

Minutes

Acton Commission on Disabilities
November 19, 2013

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**TOWN CLERK
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Members Present

Steve Baran, Danny Factor,
Lisa Franklin, Madeleine Harvey,
Leslie Johnson, Cindy Patton

Visiting Past Chairperson Present

Deanne Bonnar

Associate Member Absent

Wen Li

Meeting Called to Order at 10:40 am

Citizen Concerns: None.

Announcements:

- We were reminded recently by the Massachusetts Office on Disability that COD groups across the State should participate in the enforcement of the handicapped parking placard program, and have the opportunity to bring fines back to the Town.
- We had a brief discussion about the new CVS store being planned on Mass. Avenue (across from Roche Bros. plaza), but we had not received updates on details.

Variance Requests, Minuteman Ridge

Applicant Larry Smith who is the President of the Minuteman Ridge Homeowners Association addressed the COD in regard to his plan to apply for a variance. The association is in the middle of a complete renovation of its pool bathrooms. The new bathrooms will provide disabled accessibility where the old bathrooms did not. The town Building Department has made the association aware that the scope of the construction implicates the statute which requires making the entire pool grounds accessible. Because of this, in his draft application for variance which he presented to the COD, the applicant has agreed to create a handicapped parking spot in the pool parking lot, but he has also requested a five year time variance in regard to the installation of a pool lift, a three year time variance in regard to an accessible picnic table and a full variance in regard to making the kiddie pool accessible.

The COD conducted a site visit of the premises prior to the meeting with Steve and Danny attending. The applicant, Town Building Inspector Mark Barbadoro and former COD member and Minuteman Ridge resident Brenda Viola also attended.

After a full discussion, the COD took two votes, both of which were unanimous.

In the first vote, the COD gave permission for its advisory comments to be submitted to the AAB once the final Application For Variance is submitted. Further permission was granted to Danny (COD Variance Coordinator) to explain these same comments which the COD produces in light of any subsequent changes which the applicant may make in his application.

In the second vote, the COD drafted the following advisory comments:

The COD supports the applicant's Application for Variance in regard to 20.2 (Van Accessible Space in lieu of access to public way) due to the impracticality of leveling the grade of the steep hill which leads to the pool; and 20.9, 20.10, 24.4.1 which refer to slight deviations in grade which will not materially affect accessibility. The COD further supports the granting of a variance for 26.11.2 (Door Handle above 48 inches) for safety reasons.

In regard to the time variances requested by the applicant regarding 19.2.1.b (Pool Lift) and 19.6.2 (Accessible Picnic Table) the COD advises that any time variance for either of these projects be no more than one year since the \$7,600.00 total cost should be able to be raised by the more than 80 homeowners in the association within that period of time.

In regard to 19.2.2 (Accessible Route to and around Kiddie Pool) the COD advises that rather than granting a full variance, a ten year time variance should be granted here. A lifetime restriction on accessibility is unnecessary when construction is feasible and funds can be raised to pay for this project over a ten year period.

Division of Responsibilities

With a new year in sight, coupled with the resignation of Deanne Bonnar, and the inclusion of four new members over the past few months, we agreed that it was time to review and divide up responsibilities. These new tasks were to take effect effective November 19th, following our meeting. They are as follows:

- Chair of the Committee: Lisa Franklin
- Co-Chair of the Committee: Madeleine Harvey
 - Duties to include public face for the COD; communicating important information to the COD committee via email; making administrative decisions between meetings; checking the COD mailbox at Town Hall twice weekly; developing and maintaining calendar; scheduling meetings
- DocuShare and Website Coordinator: Wen Lee

- Minutes Takers (task to be shared as follows):
 - Cindy Patton to take notes at meetings
 - Lisa Franklin to type up Cindy's notes
 - Mady Harvey to tweak and format final version and send to Town Clerk, who will post the minutes on DocuShare
- Agenda: Lisa Franklin (collaborating with co-chair)
- State Coordinator: Steve Baran
 - Duties include serving as liaison to Massachusetts Office of Disabilities etc. He will be assisted by Lisa as necessary
- New Member Coordinator: Co-chairs, Lisa Franklin, Mady Harvey
- Press Coordinator: Leslie Johnson
 - Duties include maintaining relationship with The Beacon and other local newspapers
 - Sending articles of interest to publications
 - Updating COD's dated brochure
 - Publicizing Town Meeting voting access and special CARTs, seat reservations etc.
- Variance Coordinator: Danny Factor
- Treasurer: Wen Li
- Correspondence Coordinator: Danny Factor (in consultation with other committee members)
- Meeting Schedules/Reschedules: Lisa Franklin and Mady Harvey as co-chairs
- List Keeper: Leslie Johnson
 - Duties related to public relations described above, but also keeping us cognizant of our month-by-month goals etc.

Food for Meetings

It was agreed that given the time and length of our meetings, it is desirable to have refreshments available, preferably of a healthy nature. We agreed that at the end of each meeting, we can decide among ourselves who will bring food to the next meeting, and/or we can split the task and several people can bring one or the other item. If any member finds this personally

difficult because of his or her budget, that person can privately turn in a receipt to the clerk for reimbursement.

Arboretum Visit Update

Danny reported on the very successful visit he and Steve and Mark Barbadoro had with Bettina Abe at the Arboretum which begins at Minot and Forest Streets. The entrance is now very steep, but they are working to make it accessible, in the way that it is where it crosses the bog and elsewhere. Mark and others are confident that they are in compliance and have been very amenable and receptive to all COD and accessibility issues, so no variances appear to be required. The good work to date on existing trails bodes well for the new trail that is being constructed. Bettina requested that the COD should follow up with a letter to the Community on Preservation Commission (CPC) and also appear in front of the committee to further encourage progress with this project. Leslie pointed out that the parking area is very bumpy and full of potholes, so that while the trails themselves may be accessible, entrance/access to them is not. This may need to be addressed.

Town Meeting Update

Deanne and Lisa met with Don McKenzie to pursue the issue of requiring citizens to stand up at meetings in order to vote. We have long argued that this is not easy or feasible for some physically challenged members of the community, and we therefore need placards/colored cards to hold for voting. After some resistance, this idea was met with approval, and all citizens will have use of these cards, so as not to single out handicapped members. They will provide the cards, and possibly also introduce CART screens (Communication Access in Real Time). COD considers this a victory, as we have been dealing with this issue for years, with no success until now.

It was further agreed however that in order for people to take advantage of this system, they must be aware of it. Thus, Leslie was asked to add this to

her responsibilities, i.e., posting notices in *The Beacon* and elsewhere to be sure Acton residents are aware of this development.

Danny pointed out that there also need to be reserved chairs for the physically challenged, up near the front of the auditorium.

Next Meeting

Our next meeting is scheduled for Tuesday, December 17, 2013. Given how much business we have to cover each month (especially when we need to deal with variance requests), we have decided to start our new three-hour meetings in December rather than waiting for the new year. Thus, our December meeting will begin at 9:30 and end at 12:30, and we will continue to meet in Room 126 of Town Hall.

Agenda for Dec. 17th Meeting

- 1) Website
- 2) Evaluation of 2013 goals/objectives/calendar
- 3) Planning of 2014 goals/objectives/calendar
- 4) Arboretum further follow-up (presentations may have been done)
- 5) Douglas School follow-up (Dan's letter, meeting appearance)

Meeting Adjourned: 1:40 p.m.

Documents Distributed (on DocuShare)

- Minutes from last meeting for review
- Roles and Responsibilities list developed at June 2013 retreat
- Variance request from Minuteman Ridge Homeowners Association
- Photographs to accompany Minuteman Ridge variance requests

- Maps to accompany Minuteman Ridge variance requests

Submitted by Madeleine Harvey