

Mr. Alexander Mello, Planning
City of Somerville
Members of the Special Permit Granting Authority
93 Highland Ave Somerville MA 02143

Re: 453 Somerville Ave

November 13, 2019

Narrative Regarding Accessibility Compliance

Dear Mr. Mello:

Pursuant to the requirement of the City of Somerville application for review and approval by the Office of Planning regarding constructing 5 residential units and one retail space, this letter provides the following accessibility narrative.

The authority that guides the project's compliance with the handicap requirement regarding the residential units will be Massachusetts Accessibility Regulation, 521 CMR.

The compliance of retail space will be governed by both 521 CMR and ADA Standards for Accessibility Design.

No accessibility requirement if the 5 residential units will be rented pursuant to 521 CMR § 9.4 Provision, 521 CMR § 9.4, prescribes that if the units are for rent, and if the number of units is less than 20, 521 CMR alleviates compliance with accessibility requirements. In this case the number of units is 5. Attached is copy of this provision for your convenience.

The decision to rent versus selling the 5 residential units has not yet been made.

If the 5 residential units are to be sold, and since there will be an elevator in the building, 521 CMR § 9.3 applies and instructs (copy is attached) compliance with Group 1 requirements. The specific provisions that govern compliance with the accessibility regarding the 5 residential units are: 521 CMR § 9.5; 521 CMR § 42.00: GROUP 1 Bathrooms; 521 CMR 43.00: GROUP 1 Kitchens; and 521 CMR 46.00: GROUP 1 Bedrooms.

Respectfully,

Jack Saade, Applicant

Checked by

Christopher A. Poravas



521 CMR: ARCHITECTURAL ACCESS BOARD

521 CMR 9.00: MULTIPLE DWELLINGS

9.1 GENERAL

A *multiple dwelling* is considered to be either a *lodging facility* or a *residential facility* for hire, rent, lease, or sale containing three or more *dwelling units* in a *building*. Facilities used for temporary accommodations are considered *transient lodging facilities*. See **521 CMR 8.00: TRANSIENT LODGING FACILITIES**. For public and common use spaces in *Multiple Dwellings*, See **521 CMR 10.00: PUBLIC USE AND COMMON USE SPACES IN MULTIPLE DWELLINGS**.

9.1.1 A *lodging facility* is a *building* or a portion of a *building*, primarily used for the purpose of *sleeping accommodations*. *Lodging facilities* shall include but not be limited to shelters, hospices, group homes, and congregate living facilities. A *dwelling unit* in a *lodging facility* is defined as the sleeping *space* provided to a single individual; i.e., a bedroom.

9.1.2 A *residential facility* is a *building* or *buildings* consisting of *dwelling units* each of which provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. When a *dwelling unit* houses more than three lodgers or boarders it is a *lodging facility*. Residential facilities shall include but not be limited to apartments, condominiums, assisted living and cooperatives.

9.2 APPLICABILITY

New construction: *Multiple dwellings*, for which building permits for new construction are issued on or after September 1, 1996 shall meet the requirements of **521 CMR 9.3, Group 1 Dwelling Units** and **521 CMR 9.4, Group 2 Dwelling Units**.

9.2.1 Renovation and reuse: Any *building* previously occupied for any purpose, which is converted, renovated, reconstructed, altered or remodeled for residential use after this date is exempt from **521 CMR 9.3 Group 1 Dwelling Units**.

9.2.2 Renovation and reuse of dwelling units is subject to **521 CMR 9.4, Group 2 Dwelling Units** through **521 CMR 9.5, Dwelling Unit Interiors** provided the work being performed, in a three year period, exceeds 30% of the full and fair cash value of the building (See **521 CMR 3.3.2**). Work performed to public use and common use areas however, is subject to all of **521 CMR 3.3**.

9.3 GROUP 1 DWELLING UNITS

In *multiple dwellings*, for which building permits for new construction are issued on or after September 1, 1996, that are for rent, hire, lease or sale and that are equipped with an elevator, all *dwelling units* must be constructed as *Group 1 Dwelling Units*, except those covered in **521 CMR 9.4, Group 2 Dwelling Units**.

In *multiple dwellings* that are for rent, hire, lease, or sale but are not equipped with an elevator, only units on the ground floor must be constructed as *Group 1 Dwelling Units*.

Group 1 units must comply with **521 CMR 9.5**, and, **521 CMR 42.00: GROUP 1 BATHROOMS**; **521 CMR 43.00: GROUP 1 KITCHENS**; and **521 CMR 46.00: GROUP 1 BEDROOMS**.

9.4 GROUP 2 DWELLING UNITS

In *multiple dwellings* that are for rent, hire, or lease (but not for sale) and contain 20 or more units, at least 5% of the *dwelling units* must be *Group 2A units*. *Group 2A units* must comply with **521 CMR 9.5, Dwelling Unit Interiors**; and **521 CMR 44.00: GROUP 2 BATHROOMS**; and **521 CMR 45.00: GROUP 2 KITCHENS**; and **521 CMR 47.00: GROUP 2 BEDROOMS**.

9.4.1 Total *dwelling units* in a complex: When *multiple dwellings* consist of more than one *building* on a *site* or are located on several, non-contiguous *sites*, all *dwelling units* shall be added together to determine applicability of **521 CMR 9.4**.

DWELLING UNIT INTERIORS

The interiors of all *Group 1* and *2 dwelling units*, except as exempted by **521 CMR 9.2.1**, shall comply with the following requirements:

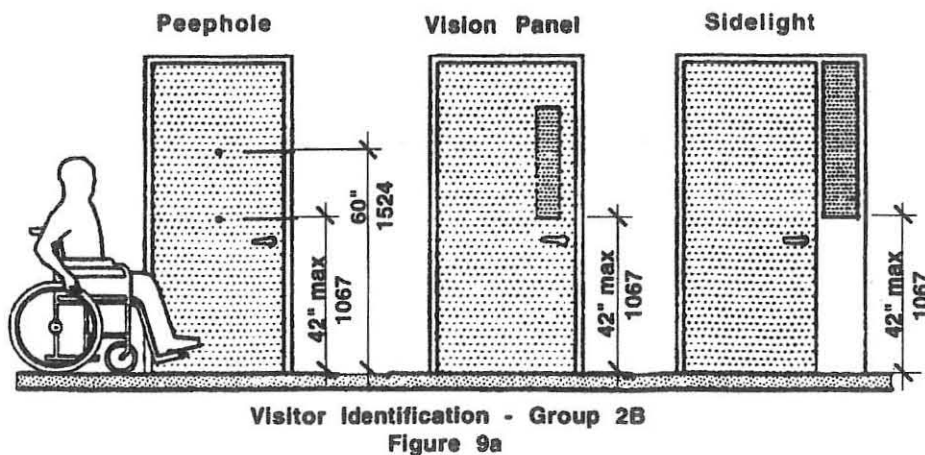
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521 CMR - 45

521 CMR: ARCHITECTURAL ACCESS BOARD**9.00: MULTIPLE DWELLINGS**

- 9.5.1** Doorways: All doorways and all openings that allow passage in a *Group 2* unit must comply with **521 CMR 26.2, Double Leaf Doorways**, through **521 CMR 26.11, Door Hardware**. All doorways and all openings that allow passage in *Group 1* units shall be capable of complying, without *structural change*, with **521 CMR 26.2, Double Leaf Doorways**, through **521 CMR 26.11, Door Hardware**. For door types such as bifold, pocket, and accordion doors, the clear opening is measured when the door is in its most fully open position. See **Fig. 26b** and **26c**. For *Group 1* units, only the common area and apartment entrance door hardware are required to comply with **521 CMR 26.11, Door Hardware**.

- 9.5.2** Every entry door to each *dwelling unit* shall have a means by which the resident can visually identify a visitor before opening the door. This may be achieved by any of the following means:
- In *Group 1* and *2A* units, a peephole mounted 60 inches (60" = 1524mm) above the floor, a vision panel in the door with its bottom edge no higher than 60 inches (60" = 1524mm) above the floor, or a sidelight with its bottom edge no higher than 60 inches (60" = 1524mm) above the floor, shall be provided.
 - In *Group 2B* units, an additional peephole mounted at 42 inches (42" = 1067mm) above the floor; a vision panel in the door with its bottom edge no higher than 42 inches (42" = 1067mm) above the floor; or a sidelight with its bottom edge no higher than 42 inches (42" = 1067mm) above the floor. See **Fig. 9a**.



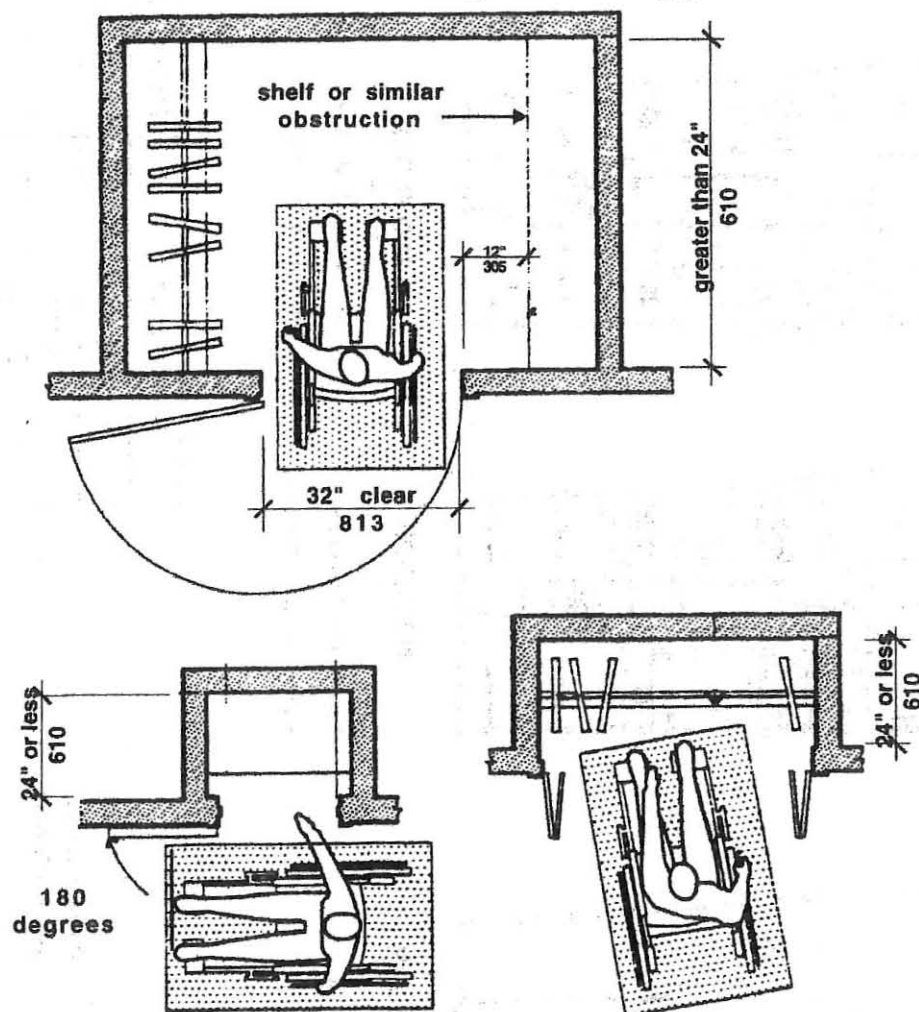
- 9.5.3** Buzzers/bells and intercoms: All buzzers/bells and intercom systems shall comply with **521 CMR 6.5, Forward Reach** or **521 CMR 6.6, Side Reach**.

521 CMR: ARCHITECTURAL ACCESS BOARD

9.00: MULTIPLE DWELLINGS

9.5.8 Closets/pantries and linen closets: Shall comply with the following:

- Closet shelves/poles: Closet walls shall be structurally capable of supporting the installation of shelves and poles which are relocatable from 42 inches to 72 inches (42" to 72" = 1067mm to 1829mm) to the top of shelf or pole whichever is higher.
- Closet depth: Where the interior depth of the closet exceeds 24 inches (24" = 610mm), the doorway must comply with **521 CMR 26.5, Width** so that a disabled person can enter the closet. The bottom track of the closet door must also be recessed with no more than $\frac{1}{4}$ of an inch ($\frac{1}{4}$ " = 6mm) change in finish material. For *Group 2 units*, when the interior depth of the closet is 24 inches (24" = 610mm) or less, it shall be open to the room to permit a person with a disability to reach all parts of the closet. See Fig. 9b.



Closets
Figure 9b

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9.00: MULTIPLE DWELLINGS

9.5.4 *Accessible routes:* An accessible route at least 36 inches (36" = 914mm) wide shall be provided to all rooms and spaces in the *dwelling unit* including exterior decks, patios, balconies, attached garages, and storage closets. An accessible route shall be provided to mechanical spaces, only if the resident is expected to service, adjust or maintain the equipment therein.

- a. Patios, Terraces, and Balconies: Where it is necessary to use a door threshold or a change in level between the interior and exterior, greater than ½ inch (½" = 13mm) to protect the integrity of the unit from water or snow damage, equivalent facilitation such as raised decking or a ramp shall be provided or capable of being provided.

In *Group 2B Units*, the exterior deck, patio, balcony surfaces shall be either permanently installed at no more than ½ inch (½" = 13mm) below the floor level of the interior of the *dwelling unit* or a temporary raised surface, such as duckboards, that is no more than ½ inch (½" = 13mm) below the interior floor level shall be available upon request.

9.5.5 *Laundry Facilities:* If a washer or dryer is provided in a *Group 1* or *Group 2A* unit, it shall be front loading or capable of being replaced with a front loading appliance. If a washer or dryer is provided in a *Group 2B dwelling unit*, it shall be front loading. Operating controls for washers and dryers shall be located within the *zone of reach*. If residents are expected to operate shut-off valves for the washer, the shut-off valves shall be located within the *zone of reach*. For common area laundry facilities, see 521 CMR 10.8, *Laundry Facilities*.

9.5.6 *Outlets:* Electrical outlets, telephone outlets, cable TV jacks, and other wall outlets shall be located between 15 inches (15" = 381mm) and 48 inches (48" = 1219mm) above the floor, measured at the centerline of the lowest receptacle. All outlets shall be located no less than 18 inches (18" = 457mm) from interior corners. When outlets are located on walls above counters or other fixtures that are 22 inches (22" = 559mm) or greater in depth, they shall be no higher than 44 inches (44" = 1118mm). In *Group 1* and *2* units, at least one electrical outlet must be provided on the same wall as the telephone outlet and the door chime. Wherever exterior decks, patios, and balconies are provided, an exterior electrical outlet shall also be provided.

In *Group 2B* units, all telephone outlets must have an electrical outlet located within 12 inches (12" = 305mm) for installation of a *TTY*.

9.5.7 *Controls and alarms:* In *Group 2A* and *2B* units, the operable portions of all controls and alarms, including but not limited to: intercoms, and heat and air controls, shall be located between 36 and 48 inches (36" to 48" = 914mm to 1219mm) above the floor, measured at the centerline of the operable portion in its highest position. Operable portions shall be located at least 24 inches (24" = 610mm) from interior corners. Controls and alarms in *Group 1* units may be located at other locations so long as sufficient wiring is provided to permit future location from 36 inches to 48 inches (36" to 48" = 914mm to 1219mm) above the floor.