



City of Newton, Massachusetts COMMISSION ON DISABILITY

Meeting Minutes
March 10, 2014

Members Present

Rob Caruso, Co-Chair
Girard Plante, Co-chair
Lucie Chansky
Jane Brown
Jini Fairley
Barbara Lischinsky
John Lojek

Setti D. Warren
Mayor

Candace Havens
Director, Planning &
Development

Alice Walkup
Senior Planner
Community Development

Anne Marie Belrose
CD Manager

Members

Rob Caruso, Co-Chair
Girard Plante, Co-Chair
Jane Brown
Lucie Chansky
Jini Fairley
Rosemary Larking
Barbara Lischinsky
John Lojek

Advisor

Sergeant Jay Babcock
Newton Police Department

Staff

Joel Reider
ADA/Sec 504 Coordinator

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Regrets

Rosemary Larking

Staff Present

Joel Reider, ADA Coordinator
Alice Walkup, Senior Planner, Community Development
Sergeant Jay Babcock, Newton Police Department

Guests

Sandra Lingley
Allegra Stout, Boston Center for Independent Living
Geoff Engler, SEB LLC

MEETING:

R Caruso called the meeting to order at 6:35 PM

1. Minutes, 2/10/14

B Lischinsky and J Fairley both request correction to same item in minutes: comment regarding Waban Area Council meeting (2/20) and discussion of pedestrian access in Waban should have been attributed to B Lischinsky, not J Fairley.

L Chansky requests correction to R Caruso's comment regarding HC parking at Memorial Spaulding: should read %R Caruso says this will be inspected.+

J Brown moves to approve the minutes as corrected. B Lischinsky seconds. Motion passes.

2. ADA Coordinator report (Joel Reider):

MAAB DECISION OF THE BOARD

J Reider reads decision of MAAB regarding application for variance filed by Doug Anderson of C3, for the pool in the health club at 200 Boylston St. (MAAB Docket #V 14 030). 48+wide accessible route will be provided only at the end of the pool w/ amenities (elevator, pool lift, towels), and not all the way around the pool. Because of a design oversight, the clear width between the completed wall and the installed ladder handrails is only 30+. This was not discovered until after the facility was opened and fully operational. MAAB grants the variance to Section 19.2.2 for the reason that impracticability has been proven in this case.

SNOW REMOVAL

J Reider described a meeting he organized on 2/24/14 to find answers for and take action on widely recognized problems with the City's snow removal ordinance and the 311 system.

Attending this meeting were Dave Turocy and Bill Paille (DPW), Alicia Bowman (Volunteer Pedestrian Coordinator), Aaron Goldman (Citizen's Assistance Officer) and Joel Reider.

It was agreed at this meeting that the City needs to improve the performance and its own monitoring of the many contractors employed to remove snow; also steps must be taken to better communicate to residents and businesses their responsibility for snow removal under the existing ordinance. It was also agreed that without meaningful consequences for failing to comply with the ordinance (fines for residents as well as businesses) it will remain ineffective.

Some action ideas generated at the meeting:

1. Improving efforts to communicate to businesses and residents their responsibilities for clearing sidewalks and curb cuts. This might include:
 - A. Circulating a mailer with tax or water bill.
 - B. Season-long notice on City web site, in the TAB, possibly sandwich boards.
 - C. Volunteers visiting business to make sure they understand their responsibility.
2. Some kind of citation from the City for good snow removal (this might involve a sticker/plaque for the window and a mention on the City web site).
3. Explore options for alternative transportation for people who have difficulty getting around in the winter months. Something like The Ride, funded by the City, that helps people get to the T or buses or village centers.
4. Discuss with Police Dept. issuing citations to businesses that fail to clear sidewalks and curb cuts and businesses and residents that dump snow on sidewalks.

J Babcock points out some of the costs of snow removal: \$40/load to remove snow from village center; \$300,000/village.

J Reider asked the members of the COD to approve drafting a letter to the Board of Aldermen expressing the Commission's concern about poor compliance and ineffective enforcement of the ordinance. This statement would urge the Board to approve (if the ordinance is renewed) a communications initiative and to provide fines for failure to comply.

J Lojek says a fine is in effect in Bookline for a similar ordinance. J Fairley says there was a fine in effect in Newton back in the 90s but it was revoked.

J Lojek moves to write a letter expressing specifically the Commission's concerns about keeping curbcuts and sidewalks clear of snow, communicating better the rules of the ordinance, and attaching a fine when BOA takes up the question when the ordinance expires. J Brown seconds. Motion passes.

ACCESSIBLE HOUSING STUDY

J Reider explained ongoing meetings with two members of the Fair Housing Committee to study the changing demands and supply of accessible housing in Newton. He mentions that this group would like to invite the participation of any members of the COD who would like to participate in this effort, and that they will extend a more formal invitation when they define a specific role. In the meantime, they have asked J Reider to share a draft memo summarizing their work to date (copies of this memo were included with the meeting packet).

SELF EVALUATION/TRANSITION PLAN

R Caruso asked for an update on Self Evaluation, specifically if the executive office approved our request to distribute an RFP to hire a consulting firm to perform the needed facility evaluations. J Reider explained that Josh Morse, Supervisor of Public Buildings, has submitted the RFP to a code consulting firm that works regularly for the City on an as-needed basis. We are waiting to hear back from this firm about the cost and projected timeline.

3. CDBG report (Alice Walkup):

A Walkup reviewed the CDBG report (see packet for details). FY 14-15 list of curbcut priorities is ongoing. Regarding improvements at Washington/Walnut, the Boston Region Metropolitan Planning Organization is conducting a safety and mobility study of Washington Street corridor (Newton Corner to West Newton). Improvements at Walnut/Washington should be scheduled with this study and its eventual findings in mind.

J Fairley: is any CDBG money going to War Mem? Did COD ever see the plans from this study? I heard the plan was not really a good one for people with vision disabilities? How will the elevator be accessed from outside?

R Caruso: (attended meeting of Community Preservation Committee where the War Memorial plan was formally presented, 3/7/14) The plan was presented very haphazardly by Building Department; it required people to take the existing elevator to the basement then go through the cafeteria to the proposed elevator. A more practical idea would be taking Homer street elevator to 1st floor, and go through rotunda to an elevator entrance on the first floor.

R Caruso: Building Dept. proposed the project in phases with the second phase including the exterior stairs, an accessible ramp to entry and a ramp inside the building from the doors to the elevator. CPC wanted to do everything at one time.

J Fairley is concerned about phased schedule of proposal. It would need very good, clear signage during the entire project, not only at the end of the final phase.

J Lojek: ramp/walkway is from parking area to side door. It would be a big improvement. RC: parking in circle means fewer HP spaces than in the parking lot.

A Walkup explained there would be a walk-through the Building to study the proposal tomorrow (3/11), and that CPC rejected the proposal as-is, but requested a revised proposal be submitted.

4. HP fines

Sgt. Jay Babcock presented the records for HP fines through February 28, 2014. Total fines (outstanding and collected) = \$50,825.00.

J Babcock: Expects more stings as weather improves.

J Lojek: There will be lots of tickets to write when Rt 9 developments are finished.

J Babcock: After the marathon, there will be a new effort to ticket unauthorized parking in HP spaces.

5. Boston Center for Independent Living

Girard Plante introduces Allegra Stout, Community Organizer, BCIL.

A Stout: describes her own path to working as an advocate for persons with disabilities. She emphasizes that the civil rights aspect of disability advocacy has become the most compelling aspect of her work. She is also a member of Boston Commission for Persons with Disabilities.

A Stout summarizes services of Independent Living Centers and BCIL in particular: eleven independent living centers in MA provide referral services, health management, individualized skills training. BCIL services are available to folks w/ disability throughout Boston Area. Focus areas: helping school kids,

nursing home transition. Independent Living strives to get people into real independent living situations rather than nursing homes or other kinds of institutions. Some of the strongest advocates at the BCIL are people who have been helped themselves to move out of nursing homes.

A Stout's role is Community Organizer: bringing together folks in disability community around important issues to work on developing and implementing solutions. She's excited to be here to connect with our membership.

Summary of issues BCIL is working on: healthcare (One Care); consumer protections; accessibility in hospitals. Worked with Boston Legal Services[?]. Address many issues typical of hospitals where provisions for persons with disability are generally pretty bad. Also work on Transportation issues like MA Senior Action. Work is largely about communication between individuals and organizations.

Big focus and challenge: successful funding for ILCs and affordable housing. BCIL priority is raising funds to support Alternative Housing Voucher Program (AHVP), a program specifically for people w/ disabilities under 60 years of age. For these folks, Section 8 (HUD-funded housing choice voucher program) is not a realistic option for getting housing. Money Follows the Person+ is a state-administered, federally funded program to get people transitioned out of nursing homes, and will effectively increase demand for subsidies through AHVP. Finding affordable appropriate housing is the biggest barrier to successful transition to independent living and so lots of funding is in danger of being wasted.

AHVP is a state-administered program (Dept of Housing and Community Development) that provides vouchers that allow recipients to pay no more than 30% of their income for housing. The number of vouchers has been cut in half since the program's inception in 1995 (400/year). A Stout has drafted a letter to be sent to State Representatives (and later, State Senators) seeking a funding increase from 3 million to 3.5 million. This will increase the number of people able to transition by 150. She's been in touch with Somerville COD chair who encouraged A Stout to connect with other area CODs. Somerville, Boston and others have already signed this letter; she is asking Newton COD if they will also sign the letter.

J Lojek: how is BCIL funded? A Stout: Mostly State funding; some federal and some grants. J Lojek: Are personal care attendants funded through Mass Health? Is this an item in Governor's budget?

R Caruso: why the age (< 60) cutoff? A Stout: Program is meant to provide housing for population for whom Section 8 vouchers were not available.

J Fairley: There are very few vacancies for people in this age group. J Fairley Moves to add Newton COD to list of supporters of Allegra's letter. J Brown seconds. Motion Passes.

L Chansky: Asked for clarification of a chart Allegra shared that shows distribution of vouchers throughout the State's 23 Housing Authorities. A Stout: acknowledges the confusing distribution of vouchers; explains that allocation of vouchers is based on a standardized application that housing authorities can help individuals with. It's possible to get a voucher in one town and use it anywhere else.

A Stout: announces annual independent living day at the State House, March 20. Invites all to attend.

6. Court Street Proposed Multi-Family Development, Geoff Engler

Geoff Engler introduced himself as a Newton native, recently moved back to Newtonville with two small children, one of whom has disability caused by a chromosomal disorder. He and his father have a real estate planning and developing firm, SEB LLC, focusing on multi-family affordable housing projects through the MA Chapter 40B permit process. Their firm is proposing a development on Court Street in Newtonville that includes 36 home ownership units w/ 9 affordable units.

G Engler states that the City of Newton has 85,000 people, 30-35,000 units and only 44 units of affordable housing. The target market for this development is people with mobility disabilities.

Nicely appointed 3-4 br apts. Market units are not technically affordable, but affordable by Newton Standards. G Engler showed renderings and floorplans, and asked the Commission to indicate its support for this project in a letter to the Zoning Board of Appeals. G Engler claims it is very difficult to build anything in Newton that is not a single-family house or a townhouse, and that because there is so little of this kind of housing in Newton there is a severely underserved population. Perhaps the COD can express its support of the concept/mission of this kind of development. All 36 units are group one accessible and can be converted to group two.

Girard offers commendation, points out that housing for people with disabilities is also a big need.

J Lojek: asked about working with city planners to identify potential occupants(?) Our approach is friendly 40B?+

G Engler: friendly 40B. Need signatures from Mayor. Expresses dismay at opposition from neighbors to any kind of multi-family development in Newton. The site in question previously had a 40 car parking lot and 9 illegal apts, but

no local opposition. Why are neighbors opposed now to the proposed development? Some specifically stated they were concerned it would raise the property values on the street, (making it unaffordable for the families that live there now).

R Caruso expressed his support for development of any accessible units.

This project matches many of the city's stated objectives for housing development. Parking will be under the building; elevator access to all floors; all units will be primarily single-level; close to public transportation.

NOTE: at this point in the meeting J Reider had to leave to attend the meeting of the Zoning and Planning Committee. He was not present to complete the minutes but gathered the following later from co-chairs Rob Caruso and Girard Plante:

The members could not agree to support Geoff Engler's proposed development at Court Street w/o first visiting the site (there is no plan as of 3/17/14 to visit; J Reider offered to coordinate with G Engler to have him meet the members at the site to guide and explain the context).

No discussion took place about the revised content of the COD web page. This will be postponed to the next meeting, April 23.