



Public Safety & Transportation Committee Agenda

City of Newton **In City Council**

Wednesday, May 13, 2020

The Public Safety & Transportation Committee will hold this meeting as a virtual meeting on Wednesday, May 13, 2020 at 7:00 p.m. To view this meeting use this link at the above date and time: <https://us02web.zoom.us/j/96148623179>

One tap mobile

+16465588656,,96148623179# US (New York)

Dial by your location

+1 646 558 8656 US (New York)

Meeting ID: 961 4862 3179

Items Scheduled for Discussion:

#186-20 Requesting new public auto license

RAJIV KUMAR, 2323 Washington Street, #G3, Newton, MA 02462 requesting **one (1) new public auto license** for Om Sai Enterprises Inc.

#127-20 Appeal of Traffic Council Decision - Roosevelt Road at Theodore Road.

JUNE WELZ 46 Roosevelt Road, Newton appealing the approval of Traffic Council petition TC87-19 on January 23, 2020 on removing the stop signs on Roosevelt Road, in both directions, and retaining the stop signs on Theodore Road, in both directions. (Ward 8)

Respectfully submitted,

Jacob D. Auchincloss, Chair

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

City Council

2020-2021

City of Newton



May 1, 2020

Rajiv Kumar
2323 Washington Street, # G3
Newton, MA 02462

Dear Mr. Kumar,

The Public Safety & Transportation Committee will review and discuss your public auto license application to operate Om Sai Enterprises Inc. on Wednesday, May 13, 2020 at 7:00 p.m.

The Committee will hold this meeting as a virtual meeting on Wednesday, May 13, 2020 at 7:00 p.m. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/96148623179>

One tap mobile
+16465588656,,96148623179# US (New York)

Dial by your location
+1 646 558 8656 US (New York)

Meeting ID: 961 4862 3179

Thank you for your attention to this matter. If you have any questions, please contact me at (617) 796-1211.

We look forward to meeting you.

Sincerely,

Danielle Delaney
Committee Clerk
Public Safety & Transportation Committee
City Council

03/09/2020

To

Newton City Councils.

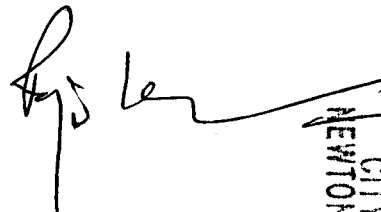
3/9/20
\$ Received
\$ 25.00
Application
fee

Hi

Hear. with I request ~~And~~ new
Public Auto License (LIN.). For
my Business.

Thanks

RAJIV KUMAR



RECEIVED
2020 MAR -9 PM 12:02
CITY CLERK
NEWTON, MA. 02459



Newton Massachusetts
THE OFFICIAL CITY WEBSITE

Bill Cart	
Items In Cart:	1
Subtotal:	\$ 25.00
View Cart	Checkout

March 9, 2020 at 12:07 pm

TYPE	YEAR	NUMBER	NAME	DESCRIPTION	AMOUNT
Clerk Order System					
	2020	1	OM SAI ENTERPRISES INC	ONLINE	\$25.00
			CONVENIENCE FEE		\$1.00
			TOTAL AMOUNT PAID	CREDITCARD	\$26.00

These charges will appear as "Newton, MA" and "CITY HALL SYSTEMS".

Transaction Code: CHS-NEWTON-MA-US-3319692

Reference Code: 113040348/113040349

An email receipt was sent to no@email.com.

[Print Receipt](#)

[Return to ePOS Catalog](#)



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For questions or comments, please email: ePay@CityHallSystems.com
For help, Monday-Friday 8:30AM-5PM ET, please call 508-381-5455.

Terms & Conditions of Use
Security & Privacy

TAXI LICENSE/PUBLIC AUTO APPLICATION

LICENSE HOLDER: RAJIV KUMAR OM SAI ENTERPRISE INC 2323 WASHINGTON ST. NEWTON - MA 02462 APTEG3
 (Owner Name) (Company Name) (Company Address) (Company Phone Number)
RAJIVBERLIN@YAHOO.COM
 (email address) 781-985-9461

Please list below for each vehicle:

MASS. REG.# TAXI/PA #	MEDALLION #	VEHICLE ID # (VIN)	ODOMETER READING 98786	TAXI METER SERIAL #	1 ST INSPECTION (mileage & meter #)	2 ND INSPECTION (mileage & meter #)
1. LV 84072		1GKS2GKC6HR318090			23086 SEP 2018	
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

**APPLICATION FOR OPERATION OF TAXI LICENSE/PUBLIC
AUTO/EXCLUSIVE TAXI STAND**

Applicant is required to keep current information on file with the City of Newton City Council's office at all times. Changes or updated information may be sent by mail to Newton City Hall, City Council, 1000 Commonwealth Avenue, Newton Centre, MA 02459.

1. Name of Applicant: **RAJIV KUMAR**
2. Business Name: **OM SAI ENTERPRISES INC**
Business Address: **2323 WASHINGTON ST. APT #G3 NEWTON**
Business Telephone Number: **781-985-9461** **MA-02462**
email address: **RAJIVBERLIN@YAHOO.COM**

3. Total number of Licenses: **1**

PUBLIC AUTO = **1**

TAXI LICENSE = **NO**

4. If applicable, list ALL address locations of EXCLUSIVE TAXI STANDS:

5. Please specify the type of business entity (sole proprietorship, partnership or corporation):

LIMOUSINE SERVICES.

6. If the business is a sole proprietor, please state the full name and address of the owner:

RAJIV KUMAR,

7. If the business is a partnership, please state the name and address of each partner:

- NIL -

8. If the business is a corporation, please state the full corporate name and list the officers of the corporation (President, Vice President, Treasurer or Clerk/Secretary):

OM SAI ENTERPRISES INC

RAJIV KUMAR

MARCITA RICHARD KUMAR

9. Please provide the name, title and business telephone number of the person to contact concerning complaints: **RAJIV KUMAR**

781 985 9461



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 1 Congress Street, Suite 100
 Boston, MA 02114-2017
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses.
 TO BE FILED WITH THE PERMITTING AUTHORITY.

Applicant Information

Please Print Legibly

Business/Organization Name: OM SAI ENTERPRISES INC.

Address: 2323 WASHINGTON ST APT # G-3

City/State/Zip: NEWTON-MA 02462 Phone #: 781 981 9461

Are you an employer? Check the appropriate box:

1. ☐ I am a employer with _____ employees (full and/or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4); and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☐ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☒ Other LIMO SERVICE

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: ARBELLA INSURANCE GROUPS

Insurer's Address: 104 TURNPIKE ST. SUITE #2

City/State/Zip: West Bridgewater - MA 02379

Policy # or Self-ins. Lic. #: 1028077765 Expiration Date: AUG. 2020

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 03/09/2020

Phone #: 781-985-9461

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
 6. Other _____

Contact Person: _____ Phone #: _____



City of Newton-City Clerk's Office
1000 Commonwealth Ave. Newton, MA 02459
2020

Business Certificate
\$35.00 Filing Fee
Requires Renewal Every 4 Years

#186-20

In conformity with the provisions of Massachusetts General Law Chapter 110, Section 5, the under-
business is being conducted under the name of: [Please Print]

Business Name	OM SAI ENTERPRISES INC.			
Proposed Use	LIMO SERVICES } PUBLIC AUTO TRANS			
Location of Business	2323 WASHINGTON ST. Address APT.:- G-3	NEWTON City	MA State	02462 Zip code

Full name and address of each person conducting such business:

Name	RASIV KUMAR	Signature [In presence of Notary or City Clerk Agent]		
Address	2323 Washington St. Apt. G-3 NEWTON - MA 02462	NEWTON City	MA State	02462 Zip code
Name	MARCITA RICHARD KUMAR	Signature [In presence of Notary or City Clerk Agent]		
Address	2323 Washington St. Apt. G-3	NEWTON City	MA State	02462 Zip code
Name		Signature [In presence of Notary or City Clerk Agent]		
Address				Zip code

On 2/13/2020 the above-named individual personally appeared before me and made
oath that the foregoing statement is true.

Notary Public / City Clerk Agent


My Commission Expires/Seal:

Under the provisions of Chapter 337 of the Acts of 1985 and Chapter 110, Section 5 of the Mass. General Laws, business certificates shall be in effect for four years from the date of issue and shall be renewed each four years thereafter. A statement under oath must be filed with the City Clerk upon discontinuance or withdrawing from such business or partnership. Copies of such certificates shall be available at the address such business is conducted and shall be furnished upon request during regular business hours to any person who has purchased goods or services from such business. Violations are subject to a fine of not more than three hundred dollars, (\$300.00) for each month during which such violation occurs.

This certificate expires four [4] years from Date/Time stamp on back: 2/13/2024

*The issuance of this Business Certificate does not imply that all relevant licenses required to legally operate this business have been obtained or are current. This certificate only records that a business is being conducted.

See Reverse

Home Office Affidavit [circle one]	No	Yes
If the proposed business is located within a residence, you must file a "Home Business Affidavit" with the Inspectional Services Department thereby acknowledging compliance with Newton's Home Business Ordinance.		
Inspectional Services Department Official:		
I hereby certify that this business address is in the following zoning district, and is an allowed use in accordance with the revised zoning ordinances of the City of Newton.		
	B01 Zoning District	2/13/20 Attest
Received in the City Clerk's Office		
	59 Book	65 Page
Entered in the records of business titles in the City Clerk's Office-City of Newton, Massachusetts		
 David A. Olson Newton City Clerk		RECEIVED 2020 FEB 13 PM 12:04 CITY CLERK NEWTON, MA. 02459 Date/Time Stamp:

New	Renew
-----	-------

[check one]

City of Newton



Ruthanne Fuller
Mayor

Inspectional Services Department

John D. Lojek, Commissioner
1000 Commonwealth Avenue
Newton, MA 02459
www.newtonma.gov

Telephone
(617) 796-1060
Fax
(617) 796-1086
Email
ISD@newtonma.gov

HOME BUSINESS/OFFICE AFFIDAVIT

BUSINESS NAME: OM SAI ENTERPRISE INC
 PROPOSED USE: LIMO SERVICE
 BUSINESS OWNER'S NAME: RAJIV KUMAR
 LOCATION OF BUSINESS: 2323 Washington St APT# G-3
 PHONE: 781-985-9461 EMAIL: RATIVBERLIN@YAHOO.COM

☐ Please check the box if you are renting/leasing at the above address. (See back of form)

A home business or office is any commercial activity conducted within a dwelling unit by the residents thereof as an accessory use to the residential use of the dwelling unit, provided that no sale of merchandise, whether retail or wholesale, takes place on the premises, except as expressly provided below.

The term "home business" shall include but is not limited to, the studio of an artist, musician, photographer or writer; small group or individual instruction or tutoring; tailoring; millinery; crafts; word processing; computer software development; telephone solicitation; a manicurist; an office of a sales or manufacturer representative; and an office of a physician, dentist, lawyer, architect, registered engineer, accountant, psychologist, social worker or other professionals.

The term "home business" shall not include the following: a clothing rental business; a barber shop; a hairdresser; a restaurant; a repair shop, whether for small appliances or otherwise; a real estate broker; an orchestra or an instrumental music group; an antique shop; an animal hospital; or businesses similar to those enumerated.

A single home business per dwelling unit shall be permitted as an accessory use so long as such home business does not violate any of the following conditions:

1. The home business shall be clearly incidental and secondary to the use of the dwelling as a residence, shall be located within the dwelling unit, and shall not change the residential character thereof;
2. Irrespective of the location of the home business within the dwelling unit, the total area of the dwelling unit utilized for the home business shall not exceed thirty percent (30%) of the ground floor area of the dwelling unit or thirty percent (30%) of the gross floor area of an individual apartment if the dwelling unit is located in a multi family dwelling;
3. Not more than one (1) nonresident shall be employed in a secretarial or like position in a home business, except that a physician or dentist may employ one (1) technician in a capacity supportive of the practice of the resident professional in addition to one (1) secretary; Not more than three (3) customers, pupils or patients for business or instruction shall be present at any one time;

Inspectional Services Department, Home Business/Office Affidavit, Page 2

4. There shall be no on-premise storage of merchandise for sale in any instance where the home business is primarily a direct mail-order or telephone-order business, except in instances where the merchandise for sale is produced entirely on the premises;
5. There shall be no exterior display or exterior storage of merchandise, and no exterior indication of the home business other than one (1) non-illuminated identification sign not to exceed one (1) square feet in area;
6. There shall be no retail or wholesale sale of merchandise on the premises;
7. The home business shall not produce noise, vibration, glare, fumes, odors, electrical interference or traffic congestion beyond that which normally occurs in the immediate residential area, nor shall the home business result in the repeated disruption of the peace, tranquility, or safety of the immediate residential neighborhood;
8. In addition to the parking required for the residential use of a dwelling unit, off street parking shall be provided as follows: one (1) parking stall for each two hundred (200) square feet, or fraction thereof, of floor area used for the home business. If more than one (1) parking stall is required for the home business, the total number of parking stalls required shall be reduced by one (1) stall;
9. In any single family dwelling which has an authorized accessory apartment there shall be no more than one (1) home business, which shall be located in the principal dwelling unit.


Describe the intended business or office use: _____

I hereby certify that my Home Business or Office described above does and will conform to the above regulations.


SIGNATURE OF BUSINESS OWNER

02/13/2020
DATE

I hereby certify that as the homeowner I have been informed of the Home Business or Office as described above.


SIGNATURE OF HOME OWNER

2/18/2020
DATE


ISD OFFICIAL

2/13/20
DATE

HEALTH DEPARTMENT (IF APPLICABLE) _____

DATE _____

(City of Newton Revised Ordinance 1984, Section 30-8(c) as amended, Revised 10/30/96, HAH)



#186-20

CERTIFICATE OF REGISTRATION

M.G.L. Chapter 90 Section 24B makes it a crime to alter this Certificate
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

EXTERNAL CODE LVN		REGISTRATION TYPE Livery Normal		PLATE NUMBER LV84072		EFFECTIVE DATE 01-Mar-2020		TITLE NUMBER BU542429		EXPIRES ON 28-Feb-2022	
MODEL YEAR 2017	MAKE GMC	MODEL YUKOXL	MODEL NUMBER XL	BODY STYLE SUV	COLOR BLACK	VEHICLE IDENTIFICATION NUMBER 1GKS2GKC6HR318090					
RESIDENTIAL ADDRESS (IF DIFFERENT THAN MAILING)						TOTAL REGISTERED WEIGHT FOR A COMMERCIAL VEHICLE OR TRAILER					
GARAGE ADDRESS 2323 WASHINGTON ST APT G-3 NEWTON MA 02462-1431						US DOT NUMBER FOR COMMERCIAL VEHICLE					
NAME(S) OF OWNER(S) AND MAILING ADDRESS OM SAI ENTERPRISES INC 2323 WASHINGTON ST APT G-3 NEWTON MA 02462-1431						INSURANCE COMPANY Arbella Protection Insurance Company					
						MAXIMUM SEATING CAPACITY FOR VEHICLES FOR HIRE 7					
LESSEE/IN CUSTODY OF						<i>James J. Jelen</i> Registrar of Motor Vehicles					
SPECIAL MESSAGE						CHANGE OF ADDRESS <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> MAILING <input type="checkbox"/> GARAGE					

Important information for vehicle owners

- **Certificate of Registration:** Every person operating a motor vehicle shall have the Certificate of Registration for the motor vehicle and/or trailer, in the vehicle, in some easily accessible place. The records of the RMV constitute the official status of the vehicle registration.
- **Change of Address:** By law, you must report any change of address to the RMV within 30 days. Visit mass.gov/rmv to change your address. Once you have reported the address change to the RMV, please write corrected address in box provided above.
- **No Insurance Card Required:** Massachusetts law does not require an insurance card. M.G.L. Chapter 90, Section 34, and Chapter 175, Section 113A, requires the vehicle's owner to maintain a compulsory motor vehicle liability insurance policy or bond for bodily injury coverage and property damage insurance. The insurer is required by law to electronically notify the Registry of Motor Vehicles if coverage lapses. The vehicle owner is then notified by the RMV to obtain new insurance within 10 days or the registration will be revoked. Bonds are filed with the State Treasurer's Office.
- **Transferring Your Plates:** Massachusetts General Law (M.G.L. Chapter 90, Section 2) allows you to transfer valid registration plates from this vehicle to a newly acquired new or used motor vehicle or trailer while you obtain insurance and a new registration. See the Transferring a Registration Section on the RMV's website at mass.gov/rmv for more information.
- **Cancel the registration plates if:**
 - The vehicle has been sold or junked and the registration is not going to be transferred to another vehicle.
 - You move to another state and you register the vehicle in that state.
 - The insurance policy is not renewed or is cancelled and there is no plan to obtain a new policy.

Skip the Line. Go Online! Visit Mass.Gov/RMV for list of available transactions.



CERTIFICATE OF LIABILITY INSURANCE

#186-20

DATE (MM/DD/YYYY)

11/04/19

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER A One Insurance Agency 104 Turnpike Street Suite 2 West Bridgewater, MA 02379	CONTACT NAME: Enrique Arce	
	PHONE (A/C, No, Ext): 508-659-5969 FAX (A/C, No): 508-955-2405	
	E-MAIL ADDRESS: enrique@aoneinsagency.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Arbella Insurance Co	
INSURED OM SAI Enterprises 2323 Washington street, Apt G3 Newton, MA 02462	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY						
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR						
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	OTHER:						
A	AUTOMOBILE LIABILITY			1020077765	11/09/19	11/09/20	
	<input type="checkbox"/> ANY AUTO						
	<input type="checkbox"/> OWNED AUTOS ONLY						
	<input checked="" type="checkbox"/> SCHEDULED AUTOS						
	<input type="checkbox"/> HIRED AUTOS ONLY						
	<input type="checkbox"/> NON-OWNED AUTOS ONLY						
							COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
							\$
	DED RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N					PER STATUTE OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is also named additionally insured
2017 GMC YUKON vin# 1GKS2GKC6HR318090 plate # LV84072
Rajiv Kumar

CERTIFICATE HOLDER UBER	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---------------------------------------	--

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City Council

2020-2021

City of Newton



PUBLIC SAFETY & TRANSPORTATION COMMITTEE MEETING NOTICE

Dear Resident:

The Public Safety & Transportation Committee will hold this meeting as a virtual meeting on Wednesday, May 13, 2020 at 7:00 pm. To view this meeting use this link at the above date and time: <https://us02web.zoom.us/j/96148623179>

One tap mobile

+16465588656,,96148623179# US (New York)

Dial by your location

+1 646 558 8656 US (New York)

Meeting ID: 961 4862 3179

#127-20 Appeal of Traffic Council Decision - Roosevelt Road at Theodore Road.
JUNE WELZ 46 Roosevelt Road, Newton appealing the approval of Traffic Council petition TC87-19 on January 23, 2020 on removing the stop signs on Roosevelt Road, in both directions, and retaining the stop signs on Theodore Road, in both directions. (Ward 8)

If you are unable to virtually attend this meeting but would like to offer comments in writing for consideration, please forward your comments by e-mail to Danielle Delaney at ddelaney@newtonma.gov reflecting docket item #127-20.

Sincerely,

Danielle Delaney
Committee Clerk
Public Safety & Transportation Committee

Public Safety & Transportation

mailed on 05-01-2020

Item #	# mailings sent	# mailings returned	# attended meeting	# e-mails received
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#127-20 Appeal of Traffic Council Decision - Roosevelt Road at Theodore Road. <u>JUNE WELZ</u> 46 Roosevelt Road, Newton appealing the approval of Traffic Council petition TC87-19 on January 23, 2020 on removing the stop signs on Roosevelt Road, in both directions, and retaining the stop signs on Theodore Road, in both directions. (Ward 8)	21			
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Total	21			
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APPEAL OF TRAFFIC COUNCIL DECISION
CITY OF NEWTON TRAFFIC COUNCIL, ROOM 105
1000 COMMONWEALTH AVENUE
NEWTON CENTRE, MA 02459

This form shall be completed by residents or a City Councilor who wish to appeal a Traffic Council decision. This form must be completed and filed with the City Clerk within twenty (20) calendar days of the Traffic Council vote. Requirements for signatures in the matter of appeals are described in Sec.19-33 and 19-34 of the Revised Ordinances of the City of Newton, 2007, as amended by Ordinance Z-12. The Appellant and other parties who may in the Council's judgment be substantially affected by such petition will be notified with the first date the petition will be discussed by the City Council. Note: There are additional appeal requirements for Resident Only Permit Areas; see Sec. 19-201 of the City of Newton Ordinances. If you have further questions, please call the Clerk of the City Council's Office at (617)796-1210.

Complete both sides and submit to the Clerk of the City Council's Office (PLEASE PRINT):

APPELLANT'S NAME: June H. Welz SIGNATURE: June H. Welz
 ADDRESS: 46 Roosevelt Rd Newton Unit # _____
 TELEPHONE (DAY): 617-244-0782 (EVENING): _____

PETITION #: TC - 87-19

REASON FOR APPEAL:

To appeal against removal of Stop Signs on Roosevelt Road in both directions and retain the Stop Signs on Theodore Road. Several residents spoke on behalf of keeping the signs due to the excessive speed of cars to and from the high school especially and the constant traffic throughout the day. Speakers cited how helpful the signs have been in reducing excessive speed that cars regularly travel, especially on the stretch from Brandeis Rd. toward Parker St. We were told that there were MANY complaints regarding the stop signs, yet not one single person came to speak about removing the signs. The signs should have been put up many, many, many years ago, and now the committee has decided they should be removed. We live on the street and experience first hand how much more traffic we have had to deal with now. The decision is arbitrary and capricious ignoring safety concerns of both pedestrians and auto drivers. It appeared to the speakers that the council members had made up their minds before the meeting even occurred. In summary, we are requesting that stop signs on Roosevelt Road, in both directions be retained for safety reasons.

RECEIVED
 Newton City Clerk
 JUN 20 2007 AM 9:54
 Oliver, CMC
 Newton, MA 02459

11/16/09

Revised: 01/01/16

REQUIRED SIGNATURES (Please Print)

♦ Appeals for intersectional controls/regulations (traffic signals, stop signs, no turn on red, etc.) require a total of six (6) signatures (including appellant's) from owners or tenants whose building or lot of land is located within five-hundred (500) feet of the affected intersection (one signature per household or business).

♦ Appeals for parking restrictions, truck exclusions, speed limits, and all other traffic regulations must be signed by one (1) owner or tenant of at least half of the residential, commercial and/or non-profit units which abut the affected street or way, provided that in no event shall more than ten (10) signatures (including appellant's) be required (one signature per household or business).

NAME: Jane H. Welch SIGNATURE: Jane H. Welch
 ADDRESS: 46 Roosevelt Rd, Newton Ctr UNIT#
 TELEPHONE (DAY): 617-244-0282 (EVENING): same

NAME: Susan Nason SIGNATURE: Susan Nason
 ADDRESS: 28 Roosevelt Rd, Newton, MA UNIT#
 TELEPHONE (DAY): 617-965-1811 (EVENING): 617-965-1811

NAME: Beth Reisman SIGNATURE: Beth Reisman
 ADDRESS: 34 Roosevelt Rd UNIT#
 TELEPHONE (DAY): 617-244-6449 (EVENING):

NAME: Sana Iskandar SIGNATURE: Sana Iskandar
 ADDRESS: 37 Roosevelt Rd UNIT#
 TELEPHONE (DAY): 617 717 4092 (EVENING):

NAME: Abigail Schwartz SIGNATURE: Abigail Schwartz
 ADDRESS: 58 Roosevelt Rd. UNIT#
 TELEPHONE (DAY): 617 429 0019 (EVENING): 617 969 1769

NAME: Sanjay Panchu SIGNATURE: Sanjay Panchu
 ADDRESS: 53 Roosevelt UNIT#
 TELEPHONE (DAY): 508 287 4167 (EVENING):

NAME: FREDRICK E. FOSTER SIGNATURE: Fredrick E. Foster
 ADDRESS: 140 ROOSEVELT RD. UNIT#
 TELEPHONE (DAY): (617) 332-7452 (EVENING): 617-803-1545

NAME: Harriet Drucker SIGNATURE: Harriet Drucker
 ADDRESS: 25 Roosevelt Rd UNIT#
 TELEPHONE (DAY): 781-292 6624 (EVENING): 617-333-7129

NAME: SIGNATURE:
 ADDRESS: UNIT#
 TELEPHONE (DAY): (EVENING):

TC87-19

#127-20

Danielle Delaney

From: David Koses
Sent: Friday, December 20, 2019 3:36 PM
To: Rick Lipof; Isaac Prizant; Danielle Delaney
Cc: Paul D. Anastasia; Richard Lipof
Subject: RE: TC Research Question - Roosevelt Road at Theodore Road

Most likely we want to remove the stop signs at Roosevelt (eastbound and westbound) and keep the two on Theodore (northbound and southbound).

But, we can broaden the language.

Danielle – could you please revise the docketed language to the following:

- ***Isaac Prizant, Traffic Engineer, requesting to discuss and potentially to remove some or all of the stop signs in the City's Traffic and Parking Regulations, and in the field, at the intersection of Roosevelt Road at Theodore Road.***

Thanks,
David

TC 87-19
#127-20

Danielle Delaney

From: David Koses
Sent: Friday, December 20, 2019 2:22 PM
To: Rick Lipof; Isaac Prizant; Danielle Delaney
Cc: Paul D. Anastasia; Richard Lipof
Subject: RE: TC Research Question - Roosevelt Road at Theodore Road

Danielle,

Could you please docket the following item for Traffic Council:

- *Isaac Prizant, Traffic Engineer, requesting to discuss and potentially to remove the following stop signs from the books and in the field: Roosevelt Road at the eastbound and westbound approaches to Theodore Road.*

Councilor Lipof and others:

FYI: I maintain a running list of all the items (potential errors in the TPR) that Jesse finds and sends to me through email or WebQA/311. These requests including signs that are listed in the TPR but do not exist in the field, and signs that exist in the field but do not appear in the TPR. As of now, I have 61 different requests from Jesse on my running list – I try to add one or two of his requests to Traffic Council agendas whenever I can. We typically do not post a sign that Jesse finds to be missing unless we discuss it internally first, and only if we agree that the sign should be added in the field. This one must have slipped through somehow. But – since it is in the books, and since the signs have already been posted, they should stay there until Traffic Council can vote remove them, unless Captain Anastasia finds them to be unsafe.

I will add the removal of these two stop sign to our January Traffic Council agenda.

Thanks,
David

From: Rick Lipof [mailto:rlipof@lipofres.com]
Sent: Friday, December 20, 2019 2:01 PM
To: Isaac Prizant; Danielle Delaney
Cc: Paul D. Anastasia; David Koses; Richard Lipof
Subject: RE: TC Research Question - Roosevelt Road at Theodore Road

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

Isaac,

I agree with you completely. Let's talk to Captain Anastasia and see if we can expedite. If not, then let's docket and get it discussed asap.

Thanks.

Rick Lipof
Councilor-at-large, Ward 8
City of Newton, Massachusetts

CITY OF NEWTON

IN CITY COUNCIL

TRAFFIC COUNCIL REPORT

THURSDAY, JANUARY 23, 2020

Present: David Koses, Traffic Council Chair; Captain Anastasia, Newton Police Department; Isaac Prizant, Traffic Engineer; Councilor Downs and Alicia Wilson, Resident Member

Also Present: Councilor Bowman

TC87-19 ISAAC PRIZANT, TRAFFIC ENGINEER, requesting to discuss and potentially to remove some or all the stop signs in the City's Traffic and Parking Regulations (TPR), and in the field, at the intersection of Roosevelt Road at Theodore Road. (Ward 8) [12/20/19 @ 2:22 PM]

ACTION: **APPROVED 5-0. Approved the language of TPR 538. TPR 538 removes the stop signs on Roosevelt Road, in both directions, and retaining the stop signs on Theodore Road, in both directions.**

This item may be appealed through the close of business February 12, 2020.

NOTE: Council members were provided with a location map, site photos, vehicular, pedestrian and bicycle volumes, Manual on Uniform Traffic Control Devices (MUTCD), current regulation and a recommendation.

Mr. Prizant stated that the Traffic and Parking Regulations (TPR) currently includes stop signs on Roosevelt Road at Theodore Road, eastbound and westbound and Theodore Road at Roosevelt Road, northbound and southbound. The City needed to install stop signs once staff was notified that they are on the books. When the stop signs were installed, elected officials and City staff received negative feedback. Due to the negative feedback, Mr. Prizant conducted a warrant study using the MUTCD guidelines.

Data was collected during peak high school travel times. Data shows a much higher traffic volume on Roosevelt Road. Approximately half of the vehicles observed actually stopped at the posted stop sign on Roosevelt Road. The MUTCD provides guidance with warrants on when to install stop signs. Criteria A, B, C, D, E, F and H were not met. Criteria G was met due to difficult site lines - poor sight lines exiting Theodore Road northbound approach looking east (right). This approach is exiting a private way servicing one single family home driveway.

Mr. Prizant then stated that there have been zero reported crashes in the past three years and recommends removing the stop signs on Roosevelt Road, both directions and retaining the stop signs on Theodore Road, both directions.

Mr. Koses stated that two emails were received, on file, including support from Councilor Lipof. He then opened the discussion to members of the public who were present. Residents present expressed their concerns, questions and suggestions.

Concerns:

- The stop sign has helped exiting driveways, traffic and speed volumes.
- A large tree obstructs the stop sign at this intersection.

Questions:

- What type of negative feedback was received? Mr. Prizant answered that the negative feedback included drivers disobeying the stop sign. The stop sign is not warranted at Theodore Road and should be removed.

Suggestions:

- Remove the stop sign at the private driveway, it is not necessary.
- Relocate the private driveway.
- Table this item in order to take further observations since the stop sign was recently installed.

Mr. Prizant said that he would add Roosevelt Road to the list of traffic calming items. Data will be collected for Roosevelt Road. He then stated that a stop sign is not a traffic calming device. He briefly explained the process and stated that the Department Public Works conducts an annual evaluation of streets in the City by collecting data, process, evaluate and prioritize.

Mr. Koses stated that stop signs should only be installed where they are warranted. Otherwise, drivers have the tendency to ignore them.

Without further discussion, Mr. Prizant made a motion to approve this request, the stop signs will be removed on Roosevelt Road, in both directions, and retaining the stop signs on Theodore Road, in both directions. Council members agreed 5-0. Mr. Koses stated that this item may be appealed through the close of business on February 12, 2020.

TC87-19

CITY OF NEWTON

TRAFFIC & PARKING REGULATION

TPR NO. 538

January 23, 2020

In accordance with the vote of the Traffic Council on January 23, 2020:

The City of Newton Traffic & Parking Regulations, as established in Chapter 19, Section 27 of the City of Newton Revised Ordinances, 2017, as amended, be and are hereby further amended as follows:

By DELETING from the provisions of **Sec. TPR-147. Obedience to isolated stop signs.**, the following:

Roosevelt Road at Theodore Road, eastbound and westbound.

Approved as to legal form and character:

(SGD) ALISSA OCASIO GIULIANI
City Solicitor

(SGD) DAVID A. OLSON
City Clerk

TC87-19

∞ 19 ∞

Request to discuss and potentially to remove some or all of the stop signs from the
TPR and in the field, at Roosevelt Rd at Theodore Rd

Location Map: Roosevelt Rd & Theodore Rd

TC87-19

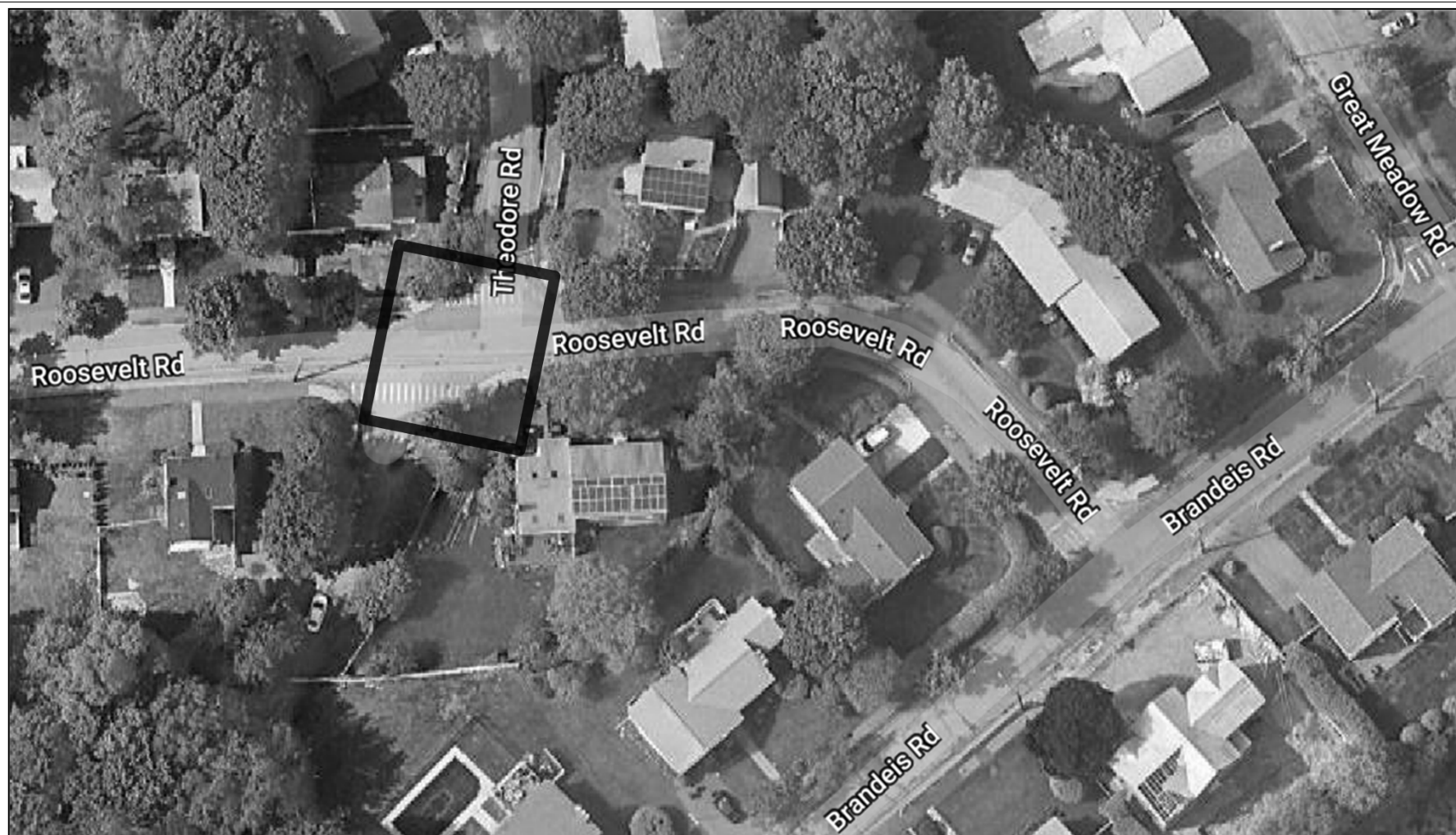


Photo of Roosevelt Rd, looking westbound at Theodore Road

TC87-19



1.23.20

21

Traffic Council

Photo looking north from Theodore Road (from the private way portion)

TC87-19



1.23.20

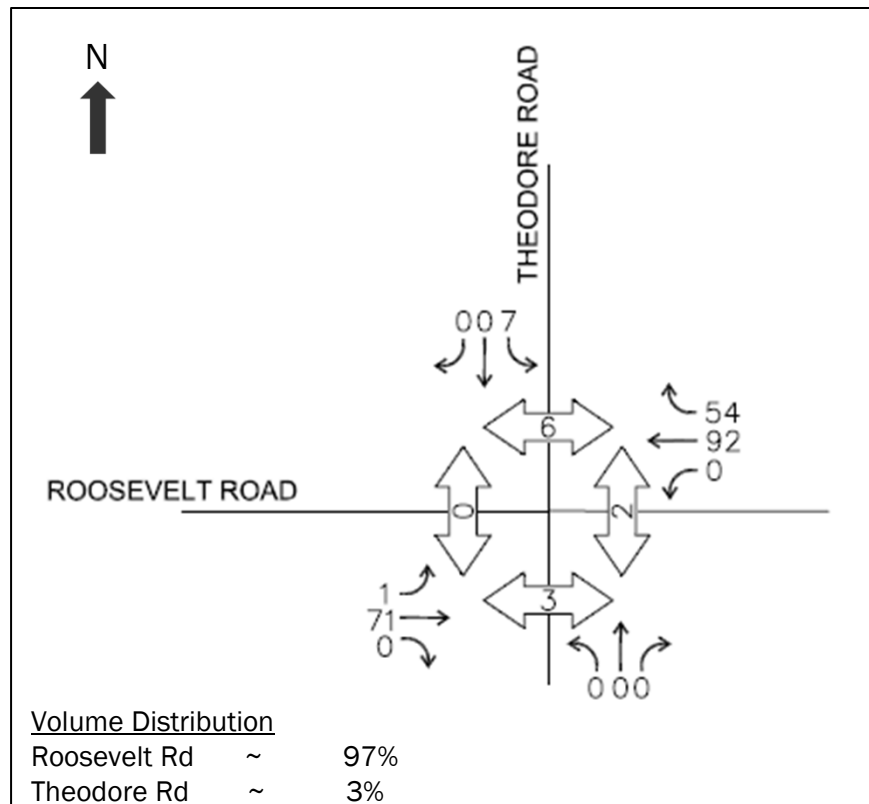
22

Traffic Council

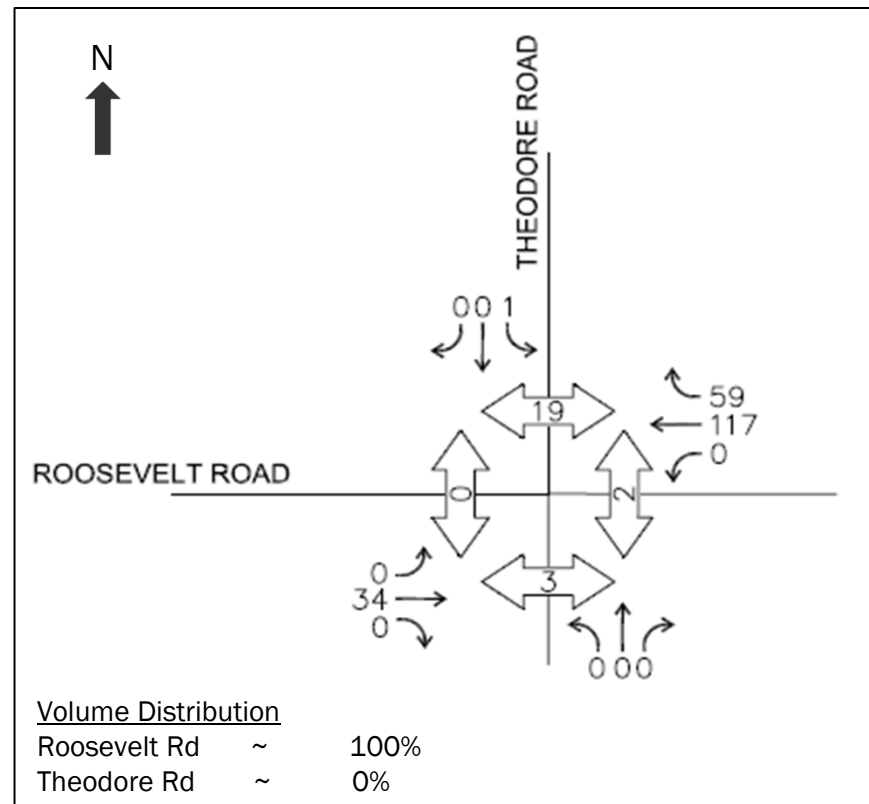
Vehicular, Pedestrian, and Bicycle Volumes

TC87-19

Weekday AM Peak Half-Hour Volumes,
collected between 7:15-7:45am on Tues
January 14, 2020



Weekday AM Peak Half-Hour Volumes,
collected between 1:45-2:15pm on Tues
January 14, 2020



Guidance

TC87-19

MUTCD - Section 2B.07 Multi-Way Stop Applications (Abbreviated)

Background:

Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist.

Multi-way stop control is used where the volume of traffic on intersection roads is approximately equal.

(Criteria not met)

A) Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.

(Criteria not met)

0 reported crash
in past 3 years

B) Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.

(Criteria not met)

C) Minimum vehicle volumes:

- 1. Vehicle volume entering the intersection from the major street approaches averages at least 300 vehicles per hour for any 8 hours of an average day; **and***
- 2. the combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; **but***
- 3. If the 85th percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.*

Guidance

TC87-19

MUTCD - Section 2B.07 Multi-Way Stop Applications (Continued)

Other criteria that may be considered in an engineering study for multi-way STOP control include the following:

- (Criteria not met) *D) Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.*
- (Criteria not met) *E) There is a need to control left-turn conflicts.*
- (Criteria not met) *F) There is a need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes.*
- (Criteria met)* *G) Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and*
- (Criteria not met) *H) An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics*

* Poor Sight Lines exiting Theodore Road northbound approach looking east (right).
This approach is exiting a private way servicing one single family home driveway.

Guidance

TC87-19

Massachusetts Amendments to the 2009 MUTCD – Section 10A-4, STOP SIGNS

The purpose of the Stop Sign is to designate right-of-way to vehicles making conflicting movements. It is not intended, nor shall it be used for the control of speed, traffic calming or to forestall pedestrian, rear-end or turning movement accidents. To ensure uniformity in stop sign studies and recommendations, the warrants as provided in the 2009 MUTCD, Section 2B.05 will govern. Stop Signs shall be located as provided in Section 2B.06 of the same.

Multi-way Stop Signs must meet the warrant criteria as outlined in Section 2B.07 of the 2009 MUTCD.

Current Regulation and Optional Action

TC87-19

The following stop signs are currently included in the Traffic and Parking Regulations: Sec. TPR-147. Obedience to isolated stop signs.

- Roosevelt Road at Theodore Road, eastbound and westbound.
- Theodore Road at Roosevelt Road, northbound and southbound.

Consider removing the stop signs on Roosevelt Road, in both directions, and retaining the stop signs on Theodore Road, in both directions

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

Roosevelt Road at Theodore Road, eastbound and westbound.

CAN BE APPEALED

Appeal Deadline is February 12, 2020

Find address or place



Layers



Labels for Owner or Resident

82&87-19

Owner Name	Address	Unit		
LANDZBERG MICHAEL J & ABBY B	44 BRANDEIS RD	NEWTON	MA	02459
SOOHOO SAEBOM JILL	45 BRANDEIS RD	NEWTON	MA	02459
53 BRANDEIS ROAD LLC	53 BRANDEIS RD	NEWTON	MA	02459
PENG LILY	61 BRANDEIS RD	NEWTON	MA	02459
KLIPKER ISRAEL	11 ROOSEVELT RD	NEWTON	MA	02459
LI LING	12 ROOSEVELT RD	NEWTON	MA	02459
CHEN HONGXIA LI	15 ROOSEVELT RD	NEWTON	MA	02459
XIE HANZHEN	16 ROOSEVELT RD	NEWTON	MA	02459
BELLIO STEPHEN L & JILL W	19 ROOSEVELT RD	NEWTON	MA	02459
GAI ELIEZER	22 ROOSEVELT RD	NEWTON	MA	02459
DRUCKER HARRIET A	25 ROOSEVELT RD	NEWTON	MA	02459
NASON STEVEN L & SUSAN E	28 ROOSEVELT RD	NEWTON	MA	02459
DURANI AVINOAM	31 ROOSEVELT RD	NEWTON	MA	02459
REISMAN KENNETH P & BETH	34 ROOSEVELT RD	NEWTON	MA	02459
ISKANDAR MOHAMAD & SANA	37 ROOSEVELT RD	NEWTON	MA	02459
FOSTER FREDERICK E & IDA M L/E	40 ROOSEVELT RD	NEWTON	MA	02459
WELZ JUNE H & DAVID I	46 ROOSEVELT RD	NEWTON	MA	02459
PANCHU ANAND & CHANDRA	53 ROOSEVELT RD	NEWTON	MA	02459
SCHWARTZ JORDAN D	56 ROOSEVELT RD	NEWTON	MA	02459
OWINGS MICHAEL	66 ROOSEVELT RD	NEWTON	MA	02459
DING ZHIHU	67 ROOSEVELT RD	NEWTON	MA	02459

82&87-19

LANDZBERG MICHAEL J & ABBY B
or Current Resident/Tenant at:
44 BRANDEIS RD
NEWTON, MA 02459

82&87-19

SOOHOO SAEBOM JILL
or Current Resident/Tenant at:
45 BRANDEIS RD
NEWTON, MA 02459

82&87-19

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or Current Resident/Tenant at:
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NEWTON, MA 02459

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LI LING
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XIE HANZHEN
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NEWTON, MA 02459

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BELLIO STEPHEN L & JILL W
or Current Resident/Tenant at:
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GAI ELIEZER
or Current Resident/Tenant at:
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82&87-19

DING ZHIHU
or Current Resident/Tenant at:
67 ROOSEVELT RD
NEWTON, MA 02459

Danielle Delaney

From: Danielle Delaney
Sent: Thursday, January 9, 2020 3:57 PM
To: Danielle Delaney
Subject: FW: Question about Item TC87-19

From: Isaac Prizant <iprizant@newtonma.gov>
Sent: Thursday, January 9, 2020 3:29 PM
To: Susan Nason <nasonse@aol.com>
Cc: Traffic Council <trafficcouncil@newtonma.gov>
Subject: RE: Question about Item TC87-19

Hello Ms. Nason,

I docketed this item on Councilor Lipof and several others' behalves who are opposed to these stop signs. At the meeting I'll be going over stop sign warrants as part of the discussion on whether the council would like to keep or remove the stop signs.

Thanks,

Isaac Prizant
City Transportation Engineer
Department of Public Works
City of Newton
Office: 617-796-1483 Cell: 617-596-4838

From: Susan Nason <>
Sent: Thursday, January 9, 2020 3:23 PM
To: Traffic Council <trafficcouncil@newtonma.gov>
Subject: Question about Item TC87-19

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

Hi - My name is Susan Nason. My husband and I live at 28 Roosevelt Road and received notice from the Traffic Council about a meeting on Jan. 23 at which time one of the agenda items is to "discuss and potentially remove some or all of the stop signs at the intersection of Roosevelt and Theodore Roads".

I'm wondering if Mr. Prizani, the Traffic Engineer who is the petitioner for this item, could provide some additional information about the rationale for this proposal. These stop signs were put in only recently and have been very well received by all of us on the block. My husband and I have lived in our home for over 40 years. During that time there have been a number of accidents, many close calls, and much speeding, especially by cars coming down Roosevelt from Brandeis Rd. The speeding has slowed significantly which has been great. Why is there now a proposal to remove the stop signs?

I look forward to hearing from Mr. Prizani.

Sincerely,

Susan Nason