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PROFESSIONAL LICENSURE

THOMAS HOPKINS
EXECUTIVE DIRECTOR

Board Meeting Minutes – July 30, 2018 9:00 a.m.
One Ashburton Place, 21st Floor, Conference Room 3

Present Board Members:

- Walter White (WW)
- Jeff Dougan Massachusetts Office on Disability (JD)
- Jane Hardin (JH)
- Patricia Mendez, (PM)
- Harold Rhodes (HR)

Also in Attendance:

- John High, Assistant Legal Counsel (JH)
- William Joyce, Compliance Officer (WJ)
- Karen Brann, Program Coordinator/Clerk for the Board (KB)

Board Members in Attendance:

- Andrew Bedar (AB)
- Ray Glazier (RG)
- Dawn Guarriello (DG)
- David Johnson (DJ)

The Chair opened the meeting.

Incoming Case Review:

1) Office and Lab, 28 Dane Street, Somerville, V18-226

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

This case came from the 14 Tyler Street case. The petitioner is seeking relief from 25.1 for 1 entrance. An accessible entrance is 50 feet away.

JD motioned to grant HR seconded, passed unanimously.

2) Commercial Space, 8 and 10 Tyler Street, Somerville, V18-227

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

This case also came from the 14 Tyler Street case. The petitioner is seeking relief for one entrance and proposed to install an auto door opener.

JH motioned to grant. JD seconded, passed unanimously.

3) Harrison Albany Block Building, 89 East Dedham Street, Boston, V18-228

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New construction. Seeking 4 variances

1st request

JD motioned to grant on the sink depths with the usual conditions.

PM seconded, passed unanimously.

2nd request

JD motioned to grant with the usual conditions. PM seconded, passed unanimously.

3rd request

Outlets in corner

JD motioned to grant. PM seconded, passed unanimously.

4th request

Valet service

Level van space, we require a higher level for valet service.

The reason we require it to be higher is because it is used for a drop off for the Ride. Those vehicles are taller.

HR motioned to grant on the condition there is a space for drop off outside the valet location to an accessible entrance. JD seconded, passed unanimously.

4) 385 South Street Realty, 385 South Street, Shrewsbury, V18-229

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Addition to existing building. Seeking no access to the second floor. Proposing the option of home visits and meetings on another floor.

JD motioned to grant for this use only on the condition the accommodation policy wording is in the lease and the Board receives and reviews a copy of the revised lease.

HR seconded, passed unanimously.

5) Thompson Biology Lab, 59 Lab Campus Drive, Williamstown, V18-230

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of a lab. The petitioner is seeking temporary relief for lack of an accessible fume hood. 12.4. There is a manufacturing delay and they are concerned they will not be installed in time. Petitioner promises to have installed by 1/30/19.

For fall no fume hoods will be used for the semester. Or they will move the class.

HR motioned to grant. JH seconded, passed unanimously.

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

6) Gutman Library, 6 Appiam Way, Cambridge, V18-231

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Reno of existing educational building. Work will be done in two years, seeking three variances

1 – Doors, proposing the doors will be tied in with the fire alarm.

JD motioned to grant. PM seconded, passed unanimously.

2 - Stall on 3rd floor

JD motioned to grant. JH seconded, passed unanimously.

3 – Time variance for access work done in two phases. All work will be done by fall 2020.

HR motioned to grant the time variance with updated reports sent to the Board every 6 months starting January 2, 2019. JH seconded, passed unanimously.

7) Worcester City Hall, 455 Main Street, Worcester, V18-232

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of toilet room. Only 24 inches in front of the toilet.

It is an employee toilet at the moment. Is there an accessible toilet?

HR motioned to grant on the condition of sending the AAB staff information on where the accessible toilet is and show where the accessible toilet is with signage showing where it is.

JD seconded, passed unanimously.

8) Rental Units, 385 Pleasant Street, Watertown, V18-233

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking relief from sink depts.

JD motioned to grant with the usual conditions. PM Seconded, passed unanimously.

9) Four Family House, 52 Grafton Street, Quincy, V18-234

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New Construction. No access at front or rear. Ramp is not feasible. BCIL opposes.

HR motioned to deny. JD seconded, passed unanimously.

10) The Canteen, 225 Commercial Street, Provincetown, V18-235

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of restaurant. Work performed triggered. Seeking to not provide access to seating area at beach. They have multiple outdoor seating areas. Proposing some access work for existing areas. Doing \$54,000 of work.

HR motioned to grant. JD seconded, passed unanimously.

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

11) Thornes Marketplace, 50 Main Street, Northampton, V18-236

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Amendment to previous request. Proposing path to elevator with no landing, proposing handrails. In front of the Board in 2014.

HR motioned to deny. JH seconded, passed unanimously.

12) Bancroft on the Grid, 50 Franklin Street, Worcester, V18-237

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of existing mixed use building. Seeking to use incline and vertical lifts.

Ramps for changes in level in the building.

Stipulate that an employee is trained and with someone who is using the inclined lift.

HR motioned to grant with condition that and employee assists use of incline lift, appropriate signage and a buzzer indicating employee assistance available, and training of staff and policy on how staff will react to the board. Notify given policy to AAB on training procedure and information on their website. JD seconded, passed

13) Buildings C&D, 4 Lucy Street, 25 Jan Karski Way, Boston, V18-238

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Sink depth.

JD motioned to granted. HR seconded, passed unanimously.

#2 relief from cabinets in group 1

JD motioned to grant on condition AAB is provided the language to review that is in the tenants lease. JH seconded, passed unanimously.

14) Retail Space, 531 Main Street, Melrose, V18-241

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Proposing to make two spaces.

JD motioned to deny. HR seconded, passed unanimously.

15) Jonathan Maynard Building, 14 Vernon Street, Framingham, V18-239

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Reno of historic building. No access for front entrance. Main entrance at rear is accessible.

Framingham commission supports on conditions accessible routes.

JD motioned to grant on the Framingham Commissions conditions and appropriate signage in front indicating where accessible entrance and route is. HR seconded, passed unanimously.

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

16) Fort Hill Bar and Grill, 2801-2807 Washington Street, Roxbury, V18-240

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of existing restaurant. Proposing no access to two raised areas in restaurant, also lack of clearance on bathroom door. Opposed by BCIL.

JD motioned to grant on the change in level on the condition there are no special amenities, events, etc., held on those raised areas. HR seconded, passed unanimously.

JD motioned to continue on the bathroom door, and ask the petitioner for plans for a compliant toilet room. HR seconded, passed unanimously.

17) Chicopee City Hall & Annex, 17 Springfield Street, 274 Front Street, Chicopee, V18-015

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner sent in plans the Board previously asked for.

HR motioned to accept the plans as presented. JD seconded, passed unanimously.

18) Advisory opinion

- Controls and Outlets, Code Red Consultants

Electrical outlets A18-001, school building

39.3.1

JD motioned that section 12 specialized equipment under 5% rule, however, since the electrical outlets under 39 does not refer back to section 12, 39 supersedes. 39 overrides section 12.

HR seconded, passed unanimously.

19) Refuge church of Christ, 46 Millmont Street, Roxbury, V18-218

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

8 variances

Item 1 is a time variance. Asking for 3 years for each phase. A minimum of at least 6 to 7 years.

JD item 2 – accessible route

JD motioned to grant with the condition of literature and website indicating accessible routes.

JH seconded, passed unanimously.

Starting on page AAB16

2 ABC *JD motioned to grant with condition of literature and website indicating accessible routes.*

JH seconded, passed unanimously.

Section 3, AAB 20, entrances

JD motioned to grant with the condition of literature and website indicating accessible routes.

JH seconded, passed unanimously.

Second 4 A and B

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

JD motioned to grant on A and B, with the condition of appropriate signage for item B.

JH seconded, passed unanimously.

Item 5 A B C

JD motioned to grant on the condition of literature and website indicating accessible routes.

JH seconded, passed unanimously.

Item 6 LULA

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

Item 7A sink countertops

JD motioned to grant. JH seconded, passed, unanimously.

Item 8 controls

JD motioned to continue and asked for information on use of motion sensing or alternate.

JH seconded, passed unanimously.

Item 1 Time Variance

JD motioned to grant a three 3 year time variance on phase 2 with the work competed by 8/1/21 and 2 years after completion of phase 2, for phase 3 to be completed by 8/1/23 with 6 months status updates starting 1/2/2019. JH seconded, passed unanimously.

JD throughout and until such time full compliance is achieved, website and literature needs to include information on appropriate information for customers with disabilities relating to variances requested, prior to completion of phase 1 board receives this policy.

HR seconded, passed unanimously.

Executive Session, Discussion of Pending Litigation - Closed Session pursuant to M.G.L. c. 30A, § 21

Motion to open Executive Session

HR motioned to go into Executive Session.

Roll call of members.

Roll Call

JD

PM

JH

HR

WW

Motion carries.

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

HR motioned to exit Executive Session.

Roll call of members.

Roll Call

JD

JH

PM

HR

WW

Motion carries.

Hearings

11:00 a.m. -Brookline Dental Specialists, 21 Longwood Ave., Brookline, V16-333Variance

Exhibit #1 – Hearing Package AAB 1- 130

Exhibit #2 – Photos of outside of building

Julie Nelligan, (JN) Phase Zero Design

Farzin Kiani, (FK) Brookline Dental

JN – The reason we are here today is because we were able to complete the required work for the public entrance. Instead of installing the automatic doors we were able to bring into compliance. Work has been completed.

JD – Are you saying it is in compliance and you don't want to install the auto door opener?

JN – Yes

HR - I am looking at the photos the platform that comes to the stop.

JN – That is a step down.

HR – I am concerned if someone exiting is thinking that they can exit, it would be a surprise.

JN - There is signage.

HR - Want to make it very clear.

JD - Just for clarification. With the platform, we have an accessible door and a platform which has now created a step. We might want to think about a handrail.

Now there is a step down that has been created.

JN - Based on the change in level not required by the building code, I would have to check.

JD motioned to accept as in compliance. HR seconded, passed unanimously.

JD - In regards to the step, since it is abutting a sidewalk, a handrail might be appropriate.

HR - A handrail gives indication of a step up.

JN - My concern is the cost.

JD – This might require a variance for a handrail.

JH – If I am opening the door out you are blocking a handrail. I am in favor of highlighting the step.

HR - Give people a visual cue of the change in level.

FK – We have improved the slope immensely. We need to understand this is the last straw.

JD - If we were to ...

FK – Tom said to go ahead and do these plans.

JD motioned to grant relief to handrails required for the landing on inaccessible door, with contrast of yellow striping on the platform to the edge and signage.

JH seconded, passed unanimously.

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

FK - Due to the landlord request the scope of work is part of the variance.
We want to make sure there is separation.

~~*JD motioned to have staff look into the V18-017 the owner of building to see if it is separated out with the Brookline Dental.*~~

JD withdrew previous motion.

JD motioned to notify the Brookline Building Dept. that they have the approval to issue occupancy permit for Brookline Dental. PM seconded, passed unanimously.

20) Residential 7 Unit Building, 52 River Street, Mattapan, V18-197

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

On 7/2/18 the Board granted relief. Staff wrote a letter to the ILC.

JD – I have two minor changes in the letter.

*JD motioned to accept the letter and it can be sent to the Commission and ILC.
JH seconded, passed unanimously,*

21) United First Parish Church, 1306 Hancock Street, Quincy, MA V18-185

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Continued because the two inch step at balcony level.

JD motioned to grant on the condition the change in level is remedied prior to the inspection of the elevator. JH seconded, passed unanimously.

22) McDonald House, 270-276 Main Street, Marlborough, V18-124

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The Board previously ordered plans for group 2 units.

AAB 10, 4 variances

JD motioned p 10 first one

JD motioned to grant on condition 2, that group 2a units are provided on an accessible route with appropriate signage. HR seconded, passed unanimously.

#2

JD motioned to grant a time variance until 8/1/22 with 6 months status reports given to the Board starting 1/2/2019. HR seconded, passed unanimously.

#3 and 4

JD motioned to grant as proposed. JH seconded, passed unanimously.

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

23) Lown School for Near East and Judiac Studies, 415 South Street, Waltham, V18-161
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
The Board previously continued for a submission from Code Red.

Pg. 2 – Time variance

JD motioned to grant a time variance until 9/1/21, with 6 months reports given to the Board starting 1/2/19. JH seconded, passed unanimously.

Pg 4 – asking for three variances.

Reach ranges –

*JD motioned to grant on the condition of an accommodation policy on how students and/or teachers will be accommodated, and the plan is given to the Board to be reviewed.
HR seconded, passed unanimously.*

Ground floor of lecture hall

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

Item 3, ground and fist floor entrances

JD motioned to grant with appropriate signage. JH seconded, passed unanimously.

24) Advisory Opinion

Townhouse Units, Grant Road, Emerson Green Development, Devens

New construction 3 townhouses. 10.1 requires entrances to be accessible, no common entrance all single entrances. Each has own entrance. Are they required to be accessible?

*JD motioned that 521 CMR 10.1 wasn't intended to cover this scenario.
JH seconded, passed unanimously.*

25) Advisory Opinion Door Clearance, Garofalo Design Associate, Inc.

Door can't open to 90%. Door hardware hits the wall.

Does this comply? Do we require to open at 90 if it has the other requirements?

3.3.6 They meet the clearances and push pull. They put 33 ½ inch clear opening offsets it doesn't open to 90%.

Is it new construction or not? If new construction not compliant, if it is already build they need a variance request.

HR motioned that a variance request is required. JD seconded, passed unanimously.

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

26) Wellfleet Historical Society, 258, 262, 266 Main Street, Wellfleet, V17-074
Exhibit – Variance Application, amended application and associated documents
Mr. Joyce presented the Variance Application, associated documents and amended application.
This case was packeted.

Is it a time variance for 2 through 7 or are they asking for more time?

AAB 10 letter references a time variance.

AAB 5 we already adjudicated.

JD motioned to grant a time variance until 8/1/2021 with updates sent to the Board every 6 months starting 1/2/2019.

JH seconded, passed unanimously.

27) Diner, 145 Wahconah Street, Pittsfield, V18-206

Exhibit – Variance Application, amended application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Previously voted not variance required. Now entrance stairs need to be reconstructed. Asking for entrances. They have spent less than \$10,000 prior to reconstruction of stairs, mostly on kitchen work. No real renovation work inside dining area.

Proposing lighted menu board and buzzer. Doesn't have a cost for stair replacement yet.

Stairs will be built to code.

JD motioned to grant for this use only on the condition of a lighted menu board and an intercom or buzzer as long as it is reflected in their policy and the Board reviews the policy, and the information regarding the policy is on their website and brochures and also on the condition that they do what they proposed to the Pittsfield Commission.

HR seconded, passed unanimously.

1:00 p.m. – Perkins School for the Blind, 175 North Beacon Street, Watertown, V18-133

Exhibit #1 – Hearing Package AAB 1-20

Exhibit #2 – Colored floor plan

Exhibit #3 – Letter from the Watertown Commission on Disability

Gary Coccoluto, (GC) MDS, Architect

The Chair opened the meeting and introduced the Board.

The Chair swore the party in.

HR, JH, WW, PM, JD

GC – AAB 5

The former boy's dorm. Originally housed 4 cottages and 2 buildings. Bridgman and Tompkins. One of the original buildings built 1911. They were hallmarks of design for visually impaired, acoustic modulations. Feedback walking through the spaces. In the dorms way finding way, support services on the other side, Each door has a picture of an item animal to specify their room.

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

Student ages are 3 to 22.

In Tompkins they are running college success program 19 -20 year old. Maybe some who have struggled a little bit? 9 month residential program 12 students attend. Students will live in this half of the cottage. They also go off to other credited colleges.

Changed acoustics a little bit to be more like the outside world. Original intent was to createbathrooms. The existing bathrooms are in blue in chart. These are the ones seeking variances on. Single unit accessible toilet room is next to them.

In Tompkins where we are looking for the variance has cedar slide draws. Intend of looking to do was to create full accessible single user down the hall in corridor. The intent was to not have to renovate and tear out space. Would like to keep operable. We do our toilet counts 6 female 6 male. The issue for variance here excessive cost to lose this space.

Students know their room assignments. 521 CMR 30.1 and try to get an understanding on what each location may mean in respect to 30.1.

HR – the letter from commission. Do they offer any additional comments?

No

PM – My feedback is for the same location. I think that location would be acceptable. People don't have to go up a level or turn a corner.

HR motioned to grant as proposed on AAB 8, 31.1. JH seconded, passed unanimously.

Legal Counsel - Report to the Board – John High

Discussion of Delegated Authority

Mr. High, Assistant Legal Counsel to the Board, discussed updating the Board's delegations of authority to staff. Mr. High indicated that staff are currently conducting research on the most frequently granted variances and will memorialize these, and any other proposed delegations, into a draft policy to be reviewed by the Board at the next meeting.

Discussion of Jurisdiction Issues

Mr. High tabled discussion of this issue to a future meeting, due to the limited attendance at today's Board meeting.

Discussion of Board Member Ethics / Conflict of Interest Obligations

Mr. High gave members a brief overview and refresher of their obligations under state ethics laws and, in particular, the Conflict of Interest law. Mr. High will present a more in-depth training at a later date. Mr. High also reminded Board members about protocols for handling legislative inquiries or requests, as well as the protocol for handling media requests or inquiries, related to the work of the Board.

28) Thorndyke Road School, 30 Thorndyke Road, Worcester, V18-127

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

Exhibit – Amended Variance Application, and associated documents

Mr. Joyce presented the Amended Variance Application and associated documents.

Previously the petitioner was asking for relief from the proposed new code. They have re-submitted their application referencing the current code sections.

HR motioned to packet. JD seconded, passed unanimously.

29) Lincoln Street, Elementary, 549 Lincoln Street, Worcester, V18-126

Exhibit – Amended Variance Application, associated documents

Mr. Joyce presented the Amended Variance Application and associated documents.

Previously the petitioner was asking for relief from the proposed new code. They have re-submitted their application referencing the current code sections.

HR motioned to packet. JD seconded, passed unanimously.

30) Nativity Prep School, 66 Spring Street, New Bedford, V18-224

Exhibit – Variance Application and associated documents

Previously packeted.

I think we need a hearing. Are there any accessible entrances, toilet rooms, over 30%? Should staff ask for clarification? They need to come prepared to ask questions.

JD motioned to schedule a hearing and also for staff to reach out to the petitioner to inform them that they need to expand their application. HR seconded, passed unanimously.

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

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The Board previously voted that no variance is required. Petitioner is seeking clarification.

Provide routes between patio and walkway upon request.

If tenants use them they need to be accessible.

JD motioned that patios are entrances and must comply with 521 CMR.

JH seconded, passed unanimously

32) Street Level Café, 125 Newbury Street, Boston, V17-159

Exhibit – Variance Application and, amendment, associated documents

Mr. Joyce presented the Variance Application and associated documents.

The Board previously granted relief to upper level bathroom of café. They are now requesting until 12/28/2018 as they are in front of ZBA and don't have staff or website yet.

JD motioned to grant time until 12/28/18. HR second, passed unanimously.

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

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33) Affidavit

Boston Building Resources Reuse Center, 100 Terrace Street, Boston
Mezzanine that will be used as storage.

*JD motioned to accept the affidavit and have petitioner register it with the registry of deeds.
JH seconded, passed unanimously.*

34) MWRA Prison Point, 1 Msgr. Obrien Hwy, Cambridge
The entire building is closed to public. Water filtration facility.

*PM motioned to accept the affidavit and register with the registry deeds.
JD seconded, passed unanimously.*

35) Fuller House, 101 Cottage Street, Melrose
Affidavit for a private office part of a housing development. Have a meeting room for tenants
office will only be staff.

*JD motioned to accept the affidavit and have the petitioner file it with the registry of deeds.
JH Seconded, passed unanimously.*

Minutes from the July 16, 2018 minutes

*JD motioned to accept the minutes from the 7/16/2018 meeting.
JH seconded, passed unanimously.*

2:00 p.m. – Mass Bay Community College, 50 Oakland St., Wellesley, V18-104
Exhibit #1 – Hearing Package AAB 1-21
Exhibit #2 – New floor plan
Keith Flanders, (KF) Cosentini
Trevor Rabidos (TR) Cosentini
Natasha Espader (NE) Studio Enee Architects

All parties were sworn in by the Chair.

KF – We submitted for a variance regarding the size of the bathroom, AAB 20. This was an existing bathroom. Some minor changes have been made. With the modifications we thought we made an accessible bathroom. We were originally not granted the variance with the condition of making the door swing out. It impedes the corridor. Swinging the door out wasn't a feasible option. We didn't feel we could touch the walls to put in the sliding door. The door is on an automatic door opener inside and outside. We felt this was providing an accessible bathroom. This is an existing bathroom. We modified other bathrooms and put in compliant sinks. Limited on space for this one. Size 48 x 32??

JD – Inside, where is the auto door opener?

KF - AAB 21

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

HR - My first question is have you looked at putting in a fully accessible bathroom in some part of the building other than here? It may be the best you can do but it still isn't accessible. I would like you to try to find a location to build an accessible toilet.

NE - The remainder of the building there are many bathrooms that are compliant. I was asked as a house doctor contractor, to fix sinks, window, etc. They asked us to spruce them up and it became more than a level 1 project. We have been doing an accessibility review with the building.

HR - How close are the accessible toilets to this one?

NE - There is a dining hall and it is probably right after that. There is an elevator. We were doing cosmetics and improving it. Tried to make it as accessible as possible.

HR - If restroom is compliant and not far I would have no problem with the design.

WW - Would someone in a wheelchair be able to use this?

HR - I doubt it.

WW - If the door is locked?

HR - Trying to find out where you can place yourself.

PM - When this auto button works how does the privacy lock work?

JH - You push the button and it locks automatically. The person inside has to push the button.

PM - Is that how it works?

NE - I am not sure. I can find out.

JD - What is the clear space in front of the toilet to the door?

KF - About 58"

JD - Providing more than 42" might offset maneuverability.

NE - There will be a new wellness center.

PM - Is that a paper towel dispenser? AAB 21 it looks like it is protruding.

NE - It might have been a leftover from an old plan, we have a new plan.

TR - Submitted a new plan as EXHIBIT 2

PM - Button is three feet away. Wouldn't it be better closer?

NE - This is where it was located when fitted out. It was done by another architect.

PM - Would you consider moving them?

NE - We can move it closer to the door.

HR - Like info on how far this is from this to accessible bathroom and if it is accessible.

~~JD Motion to grant on condition that they will provide within two weeks, location of restrooms closest to this one, a drawing of the closest accessible bathroom and condition of cost to relocate automatic door opener.~~

JD withdrew his previous motion.

JD motioned to grant on the condition of confirming that there are accessible restrooms in the vicinity and for the petitioner to notify the Board within two weeks, of where they are and the distance from this bathroom.

HR seconded, passed unanimously.

3:00 p.m. – Grosvenor Park Health Center, 7 Loring Hills Ave., Salem, C17-065 - Fine Hearing
Exhibit #1 – Hearing Package AAB 1- 28
Matthew Galezowski (MG) Nextstep Healthcare
Jerry Mayse, (JM) Nextstep Healthcare
William Joyce, (WJ) AAB, Compliance Officer

All parties were sworn in by the Chair.

WJ – Gave history of the case. A complaint was submitted early this year by Shawn McDuff. Doors were more than 15 lbs. for exterior door.
A hearing was scheduled and the complainant attended by the plaintiff did not due to not being told by their landlord.

Are the doors still over pressure and have they been corrected?

MG - We had the doors tested and it showed they were 17 lbs. instead of 15 lbs. and the other was 2 or 3 lbs. over the limit, 7 when should have been 5 at the bathroom doors.
Adjusted to 10 at front, 5 at bathroom doors. We will be replacing the bathroom door.

HR - When were you aware of the doors being non-compliant?

MG - I saw a memo early on and we acted on it. The building inspector checked them and didn't find a problem. Then I saw the memo saying we missed a hearing.
Besides replacing the bathroom door I asked for a proposal to put in an auto door opener.

HR – Is it fair to say that ILC made notification onto you and others.
MG – I wasn't made aware of it.

WJ - The letter was sent to the executive director.

MG - I did not receive it.

WJ - The landlord failed to notify the tenant.

HR - Did you send out notices?

WJ - First and second were sent to the owners.

MG - We were not aware of these letters.

WJ - The inspector visit was after the first hearing in June. There was a fairly timely response.

JD - There was a miscommunication. You have taken steps to correct. Need email documentation saying it has been corrected to the right amount of door pressure.

JD motioned to accept on the condition the petitioner sends the Board the documentation from the vendor saying the door pressure has been corrected. The Board also waives the fine.

JH seconded, HR opposed. Motion passed

36) Daycare, 215-219 Prospect Street, Cambridge, V18-159

Mr. Joyce presented the Variance Application and associated documents.

The Board previously requested dimensions on the accessible toilet room. We received the information. 72 x90 ½

JD motioned to accept the plan. PM seconded, passed unanimously.

July 30, 2018

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

Matters not reasonably anticipated 48 hours in advance of meeting.
Adjourn 3:30 p.m.

Exhibits

Incoming Case Review:

Office and Lab, 28 Dane Street, Somerville, V18-226

Exhibit – Variance Application and associated documents

Commercial Space, 8 and 10 Tyler Street, Somerville, V18-227

Exhibit – Variance Application and associated documents

Harrison Albany Block Building, 89 East Dedham Street, Boston, V18-228

Exhibit – Variance Application and associated documents

385 South Street Realty, 385 South Street, Shrewsbury, V18-229

Exhibit – Variance Application and associated documents

Thompson Biology Lab, 59 Lab Campus Drive, Williamstown, V18-230

Exhibit – Variance Application and associated documents

Gutman Library, 6 Appiam Way, Cambridge, V18-231

Exhibit – Variance Application and associated documents

Worcester City Hall, 455 Main Street, Worcester, V18-232

Exhibit – Variance Application and associated documents

Rental Units, 385 Pleasant Street, Watertown, V18-233

Exhibit – Variance Application and associated documents

Four Family House, 52 Grafton Street, Quincy, V18-234

Exhibit – Variance Application and associated documents

The Canteen, 225 Commercial Street, Provincetown, V18-235

Exhibit – Variance Application and associated documents

Thornes Marketplace, 50 Main Street, Northampton, V18-236

Exhibit – Variance Application and associated documents

Bancroft on the Grid, 50 Franklin Street, Worcester, V18-237

Exhibit – Variance Application and associated documents

Buildings C&D, 4 Lucy Street, 25 Jan Karski Way, Boston, V18-238

Exhibit – Variance Application and associated documents

Jonathan Maynard Building, 14 Vernon Street, Framingham, V18-239

Exhibit – Variance Application and associated documents

July 30, 2018

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

Fort Hill Bar and Grill, 2801-2807 Washington Street, Roxbury, V18-240
Exhibit – Variance Application and associated documents

Retail Space, 531 Main Street, Melrose, V18-241
Exhibit – Variance Application and associated documents

Wellfleet Historical Society, 258, 262, 266 Main Street, Wellfleet, V17-074
Exhibit – Variance Application, associated documents, amended application

Street Level Café, 125 Newbury Street, Boston, V17-159
Exhibit – Variance Application and associated documents

Chicopee City Hall & Annex, 17 Springfield Street, 274 Front Street, Chicopee, V18-015
Exhibit – Variance Application and associated documents

McDonald House, 270-276 Main Street, Marlborough, V18-124
Exhibit – Variance Application and associated documents

Lincoln Street, Elementary, 549 Lincoln Street, Worcester, V18-126
Exhibit – Variance Application, associated documents, amended application

Thorndyke Road School, 30 Thorndyke Road, Worcester, V18-127
Exhibit – Variance Application, associated documents, amended application

Paddock Estates, 1 Paddock Lane, Boxborough, V18-131
Exhibit – Variance Application and associated documents

Daycare, 215-219 Prospect Street, Cambridge, V18-159
Exhibit – Variance Application, plan and associated documents

Lown School for Near East and Judiatic Studies, 415 South Street, Waltham, V18-161
Exhibit – Variance Application and associated documents

United First Parish Church, 1306 Hancock Street, Quincy, MA V18-185
Exhibit – Variance Application and associated documents

Residential 7 Unit Building, 52 River Street, Mattapan, V18-197
Exhibit – Variance Application and associated documents

Diner, 145 Wahconah Street, Pittsfield, V18-206
Exhibit – Variance Application, amended application and associated documents

Refuge church of Christ, 46 Millmont Street, Roxbury, V18-218
Exhibit – Variance Application and associated documents

Nativity Prep School, 66 Spring Street, New Bedford, V18-224
Exhibit – Variance Application and associated documents

July 30, 2018

Advisory Opinion

Townhouse Units, Grant Road, Emerson Green Development, Devens
Union Studio Architecture & Community Design
Door Clearance, Garofalo Design Associate, Inc.
Controls and Outlets, Code Red Consultants

Fuller House, 101 Cottage Street, Melrose
Affidavit and associated documents

MWRA Prison Point, 1 Msgr. Obrien Hwy, Cambridge
Affidavit and associated documents

Boston Building Resources Reuse Center, 100 Terrace Street, Boston
Affidavit and associated documents

Brookline Dental Specialists, 21 Longwood Ave., Brookline, V16-333
Exhibit #1 – Hearing Package AAB 1- 130
Exhibit #2 – Photos of outside of building

Perkins School for the Blind, 175 North Beacon Street, Watertown, V18-133
Exhibit #1 – Hearing Package AAB 1-20
Exhibit #2 – Colored floor plan
Exhibit #3 – Letter from the Watertown Commission on Disability

Mass Bay Community College, 50 Oakland St., Wellesley, V18-104
Exhibit #1 – Hearing Package AAB 1-21
Exhibit #2 – New floor plan

Grosvenor Park Health Center, 7 Loring Hills Ave., Salem, C17-065
Exhibit #1 – Hearing Package AAB 1- 28

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