



City of Newton, Massachusetts COMMISSION ON DISABILITY

Meeting Minutes
April 23, 2014

Members Present

Rob Caruso, Co-Chair
Girard Plante, Co-chair
Lucie Chansky
Rosemary Larking
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
John Lojek
Barbara Lischinsky

Advisor

Sergeant Jay Babcock
Newton Police Department

Staff

Joel Reider
ADA/Sec 504 Coordinator

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Regrets

Jane Brown

Staff Present

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

Guests

Sandra Lingley
Stephanie Lapham
Melissa Boucher

MEETING:

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

1. Minutes, 3/10/14

Corrections were noted to the comments about Alegra Stout's description of AHVP: her letter to State Representatives asks for a funding increase from 3 million to 3.5 million (not 412 million to 550 million).

Also, Alegra Stout's answer to the question of why AHVP has an age cutoff, should read, %6 meant to provide housing for population for whom Section 8 was not available. B Lischinsky moves to accept as amended, J Lojek seconds. Motion passes.

2. ADA Coordinator report (Joel Reider):

MAAB Advisory Opinion: 114 Floral Street

JR reads summarizes opinion:

1. Removal of noncompliant ramp @ entry is not a violation of 521CMR
2. Removal of noncompliant stair lift is not a violation of 521CMR
3. Stair lift may be kept in place only with a variance from Board of Building Regulations and Standards.

John L. explains that ISD became involved in this situation because the ramp and stair lift were both installed without permits. Neither comply with building code or accessibility guidelines.

SELF EVALUATION/TRANSITION PLAN

J Reider recaps the effort so far to distribute an RFP and hire an expert firm to execute the Self Evaluation. On Feb 12, 2014 Joel R was directed by Chief Operating Officer Bob Rooney not to distribute a general RFP, but rather to submit a description and scope of the project to MK&A, an architectural firm with a standing as-needed working relationship with the City. The motivation was to control costs by using a firm with general architectural knowledge and the capability to develop the necessary expertise rather than retain a specialist.

On April 8, 2014 J Reider met with Wendall Kalsow, President of MK&A. Mr. Kalsow explained that if his firm took on this project, they would do so with the help of a specialist sub-consultant. The firms he suggested using are the same ones J Reider has proposed using since Oct. 30, 2013.

Mr. Kaslow delivered a proposal to J Reider on April 23. This proposes MK&A would conduct public meetings and trainings and contribute cost estimating and consultation on historic buildings; the bulk of the work (close to 80%) is proposed to be completed by Institute for Human Centered Design (IHCD). J Reider is not convinced of the value added by involving MK&A, and suggests it may be more efficient to work directly with IHCD.

J Lojek expresses doubt that the executive office will approve the proposal, as he suspects the fee (\$97,514) exceeds their expectation. He characterizes the process as being at a standstill, and will keep the Commission apprised as the situation develops.

COURT STREET

J Reider describes the April 16 site visit to Court Street in Newtonville, the location of the 36-unit development proposed by Geoff Engler and SEB. L Chansky, R Caruso and J Reider met Mr. Engler on-site and he provided plans and guided us while describing the impression the proposed project would make. A discussion ensued about whether the Commission on Disability should submit a letter of support on behalf of SEB.

L Chansky expressed mixed feelings: support for the additional stock of accessible and adaptable housing but also sympathy for neighbors. She states

the proposed development will be significantly different from existing buildings on the street, and would not want such a development in her immediate neighborhood.

R Caruso expresses his support for the project solely on the basis of its providing a considerable number of accessible and adaptable apartments.

J Fairley asks if the new building will be much higher than adjacent ones.

R Caruso/L Chansky: no, and it will be farther away from adjacent buildings than existing structures.

J Lojek recommends Commission ignore any question of aesthetic merit and focus only on the value represented by the number of accessible and adaptable apartments the proposed project will deliver. He suggests he would support a letter from the COD that emphasizes these elements of the project.

L Chansky: should there be some accessibility coordinator to ensure the final project includes these proposed accessible and adaptable units?

J Lojek: No, we would ask to review the final plans ourselves. This is a 40B and will go through regardless of what we say. We should take this opportunity to express our support for the considerable accessibility features this project will deliver.

There was some discussion about the difference between %adaptable+and %accessible+and about the responsibility of adapting an ownership unit as opposed to a rental.

G Plante will compose a letter for consideration before the May 12 meeting of COD. If approved, COD will submit letter in advance of Mr. Engler's expected hearing at ZBA meeting on May 27.

Side note: R Caruso notes that his email address is robcaruso@yahoo.com, not robcaruso@hotmail.com.

3. CDBG report (Alice Walkup):

A Walkup reviewed the CDBG report (see packet for details).

Regarding the War Memorial project, J Lojek asks how the current plan proposes to provide access from the traffic circle on the West side of the building to the building entry. A Walkup explains that project manager Ted Callahan is considering raising the path on the Homer St. side of the building to eliminate the stairs and provide an accessible entrance @ the SW corner of the building. J Lojek asks if the Comm. Ave side of the building was considered (A Walkup: yes), and agrees that the Homer St. side makes the most sense.

4. HP fines

Sgt. Jay Babcock presented the records for HP fines through March 31, 2014. Total fines (outstanding and collected) = \$54,305.00.

J Babcock explains that in this recent interval more citations were paid, not just issued. He notes that most of his officers are now better informed about when to issue HP citations and so more are being issued. He also notes that generally his officers are finding more violations in the malls than in the villages. Planning stings for the next two weekends in the malls.

L Chansky: where are all the parking spaces for Wegman's?

J Babcock: 950 spaces in the garage.

R Larking: is there a place designated for the RIDE drop off in the Chestnut Hill Sq mall?

J Babcock: there are three locations.

L Chansky: where are the HP spaces?

J Babcock: there are actually a lot of them.

L Chansky: why are there City signs on Rt. 9 announcing the upcoming opening of Wegman's?

J Babcock: DOT advised us to warn motorists. They are expecting 10,000 cars on Sunday.

Sgt Babcock adds to his report that his officers confiscated 10 HP Placards for misuse.

5. Commission on Disability Mission Statement

B Lischinsky explains that the six commission responsibilities enumerated are taken verbatim from statutes 8-J and 22-G, by which the commission was formed. Though some questions are raised about the specific wording, J Lojek emphasizes this is statutory language and there is no point in debating it.

Regarding the section on sub-committees, there are a number of questions about each individual item listed. J Lojek suggests changing the wording in the first sent from ~~%shall have+~~to ~~%may have+~~as the meaning of this list is sub-committees including, but not limited to +

R Larking moves to submit the statement to Joe Mulvey with changes as discussed. J Lojek seconds. Motion carries.

6. HP 1-14

Applicant Paula Scheer did not appear. J Lojek moves to vote no action necessary. Passes unanimously. [note: this has been changed to a %old+ rather than %NAN.+The intention is that COD will hear the application in the future if the applicant still wants to pursue it. Commission does not want the matter referred to Traffic Council until it has had an opportunity to hear and make a recommendation).

7. Pierce Elementary School Playground

Stephanie Lapham of Parks and Recreation and Melissa Boucher presented plans for renovating the playground at the Pierce School. As they want the playground project to express the core values of the school (Patience, equality, inclusion, respect, cooperation, effort) they are making every effort to ensure accessibility wherever possible. The objective is a playground that is safe, accessible and inclusive. The flooring is planned to be rubber instead of wood chips, and will be the first accessible flooring in a Newton school playground. Community build date is May 17 and they are finalizing funding now. Of the needed \$202,925 to complete the project, they have successfully raised \$198,305 and are in need of an additional \$4,620. They ask COD for a contribution to help eliminate the gap.

R Caruso wonders if CDBG funds might be available for this. General recognition that A Walkup might know the answer to this question, but she is no longer present.

S Lapham emphasizes that because of limited funds, schools in the city are choosing to limit accessibility in playgrounds. Only 4 of 56 city playgrounds are accessible. This will be the 5th.

J Babcock is aware of approximately \$13,000 in last year's HP fines account, some of which could be apportioned to P&R to support this effort.

J Fairley expresses concern that contributing to this playground project will set a precedent for other schools to seek funding from the Commission.

J Lojek moves that the co-chairs investigate possible funding sources so that the Commission can vote on this at the next meeting.

L Chansky amends the motion by adding that the Commission agrees to fund at least in part the amount needed to complete the project. All agree.

S Lapham offers to send exact amount needed to J Reider via email.

Meeting adjourned at 8:35 PM