



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

JAY ASH
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

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

1 Ashburton Place, Rm 1310 • Boston • Massachusetts • 02108
V: 617-727-0660 • www.mass.gov/aab • Fax: 617-727-0665

JOHN C. CHAPMAN
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

THOMAS HOPKINS
EXECUTIVE DIRECTOR

Board Meeting Minutes – May 21, 2018 9:00 a.m.
One Ashburton Place, 21st Floor, Conference Room 3

Present Board Members:

- Andrew Bedar (AB)
- David D’Arcangelo / Evan Bjorklund, Massachusetts Office on Disability (DD) (EB)
- Dawn Guarriello (DG)
- Jane Hardin (JH)
- Patricia Mendez, (PM)
- Harold Rhodes (HR)

Board Members Not in Attendance:

- Walter White (WW)
- Ray Glazier

Also in Attendance:

- Thomas Hopkins, Executive Director (TH)
- Karen Brann, Program Coordinator/Clerk for the Board (KB)

Board Members in Attendance:

JH – DD, HR, PM, DJ, DG, AB

- Meeting began approximately 9:00 a.m.

Incoming Case Review:

Incoming Case Review:

1) Medical Research, 211 Massachusetts Avenue, V18-130

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Reviewed on May 7 follow up. Two story above grade. The basement will be used as employee only med clinic, will be some public use. Did not give spending. Seeking rel for 2 ramps in basement. Slopes for both ramps 1 in 8 each width is different between handrails. Continued to meet with Paul Moan, Code Red. May 16 submitted a color coded drawing. Based on drawing shows space served by elevator, two ramps lead to stairs that go up. No used by people in wheelchairs. Elevator in lower level.

DG motioned to grant as proposed. AB second, passed unanimously.

2) Perkins School for the Blind, 175 North Beacon Street, Watertown, V18-133
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Two story dorms, renovation use will remain the same. Over 30% full compliance. 3.3.2.
Seeking three variances. Disability commission letter says they will take no action.
Vestibules don't provide 48 inches. Petitioner is proposing to add automatic door openers at both vestibules

DD- the school is serving people who need more access.

HR - did they provide drawings and cost? \$25,000 per vestibule.

~~*DG motioned to grant. AB seconded.*~~

DG withdrew motion

Moved the question all in favor. Motioned carried to move the vote.

1. DG motioned to grant. AB seconded. DG PM JD AB, in favor. HR DD opposed.

Two story building has 5 stair treads, Seeking relief from section 27 to allow two stairways with winder treads to remain. Compliant handrails will remain. They are not required for egress.

2. HR motioned to grant. AB seconded, passed unanimously.

Toilet rooms in dorm on second floor. All Bathrooms on ground are fully compliant. Two on second floor not in compliance two are being worked on to make fully compliant. Asking for relief from 31.1 to allow the non-compliant bathrooms to remain.

*3. DD motioned to deny and ask for additional information.
HR seconded. AB abstained, Motion passed.*

3) MIT Kendall Square Building, 165 Main Street, Cambridge, V18-134
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
3.2 jurisdiction. New construction, 7 variances. Apartments.

PM motioned to packet for June 3, 2018 meeting. HR seconded, passed unanimously.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 2 of 22

4) Citizens M Hotels, 70 Causeway Street, Boston, V18-135

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

New construction 272 rooms. Over 10 floors. 4 variances for section 44 – group 2 bathrooms, and section 31.

PM motioned to packet for June 4, meeting. D Johnson seconded, passed unanimously

5) Home Interior Design Specialist, 765 Main Street, Walpole, V18-136

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

2 floors, 1st is show room, 2nd additional showroom on limited bases with offices. Over 100 years old. 95% completed. No assessed value. Seeking relief from elevator, proposes vertical wheel chair lift.

DD motioned to grant on the condition that the Board is shown the deposit check, elevator board certificate, shop drawings and with pictures after installation. D J seconded, passed unanimously

6) 3 Story Residential, 56 Cedar Street, Roxbury, V18-137

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

New const. 3.2 jurisdiction. 3 stacked dwelling units, garage. Each three bedrooms. At permit phase. Seeking relief from 28.1 proposes vertical wheelchair lift. Plans say future installation of lift. Prior to occupancy the lift is installed and inspected by Commonwealth of MA.

HR motioned to grant with the condition that prior to occupancy the lift is installed and inspected by Commonwealth of MA and the lift is installed prior to occupancy.

PM seconded. D J abstained. Motion passed.

7) Foster Hospital for Small Animals, 55 Willard Street, North Grafton, V18-140

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Tufts University. Renovation and addition. 6 variances requested.

DD Motioned to packet for June 4. PM seconded, passed unanimously.

8) Printing Press Lofts, 204 Lexington Street, East Boston, V18-138

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Reconstruction of 3 story brick building. Annex attached to building. TH met with the architect. Proposing to add two stories to Annex. Number of units they are exempt from group 1 and group 2A, and exempt from public and common area. Jurisdiction over commercial space first floor Annex. Proposing open to public. Variance needed is for 25.1. ramp would take up the interior.

DD motioned to grant as proposed. HR seconded, D Johnson abstained. Motion passed.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

9) Berlin Town Hall, 12 Woodard Ave., Berlin, V18-141

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Reconstruction to improve access. Lobby, elevator serves 1, 2, 3 floors and stage. Over 30 %. 25 variances.

DD motioned to schedule a hearing. PM seconded, passed unanimously.

Should this hearing have more time?

10) St. Mary Church, One Church Street, Franklin, V18-142

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Reconstruction to add an addition to provide elevator access, accessible toilets. Over 30%. Out to bid, no permits yet. Seeking three variances. Elevator has on grade entry.

1. Entrance at front -

DD motioned to grant on condition accessible routes have signage, advertised on website and newsletter, made clear there is an accessible route and where it is.

HR second, DJ abstained. Motion passed.

Alter change in level. First step is large, then additional step. Proposing a portable ramp. 29.2.3

DD motioned to grant with condition it is publicized. AB seconded. Passed unanimously

Have a compliant incline wheelchair lift that creates access for meeting rooms. 28.12.4 They want to continue to use.

PM motioned to grant. DJ seconded, passed unanimously.

The following five Cambridge cases were voted on at once. The vote is below.

11) Lawn Street, Cushing and Oxford Streets, Cambridge, V18-143

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

12) Thorndike Street, Third and Fulkerson, Cambridge, V18-144

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

13) Porter Street, Harding and Warren, V18-145

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 4 of 22

14) Kernwood Street, Putnam and Allston, Cambridge, V18-146
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

15) Harding Street, Cambridge and South, Cambridge, V18-147
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Vote for all of the five Cambridge cases above.

*VOTE - HR motioned to grant as proposed on V18-143, V18- 144, V18-145, V18-146, V18-147.
DD seconded, passed unanimously*

16) Three Family, 135 Bowen Street, Boston, V18-150
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
New construction, 3.2, three family, four floors, parking. Application is incomplete.

*HR motioned to continue and ask for stamped drawings on the lift.
PM seconded, passed unanimously.*

17) Harry C. Solomon Mental Health Center, 391 Varnum Avenue, Lowell, V18-151
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Letters from DCAM, three floor building, mental health clinics, residential services. 3.3.1a jurisdiction. Three projects under three permits. Seeking 14 month time variance on entry approach, lobby security, and 14 months for elevator repairs. Elevator is out of service. August 1, 2019.

HR moved to grant provided that there is an accommodation plan and quarterly updates are provided to the Board. PM seconded, passed unanimously.

18) Sparhawk Academy, 376 Orchard Street, Millis, V18-153
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Renovations remodeling on main house, and on annex building. Jurisdiction is change in use 3.4. proposing to create a chapel and class room in basement in main house. Annex can be used for classrooms for accommodations. TH met with architect. States an elevator or lift cost \$175,000. Why can't the annex be a permanent chapel?

HR motioned to continue and request information on cost of vertical conveyance. D J seconded, passed unanimously.

19) Chelsea Soldiers' Home, 91 Crest Avenue, Chelsea, V18-154
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

DD left the room

Reconstruction and remodeling, alterations to five toilet and shower rooms in Sullivan building to bring in to full compliance. 3.3.1b jurisdiction. Variance 31.7.1 shower stall size for 1 shower. Three stories - toilet and shower rooms are stacked. On first floor want to use 36 x 36 transfer shower – not a roll in shower. Due to column and curve prohibits roll in shower

HR motioned to grant. AB seconded, passed unanimously.

20) North Quincy Station Redevelopment, 189-267 Hancock Street, Quincy, V18-155
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
New construction of rental housing. 2-6 floors housing, parking and retail ground. Seeking two variances - sink depths

DG motioned to grant with usual conditions. HR seconded. Passed unanimously

9.5.6 outlets

HR motioned to grant. DG seconded, passed unanimously.

21) Seriti Memorial Rink, 561 Commercial Street, Boston, V18-160
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Temp ramp by Amramp installed for a week. Goes over dasher boards.
Issued an email to Amramp and inspector. Took down glass on dasher boards. And squeeze the ramp construct over dasher boards.

PM motioned to accept the staff granting the temp ramp. HR seconded, passed unanimously.

22) Government center MBTA V12-216
Green line. On May 10 applicant HDR submitted amended for small areas of Cambridge street sidewalk variance 22.3.1 proposed relief for cross slope exceeding 2%. Small area.

DG motioned to grant. AB seconded, DJ abstained.

23) Mass Bay Community College, 50 Oakland Street, Wellesley, V18-104
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Previously voted on 4/23 Work performed. Providing a toilet room less than 30.7.1 requirements. 11 less and 6 inches less on the other. The door was swinging in. Board granted on condition door swings out. Received a letter that door can't swing out.

DD came back

*GD motioned to deny and encourage the petitioner to find a new location.
PM seconded, passed unanimously.*

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

24) Mixed Use 519 Western Ave., Lynn V18-162
Renovation of space for use of check cashing facility. Over 30% 25.5 entrance, not providing bathroom for public.

HR left the room.

DJ motioned to deny on the access. AB seconded, passed unanimously.

25) Rusty Anchor, 1451 North Street, Pittsfield, V13-285
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Previously ordered no use on second floor until vertical access. Received letter asking to us second floor while vertical access is being installed. We now have documents in place. Lift will be installed June 2018. June Hailer will support the lift being installed by June 30, 2018 with no extensions. Spoke with Scott Graves. Delivery will be June 30th.

DD motioned to allow to open the second floor without the use of lift until August 1, 2018, if the lift is not completed the second floor will be shut down. DG seconded, passed unanimously.

26) Lown School for Near East and Judiac Studies, 415 South Street, East Waltham, V18-161
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Part of Brandeis Summer slam project.
3.3.2 full compliance triggered. Seeking 5 year time variance. Code Red has been hired.
Application completed med to late June.

DG Motioned to order that a variance application is submitted no later than July 1, 2018 and will consider the time variance then. PM seconded, passed unanimously.

27) Savage Field, 26 Vale Street, Clinton, V17-295
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
The information was sent to you for today's meeting. AAB 3, AAB 4 through the end the ramp.
PM – Has questions on narrative. Must email ahead of time. They have to bring portable lift.

AB motioned to accept the lift details and to make the language more accurate and the international symbol. PM seconded, passed unanimously.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 7 of 22

28) Advisory Opinion

- Jordan's furniture, 100 Stockwell Drive, Avon – Tube Slide
Robert Cariside, Building Fire and Access Code.
Do we require access to the equipment and what about the route to the equipment.
Access for a viewer, not to get on to the ride.

DD motioned that there is no requirement onto the equipment and ask for more information
DD motioned that the tube slide doesn't have to comply. DG seconded, passed unanimously.

*DD motioned for more information on the route to the tube slide and site plan for the route.
PM seconded. Passed unanimously.*

29) Lower Level Fit-out, 173 Newbury Street, Boston, V17-225

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Follow up on rear entry conditions set by board.

Back Bay Architectural Commission. Submittal from architect and Architectural Commission.
Sign at rear must be minimal in size. We have always said give us something that looks like the main entrance. They are giving us a sign. We should write to them from the Chairman saying we are giving relief on the access. We asked for photo shop plan of how back entry will look. They are saying BBAC is suggesting controls of what we are doing on access. To see this letter that they are weighing in on the work we are doing on access for the back is troubling. This is a hint on some kind of control.

*DD motioned to have TH have a dialogue with BBAC on how we can get the appropriate size signage and come to an agreement that both BBAC and AAB can agree with.
PM seconded, DJ abstained. Motion passed.*

11:00 – Gym, 14 Tyler Street, Somerville (V15-282) - Continued Fine Hearing

Exhibit #1 AAB 1-105

Mark Genest, Owner (MG)

Sara Lavado, C3(SL)

The Chair swore the parties in

DD, JH, PM, AB, HR, DG, DJ

TH - Gave an overview. This is a new start, the previous owners were subject to the fine hearing. The new owners will outline how they plan on working with the Board. In my meetings with them, they have shown that they have gone beyond and looked at the entire property to create better access and will be seeking additional variances.
This happened April 11.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

TH - AAB 17 18 change of date notice to today. All very recent. We kept the fine hearing to keep interaction moving.

SL – Ownership took over 4/11/18. I got involved to help move this forward. Reviewed reports, did walk through and found additional items that were not in the report. Submitted a draft that is in your packet on how we plan on moving forward. 28 Dane street I wrote.....
How much detail do you want to go through today?

DD - Give us an understanding on how you will improve access.

SL – AAB 4 quick summary and thereports. AAB5 errors we found in reports. Level at doorway, compliant clearances, restrooms there were not compliant into restrooms, there is a unisex restroom that clearances are not in compliance. MIT Entry door clearances, it is in an employee area. I told build management they have to bring it up with MIT. Door 36 not a means of egress.

List of items need to be compliant AAB.

MG - We brought this to the tenants concern. They are on board to get work done.

DD – Reference Dane street but it is called 14 Tyler.

TH - The case has been going on for a long time.

8 and 10 Tyler and Dane.

Elevator in 14 Tyler is done.

DD – 14 is part of the complex.

This is an update.

DD – What we are considering now is cross property not just 14 Tyler.

SL - Yes it is the other buildings Dane and 8-10 Tyler.

SL – AAB6 second item the build mgt spoke to tenant about replacing....

Toilet, auto door opener on unisex restroom. Did a parking study. Parking layout is in several different parking lots. AAB14 parking overview. 12 spaces we are planning on putting in van spaces. 1 space at 28 Dane. 3 new spaces at L shaped parking lot. Variances we don't have app done. AAB7 10 Tyler street entrance, set back from the building with a 4 inch rise. Would like to install auto door opener. Second variance looking at 8 Tyler street read egress, I don't have drawings yet.

HR – AAB6 do you have a time frame?

MG - I don't know yet. Can get you something.

SL – some can be done quickly others require permits.

JH – AAB6 neurotexture.

TH - Indicates what is beyond this might be dangerous.

SL – AAB10 at bottom summary or the report for the building. Didn't find errors.

AAB11 – will install signage directing accessible entrance.

Co-op space, door closes on door, main entrance of tenant space, level landing, egress path and doorway - had a meeting with the tenant. Green Town Lab.

Variances at the main entrance AAB 12 – two entrances lead to tenant space. One to a vestibule, the other is a ramp on the other side of the building. The door into the vestibule has a step up. Two steps. No signage to get to accessible entrance.

MG – Application on July 1 we should be able to get it in.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

HR motioned to continue the fine hearing and encourage the petitioner to file an application asking for variances by July 1, 2018. DD seconded, passed unanimously.

30) Paddock Estates, 1 Paddock Lane, Boxborough, V18-131

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

First presented 5/7. 11 – 3 story residential building. New construction, seeking 10.2, 20.1, 20.2., 20.2.1.

HR - Does this mean there are no accessible routes at all?

DG - They can get to it from their unit but not the sidewalk. 9.5.4 patios.

Is the variance needed? At tenants request.

Shall comply or be capable of complying.

DG motioned that no variance is required for 9.5.4a but language needs to be in the lease for tenants to ask for upon request. David Johnson seconded, passed unanimously.

DD left the meeting.

31) George Close Building, 243 Broadway, Cambridge, V18-125

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

61 apartments for low income residence. 4 group 2b. Upgrades to interior, handrails on stairs, guardrails, two stairwells. Seeking 6 variances.

AAB 7

1st variance request – provide trash pickup services

HR – I would like to see drawings.

AAB 13 – stair and trash room. Can't widen the trash room because of stairs.

AAB 11 Letter of support from Cambridge Commission.

HR ask them to put dimensions on drawings.

*1 - DG motioned to grant as proposed with the condition that language is in the lease.
Pm seconded, passed unanimously*

2) 23.3.1 – accessible parking

*2 - DG motioned to grant on 23.3.1. David Johnson seconded,
HR abstained. Motion passed.*

3) 23.5 sidewalks

3 - DG motioned to grant. D Johnson seconded, passed unanimously.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 10 of 22

4) 26.6 clearance

4 – DG motioned to grant. HR seconded, passed unanimously.

5) 27.4.1 handrails

5 – DG motioned to Grant HR seconded, passed unanimously

6) 27.4.3 not needed.

6 - DG motioned variance is not required. AB seconded, passed unanimously.

EB joined the meeting.

32) Bedford Market Place, 158 B & C Great Road, V17-140

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

We received info from the code consultant relative to doors, parking, proposed signage, lighting, relief for bathrooms. Originally just vertical access to mezzanine space. We granted vertical access. Now seeking relief to bathrooms on mezzanine. Do have accessible unisex on first floor. We asked for signage and they provided samples.

DG motioned to accept the provided signage, samples. D J seconded, passed unanimously.

Parking is more than 200 feet from entrance. Proposed to add a space closer to entrance and slope 2.5% and slope from space to entrance will be 2.2%.

EB motioned to grant as proposed. DG seconded, passed unanimously.

Relief for toilet rooms. In 2017 we granted vertical access. This is follow up relief for toilet rooms on 2nd floor.

HR motioned to grant as proposed. DG seconded, passed unanimously.

Corrected the entry door and added an auto door opener.

AB motioned to accept design for doors. DG seconded, passed unanimously.

Parking, signage, 60 days.

EB motioned to give until August 1, 2018 days for work for HP parking, signage and lighting, with photos to follow. HR seconded, passed unanimously.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 11 of 22

33) Gillette Stadium

May 2017 case, Wifi wiring through bleacher seating. The board granted the variance with conditions. To maintain the conduits they are doing them in stainless steel. Worried about pain. Want to use material with adhesive on backing. Visibility condition of the board. July and August 2018, photos will be provided upon completion.

HR motioned to accept with the condition it is maintained annually with annually inspection reports given to the board, and initial photographs given to the board. D Johnson seconded. Passed unanimously.

34) Fin Restaurant, Dennis V17-134

Follow up from the hearing, we continued with respect to additional variance requests - proposed plans for first floor restaurant, dimensions for all relevant spaces with stamped plans from registered professional. May 15, 18 received a letter with policy for accessible seating, plans that are not stamped and letter from architect. We didn't receive what the board asked for. In 1981 ramps were constructed in violation of the code. Did submit accommodation policy.

Asked for plans that are stamped

*HR Motioned to schedule a Fine Hearing for failure to comply with Board's order.
EB seconded, passed unanimously.*

35) UMass Amherst Recreation Center, 161 Commonwealth Ave., Amherst, V18-148

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Graduation was happening and they came to us late in the game.

AMRAMP put their non-compliant stock on Ebay. Don't have extensions and continuous handrails.

PM Motioned to deny and have TH meet with AMRAMP. DG seconded, passed unanimously.

Would a letter to the supplier be appropriate?

EB left the room.

Hearing

1:00 - Easton Plaza 2, 620 Washington Street, Easton (C17-006) - Complaint Hearing

Exhibit #1 AAB 1-27

No one showed up for Easton Plaza, C17-006

William Joyce, AAB

The Chair swore the parties in.

EB came back.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

JH, PM, AB, DG, EB, HR, DJ

WJ– parking and curb cut complaint. First and second notices have been sent. Did get correspondence with engineer AAB 12 that they will be taking steps. Rec. letter from Bill shine showing many corrections were done. Remaining issue at van signage. Did not receive green card for the hearing notice but did receive tracking information that it was delivered to the building owner in April.

There has been a lack of communication. A fine hearing may be appropriate. The only thing to correct is proper signage at van space.

HR motioned to schedule a Fine Hearing. PM seconded, passed unanimously.

36) Water's Edge, 364-394 Ocean Avenue, Revere, C18-002, C18-005, C18 -003, C18-004
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
5/21/18 seeking a time extension. Did set a date of may 14, 2018 for compliance. They are requesting until June 4, 2018 to provide.

HR motioned to grant the extension request to June 4, 2018. EB seconded, passed unanimously.

37) WHIP Manufacturing Building 360 Elm Street, Westfield, V13-086
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Status report, no access has been provided. Reporting on fund raising, received a grant from the state.

EB recused himself from voting.

We have moved forward on several fronts. Raised \$27,000 at fund raiser. Funding is sufficient to allow planning of annual appeal.
\$25,000 a portion has been reserved for AAB issues. Issues have not been done. No accessibility features.

HR motioned to close the museum portion of the facility until it is fully accessible. DG seconded, EB abstained. Motion passed.

38) Four Story Office and Retail, 205-207 Newbury Street, Boston, V17-160
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
17.5 raised dining areas and 29.2.3 change in level. Redundant request. Restaurant is compliant, outside dining at front only accessible through the restaurant, two level patio by 1 step.

DG motioned to grant with appropriate signage and information on the website. PM seconded, passed unanimously.

May 21, 2018

Hearing

2:00 – Daycare Center 172 Burrill Street, Swampscott V09 - 086 Fine Hearing

Exhibit #1 AAB 1-16

Exhibit #2 – Floor plan

Exhibit #3 – Picture of stairwell

Fima Kahn, Owner (FK)

Natalie Usmanov (NU)

The Chair swore the parties in.

JH, DJ, DG, AB, PM, EB, HR

TH – the original order was 5/11/10. They can use the second floor while the vertical access is being put in.

FK- Owner when we were here in 2010 we asked to use the second floor, first floor day care, preschool, after school, different programs. Now we don't want to use different programs, expand daycare. We are going to do all the same services, we have handicapped ramp, access to the first floor. Going to do the same service on first and second floors. We are asking board to let us expand daycare. If we do the lift, it is an old building 1939. Picture on AAB 11. Entered exhibit #2.

If lift is built it will take a lot of space from the kids. Will have to allocate the windows and bathroom on second floor. Very expensive. Would have to close daycare while construction going on. We want to do same program on both floors.

NU – do have a daycare on first floor, they build ramp, bathroom accessible. at this point on license for 20 children. Most attend part time. They can have same business on second floor. Same services.

JH - at one point planned on different programs, the plan is now one program same offered on two levels, first floor is fully accessible.

DG - lift was supposed to be in by 2015?

FK – financial, we don't make this kind of money.

DG - you didn't ask for an extension on the order?

FK - license for 20 kids, we didn't have them.

DG - how many kids now?

FK – someday.....

EEC will come and measure.

60 – 65 per day. We provide food, classes, math, we have people come in.

DG - What is your FTE?

FK – Not everyone is full time.

NU – They have expenses, taxes, food, teacher benefits, there are a lot of other things.

DG - Have you re-priced lifts?

AAB 7

NU - In order to do it they have to close the business for a couple months. The kids can go someplace else. Would have to bring them back.

DG - The previous board gave 5 years.

NU – It was a different program before.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 14 of 22

HR – These kind of find hearings present difficulty. Now it is 2018, had you told us in 11, 12, 15 that you needed more time or change business. I am sure the board would have been sympathy

DG - AAB 9 progress report.

NU - We submitted letters.

TH - Have letters until 2014

DG - Do they include funds for vertical access.

AB – Do you still have toddlers and infants?

FK - No

AB - Clearance for vertical lift???

FK - Narrow stairway.

AB - Do you have a drawing for the chair?

FK - Picture of stairwell, Exhibit 3

AB - Is there a place to locate it someplace else?

TH ramp has been constructed.

David Johnson – each year did you save funding for the lift.

FK - We didn't have enough kids.

David J - Did the building inspector come out.

FK - every year?????

HR motioned make a fine of \$250.00 to be paid in 60 days. DG seconded, passed unanimously.

HR motioned to suspend future fines and grant relief on the condition the facility remain daycare only and services are on both floors, with an affidavit stating that the facility will have the same services on the first and second floor and brochures and websites states special accommodations provided on the first floor. DG seconded, passed unanimously.

EB left the room

39) 40 Berkeley, Mixed Use Building

On May 7 denied variance request and ordered compliant room plans. On May 11 Bruce Percele met with TH. Hearing 4/9/18. Asked to send in information. They give a much clearer picture of the building. Originally a YMCA with SRO rooms. Plans indicate problems. First floor, mezzanine area are accessible. Showing some sample guest rooms and change furniture they purchased and propose to provide Hoyer lift. Of 8 units 2 will have king beds with hoya lifts, the other 6 will be reconfigured with access on three sides of the bed. 1 guest room is fully accessible.

HR - P.10 a hoyer lift works only if the bed is on a platform. If we choose to, the condition be that the bed be 6 inches off the floor. I would make the same comment regarding all the variances. On p 12 number 3, a hoyer works by pushing someone under and someone goes around. A hoyer lift wouldn't work.

TH - Only proposing hoyer in two rooms.

Some of the rooms do work.

Two rooms

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 15 of 22

In 3 and 7 would not be helpful.

Make sure people who reserve the rooms they know hokers cannot be used in those rooms.

Symbol on the website with drawings of rooms

8.5.3

DG motioned to grant the variances on 8.5.3 in the 7 accessible rooms on the condition that the furniture be elevated a minimum of 6 inches to allow a Hoyer lift and floor plans are advertised with the handicapped accessible symbol on the website and people will be able to see the layout before booking the room, and have an accommodation plan. HR second, passed unanimously.

40) Affidavit

Shrewsbury, 697 Hartford Turnpike

If approved language and plan should, motion to file it with the registry.

HR motioned to accept the affidavit. DG seconded, passed unanimously.

PM motioned to have the affidavit filed with the registry of deeds. DJ seconded, passed unanimously.

3:00 - Easton Plaza, 447 Turnpike St., Easton (C10-091) - Complaint Hearing

Exhibit #1 AAB 1-53

Luv Karia (LK)

Dipak Karia, Owner (DK)

William Joyce, AAB Compliance Officer, WJ

The parties were sworn in.

JH, PM, AB, HR, DG, D Johnson

WJ – this is an old complaint filed in 2010. First notice sent out in 2012. Second 2013. At the time it was noticed parking violations on the site. There was some back and forth. None of the lining comply, no van spaces, no access aisle and signage. Ongoing for a number of years. Recent submission from one of the tenants brought it back to our attention.

LK – we apologized we had to reschedule. We had a conversation with mark Dempsey. He said over the phone we were all set.

DK – this picture in 2013, why didn't you make the yellow lines properly? I sent in pictures he said it looks like you are all set now. But now it has come up. I am ready to do it again. I can find out. I can do it.

LK –

WJ – only a single state code. If you got bad advice from inspector...the town has no authority. Major issue is lack of van space. Parking requirements have been static since 1975...

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 16 of 22

LK – in 2013 what I thought in 2013..... yellow line.. did visible yellow lines.

WJ – AAB 45 copy of first notice. Same issues as today.

WJ - AAB 14 they were sent in 2013. Difficulty thinking that Mark approved this based on photographs. Issues with lack of a van space. In light of how long this has played out board set deadlines. There are wider slope questions.

Grading questions on the site. Should get back to board with a plan to correct these issues.

HR - Can we make a list of the current violations.

AAB 40 – and summary.

No van accessible parking

Accessible aisles

WJ - Bill Shines letter, I would say measurements are accurate.

Access aisles

Potential for a cross slope.

Handicapped parking on flat surface.

AB – who will you hire to do this work?

LK - I will find out who can do it.

WJ - We can look over the plans before they do it.

Plan prepared by the landscape.

PM - Do you know how to access the regulations.

LK - yes

TH - Section 23

Pm – How long will it take to produce a site plan?

DK –

DG - Or you can ask for a variance.

DK – in a month two month not a problem. My contractor is busy in July...

Give us until August.

HR motioned that the 6 areas identified as complaints be brought into compliance by August 10, 2018 with conditions that a plan is submitted to the AAB Compliance Officer for review and if additional time is needed a time variance is requested and photos of work is given to the Board.

DG seconded, passed unanimously.

DG motioned to fine in favor of the complainant. PM seconded, passed unanimously.

41) Stratton Hall, 45 Talbot Avenue, Somerville, V14-291

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Previously granted full relief. Amendment coming back proposing access including vertical access.

Seeking relief from vertical access to all floors.

8.2 –

Dorm rooms

DG motioned to grant as proposed. AB seconded, passed unanimously.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 17 of 22

42) The Bidwell House Museum, 100 Art School Road, Monterey, V15-143

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Interior and exterior access work. Asked for extension originally 5/18 Video to board until 8/1/18

DG motioned to grant until 8/1/18 with no further extensions for the video. D J seconded, passed unanimously.

DG motioned to grant on the exterior work to be completed by May 27, 2018.

AB seconded, passed unanimously.

DG motioned to grant on the interior access work extension to May 26, 2019. AB seconded, passed unanimously.

43) 98 Brookline Avenue, Boston, V09-003, V17-070, V17-091, C17-025

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Proposed settlement, proposing to put in two sets of lifts, offended by language about employees and board. AAB 10.

Respond to AG with different language.

Send the original complaint to the court.

We want the AG to meet with the board on June 4, 2018

Audio of hearing.

HR - Have a discussion on the language.

The Board wants to review a couple of records. Court filing, hearing,

DG motioned to continue for the Board to review the audio tape from the hearing, review the filing in the court and last decision of the board and schedule time for the AG to come before the Board. D J, seconded, passed unanimously

44) One Framingham Center, One Edgell Road, Framingham, V17-310

Exhibit – Variance Application, correspondence and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Decision dated March 26, 2018 the Board granted three variances on the condition of written permission from 3rd floor tenant for approval of toilet room use for the public.

Submitted a letter from the tenant allowing use of the bathroom.

DG motioned to accept the letter. D Johnson seconded, passed unanimously

45) Advisory opinion

Cambridge Building Inspector Larry Braman section 27 stair design. Do they comply or need variance relief?

It is a building code issue.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 18 of 22

EB came back to the meeting.

Stairs next to seating section. Order dual handrails on both sides. Are they required on seating section?

AAB jurisdiction Social Stair handrail location.

D J motioned that the Social Stair has to have two handrails that are in compliance with 521 CMR and have the building dept. check with CMR 780 to see if there are any egress violations. DG seconded, passed unanimously.

Minutes May 7, 2018

AB motioned to accept the minutes. EB seconded, passed unanimously.

DJ Motioned to adjourn. PM seconded, passed unanimously.

Matters not reasonably anticipated 48 hours in advance of meeting.

Adjourn 5:00 p.m.

Perkins School for the Blind, 175 North Beacon Street, Watertown, V18-133
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

MIT Kendall Square Building, 165 Main Street, Cambridge, V18-134
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Citizens M Hotels, 70 Causeway Street, Boston, V18-135
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Home Interior Design Specialist, 765 Main Street, Walpole, V18-136
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

3 Story Residential, 56 Cedar Street, Roxbury, V18-137
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Printing Press Lofts, 204 Lexington Street, East Boston, V18-138
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.
Page 19 of 22

Foster Hospital for Small Animals, 55 Willard Street, North Grafton, V18-140
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Berlin Town Hall, 12 Woodard Ave., Berlin, V18-141
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

St. Mary Church, One Church Street, Franklin, V18-142
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Lawn Street, Cushing and Oxford Streets, Cambridge, V18-143
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Thorndike Street, Third and Fulkerson, Cambridge, V18-144
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Porter Street, Harding and Warren, V18-145
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Kernwood Street, Putnam and Allston, Cambridge, V18-146
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Harding Street, Cambridge and South, Cambridge, V18-147
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Three Family, 135 Bowen Street, Boston, V18-150
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Harry C. Solomon Mental Health Center, 391 Varnum Avenue, Lowell, V18-151
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Sparhawk Academy, 376 Orchard Street, Millis, V18-153
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Chelsea Soldiers' Home, 91 Crest Avenue, Chelsea, V18-154
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

May 21, 2018

North Quincy Station Redevelopment, 189-267 Hancock Street, Quincy, V18-155
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Seriti Memorial Rink, 561 Commercial Street, Boston, V18-160
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Lown School for Near East and Judiac Studies, 415 South Street, East Waltham, V18-161
Exhibit – Variance Application, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

WHIP Manufacturing Building 360 Elm Street, Westfield, V13-086
Exhibit – Variance Application, amendment, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

98 Brookline Avenue, Boston, V09-003, V17-070, V17-091, C17-025
Exhibit – Correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Water's Edge, 364-394 Ocean Avenue, Revere, C18-002, C18-005
Exhibit – Correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Rusty Anchor, 1451 North Street, Pittsfield, V13-285
Exhibit – Variance Application, amendment, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Stratton Hall, 45 Talbot Avenue, Somerville, V14-291
Exhibit – Variance Application, amendment, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

The Bidwell House Museum, 100 Art School Road, Monterey, V15-143
Exhibit – Variance Application, amendment, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Bedford Market Place, 158 B & C Great Road, V17-140
Exhibit – Variance Application, amendment, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Four Story Office and Retail, 205-207 Newbury Street, Boston, V17-160
Exhibit – Variance Application, amendment, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

Lower Level Fit-out, 173 Newbury Street, Boston, V17-225
Exhibit – Variance Application, amendment, correspondence and associated documents
Mr. Hopkins presented the Variance Application and associated documents.

May 21, 2018

Savage Field, 26 Vale Street, Clinton, V17-295

Exhibit – Variance Application, amendment, correspondence and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

One Framingham Center, One Edgell Road, Framingham, V17-310

Exhibit – Variance Application, amendment, correspondence and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Mass Bay Community College, 50 Oakland Street, Wellesley, V18-104

Exhibit – Variance Application, amendment, correspondence and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

George Close Building, 243 Broadway, Cambridge, V18-125

Exhibit – Variance Application, amendment, correspondence and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Medical Research, 211 Massachusetts Avenue, V18-130

Exhibit – Variance Application, amendment, correspondence and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Paddock Estates, 1 Paddock Lane, Boxborough, V18-131

Exhibit – Variance Application, amendment, correspondence and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

UMass Amherst Recreation Center, 161 Commonwealth Ave., Amherst, V18-148

Exhibit – Variance Application, amendment, correspondence and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Jordan's furniture, 100 Stockwell Drive, Avon – Tube Slide

Advisory Opinion

Section 27 – Stair design, Larry Braman, Cambridge Building Inspector.

Advisory opinion

Gym, 14 Tyler Street, Somerville (V15-282) - Continued Fine Hearing

Exhibit #1 AAB 1-105

Easton Plaza 2, 620 Washington Street, Easton (C17-006) - Complaint Hearing

Exhibit #1 AAB 1-27

Daycare Center 172 Burrill Street, Swampscott V09 - 086 Fine Hearing

Exhibit #1- AAB 1-16

Exhibit #2 – Floor plan

Exhibit #3 – Picture of stairwell

Easton Plaza, 447 Turnpike St., Easton (C10-091) - Complaint Hearing

Exhibit #1 AAB 1-53

May 21, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 22 of 22