

## Question #10

### Variance Request #1 – Sink Depth – 521 CMR 43.3.2

“In all Group 1 Dwelling units, kitchens shall be designed so that when a unit is adapted a person in a wheelchair has access to the sink.” CMR 521 43.3.2 state: “Sink Depth: The sink bowl shall not exceed 6 1/2 inches in depth....”

#### **Kitchens**

We are requesting a variance to allow installation of 9 5/16” deep sinks at first occupancy in all Group 1 units, with an adaptation process for installation of a 5 1/2” deep sink when requested by a resident. This application includes the plumbing fixture schedule for the proposed sinks (see attached).

#### **Marketing Advantage of a Deeper Sink**

Owner and marketing experience demonstrate that deeper sinks are more comfortable for an average height, standing person, and are preferred by most potential tenants. The increased depth provides for more comfortable cleaning and washing-up, is capable of holding more items, and better facilitates the filling of bottles, vases, and other tall containers. Overall, when presented with a choice, the vast majority of prospective tenants prefer a deeper sink and would want their sink replaced if a shallow sink is initially installed.

#### **Modification of a 5 1/2” Deep Sink to a Deeper Sink**

If 5 1/2” deep sinks are initially installed in the 89 Grp. 1 units, it is very likely that most tenants would want to change the sinks to a deeper sink. As a result, a number of the shallow sinks will have to be replaced. Alternatively, if deeper sinks are installed initially, a lesser number of sinks are expected to be replaced, thus economic impact is reduced.

#### **Proposed Compliance Strategy**

We are proposing the following:

The deeper sinks will be installed in all Group 1 units at the time of construction. All leasing agents will be formally instructed to alert prospective tenants of the availability of shallow sinks and the procedure for requesting a shallow sink will be included in all leases. The sink swap-out process will be included in the Standard Operations Manual for the facility.

Upon receipt of a request for a change to the 5 1/2” deep sink, the property manager will swap-out the sink at no charge to the tenant. **JMC/STM Union Square LLC** will purchase and store at the property three (3) 5 5/16” deep sinks so that the conversion can occur within one week.

#### **Conclusion**

We believe that full compliance with CMR 521 43.3.2 is *impracticable* as it will result in excessive cost without substantial benefit to people with disabilities. We are therefore

requesting a variance to allow initial installation of 9 <sup>5/16</sup>" deep sinks in *Group 1* dwelling units. Our proposed adaptability procedure is compatible with the adaptability principal stated in 521 CMR 43.1 and will ensure shallow (5 <sup>1/2</sup>" ) sinks will be installed in kitchens when requested by a tenant (at no cost to the tenant). This approach increases the overall usability of the kitchen sinks for the majority of tenants. We respectfully request that the Board grant our Request for Variance on sink depth.

### **Variance Request #2 – Sink Depth – 521 CMR 45.4.5**

"In all *Group 2* Dwelling units, kitchens shall be designed so that a person in a wheelchair has access to the sink." CMR 521 43.3.2 state: "Sink Depth: The sink bowl shall not exceed 6 1/2 inches in depth..."

### **Kitchens**

We are requesting a variance to allow installation of 9 <sup>5/16</sup>" deep sinks at first occupancy in all *Group 2* units, with an adaptation process for installation of a 5 <sup>1/2</sup>" deep sink when requested by a resident. This application includes the plumbing fixture schedule for the proposed sinks (see attached).

### **Marketing Advantage of a Deeper Sink**

Owner and marketing experience demonstrate that deeper sinks are more comfortable for an average height, standing person, and are preferred by most potential tenants. The increased depth provides for more comfortable cleaning and washing-up, is capable of holding more items, and better facilitates the filling of bottles, vases, and other tall containers. Overall, when presented with a choice, the vast majority of prospective tenants prefer a deeper sink, and would want their sink replaced if a shallow sink is initially installed.

### **Modification of a 5 1/2" Deep Sink to a Deeper Sink**

If 5 <sup>1/2</sup>" deep sinks are initially installed in the 5 Grp. 2 units, it is very likely that most tenants would want to change the sinks to a deeper sink. As a result, a number of the shallow sinks will have to be replaced. Alternatively, if deeper sinks are installed initially, a lesser number of sinks are expected to be replaced, thus economic impact is reduced.

### **Proposed Compliance Strategy**

We are proposing the following:

The deeper sinks will be installed in all *Group 2* units at the time of construction. All leasing agents will be formally instructed to alert prospective tenants of the availability of shallow sinks and the procedure for requesting a shallow sink will be included in all leases. The sink swap-out process will be included in the Standard Operations Manual for the facility.

Upon receipt of a request for a change to the 5 <sup>1/2</sup>" deep sink, the property manager will swap-out the sink at no charge to the tenant. **JMC/STM Union Square LLC** will purchase

and store at the property three (3) 5 5/16" deep sinks so that the conversion can occur within one week.

**Conclusion**

We believe that full compliance with CMR 521 45.4.5 are *impracticable* as it will result in excessive cost without substantial benefit to people with disabilities. We are therefore requesting a variance to allow initial installation of 9 5/16" deep sinks in *Group 2* dwelling units. Our proposed adaptability procedure is compatible with the adaptability principal stated in 521 CMR 43.1 and will ensure shallow (5 1/2") sinks will be installed in kitchens when requested by a tenant (at no cost to the tenant). This approach increases the overall usability of the kitchen sinks for the majority of tenants. We respectfully request that the Board grant our Request for Variance on sink depth.