

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

The Commonwealth of Massachusetts

Department of Public Safety Architectural Access Board

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Daniel Bennett
Secretary

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Thomas P. Hopkins
Executive Director

May 31, 2016

Laura Brelsford
Assistant General Manager
System-Wide Accessibility
Massachusetts Bay Transportation Authority
Ten Park Plaza, Suite 3910
Boston, MA 02116

Re: Notice of Amended Decision of the Board; Waverly Commuter Rail Station, 525 Trapelo Road, Belmont; Docket Number C12-033 and V13-076

Dear Ms. Brelsford,

On May 11, 2016, the Architectural Access Board ("the Board") received your letter, requesting that the Board grant a ten (10) year time variance for the Waverly Commuter Rail Station to be brought into compliance with the applicable sections of 521 CMR. The request is based on the following:

- critical access upgrades needed for buses and 69 inaccessible stations;
- the development of the Plan for Accessible Transportation Infrastructure (PATI) process, which will rank access improvement projects based on ridership, feasibility and proximity to alternate accessible transit;
- the cost to make Waverly Station accessible is estimated to cost between \$15,650,000 and \$30,280,000 (2015 dollars); and
- the ridership at Waverly being ranked 117th out of 113 commuter rail stations (117 daily inbound passengers).

Your letter noted that due to the low ridership and high cost to create access, Waverly Station is not considered a "priority station." Your letter also noted that the Massachusetts Bay Transportation authority (MBTA) has earmarked \$150,000,000 for accessibility improvements in the 5-year Capital Investment Plan (CIP), which is beyond the State of Good Repair capital improvements, some of which will also directly benefit accessibility. As of the date of the letter,

the draft CIP exceeds the \$150,000,000 commitment and includes over \$200,000,000 worth of accessibility upgrades. There are approximately 18 projects that are currently included in the draft CIP (to be completed with capital funds in the next five (5) years), which would have an impact on accessibility throughout the MBTA transit system.

The Board reviewed your submittals during a recess within their May 23, 2016 meeting for the sole purpose of making a decision in your adjudicatory proceeding and decided to:

- GRANT a time variance for Waverly Station to be brought into full compliance with all applicable sections of 521 CMR by *June 1, 2026*, with the following conditions:
 - o Yearly status reports shall be submitted, with the first to be submitted by *June 1, 2017*;
 - o Yearly hearing where members of the MBTA Control Board (with at least one representative present who is able to make a financial decision for the MBTA) appear before the Board to present their status report; and
 - o Confirmation shall be submitted with status reports stating that the greater Belmont community and disability advocates in the area have been consulted about how access to the transit system will be addressed.

ARCHITECTURAL ACCESS BOARD

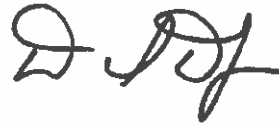
By:



Walter White, Chair



Diane McLeod, Vice Chair



David D'Arcangelo, Massachusetts Office on Disability Director

Raymond Glazier, Executive Office of Elder Affairs Designee (not present)



Andrew Bedar, Member



George Delegas, Member



Dawn Guarriello, Member



Jane Hardin, Member

Carol Steinberg, Member (not present)

A complete administrative record is on file at the office of the Architectural Access Board.

cc: State Building Inspector Ronald Wetmore
State Building Inspector Richard Bienvenue
Local Commission on Disabilities
Local Independent Living Centers