

Marblehead Disabilities Commission
Meeting Minutes - May 16, 2019

Members Present: Laurie Blaisdell, Katie Farrell, Andrea Mountain, Caroline Curtis, Cheryl LaLond, Ed Lang, Sue Harris

Guests Present: Jeff Dougan, Assistant Director for Community Services, MA Office of Disability (MOD); Preston Ford; Chris Stevens, Marblehead Reporter

Laurie called the meeting to order at 4:15 p.m.

1. Jeff Dougan, who is our liaison to the MOD, discussed a number of issues raised by the Commission:

(1) Water access – if the Town makes a water area accessible, it must offer there the same programs as are offered at all other Town water access areas. This requirement applies to beaches, docks, slips, etc. and all Town programs offered there. There is no requirement to make all Town water access areas accessible. There are ADA requirements for kayak launch locations. Renovations to existing ramps do not trigger a requirement that the ramp be extended to the otherwise required 80 foot length, but it must meet surface and hand rail requirements.

(2) Sidewalks – Sidewalks must be ADA compliant, and the State and the ADA each requires maintenance of accessible features, including sidewalks. Complaints may be addressed to the Architectural Access Board (AAB) and/or the DOJ. The MOD's grant program (described below) could fund development of a plan for sidewalk renovations, including setting priorities, as an addendum to Marblehead's 2015 Report on the Status of Accessibility to the Town of Marblehead's Public Facilities and later a project to make sidewalk renovations.

(3) Building renovations – Jeff confirmed the rule that if a commercial building renovation costs more than 30% of the value of the building, the building must be made ADA compliant. Complaints should be addressed to the Marblehead Building Department, which will have value and cost information on permits applied for and granted. Jeff provided information on federal tax incentives for improving accessibility, which the Commission will make available to the Building Department.

(4) Projects on public land – Jeff confirmed that projects completed on public land must be ADA compliant, regardless of whether the work is done and/or funded by volunteers. For outdoor trails and other projects in outdoor recreation areas, the AAB often grants variances that allow modifications to specific requirements. These projects must be approved by the AAB.

(5) Playgrounds – if on public land, must be ADA complaint. The AAB is currently doing a 2-year study looking at additional acceptable surface materials.

(6) Trees – Under the ADA, anything planted/built into a sidewalk must allow a 36" wide area around the item. The MA DOT has a guide relating to tree planting that could serve as a resource.

Jeff described the MOD grant program, which funds projects to improve accessibility as well as Town transition plans and addenda to those plans. The next round of grants will be open for applications on August 1.

He also mentioned the upcoming MOD Disability Summit, scheduled for September 27, 2019 in Boston, which will be focused on improving access in Massachusetts communities.

2. Minutes from the April 11, 2019 meeting were reviewed and unanimously approved as corrected.

3. Laurie reported on an email received from the current owners of 139 Pleasant Street who had applied to the AAB for a variance from ADA requirements in connection with their renovation of the building. The Commission had commented on and opposed this request. The letter states that the owners have withdrawn their application and that the building will be residential only.

4. Motion made, seconded, and unanimously approved that Katie Farrell will represent the Commission as a member of the Marblehead Fair Housing Committee.

5. Laurie attended a meeting organized by the Female Humane Society of a number of Marblehead organizations to identify needs within the community. The Society would like to develop a centralized list of resources, available online, that would direct residents to organizations that can help with specific needs. The Commission discussed also including the list of organizations on its website.
6. Carolyn informed the Commission that tonight is her last meeting as she has decided not to renew her appointment. The Commission thanked her for her valuable service.

The meeting was adjourned at 6:00 p.m.

Next Meeting: Thursday, June 11, 2019 at 4:15 p.m.

Respectfully submitted,
Sue Harris, Member