



Ruthanne Fuller  
Mayor

Barney Heath,  
Director, Planning &  
Development

Sharon Cullins  
Community Development  
Planner

**Members**

Ima Jonsdottir, Co-Chair  
Jack Lovett, Co-Chair  
Nyree Kibarian, Treasurer  
Jane Brown  
Lucie Chansky  
Petr Chovanec  
Nancy Kritzman  
Sandra Lingley  
Barbara Lischinsky  
Nathan Persampieri  
Matt Volpi

Jason Rosenberg  
Chairman Emeritus

Jini Fairley  
ADA/Sec 504 Coordinator

1000 Commonwealth Ave  
Newton, MA 02459  
T 617-796-1000  
[www.newtonma.gov](http://www.newtonma.gov)

# CITY OF NEWTON, MASSACHUSETTS

## Commission on Disability

### AGENDA

**Meeting Date:** Monday, November 18, 2024  
**Location:** Zoom  
**Time:** 6:00 P.M.

This meeting will be a virtual meeting that will take place via Zoom. To view and participate in this meeting, click this link <https://newtonma.gov.zoom.us/j/84417349748> or dial +16465588656,,84417349748#

1. Introductions (6:00-6:05)
2. Approval of October 21, 2024 Meeting Minutes (6:05-6:10)
3. Accessible Fines Reports (6:10-6:20)
4. Review of MAAB Variance Application for Washington Street at Walker Street (6:20 – 6:50)
5. Discussion of Potential Uses for Accessible Fine Funds (6:50 – 7:15)
6. Follow Up on West Newton Cinema Foundation Discussion (7:15 – 7:25)
7. Reminder of January Officer Elections for Chairs and Secretary (7:25- 7:35)
8. Co-Chairs Corner (7:35-7:45)
  - Update on Memorial Playground Plans
  - Anti-Ableism NPS Working Group Update
  - Lives Worth Living Movie
  - Dec. 12 Film Screening Update

**NEXT MEETING DATE:** December 9, 2024

The location of this meeting is wheelchair accessible and reasonable accommodation will be provided to persons with disabilities requiring assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA/Sec.504 Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. For Telecommunications Relay Service, please dial 711 or call City Hall's TTY/TDD line at 617-796-1089.



Ruthanne Fuller  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

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Barney S. Heath  
Director

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**NEWTON COMMISSION ON DISABILITY**

**DRAFT** MEETING MINUTES

October 21, 2024.

Virtual Meeting via **Zoom**

Meeting Recording link:

Part 1:

[https://newtonma-gov.zoom.us/rec/share/-8ukXkPVrpRTV9S4n1jKVBu9RGgx6320vNqEFMDO5vEChU4ScVpXRu1jPr7x7-f.29Tx7SB5Fe8\\_bgIW](https://newtonma-gov.zoom.us/rec/share/-8ukXkPVrpRTV9S4n1jKVBu9RGgx6320vNqEFMDO5vEChU4ScVpXRu1jPr7x7-f.29Tx7SB5Fe8_bgIW)

Part 2:

[https://newtonma-gov.zoom.us/rec/share/4Gx4ufRgCA7PfiFW-FZO3TI1R4Lbz23LaQquPx8DVdUM381WMyt-OMxCYPT8ND1k.kcz6SekUfyFik\\_Ak](https://newtonma-gov.zoom.us/rec/share/4Gx4ufRgCA7PfiFW-FZO3TI1R4Lbz23LaQquPx8DVdUM381WMyt-OMxCYPT8ND1k.kcz6SekUfyFik_Ak)

Meeting Agenda and materials found at:

[www.newtonma.gov/government/planning/boards-commissions/commission-on-disability/meeting-agendas-and-minutes](http://www.newtonma.gov/government/planning/boards-commissions/commission-on-disability/meeting-agendas-and-minutes)

**MEMBERS PRESENT:** Ima Jonsdottir, Co-Chair, Jack Lovett, Co-Chair, Nyree Kibarian, Lucie Chansky, Nancy Kritzman, Sandra Lingley, Nathan Persampieri, Matt Volpi, Barbara Lischinsky

**MEMBERS ABSENT:** Petr Chovanec, Jane Brown

**MEMBERS OF THE PUBLIC/APPLICANTS:**

Rob Caruso, Donna Messinger, Elizabeth Heilig, Sophia Faldonie

**STAFF:**

Sharon Cullins, Planning & Development Department  
Lara Kritzer, Director, Housing & Community Development  
Jini Fairley, ADA/Sec 504 Coordinator  
Sgt. John Babcock, Newton Police Department  
Jenn Martin, Director of Transportation Planning

● **Introductions**

- The chair introduced members present, city staff present, accessible parking applicants present, and asked the others to introduce themselves and they were welcomed to the meeting.

- **Approval of September Meeting Minutes**
  - Jack asked if any Commission member had any questions about the minutes a few things mentioned and will be addressed and Jack asked for a motion to approve the minutes after the corrections are made to reflect the correct voting to be yes-no-abstained and Newton Highlands in the MBTA presentation.
  - Matt made a motion to approve the minutes and Lucie seconded the motion
  - Motion was approved with a vote of 7-0-1.
  
- **Accessible Fines Report**
  - Sgt. Babcock gave reports for the month of September. He compared September to August he also went over July, August and September. This report can be found in the meeting materials found online.
  
- **AP7-24 Residential Accessible Parking Petition**
  - Donna Messinger, of Arnold Rd explained the need for an accessible spot for her daughter, who is in a wheelchair. After a brief discussion and 2 motions offered one by Nathan the second by Sandra. The motion was passed by a vote of 6-0-1.
  
- **Operation Access**
  - Jini explained what Operation Access is and recommended a vote because the funds need to be approved by the Mayor and City Council.
  - The amount suggested by Sergeant Babcock and Jini was \$7500.00
  - After a brief discussion 2 motions offered, one by Lucie and the second by Barbara. The motion was passed by a vote of 8-0-0.
  
- **CDBG Presentation**
  - Lara Kritzer, the Director of Housing and Community Development, shared a presentation outlining the Consolidated Plan process and what it entails and answered questions. The presentation is available on the website. She also discussed how COD projects are chosen the process that goes along with that and clarified any misinformation.
  - Ima said that the city and the COD need to do a reset on how CDBG projects are picked to have a successful process. She pointed out that there are many worthy accessibility projects on the city's Capital Improvement Plan that have already been vetted and that the COD should advocate for and recommend projects to be put on the CIP list for vetting.
  
- **West Newton Cinema**
  - Ima started a discussion about the West Newton Cinema. She mentioned putting together a letter of recommendation to send to the Foundation regarding Accessibility concerns. She then asked the members about their experiences at the cinema.
  - Elizabeth Heilig, president of the West Newton Cinema Foundation attended the meeting and was taking notes about the accessibility concerns. She then gave an update of what was happening and spoke about the feasibility study that would be completed. She also answered questions from the members.
  - It was decided to revisit this next meeting with a draft of the letter to be presented for feedback before a formal vote.

- **Harvest Fair Recap**
  - Jack and Ima led a discussion about the successful Harvest Fair event, highlighting the need for improved accessibility measures like an increased sensory-friendly area as well as accessible parking spots.
  - Overall the table had a lot of foot traffic and interest.
- **NWH Subcommittee Discussion**
  - Sandra spoke about the last meeting. There was a brief discussion about the subcommittee being disbanded and having the NWH people come to the scheduled COD Meetings.
  - Due to technical difficulties and the time, it was decided to put this back on the agenda for next meeting.
- **December 12<sup>th</sup> film screening of “The Ride Ahead”**
  - Ima gave an update on the screening. She went through the accessibility features like audio description, to be held at the library’s Druker Auditorium and promoted through various channels. She went through various costs that will be incurred and requested a vote of the commission to request up to \$600 to be taken from the fines fund to cover the COD’s portion of the screening, the other half to be paid by “Understanding our differences” and the Newton Library.
  - There was a discussion about audio description and how to promote the screening.
  - Ima asked for a motion one by Nancy and the second by Sandra. The motion was passed by a vote of 9-0-0.
- **Co-Chairs Corner**
  - Jack gave an update he spoke about his one-on-one meeting with COD members
  - Jack discussed the library focus group
  - Jack, Ima and Jini went to the Haywood House Senior Resource Fair
  - Jack discussed the disability advisory group with Newton Public Schools. He encouraged members to give feedback on field trip guidelines before the next advisory group’s next meeting.
  - Ima provided an update on the anti-ableism curriculum working group, which is set to be piloted at Angier Elementary and will receive feedback for improvements. The group will review feedback and implementation data with the curriculum pilot to inform adjustments prior to roll-out at all our schools next year. Additionally, the focus will also be on how to communicate and bridge this work to the broader NPS community.
  - Ima shared that Jack and Nathan have been invited to join the working group having attended NPS in the relatively recent past and they will attend as their time allows. She asked if anyone else was interested in joining this work and applicant Sophia Faldonie shared, she would be interested.

Next meeting – **November 18, 2024.**

Respectfully submitted,  
Sharon Cullins, Staff





# NEWTON POLICE DEPARTMENT

## NEWTON COMMISSION ON DISABILITY

### PARKING TICKET AND FINES REPORT

October 2024

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TOTAL NUMBER OF TICKETS ISSUED	23
TOTAL VALUE OF TICKETS ISSUED	\$ 4,600.00
SUCCESSFUL APPEALS	\$ 1,600.00
TOTAL AMOUNT PAID	\$ 1,200.00
TOTAL OUTSTANDING	\$ 1,800.00

#### CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	19
TOTAL VALUE	\$ 3,800.00
SUCCESSFUL APPEALS	\$ 1,600.00
TOTAL AMOUNT PAID	\$ 800.00
TOTAL DUE	\$ 1,400.00

#### CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	4
TOTAL VALUE	\$ 800.00
SUCCESSFUL APPEALS	\$ 0.00
TOTAL AMOUNT PAID	\$ 400.00
TOTAL DUE	\$ 400.00

# NEWTON POLICE DEPARTMENT

## NEWTON COMMISSION ON DISABILITY

### PARKING TICKET AND FINES REPORT

FISCAL YEAR 2025

*As of October 31, 2024*

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#### FY 2025 Year-to-date Parking Ticket Totals

TOTAL NUMBER OF TICKETS ISSUED	153
TOTAL VALUE OF TICKETS ISSUED	\$ 30,600.00
SUCCESSFUL APPEALS	\$ 7,800.00
TOTAL AMOUNT PAID	\$ 11,600.00
TOTAL OUTSTANDING	\$ 11,200.00

#### CODE # 26 ACCESSIBILITY SPOTS

NUMBER OF TICKETS ISSUED	133
TOTAL VALUE	\$ 26,600.00
SUCCESSFUL APPEALS	\$ 7,600.00
TOTAL AMOUNT PAID	\$ 9,200.00
TOTAL DUE	\$ 9,800.00

#### CODE # 27 CURB CUTS

NUMBER OF TICKETS ISSUED	20
TOTAL VALUE	\$ 4,000.00
SUCCESSFUL APPEALS	\$ 200.00
TOTAL AMOUNT PAID	\$ 2,400.00
TOTAL DUE	\$ 1,400.00

## **Massachusetts Fine Funds Guidelines**

**<https://www.mass.gov/info-details/commissions-on-disability>**

### **Disability parking fines: Best practices for Commissions on Disability**

Formally established CODs can pursue adopting Chapter 40, Section 22G, which allows for accessible parking violation fines (\$100-\$300) to be returned to the Commission **to be used solely for the benefit of people with disabilities.**

In cities, this measure can be adopted by City Council. In Towns, this can be enacted at a regularly scheduled Selectboard meeting or a Town Meeting.

Below is a best practice process for CODs to accept, allocate, approve, and expend proceeds from disability parking fines:

1. Transfer funds from disability parking fines to a separate 22G account designated for allocation and recommendation by the COD. This should be a separate line item within the COD's budget. Funds within this account will rollover year to year. Once adopted, the city or town is responsible for setting up the account. Your municipal finance department should consult Chapter 40, Section 22G for guidance on how to set up the account.
2. Once funds begin to accumulate, develop a budget for the COD. Be sure to allocate and expend funds in an authorized manner.
3. Allocate disability parking fine proceeds in accordance with your COD's budget priorities.
4. Expend the disability parking fines following the financial practices of your city or town. Your COD's treasurer should work with city or town officials to determine best practices for expending funds.

### **Proper use of Commission on Disability funds**

Cities and towns that choose to adopt Chapter 40, Section 22G must use these funds **“solely for the benefit of persons with disabilities”** and in accordance with city or town policies. CODs must also adhere to the Anti-Aid Amendment to the Massachusetts Constitution (i.e., funds cannot be used for religious purposes).

Appropriate use of funds may include, for example, special education equipment for local public schools, structural changes to city or town buildings, adaptive equipment for a municipal “library of things”, and more.

These funds cannot be used to support private businesses, nonprofit organizations, or individuals. Instead, they should be used to support municipal projects that will benefit people with disabilities.



November 12, 2024

Commonwealth of Massachusetts  
Architectural Access Board  
Office of Public Safety and Inspections  
1000 Washington Street, Suite 710  
Boston, MA 02118

**Re: Variance Application – Washington Street at Walker Street in Newton, MA**

Dear Members of the Board,

On behalf of our client, the City of Newton, Howard Stein Hudson (HSH) is requesting variances from the Regulations of the Architectural Access Board (AAB). The requested variances are for a new pedestrian curb ramp and crosswalk at an existing sidewalk on the northerly side of Washington Street near Walker Street. This work is part of a pilot project proposing non-permanent multimodal improvements on Washington Street between Chestnut Street and Lowell Avenue.

The following outlines the variances requested at this location. Design plans are attached at the end of this document. The \$50 filing fee has been sent to the AAB via mail. Please reach out if you have any questions or comments. I can be reached at (617) 348-3360 or by email at [vchia@hshassoc.com](mailto:vchia@hshassoc.com).

Sincerely,

Valerie Chia  
Associate | Civil Designer



# Washington Street at Walker Street

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## ***Variances Requested***

This project is requesting variances from the Massachusetts Architectural Access Board's regulations:

- 521 CMR 21.3 Curb Cuts – Slope
- 521 CMR 22.3.1 Walkways – Cross Slope

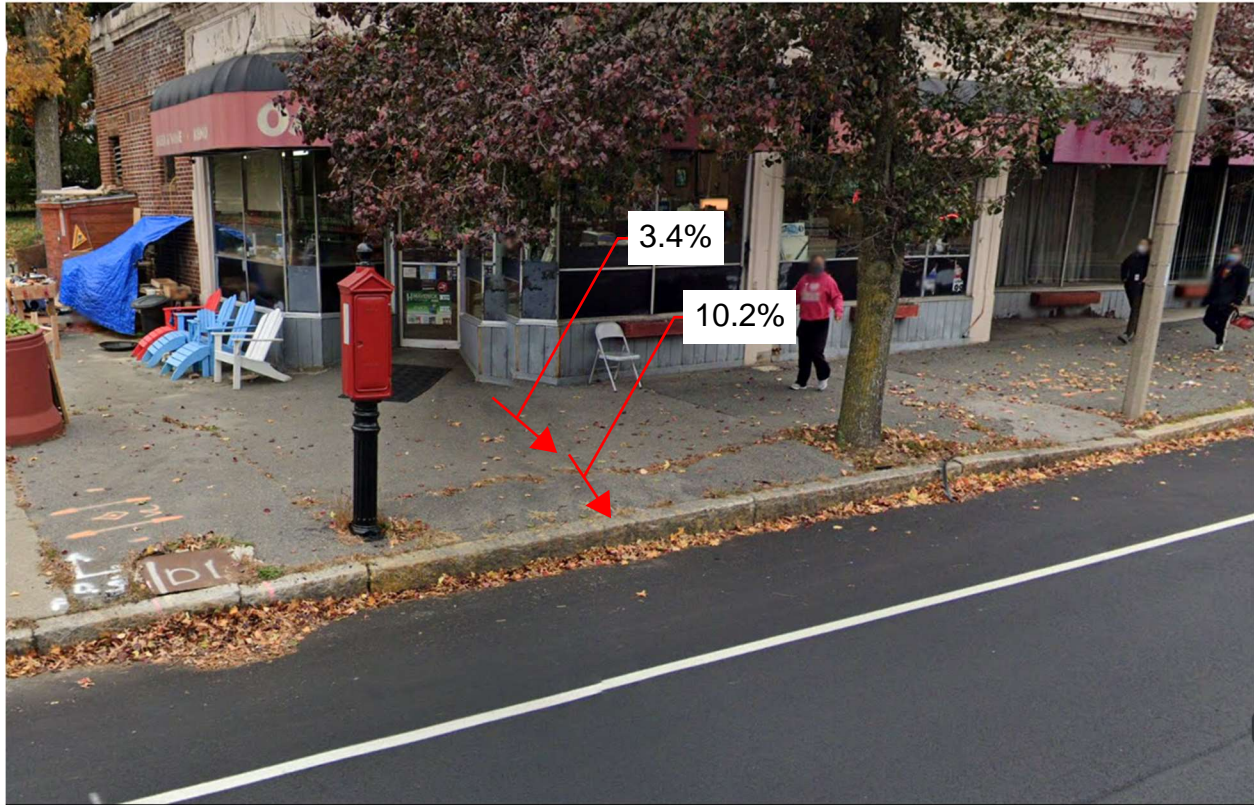
The existing sidewalk on the northern side of Washington Street has a cross slope varying from 3.3% to 10.2%. Since this is a temporary pilot project, there is not the ability to significantly change the roadway elevation or obtain an easement to work outside of the public right-of-way. The technical feasibility of bringing the proposed modifications into compliance is also complicated by an existing building entry located off the back of the sidewalk. Additionally, the proposed ramp location cannot be shifted due to an existing fire pull box and tree pit. Therefore, the design is constrained to meeting the existing grades of the roadway and back of sidewalk in the location shown in the included plans. The curb cut is part of a proposed crossing to access the pilot shared use path and entrance to Walker Park on the opposite (southerly) side of Washington Street.

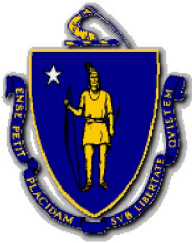
Two alternative curb ramps are presented to the AAB for discussion in the selection of a final design. Alternative 1 provides a curb ramp with a 13.9% primary ramp slope. The level landing is fully compliant. Alternative 2 provides a built-up curb ramp with a 10.3% primary ramp slope. The built-up ramp extends 4 feet into the road and uses the 7-foot buffer created by proposed on-street parking, and therefore does not impact vehicular travel lanes.





*Figure 1. Northern sidewalk of Washington Street at Walker Street*





**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1000 Washington St., Suite 710 • Boston • MA • 02118  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab)

Docket Number

(Office Use Only)

**APPLICATION FOR VARIANCE**

**INSTRUCTIONS:**

- 1) Answer all questions on this application to the best of your ability.
  - a. Information on the Variance Process can be found at:  
<https://www.mass.gov/guides/applying-for-an-aab-variance>.
- 2) Attach whatever documents you feel are necessary to meet the standard of impracticability laid out in 521 CMR 4.1. You must show that either:
  - a. Compliance is technologically infeasible, or
  - b. Compliance would result in an excessive and unreasonable cost without any substantial benefit for persons with disabilities.
- 3) Sign the certification on Page 8.
- 4) If the applicant is not the owner of the building or his or her agent, include a signed letter from the owner granting permission for you to apply for variance.
- 5) Serve copies of the completed application and all attachments via electronic or physical delivery based on the recipient's preference to:
  - a. Local Building Department,
  - b. Local Commission on Disability (if applicable in the town where the project is located) (A list of all active Disability Commissions can be found at: <https://www.mass.gov/commissions-on-disability>), and
  - c. The Independent Living Center (ILC) for your area.  
(Your ILC can be found at: <http://www.masilc.org/findacenter>.)
- 6) Complete the Service Notice included with the Application and sign it.
- 7) Deliver the completed Application and all attachments to the Board via electronic or physical delivery:
  - a. Electronic:
    - i. Applications should be sent via email to [william.joyce@mass.gov](mailto:william.joyce@mass.gov) & [molly.griffin@mass.gov](mailto:molly.griffin@mass.gov).
    - ii. The email submission must have the subject line: Variance Application - <Address>, <City>
    - iii. The application and all attachments must be in .pdf format
    - iv. The application and all attachments should be included in a single email, except where that email would exceed 15 megabytes in size.
    - v. Please submit the \$50 filing fee via check or money order via mail to the mailing address listed above with either a cover letter or, "Variance - <Address>, <City>" in the memo line.
  - b. Physical
    - i. Applications should be sent to the mailing address listed above and must include:
      1. The completed application and all attachments.
      2. A copy of the application and all attachments on a CD/DVD (Thumb Drives will not be accepted),

3. The completed and signed Service Notice.
  4. A check or money order in the amount of \$50 dollars, made out to the Commonwealth of Massachusetts.
- ii. Please ensure that all documents included are no larger than 11" x 17".
  - iii. Incomplete applications will be returned via regular mail to the applicant with an explanation as why it was unable to be docketed.

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In accordance with M.G.L., c.22, § 13A, I hereby apply for modification of or substitution for the rules and regulations of the Architectural Access Board as they apply to the building/facility described below on the grounds that literal compliance with the Board's regulations is impracticable in my case.

1. State the name and address of the building/facility:

Sidewalk on the northerly side of Washington Street in front of 979 Washington Street, Newton, MA 02460.

2. State the name and address of the owner of the building/facility:

Lou Taverna, P.E.  
City Engineer  
City of Newton DPW  
1000 Commonwealth Avenue  
Newton, MA 02459

E-mail: ltaverna@newtonma.gov

Telephone: 617-796-1020

3. Describe the facility (i.e. number of floors, type of functions, use, etc.):

The facility is a sidewalk on Washington Street, an urban minor arterial. Nearby land use includes medium density residential and commercial development. Washington Street is also a transit corridor for multiple MBTA bus routes. The site is also within the area of a larger planning effort by the City of Newton called the Washington Street Vision Plan.

4. Total square footage of the building/facility: N/A

Per floor: N/A

a. Total square footage of tenant space (if applicable): N/A

5. What was the original year of construction for the building/facility: Unknown ?

6. Check the nature of the work performed or to be performed:

- New Construction                       Addition  
 Reconstruction/Remodeling/Alteration       Change of Use

7. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):

A new crosswalk is proposed across Washington Street east of Walker Street in Newton, MA including a new curb cut at an existing sidewalk. This work is part of a pilot project proposing non-permanent multimodal improvements on Washington Street between Chestnut Street and Lowell Avenue. These improvements include installation of surface mounted modular bus platforms and pedestrian median islands, upgrading of pavement markings and signage, implementation of a shared-use path on the South side of Washington Street, reconstruction of existing sidewalks in various locations, and construction of pedestrian curb ramps at new crossings.

8. Is the building or facility historically significant?  Yes       No

a. If yes, check one of the following and indicate date of listing:

- National Historic Landmark \_\_\_\_\_  
 Listed individually on the National Register of Historic Places \_\_\_\_\_  
 Located in a Registered Historic District \_\_\_\_\_  
 Listed in the State Register of Historic Places \_\_\_\_\_  
 Eligible for listing \_\_\_\_\_

(In which registry?)



b. If you checked any of the above **and** your variance request is primarily based upon the historical significance of the building, you *must* complete the ADA Consultation Process of the [Massachusetts Historical Commission](#), located at 220 Morrissey Boulevard, Boston, MA 02125.

9. Which section(s) of the Board's Jurisdiction (*see Section 3 of the Board's Regulations*) has been triggered?

2.6  3.2  3.3.1(a)  3.3.1(b)  3.3.2  3.3.4  3.4

10. List **all** building permits that have been applied for within the past 36 months, include the issue date and the listed value of the work performed:

<u>Permit #</u>	<u>Date of Issuance</u>	<u>Value of Work</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*(Use additional sheets if necessary.)*

11. List the anticipated construction cost for any work not yet permitted or for any relevant work which does not require a permit:

\$ 1,520,000.00

12. Has a certificate of occupancy been issued for the facility?  Yes  No

If yes, state the date it was issued: \_\_\_\_\_

13. To the best of your knowledge, has a complaint ever been filed with the AAB on this building or facility relative to accessibility?  Yes  No

a. If so, list the AAB docket number of the complaint \_\_\_\_\_

14. For existing buildings or facilities, state the actual assessed valuation of the **BUILDING/IMPROVEMENTS ONLY**, as recorded in the **Assessor's Office** of the municipality in which the building or facility is located: \_\_\_\_\_

Is the assessment at 100%?  Yes  No

If not, what is the town's current assessment ratio? 0% \_\_\_\_\_

15. State the phase of design or construction of the facility as of the date of this application:  
Final documents for advertisement.

**Please list specific technical sections, not 521 CMR 3.**

Request #1

Section(s) for which you are seeking relief: 521 CMR 21.3

Are you seeking temporary relief:  Yes  No

Types of Attachments for this Request:

- Floor/Site Plans,  Cost Estimates,
- Photographs,  Test Drawings,
- Other(s): \_\_\_\_\_

If yes, what date do you propose to be in compliance by: \_\_\_\_\_?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

A variance from Section 521 CMR 21.3 - SLOPE is requested for the proposed curb cut on the north side of Washington Street east of Walker Street. The existing sidewalk's cross slope is 3.4% in the main walkway, 10.2% close to the roadway, and has a building at the back of the sidewalk. The proposed curb cut runs in the direction of the 10.2% cross slope. The location of this ramp cannot be moved due to an existing fire pull box and a tree pit on either side of the ramp. Due to the temporary nature of many aspects of this project, utility relocation is not within the scope of this project. Therefore, it is technically unfeasible to connect the roadway and sidewalk elevations with an 8.3% ramp slope and a 2.0% level landing given existing topography and project constraints.

See attached drawing for details.

Request #2

Section(s) for which you are seeking relief: 521 CMR 22.3.1

Are you seeking temporary relief:  Yes  No

Types of Attachments for this Request:

- Floor/Site Plans,  Cost Estimates,
- Photographs,  Test Drawings,
- Other(s): \_\_\_\_\_

If yes, what date do you propose to be in compliance by: \_\_\_\_\_?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

A variance from Section 521 CMR 22.3.1 - CROSS SLOPE is requested for a proposed sidewalk on the north side of Washington Street east of Walker Street. The existing elevation difference between the building at the back of the sidewalk and the roadway results in a cross slope exceeding 2.0%. Proposed sidewalk panels that tie the proposed curb ramp into the existing sidewalk therefore exceeds 2.0%. The cross slope of the proposed ramp and level landing do not exceed 2.0%.

See attached drawing for details.

Request #3

Section(s) for which you are seeking relief: \_\_\_\_\_

Are you seeking temporary relief:     Yes     No

If yes, what date do you propose to be in compliance by: \_\_\_\_\_?

Types of Attachments for this Request:

- Floor/Site Plans,  Cost Estimates,
- Photographs,  Test Drawings,
- Other(s): \_\_\_\_\_

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

Request #4

Section(s) for which you are seeking relief: \_\_\_\_\_

Are you seeking temporary relief:     Yes     No

If yes, what date do you propose to be in compliance by: \_\_\_\_\_?

Types of Attachments for this Request:

- Floor/Site Plans,  Cost Estimates,
- Photographs,  Test Drawings,
- Other(s): \_\_\_\_\_

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):



If you require more than 4 requests, please use the *Additional Request Sheet* and complete the *Large Variance Tally Sheet*, both of which are available on the “Forms and Applications” page of the Board’s website (<http://www.mass.gov/aab>).

17. State the name and address of the architectural or engineering firm, including the name of the individual architect or engineer responsible for preparing drawings of the facility:

Valerie Chia  
Howard Stein Hudson  
11 Beacon Street, Suite 1010  
Boston, MA 02108

E-mail: vchia@hshassoc.com

Telephone: 617-348-3360

18. State the name and address of the building inspector responsible for overseeing this project:

Jenn Martin  
Director of Transportation Planning  
1000 Commonwealth Avenue  
2nd Floor  
Newton Centre, MA 02459

E-mail: jmartin@newtonma.gov

Telephone: 617-796-1481

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION AND SUPPORTING DOCUMENTATION IS TRUE AND CORRECT

Date: 10/31/24

Louis M. Taverna  
Signature of owner or authorized agent (required)

PLEASE PRINT:

Louis M. Taverna, P.E.

Name

City of Newton DPW

Organization (if Applicable)

1000 Commonwealth Ave

Address

Address 2 (optional)

Newton, MA 02459

City/Town    State    Zip Code

ltaverna@newtonma.gov

E-mail

617-796-1020

Telephone

# SERVICE NOTICE

I, Valerie Chia, as Project Manager  
(Name) (Relationship to the applicant)

**HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:**

	<u><b>NAME AND ADDRESS OF PERSON OR AGENCY SERVED</b></u>	<u><b>METHOD OF SERVICE</b></u>	<u><b>DATE OF SERVICE</b></u>
<b>1</b> Building Department	Anthony Ciccariello, Commissioner Inspectional Services Department City Hall 2nd Floor (Room 202) 1000 Commonwealth Avenue Newton, MA 02459	aciccariello@newtonma.gov	
<b>2</b> Local Commission on Disability <small>(If Applicable)</small>	Jini Fairley Commission on Disability City Hall 1000 Commonwealth Avenue Newton, MA 02459	jfairley@newtonma.gov	
<b>3</b> Independent Living Center	Bill Henning, Executive Director Boston Center for Independent Living 60 Temple Place, 5th floor Boston, MA 02111	bhenning@bostoncili.org	



\_\_\_\_\_  
Signature

11/12/2024

\_\_\_\_\_  
Date



NO PARKING ANY TIME R7-1

NO PARKING ANY TIME R7-1R

STOP R1-1 RET



W11-2 W16-7PL

R&D "PARKING LIMIT 15 MINUTES" SIGN

12" SWL AT 45 DEG. 10' O.C. SPACING

BENCHMARK: BENCHMARK EL=57.57'

WALKER STREET

PROP CEM CONC PEDESTRIAN RAMP (ALTERNATIVE 1 SHOWN)

12" SWL AT 45 DEG. 10' O.C. SPACING

WASHINGTON STREET

LIMIT OF WORK (TYP)

DBYL(30')

DBYL(295')

DBYL(200')

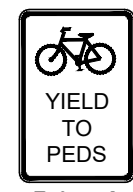
SWL(50')

DBYL(15')

SWL(45')

SWL(140')

SWL(385')



R9-6

PROP 36" SPRING LOADED REFLECTORIZED FLEXIBLE DELINEATOR POST (TYP)



R4-7



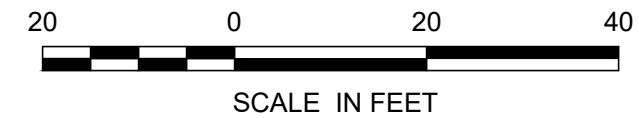
W11-2 W16-7PL

NO PARKING ANY TIME R7-1R

**HOWARD STEIN HUDSON**  
 11 Beacon Street, Suite 1010  
 Boston, MA 02108  
 www.hshassoc.com

**LEGEND**

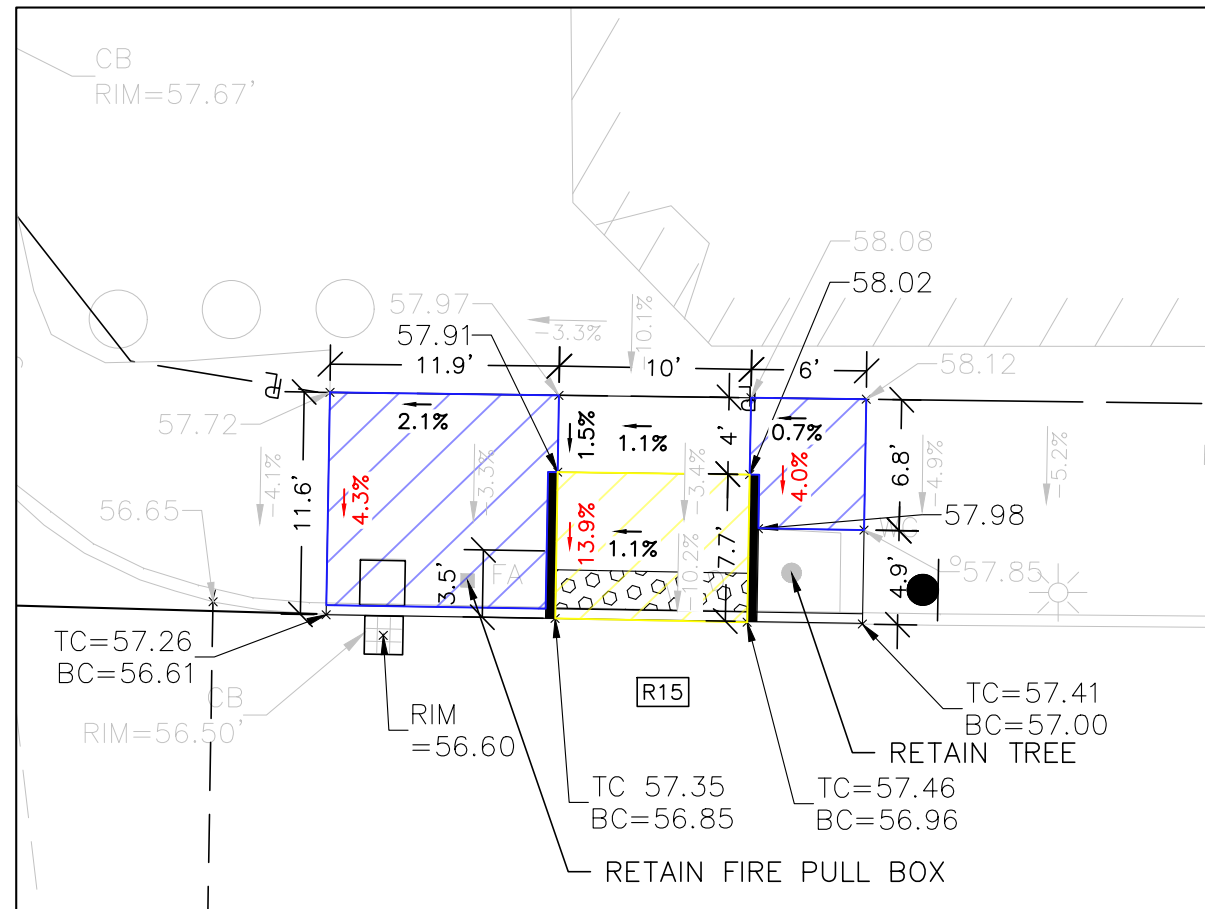
	521 CMR 21.3 CURB CUTS - SLOPE
	521 CMR 22.3.1 WALKWAYS - CROSS SLOPE



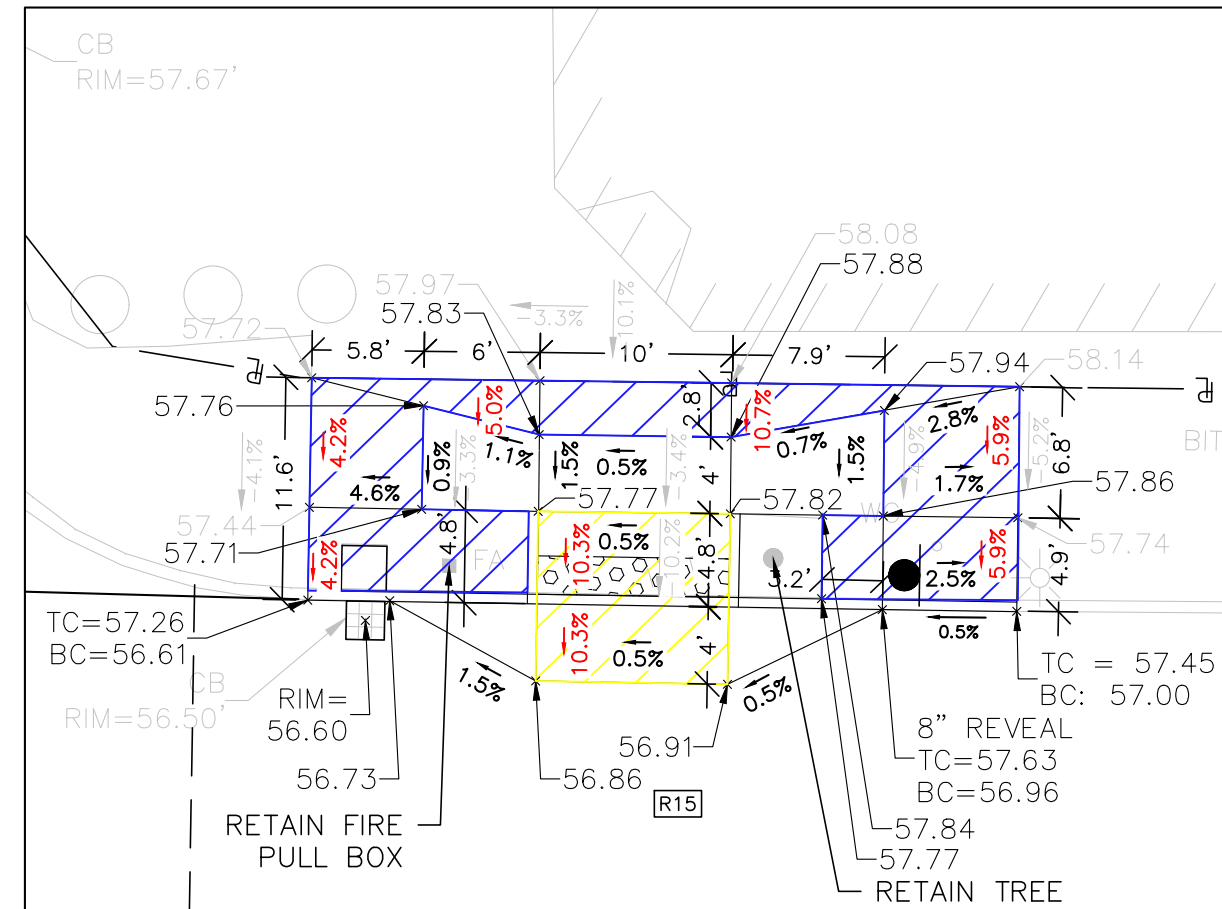
WASHINGTON STREET PILOT RAMP VICINITY PLAN

HSH PROJECT NUMBER	DATE	DRAWN BY	CHKD. BY	APPRVD. BY	SHEET NO.	TOTAL SHEETS
2021163.00	11/12/24	RF	VC	RL	1	2



T:\102024\1024163\CURRENT\CUT SHEETS\2163\_L101\VAR\ANCE1.dwg  
 Last Saved by: RFK/AG  
 Printed by: Remy Fang



ALTERNATIVE 1 – 13.9%, NO BUILT-UP CURB RAMP  
SCALE: 1" = 10'



ALTERNATIVE 2 – BUILT UP-CURB RAMP (PREFERRED)  
SCALE: 1" = 10'

LEGEND	
	521 CMR 21.3 CURB CUTS – SLOPE
	521 CMR 22.3.1 WALKWAYS – CROSS SLOPE



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Boston, MA 02108  
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WASHINGTON STREET PILOT CURB RAMP & SIDEWALK DETAILS						
HSH PROJECT NUMBER	DATE	DRAWN BY	CHKD. BY	APPRVD. BY	SHEET NO.	TOTAL SHEETS
2021163.00	11/12/24	RF	VC	RL	2	2

FROM:

The Newton Commission On Disability  
Co-chairs, Ima Jonsdottir and Jack Lovett

TO:

The West Newton Cinema Foundation  
% Elizabeth Heilig  
[elizabeth.heilig@wncfoundation.org](mailto:elizabeth.heilig@wncfoundation.org)

**Re: Accessibility & Inclusion at the Renovated West Newton Cinema.**

Dear Board of Directors and Foundation team members,

On October 21st, 2024, the Newton Commission On Disability had an opportunity to discuss the upcoming West Newton Cinema restoration project. Given the renovated theater will be an important cultural and entertainment hub in our city we want to emphasize and express to you how important it will be for people with disabilities to have access to the movies, events, gatherings, and other features this space will offer our community.

The recommended general guidelines that were discussed by our Commissioners and community advocates are as follows:

1. Hire an ADA accessibility consultant to be part of the design process.
2. Consider inviting a task force to the table that includes the city's ADA coordinator and interested COD members and disability advocates.
3. In discussing and planning any and all architectural design features and services, plan on offering people with disabilities the same choices and options that will be offered to everyone else.

The Commission members also got to discuss specific accessibility and inclusion features that would be necessary for full inclusion of our disability community. Some of those are:

1. An elevator that services all the floors and theaters.
2. Wheelchair accessible restroom on each floor.
3. Audio description equipment in every theater.
4. A system for individuals to see the captions.

5. Wheelchair seating within the main body of the cinema and not in secluded areas where disabled patrons would be forced to sit separately from their family and friends.
6. Companion seating for each wheelchair seat. Consider having more than just 2 companion seats surrounding each wheelchair seat.
7. A website that follows accessibility guidelines.

We firmly believe that our lived disability experiences will help inform best accessibility and inclusion practices, on top of any ADA requirements, and we encourage you to reach out to us with any questions or thoughts as the planning for this exciting project takes shape.

With much appreciation,

Ima Jonsdottir (imajons@mac.com) and Jack Lovett (johnjlovett3@gmail.com)  
Co-chairs, Newton Commission On Disability



## Potential COD Meeting Dates 2025

- January 13<sup>th</sup>
- February 10<sup>th</sup>
- March 10<sup>th</sup>
- April 7<sup>th</sup>
- May 12<sup>th</sup>
- June 9<sup>th</sup>
- July 14<sup>th</sup>
- August 11<sup>th</sup>
- September 8<sup>th</sup>
- October 20<sup>th</sup>
- November 17<sup>th</sup>
- December 8<sup>th</sup>

## Treasure's Report

Given by Nyree Kibarian, Treasurer of the Newton Commission on Disability (COD)

To be included with the Meeting Materials for the November 18, 2024 Newton COD Meeting

As of November 13, 2024, the account balances are as follows **(NOCHANGES)**

Account # 5500-335518 H-P. Fines -Disability Commission

Type: Receipts reserved for appropriation (these funds must go before the City Council to be appropriated before used)

Balance: \$112,323.48

Account #01C60218-524090 – This account was set up to purchase accessible play equipment for Williams School Playground

Type: Special Appropriations

Balance: \$2314.41

Account #01C10802-513010 -Operations Access- Disability Commission

This was set up to pay for targeted enforcement of accessible HP fines violations by the police.

Type: Special Appropriations

Balance: \$166.54

Account #5064D103 – This was set up in Fall 2015 to receive Community Access Monitoring Program fees and pay expenses

Type: Revolving Account

Balance: \$290.00