



Braintree Town Council Committee on Ordinance & Rules

One JFK Memorial Drive
Braintree, Massachusetts 02184

MEMBERS

David Ringius, Jr, Chairman
Shannon Hume, Vice- Chairman
Julia Flaherty, Member
Charles Ryan, Member

June 20, 2023 MINUTES

A meeting of the Committee on Ordinance & Rules was held in Johnson Chambers on Tuesday, June 20, 2023, beginning at 6:30pm.

Chairman Ringius was in the Chair.

Clerk of the Council, Susan Cimino conducted the roll call to begin the meeting

Present: David Ringius, Jr, Chairman
Shannon Hume, Vice-Chairwoman arrived at 6:34pm
Julia Flaherty, Member
Charles Ryan, Member

Also Present: Margaret Laforest, Chief of Staff
Jim Arsenault, DPW Director
John Thompson, Asst DPW Director/Town Engineer

David Ringius, Jr, Chairman of the Committee on Ordinance & Rules asked for a moment of silence for our first responders and all those serving home and abroad.

Approval of Minutes

- None

Old Business

- None

New Business

- **23 044 Mayor: Amendment to General Ordinances Chapter 10.10 - Truck Restrictions or take up any action relative thereto**

The Town of Braintree petitioned MassDOT for a Heavy Commercial Vehicle Exclusion (truck restriction) on Addison St, Burton Rd and Davis Rd last Fall. Please be advised that both the Mass Department of Transportation (MassDOT) District 6 Traffic Engineering Section and Boston Office Regulations Section are in agreement with the Town regarding approval of a 24- hour HCVE for vehicles exceeding 2 ½ ton carrying capacity on Addison Street, Burton Road and Davis Road. I have attached their letter for your review. A local ordinance needs to be passed before MassDOT is able to issue a permit to enact the restriction. The proposed ordinance formalizes all truck restrictions throughout the town (both existing and proposed).

Proposed Ordinance Reads:

Chapter 10.10 - Heavy Commercial Vehicles Excluded

10.10.010 Definitions

Any heavy commercial vehicle having a carrying capacity of more than two and one half {2 ½) tons .

10.10.020 Restrictions

The use and operation of heavy commercial vehicles having a carrying capacity of more than two and one half (2 1/2) tons, are hereby restricted on the following named streets or parts thereof, as listed on the schedule A, which shall be updated from time to time by the Department of Public Works and kept in the Town Clerk's office.

10.10.030 Exemptions

Section 10.10.020 shall not apply to heavy commercial vehicles going to or coming from places upon said streets for the purpose of making deliveries of goods, materials, or merchandise to or similar collections from abutting land or buildings or adjoining streets or ways to which access cannot otherwise be gained; or to vehicles used in connection with the construction, maintenance and repair of said streets or public utilities therein; or to Federal , State, Municipal or public service corporation owned vehicles.

Jim Arsenault, DPW Director stated we have been working to get a Truck Exclusion and got it through the Mass DOT. Mass DOT said we need an Ordinance for the community to have all the Truck Exclusions a part of the Ordinance. When the old form of government went to the new form of government there was no conveyance of it.

Councilor Ryan asked why did this come up? Is there a lot of traffic on these roads?

John Thompson stated there were a lot of concerns from residents that a lot of trucks cut through the Granite Park neighborhood. We had a public meeting with residents in March and that was the consensus.

Jim Arsenault stated the state recognized these are not main thoroughfares that trucks should be going through. This is a community/subdivision. It is not a throughway.

John Thompson stated we had to submit what we are proposing the exclusion from and what their route would be. We also needed to have traffic data. They will approve you if it is a reasonable alternate route.

Jim Arsenault stated they look to see if you are going to shut off a road then where do they go. It is pretty obvious that there is a main road right there.

Councilor Ryan asked if every vehicle or truck exclusion has to go through the state?

Jim Arsenault stated yes they all have to be approved by the state. TASC also approved this a few months ago.

Councilor Flaherty stated these residents (District 1) came to me saying they have all these really big trucks coming into the neighborhood. The problem is the light at 5-corners takes a long time and trucks are on a schedule and want to get where they are going. The GPS will divert them through the neighborhood so they can avoid the 5-corners light. Residents would record on their ring doorbells the trucks going by. Residents were concerned for safety of children riding bikes and toddlers dashing out into the streets. I approached Jim Arsenault about what we could do. This is the Ordinance we are trying to have the truck travel ban be put into place.

Jim Arsenault stated the state will notify there is no cut-through and this would get on Waze etc. which will be helpful. There were enough trucks cutting through to warrant this. It has to meet their warrants. We can look at other roads but it is very hard to get a truck exclusion.

Councilor Hume stated that the data for this was collected in 2019?

John Thompson stated yes but we submitted the data in October 20, 2022.

Councilor Hume stated I have talked with the neighbors in Granite Park and this is a residential neighborhood and these trucks have no place being on these streets.

Councilor Ryan asked if there will be signs stated trucks excluded?

John Thompson stated yes. They are ordered and ready.

Councilor Ryan asked if we do any type of police enforcement when we start something like this.

Jim Arsenault stated that is a good idea. I will notify the police department about this.

Margaret Laforest, Chief of Staff stated we can do a letter to all the streets affected.

Chairman Ringius asked if there is a motion for Order 23 044.

Motion read by Councilor Ryan for favorable recommendation to the full Council

MOTION: To create municipal code 10.10 Heavy Commercial Vehicles Excluded.

A Motion was made by Councilor Ryan

Motion: by Councilor Ryan for favorable recommendation to the full Council to approve Order 23 044 as submitted

Second: by Councilor Hume

Roll Call Vote: For (4 – Flaherty, Hume, Ringius, Ryan), Against (0), Absent (0), Abstain (0)

It was unanimously voted by Roll Call to adjourn the meeting at 7:22 p.m.

Respectfully submitted,
Susan M. Cimino, Clerk of the Council

Documents provided for Meeting

- 23 044 Mayor: Amendment to General Ordinances Chapter 10.10 - Truck Restrictions or take up any action relative thereto