

**From:** Michael Muehe Mmuehe@bostoncil.org

**Subject:** BCIL opposes AAB variances at The Richmond Building, 33 Bow Street, Somerville (V23-184)

MM

**Date:** October 28, 2023 at 6:00 PM

**To:** Joyce, William (DPL) william.joyce@mass.gov, Souders, Bradley (DPL) Bradley.Souders@mass.gov

**Cc:** Bill Henning bhenning@bostoncil.org, Trea LaRaia trea@joystdesign.com, ada@somervillema.gov, isd@somervillema.gov, Holly Simone hsimione@mac.com, Harriotte Hurie SCPD h.hurie.ranvig@gmail.com

Dear Ms. Guarriello and Members of the Architectural Access Board ("AAB" or "Board"):

On behalf of the Boston Center for Independent Living (BCIL), I am writing to express our opposition to the AAB variance application (V23-184) submitted on or around October 16, 2023, by Trea LaRaia, Joy Street Design, on behalf of Somerville Community Corporation ("Petitioner") regarding the mixed-use Richmond Building at 33 Bow Street in Somerville ("Facility").

BCIL respectfully requests the Board to fully consider the comments in this email correspondence as part of its Incoming Case Review for this Docket Number on Monday, October 30, 2023.

As you know, BCIL is a frontline civil rights organization led by people with disabilities that advocates to eliminate discrimination, isolation, and segregation by providing advocacy and services, to enhance the independence of people with disabilities.

Petitioner has not proven that impracticability exists in this case, consistent with the definition of impracticability provided at 521 CMR §§ 4.1 and 5. More specifically, the Petitioner has neither: 1.) proven that compliance with 521 CMR is technologically infeasible; nor 2.) proven that it would result in excessive and unreasonable costs without any substantial benefit to people with disabilities. In particular, the relief from 521 CMR §§ 28.1, 27.4.1, 25.1, 26.5, 26.6, and 26.10.1 being proposed by the Petitioner is far in excess of what could reasonably be construed as impracticable.

BCIL strongly believes that, given this 2-phase major construction project (approximately \$8,000,000 total work) to a Facility with an assessed valuation of approximately \$1,460,900 (building only), with 19 units of housing and with commercial space on the first floor, it would not be excessively or unreasonably costly to provide compliant doorways, compliant stair handrails, compliant access to both Facility entrances, and at least one elevator.

Moreover, a substantial benefit would certainly accrue to residents and visitors with disabilities by making both entrances to this Facility accessible, providing compliant doorways throughout, compliant stair handrails, and at least one elevator. It is worth noting that there are many disabled people who have mobility limitations, who may not need full Group 1 or Group 2A unit access, but who nevertheless require a step-free entrance to safely enter, and an elevator or compliant stair handrails to access floors above the ground floor of a building.

We respectfully request that the Board deny this variance request, and instead require that the Petitioner provide much more substantial access to this Facility than is proposed by the Petitioner. BCIL is not opposed to reasonable timed relief in this

~~require that the Petitioner provide much more substantial access to this facility than is proposed by the Petitioner.~~ BCIL is not opposed to reasonable timed relief in this case, should the Board deem it necessary.

Thank you very much for your attention to this matter. Should you have any questions or need any additional information, please don't hesitate to contact me.

Best regards,

**Michael Muehe**  
Access Analyst  
Boston Center for Independent Living (BCIL)  
60 Temple Place, 5th floor  
Boston, MA 02111  
Mobile: 617-462-3110  
Pronouns: he/him/his

