

Somerville Commission for Persons with Disabilities (SCPD)
Somerville, Massachusetts

Date: March 1, 2026

Via Email

Architectural Access Board
1 Federal Street, 6th Floor
Boston, MA 02118

Re: Docket V26-010 – 17 Hudson Street, Somerville

Dear Chair Guarriello and Members of the Board:

On behalf of the Somerville Commission for Persons with Disabilities (SCPD), I am writing to express serious procedural and substantive concerns regarding the variance application for 17 Hudson Street.

Inconsistent Plans

The permit set submitted to the City of Somerville is labeled “17 HUDSON CONDOMINIUM.” The porch configuration and front door condition shown on those plans are not consistent with what was presented in the variance materials.

If the Board is relying on drawings, those drawings must be identical to the plans being permitted and constructed. A variance cannot be granted based on one configuration while a different configuration is filed locally.

No Accessible Route Into the Unit

The primary door into the unit lands at stairs, which is not an accessible route under 521 CMR. An accessible route must be continuous and cannot include stairs.

Under this configuration, a person who uses a mobility device cannot enter the dwelling unit to view it or access required living spaces. In a **condominium project**, this exclusion occurs at the point of sale. Accessibility in new construction must exist at completion — it cannot be deferred. Requiring the buyer or a future buyer of this condo to install their own elevator is not an acceptable solution or the intent of the law.

“Buyer” vs. “Lease” Inconsistency

The variance narrative refers to “buyers” when discussing sink preferences. However, the Board granted sink relief conditioned on language in a “lease.”

If these are condominiums, there is no lease and no landlord obligated to replace sinks. The enforcement mechanism underlying the Board’s condition may not exist.

Failure to Correct Errors

The petitioner was asked more than once to clarify inconsistencies and provide corrected materials but did not do so prior to review. The application contained contradictory descriptions and ambiguous terminology. The burden of clarity rests with the petitioner. The Board should not be required to reconcile inconsistent submissions. Nor should decisions be made by the board based on plans when the application is nonsensical.

The SCPD respectfully requests that the Board require a corrected, internally consistent, project-specific submission and confirmation that the plans reviewed are identical to those being permitted and constructed before further consideration and rescind the sink depth decision as this is a CONDO not a rental unit and a person with a disability should not bear the burden of installation or costs.

Accessibility in new construction must be based on accurate representations and enforceable conditions. It is the simplest and most cost effective manner to build compliance with 521 CMR.

Respectfully,

Holly Simione
Chair
Somerville Commission for Persons with Disabilities