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# CITY OF NEWTON, MASSACHUSETTS

## Commission On Disability

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Meeting date: September 12, 2016  
Room 204  
Time: 6:30 pm

Minutes

Setti D. Warren  
Mayor

Barney Heath,  
Director, Planning &  
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  
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**Commission Members Present:**

**Rob Caruso, Co-chair**  
**Girard Plante, Co-chair**  
**Jane Brown, Treasurer, participating remotely**  
**Rosemary Larking, participating remotely**  
**Barbara Lischinsky**

**Commission Members Absent:**

**Lucie Chansky**

**City Staff Present:**

Jini Fairley, ADA Coordinator  
Sgt. John J. Babcock, Police  
**Lily Canon Reynolds, Community Engagement Manager**

**Guests:**

Sandra Lingley  
Myra Marshall, Golda Meir House  
Jesse Widtfeldt, Bechtel Frank Erickson Architects

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

**2. Approval of July 11, 2016 meeting Minutes (6:35-6:40)**

**There were no changes to the minutes for the July 11 meeting, and a motion was made to accept the minutes as distributed and read, by Jane and seconded by Barbara. The motion was passed unanimously by a vote of 5-0.**

**Taken out of order:**

**3. MAAB Variance - Golda Meir House (7:15-7:35)**

**There were several guests representing the Golda Meir House including the architect, Jesse Widtfeldt and Executive Director Myra Marshall. Jesse explained that the Golda Meir House is beginning renovations of their 199 dwelling units and is seeking 2 variances from the MAAB. The first one is in regards to the type**

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**CITY OF NEWTON, MASSACHUSETTS**  
**Commission On Disability**

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of refrigerator to be used. Instead of the usual refrigerator with the freezer compartment on top, they have found that the refrigerator with the freezer on the bottom, as a drawer, allows for easier access to the freezer, a larger size freezer, and larger refrigerator where most of the contents are easily viewed and reachable. Barbara asked why a side by side refrigerator would not be an option. They did consider a side by side refrigerator, but they are working within the footprint of the existing kitchen space and there is not room enough to accommodate the width of a side by side refrigerator, which is at least 6” wider. This style with the freezer on the bottom, however, some of the contents could be a little lower than the reach range required by MAAB 45.1. There were several questions about just how one in a wheelchair could access the contents of the freezer, when on the bottom. This style has the handle to open within the reach range, only a small portion of the freezer contents might be out of reach. It was also pointed out by Jesse that if a tenant wishes to still have a refrigerator with the freezer on top, one will be provided, as they have a reasonable accommodation policy in place, required by Section 504 of the 1973 Rehabilitation Act, for anyone who requests this type of refrigerator. Rob said that he prefers the freezer as a bottom drawer and Myra mentioned that tenants in other housing complexes owned and operated by the Jewish Community Housing for the Elderly (JCHE) also prefer the freezer compartment on the bottom of the refrigerator.

The second variance was with respect to the room where the trash is deposited. These existing trash rooms do not have the turnaround space needed for a wheelchair to maneuver, required by 10.1 of the MAAB. The location of these trash rooms cannot be relocated or expanded due to the concrete walls and the structural constraints of the building, which is shaped like a Y. The management offers an accommodation for anyone who cannot enter and deposit the trash down the chute is allowed to leave their trash bags outside the door to the trash room, where the staff will put it in the chute for them. This accommodation is well known by the residents. There were some questions as to clarify where these trash rooms are located in the building (at the end of each corridor, about 70 feet from one end to the other) and the size of the trash room and the handle on the chute. The hardware on the door to the trash rooms will be upgraded and be MAAB compliant as well as the handle on the chute, where one can get 4 fingers inside to pull open, as Girard inquired, but the space to maneuver and turn around using a wheelchair and exit from the trash room is not adequate, thus the variance being sought and the reasonable accommodation in place to mitigate this space constraint.

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**CITY OF NEWTON, MASSACHUSETTS**  
**Commission On Disability**

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A motion was made by Barbara to support the two variances explained in the presentation and Rosemary seconded it. The motion passed unanimously with a vote of 5-0. Rob wished them good luck with the extensive renovation which will take about 22 months.

**4. CDBG Report (6:40-6:45)**

**There was no one present from the Planning Department to give the CDBG report that had been distributed in advance, but Jini gave a brief rundown of the updates in this report:**

**CDBG Access Projects Report**

★ **FY17 Curb Cuts Funding Pool** – (CD17-03A Budget: \$87,125 Committed: \$0; Expended: \$0; Balance: \$87,125). Funding pool for new curb cuts projects. CD staff asks that the COD develop a plan for these funds as soon as possible and for projects that can be done in a relatively short time frame. The reason is that we don't want to be at risk of failing the annual CDBG Timeliness test in early May 2017.

**FY15 Accessible Pedestrian Signals** – (CD15-03Z Budget: \$20,800; Committed: \$20,800 Expended: \$0; Balance: \$20,800). This new project budget has been set up and funded. CD staff will work with DPW to execute an MOU and to place the orders for the 32 units. At the 6/13/16, meeting, the COD approved the following intersections to receive the units:

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

Environmental Review completed. Need to finalize the MOU.

★ **FY16 Access Projects Funding Pool** – (CD16-03A Budget: \$88,431; Expended: \$0; Balance: \$88,431). Full project amount is available for allocation towards any new access projects. CD staff again asks for a formal decision on these funds as soon as possible because of the annual Timeliness test.

**Highlands Playground Access** – (CD15-032 Budget: \$99,000; Expended: \$0; Balance: \$99,000). Bid opening for project is September 8, 2016.

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## CITY OF NEWTON, MASSACHUSETTS

### Commission On Disability

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★ **FY15 Curb Cuts** (Project CD15-03Y). Budget \$43,417.92; Committed: \$0; Expended: \$0; Uncommitted Balance: \$43,417.92). Need new project idea for the remaining funds.

**Newton Corner Curb Cuts** (Project CD15-034 Budget: \$72,500; Expended: \$0; Balance: \$72,500). Installation of 11 accessible curb cuts on Washington Street and around the Newton Corner Circle. Due to the challenging work environment and the need for the work to be done at night, this project will be put out for public bid this winter for construction beginning in spring 2017.

**Christina Street Curb Cuts** (located at Barry Price Center) (Project CD15-033 Budget: \$11,883; Expended: \$2,266.58; Balance: \$9,616.42). Work has been completed in house by DPW Highway Division. Waiting for final bill then project closeout.

**FY15 Parks Curb Cuts** – (CD15-031 Budget: \$8,498.08; Expended: \$8,498.08; Balance: \$0). Work is complete at Stearns Park on Jasset Street and at Wellington Park on Kilburn Street. Project is closed out and balance of \$20,991.92 was moved back to Curb Cut Funding Pool.

**Newton Centre Playground Pathway Phases IV-VI** – (CD15-03X. Budget: \$130,000; Expended: \$99,447.22; Balance: \$30,552.78). Work is completed but still waiting for final bill and various federal compliance documentation. Project is not expected to bill out fully; balance to move to Contingencies.

**The Christina St. new crosswalk and curb cuts are completed and the curb cuts for Newton Corner that will be funded by the CDBG Access funds will be either constructed in late fall or early spring, as it will be bid out. Jini mentioned that there will be an upcoming Newton Corner Advisory Council meeting in October and most of Councilor Leary's requests/observations will be addressed. Barbara had a question about the Christina St. crossing as there doesn't seem to be an accessible route from the Price Center to this crosswalk. Jini said that the intent was not to make a complete accessible route from the street to the Center, as most of that would be on private property, but that one of the entrances from the Center is a short walk through a small parking lot to the sidewalk and crosswalk. It is a much longer distance to the intersection where the traffic light is located, but there is no push button there to get a walk signal. That will all be fixed next**

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**CITY OF NEWTON, MASSACHUSETTS**  
**Commission On Disability**

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year, and this crosswalk closer to the Center to cross Christina is what the Center clients wanted in the meantime. Sargent Babcock said that the placement of this crosswalk gives good visibility of those waiting to cross to approaching vehicles and is not far from the side entrance of the Center. Barbara felt that it would only benefit those with vision or those with sighted or wheelchair assistance, as the route from the Center appeared to involve curbs and parked cars. Jini was out there a couple of times and recalled that it was a short distance from the side door of the Center and that there was a small parking lot to cross before getting to the sidewalk and the crosswalk, but no curbs. Sargent Babcock said he will go over there and Jini will also try to revisit the site. Rob asked about the balance in the FY15 curb cut pool, and it is a total of about %\$43,000 to be used for additional curb cuts projects. Barbara asked if those funds or others could be used for sidewalk repairs. Jini said that the curb cuts funding pools are just for curb cuts but there are other project funds available. Barbara's suggestion is the stretch of sidewalk on Beacon St. from Dorset Rd. to Angier School, on the school side. Barbara said that is very rutted and fears she will turn her ankle and fall along that sidewalk. She was surprised that it wasn't part of the Angier school project. Jini said that it appeared that project is completed. She will inquire with DPW Engineering about the cost of replacing that portion of sidewalk along Beacon St. While on the topic of possible projects to fund with CDBG Access funds, Jini said that 2 non-profits have approached her concerning improving access to their facilities. The Carroll Center's very old elevator will need to be replaced/renovated soon as they can't always find the parts to repair when it breaks down. It serves their main building, where there is a dining room, offices, meeting and classrooms and the Store. It is not ADA compliant as it was installed over 30 years ago. The second organization is NWW who leases from the Baptist Church in Newton Centre, where they serve people with disabilities at their offices. Originally in the 90s, the city, probably with CDBG funds, installed a porch lift. This lift is now not compliant and is shut down due to lack of inspection in the past 5 years. They will need a new lift or they may decide to install a ramp, but it will be a long one. Jini asked if the members would like to hear from both of these organizations and the consensus was yes. NWW is still deciding which way to provide access but The Carroll Center may be in a position to give a presentation at the next meeting or two. Barbara was checking on the progress of her concern emailed to me regarding the APS crossing Beacon St. near the

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**CITY OF NEWTON, MASSACHUSETTS**  
**Commission On Disability**

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Angier School. Jini said she was waiting on getting a good time to meet with Shane, and will get out there as soon as possible and also plan a site visit with her and Girard for any remaining issues.

**5. HP Fines Report (6:45-7:00)**

Sargent Babcock gave the following report:

**HP FINES**

**CODE #26 & CODE #27**

**JULY 1, 2016 – AUGUST 31, 2016**

**(2 MONTHS)**

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**CODE #26 (TOTAL PAID) HP SPOTS**

.....\$3,000.00

**CODE #26 (OUTSTANDING)**

.....\$1,400.00

**TOTAL**

.....\$4,400.00

**CODE #27 (TOTAL PAID) CURB CUTS**

.....\$2,000.00

**CODE #27 (OUTSTANDING)**

.....\$ 200.00

**TOTAL**

.....\$2,200.00

**COMBINED TOTALS**

**TOTAL PAID {COLLECTED}.....\$5,000.00**

**TOTAL OUTSTANDING.....\$1,600.00**

**TOTAL.....\$6,600.00**

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**CITY OF NEWTON, MASSACHUSETTS**  
**Commission On Disability**

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He also mentioned that 5 people were abusing the use of the placard and they were fined and had their license suspended for 30 days. Starting after Halloween, there will be more emphasis on the mall parking lots to ticket if people are parking in the accessible HP parking space without a placard. Barbara asked for an update for the crosswalk at the driveway of Newton-Wellesley Hospital. Sargent Babcock said a ped light was not being considered, but adding signs and moving the Stop sign closer to the Stop Bar for cars leaving the parking lot are being done, with the cooperation of the hospital. It has taken longer than expected, but hopefully it will be all in place in a few weeks. Barbara pointed out that she can't tell if a vehicle has stopped for her at the stop sign, and that a signal that is just activated by a ped button is what she is looking for. She mentioned that in Wellesley Heights 2 lights were installed so that you can cross Washington St./Route 16. It is green otherwise but turns red when the button is pushed by a pedestrian. Sargent Babcock says it may be lack of funds or this signal would be too close to the traffic light at Beacon and Washington Streets. Sargent Babcock will send a police officer to take some pictures at this cross light in Wellesley and Both Jini and Sargent Babcock will revisit this possibility with DPW. If it would be possible and lack of funds is a reason not to use such a signal, Jini will check with Planning if CDBG funds can be used for installing this pedestrian crossing light for the hospital driveway (West entrance). Rob asked for an update to the situation with T employees with HP placards parking in the metered spaces instead of the T employee parking lot. Sargent Babcock said there had been some relief at BC/Comm avenue by about 50% but not much improvement in Newton Centre. He said they have parking enforcement officers there daily, and hopefully T management will continue to encourage their employees to park in their free parking lot.

**6. Treasurer's Report (7:00-7:05)**

**Jane Brown, Treasurer, asked Rob to read the Treasurer's Report as she didn't have it in front of her at home:**

**Treasurer's Report**

As of September 9, 2016:

The Newton Commission On Disability has three accounts.

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 = \$17,809

This new amount reflects 60% of the HP Fines collected for the fiscal year 2016 over \$40,000 (40,970) which is an increase of \$582 since last report.

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# CITY OF NEWTON, MASSACHUSETTS

## Commission On Disability

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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 = To be Determined

### **7. ADA Coordinator's Report (7:05-7:15)**

**Jini distributed the following report in advance:**

ADA Coordinator Report

Site Visits:

- Auburndale Cove Parking Lot
- Churchill St. Sidewalk
- West Newton Square
- 1001 Watertown St.
- Auburndale Square
- Cold Spring Park
- Memorial Spaulding School Parking
- Aquinas Parking
- 1301 Centre St.- NWW

Self-Evaluation:

- Franklin elementary School
- Williams Elementary School
- Bowen Elementary School

Meetings/Events/Conference Calls:

- Fair Housing Committee
- Weekly Construction
- Massachusetts Alliance of CODs
- Complete Streets
- CIP
- Newton Highlands Area Council Meeting
- Adams St. Tree Hearing



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**CITY OF NEWTON, MASSACHUSETTS**  
**Commission On Disability**

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There were no specific questions regarding her activities. She mentioned that, after a site visit, she was able to influence DPW to move the schedule up for a specific sidewalk at 48 Churchill St. to be completed this construction season. A developer had covered a dirt path that was acting as a sidewalk with a lawn down to the street, making it impossible for a next door neighbor to walk with crutches to the end of the street.

**8. Housing Strategy Report Discussion (7:35-8:00)**

At this point, Barbara had to leave and we were unable to reconnect with Rosemary, getting a busy signal. We had lost Jane for a while also just before the Treasurer's Report, as it seemed that the connection dropped her.

Lily presented the highlights of the Housing Strategy Report, which all members either received it in hard copy in July or viewed it online. There are 2 parts, there is the analysis and strategic recommendations in the report which includes priorities for action steps going forward and there is also a fact book, of what exists today for housing in Newton. There is a need for housing for low and moderate income individuals and families. The median price of a single family home in Newton is \$1.1 million this year. The rental prices are high as well ranging from \$1500-2000 for an apartment. The diversity is being lost. It is becoming difficult for older Newton residents to age in place or have other options and for young adults who grew up in Newton to move back and raise a family here in Newton. The housing stock is mostly single family homes and some 2-family homes. There is very little mixed use housing, that is, where there is a business on the first floor and housing above. One of the priorities for actions is to encourage more mixed use housing, for many groups it could benefit, for example, an older person who may want to be close to services, especially if not driving, an employee able to live near work, a family wanting to have maybe only one car and be near transportation and services. There would be also environmental benefits. There are 10 priorities and 7 potential sites listed for additional housing development that has already begun and more sites are being considered for the long term out to 2040. Lily went through some of the sites and action steps. Rob mentioned that soon after Mayor Warren took office, he and Girard talked with him about the need for more affordable and accessible housing. Rob didn't seem much mention of this dual term in the Housing Strategy, where accessibility or disability was hardly referenced in the report. Girard mentioned that a new

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**CITY OF NEWTON, MASSACHUSETTS**  
**Commission On Disability**

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development in his neighborhood in Auburndale has taken years to be built, at the Turtle Lane Playhouse. It was going to be 26 units and now it is scaled down to 18. Also it has taken years, for the commuter rail station there to become accessible, and is not yet done, even with the help of State Rep. Kay Khan and Barney Frank. Both Rob and Girard commented on the rising cost of housing in Newton, where our children, even with 2 parent incomes can't afford to buy here. Lily agreed with all that everyone said and the Planning Dept. and the Mayor are hoping to address these problems in different ways, as it is a very complicated housing situation. Lily said that there will be something docketed to change the zoning to allow accessory apartments by right, with parameters, but a special permit would not be needed. Also another zoning reform would be to increase the number of affordable apartments for a project with more than 3 units to have 20% affordable units instead of 15%. There was discussion by Jane, Rob and Jini with Lily around what is considered affordable, and there are typically 3 levels, 30%, 50% and 80% of AMI. Lily mentioned that there is another document with a chart of those different income levels. Jini mentioned that most rents are higher than a Section 8 would allow, but most people can't even get a Section 8 to help them with paying rent since the waiting list is 10 years or more. Jane brought up the subject of the awful condition the city streets and sidewalks are in, and Jini said that they have been ignored for years and the DPW is tackling repairing and replacing sidewalks and resurfacing streets. It is important for citizens to report any tripping hazards they have discovered and report it on 311. Lily mentioned the DRT meetings that Rob and Girard and Jini are invited to, to be involved in developments, housing and commercial, at the early stages.

**9. Old/New Business (8:00-8:30)**

The meeting ran late so there was no time for any old or new business.

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

The meeting was adjourned at 8:55PM.

**NEXT MEETING DATE: October 17, 2016 (Note: Due to the Columbus Day holiday, the next COD meeting will be on the third Monday of October, instead of the usual second Monday of each month)**

The location of this meeting is 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 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.

