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UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

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

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

1000 Washington Street, Suite 710, Boston, MA 02118
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ARCHITECTURAL ACCESS BOARD

April 27, 2020 9:00 a.m. to 4:00 p.m.

Remote participation can be accessed by computer, table or smartphone.

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Board Members Present:

- Walter White (WW)
- Jane Hardin (JH)
- Andy Bedar (AB)
- Mary Mahon McCauley / Jeffrey Dougan (MM) (JD)
- Raymond Glazier (RG)
- Dawn Guarriello (DG)
- Patricia Mendez, (PM)
- Harold Rhodes (HR)

Also in Attendance:

- James Plotkin, Legal Counsel, DPL (JP)
- William Joyce, Executive Director, AAB (WJ)
- Karen Brann, Program Coordinator, AAB (KB)

Board Members not in Attendance:

- David Johnson (DJ)

WW, JH, AB, PM, HR, DG, RG, JD/MM

WW - The Chair opened the meeting.

MM updated the members of the possibility of new people being on the board and asked members to send her letters stating if they would like to continue serving on the board or if they would like to stepdown from their position.

Update - Compliance Officer I position

Mr. Joyce informed the board that 6 candidates were interviewed for the Compliance Office I position and there is a preferred candidate.

JH motioned for Executive Director Joyce to move forward with candidate background checks for the Compliance Officer I candidate.

RG seconded, passed unanimously.

Roll call PM, JH, HR, AB, RG, MM, DG passed unanimously.

Incoming Case Review:

1. Old Colonial Courthouse, 3046 Main Street, Barnstable, V20-066

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

PM motioned to packet the case. JH seconded, passed unanimously

Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

2. Commercial Building, 123 MacArthur Drive, New Bedford, V20-067

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

28.12.1 The petitioner seeks the use of two lifts, main level to the second level, main level to basement.

JH motioned to grant. AB seconded, passed unanimously

Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

3. New Multi Family, 97 Condor Street, Boston, V20-068

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New construction. Stacked closets in units. The petitioner is seeking a later installation of lift. BCIL is opposed.

PM motioned to grant on the conditions of installation of wiring for future lift, language in the lease saying lift can be installed at no cost to tenant and installed within three months, unless the petitioner requests an extension from AAB, and language on the deed noting there is a variance in place. If time installation time goes over, the petitioner needs to request more time from AAB.

HR seconded, passed unanimously.

Roll Call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

4. Merrivista Senior Residence, 100 Water Street, Haverhill, V20-069

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Three variances, handrail, location of group 2, time variance

WJ contacted the petitioner seeking information but has not heard back from the petitioner.

JH motioned to continue for further information. RG seconded, passed unanimously.

Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

5. Westfield Woman's Club, 28 Court Street, Westfield, V20-070

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking 4 variances.

#1 – balcony seating – no access to the balcony

JD motioned to continue for the petitioner to provide the board information on the anticipated use of the balcony and rate of usage, how often it is used, is it only used for overflow?

JH seconded, passed unanimously.

Roll call, DG, PM, JH, HR, AB, RG, JD. Passed unanimously.

#2 – accessible means of egress at entrance. The petitioner is seeking to not make the entrance accessible.

JH motioned to continue for clarification of drawings of how the exterior view of accessible entrance will look upon completion, signage at entrance make accessible entrance more inviting, And a connecting path to accessible entrance from ceremonial entrance.

JD seconded, passed unanimously.

Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

Parking –

JH motioned that a variance is not needed, fewer than 15 spaces.

PM seconded, passed unanimously.

Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

DG left the meeting.

JD left the meeting.

6. Clearesult, 100 Central Street, Milford, V20-071

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Training site for people in construction field. Petitioner is seeking relief from 25.1 and 28.1

Space is on second floor. Seeking relief for no access to tenancy.

DG came back to the meeting.

*JH motioned to schedule a hearing. MM seconded, passed unanimously.
Roll call DG, PM. JH, HR, AB, RG, MM, passed unanimously.*

JD came back to the meeting.

7. Baker Hall, 620 Huntington Avenue, Boston, V20-072

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner seeks three variances

#1 28.7 – elevator cab size. BCIL opposes the variance.

*JH motioned to grant. JD seconded, passed unanimously
Roll call DG, PM. JH, HR, AB, RG, JD, passed unanimously.*

#2 - Door widths – Petitioner wants to keep non 2B rooms as is. There are 134 non group 2b.

*JD motioned to deny. JH seconded, passed unanimously.
Roll call DG, PM. JH, HR, AB, RG, JD, passed unanimously.*

Not sure it is an excessive cost without benefit.

#3 - Handrails

The building has an elevator. Handrails at staircases, wall side.

*JD motioned to grant relief to inside handrail and on the condition of compliant wall side
handrails and compliant on both sets of stairs. GD seconded, passed unanimously.
Roll call DG, PM. JH, HR, AB, RG, JD, passed unanimously.*

8. Orient Heights Senior Center, 19 Barnes Avenue, Boston, V20-073

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Toilet heights.

Already meeting compliance.

*JH motioned that no variance is required. JD seconded, passed unanimously.
Roll call DG, PM. JH, HR, AB, RG, JD, passed unanimously.*

9. Park School, 171 Goodard Avenue, Brookline, V20-074

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Knee clearance at art room sinks.

*JH motioned to grant. JD seconded, passed unanimously.
Roll call DG, PM. JH, HR, AB, RG, JD, passed unanimously.*

10. Ware Hall Milton Academy, 189 Centre Street, Milton, V20-075

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking two variances. WW recused himself. JH chaired.

#1 27.4.1 not interior handrails

*JD motioned to grant. PM seconded
Roll call DG, PM, HR, AB, RG, JD, passed unanimously.*

#2 14.4

HR motioned to grant as proposed on the condition of a clear accommodation plan and any public events are well publicized on how to make reservations for companion and accessible seating and the policy is provided to the board for review. JD seconded, passed unanimously.

Roll call DG, PM, HR, AB, RG, JD, passed unanimously.

11. Hall Street, Hall, Cherry Cedar, Somerville, V20-076

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Lack of clear width on Hall street.

JD motioned to grant on the condition all other elements comply.

JH seconded, passed unanimously.

Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

12. PRISM Apartments, 50 Rogers Street, Cambridge, V20-077

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Sink depths

RG motioned to grant with usual conditions and timeframes. JD seconded, passed unanimously.

Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

13. The Village Bank, 89 Wyman Street, Newton, V20-078

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is constructing an entrance accessible. 8.3% Sloped landing with automatic door opener.

JD motioned to grant on the condition activator controls are not located on sloped portion of landing and outside the swing of the door. PM seconded, passed unanimously.

Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

14. Mariposa Child Care Center, 61 Fairview Street, Dedham, V20-079
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
The petitioner is seeking a three-year time variance to build ramp.

RG granted a two-year time variance with 6 month status reports starting the first Monday in January, 2021. JD seconded, HR opposed, passed
Roll call DG, PM, JH, HR, AB, RG, JD, passed. HR opposed.

Quasi-Judicial Session, Pursuant to G.L. c. 30A, § 18

Administrative Discussion

15. Millie's Restaurant, 326 Madaket Road, Nantucket, V20-060
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Have a previous variance. Retriggered jurisdiction. The board received a letter of support from the Nantucket Commission.

JD motioned to grant relief from 28.12.5a. JH seconded, passed unanimously
Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

28.12.5 c

JD motioned it does not appear intercom system is required as no key is required. JH seconded, passed unanimously.
Roll call DG, PM, JH, HR, AB, G, JD, passed unanimously.

16. Residence Hall, 106-122 Stephen Street, Boston, V20-062
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking relief from 25.1. The have given three options, no cost for options 1 or 3.

JD motioned to continue for estimated cost for options 1 and 3, and clear indication of what areas people have access to under each option. JH seconded, passed unanimously.
Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

17. Notre Dame Long Term Care Center, 559 Plantation Street, Worcester, V20-063
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

#1

HR motioned to deny. PM seconded, passed unanimously.
Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.

#2-bathroom sink locations.

*JD motioned to grant as proposed. DG seconded, passed unanimously.
Roll call DG, PM, JH, HR, AB, RG, JD, passed unanimously.*

Board broke for a 40 minute lunch.

Advisory Opinion

18. Alarm emergency button layout on, Otis Elevator

Eric Tragash, Lerch Bates, 62-B Commercial Wharf, E. Boston

JH motioned to accept as the proposed complies by right. AB seconded, passed unanimously.

Roll call DG, PM, JH, HR, AB, RG, JD, motion passed

19. Halstead Danvers Bradlee Danvers, 1000 and 2009 Kirkbride Drive, Danvers, C15-139, V19-346

Exhibit – Variance Application and associated documents, update

Mr. Joyce presented the Variance Application and associated documents.

JD recused himself.

Received an update on proposed plan of compliance. The petitioner is asking to not do the work until COVID-19 restrictions are lifted.

JH motioned to grant until state of emergency is lifted with an update from petitioner 90 days from today 8/1/2020. AB seconded, DG abstained, motion passed.

Roll call PM, JH, HR, AB, RG, MM, motion passed

20. Concord Mobil, Parking, 143 Sudbury Road, Concord

Proposing to add a third row to attended valet parking area. Only employees can park their cars in the area. Do the spaces count?

JH motioned to grant on the condition there is a curb cut to get into the area.

DG seconded, passed unanimously.

Roll call PM, JH, HR, AB, RG, JD, DG, passed unanimously.

21. The New Dance Complex, 536 Massachusetts Ave., Cambridge, V14-316

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents, compliance pictures

Previously granted relief. The petitioner has provided photos showing auto door openers installed.

JD motioned to accept. DG seconded, passed unanimously.

Roll call PM, JH, HR, AB, RG, JD, DG, passed unanimously.

22. Lowell Justice Center, 370 Jackson Street, Lowell, V18-038

Exhibit – Variance Application and associated documents, requested information

Mr. Joyce presented the Variance Application and associated documents

HR motioned to accept. JH seconded, passed unanimously.

Roll call PM, JH, HR, AB, RG, JD, DG, passed unanimously.

23. Suzuki School of Newton, 1615 Beacon Street, Newton, V18-086
Exhibit – Variance Application and associated documents, status report
Mr. Joyce presented the Variance Application and associated documents.
Received status report.

*HR motioned to accept the status report. JH seconded, passed unanimously
Roll call PM, JH, HR, AB, RG, JD, DG motion passed*

24. Harmony Natural Learning Center, 67 Newburyport Tpk., Newburyport, V19-026
Exhibit – Variance Application and associated documents, status report
Mr. Joyce presented the Variance Application and associated documents.
Received status report. Running in to unexpected problems along with the current situation.

*HR motioned to accept the status report. JD seconded, passed unanimously.
Roll call PM, JH, HR, AB, RG, JD, DG motion passed*

25. Fay School Camp Building, 48 Main Street, Southborough, V19-067
Exhibit – Variance Application and associated documents, amendment
Mr. Joyce presented the Variance Application and associated documents.
Received an amendment. Requesting a year extension to 10/21/2021.

*HR motioned to grant. PM seconded, passed unanimously.
Roll call PM, JH, HR, AB, RG, JD, DG motion passed*

26. Kaven Hall, WPI, 100 Institute Road, Worcester, V19-207
Exhibit – Variance Application and associated documents, amendment
Mr. Joyce presented the Variance Application and associated documents.
Previously continued for additional information.

*JH motioned to grant variance request. JD seconded, HR opposed, motion passed.
Roll call PM, JH, AB, RG, JD, DG, HR opposed, motion passed.*

27. Houghton Library, 29 Harvard Yard, Cambridge, V19-243
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

*JH motioned to grant with the condition of compliant handles on both sides of door, 30.6.1 JD
seconded, passed unanimously. PM abstained, motion passed.
Roll call DG, JH, AB, HR, RG, JD, PM abstained, motion passed.*

PM left the meeting.

28. Harry Lee Cole School, 26 Middleton Road, Boxford, V19-273

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Status report. Town meeting has been pushed back due to Covid 19

HR motioned to grant. JH seconded, passed unanimously.

Roll call DG, JH, RH, AB, RG, JD, passed unanimously.

29. Alpha Tau Gamma, 118 Sunset Avenue, Amherst, V19-301

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Received response to continuance.

#1 Temp relief

JD grant time until 9/1/21 with 6 month reports starting 7/1/2020. JH seconded, passed unanimously.

Roll call DG, JH, HR, AB, RG, JD, passed unanimously.

#3 entrances (3)

1. JD motioned to accept affidavit. JH seconded, passed unanimously.

Roll call DG, JH, HR, AB, RG, JD, passed unanimously

2. JD grant on condition egress/patio use only. JH seconded, passed unanimously.

Roll call DG, JH, HR, AB, RG, JD, passed unanimously

3. JD grant on condition no unique programming on the basement level.

JH seconded, passed unanimously.

Roll call DG, JH, HR, AB, RG, JD, passed unanimously

#5 – doors

JD motioned no variance required the doors will be fixed. JH seconded, passed unanimously.

Roll call DG, JH, HR, AB, RG, JD, passed unanimously

#7 - handrails stair two

JD motioned to grant. JH seconded, passed unanimously.

Roll call DG, JH, HR, AB, RG, JD, passed unanimously

#8 bathing rooms

JD motioned to grant. JH seconded, passed unanimously.

Roll call DG, JH, HR, AB, RG, JD, passed unanimously

#2 vertical access

Not sure there is a kitchen on the first floor.

PM came back to the meeting.

*JD motioned to schedule a hearing on items 2 and 9. HR seconded, PM abstained motion passed.
Roll call DG, JH, HR, AB, RG, JD, PM abstained, motion passed.*

30. Cleghorn Properties, Multiple Streets, Fitchburg, V20-023
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

*JD motioned to packet for the 5/11/2020 meeting.. PM seconded, passed unanimously.
Roll call DG, JH, HR, AB, RG, JD, passed unanimously*

31. Governor Robinson Apartments, 2-15 Volpe Drive, Chicopee, V20-037
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
The case was previously continued.

*JD motioned to continue for further information on addressing change of level at the door. JH
seconded, passed unanimously.
Roll call DG, JH, HR, AB, RG, JD, PM passed unanimously*

32. Bay Farm Montessori Middle School, 145 Loring Street, Duxbury, V20-047
Exhibit – Variance Application and associated documents, requested information.
Mr. Joyce presented the Variance Application and associated documents.
Submitted requested information.

HR motioned to deny. JD seconded
HR Withdrew his previous motion.

*JD motioned to schedule a hearing. HR seconded, passed unanimously.
Roll call DG, JH, HR, AB, RG, JD, PM, passed unanimously*

33. The Footlight Club, 7A Eliot Street, Jamaica Plain, V20-056
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
PM recused herself.
Previously continued on 25.1. Received amendment request. Will only be one accessible means
of egress. BCIL supports with conditions.

*HR motioned to grant on the condition accessible companion seating complying with 521 CMR is
provided. JH seconded, passed unanimously.*

Roll call DG, JH, HR, AB, RG, JD, passed unanimously

34. Studio EX Cycle & Fitness, 181 Falmouth Road, Hyannis, V20-065
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Previously continued.

*HR motioned to grant. AB seconded, passed unanimously.
Roll call DG, JH, HR, AB, RG, JD, passed unanimously*

A conversation ensued regarding how the current COVID-19 state of emergency is impacting the complaint process. Mr. Joyce informed the board that there are roughly 150 complaints in the backlog.

Minutes – March 9, 2020
Minutes – March 27, 2020
Minutes – April 6, 2020

*HR motioned to accept the March 9, 2020 minutes. JH seconded, passed unanimously.
Roll call DG, JH, HR, AB, RG, PM passed unanimously.*

*HR motioned to accept the March 27, 2020, JD seconded, passed unanimously.
Roll call DG, PM, JH, HR, RG, JD passed unanimously.*

*HR motioned to accept the April 6, JD, DG abstained, AB abstained, motion passed
Roll call PM, JH, HR, RG, JD, motion passed.*

Matters not reasonably anticipated 48 hours in advance of meeting.

Adjourn 4:00 p.m.

Exhibits

Old Colonial Courthouse, 3046 Main Street, Barnstable, V20-066
Exhibit – Variance Application and associated documents

Commercial Building, 123 MacArthur Drive, New Bedford, V20-067
Exhibit – Variance Application and associated documents

New Multi Family, 97 Condor Street, Boston, V20-068
Exhibit – Variance Application and associated documents

Merrivista Senior Residence, 100 Water Street, Haverhill, V20-069

Exhibit – Variance Application and associated documents

Westfield Woman’s Club, 28 Court Street, Westfield, V20-070

Exhibit – Variance Application and associated documents

Clearesult, 100 Central Street, Milford, V20-071

Exhibit – Variance Application and associated documents

Baker Hall, 620 Huntington Avenue, Boston, V20-072

Exhibit – Variance Application and associated documents

Orient Heights Senior Center, 19 Barnes Avenue, Boston, V20-073

Exhibit – Variance Application and associated documents

Park School, 171 Goodard Avenue, Brookline, V20-074

Exhibit – Variance Application and associated documents

Ware Hall Milton Academy, 189 Centre Street, Milton, V20-075

Exhibit – Variance Application and associated documents

Hall Street, Hall, Cherry Cedar, Somerville, V20-076

Exhibit – Variance Application and associated documents

PRISM Apartments, 50 Rogers Street, Cambridge, V20-077

Exhibit – Variance Application and associated documents

The Village Bank, 89 Wyman Street, Newton, V20-078

Exhibit – Variance Application and associated documents

Mariposa Child Care Center, 61 Fairview Street, Dedham, V20-079

Exhibit – Variance Application and associated documents

The New Dance Complex, 536 Massachusetts Ave., Cambridge, V14-316

Exhibit – Variance Application and associated documents

Halstead Danvers Bradlee Danvers, 1000 and 2009 Kirkbride Drive, Danvers, C15-139, V19-346

Exhibit – Variance Application and associated documents, update

Lowell Justice Center, 370 Jackson Street, Lowell, V18-038

Exhibit – Variance Application and associated documents, amendment

Suzuki School of Newton, 1615 Beacon Street, Newton, V18-086

Exhibit – Variance Application and associated documents, update

Harmony Natural Learning Center, 67 Newburyport Tpk., Newburyport, V19-026

Exhibit – Variance Application and associated documents, update

Fay School Camp Building, 48 Main Street, Southborough, V19-067

Exhibit – Variance Application and associated documents, amendment

Kaven Hall, WPI, 100 Institute Road, Worcester, V19-207
Houghton Library, 29 Harvard Yard, Cambridge, V19-243
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Harry Lee Cole School, 26 Middleton Road, Boxford, V19-273
Exhibit – Variance Application and associated documents

Alpha Tau Gamma, 118 Sunset Avenue, Amherst, V19-301
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Cleghorn Properties, Multiple Streets, Fitchburg, V20-023
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Bay Farm Montessori Middle School, 145 Loring Street, Duxbury, V20-047
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The Footlight Club, 7A Eliot Street, Jamaica Plain, V20-056
Exhibit – Variance Application and associated documents

Millie's Restaurant, 326 Madaket Road, Nantucket, V20-060
Exhibit – Variance Application and associated documents

Residence Hall, 106-122 Stephen Street, Boston, V20-062
Exhibit – Variance Application and associated documents

Notre Dame Long Term Care Center, 559 Plantation Street, Worcester, V20-063
Exhibit – Variance Application and associated documents

Studio EX Cycle & Fitness, 181 Falmouth Road, Hyannis, V20-065
Exhibit – Variance Application and associated documents

Concord Mobil, 143 Sudbury Road, Concord
Advisory opinion

Alarm emergency button layout on, Otis Elevator, Eric Tragash, Lerch Bates, 62-B Commercial
Wharf, E. Boston
Advisory opinion