# CDTC ADA Working Group – Meeting #9 June 18 2019 at 1pm CDTC Offices Meeting Agenda

- 1. Introductions
- 2. Review/acceptance of Meeting #8 Notes
- 3. Guest Speakers: Niskayuna condition inventory progress
- 4. Regional consensus of where and how to enforce property owner sidewalk maintenance
- 5. Regional consensus on which public entities own sidewalks where
- 6. CDTC consultant assistance for transition plans?
- 7. Recent lawsuit: <a href="https://www.dropbox.com/s/kx4iaydnxjlwtkw/Lugo%20v%20Troy%20-%20Complaint%20Stamped.pdf?dl=0">https://www.dropbox.com/s/kx4iaydnxjlwtkw/Lugo%20v%20Troy%20-%20Complaint%20Stamped.pdf?dl=0</a>
- 8. DelDOT prioritization web application discussion, June 26
- 9. Cornell Local Roads "ADA in the Public Right of Way" August 6<sup>th</sup> 8am-4pm
- 10. Regional Scan of Transition Plan Progress
- 11. Group Updates: ADA Transition Plan progress
- 12. Articles: Gazette about snow clearance, Boston Globe about a settlement
- 13. CDTC Self-Analysis status
- 14. Next Meeting December 2019?



#### CDTC ADA Transition Plan Working Group 1 PM, June 18, 2019 Draft Notes

Attending: Audrey Burneson, NYSDOT Region 1 Planning; James Hart, City of Schenectady; Nate Owen, Town of Bethlehem; Mary Ellen Casey Usis, NNORC; Laura Robertson, Town of Niskayuna; Brian Toy, Town of Niskayuna; Teresa LaSalle, CDTC; Carrie Ward, CDTC; Rima Shamieh, CDTC

- 1. Introductions
- 2. Review/acceptance of Meeting #8 Notes No changes were suggested.
- 3. Guest Speakers: Niskayuna condition inventory progress

Laura Robertson and Brian Toy of the Town of Niskayuna explained to the group how they conducted their curb ramp and sidewalk inventory, and their method for prioritizing improvements. The curb ramp inventory is complete but the sidewalk inventory is in progress. 133 intersections were evaluated, each with 1 to 8 curb cuts, which took about 76 hours of work for one person. The effort required a lot of research to determine which of the many attributes of a given curb ramp is or is not compliant. PROWAG didn't include measurements for some of the infrastructure, so Brian used the Minnesota DOT's materials. The team developed its own system for tracking intersections and curb ramps, and developed a detailed input form. They prioritized the curb ramps based on the number of features that are not compliant; the higher the number of non-compliant features, the higher the priority. Once the sidewalk inventory is complete they will prioritize blocks that will factor in nearby community resources such as libraries.

- 4. Regional consensus of where and how to enforce property owner sidewalk maintenance Rima Shamieh provided a summary table of local sidewalk maintenance laws in each municipality in our region. Three cities, Schenectady, Watervliet and Cohoes, allow for groups of neighboring property owners to petition the city to repave their streets' sidewalks and add the charge to their property taxes. Several towns have Planned Development Districts (PDDs) that address sidewalk maintenance. How maintenance is handled in PDDs varies by municipality and even by individual PDDs. Generally, the predominant trends are that Cities and Villages assign responsibility for maintenance, snow and ice removal to adjacent property owners. Some towns and villages have no sidewalk maintenance laws, while many others only mention sidewalk maintenance to state that they are not liable for damages unless they are notified in writing of a specific problem which they failed to address. A few towns, through a "Construal of Provisions" clause, tacitly acknowledged that they are responsible for keeping their sidewalks and public places in a reasonably safe condition for public use and travel. A small number of towns have explicitly taken responsibility for clearing sidewalks or have created sidewalk districts that they maintain.
- 5. Regional consensus on which public entities own sidewalks where

  State law provides some guidance but it is interpreted differently in different municipalities.

6. CDTC consultant assistance for transition plans?

CDTC is planning to allocate funds in 2020 to assist municipalities in creating their transition plans. The funds would cover hiring a consultant to create the plan and provide guidance on doing a condition inventory, but would not pay for the inventory itself. The Niskayuna staff pointed out that the inventory was by far the most time consuming part, with the plan itself taking only one person about one week to write. The group suggested CDTC pull together best practices and recommended tools for conducting an inventory – such as a well-designed input form – and disseminate that. Even so, engaging with municipalities on a discrete transition plan project is more likely to result in completed transition plans than providing useful resources.

7. Recent lawsuit: <a href="https://www.dropbox.com/s/kx4iaydnxjlwtkw/Lugo%20v%20Troy%20-%20Complaint%20Stamped.pdf?dl=0">https://www.dropbox.com/s/kx4iaydnxjlwtkw/Lugo%20v%20Troy%20-%20Complaint%20Stamped.pdf?dl=0</a>

The City of Troy was sued in January, 2019. This reinforces the importance of having a transition plan.

8. DelDOT prioritization web application discussion, June 26

This discussion may be of interest to working group members.

- 9. Cornell Local Roads training, "ADA in the Public Right of Way" on August 6<sup>th</sup> 8am-4pm

  This training is being held in Saratoga County and is free for members or \$75 for non-members.
- 10. Regional Scan of Transition Plan Progress

The Village of Victory is considering adopting a sidewalk maintenance law. They were also wondering what other communities do when they have to replace a narrow sidewalk panel; do they lay a new panel to match the width or lay one that's the PROWAG-recommended 5 feet? Group consensus was to install a 5 foot panel.

- 11. Group Updates: ADA Transition Plan progress
  - Schenectady is working on its condition inventory
  - Schenectady County notified the municipalities that they are responsible for County sidewalks unless they are on bridges
- 12. Articles: Gazette about snow clearance, Boston Globe about a settlement
  Last winter the Gazette ran an opinion piece arguing that municipalities should clear sidewalks.
  The Boston Globe article outlines the results of a civic association lawsuit against the City's rollout of standard ADA accessible curb ramps. The civic association paid the difference for "brick-red tactile pads made of cast iron."
- 13. CDTC Self-Analysis status skipped in the interest of time
- 14. Next Meeting December 17<sup>TH</sup> 2019, 1-3pm

CDTC would solicit for a consultant, then solicit for municipalities that the consultant would assist. Would need to establish annual amount, match requirements, and what consultant would actually do – wouldn't want them to do the condition inventory. Maybe they could train people to do the condition inventory, and time to do the inventory would be the match?

Track down, update, or create the policy language, grievance procedure, required documentation, to a state that muni staff approves for adoption.

Proposals to include method for condition inventorying – ie field work or screen work and estimated number of hours per sidewalk mile.

NOTE: Municipalities not listed here do not have sidewalks according to the CDTC sidewalk inventory

County	Name	Muni Type	Ordinance	Responsible Party/ Summary	PDD Regulations
Albany	Cohoes	City	Section 244-14	adjoining owner or occupant	
Albany	Albany	City	Section 323-21	adjoining owner or occupant	
Albany	Watervliet	City	Section C-182; 244-6	adjoining owner or occupant	
			Section 34-5.B2; Section		
Albany	Colonie	Town	79-14.1	Town of Colonie for all sidewalks under Town jurisdiction	
				T. T. (0.11.1.1/1/11.11.11.11.11.11.11.11.11.11.	
				The Town of Guilderland for sidewalks over which the Town	
				has been granted a maintenance easement; the property	
				owner is responsible for maintaining the utility strip. § 227-7	
				Exceptions. The following exceptions shall apply to this	
				chapter: A. Notwithstanding other provisions of § 227-4A to	
				the contrary, sidewalks abutting a state, county, or Town	
				road may be constructed outside the right-of-way of the	
				road, provided that the Town has an easement over the	
A II	O d'I d'a d'a a d	T	\$ 007.5	sidewalk, which the Town in its absolute discretion deems	
Albany	Guilderland	Town	§ 227-5	sufficient.	
				adjoining owner or occupant. It's illegal to use salt on	
				sidewalks in Menands: § 145-16 Sprinkling of salt on streets	
				prohibited; penalties. It shall not be lawful for any person to	
				sprinkle salt upon or along any of the sidewalks or streets or	r
				highways of the Village of Menands, and any person	
				violating the provisions of this section is hereby declared	
Albany	Menands	Village	§ 145-17	guilty of a misdemeanor.	
Albany	Altamont	Village	§ 310-4	none designated; requirement for the notice of defects	
Albany	Colonie	Village	Section 196-19, 21	adjoining owner or occupant	
Albany	Ravena	Village	§ 98-4	adjoining owner or occupant	

			LOCAL LAW NUMBER 2		
Albany	Voorheesville	Village	OF 2006.	adjoining owner or occupant	
Albany	Green Island	Village & Town	Village Code § 140-7	adjoining owner or occupant	
Albany	Berne	Town		none designated; requirement for the notice of defects	
			No sidewalk maintenance		
Albany	Bethlehem	Town	laws	No sidewalk maintenance laws	
Albany	Coeymans	Town		requirement for the notice of defects	
			No sidewalk maintenance		
Albany	New Scotland	Town	laws	No sidewalk maintenance laws	
Albany	Rensselaerville	Town		requirement for the notice of defects	
			No sidewalk maintenance		
Albany	Westerlo	Town	laws	No sidewalk maintenance laws	
Rensselaer	Troy	City	Section 251-4, 10	adjoining owner or occupant	
			Section C-129; Section 77-		
Rensselaer	Rensselaer	City	10; Section 147-1	adjoining owner or occupant	
Rensselaer Rensselaer	North Greenbush Schodack Castleton-on-	Town	LL 7-2017, Section 12.	Construal of provisions. Nothing contained in this article shall be held to repeal or modify or waive any existing requirement or statute of limitations which is applicable to these causes of action, but, on the contrary, such existing provisions shall be held to be additional requirements to the rights to maintain such action; nor shall anything herein contained be held to modify any existing rule of law relative to the question of contributory negligence nor to impose upon the town, its officers and employees and/or any of its improvement districts any greater duty or obligations than that it shall keep its streets, sidewalks and public places in a reasonably safe condition for public use and travel.  requirement for the notice of defects; construal of provisions adjoining owner or occupant, excluding extenuating	Tech Valley Residential Community Planned Development District" Section 12: The sidewalks will be closed during the winter months (December 1st thru April 1st). Snow will not be removed from the sidewalks during the winter months.
Rensselaer	Hudson	Village	§ 175-5	circumstances	
Rensselaer	Schaghticoke	Town		requirement for the notice of defects	
Rensselaer	Hoosick	Town	no sidewalk maintenance laws	No sidewalk maintenance laws	
Rensselaer	Berlin	Town	will email notice of defects law 6/17/19	UNK	
Rensselaer	Brunswick	Town	will check and call me back		
Rensselaer	East Greenbush	Town	will call back	UNK	
Rensselaer	Nassau	Town	6.5-4	the owner of the PDD parcel or an appropriate legal entity that will exist in perpetuity. The post-development ownership and maintenance plan shall be part of the application and approval process.	

Rensselaer	Petersburgh	Town		requirement for the notice of defects	
		-	no laws, claims that there		
Rensselaer	Pittstown	Town	*	No sidewalk maintenance laws	
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Rensselaer	Poestenkill	Town		requirement for the notice of defects; construal of provisions	
Rensselaer	Stephentown	Town	skipped	UNK	
Rensselaer	Hoosick Falls	Village	sent email, 6/17	UNK	
Rensselaer	Schaghticoke	Village	vm at (518) 753-6100, 6/17	UNK	
Rensselaer	Valley Falls	Village	vm at (518) 753-6230, 6/17	UNK	
Rensselaer	East Nassau	Village	No sidewalk maintenance laws	No sidewalk maintenance laws	
Rensselaer	Nassau	Village	Article II Snow and Ice Removal § 96-4 Removal required; time limit.	adjoining owner or occupant; in case the building is occupied by more than one (1) family or business unit, then the tenant or occupant of the first floor or story thereof; requirement for the notice of defects	
Saratoga	Mechanicville	City	Section 164-13	adjoining owner or occupant	
Saratoga	Saratoga Springs	City	Section 203-25, 26	adjoining owner or occupant	
Saratoga	Stillwater	Town	Planned Development Districts: § 211-226	requirement for the notice of defects	Each homeowner in a PDD, the HOA if homeowner failes to comply;
Saratoga	Ballston	Town	Subdivision Standards 104 Attachment 1. Katz PUDD Mixed Use, LL 1-2019, Stonebridge PUD, LL 1- 2008, Abele Woods PUD, LL 4-2014	allows for the creation of sidewalk districts. varies by PDD	adjoining owner or occupant and/or the community HOA
Saratoga	Halfmoon	Town	PUD's § 166-464	requirement for the notice of defects	The community HOA (if SFD's) or the owner and developers of the project (if MFDs) are responsible

Saratoga	Malta	Town	§ 139-9, 10	differentiates between PDD's and non-PDD's. Outside PDD's, adjoining homeowner, business owner of real property and all business operators are responsible. Requirement for the notice of defects. Nothing in this section imposes any obligation on the Town to perform winter maintenance to shared-use paths.	specific to each PDD; generally, HOA is responsible and members of HOA are not responsible, other exceptions apply
Saratoga	Milton	Town	§ 162	The owner or occupant of every property within the Town Center District. The Town reserves the right, but shall not be obligated to do so, to plow or clear any sidewalk within the Town Center District. Property owners are liable to the Town for damages sought by injured parties	
Saratoga	Sand Lake	Town	§ 158-4	adjoining owner or occupant shall keep sidewalk free from obstruction, nuisance and any and all litter; requirement for the notice of defects; construal of provisions	
Saratoga	Saratoga	Town		requirement for the notice of defects; construal of provisions	
Saratoga	Waterford	Town		adjoining owner or occupant shall keep the gutter and sidewalk in "good order and condition;" requirement for the notice of defects	

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Saratoga	Wilton	Town	§ 107-4	adjoining owner or occupant; Any owner of any such premises who shall allow any such sidewalk to remain in disrepair or in a dangerous condition shall be responsible and liable for injuries and damages arising out of the disrepair or unsafe condition of said sidewalks. Such owner shall further indemnify and reimburse the Town for any and all liability, costs and expenses, which the Town might incur as a result of any such defective or dangerous sidewalks; requirement for the notice of defects;	
Saratoga	Round Lake	Village	§ 154-6	adjoining owner or occupant; § 154-4 Findings. The Board of Trustees finds that it is impracticable for the Department of Public Works to clear and maintain all sidewalks within the Village, and that the cost of providing such a service would be a burden to the public fisc.	
				adjoining owner or occupant; requirement for the notice of	
Saratoga	Ballston Spa	Village	§ 174-5	defects	
Saratoga	Corinth	Village	§ 426-9	adjoining owner or occupant	
Saratoga	Waterford	Village	§ 179-16	adjoining owner or occupant	
Saratoga	Clifton Park	Town		requirement for the notice of defects	
Saratoga	Corinth	Town		requirement for the notice of defects so they can be repaired	
Saratoga	Edinburg	Town	No sidewalk maintenance laws per town clerk	No sidewalk maintenance laws	
Saratoga	Galway	Town		requirement for the notice of defects	
Saratoga	Greenfield	Town	Land and the second a	requirement for the notice of defects	
Saratoga	Hadley	Town	response pending	UNK	
Saratoga	Northumberland	Town	No sidewalk maintenance laws	No sidewalk maintenance laws	
Jaratuga	INOTHIUMBEHAND	TOWIT	iavvo		
Saratoga	Stillwater	Village	LL No. 2 of 2013 Section 3.		
Saratoga	Galway	Village		requirement for the notice of defects	
Saratoga	Schuylerville	Village	138-5, 138-2	adjoining owner or occupant	
Saratoga	Victory	Village	No law per conversation with Village Clerk 6/13/19. LL No 1 1998: Notification of Defects	requirement for the notice of defects. Village has on hand a sample law for snow clearance but hasn't adopted it yet.	

				adjoining owner or occupant; allows property owners to	
Schenectady	Schenectady	City	Section 228-18, 20	petition City to repave sidewalks in poor condition	
				Town has sidewalk districts. Outside sidewalk district:	
				adjoining property owner. Inside sidewalk district: Town of Glenville. Liability varies for inside and outside the districts.	
Schenectady	Glenville	Town	§ 221; 139-20	Code provides for the creation of new sidewalk districts	
Schenectady	Niskayuna	Town	Section 185-34	adjoining owner or occupant	
			Section 210-19, Section		
Schenectady	Scotia	Village	210-20	adjoining owner or occupant	
Schenectady	Duanesburg		No law	No sidewalk maintenance laws	
Schenectady	Rotterdam	Town		requirement for the notice of defects.	
Schenectady	Delanson	Village	No law	No sidewalk maintenance laws	

## ADA language (may not be complete) Such snow and ice removal shall be in accordance with the Americans with Disabilities Act of 1990,[1] Pub. L. No. 101-336, 104 Stat. 328 (1990) and any regulations or guidelines promulgated thereunder. (Chapter on Subdivision of land) § 315-24 Streets. A. (1) Pedestrian circulation. Any existing pedestrian routes through the subdivision shall be preserved and enhanced. All streets, except alleys, shall be provided with continuous sidewalks on one or on both sides of the street. Sidewalks shall be five feet wide and constructed of concrete, masonry materials, or slate. Asphalt sidewalks are prohibited. Any new sidewalk shall be connected to existing sidewalks. Sidewalks shall comply with all applicable requirements of the Americans with Disabilities Act

§ 211-226 Sidewalks. C. The sidewalk shall be constructed in accordance with ADA standards.
§ 104-14 Traditional neighborhood design (TND) standards. D. TND Standards for specific TND subdivisions 2. Design requirements b.1.c: Disabled accessibility. Sidewalks shall comply with the applicable requirements of the Americans with Disabilities Act.

§ 143-13.1 Sidewalks, F. Grades, Sidewalks shall follow the grade of the roadway which it is adjacent to. Sidewalk grades shall conform to the latest edition of the following publications: (1) 2010 ADA Standards for Accessible Design, or as may be amended hereafter. I. Intersections with roadways. All sidewalks crossing a roadway shall be designed in accordance with the latest edition of the ADAAG, with consideration given to the visually impaired. Diagonal curb ramps shall not be allowed except at the discretion of the Planning Board and Town Engineer. The minimum width of crosswalks on a local, collector or highway shall be eight feet. J. Intersections with driveways. All sidewalks crossing a driveway shall be designed in accordance with the latest edition of ADAAG, with consideration given to the visually impaired. L. Materials. (4) Finish: stiff broom finish or other ADAAG acceptable finish edge to be chamfered or tooled with one-inch radius. § 250-46 Hamlet design guidelines. E. Pedestrian amenities. An important feature of traditional hamlets is the inclusion of safe, attractive pedestrian amenities, both along the street and within commercial lots. (4) Walkways should be a minimum of five feet wide and shall be compliant with the most recent ADA guidelines for design, material and layout.

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#### Transition Plan Tracking

Entity	Location of Transition Plan	Description/Notes
NYSDOT	https://www.dot.ny.gov/programs/ada management/ada-transition-plan	Completed.
CDTA		Not responsible for public rights of way.
Albany County	http://www.albanycounty.com/Librarie s/Human_Resources/Title_VI_Plan_201 60915.sflb.ashx	Updated transition plan outlining steps to be undertaken.
Albany City	http://www.albanyny.gov/Government/Departments/HumanResources/DisabilityAccess.aspx	Complaint Form, Grievance Procedure, Notice online. Created ADA Advisory Committee to ensure communication with stakeholders of the disabled community. Working on transition plan.
Bethlehem	http://www.townofbethlehem.org/799/ADA-Transition-Plan	Adopted Transition Plan 5-2018, includes inventory
Cohoes	Asset Mgmt Plan: http://www.ci.cohoes.ny.us/Cit-e- Access/towncouncil/?tid=34&tpid=635 6∣=36467&view=A	Complete Streets section in code says will do within 5 years. Has pavement conditions. Hired firm to do asset mgmt. plan
Clifton Park	http://www.cliftonpark.org/index.php/document-center/employment-information/1965-clifton-park-title-vi-plan/file	Title VI Plan adopted July 2017. Reference ADA Transition Plan; specifies list of noncompliant sidewalks and facilities will be generated within 1 year. Has condition inventory of crosswalks.
East Greenbush	https://www.eastgreenbush.org/applic ation/files/7915/2692/9334/Title_VI _ADA_Transition_Plan.pdf	Transition Plan adopted May 2018, condition inventory to be done by November 2018.
Malta	https://www.malta- town.org/DocumentCenter/View/1100 /ADATranPlan-Final-Revisions	Inventory not done, but outdoor items scheduled for completion before 2018 winter.
Mechanicville	Grievance Procedure: http://www.mechanicville.c om/DocumentCenter/View/856	Has Grievance Procedure. Spring 2019 installed a number of curb ramps. 2019, have been citing property owners for deteriorated sidewalks. City will remove old sidewalk; property owner replaces. Or City will replace and add to taxes.
Rensselaer County		Has draft inventory and Transition Plan that includes pedestrian infrastructure.

Rensselaer City	http://rensselaerny.gov/TitleVIPlanNYS DOT2.pdf	Transition Plan adopted; inventory to be completed by end 2017.
Troy	http://www.troyny.gov/mayor- madden-announces-appointment-of- city-ada-coordinator/	No plan but has coordinator
Saratoga County	http://www.saratogacountyny.gov/wp/wp-content/uploads/2013/08/ADA-Transition-Plan-2015-Final.pdf; https://www.saratogacountyny.gov/wp/wp-content/uploads/2017/02/Chap1-SecP-Title-VI-Plan-rev4-16-19.pdf	Has inventory, notes if compliant or not (no rating) and says will fix all within 5 years of 1/2016
Saratoga Springs	http://www.saratoga- springs.org/2235/Americans-With- Disabilities-Act	Transition Plan Phase I adopted 12-2017. 2016 Adopted Notice, Resolution, Grie vance Procedures, and Coordinator
Schenectady County		Communicated with Towns, Villages, City – they are responsible for sidewalks on County roads, except for bridges. Bridge sidewalk condition rating soon (June 2019).
Schenectady City	http://www.cityofschenectady.com/50 4/Title-VI-Policy	Has plan but no condition inventory

Bold = updated this month

### Cities must do more to clear sidewalks



Sara Foss THINKING IT THROUGH

On one of my recent strolls around town, I found myself crossing the street to avoid an ice-covered sidewalk, then recrossing it when I encountered another slick stretch of walkway.

If you live in a Capital Region city, you're probably familiar with what I'm talking about.

Ice- and snow-covered sidewalks are a significant problem this time of year, forcing pedestrians to seek out safer surfaces or risk breaking their necks.

As long as I've lived here, I've heard people complain about the condition of the sidewalks in the winter and listened to city leaders talk about what might be done to improve the situation.

But I can't say that I've seen any real improvement in the condition of the sidewalks, and as long as the responsibility for clearing them is left to property owners, I doubt I ever will.

There's only one way to ensure that city sidewalks are safe for pedestrians to walk on, and that's to make clearing them a government responsibility.

#### A crazy idea?

Well, I grew up in communities where clearing sidewalks was a government responsibility, so it doesn't sound especially crazy to me.

But these were small, rural towns that lacked the extensive sidewalk systems you find in upstate cities. Is clearing the sidewalks something upstate cities can realistically do? Or is it only viable in smaller communities where there isn't as much to clear?

A partial answer can be found in a recent post on the website Streetsblog USA, which discusses how to make it easier to walk, bike and use mass transit.

The post, titled "More Cities Are Taking Responsibility For Clearing Sidewalks of Snow," was music to my ears.

It suggests that more cities are beginning to regard sidewalk clearing as an important quality-of-life issue, and highlights the strides made in a handful of cities around the country, including Rochester and Syracuse.

In Rochester, clearing ice and snow from sidewalks is the property owner's responsibility, but the city provides what it describes as a supplemental service: When it snows 4 inches or more, the city will plow sidewalks

In January, Syracuse adopted a new sidewalk snow-removal plan that entails clearing snow from heavily trafficked pedestrian routes through the city when there's 3 inches of snow, about 40 miles.

One of the cities Streetsblog USA holds up as a model for clearing snow from sidewalks is Burlington, Vermont.

Burlington clears all city sidewalks using city equipment and staff. But it prioritizes clearing roads, so it can take up to 48 hours to clear sidewalks.

If there's any takeaway, it's that there are a lot of different ways to approach sidewalk clearing, but seeing it as a public good is a good first step to coming up with better policy.

And better policies are needed.

I've seen how the Capital Region approaches clearing snow from sidewalks and I'm not impressed.

It's time for a new approach — one focused on making our cities just a little more livable during the cold winter months.

Reach Gazette columnist Sara Foss at <u>sfoss@dailygazette.net</u>. Opinions expressed here are her own and not necessarily the newspaper's.

Lawsuit settled, installation of new Beacon Hill pedestrian ramps begins By Laura Crimaldi Globe Staff, May 6, 2019, 7:04 p.m.

Outside the Beacon Hill residence of Northeastern University's president, a contractor cut bricks Friday morning for a new pedestrian ramp designed to help disabled people navigate the curb.

The modest construction site at the corner of Beacon and Joy streets, however, hardly did justice to the protracted legal battle that unfolded before sidewalks in the historic neighborhood could be dug up. The 17 ramps of concrete, cast-iron tactile warning strips, and brick being installed are the product of a legal agreement reached last year by the city and the Beacon Hill Civic Association, which sued in 2014 over the project.

The suit sought to stop the city from altering Beacon Hill sidewalks and streetscapes "using historically inappropriate materials and designs." The legal challenge put the neighborhood at odds with other parts of the city that found ways to compromise on the ramps without litigation.

Under the settlement, the city is installing brick-red tactile pads made of cast iron, instead of the plastic pads used elsewhere. The extra cost is being paid for by the civic association. The difference is \$279 per ramp, said Katie Choe, chief engineer for the Public Works Department.

"The reception to the work has been really good," Choe said Thursday. "Residents have been closely watching what's going on. We've gotten good feedback on the aesthetic and that we're updating the ramps and making a better pedestrian environment."

Rob Whitney, board president at the Beacon Hill Civic Association, said the ramp designs are much better than the original proposals, and cast-iron tactile pads are more durable than plastic models. He praised the city for trying to blend the work into the existing brick sidewalks.

"I think they're doing a great job in that area and increasing accessibility in Beacon Hill, which we fully support," Whitney said. "We've been collaborating on the individual designs on each corner. They've been very thoughtful in having their engineers look at each corner and do a different plan."

Construction began in early April under a \$594,322 contract with Fred DeRoma & Son Inc., a road contractor in Roslindale, Choe said. Curbs along Walnut, Beacon, Spruce, and Charles streets are the first to get ramps, the city said, because those roads are scheduled to be repayed this year.

About 240 ramps are needed to make the neighborhood's sidewalks comply with the federal Americans with Disabilities Act and state requirements, Choe said. Installing the remaining ramps will be timed to coincide with the street paving schedule for Beacon Hill.

"The installation of these newly designed curb ramps in Beacon Hill will provide much-improved access for people with disabilities. They will also increase visibility and safety for crossing the streets," said Kristen McCosh, the city's disability commissioner, in a statement. "I appreciate the efforts put forth by all those involved to implement this design for the ramps."

As of Friday morning, ramps were fully installed at Walnut and Chestnut streets and at Branch and Spruce streets.

Some residents said they don't like the way the ramps look but acknowledge they're needed. Atheline Nixon said she was happy the tactile pads aren't yellow, as in most other neighborhoods. "I think they're pretty ugly, but probably necessary," she said. John Gallaway, who moved to Beacon Hill last year, likes the cast iron. "I think it helps keep the feel of the neighborhood," he said. James Lee, who has lived on Chestnut Street for 40 years, said he was unaware of dustup over the ramps. "You need them. You got to have them," he said. "People are getting older and more beat-up."