6) support open data standards and API's that allow easier coordination of schedules, trip planning, and payment across public and private transportation services, 7) create policies that reinforce and prioritize walking, biking, and mass transit and lead to reduction of vehicle miles traveled.

Action: Public Safety & Transportation Held 6-0, Councilor Lipof not voting

Note: Docket items #81-18 and #80-18 were discussed together.

Nicole Freedman, Director of Transportation Planning, Sgt. Jay Babcock and Chief David MacDonald, Newton Police Department; Barney Heath, Director, Planning & Development and Councilor Albright joined the Committee for discussion of these items.

Autonomous Vehicles (AV's)

Ms. Freedman stated that autonomous vehicles (AV) companies informed the Governor that they would like to start testing their vehicles in Massachusetts. The Governor worked with the Metropolitan Area Planning Council (MAPC) who will work with the companies and cities to determine appropriate recommendations and rules. The City of Newton intends to support the effort, joining fourteen participating jurisdictions. The process includes creating a universal testing application to allow testing across jurisdictions working with MassDOT and the fourteen towns. If the testing application were approved, AV companies would be allowed to test in the City.

The number 1 priority is safety, 94% of vehicle accidents are human error. The rules that Massachusetts is considering are the stringent rules from New York City. The goal is for vehicles to reach a safety level of 4-5. Level 1 and 2 vehicles are cruise control vehicles. Levels 3 vehicles are dangerous. Massachusetts is inclined when companies are testing that they test safely and in a very managed way. During testing, there will always be a human in a vehicle who can take over if necessary. The vehicles will not be carrying passengers. Crash reports will be provided immediately, monthly progress reports and conference calls will be produced. The application also puts forth a testing phase schedule, progress through each situation then more complex situations.

The Newton Fire and Police Department insist on being trained on AV's in order to extract persons from damaged AVs, which may require cutting through hardware that is different from regular vehicles. Mass DOT will provide training to all emergency responders.

Public safety is paramount. To ensure safety:

1. The testing application requires that a human trained and experienced in operating autonomous vehicles be present, in the driver's seat, at all times, and able to take immediate control of the vehicle if necessary.
2. A progressive testing schedule requires companies to prove competence in low-complexity driving scenarios before proceeding to more complex scenarios.
3. All Participating Jurisdictions reserve the right to reject any applicant from testing in their community.
4. Newton public safety is involved.

Ms. Freedman stated that AV's are coming and coming fast! It is anticipated, testing locations will be established in July 2018. Since 2016, Uber and Lyft have been testing vehicles. In response to the recent Uber accident, Boston MA has temporarily suspended AV testing to ensure all testing capacities are fulfilled. In Boston MA, two companies have created AV's; they are Neutonomy and Optimus Ride.

The Institute Transportation Engineers (ITE) stated strongly that they support AV vehicles, as they are critical in supporting our vision zero goals. It is important to make the AV as safe as possible and manage the process for all to benefit.

Committee members and Councilors present questions and concerns:

Questions:

Could Newton wait on allowing AV testing to see how technology develops?

Would it be advantageous to allow companies to test their AV's in the City?

Will the City of Newton receive funding for testing AV's in the City?

What type of policies will be implemented to address congestion concerns?

Will the City require and create its own rules?

What types of jobs would be brought to the City with the testing of AV's?

What type of training do the testers receive?

Concerns:

It is concerning that AV vehicles someday, will not have a driver.

Ms. Freedman answered that the City will not receive funding for testing AV's. In the future, crosswalks and traffic signals will not be necessary. She then answered that pricing and taxes of the AV's will be very expensive. Newton can create its own rules on AV's. Traffic would worsen if parking regulations did not deter owners from having their AV's circulate, with zero occupancy, to avoid paying for parking. Ms. Freedman then answered that Neutonomoy has contacted the City requesting testing be conducted in the City. The City may prohibit companies from testing applications in the City and will determine what roads should and should not be used for testing.

Mr. Heath answered that AV's will benefit Newton by including an early understanding and experience on AV's to adapt the City's transportation decisions. There is a potential economic development opportunity to have the testing in the City.

Chief MacDonald stated that he is appreciative to learn more information on AV's. Ms. Freedman stated that the City of Newton was the first city to bring public safety concerns to the attention of MassDOT.

Sgt. Babcock stated that it would be necessary for the police department to be involved in any policymaking and roadway testing areas in Newton. Ms. Freedman stated that officials could bar companies from testing the vehicles near schools, etc. Sgt. Babcock then stated that the police would need to know who would be held responsible if there is a crash. It is necessary to prohibit the driver from using cell phones, laptops, etc. The attention must be on the road. He also suggested that the police department be allowed to participate in the final drive. It is necessary to inform drivers of autonomous vehicles. It will also be necessary to train emergency personnel on how to work with and access the cars if they are involved in accidents.

Electrical Vehicles (EV's)

Ms. Freedman stated that that City is in the beginning stages of discussing electrical vehicles (EV). Discussion will continue to determine if the City should approve a pilot program on EV's.

Ms. Freedman has had conversations with companies regarding EV charging and car share opportunities. EV charging stations are very expensive. Car share companies would like to have EV's but Cities are not willing to pay for EV charging stations.

Without further discussion, Councilor Auchincloss made the motion to hold this item. Committee members agreed 6-0, Councilor Lipof not voting.

At approximately 9:40 p.m., Councilor Auchincloss made a motion to adjourn. Committee members agreed 6-0, Councilor Lipof not voting.

Respectfully submitted,

Allan Ciccone, Jr. Chair

Sec. 20-64. Pilotless Aircraft Operation.

Purpose: The use of pilotless aircraft is an increasingly popular pastime as well as learning tool. It is important to allow beneficial uses of these devices while also protecting the privacy, safety and quality of life of residents throughout the City. In order to prevent nuisances and other disturbances of the enjoyment of both public and private space, regulation of pilotless aircraft is required. The following section is intended to promote the public safety and welfare of the City and its residents. In furtherance of its stated purpose, this section is intended to be read and interpreted in harmony so as not to conflict with all any relevant rules and regulations of the Federal Aviation Administration, and or any other federal, state and local laws and regulations.

(a) Definitions:

Pilotless Aircraft – an unmanned, powered aerial vehicle, weighing less than 55 pounds, that is operated by remote control or internally without direct human contact from within or on the aircraft, sometimes referred to as a drone or unmanned aircraft system.

(b) The City Clerk will provide educational materials on its website concerning current information about FAA Regulations and the safe operation of drones in the City of Newton.

~~Registration: Owners of all pilotless aircraft shall register their pilotless aircraft with the City Clerk's Office, either individually or as a member of a club, as follows:~~

~~——(1)—— Individual Registration: Individual owners of pilotless aircraft shall register each pilotless aircraft with the City Clerk's office, prior to operation. The cost of registration shall be \$10.00 per Owner and such cost of registration shall include all pilotless aircraft owned by the Owner. Owners must have proof of registration in their possession when operating a pilotless aircraft. Registration shall include the following:~~

~~(a)—— The owner's name, address, email address and phone number;~~

~~(b)—— The make, model, and serial number, if available, of each pilotless aircraft to be registered;~~

~~(c)—— A copy of the Owner's Federal Aviation Administration Certificate of ——
—— Registration for pilotless aircraft;~~

~~——(2)—— Club Registration: Members of a pilotless aircraft hobby club may register their pilotless aircraft through a responsible adult member of the Club. Each Club shall be issued a single identifying registration number by the City Clerk's Office to be affixed to each pilotless aircraft belonging to members of the Club. The cost of Club Registration shall be \$10 per Club and the cost of registration shall include all members of that Club. The responsible adult member shall update the Club's roster of members with the Clerk's office on an annual basis. All other requirements of Section 2(a)(i-iii) shall apply to Club registration.~~

(ec) Operating Prohibitions. The use and operation of all pilotless aircraft within the City shall be subject to the following prohibitions.

(1) No pilotless aircraft shall be operated:

(a) ~~over private property at an altitude below 400 feet without the express permission of the owner of said private property~~over any property in a manner that causes direct and immediate interference with the use or enjoyment of that property;

(b) ~~at a distance beyond the visual line of sight of the Operator;~~

~~(c)~~ in a manner that interferes with any manned aircraft;

(dc) in a reckless, careless or negligent manner;

(ed) ~~over any school, school grounds, or other City property or sporting event without prior permission from the City, unless a permit is required as in Section 4, below~~so as to use City property to launch or land the pilotless aircraft without a permit as may be required in section (d) below;

(fe) for ~~the purpose of~~ conducting surveillance unless expressly permitted by law or court order;

(gf) for ~~the purpose of~~ capturing a person's visual image, audio recording or other physical impression in any place where that person would have a reasonable expectation of privacy;

(hg) over any emergency response efforts;

(ih) with the ~~intent to effect of~~ harass~~ing~~, annoy~~ing~~, or assaulting a person, or ~~to create~~ing~~ or cause~~ing~~~~ a public nuisance or trespass;

(i) in violation of a Certificate of Waiver or Authorization issued by the FAA, if so applicable, which Certificate may pertain to operation beyond the line of sight, operation over people, operation at night, or any other category of operation for which a Certificate of Waiver is required;

(j) in violation of federal or state law, or any Ordinance of the City of Newton.

(2) The Chief of Police, or designee, may prohibit the use or operation of pilotless aircraft where it is allowed, or allow the operation of pilotless aircraft where it is prohibited, during an impending or existing emergency, or when such use or operation would pose a threat to public safety.

(d) Permit May be Required:

(1) Individual Permits: A permit may be required to use land maintained by the Parks and Recreation Department, or by any other Department or Commission of the City, to launch or land a pilotless aircraft. Such permits may be issued by the Parks and Recreation Department Head, or designee, or the City entity charged with managing the property, or designee. ~~Individual operators shall adhere to the registration requirements of Section 2 above.~~

(2) Event Permits: The Parks and Recreation Department, or any Department or Commission charged with managing land owned by the City, may issue Permits for groups and special events. Such Event Permits will be issued to a responsible person who will insure that all operators participating in the event adhere to the requirements of this ordinance, ~~except that individual participants in an event under this subsection are not required to register in accordance with Section 2.~~

(3) Educational Permits: The Parks and Recreation Department, or any other City agency with authority over the use and maintenance of City land, may permit the operation of pilotless aircraft for educational purposes. Educational permits must be issued to a responsible adult, and in conjunction with an educational purpose sanctioned by an educational organization.

(e) Proof of Federal Registration; Proof of Certificate of Waiver or Authorization: Operators who are subject to FAA registration or who are required to seek and obtain a Certificate of Waiver or Authorization shall provide proof of such documentation to authorized City personnel upon request.

(f) Noise Ordinance: All Operators shall comply with the Noise Ordinance at Section 20-13, as amended, at all times while operating pilotless aircraft within the City.

(fg) Penalties: A violation of any section of this Ordinance shall result in a warning for the first offense and shall be punishable by a fine of \$50.00 for each offense thereafter.

(gh) Separate Violations: Action taken pursuant to this section shall not bar any separate action by any other City Department for any other violations.

(hi) Severability: If any provision of this section is held to be invalid by a court of competent jurisdiction then such provision shall be considered severable from the remaining provisions, which shall remain in full force and effect.

(ij) Regulations: The City and its Departments may promulgate rules, regulations and policies for the implementation of this Ordinance.

189-18 (TC9-17)

❖ #189-18 Appeal of Traffic Council Decision TC9-17 Lagrange Street. COUNCILOR LAPPIN, appealing the approval of Traffic Council petition TC9-17 on February 15, 2018 for flashing warning lights at Lagrange Street, 75 feet west of the Brookline Town Line: Flashing red (southbound from driveway at 200 Estate Drive) and flashing yellow beacon (Lagrange Street east and westbound).

4.4.18

1

Traffic Council

Location Map: Lagrange Street

189-18

TC9-17



Traffic Data - Lagrange Street

- ~13,000 vehicles per day
- Posted Speed Limit: 30 mph
- Average Travel Speeds:
 - 32 mph EB
 - 33 mph WB
- 85th Percentile Speeds:
 - 36 mph EB
 - 37 mph WB

4.4.18

2

Traffic Council

View of Lagrange St, looking west

189-18

TC9-17



4.4.18

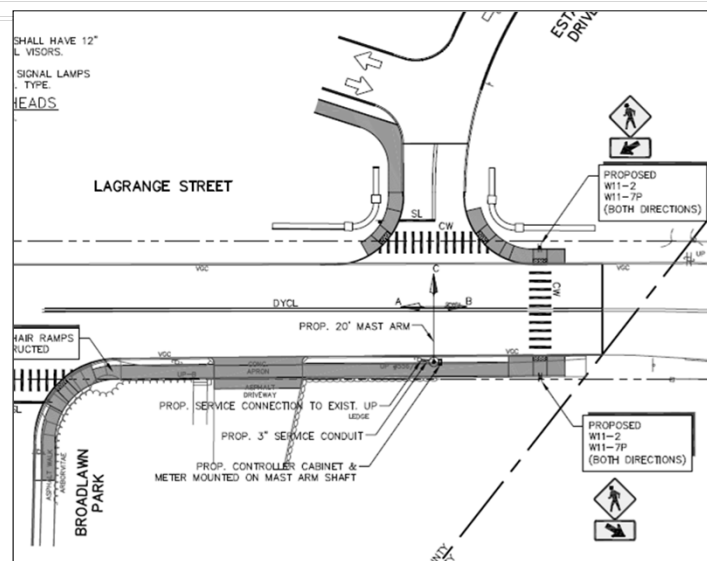
3

Traffic Council

Location of Intersection Flashing Warning Beacon, proposed by Chestnut Hill Realty

189-18

TC9-17



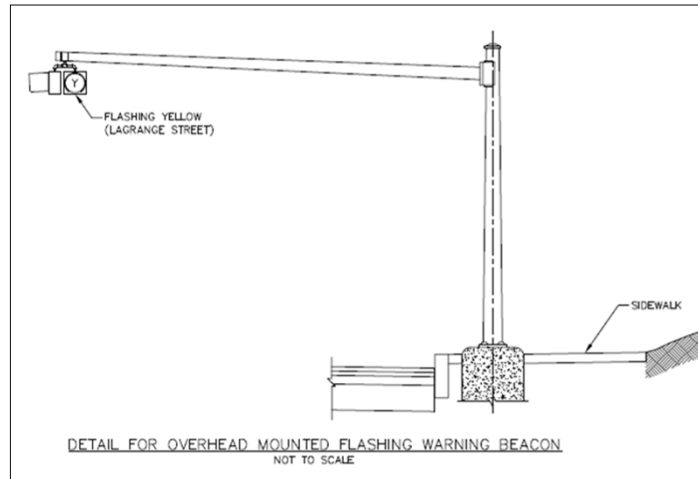
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Traffic Council

Detail of Intersection Flashing Warning Beacon, proposed by Chestnut Hill Realty

189-18

TC9-17



4.4.18

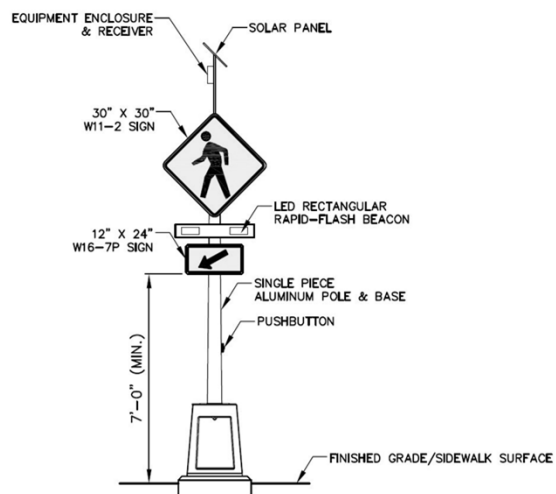
5

Traffic Council

Recommended: Rectangular Rapid-Flashing Beacons

189-18

TC9-17



4.4.18

6

Traffic Council

Recommended TPR Language	189-18 TC9-17
<p>By INSERTING into the provisions of Sec. TPR-146. Flashing warning light locations, the following:</p> <p><i>Lagrange Street, 20 and 60 feet west of the Brookline Town Line: Flashing yellow (pedestrian activated).</i></p>	
4.4.18	7 Traffic Council