

Minutes of the Brookline Commission for the Disabled (BCD)

March 8, 2016

Present: Chair, Eileen Berger, Members Saralynn Allaire, Ben Franco, Lloyd Gellineau, Rob Heist, Elaine Ober, Henry Winkelman. Guest, Building Commissioner Daniel Bennett

The meeting commenced at 5:00 P.M. in Town Hall, Room 111.

Saralynn Allaire took notes for the meeting.

Member attendees introduced themselves; Elaine Ober was new to the BCD.

The Building Commissioner had been invited to this meeting to discuss the Building Department's role and procedures for assuring that buildings meet Mass. Architectural Access Board (MAAB) 521 CMR codes. He gave an overview of how Department staff review all building permits submitted according to various codes, which include the specialized 521 CMR codes. New construction of public buildings/facilities must meet all aspects of 521 CMR. If a renovation of an existing public building/facility is < 30% of assessed value of the building and < \$100,000 only the work being done must comply. In renovations of \geq \$100,000, but < 30% of value, an accessible external entrance and accessible bathroom are required. If over 30% of assessed value, the entire building must comply with 521 CMR. Building Dept. staff judge construction costs, however, they will ask to see contracts if needed.

Architects usually are responsible for addressing 521 CMR issues in building plans. If a plan does not appear to meet 521 CMR codes, Building Dept. staff contact the architect and advise redesign or application for a MAAB variance if relevant. Architects sometimes submit these directly to MAAB. Comm. Bennett consults with Tom Hopkins of MAAB on unusual specific situations. The Building Dept. does get a copy of variance applications. The Brookline Building Dept. in addition, asks builders to submit affidavits that the work has been done in accordance with 521 CMR at the beginning and end of construction.

Building Dept. staff get educational trainings from time to time to help them keep up with regulation changes. Some plumbing codes pertain to accessible bathroom construction above and beyond 521 CMR. Some trainings are done by MAAB and some by private trainers; one such training will be conducted this spring. Eileen Berger requested BCD be informed of when it will be held.

Store/facilities with one or two steps required for entrance were discussed; these are common in the lower Beacon St. and Brookline Village areas. Removal could occur during any renovation, but this often does not meet the cost criteria and are often thought not feasible. The renovation of the old Philips TV storefront will eventually be made accessible.

There was considerable discussion about accessibility in multiunit buildings, i.e., more than a few units. Some of these buildings are covered, while others are not. 40B developments are not exempt from 521 CMR. In the proposed Hancock Village expansion, the high rise tower definitely and some of the multiunit buildings probably must have accessible units. At least four new 40B projects have been proposed. Comm. Bennett said letters from the BCD to the developers could ask that more or all units be made accessible. BCD members could also give testimony on this at Zoning Board of Appeals meetings. There are no data on the number of accessible housing units in Brookline.

Comm. Bennett reported that Building Dept. staff member Charlie Simmons is in charge of the Town's ADA Access Plan. He believes all town buildings are externally accessible and have accessible bathrooms. ADA access money in annual Town budgets is generally used for school accessibility needs. The issue of access route signage was discussed, the feeling being that it is inadequate, especially in the high school. The possibility of doing a signage audit was raised.

The Building Dept. occasionally receives access complaints directly by telephone or email. Examples were ramp angle being too steep and handrails being loose. Brookonline complaints go to DPW and may be passed on, but are not received directly by Building Dept. staff. Currently there are no collective data on complaints, but a new permitting system being installed should allow such data to be collected in the future.

Possible topics for the next meeting were discussed and include Lloyd presenting on the process for handling access or discrimination complaints received by the Diversity, Inclusion and Community Relations department and updating the name of the BCD. The meeting ended at 5:15 PM. According to the meeting schedule included in the Dec., 2015 meeting, the next meeting is scheduled for Tuesday April 12, 2016 at 5 PM.