

Minutes

Brookline Commission on Disability

Wednesday February 10, 2021; 5:30 PM – 7:15 PM

Held via Zoon due to COVID-19

Members in Attendance (Virtually): Jim Miczek, Deputy Chair (leading the meeting); Saralynn Allaire, Chair; Jim Lee; Henry Winkelman; Joan Mahon; Elaine Ober; Ann Kemensky; Heather Hamilton, Select Board Member; Nancy Moore (Transportation Board Liaison)

Members not in attendance: Rob Heist

Note taker: Sarah Kaplan, ADA Coordinator – Ex. Officio

Members of Town Staff attendance: Erin Gallentine (Commissioner of DPW); Todd Kirrane (DPW); Dan O'Donnell (DPW), Kevin Johnson (DPW); Meredith Mooney (Community Planning & Development)

Members of the public in attendance: Cindy Lee, Karen Pearl; Lucy Florman; Abby Swaine, David Trevvett

Meeting commenced at 5:32 PM. Jim Miczek chaired the meeting.

Introduction/Public Comments: Commission Members introduced themselves to the Town Staff in attendance and Town Staff did the same. Opened the floor to public comment, but besides introductions no one spoke at this time.

Review December 2020 Public Meeting Minutes: Saralynn asked for one change regarding a mention of Town Meeting. Henry motioned to accept the minutes as amended. Jim Lee seconded. A roll call vote was taken of all members present. All voted to accept the minutes as amended. Motion carries.

Variances: None

Old Business

MBTA Changes: Jim wanted to make sure that members knew about the changes to the MBTA, focused on the RIDE. The MBTA has listed temporary changes on their website, including information about rides to vaccination sites:

<https://www.mbta.com/accessibility/the-ride>

The ADA Coordinator told the group about a virtual public meetings the MBTA was going to have February 16 @ 6 PM and February 24 @ 6 PM. She sent the information to all members and will send the email to anyone upon request.

ADA Update:

- Complaints this month mostly about hedges and snow removal – working with DPW to get those addressed.
- Meeting on February 11 with new temporary Town Clerk to discuss possible future funding for CART Services at Town Meeting. Currently the budget for Town Meeting does not have funds to pay for CART services but we could go to the Town Administrator and/or Select Board re adding funds to Town Meeting's Budget to pay for CART Services in the future.
- The ADA Coordinator will be reaching out to Town Departments to check on progress of the ADA Transition Plan. A new Transition Plan will start to be developed once we are able to return to the office.

Transportation Board Update:

- Nancy spoke about the Transportation Board's focus on hearing and tentatively approving a dedicated bus lane through the Gateway East Project. Ultimate approval comes from the MassDOT. It is a pilot project and the Board still had to decide what metrics would be used to evaluate the project's success. The bus lane will go from Station St to the town line and back. Discussed possible concerns including the effect this may have on Route 9 traffic and traffic in the side streets and the residential neighbourhoods and what effect this could have on traffic in the Longwood Medical Area. Pilot would start in Spring of 2021 and last for a year.

New Business

Discussion of Snow Removal Plans: Jim introduced Kevin Johnson of DPW. Kevin spoke about the Town's snow removal plans. During a snowstorm the focus on keeping the roads clear and sidewalks clear especially in business areas and near the schools, as they are high traffic areas for pedestrians. After any storm they focus on removing snow from side streets and curb cuts. Jim says he sees positive efforts near his home on Babcock St. The Department works with employees to know that they shouldn't put snow in the HP spots in parking lots.

Action: Jim spoke about the sidewalk in the Babcock Street Lot. Kevin made a note of it. Kevin told members to reach out to the ADA Coordinator or use Brook-on-Line to report any issues.

Changes to DPW Sidewalk Obstruction Process: Erin spoke to the Commission about the old Sidewalk Obstruction process, which was long and cumbersome. DPW now wants to approach it differently – first by educating the public about the importance of a clear public way for all members of the community. DPW put out a press release today about the importance of clearing sidewalk obstructions and highlighted the infographic that is now on their website. The Department also created an orange door hanger – an inspector will go out and write a message on the door hanger and the 21-day compliance window will start immediately. She is hopeful this will shorten the compliance window and help educate the public on the importance of clear sidewalks. The current by-law has a \$50 fine attached to violation. The snow removal by-law is much clearer; hedges are not specifically mentioned in the current Sidewalk Obstructions By-law.

David Trevvett spoke and said that PedAC would want to be actively involved in updating the by-law. On the PedAC agenda (they have a meeting tonight) is construction site obstructions, encroaching hedges, and snow removal. PedAC does not submit warrant articles – they advise the Transportation Board.

Jim spoke about tree heaves. Erin said that addressing tree heaves is longer conversation – the Town has a Tree Planting Committee and there are State Laws that protect street trees. She said they are looking into new technology around tree planting that would prevent sidewalk heaving and looking at new ways to repair sidewalks that are currently heaving.

Action: Erin suggestion that the Commission could work with DPW and the Pedestrian Advisory Committee to update the by-law and clarify its fine structure and enforcement. The ADA Coordinator will work with DPW and Town Council regarding how to update the current by-law and then bring it to the Commission for feedback; also seek feedback from PedAC and the Transportation Board.

Community Development Block Grant (CDBG) for Accessible Pedestrian Signals:

Todd Kirrane has submitted a Community Development Block Grant (CDBG) for Accessible Pedestrian Signals. The grant is for 33 locations in Town; it requests about \$460K. Erin feels that the application is very strong and this funding will allow the Town to bring the whole system up to code. There will be a presentation in March. They are looking for support from the Commission. Saralynn spoke and briefly said she thought the Commission would support it and Jim Lee thanked Todd for his work and spoke about how important this was to blind residents. No vote was taken.

Action: Todd asked that the Commission and the ADA Coordinator/her Office for a letter of support. All grant applications are reviewed by a CDBG committee; date TBA.

Proposal to Extend and Expand Brookline's Outdoor Dining Program: DPW, Community Planning & Development, Public Health, the Licensing Office, Fire, Police have all been part of a working group that is has worked to update the Town's outdoor seating policies during the COVID-19 pandemic, which was utilized by 30 restaurants who did not have outdoor dining approval pre-COVID. With vaccines on the horizon, the working group is now working on a permanent extended and expanded outdoor seating program. There have been three variations of the outdoor dining program since June 2020. For the Winter outdoor dining program, outdoor dining had to be done in dining parklets fortified by concrete jersey barriers. The Winter pilot program expires at the end of March 2021. Pending Town Meeting approval of Warrant Articles, the Town would have a permanent outdoor dining program, starting April 1, 2021. The new Warrant Articles would strike down a 6-month maximum for outdoor seating from both the General By-Law and the Zoning By-Law. In general, the public seems to highly favor the outdoor dining program and believes it will bring added vibrancy to the community. Local restaurant owners feel it is important to maintain outdoor seating for the long-term survival of their businesses.

Jim M. asked if the outdoor seating would be placed in the roads. Meredith and Todd explained that the outdoor dining would be placed in the parking spaces and then the jersey barriers would be placed to protect them from traffic. Re snow removal, Kevin Johnson said if the barriers are placed correctly, the snowplows are able to safely get around them. Jim asked about heating lamps – some people have expressed concerns about the propane lamps; business fought for them so they could get the most out of their outdoor dining in the cold weather. No change is proposed to that at this time, but Meredith anticipates that may be an area of further discussion. Jim also asked how many parking spaces these parklets take up and if they block any HP spots. Todd said on average the parklets took up two spots at each location and that they were not allowed to block HP parking.

The ADA Coordinator asked if the program covered both parklets and sidewalk seating. Meredith said it covered both but more restaurants wanted parklet seating than sidewalk, although some would use both. Todd spoke about how Public Health and DPW would work with restaurants so they understood the need to maintain 4 feet of unobstructed sidewalk via PROWAG regulations.

Commission members spoke about their concerns regarding sidewalk seating and narrow sidewalks because even if the restaurants do their job, once people are using the seating it is hard to maintain 4 feet of unobstructed sidewalk at all times – they gave examples of Otto’s (Green Street); La Voile (Beacon St.), Washington Sq. Tavern, and Café Nero.

Saralynn suggested a Community Dining Area near the Centre St Parking Lot and/or near Pleasant St. Meredith said the Coolidge Corner Merchant Association had a similar idea. The state has some restrictions re serving alcohol and there are some Public Health concerns, but the idea is being discussed.

Todd said that Transportation Division had received a MassDOT Shared Street’s grant to purchase 10 portable ramps for restaurants to use in their respective parklets, if needed. They can also build platforms that meet the curb. He expects the ramps to be used more in the Spring.

Action: Saralynn said that she would like for each restaurant to demonstrate how an adult in a wheelchair would access and use seating in each approved parklet. Commission members suggested sandwich board placement consistency and placing business phone numbers in the window or having doorbells to contact restaurants if you are stuck outside. The Massachusetts Office on Disability will be holding a webinar about outdoor dining on April 14. Saralynn and Meredith both plan to attend.

Vote on paying for CART from Spring 2021 Town Meeting: The Commission paid for CART Services for Fall 2020 Town Meeting (\$5K). The HP Fine Fund has 22K+ currently available. Members felt this could not always be the Commission’s responsibility to fund CART Services. The ADA Coordinator’s Office could advocate with the Town Administrator/Select Board for CART funding in the future.

Also discussed was how to keep the Commission aware of residents requests for reasonable accommodations that may need to be paid for by the fund. The ADA Coordinator agreed to inform the Chair when a request that would require a third party vendor comes in.

Vote: Saralynn made a motion to support funding for CART Services for the Spring 2021 Town Meeting (scheduled for May 19, 20, 25, 27). Henry seconded the motion. A roll call vote was taken. All members voted in support of the motion. Motion carries.

Development of 2020 Annual Report: Saralynn is working on the BCOD 2020 Annual Report, which is due at the end of February.

Action: Saralynn will send out copies to members for feedback.

Next Meeting: Wednesday, March 10 @ 5:30 PM Henry motioned to adjourn and Jim M seconded. Meeting adjourned at 7:15 pm.