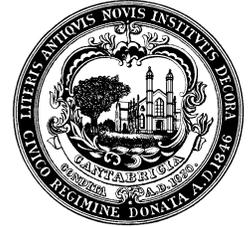


City of Cambridge

Commission for Persons with Disabilities

51 Inman Street · Cambridge, MA · 02139-1732

617-349-4692 voice · Relay via 711 · 617-349-4766 fax



Avril dePagter
Chair

Mary Devlin
Secretary

Loring Brinckerhoff
Jerry Friedman
Keisha Greaves
Valerie Hammond
Nicole Horton-Stimpson
Danielle Jones-McLaughlin
Deepti Nijhawan
Daniel Stubbs

Rachel Tanenhaus
Executive Director/
ADA Coordinator

Kate Thurman
Project Coordinator

The Cambridge Commission for Persons with Disabilities is holding an abbreviated meeting online via Zoom on Thursday, October 26, 2023 from 5:30 – 7:00 PM

PLEASE MAKE EVERY EFFORT TO JOIN BY 5:30 PM

AGENDA

Please keep your microphone muted when you are not speaking

- | | | | |
|----|--|---------|--------------------|
| 1. | Introductions
<i>If needed, alternates named</i> | 2 min. | |
| 2. | Announcements | 2 min. | CCPD staff / Board |
| 3. | Approval of September Minutes
<i>See page 4 of this agenda packet</i> | 2 min. | CCPD Board |
| 4. | Chair's Report
<i>Working Group Updates
City Council Candidate Forum Feedback
Gauging interest in moving to hybrid meetings</i> | 25 min. | Avril dePagter |
| 5. | Public Works Update | 10 min. | Melissa Miguel |
| 6. | Staff Report
<i>Architectural Access Board Variance Update
City Manager's Meet & Greet with Disability Community</i> | 15 min. | Kate Thurman |
| 7. | Public Input
<i>See pages 2&3 of this agenda packet for instructions on providing public comment</i> | 3 min. | general public |

CART/closed captioning will be provided for this meeting

Captions can be turned on within the Zoom platform. Additionally, you may stream CART in a separate URL at <http://bit.ly/CCPDCART>
(captions will not appear until the meeting has started)

The City of Cambridge Commission for Persons with Disabilities, does not discriminate, including on the basis of disability. The Commission for Persons with Disabilities will provide auxiliary aids and services, written materials in alternative formats, and reasonable modifications in policies and procedures to persons with disabilities upon request.

The next CCPD meeting will be held on Thursday, November 9 from 5:30-7:00 PM

Members of the public: See instructions on following pages on how to watch the CCPD meeting and provide public comment via Zoom

Approved 12/14/23

Cambridge Commission for Persons with Disabilities (CCPD)

Minutes for Thursday, October 26, 2023 CCPD Meeting

Online via Zoom

Meeting was called to order at 5:34 PM

Present:

Members: Avril dePagter (Chair), Mary Devlin (Secretary), Keisha Greaves, Nicole Horton-Stimpson, Danielle Jones-McLaughlin, Melissa Miguel, and Dan Stubbs

Absent: Loring Brinckerhoff, Valerie Hammond, and Deepti Nijhawan

Staff: Kate Thurman

Announcements:

- Kate announced that Robert has resigned from the CCPD advisory board, as he feels that he has too much going on to provide the level of commitment he'd like.
- She also said that Valerie's second term expires in December, so there will be a call for applicants soon.

Minutes

- A motion to approve the September 14 minutes was seconded and passed unanimously.

Chair's Report:

- Avril reported attending an Arts in the Park event recently at Morgan Park. She said the Department of Public Works (DPW) held an informational table on nearby projects and that it could be a good opportunity for CCPD to do some outreach to the community.
 - Melissa noted that the Arts in the Park events are organized by Kristen Kelleher, DPW's Community Relations Manager.
 - CCPD staff will contact Kristen about the possibility of holding an informational table at future events.
- Avril asked members for feedback on the City Council Candidate Forum hosted by the Cambridge Economic Opportunity Committee (CEOC), as she was unable to attend.
 - Danielle attended and felt that it was an informative, positive experience. She really appreciated having the opportunity to provide CEOC with input ahead of time on making the event inclusive of people with disabilities.
 - Danielle also mentioned that she is a Participatory Budgeting (PB) delegate this year and will be attending the speed consulting session on November 1, where PB delegates have the opportunity to meet with representatives from various City departments to ask questions about the feasibility of proposed projects. Kate added that either she or Rachel attend the speed consulting events to answer questions about accessibility and that it's one of her favorite events of the year.
 - Kate noted that CEOC had to move the forum from a hybrid event to in-person only with very little notice because CCTV informed them that their equipment could not interface with Zoom. Hopefully this will be worked out in the future to allow more residents to participate.
- Avril asked if members had any interest in moving to hybrid meetings.
- Is there any interest in moving to hybrid meetings?
 - Many members feel that there is a value to meeting in person and are very interested in returning to in-person.

- Kate noted that meetings are unlikely to ever be in-person only again, but rather hybrid meetings to make them more accessible to people with disabilities. Kate will ask about the new equipment that has been installed in the second-floor conference room of 51 Inman St. It was noted that it's really important to have the right technology for facilitating hybrid meetings. One example that was given was the Owl Labs Meeting Camera that sits on the table and automatically adjusts to focus on the person speaking. Kate will find out what is currently available and whether we may need additional technology to make the meetings accessible.

Working Group Updates:

- Mary and Dan are working to update the language in and propose changes to the CCPD bylaws. They will have more of an update at the November meeting.
- Other working groups have not had the time to meet and will report back at the November meeting with any updates.

Public Works Update:

Melissa Miguel, Supervising Engineer in DPW who is CCPD's new DPW liaison reported the following:

- She oversees the Chapter 90 program, which is state funding for complete streets projects. This work includes upgraded drainage and pedestrian safety projects. She also manages the college and high school co-ops at DPW
- The end of the construction season is approaching.
 - Friday, November 3: Last day for final roadway top course paving.
 - Monday, November 13: Last day for concrete sidewalk placement, although this could get extended depending on the weather.
 - Monday, November 27: Winter moratorium begins, meaning:
 - No excavations in the public way (outside of an emergency) can take place during the winter moratorium.
 - The DPW Commissioner determines when the moratorium will be lifted next year.
 - City Contractors may continue to work as weather permits on pieces of their projects that do not include concrete sidewalk placement or asphalt roadway paving. However, asphalt patches can be done as necessary temperatures warm up enough to allow for more permanent fixes.
- On Saturday, October 14th, there was a ribbon cutting for the Inman Square Revitalization and Reconstruction Project.
- Final paving schedule:
 - Huron Avenue – Aberdeen Avenue to the Golf Course (including new separated bike lane) will be done Friday, Oct 27th – Mon Oct 30th.
 - Park Avenue – Huron Avenue to Holworthy St. will be done Friday, Oct 27th – Mon Oct 30th.
 - Tuesday, Oct 31st is Halloween, and the contractor has been told that if paving needs to extend to Tuesday that they must wrap up early. Additionally, there will be no work done on Sunday, October 29.
 - Belmont Street (including Holworthy St connection of the new Watertown Greenway) will be done Wednesday, Nov. 1 – Friday, Nov. 3. Belmont Street has improved pedestrian crossings and signals.

Staff Report:

Kate reported the following:

- City Manager Yi-An Huang held a virtual meet & greet with the disability community on Tuesday, September 26. 10 community members attended, including Keisha and Deepti.
 - Keisha spoke about the need for affordable housing for people with disabilities. She would like to see the City building a housing complex for younger people with disabilities that includes amenities such as a

physical therapy gym and indoor pool, with onsite staff that would provide PCA services and mental health treatment.

- Keisha said she submitted a PB proposal for such a housing complex.
- The Massachusetts Architectural Access Board (MAAB) held a virtual hearing on Monday, October 16 on a variance application filed by the owners of 747 Cambridge Street, a newly constructed, 3-story, 6-unit condo building with commercial space on the first floor. This building was designed without an elevator, which is required by the state accessibility building codes (521 CMR, which is enforced by MAAB). The owners were requesting a variance for having designed and constructed the building without vertical access. Kate provided the following timeline of the project:
 - September 2021: the Inspectional Services Department (ISD) informed the builders that they would be required to either add an elevator to bring the building into compliance or get a variance from the MAAB.
 - October 2021: Ellen Semonoff received a copy of their variance application and forwarded it to Rachel. Kate explained that the MAAB requires applicants to copy the local ISD, disabilities commission, and independent living center (Boston Center for Independent Living, BCIL, covers Cambridge) on their applications. Kate and Rachel discussed the variance application and agreed that CCPD would oppose it given that it's brand-new construction and doesn't meet the MAAB's threshold for granting variances. Rachel kept checking the hearing schedule to see when the application would go before the board.
 - Variances are granted for one of 2 reasons:
 - Bringing a building into full compliance is technically infeasible, or
 - Full compliance comes at a significant cost without substantial benefit to the disability community
 - As brand new, multi-million dollar construction, the applicants didn't meet either threshold.
 - November 2021: The application had not been included on any of the agendas, so Rachel contacted the MAAB to ask when the case would be heard and was told they had no record of it. The MAAB told her that meant that they had either never received the application or that the application had been revoked after its submission. At that point, Rachel emailed the architect who submitted the application to let them know the MAAB had no record of it and to ask if they had withdrawn it. She also offered to provide free technical assistance. The architect replied that they had not withdrawn their application and that he would look into it.
 - Meanwhile, ISD issued a building permit with the understanding that they would need a variance for the lack of elevator. ISD documented several conversations they had with the builders about their responsibility for either bringing the building into compliance or getting a variance. Kate noted that the department was in between Access Analysts when this building permit application was being reviewed.
 - June 2022: an engineer working on the project emailed Rachel to ask about the status of their variance application, including the previous email conversation with the architect. Rachel responded that she doesn't work for the MAAB and referred him there.
 - August 2022: the architect responded to Rachel's email asking how to file an MAAB variance. Rachel referred him to the MAAB's guide on filing variance applications, which is posted to their website, and again offered technical assistance.
 - April 25, 2023: the building owner signed a new variance application, which indicated that construction has been completed and submitted it to the MAAB. As ISD had communicated before construction commenced, they will not issue a certificate of occupancy (COO) until either the MAAB grants the variance or the building is brought into compliance.
 - Both Rachel and BCIL submitted letters of opposition.
 - October 16, 2023: After a few postponements of the case, it was heard before the MAAB. Kate and Rachel both provided testimony in opposition, as did BCIL. Rachel provided a full timeline of City communications with the applicants. A staff person from ISD was present to answer questions; he was

not himself involved in this project, but both the Commissioner and Deputy Commissioner who were involved had left their roles with the City by the time the application was finally submitted to MAAB. While the board regretted that a building permit had been issued at all, they unanimously denied the variance request, requiring that the building be brought into full compliance. Kate said that it would have set a really bad precedent if this variance had been granted.

- The current Manager of Building Inspectors at ISD has been a terrific partner in working with Kate and Rachel on accessibility issues that come up in permit applications and construction. ISD has a new Commissioner and has filled the Access Analyst role and is being very proactive about learning from this case to inform future workflows.
- When it was noted that no members of the public had joined the CCPD meeting Keisha asked how people find out about meetings. Kate responded that all City public meetings are posted online a minimum of 48 hours in advance and said CCPD staff need to improve community outreach and do better in spreading the word about our meetings. Keisha will follow-up with Kate and Rachel on ideas for this.

Meeting adjourned at 6:26 PM
Respectfully submitted,
Kate Thurman