



# DRAFT MEETING MINUTES

November 18, 2013

## COMMISSION ON DISABILITY

Draft Meeting Minutes

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Setti D. Warren  
**Mayor**

Candace Havens  
**Director, Planning &  
Development**

John Lojek (member)  
**Department Head,  
Inspectional Services**

### Members

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

### Advisors

Sergeant Jay Babcock  
Newton Police Department

Alice Walkup  
Senior Planner,  
Community Development

### Staff

Joel Reider  
ADA/Sec 504 Coordinator

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### Members Present

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

### Regrets

Jane Brown  
Rosemary Larking

### Staff Present

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

### Guests

Sandra Lingley  
Phi Hong (Newton Cultural Alliance)  
Adrienne Hartzell (Newton Cultural Alliance)  
Bill Paille, Newton Traffic Engineer

### MEETING:

Rob Caruso called the meeting to order at 6:30 PM

### 1. Minutes

Jini F. moved to approve the minutes from Oct 21, 2013; John L. seconded the motion. Motion passes.

### 2. ADA Coordinator Report

Joel R. gave an update on development of Self-Evaluation project. He has met with Institute for Human Centered Design to review an initial inventory of City facilities that need to be accounted for in the Self-Evaluation. Developing the inventory further will involve gathering input from COD members and

reviewing with Executive Office. Draft timeline for the whole process is included in the Packet.

Joel R. summarized MAAB's amended decision for 321 Chestnut St, All Newton Music School. They are granted a deadline extension from 8/30/13 to 12/1/13 for installing offset hinges on the second floor and power door openers at the entrance; they are also granted a deadline extension from 2/1/14 to 1/1/15 for the completion of the LULA and all other remaining items noted in the January 2013 submittal.

### **3. CDBG Report— Alice Walkup**

No updates on:

- **Audible Pedestrian Signals @ Newton Corner**
- **Education Center— Accessible Building Directory Sign**
- **Curb Cuts** Comm Ave/Washington: APS units have been moved closer to the new curb cuts on the Fire Station corner. Unit to cross Washington St. is not on the curb cut side of the pole, but will be fixed soon. Striping is on the schedule for this week and will be done soon weather permitting.

Barbara L: noted that the lack of striping is dangerous.

Bill P: it will be fixed ASAP

Pearl and Jackson restriping will be done in the spring.

Newton Centre curb cuts are complete; four new lights have been installed (three are working, fourth needs work by NSTAR before it is operational); Five additional lights have been ordered and delivered and will be installed by December.

- **Newton Ctr. Playground Pathway** Designer is currently working on both Phase IV and V plans. Should have these to share at next meeting.

- **War Memorial Vertical and Acoustical Access Feasibility and Design** Public Buildings Dept. is completing application for Community Preservation funds to pay for construction docs and installation of elevator and acoustical improvements. Alice W. will draft a letter from the COD expressing support for this application; she will present this letter at the next meeting of the COD.

Ted Calahan (project manager, DPW) has divided the project into two phases to enable the project to proceed even with limited funds. Phase I: Elevator and acoustical improvements; Phase II: all other elements including West stairs and building approach/entrance from West parking lot.

John L: how much will the elevator cost?

Rob C: has the survey of the high water table been completed?

Alice W: the architect is considering these and other challenges and the cost will reflect that. Alice does not want to guess at the cost, but prefers to wait for an accurate estimate.

#### **4. 35 Webster St. Nathaniel Allen House/Newton Cultural Alliance**

Adrienne H. explains history of project. Specifically that this site, built in the 1840s fit the NCA's desire to find a property in which to provide community cultural services. Many commercial developers have considered buying the property to convert it to luxury housing, but it's designation as a historic building make this a challenging business prospect. One aim of the NCA's proposal is to make the property as accessible as possible. Neighbors are very supportive of the project.

Phi H. described the physical characteristics of the site, and showed site and building plans. Property is listed on the National Register of Historic Places. It consists of three separate elements: Main House, Servants Area and "L"-shaped attached Barn, and includes eight different level changes.

Work is proposed to proceed in two phases. Phase 1: allow partial occupancy of the Main House for educational programs, and a residential apartment (third floor) for an on-site caretaker/staff member; provide accessible parking, accessible entrance to ground floor, accessible toilet room @ ground floor and compliant lever door hardware on all swinging doors in public areas. Ensure that any programs offered before completion of Phase II will be offered only in accessible locations. Phase II: allow full occupancy of the property and provide access to 24 of 27 total spaces.

Variances for Phase I include relief from providing access to second floor until Phase II (October, 2016).

Variances for Phase II include the historic main entrance to the house; accessible route to rooms 14, 15 and 16 in the barn; 7 of 16 public toilet rooms; 3 historic stairways; three non-compliant double-leaf doors; 13 historic doors providing less than 32" clear space.

Barbara L: asked for clarification about location of employee offices. Are they only on the inaccessible third floor?

Phi H: no, there are offices on the ground floor. The point about the third floor is that it is all staff-only. No public space. Accessible offices on the ground floor will accommodate possibility of employees with disabilities.

Adrienne H: classrooms will be in Barn, and on ground and second floor of Main House. There are three parlors on ground floor which will all be made accessible and will house displays about Nathaniel Allen's pioneering work in education. These will also be used for meetings, gatherings, readings, exhibits, etc.

Lucie: why won't the elevator go to the third floor?

Adrienne H: historic building; we'd have to alter the roof to get an elevator to the third floor.

Jini F: will the whole interior be renovated?

Phi H: Yes. We're not knocking down any walls, but much of the property is in very bad condition and needs a lot of work. Other parts not that bad.

Lucie C: where is funding coming from?

Adrienne H: combination of CPC (hopefully), Mass Cultural Facilities Fund, private foundations, etc.

Lucie C: what's the budget

Adrienne H: about \$4 million.

John L: parade of developers through my office trying to buy and develop the property into luxury housing, but couldn't make the numbers work.

Adrienne H: Property was previously owned by a non-profit that received local and federal funds and so was under restriction to provide a community service facility. The neighborhood has two other Victorians that have been converted to residences. The neighbors are very happy that this facility will serve the community.

Lucie C: This is a very worthwhile project; an asset to the community. I'm not exactly sure what the variances are that you are requesting, though.

Phi H: we are asking to be allowed to provide access during Phase I only to the ground floor of the Main House. Phase II includes other variances to specific areas (see application to MAAB for details).

Lucie C: moves to support now the application for variance for phase I, and to consider the remaining Phase II variances at that time. John L. seconds the motion. Motion carries. John L. reminds everyone that Don Lang, the project architect used to sit on the MAAB and Historic Commission, and is very knowledgeable about these sensitive issues.

### **5. Bill Paille: Pedestrian Safety @ Beacon and Centre St.**

Design for new work at this intersection, completed summer 2013, was done by a company called VAI (?) who also did the design for the MassWorks projects on Parker, Rt. 9 and Elliot. Part of the design was to include a “concurrent” pedestrian phase, which means pedestrians cross parallel to, and at the same time as traffic. Many other intersections in Newton have a concurrent phase, however this is the largest one. The problem with the concurrent phase is that vehicles turning onto the perpendicular street could cross the intersection when a pedestrian is crossing.

Bill met on-site with a number of people, including Alice W., Heather and others to review potential problems, particularly for visually impaired pedestrians. He has developed a number of possible changes that may improve safety here.

Slip-lane (right turn lane @ island, SE corner) originally had no crossing light and was an obvious problem for visually impaired pedestrian. Traffic engineers met and have developed a new design that includes a crossing signal @ the island with control buttons on the island and on the corner. This will give pedestrians a signal that it is safe to cross the slip-lane to the island, where they will then wait for the signal to cross either Beacon or Centre.

Also all signals will be replaced with audible signals. New City policy is to implement audible signals at every intersection. This project was designed before Bill P. began working for the City, and for some reason this intersection slipped through the cracks, but the City is working with the contractor to correct this error. Possible to program the signals to make a different audible signal for east-west and north-south direction.

Walk signals will also have a 10-second countdown.

Will also replace the new mast-arm which was designed under new standards (that Newton has not adopted) that require such a mast-arm to withstand wind speeds of 130 mph, instead of 90 mph. This will be replaced with a smaller, more traditional mast-arm and painted Hunter Green. Parker St. bridge will remain shiny (this is a State project, not City).

Also incorporating a “lead phase” into the crossing timing. This will give pedestrians a five second period during which all traffic is stopped before traffic gets a green light. The length of this lead phase can be adjusted. Driver making a left turn will have to wait five seconds after pedestrians begin walking and then get a flashing yellow arrow (“proceed with caution”).

This will require education of pedestrians and motorists to learn how the signal works. Possible to program the button to say “you have five seconds before traffic begins.” There will be 17 seconds total time to cross.

Jini F: why not an all-stop?

Bill P: this is a very large intersection that handles a lot of traffic.

Jini F: It has for the 33 years I’ve lived here and the previous all-stop was never a problem. This is still an unbelievably unsafe setup. Even with lead time, you still have people in the crosswalk when traffic is able to turn and travel through the crosswalk. It’s a very wide intersection, especially crossing Centre. With an all-stop it was possible to cross this wide street without any cars coming anywhere near you.

Bill P: concurrent phase allows us to keep traffic moving. The lead-time will make it safer for pedestrians and allow traffic to keep moving. We can freeze all the traffic but it’ll back up traffic much worse than it is now.

Jini F: Where is the study that shows this needed to change from an all-stop.

John L: Traffic is outrageous at this intersection. City has an obligation to everyone: pedestrians and motorists.

Barbara L: please clarify: there will be a button at the SE corner so I can get to the island safely. When I get to the island I need to press the button again? (Bill P: Yes). If Westbound Beacon St. traffic wants to make a left turn, they’ll be crossing the intersection exactly when I’m in their path.

Bill P: you’ll have a 5-second lead-time  
Barbara: that’ll put me right in their lane!

Bill P: we can adjust the timing if needed. Adjustment is the easy part. Once we get the right equipment on the mast-arm, we can do whatever we want with it. Design dept meeting tomorrow and I will bring all of these concerns to that meeting. I’ll report to Rob C. after the meeting and he will report to the Commission. We have to find something that works for everybody.

Lucie C: can we delay the pedestrians, so they cross after the traffic? Create an all-stop, but not at every cycle?

Lucie C adds comments about intersection of Jackson/Parker. The sensor is located so you can't see oncoming traffic unless you go way beyond the stop line. If you stop at the line, the light will never change.

Bill P: the sensor is actually the camera, and needs to be adjusted.

Lucie C: confusing signage, too. And utility pole is in the way.

Bill P: yes, we're adjusting the signage as well. Utility pole probably will not move at this point. We are also adjusting the phases of the signals here.

John L: any feedback on the bumpout project in Newton Center @ Langley/Pelham/Pleasant?

Bill P: Yes, lots of positive feedback so far.

Girard P: Agree. Much better than before. The distance across the street is noticeably shorter.

Jini F: still very concerned about the signal configuration @ Beacon/Centre. She emphasizes that, with impaired vision, she does not feel safe crossing this intersection without the all-stop configuration, especially with APS. How is it possible that this a major intersection was "improved" and all APS signals were removed? This is one of the biggest intersections in the City, and it is not accessible. She is extremely frustrated that she cannot get into the Center, even though she lives only a few blocks away. Notes the irony of COD complaints that AAB occasionally failing to consult local disability commission, when we apparently have the same problem within the City itself: why was COD never consulted before the decision to eliminate the all-stop configuration at this intersection was eliminated from the conversation? How can this problem have persisted for so long (+four months) without being corrected? Somebody is going to get hit by a car some day. The all-stop is the only way to ensure against this.

Bill P: Will provide details after his meeting tomorrow. Will report to the Co-chairs and plan as soon as possible to visit the intersection w/ COD members.

Sgt Babcock reports on HP and curbside fines collected :

Code 26 (HP space violation)

Total Paid:	\$11,465.00
Outstanding:	\$5,610.00
Total:	\$17,075.00

Code 27 (Obstructing curb cut)

Total Paid:	\$6,810.00
Outstanding:	\$8,300.00
Total:	\$15,110.00

Total Paid:	\$18,275.00
Total Outstanding:	\$13,910.00
Total:	\$32,185.00

Lucie C: what happens to people who don't pay their fine?

Babcock: interest for four months, then license is unrenewable.

Perfect world, we'd have \$32,000 in the bank.

Misusing HP placard is additional fines (not accounted for above).

## **6. COD Account**

Jini F: has the account been set up?

Girard P: No, and we've let the Mayor know we are not happy.

Rob C: we have a monthly meeting with the Mayor coming up next week and we'll continue discussing this. We understand we need Mayor's approval before spending any of these funds, but we still need a clear accounting of COD funds from HP fines. Maurren Lemieux was meant to come to the last meeting to give us this account, but she didn't attend (she was out of town).

Babcock: arrange a meeting with David Wilkinson to explain what the procedure is for transferring funds to the COD.

Girard P: this is an outstanding detail in the original agreement setting up the COD. It is still unresolved.

Babcock: we need to clarify if the amount in the COD acct. is based on fines collected, or citations written. Just got a staffing grant which might be used to fund additional HP stings.

Lucie C: asked about HP spot at Chestnut Hill Mall at Cheesecake Factory. And there is only one HP spot in front of Day Middle School.

Babcock: Cheesecake Factory is private property. Not the City. Day Middle School has more in back, but maybe these should be switched so there are more in front.

### **7. Re-appointment of members/Nomination of Co-chairs:**

Rob C: did everyone get the message from David Olson about swearing in?

Jini F: Thinks the staff needs sensitivity training. It took very long, and they were very insensitive about her disability (asked her to read the oath, etc).

Barbara L. and Lucie C: nominate Girard P. and Rob C. to serve as Co-chairs.

Rob C: suggests we vote at next meeting.

### **9. Transition Plan**

Indicated proposed timeline for process of developing Self-Evaluation as accurate outline of target tasks and dates. Invites members of COD to meet outside of COD meeting to review work on the Self-Evaluation.

Joel will email possible dates to all members and based on response, he will pick a time that most people can make it. Early Dec, maybe on the evening of next COD meeting (Dec 9).

### **10. Holiday Party**

Rob C: We'll all bring some good things to eat right before the meeting.

### **11. Old/New Business**

Resident Lou Titus questions a parking citation he received for obstructing a curb cut at Auburn/Melrose because he considers this particular curb cut to be "abandoned" as it is in disrepair and not compliant with regulations. People in the neighborhood regularly park in front of it. There is no opposing curb cut on the other side of the street. It is not in use.

John L: why are you asking the COD? This is a standard appeal and will be reviewed by the Police Dept.

**Meeting Adjourned at 8:55 PM**