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AFFAIRS AND BUSINESS
REGULATION

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

Board Meeting Minutes – March 22, 2021
Teleconference

This meeting was open to the public and began approximately 9:10 AM.

Architectural Access Board member attendance:

Dawn Guarriello, Chairperson (DG)

Patricia Mendez – Chair (PM)

Andrew Bedar (AB)

Jeffrey Dougan (JD)

Raymond Glazier (RG)

Mary Mahon McCauley (MM)

David Johnson (DJ)

Elizabeth Myska (EM)

Meaghan O'Brien (MO)

Division of Professional Licensure Employees attendance:

William Joyce – AAB Executive Director (WJ)

James Plotkin – Legal Counsel (JP)

Bradley Souders – Office Support Specialist (BS)

DG opened the meeting for Roll Call:

PM, AB, JD, RG, EM

1. 9:10 AM Advisory Opinion – Stairs

Exhibit – Advisory Opinion – Stairs

WJ presented documentation – Discussion:

Motion to Classify drawings supplied as stairs by JD

2nd by AB

By Acclamation/Carried

9:11 AM MM arrived

2. 9:15 AM V20-214 1096-1102 Pleasant Street, Worcester

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Deny for units 1098A, 1098B, 1100A; Grant relief 26.6.2 on the condition that automatic door openers installed for those entrances by JD



2nd by AB
By Acclamation/Carried

Motion to Grant on the condition that petitioner provides reasonable accommodation policy for all units and that the policy must be approved by AAB before any tenants lease a unit by JD

2nd by RG
By Acclamation/Carried

9:25 AM DJ arrived

9:30 AM MO arrived

9:43 AM PM Assumes chair

3. 9:43 AM V20-226 159 Derby Street, Salem
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion:

Motion to Grant with following conditions: installation of automatic door opener; signage installed indicating ramp has slope that is steeper than allowable limit; buzzer installed at ramp to be used to request additional assistance from staff; submit new reasonable accommodation policy to the Board with language outlining new buzzer and ramp usage, adding language on website indicating staff assistance for new entrance and buzzer policy by JD

2nd by RG
By Acclamation/Carried

10:08 AM DG Resumes chair

4. 10:08 AM V20-232 491 Commonwealth Avenue, Boston
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion:

Motion to Request petitioner's appearance at AAB hearing to address questions and concerns of the Board by DJ

2nd by PM
By Acclamation/Carried

5. 10:20 AM Board discussion as to whether to order staff to seek status with DPL regarding the new edition of 521 CMR
DG presided over discussion –
Motion by JD to:

- a. Request current status of new regulation adoption process;
- b. Define the path of adoption to be used by Board and AAB staff;
- c. Reconvene Review Subcommittee to review the new adoption process;
- d. Item should remain on the AAB meeting agenda until new edition of 521 CMR is adopted;
- e. Schedule hearing slot once the Board and staff establishes the adoption process in order to allow a period of public feedback and comments on the process of updating regulation during a to-be-determined AAB meeting

2nd by RG
By Acclamation/Carried

6. 10:31 AM Approval of 2/22/2021 Decisions and Minutes

WJ presented Minutes and Decisions

Motion to Accept February 22, 2021 Minutes by JD

2nd by PM

By Acclimation/Carried

Motion to Accept V20-170, V20-220, and V20-223 Decisions by JD

2nd by DJ

By Acclimation/Carried

7. 10:43 AM V21-015 17 Chestnut Street, Arlington:

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Continue Variance 1 (entrances) and Variance 2 (elevators) in order for petitioner to provide drawings/plans of installing interior or exterior lift for basement level access and to provide up to date cost estimate of those plans by JD

2nd by PM

By Acclimation/Carried

Motion for Board to notify petitioner that single-use bathroom does not meet current code requirements and require that bathroom be brought up to code by JD

2nd by AB

By Acclimation/Carried

Motion to provide test drawings and accurate cost estimate of making basement bathroom single-use by JD

2nd by DJ

By Acclimation/Carried

10:53 AM MM left meeting

10:54 AM 6 minute break

8. 11:00 AM Hearing declared regarding V20-221 – One Armory Square, Springfield:

DG opened the meeting, introduced Board and established procedures. Participants Thomas Jonak, Michael Waters, Debra Avery, and Gina Lomelin are sworn in. Exhibit #1 – the hearing packet AAB 1-25 is noted. Mr. Jonak presented application. Comments and additional testimony by Michael Waters. Thomas Jonak's additional diagram (diagrams 1 and 2) is noted and accepted as Exhibit #2. Discussion and Questions:

Motion to Grant as proposed by PM

2nd by JD

By Acclimation/Carried

9. 11:28 AM V21-028 18-26 Chauncy Street, Cambridge:

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Grant previous variance requests by RG

2nd by JD

By Acclimation/Carried

10. 11:35 AM V21-029 741 Tyler Street, Pittsfield:



Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Continue in order for petitioner to provide accurate measurement of the slope of front entrance by DJ

2nd by JD

By Acclimation/Carried

11. 11:37 AM V21-030 107 Keets Road, Deerfield

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

~~Motion to Continue Request 1 and 2 to 1) identify where the latch dials are (both sides of door) for doors seeking variance, what the door accesses by JD~~

~~2nd by RG~~

~~By Acclimation/Carried~~

~~Motion to Deny Request 3 due to lack of evidence of obsessive cost and substantial benefit~~

~~2nd by RG~~

~~By Acclimation/Carried~~

Motion to Schedule hearing by RG

2nd by DJ

By Acclimation/Carried

Motion to Reconsider first two motions and address all variance requests at hearing by JD

2nd by RG

By Acclimation/Carried

11:59 AM Break for Lunch

1:00 PM Meeting resumes

12. 1:00 PM Hearing declared in regards to V20-234 325 Binney Street, Cambridge

DG opened the meeting, introduced Board and established procedures. Participants Brian Kuhn, Beth Wilson-Shunta, Cathy Bell, Jay Siebenmorgen, and Michael Muehe are sworn in. Exhibit #1 – hearing packet AAB 1-22 is noted. Mr. Kuhn presented application. Additional comments and testimony by Michael Muehe and Beth Wilson-Shunta. Rachel Tanenhaus is sworn in. Additional comments and testimony by Rachel Tanenhaus.

Discussion and questions:

Motion to Take under advisement by JD

2nd by DJ

By Acclimation/Carried

13. 2:05 PM Hearing declared in regards to V21-005, 37 Union Street, Attleboro

DG opened the meeting, introduced Board and established procedures. Participants Kevin Vician and Eliza Datta are sworn in. Exhibit #1 – hearing packet AAB 1-19 is noted. Supplemental images and documents are noted and accepted as Exhibit #2. Mr. Vician presented application. Additional comments and testimony by Eliza Datta. Discussion and questions:

Motion to require applicant to follow through with required MHC ADA Consultation process and to provide applicable correspondence from MHC related to current variance requests by DJ



2nd by RG
By Acclimation/Carried

2:31 PM Break

2:37 AB left meeting

14. 2:38 PM Continuation of Hearing V20-234 325 Binney Street, Cambridge:

Discussion:

Motion to Continue in order to explore designs that solve the inaccessibility of multiple mezzanine spaces throughout current design by PM

2nd by RG

By Acclimation/Carried

3:12 MO left meeting

15. 3:26 PM V21-031 15 Winthrop Street, Holliston

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Continue for overall cost of project and provide feasibility study of installing lift to second floor and furniture plan by JD

2nd by RG

By Acclimation/Carried

16. 3:34 PM V21-032 12 Bancroft Street, Maynard

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

~~Motion to Grant as proposed on the condition that front entrance stairs meeting requirements laid out in 521 CMR section 27 (Stairs) by JD~~

~~2nd by DJ~~

Motion withdrawn by JD

Motion to Continue to request feasibility study of upgrading units to Group 1 status by PM

2nd by RG

By Acclimation/Carried

17. 3:49 PM V21-033 45 Dorsett Street, Dorchester

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Continue in order for Board staff to advise architect that Group 1 units must be fully compliant with 521 CMR, in addition to requiring accessible routes to parking and accessible exterior routes to those amenities by JD

2nd by DJ

By Acclimation/Carried

18. 3:55 PM V21-034 4080 Acushnet Avenue, New Bedford

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Continue to ensure no special permit is required to perform duties outside of place of business by JD



2nd by RG
By Acclimation/Carried

19. 3:58 PM V21-035 190 North Street, Boston
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion:
PM recused for this variance

Motion to Continue in order to obtain more information for dimensions of portable ramp as well as dimensions of stairs and height differential and opportunities for seating plans on the accessible level by JD
2nd by RG
By Acclimation/Carried

20. 4:04 PM V21-036 85 Plymouth Street, Bridgewater
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance 1:

Motion to Grant on usual conditions for Group 1 units, Deny for Group 2A units by JD
2nd by DJ
By Acclimation/Carried

Discussion of Variance 2 (Controls)

Motion to Continue in order for petitioner to provide unit identification and details of unit for requested variance by next AAB meeting (4/5/2021) by JD
2nd by DJ
By Acclimation/Carried

Discussion of Variance 3 (Light switch)

Motion to Continue in order for petitioner to provide unit identification and details of unit for requested variance by next AAB meeting (4/5/2021) by JD
2nd by EM
By Acclimation/Carried

Discussion of Variance 4 (Electrical outlet)

Motion to Continue in order for petitioner to provide unit identification and details of unit for requested variance and to supply appropriate plans and drawings with dimensions to the Board by next AAB meeting (4/5/2021) by JD
2nd by RG
By Acclimation/Carried

21. 4:25 PM V21-018 Multiple Streets, Boston
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion:
Motion to Packet by JD
2nd by RG
By Acclimation/Carried

22. 4:26 PM V21-019 Broadway at Pleasant and Osgood Streets, Methuen
Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Continue in order to provide alternative plans and drawings for both slope-down or apex curb cuts to gauge whether these proposed plans would have a positive effect on these proposed curb cuts by JD

2nd by RG

By Acclimation/Carried

23. 4:31 PM V18-161 415 South Street, Waltham
Exhibit – Amended Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Grant by RG

2nd by JD

By Acclimation/Carried

24. 4:34 PM V18-249 89 Burril Street, Swampscott
Exhibit – Status Report

WJ presented documentation – Discussion:

Motion to Accept status report and direct AAB Staff to advise petitioner that request to extension must come in the form of an amended application by RG

2nd by JD

By Acclimation/Carried

25. 4:37 PM V20-153 64 Crescent Avenue, Newton
Exhibit – Status Report

WJ presented documentation – Discussion:

Motion to Accept status report by PM

2nd by JD

By Acclimation/Carried

26. 4:39 PM V21-009 280 Locke Drive, Marlborough
Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance 1:

Motion to Grant extension request on the condition that vehicle directional signage indicating route to accessible route be posted, information on the accessible route to be posted on website, and notice of accessible route provided to parents by JD

2nd by PM

By Acclimation/Carried

Discussion of Variance 2:

Move to Packet by JD

2nd by PM

By Acclimation/Carried

27. 4:58 PM Advisory Opinion – Stair Uniformity

Exhibit – Letter requesting opinion

WJ presented documentation – Discussion

Motion declaring that all stairs must be uniform by DJ

2nd by JD

By Acclimation/Carried

28. 5:01 PM Approval of 3/08/2021 Decisions and Minutes

WJ presented Minutes and Decisions

Motion to Accept 3/08/2021 Minutes and V19-284, V21-003, and V21-004 Decisions by JD

2nd by DJ

By Acclimation/Carried

5:03 PM end of meeting noted

Respectfully submitted,

Bradley Souders

Office Support Specialist II

Exhibits:

- Advisory Opinion Discussion
 - Exhibit – Advisory Opinion – Stairs
- Commercial Building, 1096-1102 Pleasant Street, Worcester (V20-214)
 - Exhibit – Variance Application and associated documents
- Salem Arts Association, 159 Derby Street, Salem (V20-226)
 - Exhibit – Variance Application and associated documents
- Chabad House of Greater Boston, 491 Commonwealth Avenue, Boston (V20-232)
 - Exhibit – Variance Application and associated documents
- Approval of Minutes and Decisions from 02/22/2021
 - Exhibit – February 22, 2021 Minutes
 - Exhibit – Board Decision 4 Story Building, 48 JFK Street, Cambridge (V20-170)
 - Exhibit – Board Decision Banyan Bar, 553 Tremont Street, Boston (V20-220)
 - Exhibit – Board Decision Frank and Maureen Wilken's Science and Engineering Center, 2240 Iyannough Road, West Barnstable (V20-223)
- Commercial Building, 17 Chestnut Street, Arlington (V21-015)
 - Exhibit – Variance Application and associated documents
- Hearing – Garvey Hall Bldg 16, One Armory Sq., Springfield, MA (V20-221)
 - Exhibit #1 – AAB 1-25
 - Exhibit #2 – Additional diagrams
- 4 Story Apartment Building, 18-26 Chauncy Street, Cambridge (V21-028)
 - Exhibit – Variance Application and associated documents
- 2 Story Mixed Use, 741 Tyler Street, Pittsfield (V21-029)
 - Exhibit – Variance Application and associated documents
- Woolman Hill Quaker Conference Center, 107 Keets Road, Deerfield (V21-030)
 - Exhibit – Variance Application and associated documents
- Hearing – Lab Building, 325 Binney Street, Cambridge (V20-234)
 - Exhibit #1 – AAB 1-22
- Hearing – 37 Union Street Apartments, 37 Union Street, Attleboro (V21-005)



- Exhibit #1 – AAB 1-19
 - Exhibit #2 – Supplemental images and documents
- 2 Story Commercial, 15 Winthrop Street, Holliston (V21-031)
 - Exhibit – Variance Application and associated documents
- The Calvin Schoolhouse Lofts, 12 Bancroft Street, Maynard (V21-032)
 - Exhibit – Variance Application and associated documents
- 45 Dorset Street Apartments, 45 Dorset Street, Dorchester (V21-033)
 - Exhibit – Variance Application and associated documents
- Complexions Skincare, Waxing, and More+, 4080 Acushnet Avenue, New Bedford (V21-034)
 - Exhibit – Variance Application and associated documents
- Limoncello Restaurant 190 North Street Boston (V21-035)
 - Exhibit – Variance Application and associated documents
- Bridgewater Residential, 85 Plymouth Street, Bridgewater (V21-036)
 - Exhibit – Variance Application and associated documents
- Curb Cuts, Multiple Streets, Boston (V21-018)
 - Exhibit – Variance Application and associated documents
- Curb Cuts, Broadway at Pleasant and Osgood Streets, Methuen (V21-019)
 - Exhibit – Variance Application and associated documents
- Lown School, 415 South Street, Waltham (V18-161)
 - Amended Variance Application and associated documents
- Reach Arts, 89 Burrill Street, Swampscott (V18-249)
 - Exhibit – Status Report
- Sacred Heart Parish Convent, 64 Crescent Avenue, Newton (V20-153)
 - Exhibit – Status Report
- NEIA 280 Locke Drive, Marlborough (V21-009)
 - Exhibit – Variance Application and associated documents
- Advisory Opinion – Tread Uniformity Tolerances
 - Exhibit – Letter requesting Board’s opinion
- Decisions and Minutes to Approve from 3/08/2021
 - Exhibit – Board Decision Residential Development, 370-380 Harrison Avenue, Boston (V19-284)
 - Exhibit – Board Decision Chelsea Homes, 4 Gerrish Avenue #2, Chelsea (V21-003)
 - Exhibit – Board Decision Longford Estate, 340 Winter Street, Framingham (V21-004)
 - Exhibit – March 8, 2021 Meeting Minutes