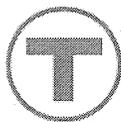


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Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO
Frank DePaola, General Manager
Brian Shortsleeve, Chief Administrator

massDOT
Massachusetts Department of Transportation

May 6, 2016

Thomas Hopkins, Director
MA Architectural Access Board
One Ashburton Place, Room 1310
Boston, MA 02108-1618

Re: Waverley Commuter Rail Train Station, Docket No. C12-033 & V13-076
Request to Amend Board Decision

Dear Tom,

I am writing to update the Board regarding the MBTA's plans for Waverley Commuter Rail Station in light of the Board's ruling regarding filings C12-033 & V13-076. In particular, the MBTA is asking the Board to amend its Order, so as to provide a time variance. The MBTA does not advance this request lightly, but rather as part of its comprehensive effort to allocate substantial capital funding towards accessibility improvements system-wide, and to employ the capital as effectively as possible to improve accessible transit options for its customers.

This request for a time variance is based upon the following facts and context:

- The MBTA is faced with many critical accessibility needs—from aging buses and aging elevators to 69 completely inaccessible stations.
- Through its Plan for Accessible Transportation Infrastructure (PATI) process, the MBTA and disability stakeholders are developing a comprehensive accessibility plan, which ranks access improvements projects based on objective factors such as ridership, feasibility, and proximity to alternate accessible transit options.
- Making the Waverley station accessible will cost between \$15,650,000 and \$30,280,000 (2015 dollars).
- The Waverly station's daily inbound ridership was documented to be 117 passengers; it is 117th in ridership out of 133 Commuter Rail stations.
- Belmont residents have rejected a MBTA proposal for a new, accessible Commuter Rail station that would replace both of the existing inaccessible stations in Belmont—Waverley and Belmont Center.
- After the Boston area's worst winter in history, the need for substantial infrastructure improvements throughout the system is apparent. Accessibility is one of these necessary improvements.
- This year - for the first time in its history - the MBTA is earmarking a minimum of \$150M specifically for accessibility

improvements in its 5-year Capital Investment Plan. This is above-and-beyond the State of Good Repair capital improvements, some of which will also directly benefit accessibility. Accordingly, as of today, the draft CIP actually exceeds the 150 million dollar commitment and includes over 200 million dollars worth of accessibility upgrades.

The MBTA recognizes accessibility at Waverley station must ultimately be addressed. However, based on the MBTA's criteria for prioritizing access improvements throughout the system, Waverley Station would not be considered a priority station due to its low ridership and very high cost. Rather, there are a number of other accessibility projects that would provide more meaningful benefit to customers and that can be advanced with capital funds in the next 5 years.

Below are listed a number of the projects **currently included in the draft CIP** that will have a significant positive impact on access:

- Construction of fully accessible Wollaston Station
- Consolidation of four inaccessible Green Line stops on the B-Line (BU West, St. Paul, Pleasant & Babcock) into two new, fully accessible stops
- Construction of fully accessible Auburndale Station
- Ruggles Station elevator and path of travel improvements
- Oak Grove elevators and path of travel improvements
- Forest Hills accessibility improvements
- Mansfield accessibility improvements
- Auburndale Station improvements
- Bus route accessibility improvements
- Forest Hills accessibility improvements
- Elevator accessibility improvements—designs for next round of replacement elevators (stations to be selected based on review of existing units)
- Symphony Station comprehensive design
- Downtown Crossing comprehensive design
- Natick Center comprehensive design
- South Attleboro comprehensive design
- Conceptual designs of remaining 69 inaccessible stations
- Bus route accessibility improvements
- 60 additional low-floor buses (will result in 100% low-floor fleet)

Each of these projects will significantly advance the MBTA's goal of expanding access throughout our system. When developing this prioritized list of CIP recommendations, making Waverley Station accessible was not designated as an immediate priority, largely because of its extremely low ridership. If the MBTA were to decide to invest 15-30 million dollars at Waverley this cycle, it would be at the expense of several of the above, higher-impact proposals.

The MBTA is thoroughly committed to improving and expanding accessibility system-wide. The development of PATI, as well as this year the inclusion of a line item for accessibility-specific projects in the CIP, demonstrate that the MBTA is backing up that commitment with a dedicated strategic plan and financial and personnel resources.

Accordingly, I am writing to formally request that the Board's July 2013 ruling be amended to provide for a time variance of 10 years. The MBTA will provide the Board with annual reports on its progress, updates on its PATI priorities and CIPs.

The MBTA is not proposing that the Board vacate its Waverley ruling. Instead, the MBTA is asking the Board to grant additional time to advance other priorities ahead of Waverley, so it may ensure both that critical access needs are addressed and that Waverley Station can be brought into full compliance once these needs are met.

To assist in the Board's consideration of this request, I am attaching a timeline summarizing the original complaint, MBTA responses, and Board findings to-date. I hope that the Access Board and the MBTA can work together to enhance the Boston area's public transit accessibility to benefit as many of its customers with disabilities as possible, as soon as possible. If you or the Board would like any additional information, please contact me at LBrelsford@mbta.com or 617-222-1688.

Very truly yours,



Laura Brelsford
Assistant General Manager
System-Wide Accessibility

cc: Janet MacDonald, Chair
Belmont Disability Access Commission
Belmont Town Offices
455 Concord Avenue
Belmont, MA 02478

Bill Henning
Boston Center for Independent Living, Inc.
60 Temple Place, 5th Floor
Boston, MA 02111-1324

Belmont Building Inspector
Belmont Town Offices
455 Concord Avenue
Belmont, MA 02478

Disability Law Center
11 Beacon Street #925
Boston, MA 02108

ATTACHMENT

Massachusetts Architectural Access Board & MBTA Waverley Station Background

- 3/30/12: A Board staff complaint was filed (Docket No. C12-033) based on a letter received by advocates that stated the MBTA had undertaken significant work at Waverley Station without providing an accessible route to the station platform from street level.
- 2/11/13. Board found in favor of the Complainant and ordered the MBTA to submit a plan for compliance or request a variance.
- 3/22/13. MBTA filed a variance request (No. V13-076) based on a preliminary feasibility study for Waverley Station which raised issues of potential land takings from abutting land owners and significant potential construction costs.
- 7/1/13 Board ordered the MBTA to bring the station into compliance by January, 2015. This finding was later amended to require that quarterly progress updates be provided to the Board by the MBTA.
- 6/1/14 MBTA retained Nitsch Engineering to perform a full topographic and property line survey and to further evaluate the feasibility of installing elevators and/or ramp systems at Waverley Station. The MBTA and Nitsch then developed two conceptual designs
- Mini-high platforms and elevators, estimated at \$15,650,000
 - Full-high platforms and elevators, estimated at \$30,280,000.
- 3/25/15 MBTA requested a meeting with the Board to discuss the idea of achieving compliance by completing different, higher-priority accessibility project(s) ***in lieu of*** addressing Waverley. The Board did not pursue this request.
- 7/1/15 MBTA began investigating the feasibility of creating a new, fully accessible Commuter Rail station in Belmont that to replace the inaccessible Waverley and Belmont Center Stations.
- 9/28/15 MBTA presented this concept at Belmont's Board of Selectmen public meeting. It was strongly opposed by the community.
- 4/26/16 MBTA requests that the Board grant a time variance for Waverley Station.

