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# CITY OF NEWTON, MASSACHUSETTS

## Commission On Disability

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Meeting date: July 10, 2017  
Room 204  
Time: 6:30 pm

MINUTES

Setti D. Warren  
Mayor

Barney Heath,  
Director, Planning &  
Development

Rachel Powers  
Manager  
Community Development

**Members**  
Rob Caruso, Co-Chair  
Girard Plante, Co-Chair  
Jane Brown  
Lucie Chansky  
Rosemary Larking  
Barbara Lischinsky

Jason Rosenberg  
Chairman Emeritus

**Advisor**  
Sergeant Jay Babcock  
Newton Police Department

**Staff**  
ADA/Sec 504 Coordinator  
Jini Fairley  
617-796-1253

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Newton, MA 02459  
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### Commission Members Present:

**Rob Caruso, Co-chair**

**Girard Plante, Co-chair**

**Jane Brown, Treasurer, participating remotely**

**Lucie Chansky**

**Barbara Lischinsky**

**Rosemary Larking, participating remotely**

Jini Fairley, ADA/Section 504 Coordinator

Sgt. John J. Babcock, Police

**Rachel Powers, Planning**

**Amanda Lipson, Planning**

### Guests:

**Kat Eutsler**

**Sandra Lingley**

**Al Donovan, TAT Architects**

### 1. Introductions (6:30-6:35)

### 2. Approval of June 12, 2017 Meeting Minutes (6:35-6:40)

**Rob asked if there were any changes or corrections to the June minutes that were distributed in advance of the meeting. Hearing none, Jane made a motion to accept the minutes of the June 12, 2017 meeting as read and distributed. Lucie seconded the motion. The motion passed unanimously by a vote of 6-0.**

### 3. CDBG Report (6:40-6:50)

**Rachel and Amanda gave the following report:**

**CDBG Access Projects Report**

**July 10, 2017**

★ **FY17 Curb Cuts Funding Pool** – (CD17-03A Budget: \$87,125 Committed: \$0; Expended: \$0; Balance; \$87,125). FY17 Curb Cut



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project has been developed in conjunction with the COD and DPW/Engineering based on the recently completed inventory. DPW/Engineering anticipates completing 30-40 curb cuts in the Carr School area during the current construction season. **MOU has been updated and distributed to DPW.**

★ **FY16 Architectural Access Pool** (Project CD16-03A). Budget \$21,375.92; Committed: \$0; Expended: \$0; Uncommitted Balance: \$21,375.92). Remaining funds will be allocated toward FY17 Curb Cut project identified above. The Planning and Development Board approved the transfer at their meeting on 06/05/2017. **See above.**

**FY15 Accessible Pedestrian Signals** – (CD15-03Z Budget: \$26,000; Committed: \$26,000 Expended: \$26,000; Balance: \$0). **Project is completed and closed out. Stephen is fixing audio issue in units.**

APS were installed at the following intersections:

- Beacon @ Chestnut (units to be determined)
- Commonwealth @ Centre (8 units)
- Centre @ Walnut (4-8 units)
- 1600 Washington Street @ Warren House (2 units)
- Lincoln Street @ Walnut Street (8 units)
- Centre and Church Street

**Carroll Center Accessibility** – (Budget: \$110,473; Expended: \$0; Balance: \$110,473). The Carroll Center Accessibility Project was approved by the Planning and Development Board January 11, 2017. **Working with the legal department on contract development.**

**Highlands Playground Access** – (CD15-032 Budget: \$99,000; Expended: \$0; Balance: \$99,000). The contract with David White & Son has been executed. The accessible pathways component began in spring 2017. **Accessible improvements are moving along.**

**Newton Corner Curb Cuts** (Project CD15-034 Budget: \$72,500; Expended: \$788.95; Balance: \$71,100.05). The project will include the installation of 11 accessible curb cuts on Washington Street and around the Newton Corner Circle. The Highway

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Division completed several curb cuts in and around Park Street. There was a group meeting between Planning, Engineering, and Beta. Designs are being finalized; additional work is needed for sidewalk improvements. Bidding is anticipated to be done in August.

**Barbara asked what the Traffic Engineer is adjusting on the newly installed APS. Jini explained that many of the APS were not installed with the Extended Press, which makes a beaconing effect by raising the volume of the Locator tone on the opposite side of the street, to aid in guiding a visually impaired/blind person crossing the street. He is also adjusting the Locator and Walk signal tone, were needed. Barbara asked what can be done crossing Beacon St. from the schoolside of the street over to Manitoba. The pushbutton is quite a distance from the crosswalk, and the Locator tone is very low. It may need an additional ped pole for the APS pushbutton, since it seems to be located near the school driveway, not near the crosswalk for Beacon St. Jini said she will check with the city's Traffic Engineer to see what can be done there.**

#### **4. Identify Locations for FY18 CDBG funded Access Projects (6:50-7:05)**

Ideas/Locations for FY18 (FY17) CDBG-Funded Access Projects

Distributed in Advance of the July 10, 2017 COD Meeting

APS:

New Installation:

Beacon & Washington St.- 6 pushbuttons

Newtonville Ave & Harvard- 5 Pushbuttons

Tremont & Waverly-4 pushbuttons

Grove & Auburn/Central

Upgrades:

Beacon St. & Langley Road- 7 pushbuttons

Centre St. & Cabot St. & Sargent- 3 pushbuttons

Park Accessibility

-Needs Parks & Rec staff to survey possible choice of one below

Cold Spring Park- add more accessible pathways to connect other pathways and to fields/possible perimeter pathway

Albemarle/Halloran – Perimeter pathway or continuous pathway throughout

Weeks Field- create pathways to and around fields from parking

Cabot Park- add pathways to fields or perimeter- may wait until all construction is completed on Cabot School in summer of 2019

Auburndale Cove- make connections to already existing pathways

Curb Ramps:

Mid-Block Crosswalks and curb Ramps

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Beacon & Dorset-2 ON SCOPE OF WORK FOR FY17 CURB CUTS  
Beacon & Carlton- 2 ON SCOPE OF WORK FOR FY17 CURB CUTS  
Beacon & Woodward & Windsor- several- need input and design from DPW

Some of the following curb ramps will be completed with FY17 CDBG funds and the remainder will be funded with FY18 CDBG funds

Watertown St. at Page and Walker (7) YES  
Linwood at Watertown St. (3) YES  
Linwood at Walnut St. (8) YES  
Fessenden at Fair Oaks Rd. (3) YES  
Schofield at Fair Oaks Ave. (3) YES  
Nevada at Churchill (3) YES  
Linwood at Nevada (4) YES  
Nevada at Wyoming (3) YES  
77 Fair Oaks Ave (1) YES  
46 Wyoming Rd. (1) YES  
51 Thaxter Rd. (1) YES  
529-521 California St. Rear (Thaxter Rd. side) (1) YES  
60 Parkway Rd. (Thaxter Rd. side) (1) REMOVED PER DPW  
503 California St. (1) YES  
495 California St. (Bemis Rd. side) (1) REMOVED PER DPW  
246 Linwood Ave. (Broadway side) (1) YES  
600 California St. (Linwood Ave side) (1) REMOVED PER DPW  
WATERTOWN@ ALBERMARLE -PREVIOUSLY FELL OFF LIST, PART OF SCOPE  
NORTH @ ALBERMARLE -PREVIOUSLY FELL OFF LIST, PART OF SCOPE

**Barbara mentioned that she would like for the COD to consider Weeks Field for at least one pathway that would go through the one entrance to another entrance, or to connect fields. This park is on public transportation, within walking distance from either the Newton Centre or Newton Highlands T station. Jini said she would check the Carol Shine at Parks & Rec to see if they have any plans for this park and if it would be possible and cost to construct an accessible path there. Barbara asked about the APS and the detectable warning panels at 2 intersections, Washington & Prospect and Washington & Auburn Streets. Jini was pretty sure she had mentioned the curb cuts and detectable warning panels to Shane but will check again. She will also check on the APS there, as the volumes seem too low for Barbara.**

**After some discussion, a motion was made by Barbara to fund all the APS listed on this sheet with FY18 CDBG funds. Rosemary seconded the motion. The motion passed unanimously by a vote of 6-0. Additionally Lucie suggested, if there are not enough funds to install at all the intersections that a priority should be given to the busiest intersections, such as Beacon and Langley.**

### 5. HP Fines Report (7:20-7:35)

Sargent Babcock gave the following Fines reports:

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**FINES**

**CODE #26 & CODE #27**

**JUNE 2017**

<b>CODE #26 (TOTAL PAID) ACCESSIBILITY SPOTS</b>	
.....	<b>\$2,400.00</b>
<b>12 TICKETS @ \$200.00</b>	
<b>CODE #26 (OUTSTANDING)</b>	
.....	<b>\$3,200.00</b>
<b>16 TICKETS @ \$200.00</b>	
<b>TOTAL FINES</b>	
.....	<b>\$5,600.00</b>
<b>CODE #27 (TOTAL PAID) CURB CUTS</b>	
.....	<b>\$1,200.00</b>
<b>6 TICKETS @ \$200.00</b>	
<b>CODE #27 (OUTSTANDING)</b>	
.....	<b>\$1,200.00</b>
<b>6 TICKETS @ \$200.00</b>	
 <b>TOTAL FINES</b>	
.....	<b>\$2,400.00</b>

**COMBINED TOTALS**

<b>TOTAL PAID {COLLECTED}.....</b>	<b>\$3,600.00</b>
<b>TOTAL OUTSTANDING.....</b>	<b>\$4,400.00</b>
<b>TOTAL FINES ISSUED.....</b>	<b>\$8,000.00</b>

There were comments both from Sargent Babcock and members that the outstanding balances/unpaid fines are too high. Barbara asked about a ‘Live’ Accessible Parking space on Washington St. alongside Newton-Wellesley Hospital that is looks like a regular accessible parking space, which also has a curb cut to the sidewalk so that one can access a ramp up to a hospital entrance. She suggests that it should be signed to say ‘Drop Off Only’ and that a detectable warning panel be installed at this curb cut, as folks are getting tickets for parking there even though they have a placard. Sargent Babcock will look into this to see what

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can be done there to make it clearer that this is a drop off or loading zone not a longterm parking space.

Girard mentioned another issue, observing a telephone pole leaning into the street at Locke and Beacon St. Sargent Babcock will also check this out and it may be a case that the pole has been replaced but all the companies have not removed their old wires from the leaning pole, so that it can be taken down. Lucie asked who to call if there is a wire wrapped around a pole at her level. Sargent Babcock said to call the DPW or Police, or report it in the 3-1-1 system, and they will come down and check it out and determine whose wire it is and call that company to remove it.

Lucie asked about an article in the Tab about the number of trees to be removed on Beacon St., as it is being paved, in order to make the sidewalks more accessible. Jini spoke of her attendance and participation at the Waban Are Council meeting. Many wanted DPW to reevaluate every tree to see if very few trees needed to come down, and that is what DPW did after the meeting. Jini reported that she was going out there next week and is hoping that very few trees' roots have impacted the sidewalk so severely that an accessible sidewalk could not be constructed. She also mentioned that she was fully involved in creating a tree preservation policy for the city in order to have the accessible parameters so that trees are preserved as much as possible, and new trees will be planted if a tree(s) must come down, either for accessibility or safety/leaning into the street.

## **6. Treasurer's Report (7:35-7:40)**

### **Jane, COD Treasurer, gave the following Treasurer's report:**

As of July 7, 2017, the balances of the COD accounts have not changed since the June COD meeting and are as follows:

Account #14-3314M3, H-P Fines-Disability Commission

Type: Receipts Reserved for Appropriation (These funds have to go before the City Council to be appropriated before being used)

Balance = \$8,809

Account # C108006-513001 Operation Access – Disability Commission

Set up to pay for targeted enforcement of accessible HP Fines violations by the Police Department

Type: Special Appropriations

Balance = \$2322.04

Account #13D10901 Set up in Fall 2015 to receive Community Access Monitor Program fees and pay expenses)

Type: Revolving Account

Balance = \$1114.65

Account# 29B22001 Disability Commission Gift

Type: Gift/Donation Account

Balance = \$0.00

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**Jini mentioned that the balance for the Operation Access account does not yet reflect the bill from the Police Department and the balance of the account for the Fines may change once year end accounting has taken place in the city.**

#### **7. ADA Coordinator's Report (7:40-7:45)**

**Before Jini gave her report on ADA activities, Jini mentioned that an agenda item was skipped over, regarding ideas for the MOD ADA Improvement Grant, to be discussed after the ADA report.**

**. Jini gave the following ADA Coordinator's report:**

Site Visits:

- Cypress & Pleasant St Parking Lots- verifying initial reports from the Parking Lot Audit initiative
- Comm Ave between City Hall and Centre St- checking out curb cuts and sidewalks for paving this summer/fall

Reasonable Accommodation Requests:

- Senior Center Newsletter in Braille
- APS- requested by Heather Platt on behalf of Carroll Center students

Meetings/Events/Conference Calls:

- Crescent St. Project Team & Working Group meetings- have joined and viewed potential designs for 8 apartment building(s)- ongoing
- Meeting with Newton Wellesley Hospital with Barbara- good discussion of accessibility issues there
- MAAB- presentation by the T on accessibility of T and Commuter Rail Stations
- DRT- for resident with mobility impairment- expand garage
- DRT- 1294 Centre St.- former Newton Centre Branch Library
- Traffic Council- Presented rewritten policy for requesting residential accessible parking spaces, taking out 'handicap'
- Waban Area Council- Issue of removing trees during repaving of Beacon St. and fixing all sidewalks and curb cuts
- Fair Housing Committee- I attend this monthly
- MACOD- monthly meeting- new projects

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Jini and Barbara had a meeting with the ADA Compliance Officer at Newton-Wellesley Hospital this past month. Barbara felt it was a very productive meeting. One of the main concerns was the fact that they have put out of service a very accessible door that opens when someone approaches, rather than having to push a button to activate a door opener for a different door, which is very heavy if one was to open this door manually, and often this button, especially inside, is blocked by parked wheelchairs. Ms. Block was not aware that the hospital had put this ‘electric eye’ door out of service and would look into it for us. Other topics discussed in this meeting were improving the signage in the buildings and finding another solution to make the crossing of the driveway at the West entrance safer, since the sign in the middle of the crosswalk impedes large trucks making turns into the driveway while delivering supplies to the hospital. Rosemary mentioned that she doesn’t have enough time to push the automatic door opener button and then turn around and get in position to go in the door. Jini said it sounds like a timing issue and would mention it to Ms. Block in follow-up. Jini had also brought up the issue Lucie had voiced, that the exam room is not large enough and Ms. Block said that each practice owns their suite of rooms, as a condo, and the hospital has no authority over them. Rob suggested contacting the condo association of these physician practices. Barbara mentioned another issue was a drain depression/sewer grate, a real tripping hazard, in the pavement of the crosswalk at the East entrance. Ms. Block will look into this as to whether it is the hospital’s responsibility or the city. Sargent Babcock will check it out and Jini will also run it by DPW. A couple more issues from Rosemary at NWH has to do with the coffee shop on the first floor, coming in from the West entrance, the entrance door is always closed and she can’t open it and the tables are too low, and the gift shop has too narrow aisles and pretty impossible for anyone with a disability to navigate. Jini will put these on a future conversation with Ms. Block.

#### **Project(s) for FY18 Municipal ADA Improvement Grant (7:05-7:20)**

**There was a discussion as to what type of access project the city could apply to the ADA Improvement Grant sponsored by MOD. Lucie asked what size the grants will be and Jini answered that they range from \$5,000 to \$250,000. Lucie also asked if it is likely that we would receive a grant. Jini said this grant opportunity is very popular among municipalities and there were many at the Overview session at the end of April. Several ideas were suggested, producing educational material about the COD and the parking regulations for accessible parking and curb cuts, produce an online or cable program on access, and to renovate the bathrooms in City Hall, especially on the first floor where the public does business. Rob said that the single use bathroom on the second floor may need renovating as the toilet is too close to the sidewall. There doesn’t appear to be an accessible bathroom on the first floor, no single use one, and the men’s and women’s are not**



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accessible either. Rob mentioned that in the basement floor men's room, the stall is not large enough. There was consensus that the first floor is in the most need of an accessible bathroom, where much of the public frequents. Lucie made a motion that we investigate creating a single use accessible bathroom on the first floor as the project to apply for the MOD ADA Improvement Grant. Rosemary seconded the motion. The motion passed unanimously by a vote of 6-0. Jini will contact the Commissioner of Public Buildings and evaluate the bathrooms for their accessibility in City Hall and develop plans and cost estimate for the grant.

**8. MAAB Variance-219 Commonwealth Ave (7:45-8:15)**

Al Donovan, from TAT Architects representing Chestnut Hill Realty, gave a brief description of the variance application for 219 Commonwealth Avenue, a 5 floor, 29 1 and 2 bedroom apartment building. This is a very old building dating back to the 1800s and is registered on the national registry of historic places. The renovation is a Level 1 alteration or moderate alteration, combining just 2 1BR apartments into one apartment, thus there will be 28 apartments, and changing out cabinets, painting, replacing some doors, and adding sprinklers to the building. They will be complying with the MAAB requirement to create a fully accessible group 2A 1 BR apartment. There is no elevator or vertical access apart from the interior stairs. The variance is to create an accessible entrance on the side/back of the building to the ground/basement floor, where 3 other apartments , laundry facilities, and boiler room are located, as it is impractical to create a ramp system on the front, due to historic restrictions. Part of the proposed accessible route to this entrance is along an emergency vehicle driveway. In addition, it is possible that the mailboxes, either for the one fully accessible apartment accessed by this side entrance will be placed outside, or possibly all the apartments mailboxes will be placed outside on a pedestal at an accessible location as right now they are inside on the first floor, not accessible from within or from outside the building. Parking for tenants is behind the building and there are only 6 spaces there, and one would be signed as an accessible parking space. There was much discussion. One major concern members had was that there is no second means of accessible egress for the accessible apartment dweller on the ground floor. When asked if , besides the one proposed fully accessible 1 BR apartment on the ground floor, would any other apartments either on the ground floor or other floors would be accessible/adaptable or visitable.

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**Mr. Donovan said no, there are no plans to make any other apartment in the building accessible/adaptable. A motion was made by Rosemary not to support the variance, based on the fact that there will be no second means of accessible egress. Jane seconded the motion. The vote was 5( Rosemary, Jane, Barbara, Rob, and Girard)-1 opposed (Lucie).**

**9. Old/New Business (8:15-8:30)**

**Under New Business, Rosemary suggested we look into joining with the Council of Aging to sponsor a forum for the Mayoral candidates. Jini said she would contact Marian Knapp and see if we are not too late for this effort, since there was consensus among the members. Rosemary asked if there will be an August meeting, as the COD often takes August off. Rob said that he would first see if there is any pressing business and will notify all the members about 2 weeks before the August 14 meeting.**

**10. Adjournment (8:30)**

**The meeting was adjourned at 9PM.**

**NEXT MEETING DATE: August 14, 2017**

The location of this meeting is wheelchair accessible and reasonable accommodations will be provided to persons 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.