

SCPD opposes variance request: 2 Story Mixed Use, D'lites Emporium, 414 Highland Ave., Somerville (V21-186)

Dear Board Chair Dawn Guarriello and Members of the Architectural Access Board ("AAB" or "Board"):

On behalf of the Somerville Commission for Persons with Disabilities (SCPD), I am writing to express our opposition to the AAB variance application submitted on or about November 3, 2021, by Thomas Peterman, Peterman Architects ("Petitioner") regarding the 2 Story Mixed Use, D'lites Emporium ("Facility"), 414 Highland Avenue, Somerville (Docket V21-186). SCPD respectfully requests the Board to fully consider the comments in this email correspondence as part of its review at the Public Meeting upcoming on January 10th.

As you are likely aware, Davis Square is one of the City's most popular commercial destinations, including for people with disabilities. Providing accessible businesses for all patrons is essential. The burden of proof rests with the Petitioner to prove impracticability and explore all possible options for providing accessibility to this Facility.

The petitioner has not submitted an engineering and/or technical study that proves the technical infeasibility of a ramp constructed within the building. There is often space between the top of the steel structure and the top of the flooring to construct a ramp without substantially impacting the steel structure. The petitioner did not provide compliant alternatives that demonstrate excessive and/or unreasonable costs. Additionally, a temporary ramp was mentioned in subsequent email correspondence, however the feasibility of a ramp covering a 5" reveal on an 8' wide sidewalk was not presented. Such a ramp would not likely be feasible at a compliant slope. Further, no alternative to reconstruct the sidewalk to provide accessible entrances was provided. Other property owners have requested permission from the city to modify the sidewalk to achieve accessible building entrances, and well-designed plans have been approved and constructed.

For these reasons, we respectfully request that the AAB deny this variance request, and instead require that the Petitioner provide meaningful permanent accessibility to this Facility. Thank you very much for your attention to this matter. If you have any questions or need any additional information, please don't hesitate to contact me.

Bonnie Denis
Chair, Somerville Commission for Persons With Disabilities