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KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALLY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional 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
PROFESSIONAL LICENSURE

Board Meeting Minutes – March 8, 2021
Teleconference

This meeting was open to the public and began approximately 9:06 AM.

Architectural Access Board member attendance:

Patricia Mendez – Chair (PM)
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)
Charles Kilb – Legal Counsel (CK)
Bradley Souders – Office Support Specialist (BS)

PM opened the meeting for Roll Call:

JD, DJ, EM, MO are noted Present.
RG and MM arrived after roll call.

1. 9:08 AM V21-016 47 Leavitt Street & 34 Peabody Street, Salem:
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion:

Motion to Continue in order to provide updated drawings, plans, and updated estimated cost of
installing vertical lift in 4 locations by JD
2nd by DJ
By Acclamation / Carried

9:08 AM RG arrived
9:10 AM MM arrived

2. 9:14 AM V21-018 Multiple Streets, Boston:
Exhibit – Variance Application and associated documents





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WJ presented documentation – Discussion:

Motion to Move to packet by JD
2nd by DJ
By Acclamation / Carried

3. 9:19 AM V21-019 Broadway at Pleasant and Osgood Streets, Methuen:
Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Move to packet by DJ
2nd by JD
By Acclamation / Carried

4. 9:24 AM V21-020 45 West Main Street, Westborough:
Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Continue to request plans for affected stairs and estimated costs associated with those plans
by JD
2nd by DJ
By Acclamation / Carried

5. 9:33 AM V21-021 212 Western Avenue, Cambridge:
Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Continue to ensure proper dimensions are displayed for bathroom door closer in submitted
plans, to provide cost and location of automatic door opener in bathroom, and provide detail on what is
on upper level due to vertical access requirements by JD
2nd by DJ
By Acclamation / Carried

6. 9:46 AM V21-022 201 Hampden Street, Boston:
Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Grant relief as proposed on the condition that conditional language is added in the deed that
states owners can't disturb or alter the electrical components or wall reinforcement unless installing
lift, the developer will offer lift installation to no cost to purchaser for the first sale only, and the
information above is advertised to the first owner of the unit by JD





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2nd by RG

By Acclamation / Carried

7. 10:00 AM V21-023 28 Exter Street, Boston:

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Continue for feasibility study on lift options and provide updated plans incorporating those options and to provide compliance information on bathrooms, stairwells, and pool stairs by JD

2nd by DJ

By Acclamation / Carried

8. 10:12 AM V21-024 10 Winthrop Square, Boston:

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Continue to provide feasibility study detailing how the columns in the mechanical area in the basement are causing structural issue by DJ

2nd by RG

By Acclamation / Carried

9. 10:18 AM V21-025 87 Water Street, Woods Hole:

Exhibit – Variance Application and associated documents

WJ Presented documentation – Discussion:

Motion to Hearing by MM

2nd by DJ

By Acclamation / Carried

Break

10. 10:39 AM V21-026 374 Commonwealth Avenue, Boston:

PM recused, JD assumes Chair, MM assumes co-chair

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Deny based on 5 year time variance for installation of lift not being met and request status report on elevator installation by RG

2nd by EM

By Acclamation / Carried





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PM resumes Chair

11. 10:44 AM V21-027 114-124 Ferry Street, Everett:

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion:

Motion to Hearing and invite representatives from city of Everett by JD

2nd by RG

By Acclamation / Carried

12. 10:55 AM V21-027 330 East 8th street, Boston:

Exhibit – Variance Application and associated documents

WJ presented documentation - Discussion:

Motion to Deny by JD

2nd by RG

By Acclamation / Carried

13. 11:00 am Hearing declared regarding V19-284– 370-380 Harrison Avenue, Boston:

PM opened the meeting, introduced Board and established procedures. Participants Paul Moan (Code Red), Jeanine Bisesti (Related Beal), Steve Ng (Related Beal), Michael Muehe (BCIL) are sworn in. Exhibit #1 – the hearing packet AAB 1-42 is noted. Mr. Moan presented application. Comments and additional testimony by Steven Ng, Jeanine Bisesti, and Michael Muehe. Michael Muehe's supplemental cut sheets is noted and accepted as Exhibit #2. Discussion and Questions:

Motion to Grant as proposed with stipulation to identify which outlet will be used for extension device in the unit, that these devices will be on hand and made readily available when requested by owner, provide information on how the extension device will be advertised to prospective buyers, ~~that at least one will be installed for use by tenant without request in 2A units~~, and Reasonable Accommodation draft policy to be submitted to Board and final version delivered when approved by city of Boston by JD.

RESCIND 4th motion by JD

2nd by RG

Matter reopened for discussion:

By Acclamation / Carried

14. 11:38 AM V17-109 2 Chins Way, Nantucket:





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Exhibit – Amended Application for Variance and Associated Documents

WJ presented documentation – Discussion

Motion to Deny by DJ

2nd by JD

By Acclamation / Carried

15. 11:40 AM V18-161 415 South Street, Waltham:

Exhibit – Status Report

WJ presented documentation – Discussion

Motion to Accept status report by JD

2nd by DJ

By Acclamation / Carried

Motion for AAB staff to contact applicant to provide appropriate amended variance application to
AAB by JD

2nd by RG

By Acclamation / Carried

16. 11:43 AM V20-026 61 Whig Street, Dennis:

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion

Motion to Hearing to discuss budgeting for the remedy, as well as virtual tour by JD

2nd by DJ

By Acclamation / Carried

Lunch Break – 12:01 PM

17. 1:00 PM Hearing declared regarding V21-004 – 340 Winter Street, Framingham:

PM opened the meeting, introduced Board and established procedures. Participants Dean Temple and John Ciccariello are sworn in. Exhibit #1 – the hearing packet AAB 1-22 is noted. Mr. Temple presented application. Comments and additional testimony by John Ciccariello.

Discussion and Questions:

Motion to Continue Variance 1 to request feasibility study including cost of a ramp if it were to be
constructed to make entrance “B” accessible by JD.

2nd by DJ





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By Acclamation / Carried

Motion to Grant Variance 2 on condition that no programming or services are provided or held near entrance "D".

2nd by RG

By Acclamation / Carried

18. 2:00 PM Hearing declared in regards to V21-003– 4 Gerrish Avenue #2, Chelsea:

PM opened the meeting, introduced Board and established procedures. Participants Laura Cella-Mowatt, Cassie Witthaus, Steve Laferriere, and Michael Muehe are sworn in. Exhibit #1 – hearing packet AAB 1-53 is noted. Exhibit #2 – additional correspondence from BCIL in regards to Chelsea Home was uploaded to the chat room, noted, and accepted. Mr. Laferriere presented application. Comments and additional testimony by Laura Cella-Mowatt, Cassie Witthaus, and Michael Muehe. Exhibit #3 – Cassie Witthaus uploaded The Neighborhood Developers (TND) accessible units portfolio and TND's reasonable modification and accommodation policy into the chat, was noted, and accepted. Exhibit #4 – Laura Cella-Mowatt presented letter from tenant (Abdellatif Abadla), noted and accepted.

Discussion and Questions of Variance 1:

Motion to Grant Variance 1 on condition that general accommodation policy (specifically, policy stating that tenants may request in-unit washer and dryer before move in) is advertised to prospective tenants, and 2) when and if requested, Chelsea Homes to provide washer and dryer within 30 days by JD.

2nd by DJ

By Acclamation / Carried

Discussion of Variance 2:

Motion to Continue for Variance 2 to produce feasibility study of installing lift on left and right sides of the property by DJ

2nd by JD

By Acclamation / Carried

Discussion of Variance 3:

Motion to take Variances 3-7 under advisement by JD

2nd by DJ

By Acclamation / Carried





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3:07 PM time limit reached for testimony. Hearing ended. 5 minute break.

3:12 PM Continuation of V21-003— 4 Gerrish Avenue #2, Chelsea:
Exhibit – Variance Application and associated documents

Discussion of Variance 3:

139 Shawmut (12 units)

Motion to Grant variance for 139 Shawmut entrance by JD

2nd by DJ

By Acclamation / Carried

90 Shawmut, 212 Poplar, 110-112 Chestnut Entrances

Motion to Grant dependent on directional signage by JD

2nd by RG

By Acclamation / Carried

61 Library, 48-50 Chester Entrances

Motion to grant dependent on directional signage by JD

2nd by DJ

By Acclamation / Carried

Motion to require all rear-based accessible entrances, exits, and pathways to have sufficient lighting by
DJ

2nd by RG

By Acclamation / Carried

Motion to post signage of 90 degree lifts within 30 days of receipt by JD

2nd by RG

By Acclamation / Carried

Discussion of Variance 4:

Motion to Grant on condition of requiring offset hinges by JD

2nd by EM

By Acclamation / Carried

Discussion of Variance 5:

Motion to Grant as proposed by JD





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2nd by RG
By Acclamation / Carried

Discussion of Variance 6 (risers):
Motion to Grant as proposed by JD
2nd by DJ
By Acclamation / Carried

Discussion of Variance 6 (handrails):
Motion to Grant as proposed by JD
2nd by DJ
By Acclamation / Carried

Discussion of Variance 7
Motion to Grant relief on the condition that this relief is for current tenants only and applicant must approach the Board again when current tenants move out, applicants will be required to bring unit up to code when current tenants vacate property, Exhibit #4 – Letter from tenant must be notarized, and an Annual status report on what work has been completed on the unit must be submitted to Board every January by JD
2nd by DJ
By Acclamation / Carried

Discussion of Variance 8 and 9
Motion to grant on condition that automatic door openers are installed by JD
Motioned rescinded by JD on condition that AAB staff reach out and ask for amended variance application as this variance must be requested through the amended variance application process

19. 3:34 PM V21-011 164 Lexington Road, Billerica:
Exhibit – Variance Application and associated documents
WJ presented documentation for Variance 1– Discussion
Motion to Grant relief for group 1, to Deny for group 2A by JD
2nd by DJ
By Acclamation / Carried

Discussion of Variance 2





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Motion to Grant group 1 units with condition that the vertical power strip is on hand, review of accommodation policy and how that is being advertised to prospective tenants, and must advise tenants that they can have vertical power strip installed within 15 days of request by JD

2nd by DJ

By Acclamation / Carried

Motion to Grant Group 2A on the condition that tower equipment be provided when tenant leases the space by JD

2nd by EM

By Acclamation / Carried

Discussion of Variance 3

Motion to Grant as proposed by JD

2nd by EM

By Acclamation / Carried

Discussion of Variance 4

Motion to Grant as proposed by JD

2nd by EM

By Acclamation / Carried

Discussion of Variance 5

Motion to Grant relief as proposed for group 1 and grant relief on group 2A on condition that motion sensors are installed by JD

2nd by DJ

By Acclamation / Carried

Discussion of Variance 6

Motion to Continue for additional drawings of compliant outlets and reconfiguration of bathroom in order to achieve compliance by JD

2nd by EM

By Acclamation / Carried

Discussion of Variance 7

Motion to Deny by DJ

2nd by MM





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By Acclamation / Carried

Discussion of Variance 8

Motion to Grant as proposed by JD

2nd by EM

By Acclamation / Carried

Discussion of Variance 9

Motion to Continue to conduct feasibility study of relocating outlet to upper right portion of patio
by DJ

2nd by JD

By Acclamation / Carried

20. 4:17 PM V21-012 250 Franklin Street, Boston:

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion

Motion for Hearing by JD

2nd by RG

By Acclamation / Carried

21. 4:18 PM V21-014 36 Bartlet Street, Andover:

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variances 1-11

Motion to Continue to find out how many staff will be on hand during normal business operations, and
how will customer service windows be staffed by JD

2nd by EM

By Acclamation / Carried

Discussion of Variance 12

Motion to Grant as proposed by JD

2nd by DJ

By Acclamation / Carried

Discussion of Variance 13





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Motion to Grant on north entrance condition of providing way finder signage and proving financial infeasibility by JD
2nd my EM
By Acclamation / Carried

Discussion of Variance 14

Motion to Deny by JD
2nd by RG
By Acclamation / Carried

Discussion of Variance 15 and 16

Motion to Deny by JD
2nd by DJ
By Acclamation / Carried

22. 4:34 PM V20-116 450 Massachusetts Avenue, Boston:

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion

Motion to Grant relief to 28.12.1, deny relief to 9.5.6 by DJ
2nd by JD
By Acclamation / Carried

23. 4:46 PM V20-131 225 Cabot Street, Beverly:

Exhibit – Amended Application for Variance and associated documents

WJ presented documentation – Discussion

Motion to Grant relief on condition that the door to mezzanine is locked and is inaccessible to public with signage, accessible only to legal employees of the church, review of policy of how the church will restrict access to the door by the general public, and notice on website stating balcony is closed to public by DJ
2nd by JD
By Acclamation / Carried

24. 4:52 PM V20-168 10-11 Arlington Street, Boston

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion

Motion to Continue to request additional information on warning signs or other options available DJ
2nd by EM





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By Acclamation / Carried

5:05 PM Motion to adjourn made by MM
2nd by AB
By Acclamation / Carried

End of meeting noted 5:06 PM

Exhibits:

- The Lighthouses, 47 Leavitt Street & 34 Peabody Street, Salem (V21-016)
 - Exhibit – Variance Application and associated documents
- Residential Building, 171-175 Broadway, Methuen (V21-017)
 - Exhibit – Variance Application and associated documents
- Curb Cuts, Multiple Street, 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
- Forbes Municipal Building, 45 West Main Street, Westborough (V21-020)
 - Exhibit – Variance Application and associated documents
- 212 Eatery, 212 Western Avenue, Cambridge (V21-021)
 - Exhibit – Variance Application and associated documents
- Residential Building, 201 Hampden Street, Boston (V21-022)
 - Exhibit – Variance Application and associated documents





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- Exter Towers, 28 Exter Street, Boston (V21-023)
 - Exhibit – Variance Application and associated documents
- Commercial Building, 10 Winthrop Square, Boston (V21-024)
 - Exhibit – Variance Application and associated documents
- Woods Hole Market & Provisions, 87 Water Street, Woods Hole (V21-025)
 - Exhibit – Variance Application and associated documents
- Harvard Club of Boston, 374 Commonwealth Avenue, Boston (V21-026)
 - Exhibit – Variance Application and associated documents
- Mixed Use Building, 114-124 Ferry Street, Everett (V21-027)
 - Exhibit – Variance Application and associated documents
- Bonita bar, 2 Chins Way, Nantucket (V17-109)
 - Exhibit – Amended Application for Variance and Associated Documents
- Lown School, 415 South Street, Waltham (V18-161)
 - Exhibit – Status Report
- West School House, 61 Whig Street, Dennis (V20-026)
 - Exhibit – Variance Application and associated documents
- Mixed Use Building, 450 Mass Ave, Boston (V20-116)
 - Exhibit – Variance Application and associated documents
- First Parish Church, 225 Cabot Street, Beverly (V20-131)
 - Exhibit – Amended Application for Variance and associated documents
- Commercial Building, 10-11 Arlington Street, Boston (V20-168)
 - Exhibit – Variance Application and associated documents
- The Val, 164 Lexington Road, Billerica (V21-011)
 - Exhibit – Variance Application and associated documents
- Langham Hotel, 250 Franklin Street, Boston (V21-012)
 - Exhibit – Variance Application and associated documents
- Andover Town Offices, 36 Bartlet Street, Andover (V21-014)
 - Exhibit – Variance Application and associated documents
- Hearing – Residential Development, 370-380 Harrison Avenue, Boston (V19-284)
 - Exhibit #1 – Hearing packet AAB 1-42
 - Exhibit #2 – Michael Muehe's supplemental cut sheets





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- Hearing – Longford Estate, 340 Winter Street, Framingham (V21-004)
 - Exhibit #1 – Hearing packet AAB 1-22
- Hearing – Chelsea Homes, 4 Gerrish Avenue #2, Chelsea (V21-003)
 - Exhibit #1 – Hearing packet AAB 1-53
 - Exhibit #2 – Additional correspondence from BCIL in regards to Chelsea Home
 - Exhibit #3 – The Neighborhood Developers (TND) accessible units portfolio and TND's reasonable modification and accommodation policy
 - Exhibit #4 – Letter from tenant Abdellatif Abadla

Postponed Agenda Items:

- Commercial Building, 1096-1102 Pleasant Street, Worcester (V20-214)
- Salem Arts Association, 159 Derby Street, Salem (V20-226)
- Chabad House of Greater Boston, 491 Commonwealth Avenue, Boston (V20-232)
- 330 Eighth Street Apartments, 330 East Eighth Street, Boston (V21-001)
- Advisory – Stairs
- Board discussion as to whether to order staff to seek status with DPL regarding the new edition of 521 CMR.
- Approval of Minutes and Decisions
 1. November 16, 2020 Minutes
 2. 4 Story Building, 48 JFK Street, Cambridge (V20-170)
 3. Banyan Bar, 553 Tremont Street, Boston (V20-220)





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4. Frank and Maureen Wilken's Science and Engineering Center, 2240 Iyannough Road, West Barnstable (V20-223)

Respectfully submitted:

Bradley Souders
Office Support Specialist II
Architectural Access Board

