

CHARLES D. BAKER
GOVERNOR



KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALLY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board**

1000 Washington Street • Boston • Massachusetts • 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

WILLIAM JOYCE
EXECUTIVE DIRECTOR,
ARCHITECTURAL ACCESS BOARD

Board Meeting Minutes – December 13, 2021

Teleconference

This meeting was open to the public and began approximately 9:02 AM.

Architectural Access Board member attendance:

Patricia Mendez, Vice Chairperson (PM)

Jeffrey Dougan (JD)

Elizabeth Myska (EM)

Meaghan O'Brien (MO)

Ana Julian (AJ)

David Johnson (DJ)

Mary Mahon McCauley (MM)

Division of Occupational Licensure Employees attendance:

William Joyce – AAB Executive Director (WJ)

James Plotkin – Legal Counsel (JP)

Bradley Souders – Office Support Specialist (BS)

PM opened the meeting for Roll Call:

MM, DJ, EM, AJ, JD

1. 9:08 AM V21-197 161 Summer Street, Bridgewater

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to find and that no variance is needed and instruct applicant to update plans for building inspector by DJ

2nd by JD

By Acclimation/Carried

2. 9:14 AM V21-198 O Street and Broadway, Boston

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant on the condition that color and tactile indicators are installed by JD

2nd by DJ

By Roll Call: JD/Y, DJ/Y, AJ/Y, EM/Y, PM/A

3. 9:22 AM V21-199 1252-1270 Boylston Street, Boston

Exhibit – Variance Application and associated documents



WJ presented documentation – Discussion of Variance:

Motion to Packet by DJ

2nd by JD

By Acclamation/Carried

4. 9:24 AM V21-201 154 Newbury Street, Boston

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance 1 (28.5):

Motion to Grant Relief on the condition that an indicator is provided on latch side at appropriate height by JD

2nd by DJ

By Acclamation/Carried

Discussion of Variance 2 (20.6.1):

Motion to Grant on the condition directional signage is installed indicating accessible route to tenants A, B, C and D and if there is a website, information on the accessible route is provided on the website and the automatic door opener allows ample timing for entry and exit of lift by JD

2nd by AJ

Discussion of Variance 3 and 4 (28.7):

Motion to Continue for information from elevator company for possibility of another system that could be installed into the existing elevator shaft by DJ

2nd by JD

5. 9:53 AM V21-184 Multiple Streets, Multiple Towns

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Table by DJ

2nd by EM

By Acclamation/Carried

6. 9:57 AM Advisory Opinion Request Signage Height

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Advisory Opinion Request:

Motion to Find that the 2010 ADA standards are equally accessible for mounting height locations by JD

2nd by DJ

By Acclamation/Carried

7. 10:01 AM V21-118 179 Commercial Street, Provincetown

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Continue for test drawings by DJ

2nd by MM

By Acclamation/Carried

8. 10:03 AM V21-130 120 Commerce Way, Woburn

Exhibit – Amended Variance Application and associated documents

WJ presented documentation – Discussion of Variances 1,5,7,8,9:

Motion to Packet by DJ

2nd by MM
By Acclamation/Carried

9. 10:15 AM V21-155 50 Richland Street, Worcester
Exhibit – Amended Variance Application and associated documents
WJ presented documentation – Discussion of Variance:

Motion to Schedule hearing by DJ

2nd by AJ

By Acclamation/Carried

10:32 AM MM Arrived

10. 10:33 AM V21-200 110 Cherry Street, Holyoke
AJ Recused

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance 1:

Motion to Grant by DJ

2nd by EM

By Acclamation/Carried

Discussion of Variance 2 and 3:

Motion to Grant on the condition that the roll in shower seat has a locking mechanism to lock once inside shower by JD

2nd by DJ

By Acclamation/Carried

10:45 AM Break

11. 11:00 AM Hearing declared regarding V21-190 55 Fenn Street, Pittsfield:
PM opened the hearing, introduced Board and established procedures. Participants John Barry, Wendy Brown, Jeff Clemons, Albert Leu, Jim Bronson, and John Pariseau are sworn in. Exhibit #1 – the hearing packet AAB 1-57 is noted. John Barry presented application. Comments and additional testimony by - Discussion and Questions of Variance 1 (handrails):

Motion to Deny temporary relief request by DJ

2nd by MM

By Acclamation/Carried

Discussion of Variance 1 (ramp slope):

Motion to Continue for test drawings of compliant ramp by DJ

2nd by JD

By Acclamation/Carried

Discussion of Variance 1 (26.6):

Motion to Grant on the condition of installation of automatic door openers by JD

2nd by DJ

By Acclamation/Carried

Discussion of Variance 2 (handrail extension time variance and clearance):

Motion to Grant as proposed by JD

2nd by DJ

By Acclamation/Carried

Discussion of remaining requests:

Motion to take under advisement by DJ

2nd by JD

By Acclamation/Carried

12:00 PM Break for lunch

12. 1:00 PM Hearing declared regarding V21-192 72 Jefferson Street, Marlboro:

PM opened the hearing, introduced Board and established procedures. Participants Anthony Antico and Barbara O'Brien are sworn in. Exhibit #1 – the hearing packet AAB 1-14 is noted. Anthony Antico presented application. Exhibit #2 – Pictures of lift and letters from tenant is noted and accepted. Comments and additional testimony by Barbara O'Brien. Discussion and Questions of Variance:

Motion to Continue for additional information including pictures, lock information, and letter from tenant by DJ

2nd by JD

By Acclamation/Carried

13. 1:37 PM V21-145 4 Hartford Avenue North, Upton

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to extend construction completion requirement to April 20, 2022 by DJ

2nd by AJ

By Acclamation/Carried

14. 1:53 PM Minutes and Decisions

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Approve minutes and decisions from 11/29/21 by JD

2nd by EM

By Acclamation/Carried

15. 2:00 PM Hearing declared regarding V21-194 422 River Street, Boston:

PM opened the hearing, introduced Board and established procedures. Participants Kevin Hastings, Michael Muehe, and Daniel Moll are sworn in. Exhibit #1 – the hearing packet AAB 1-21 is noted. Kevin Hastings presented application. Comments and additional testimony by Michael Muehe and Daniel Moll. Exhibit #2 – Site Plan is noted and accepted. Discussion and Questions of Variance (Group 2A units only):

Motion to Grant timed relief until January 2026 on the condition of review of accommodation policy by the Board, including lease language to build in the right to relocate within building or portfolio for 4 2A units with annual reports starting July 2022 on status of Group 2A units by JD

2nd by AJ

By Roll Call JD/Y, DJ/N, EM/Y, MO/Y, AJ/Y, PM/A

Discussion of Variance (Common space variances):

Motion to Grant six-month time variance for common space variance requests until August 1, 2022 by JD

2nd by MO
By Roll Call: JD/Y, DJ/A, EM/Y, MO/Y, AJ/Y, PM/A

Discussion of Variance (Parking)

Motion to Continue for test drawing for van accessible parking space in garage and feasibility of installing overhead coverage for outdoor van space by JD

2nd by DJ

By Roll Call AJ/Y, MO/Y, EM/Y, DJ/Y, JD/Y, PM/A

3:03 5 Min Break

16. 3:11 PM Continued deliberation of V21-190 55 Fenn Street, Pittsfield

Discussion of Variances:

Motion to Continue for more information for test drawings for compliance, cost estimates, for requests 3, 4, 5, 6, 8, 14, 15, 16, 17, 18, 19, 20, 21 by JD

2nd by DJ

By Acclamation/Carried

Discussion of Variances (handrails):

Motion to Grant on the condition compliant wall side handrails are provided by JD

2nd by DJ

By Acclamation/Carried

Discussion of Variance 9 (stairs):

Motion to Continue for more information for more information on how stairs is used by the church and the shelter by JD

2nd by DJ

By Acclamation/Carried

Discussion of Variance 10:

Motion to Deny and note that an automatic door opener would relieve the requirements of 26.6 by JD

2nd by DJ

By Acclamation/Carried

Discussion of Request 11:

Motion to Continue for updated plans and pictures regarding doors in question by JD

2nd by DJ

By Acclamation/Carried

Discussion of Variance 12:

Motion to Deny by JD

2nd by AJ

By Acclamation/Carried

Discussion of Request 13 (door hardware):

Motion to Deny by JD

2nd by AJ

By Acclamation/Carried

Discussion of Request 13 (door swing clearance)

Motion to Grant by JD

2nd by AJ

By Acclamation/Carried

Motion to expedite decision by JD

2nd by DJ

By Acclamation/Carried

Motion to Grant temporary relief for all continued items until July 1, 2022 by JD

2nd by EM

By Acclamation/Carried

17. 3:59 PM V21-193 Tremont at Mass Ave and Arlington Street, Boston

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant as proposed by JD

2nd by DJ

By Acclamation/Carried

18. 4:03 PM V21-178 191 Washington Street

Exhibit – Amended Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant as proposed by JD

2nd by DJ

By Acclamation/Carried

19. 4:08 PM V21-186 414 Highland Avenue, Somerville

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Schedule hearing and provide test drawings of slope at new entry by JD

2nd by DJ

By Acclamation/Carried

Respectfully submitted,

Bradley Souders, Office Support Specialist

Exhibits List

- Bridgewater State University Foundation, 161 Summer Street, Bridgewater (V21-197)
 - Exhibit – Variance Application and associated documents
- MBTA Bus Stop, O Street and Broadway, Boston (V21-198)
 - Exhibit – Variance Application and associated documents
- 15 Story Residential, 1252-1270 Boylston Street, Boston (V21-199)
 - Exhibit – Variance Application and associated documents
- Mixed Use Building, 154 Newbury Street, Boston (V21-201)
 - Exhibit – Variance Application and associated documents
- MBTA System Wide Accessibility Improvements Projects, Multiple Stations, Multiple Towns (V21-184)



- Exhibit – Variance Application and associated documents
- Advisory Opinion Request – Signage Mounting Height
 - Exhibit – Advisory Opinion Request and associated documents
- Jimmy's Hideaway Restaurant, 179 Commercial Street, Provincetown (V21-118)
 - Exhibit – Variance Application and associated documents
- Emblem 120, 120 Commerce Way, Woburn (V21-130)
 - Exhibit – Amended Variance Application and associated documents
- Learning First Charter Public School, 50 Richland Street, Worcester (V21-155)
 - Exhibit – Amended Variance Application and associated documents
- Soldiers Home in Holyoke, 110 Cherry Street, Holyoke (V21-200)
 - Exhibit – Variance Application and associated documents
- First United Methodist Church, 55 Fenn Street, Pittsfield (V21-190)
 - Exhibit #1 – Hearing packet AAB 1-57
- 2 Story Mixed Use, 72 Jefferson Street, Marlboro (V21-192)
 - Exhibit #1 – Hearing packet AAB 1-14
 - Exhibit #2 – Pictures of lift and letters from tenant
- Coach Road Apartments, 4 Hartford Avenue North, Upton (V21-145)
 - Exhibit – Variance Application and associated documents
- Decisions and Minutes to approve from November 29, 2021
 - November 29, 2021 Minutes
 - Haley House Inc, 497 and 503 Columbus Avenue, Boston (V21-151) Decision
- 4 Story Apartment Building, 422 River Street, Boston (V21-194)
 - Exhibit #1 – Hearing packet AAB 1-21
 - Exhibit #2 – Site Plan
- Curb Cuts, Tremont at Mass Ave and Arlington Street, Boston (V21-193)
 - Exhibit – Variance Application and associated documents
- Stratus Residences, 191 Washington Street, Brighton (V21-178)
 - Exhibit – Amended Variance Application and associated documents
- 2 Story Mixed Use, 414 Highland Avenue, Somerville (V21-186)
 - Exhibit – Variance Application and associated documents

