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

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

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**ARCHITECTURAL ACCESS BOARD**

**Minutes**  
**May 11, 2020**

**Board Members Present:**

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

**Also in Attendance:**

- Bruce Hopper, Chief Legal Counsel, DPL (BH)
- William Joyce, Executive Director, AAB (WJ)
- Karen Brann, Program Coordinator, AAB (KB)

**Board Members not in Attendance:**

- David Johnson (DJ)

The Chair opened the meeting.

WW, JH, PM, AB, HR, JD, DG

Mr. Joyce informed the Board that the new Compliance Officer will start on June 12, 2020.

**Incoming Case Review:**

1. Hampshire Athletic Club, 90 Gatehouse Road, Amherst, V20-080

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation to a fitness center. Petitioner seeks to use a lift in lieu of an elevator.

Three stop lift access to everything above grade.

*JH motioned to grant on the condition no unique programing in basement and accommodation policy of how to request that a class be relocated. JD seconded, passed unanimously  
Roll call JD, DG, AB, JH, HR, PM, passed unanimously.*

2. Town of Orange Roadway Pavement Reconstruction, Multiple Streets, Orange, V20-081

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*JH motioned to packet. PM seconded, passed unanimously.*

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

3. The Colburn Elementary School, 115 Southworth Street, West Springfield, V20-082

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Table height and knee space.

Requests 1 and 2

*JH motioned to grant. PM seconded, passed unanimously.*

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

Requests 3 and 4 sinks, drinking fountain

*JH motioned to grant. DG seconded, passed unanimously.*

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

4. Pentucket Regional School District Building, 24 Main Street, West Newbury, V20-083

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking relief for accessible route and walkway slope.

*DG motioned to Grant. JH seconded, passed unanimously.*

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

5. Living Faith United Methodist Church, 31 North Main Street, Ipswich, V20-084

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

20.2 and 25.1

RG arrived.

*JD motioned to continue for result of town's response to lot lines. Also, test drawings and cost estimates. JH seconded, motion passed.*

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

6. Advisory Opinion

- Can controls be installed on power door opener, Nault Architects, Steve VanDyke  
Would this comply?  
HR motioned to find that it is non-compliant doesn't function for people with disabilities.  
HR withdrew his motion.

*HR motioned to continue. JD seconded, passed unanimously.*

*Roll call JD, DG, RG, AB, JH, HR, PM*

7. US Playground Surfacing's Unitary Rubber Playground "Accessibility Matting" Approval Request

DG motioned to grant with updated photographs provided. JD seconded, passed unanimously. DG withdrew her motion.

*HR motioned to continue for a letter from the Newton Commission or ADA coordinator and updated photographs, and confirmation the state of the walkway.*

*JD seconded, passed unanimously.*

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

#### Hearing

10:00 a.m. - Saint Mary's High School, 35 Tremont Street, Lynn, V17-153, Variance Hearing Exhibit #1 Hearing package AAB 1- 118

Vinsu Shah, CBT Architects, (VS)

Dave Angeramo, Principal, Saint Mary's (AD)

Jeremy Mason, Howe Engineers (JM)

Dan Gouses, CBT Architects (DA)

The parties were sworn in by the Chair.

#1 - 27.4.1 seeking to provide only wall mounted handrail on both stairs.

*JH motioned to grant. AB seconded. Passed unanimously.*

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

#2 – 26.5 south stair doors, not on an accessible route. Proposing to keep as is.

*PM motioned to grant. JD seconded, passed unanimously.*

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

#3 26.6.3 – door not 32” wide, pull side, proposing to remain as is.

Used primarily as storage, no longer meeting rooms, not used by public.

*HR motioned to grant. JD seconded motion passed.*

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

#4 – *JD motioned to grant on the condition the public does not use the space.*

*JH seconded, passed unanimously.*

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

#5 – Door 1-6

*JD motioned to grant on the condition no public access to space.*

*AB seconded, passed unanimously.*

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

#6 – 30.1

*JD motioned to grant on the condition of no public access. JH seconded, passed unanimously.*

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

#7 – 26.6.4

*JD motioned to grant on the condition no public access PM seconded, passed unanimously.  
Roll call JD, RG, DG, AB, JH, HR, PM, passed unanimously.*

#8 – second floor 26.5 30” excessive cost, structural walls.

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

#9 - 19.4 locker rooms remain as is. Adding new adjacent locker room. Excessive cost. Gym is used at separate times for games.

*JD motioned to grant on condition of in four years 5-20-2024, an update and status of how capital project is going along and fund raising. JH seconded, passed unanimously.  
Roll call JD, RG, DG, AB, JH, HR, PM, passed unanimously.*

#10 – 26.6.3 pull clearance door 4.5, pull side not accessible.

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

11:00 a.m. – CVS, 63 Canal Street, Milbury, C19-040, Fine Hearing

JD Recused himself

Exhibit #1 Hearing package AAB 1-38

Exhibit #2 CVS PowerPoint presentation

Exhibit #3 CVS Store Operations Manual

Exhibit #4 CVS Walkthrough checklist

Exhibit #5 CVS third party inspection report

Robert Duston, CVS outside counsel, (RD)

Liz Ash, CVS inside counsel, (LA)

Mike Kennedy, Center for living and working (MK)

Derrick Maloney, Contractor, ADA Program Manager CVS (DM)

William Joyce, Executive Director, AAB (WJ)

The parties were sworn in by the Chair.

*HR motioned to find in favor of the complainant. AB seconded, motion passed.  
Roll call, RG, DG, AB, JH abstained, HR, PM, motion passed.*

*HR motioned to not impose a fine on CVS provided CVS follows up with document to staff, stating complaints will be resolved and documentation of side reach around pole is compliant.*

*PM seconded, passed unanimously.  
Roll Call RG opposed, DG, AB, JH, HR, PM, passed unanimously.*

WW -left for the day and JH chaired the meeting.

8. Tannery Apartments, 16, 15, 18 Crowninshield St., 50 Warren S., Peabody, V19-107

Exhibit – Variance Application and associated documents, amendment  
Mr. Joyce presented the Variance Application and associated documents.  
Received an amendment. The petitioner is seeking 8 variances.

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

9. Restaurant Space, 100 Federal Street, Boston, V20-032  
Exhibit – Variance Application and associated documents, amendment  
Mr. Joyce presented the Variance Application and associated documents.  
The case was previously continued. Received a response and the petitioner is proposing a lift.  
Need relief to use a lift.

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

10. Governor Robinson Apartments, 2-15 Volpe Drive, Chicopee, V20-037  
Exhibit – Variance Application and associated documents, feasibility study  
Mr. Joyce presented the Variance Application and associated documents.  
The case was previously continued for a feasibility study.  
JD motion to grant  
JD withdrew his motion.

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

1:00 p.m. – Chatham Health and Swim Club, 251 Cromwell Road Chatham, C19-020, Complaint  
Hearing  
Exhibit #1 Hearing Package AAB 1 -49  
Gayle Gallup, Complainant (GG)  
Bruce Bierhans, Attorney for Mr. Nye (BB)  
Jason Nye, Owner (JN)  
William Joyce, Executive Director, AAB (WJ)

JD recused himself and left the meeting.

JH, RG, DG, PM, HR

The parties were sworn by the chair.

*HR motioned to find complaint is justified. DG seconded, passed unanimously.  
Roll call AB, RG, DG, PM, HR, passed unanimously.*

*HR motioned that language specifying full compliance and a cease and desist order.  
RG seconded, passed unanimously.  
Roll call, AB, RG, DG, PM, HR, passed unanimously*

11. Cleghorn Properties, 128 Fairmount, 42 Clarendon, 105 Plymouth, Fitchburg, V20-023  
Exhibit – Variance Application and associated documents  
Mr. Joyce presented the Variance Application and associated documents.  
Previously requested more information detailed plan and cost estimates.  
10.1

*JD motioned to table the case to give the board time to look over submitted information.*

*HR seconded, passed unanimously.*

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

#### Reopen Governor Robinson Apartments

12. Governor Robinson Apartments, 2-15 Volpe Drive, Chicopee, V20-037  
Exhibit – Variance Application and associated documents, feasibility study  
Mr. Joyce presented the Variance Application and associated documents.  
Previously continued for feasibility study. They do not have a lot of room to work with.

*DG motioned to grant. HR seconded, passed unanimously.*

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

2:00 p.m. – Former Baptist Church, 8 Carver Street, Plymouth, V19-348, Variance Hearing  
Exhibit #1 Hearing package AAB 1-38  
Exhibit #2 – PowerPoint presentation  
Doug Manley, Spencer, Sullivan and Vog (DM)  
Lynn Spencer, Spencer, Sullivan and Vog (LS)  
Edward Gates, Owner (EG)

The parties were sworn in by the Chair.

*JD motioned to grant on the condition no unique functions happen on the mezzanine level and if straight on straight boarding off cannot be provided, the petitioner will amend their application.*

*Cost is excessive 16% of project. Independent Associates is in support.*

*HR seconded, passed unanimously.*

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

13. Old Colonial Courthouse, 3046 Main Street, Barnstable, V20-066  
Exhibit – Variance Application and associated documents  
Mr. Joyce presented the Variance Application and associated documents.  
AAB 7

1 – 10 Going to be fixed in the next phase and will be compliant.

*JD motioned grant a 5 year time variance on the condition of 6 month status reports starting 1/21/2021, current phase and status of phase 3 regards to fundraising and time table.*

*AB seconded, motion passed*

*Roll call AB, JD, RG, DG, PM abstained, motion passed*

#12 – modified relief hinged door.

*JD motioned to grant as proposed. DG seconded, passed unanimously.*

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

#13

*JD motioned to deny door with 1 ¼ inch and door with ¾ inch thresholds.*

*AB seconded, passed unanimously.*

*Roll call AB, JD, RG, DG, PM, HR*

*DJ motioned to grant on the main entrance with 6 inch step on condition of signage.*

*AB seconded, passed unanimously.*

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

#14, maintain door hardware

*JD motioned to continue for information on the latching hardware on the four doors.*

*DG seconded, passed unanimously.*

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

#15

*JD motioned to continue for staff to have a discussion with applicant on potential additional variance required on how to remedy the door swings on #15. AB seconded, passed unanimously.*

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

#16

*JD motioned to continue for potential fixes for route showing where and how accessible seating will be provided. DG seconded, passed unanimously.*

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

#11

*JD motioned to continue to see if item 11 can be incorporated into the 5 years or sooner.*

*DG seconded, passed unanimously.*

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

14. Beacon Hill Hotel and Bistro, 19-29 Charles Street, V20-041

Exhibit – Variance Application and associated documents, requested information

Mr. Joyce presented the Variance Application and associated documents.

Received response.

*JD motioned to grant on the condition of auto door opener provided on door that will operate door leading to outdoor terrace. AB seconded, passed unanimously.*

*Roll call HR, PM abstain, DG, RG, JD, AB*

15. Sigma Alpha Epsilon Fraternity, 6 Humbolt Street, Worcester, V20-042

Exhibit – Variance Application and associated documents, requested information.

Mr. Joyce presented the Variance Application and associated documents.

Previously continued cost to correct doors.

Item 1

*JD motioned to grant on item 1. DG seconded, passed unanimously.*

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

Item 2

*JD motioned to grant. DG seconded, passed unanimously.*

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

Item 3 raising the porch

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

16. Building 313, 100 Talcott Street, Watertown, V20-061

Exhibit – Variance Application and associated documents, accommodation policy

Mr. Joyce presented the Variance Application and associated documents, accommodation policy. Accommodation policy. Has one tenant, not open to the public. Will update policy if needed.

*JD motioned to accept the accommodation policy. DG seconded, passed unanimously.  
Roll call HR, PM, DG, RG, AB, JD, passed unanimously.*

17. Merrivista Senior Center, 100 Water Street, Haverhill, V20-069

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Previously continued. Seeking temp relief until 2023. Permanent relief to not do 2A in new wing.

*JD motioned to grant until 12/31/2023 with annual reports at first of year.  
HR seconded, motion passed.*

*Roll call AB, JD, RG, DG, PM abstain, HR, motion passed.*

*JD motioned to grant on the condition that continuous wall side handrail be provided.*

*DG second, passed unanimously.*

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

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

Exhibit – Variance Application and associated documents, requested information.

Mr. Joyce presented the Variance Application and associated documents.

Previously continued. Received response.

*JD motioned for monumental entrance on condition of straight connecting walk to the sidewalk.*

*HR seconded, passed unanimously.*

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

Access to balcony level.

*HR motioned to grant. JD second, passed unanimously.*

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

Wheel chair seats lower level and portable lift to provide access to the stage.

*HR motioned to grant use of a portable lift. JD seconded, passed unanimously.*

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

Minutes – April 27, 2020

*JD motioned to accept the April 27, 2020 minutes. HR seconded, passed unanimously.*



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

Matters not reasonably anticipated 48 hours in advance of meeting.

Adjourn 5:00 p.m.

Exhibits

Hampshire Athletic Club, 90 Gatehouse Road, Amherst, V20-080

Exhibit – Variance Application and associated documents

Town of Orange Roadway Pavement Reconstruction, Multiple Streets, Orange, V20-081

Exhibit – Variance Application and associated documents

The Colburn Elementary School, 115 Southworth Street, West Springfield, V20-082

Exhibit – Variance Application and associated documents

Pentucket Regional School District Building, 24 Main Street, West Newbury, V20-083

Exhibit – Variance Application and associated documents

Living Faith United Methodist Church, 31 North Main Street, Ipswich, V20-084

Exhibit – Variance Application and associated documents

Tannery Apartments, 16, 15, 18 Crowninshield St., 50 Warren S., Peabody, V19-107

Exhibit – Variance Application and associated documents

Cleghorn Properties, 128 Fairmount, 42 Clarendon, 105 Plymouth, Fitchburg, V20-023

Exhibit – Variance Application and associated documents

Restaurant Space, 100 Federal Street, Boston, V20-032

Exhibit – Variance Application and associated documents, amendment

Governor Robinson Apartments, 2-15 Volpe Drive, Chicopee, V20-037

Exhibit – Variance Application and associated documents

Beacon Hill Hotel and Bistro, 19-29 Charles Street, V20-041

Exhibit – Variance Application and associated documents

Sigma Alpha Epsilon Fraternity, 6 Humbolt Street, Worcester, V20-042

Exhibit – Variance Application and associated documents, requested information

Building 313, 100 Talcott Street, Watertown, V20-061

Exhibit – Variance Application and associated documents, accommodation policy

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

Exhibit – Variance Application and associated documents

Merrivista Senior Center, 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, requested information

Saint Mary's High School, 35 Tremont Street, Lynn, V17-153, Variance Hearing  
Exhibit – Hearing package AAB 1-118

CVS, 63 Canal Street, Milbury, C19-040, Fine Hearing  
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Exhibit #2 CVS PowerPoint presentation  
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Chatham Health and Swim Club, 251 Cromwell Road Chatham, C19-020, Complaint Hearing  
Exhibit – Hearing package AAB 1- 49

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