

TRAFFIC SAFETY ADVISORY COMMITTEE MEETING

Wednesday, March 16, 2022 1:30pm

Stow Town Building

380 Great Road, Stow, MA 01775

**Town Building and
On-line**

Topic: TSAC

Time: March 16, 2022 01:30pm PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/81756295320?pwd=am4zQVZCZXM0NVBUUGxEeGpGVFIQdz09>

Meeting ID: 817 5629 5320

Passcode: 364920

1.	1:00 PM	Call to Order
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Traffic Safety Advisory Committee Administrative Items

2.		Public Input
3.		Review Minutes
4.		Member Updates

Appointments/Discussion/Action Items

5.		Letters to Select Board -Signature page for 25 mph zone -Advertising for 25 mph throughout town -Private Way Management
6.		Speed Enforcement
7.		Hartley Road/Center Intersection
8.		Sudbury Bridge
9.		Radar Feedback Signs
10.		MassDOT Flashing Yellow
11.		Heights St Complaint
12.		Bradley Lane Complaint
13.		Lowell Drive Complaint
14.		New Complaints/Correspondence

Posted 3/11/2022 at 2:30pm

TOWN OF STOW
TRAFFIC SAFETY ADVISORY COMMITTEE

Minutes of February 16, 2022 Traffic Safety Advisory Committee Meeting

Committee Members Present: Chief Michael Sallese; Fire Chief John Paul Benoit; Steven Nadeau; Jesse Steadman

Chief Sallese called the meeting to order at 1:00 pm.

Review of Minutes

February 2, 2022

Steve Nadeau moved to approve the minutes of February 2, 2022.

Chief Benoit seconded.

VOTED: 4-0 Unanimously in favor (Chief Sallese – Yea; Chief Benoit – Yea; Jesse Steadman – Yea; Steve Nadeau)

Member Updates

Chief Sallese noted that enforcement on priority roads in Stow continues.

Chief Benoit indicated he has reached out to the recruiting director regarding potential for driver etiquette training.

American Rescue Plan Act Proposal | Hudson Road/Route 117 Intersection

The Committee discussed the draft proposal for engineering and design funds for improvements to the Hudson Road/Route 117 Intersection.

Chief Benoit moved to submit the proposal for improvements to Hudson Road/Route 117 to the Select Board as written.

Chief Sallese seconded.

VOTED: 4-0 Unanimously in favor (Chief Sallese – Yea; Chief Benoit – Yea; Jesse Steadman – Yea; Steve Nadeau)

American Rescue Plan Act Proposal | School Zone Light Replacement

The Committee discussed a quote for solar and remote program capable school zone lights in an amount of \$9100.00. Steve Nadeau indicated the request of \$10,000 seems adequate as the Highway Department will install.

Chief Sallese moved to submit the proposal for the replacement of the Center School zone lights to the Select Board as amended.

Jesse Steadman seconded.

VOTED: 4-0 Unanimously in favor (Chief Sallese – Yea; Chief Benoit – Yea; Jesse Steadman – Yea; Steve Nadeau)

American Rescue Plan Act Proposal | Town-Wide 25 MPH Signage

The Committee agreed that based upon a recent estimate, they should request an amount of \$4500.00 for the purchase and installation of signage to implement the Town-wide 25MPH policy.

Jesse Steadman moved to submit the proposal for Town-wide 25 MPH signage as written.

Chief Benoit seconded.

VOTED: 4-0 Unanimously in favor (Chief Sallese – Yea; Chief Benoit – Yea; Jesse Steadman – Yea; Steve Nadeau)

American Rescue Plan Act Proposal | Traffic Safety Policy Implementation Funds

The Committee discussed the \$15,000.00 request for funds to implement the Traffic Safety Policy. Jesse Steadman said that because the funds would not necessarily be spent in one year, the Committee could submit a brief annual report to the Select Board on the use of the funds and any expected requests for funding in the future.

Chief Sallese moved to submit the proposal for Traffic Safety Policy Implementation funds to the Select Board as written.

Jesse Steadman seconded.

VOTED: 4-0 Unanimously in favor (Chief Sallese – Yea; Chief Benoit – Yea; Jesse Steadman – Yea; Steve Nadeau)

Discussion of Heights Street Complaint

Katharine Clark of Heights Street indicated that the condition of Heights Street, which is accessed via roads in Maynard, has caused their waste removal company to indicate they will no longer pick up their trash. This is due to the rutted, dirt road, which becomes muddy in the winter and spring. Katharine Clark said that the issue with the road has become worse and as property owners in Stow, they are asking the Town to improve the road and eliminate brush that has overgrown and caused issues with sight lines.

The Committee discussed the issue noting that further research is needed to determine whether the road was ever laid out, what the extent of the public right of way may be and what authority the Town may have in making improvements. Chief Sallese indicated that although it is not the purview of the Traffic Safety Advisory Committee, they will look into the issue and respond to the homeowner.

Complete Streets Letter of Support

The Committee reviewed a letter drafted by Jesse Steadman, which supports the Complete Streets Committee request to use American Rescue Plan Act funds for improvements to pedestrian infrastructure along Crescent Street.

Chief Sallese moved to approve and send the letter as drafted.

Steve Nadeau Seconded.

VOTED: 4-0 Unanimously in favor (Chief Sallese – Yea; Chief Benoit – Yea; Jesse Steadman – Yea; Steve Nadeau)

Sudbury Road Truck Restriction

Steve Nadeau stated that it may be time to discuss a truck restriction on Sudbury Road to limit the size of vehicles using the ailing Sudbury Road bridge. The Committee discussed whether it would need to be a restriction on Sudbury Road as a whole or just the bridge, which types of neighborhood truck usage, such as oil deliveries, etc. could still take place and whether a study would be worthwhile for providing a meaningful lifespan extension for the bridge. Steve Nadeau indicated he would continue researching the particulars of such a policy.

Traffic Delineators on Wheeler Road

The Committee discussed the use of single post traffic delineators on Wheeler Road, as Steve Nadeau has discussed he has some funds in his budget to pilot their use as a speed mitigation strategy. Steve Nadeau said that he has considered their installation along the yellow center line at Wheeler Road and along the fog lines at the intersection of State/Sudbury Road.

The Committee discussed the need to do sufficient outreach to notify drivers of the change prior to installation.

Chief Sallese motioned to adjourn

Chief Benoit seconded.

VOTED: 4-0 Unanimously in favor (Chief Sallese – Yea; Chief Benoit – Yea; Jesse Steadman – Yea; Steve Nadeau)

Respectfully Submitted,

Jesse Steadman

Planning Board
380 Great Road
Stow, MA 01775
Tel: 978-897-5098
Fax: 978-897-2321

**Town of Stow
Traffic Safety
Advisory Committee**

Memo

To: Stow Select Board
CC: Denise Dembkoski – Town Administrator
From: Traffic Safety Advisory Committee
- Police Chief, Michael Sallese
- Fire Chief, John Paul Benoit
- Superintendent of Streets, Steve Nadeau
- Town Planner, Jesse Steadman
Date: 3.9.2022
Re: Private Way Management

The purpose of this letter is to notify the Select Board of a resident complaint and provide insight into the Town's obligations as it relates to Private Ways and a property owner's options for improving such Private Ways. This letter is not meant as a legal opinion and is rather a guide for determining potentially available options.

Overview

On February 16, 2022 the Traffic Safety Advisory Committee heard the concerns of Katharine Clark of 10 Heights Street, regarding the poor condition of the street, as well as the existence of brush and vegetation blocking sight lines. Given the safety component of the complaint, the Traffic Safety Advisory Committee agreed to look into the matter and determine the Town's jurisdiction as it relates to Height Street.

The TSAC has found plans showing the proposed buildout of the original Assabet Heights subdivision creating Heights Street, but has been unable to find any record of the street being accepted in Stow as a Public Way. Given the location of the street along the Maynard Town boundary, the road can only be accessed from Maynard. Therefore, the Town of Maynard has agreed to take on the obligation of winter maintenance associated with Heights Street.

To assist the Select Board and property owner in understanding the options for repairing Heights Street, the TSAC has reviewed the deed for the property, as well as relevant plans on file with the Middlesex South Registry of Deeds. Heights Street does not appear to be a Private Way open to public use, and therefore appears unable to be repaired without the establishment of an escrow account or betterment process (see below for details). The deed explains the rights to the ways as:

"Conveyed subject to and with the benefit of the streets and avenues shown on said Plan, which are forever to be kept open as ways for the benefit in common of all lots shown on said plan."

Along with the absence of Stow's acceptance of Heights Street, the above language indicates that the owners of the Private Ways associated with the original Assabet Heights development have the collective responsibility of owning and maintaining the roadway.

Distinction Between Winter Maintenance and Road Repair

It is often assumed that the Town of Stow is obligated to repair Private Ways, as town trucks are often seen plowing and sanding such routes through the winter months. However, there are distinctions and limitations between typical winter maintenance and more advanced repairs on Private Ways.

The Town has adopted Massachusetts General Law (MGL) c.40 s.6c which provides for the plowing and sanding of *publicly accessible* Private Ways in Stow. However, the law makes a clear distinction between the removal of snow and ice and the 'repair of a way.'

"Section 6C. A city or town which accepts this section in the manner provided in section six D may appropriate money for the removal of snow and ice from such private ways within its limits and open to the public use as may be designated by the city council or selectmen; provided, that, for the purposes of section twenty-five of chapter eighty-four, the removal of snow or ice from such a way shall not constitute a repair of a way."

In 1979, the Town of Stow adopted *Section 3. Private Ways*, in its General Bylaw, regarding the repair and maintenance of private ways in accordance with Section 6N of Chapter 40. The applicable language is copied to the appendix of this letter. The adoption of this Section is meant to provide further clarification regarding the obligations of the Town for the repair of Private Ways, as well as to provide options for property owners who wish to request certain repairs.

Options for Private Way Repair

Section 3(a) of the Stow General Bylaw provides the Select Board and Superintendent of Streets the power to appropriate funds for repair of a private way when such repairs are "required by public necessity and convenience."

Where the Select Board or Highway Superintendent chooses not to allocate funds for repairs of private ways through a finding under Section 3(a) of the General Bylaw, Section 3 (b) provides for the establishment of a "betterment" program to address the Private Way in need of repair. According to the Bylaw, the property owner may present a signed petition by 75% of residents on the road in question to the Select Board, requesting a Special Article to be placed on the Warrant, detailing the repairs to be made. The costs of the repairs can either be borne by the abutting property owners owning the Private Way through a cash deposit into an escrow account that is equal to the cost of the proposed work, or through the assessment of "betterment" fees in accordance with the provisions of MGL Ch.80. The betterment process essentially sets up an amortization program for the repayment of funds allocated for the repair of the private way.

Conclusion

Given the apparent status of Heights Streets as a Private Way, the Traffic Safety Advisory Committee believes it may not be legal for Chapter 90 road repair funds to be used for the

improvement of Heights Street. Due to statutory language and the Town's General Bylaw, there appears to be three options for funding the improvements:

1. A separate appropriation by the Select Board or Superintendent of Streets;
2. The placement of resident funds in escrow for the proposed repairs;
3. or the approval of a betterment process establishing the associated costs for the property's that will be impacted and an amortization program for repayment.

The Traffic Safety Advisory Committee offers this information as a primer to the Select Board on the topic and has not consulted with Town Counsel on any further particulars. The Committee hopes it is helpful nonetheless.

Each officer please log at least one of these radar assignments each shift. Thank you!

★ Bradley lane 3-5pm ★

Day Shift

School Zone

35 + 107 Harvard Rd – 7a-8a

Hasting St – Weekends

33 + 43 Pompo St – 7a-9a

S. Acton – 7a-9a - Focus on #32

W. Acton – 7a-9a

150 + 285 Taylor – 7a-9a

Wheeler – M-F 7a-9a / SS all day

Packard @ Carriage – M-F 7a-9a / SS all day

Crescent St East – Restriction 7a-9a

Adams @ Peabody – 7a-9a

New- Walcott @ Penny

Pompo St. Stop Sign

Eve Shift

School Zone

35 + 107 Harvard Rd – 3-6p

Hasting St – M-F 4p-6p

33 + 43 Pompo St – 4p-6p

S. Acton – 4p-6p - Focus on #32

W. Acton – 4p-6p

150 + 285 Taylor – 4p-6p

Wheeler – 4p-6p / SS all day

Packard @ Carriage – M-F 4p-6p / SS all day

Crescent St East – Restriction 4p-6p

Adams @ Peabody – 4p-6p

New- Walcott @ Penny

Pompo St. Stop Sign

Mid Shift

33 + 107 Harvard Rd – 5a-7a

33 + 43 Pompo St – 5a-7a

S. Acton – 5a-7a - Focus on #32

W. Acton – 5a-7a

150 + 285 Taylor – 5a-7a

Wheeler – 5a-7a

Packard @ Carriage – 5a-7a

Adams @ Peabody – 5a-7a

New- Walcott @ Penny

Pompo St. Stop Sign

Please complete
1 hour total
per officer
per shift

* Added 12/2

All Shifts -

* Harvard Acres
(all roads) 2/18/2

stowpolice

From: Deng, Michelle Y. (DOT) <michelle.deng@state.ma.us>
Sent: Wednesday, March 2, 2022 3:20 PM
Subject: MassDOT Flashing Yellow Arrow Signal Social Media Material
Attachments: FYA_3 Section_MassDOT.gif; FYA_4 Section_MassDOT.gif; FYA vs Traditional Signal.png

Importance: High

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good afternoon,

I hope this email finds you well. My name is Michelle Deng, and I am a traffic safety engineer with MassDOT. My office (Traffic & Safety section) created a new educational campaign for the Flashing Yellow Arrow (FYA) signal after hearing some feedback that some motorists are confused by this signal. We would love for your department to share the campaign on your social media over the next two days.

Attached are two different GIFs showing two types of Flashing Yellow Arrow and a graphic comparing the traditional 5-head and 3-head left turn signal vs. FYA. We have some sample text below, but feel free to use your own wording as well.

"The #FlashingYellowArrow signal aims to replace the circular green indication for left turns at signalized intersections. When the arrow is flashing, drivers are allowed to turn only after YIELDING to all oncoming traffic and to any pedestrians in the crosswalk."

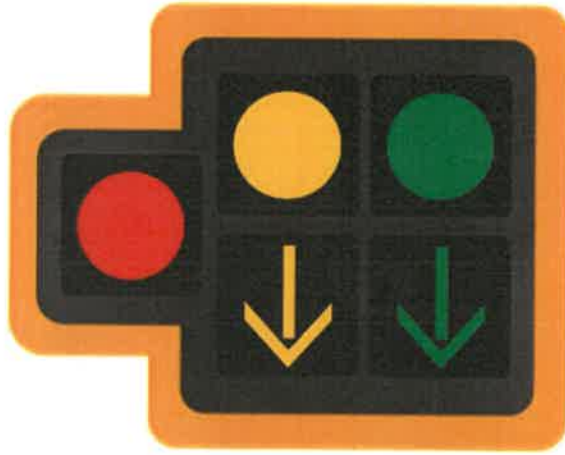
Feel free to follow us on [Twitter @MassDOTSafety](#) for more traffic safety material, and please feel free to let us know if you have any questions.

Best,
Michelle



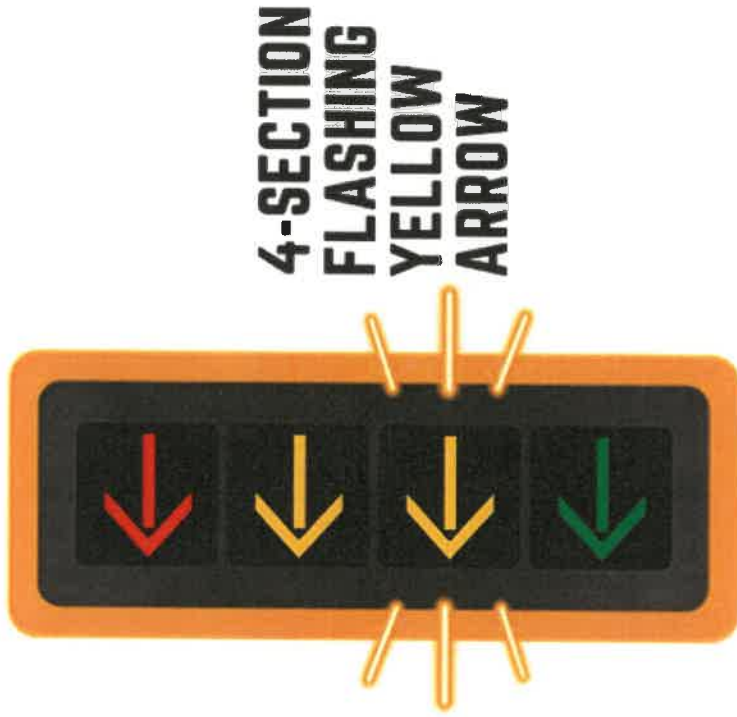
Michelle Deng | Traffic Safety Engineer
MassDOT | Highway Division | Traffic Safety Section
 10 Park Plaza Suite 7210 | Boston, MA 02116
 Email: Michelle.Deng@dot.state.ma.us
 Follow us on Twitter [@MassDOTSafety](#)

TRADITIONAL



5-SECTION HEAD

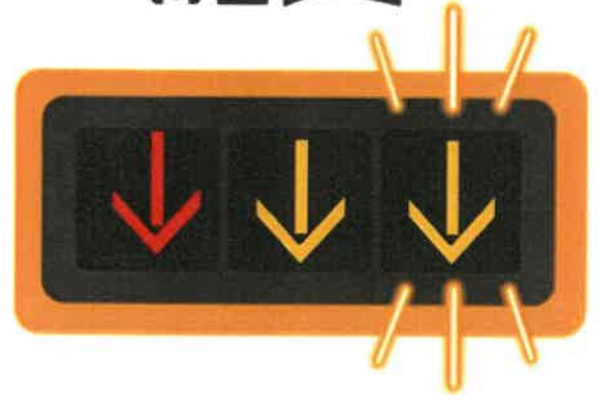
NEW



**4-SECTION
FLASHING
YELLOW
ARROW**



**3-SECTION
FLASHING
YELLOW
ARROW**





ARNOLD & KANGAS, P. C.**Counsellors at Law**

Thomas B. Arnold
Jeanne S. Kangas
Susan D. Stamps
Kenneth D. Quat
Joseph G. Shea
Kathleen Bauer Burke*
*Also admitted in New Hampshire

Of Counsel:
Deirdre A. O'Brien

Damonmill Square, Suite 5D
9 Pond Lane
Concord, Massachusetts 01742-2842

Telephone 508.369.0001
Facsimile 508.371.2378
E-Mail AK0001@aol.com

April 29, 1997

Mr. David P. Arsenault
12 Hastings Street
Stow, MA 01775
877-6214

Dear David:

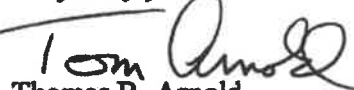
You have asked me to review the deeds to your property, Lot 6, on a plan entitled "Plan of Land in Stow and Maynard" dated 1916, recorded in the Middlesex South District Registry of Deeds, as Plan Book 255, Plan 25, and to determine what rights you have to a private way shown as "STREET" on said plan. My review of the deeds in your chain of title indicate that John A. Johnson deeded Lot 6 to William L. Stone on November 1, 1918. At that time, Mr. Johnson still owned Lot 4, on the opposite side of the "Street" from your property. The deed to Lot 6 describes the lot as bounded by a "contemplated street". The deed to Lot 4 describes the lot as bounded by a "private way marked 'Street'" on the 1916 plan.

Your rights in the "street" are governed by the provisions of G.L. Ch. 183, Section 58, which provides that a deed passing title to real estate abutting a way shall be construed as including any fee interest of the grantor in such way unless the grantor retains real estate on the opposite side of the way, in which case, title is conveyed to the center line of such way.

Therefore, in my professional opinion, you own to the middle of the "Street" shown on the 1916 plan. No construction work or landscaping may take place on the portion of the "street" which is owned by you.

If you have any further questions concerning this matter, please feel free to call me.

Very truly yours,


Thomas B. Arnold

TBA/mc
tba\arsenault2.ltr

stowpolice

From: cmsmailer@civicplus.com on behalf of Contact form at Stow MA
<cmsmailer@civicplus.com>
Sent: Thursday, February 24, 2022 5:24 PM
To: stowpolice
Subject: [Stow MA] Speeding on Bradley Lane (Sent by MAUREEN P DOUTCH,
modoutch@verizon.net)
Attachments: speedingonbradleylane.pdf
Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello Police Department,

MAUREEN P DOUTCH (modoutch@verizon.net) has sent you a message via your contact form (<https://www.stow-ma.gov/user/25/contact>) at Stow MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.stow-ma.gov/user/25/edit>.

Message:

Dear Chief Sallese,

I have lived on Bradley Lane for over thirty years. As you know, Bradley Lane is a narrow dead-end farm road with a parking lot at its end serving Stow Memorial Field and the Gardner Hill Town Forest trails. I am writing to report a speeding incident that my neighbor and I observed recently and to raise a concern about the lack of observation by drivers of the Lane's 20 mph speed limit, endangering local pedestrians.

Please read the attached document for more details.

I appreciate your service and consideration.

Maureen P. Douth
978-793-0970

February 23, 2022
29 Bradley Lane

Michael Sallese, Chief of Police
Stow Police Department
305 Great Road
Route 117
Stow, MA 01775

Dear Chief Sallese,

I have lived on Bradley Lane for over thirty years. As you know, Bradley Lane is a narrow dead-end farm road with a parking lot at its end serving Stow Memorial Field and the Gardner Hill Town Forest trails. I am writing to report a speeding incident that my neighbor and I observed recently and to raise a concern about the lack of observation by drivers of the Lane's 20 mph speed limit, endangering local pedestrians. Traffic on the Lane has increased significantly over the last few years, including more drivers from surrounding towns driving to walk their dogs in the town forest.

Today, February 23, was a warm, sunny day. I had been walking my dog, and while catching up with a neighbor in my driveway at 3 p.m. a green car driven by a red-headed woman sped past us. It was travelling well over the speed limit; I couldn't tell you by how much, but it was dangerously fast. The driver's windows were open -- I used the "slow down" hand signal and we both called out "whoa"! The driver slowed down by the entrance to Lane's End to an almost stop, gave us the middle finger, and sped away.

I probably would have let it go, but a few minutes later my 7-year-old neighbor left his driveway to retrieve a ball by the corner where the driver had just been speeding. I shudder at what could have happened. There are several new families on Bradley Lane and Lane's End who have young children. This driver ignored the speed limit and reacted offensively to our request to slow down. Perhaps the driver didn't know what the speed limit was, but her driving was dangerous and her response to us made it clear that she didn't care anyway.

My friends and I have signaled drivers during the morning and afternoon traffic, and one friend even confronted a driver about almost hitting a neighbor. We're not the only people who have tried. A young family who moved here two years ago, then left for work in Europe and returned, are appalled to see the increased speeders and also tell them to slow down. Drivers often don't see pedestrians until they're right upon them, which has been scary on several occasions.

Most of the speeding occurs between the curve by Lane's End and the curve by 59 and 67 Bradley Lane, but there have been times when I see cars come around the corner on the way to the parking lot and my mouth drops. Many don't know the road, or they are going too fast, and skid into the private driveway at the end of the Lane. At least for this winter the potholes and poor drainage have helped calm traffic at that corner of the Lane.

The 20-mph sign is placed right as you turn onto the Lane from Great Road, and it is noticeable while the trees are bare, but in summer it is easy to miss. I urge you to consider additional locations and measures to help with traffic calming. The issue is likely to increase as soccer and baseball season gets underway. I have noticed during sports seasons that late arrivals and early departures for the games are some of the worst offenders – presumably they're on some sort of urgent schedule!

Bottom line: Please find a way to make Bradley Lane safer for our residents.

Thank you in advance for your help.

Maureen P. Douth

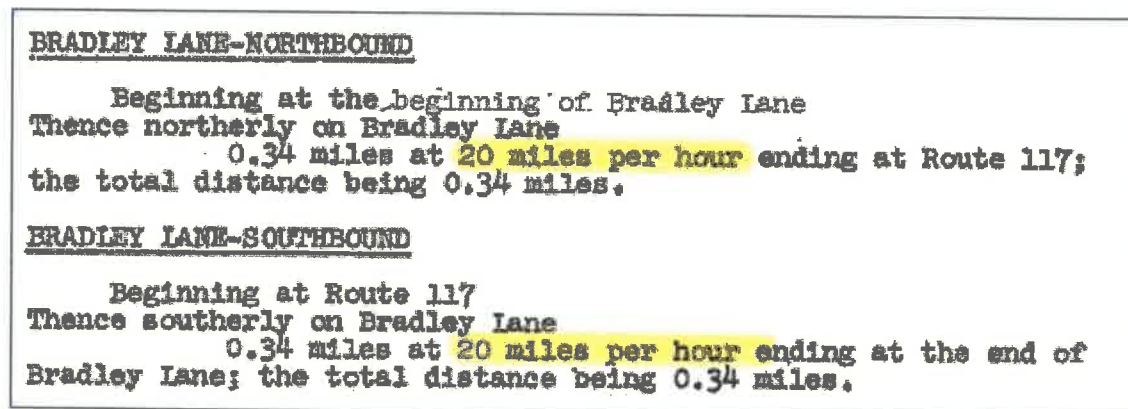
978-793-0970

Chief Michael Sallèse

From: Malcolm Ragan
Sent: Tuesday, March 1, 2022 10:34 AM
To: Chief Michael Sallèse; Jesse Steadman
Subject: RE: Bradley Lane

Follow Up Flag: Follow up
Flag Status: Flagged

Looks like it is accurate. Image below from Special Speed Regulation no. 5014, adopted by Selectman January 1979.



Malcolm Ragan
 Assistant Planner/GIS Administrator | Town of Stow

380 Great Road
 Stow, MA 01775
 Phone: 978-897-5098
<https://www.stow-ma.gov/planning-board>

Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to the Massachusetts Public Records Law, M.G.L. c. 66 § 10.

From: Chief Michael Sallèse <policechief@stow-ma.gov>
Sent: Tuesday, March 1, 2022 10:11 AM
To: Jesse Steadman <planning@stow-ma.gov>; Malcolm Ragan <planning2@stow-ma.gov>
Subject: Bradley Lane

Hi,

Any chance you have the information on the speed limit of Bradley Lane. The sign says 20 mph and I am not sure if that is accurate.

*Michael Sallèse, Chief of Police
 Stow Police Department*

305 Great Road
Stow, MA 01775
978-897-4545

stowpolice

From: Stow MA via Stow MA <cmsmailer@civicplus.com>
Sent: Wednesday, February 16, 2022 3:35 PM
To: stowpolice
Subject: Form submission from: Traffic Safety Advisory Committee Request Submittal Form

Follow Up Flag: Follow up
Flag Status: Flagged

Submitted on Wednesday, February 16, 2022 - 3:34pm

Submitted by anonymous user: [71.184.91.251](#)

Submitted values are:

First Name: Christine

Last Name: Flint

Street Address: 36 LOWELL DRIVE

Address Line 2:

City, State, Zip (if other than Stow): STOW

E-Mail Address: cflint444@yahoo.com

Please describe the location of the traffic concern: Lowell Drive and Harvard Acres in general

Please describe the nature of the neighborhood traffic problem you are concerned with : People are driving way too fast on our streets and there are no real sidewalks so we have to walk in the street. The area has many families with children walking or on bikes and many walkers, some with dogs. Unfortunately, most of the offenders live in the neighborhood!!

Please list possible solutions to the problem that you would like the Town of Stow to consider: Might need signs reminding drivers of the speed limit which should be 25 in this residential area. Would be willing to have a solar powered speed detection device set up on our property temporarily, if that would help drivers be more aware of how fast they are driving.

Please attach any documents you would like the Committee to review here:

The results of this submission may be viewed at:

<https://www.stow-ma.gov/node/143221/submission/2616>