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Division of Occupational Licensure
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Architectural Access Board

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

WILLIAM JOYCE
EXECUTIVE DIRECTOR,
ARCHITECTURAL ACCESS
BOARD

Board Meeting Minutes – August 23, 2021
Teleconference

This meeting was open to the public and began approximately 9:02 AM.

Architectural Access Board member attendance:

Patricia Mendez (PM)
Mary Mahon McCauley (MM)
Jeffrey Dougan (JD)
David Johnson (DJ)
Elizabeth Myska (EM)
Ana Julian (AJ)
Meaghan Obrien (MO)

Division of Occupational Licensure Employees attendance:

William Joyce – AAB Executive Director (WJ)
James Plotkin – Legal Counsel (JP)
Marc Lesser – Compliance Officer (ML)
Bradley Souders – Office Support Specialist (BS)

PM opened the meeting for Roll Call:

MM, JD, DJ, EM, AJ, MO

1. 9:04 AM V21-135 NE Corner Franklin and Arch Street, Boston

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variances 1-3:

Motion to Continue for more information indicating where the hollow sidewalks are located underneath the current sidewalk and the measurement of the slope and cross slope of the abutting sidewalk by JD

2nd by DJ

By Acclamation/Carried

2. 9:15 AM V21-136 1130 Massachusetts Avenue, Cambridge

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to continue for more information on the actual proposed relief requested by JD



2nd by DJ
By Acclamation/Carried

3. 9:25 AM V21-137 Kelley House Hotel, Various Streets, Edgartown

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Packet by JD

2nd by DJ

By Acclamation/Carried

4. 9:51 AM V21-138 475 Franklin Street, Framingham

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Continue to clarify response from Geravanta lift and platform size in regards to why there is a modification to the equipment by JD

2nd by AJ

By Acclamation/Carried

5. 10:02 AM V21-139 39 Main Street, Medway

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant as proposed with the usual conditions by MO

2nd by EM

By Acclamation/Carried

6. 10:05 AM Advisory Opinion Request GravelPave

Exhibit – Advisory Opinion Request and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Allow for outdoor recreation settings on the following conditions: if used as an accessible route, it complies with running and cross slopes, clear delineation of path including visual contrast between GravelPave and adjacent surfaces; width, passing space, entry/exit points, and change in level are in full compliance, information posted on website, maintained as needed, and not to be used anywhere else except as accessible route in compliance with 521 CMR section 19 without permission from AAB by JD

2nd by DJ

By Acclamation/Carried

7. 10:13 AM V19-284 370-380 Harrison Avenue, Boston

Exhibit – Amended Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant for Group 1 units by JD

2nd by EM

By Acclamation/Carried

Motion to Grant for Group 2 units on the condition that one portable outlet is provided prior to move in by tenant by JD

2nd by EM

By Acclamation/Carried



8. 10:16 AM V20-207 170 North Lowell Street, Methuen

Exhibit – Accommodation Policy and associated documents

WJ presented documentation – Discussion of Accommodation Policy:

Motion to Accept on the condition that text is changed to reflect people-first language, alteration to the hyperlink, and a phone number is added to the policy by JD

2nd by EM

By Acclamation/Carried

5 Minute Break

9. 10:35 AM V21-042 90 Old Main Street, Dennis

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant on the condition that cove nosing is installed by DJ

2nd by JD

By Acclamation/Carried

10. 10:43 AM V21-056 Tremont Street, Boston

PM Recused, JD Acting Chair

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant on the condition that a sign identifying the ramp on the reciprocal side is non-compliant by DJ

2nd by EM

By Acclamation/Carried

11. 10:54 AM V21-057 429 Cherry Street, Newton

Exhibit – Letter from Eversource and associated documents

WJ presented documentation – Discussion of Letter:

Motion to Grant on the condition a wheel stop is provided by JD

2nd by AJ

By Roll Call: JD/Y, DJ/N, EM/N, MO/Y, AJ/Y, PM/Y

12. 11:05 AM Hearing declared regarding V21-075 29 Ingersoll Street, Danvers:

PM opened the hearing, introduced Board and established procedures. Participants Imelda Barnhurst, Dale Gienapp, and David McKenna are sworn in. Exhibit #1 – the hearing packet AAB 1-25 is noted. Imelda Barnhurst presented application. Exhibit #2 – Arial view and additional plans is noted and accepted. Comments and additional testimony by Dale Gienapp and David McKenna. Discussion and Questions:

Motion to take under advisement by MM

2nd by DJ

By Roll Call: MM/Y, DJ/Y, EM/Y, MO/Y, AJ/Y

11:55 AM Break for Lunch

13. 1:04 PM Hearing declared regarding V21-095 91-95 Main Street, Malden:

PM opened the hearing, introduced Board and established procedures. Participants Andreas Tsitos and Michael Muehe are sworn in. Exhibit #1 – the hearing packet AAB 1-22 is noted. Andreas Tsitos presented application.



Exhibit #2 – Photo from google maps is noted and accepted. Comments and additional testimony by Michael Muehe. Discussion and Questions:

Motion to Continue for cost estimate and plans for making front and rear entrance accessible as well as correspondence between petitioner and city of Malden in regards to work done on sidewalk in front of property by JD

2nd by DJ

By Acclamation/Carried

1:50 PM 10 Minute Break

14. 2:00 PM Hearing declared regarding C18-020 4 Hartford Avenue North, Upton:
PM opened the hearing, introduced Board and established procedures. Participants Tony Ma, Pamela Goodwin, Simone Early, Michael Muehe, Marc Lesser, and William Joyce are sworn in. Exhibit #1 – the hearing packet AAB 1-177 is noted. Exhibit #2 – Application for Variance is noted and accepted. Marc Lesser presented case history. Comments and additional testimony by Simone Early, Pamela Goodwin, Tony Ma, and William Joyce. Discussion and Questions:

Motion to take the matter back up in Quasi-Judicial hearing by JD

2nd by AJ

By acclamation/Carried

3:00 PM ML Departed

15. 3:02 PM Status Update – new edition of 521 CMR

Motion to instruct AAB to begin recruiting new members for sub-committee on changes to 521 CMR by JD

2nd by EM

By Acclamation/Carried

16. 3:06 PM V21-126 200 High Street, Hingham
Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Deny with a note stating option 1 would fully comply with 521 CMR by JD

2nd by EM

By Acclamation/Carried

17. 3:29 PM Discussion of Letters of Recommendation

18. 3:48 PM Continued deliberation of V21-075 29 Ingersoll Street, Danvers

Motion to Continue to instruct petitioner to start the Massachusetts Historical Commission's ADA process by JD

2nd by DJ

By Acclamation/Carried

19. 4:13 PM Quasi-Judicial Session

Motion to enter Quasi-Judicial Session, Pursuant to G.L. c. 30A, § 18 by DJ

2nd by EM

By Acclamation/Carried

4:13 PM WJ Departed



Michael Muehe opposed the Board's decision to enter Quasi-Judicial Session

20. 4:15 PM Continued deliberation of C18-020
Motion to find in favor of the complainant by DJ
2nd by EM
By Acclamation/Carried

Motion that a fine should be imposed by DJ
2nd by EM
By Acclamation/Carried

Motion to impose a fine of \$23,400 (\$100 per day dating back to January 1, 2021) held in abeyance in compliance of the following points: submission of plans one month from the date of hearing, one month for plans to receive approval from appropriate entities, status reports due on the first of each month starting September 1, 2021, and completion of project by December 15, 2021 by DJ
2nd by AJ
By Acclamation/Carried

4:57 PM Motion to end Quasi-Judicial Session, Pursuant to G.L. c. 30A, § 18 by EM
2nd by DJ
By Acclamation/Carried

5:00 PM WJ Returned

21. 5:02 PM End of Meeting
Motion to Adjourn by DJ
2nd by EM
By Acclamation/Carried

5:02 PM End of Meeting Noted

Respectfully submitted,
Bradley Souders

Exhibit List:

- Curb Cuts, NE Corner Franklin and Arch Street, Boston (V21-135)
 - Exhibit – Variance Application and associated documents
- 4 Story Mixed Use, 1130 Massachusetts Avenue, Cambridge (V21-136)
 - Exhibit – Variance Application and associated documents
- Kelley House Hotel, Various Streets, Edgartown (V21-137)
 - Exhibit – Variance Application and associated documents
- Medical Office Building, 475 Franklin Street, Framingham (V21-138)
 - Exhibit – Variance Application and associated documents
- Residential Complex, 39 Main Street, Medway (V21-139)
 - Exhibit – Variance Application and associated documents
- Advisory Opinion Request – GravelPave Advisory Request
 - Exhibit – Advisory Opinion Request and associated documents
- Residential Development, 370-380 Harrison Avenue, Boston (V19-284)



- Exhibit – Amended Variance Application and associated documents
- St. Xenia Orthodox Church, 170 N. Lowell St., Methuen, MA 01844 (V20 - 207)
 - Exhibit – Accommodation Policy and associated documents
- Jericho Historical Building, 90 Old Main Street, Dennis (V21-042)
 - Exhibit – Variance Application and associated documents
- Curb Cuts, Tremont Street, Boston (V21-056)
 - Exhibit – Variance Application and associated documents
- The Eliot Condominium, 429 Cherry Street, Newton (V21-057)
 - Exhibit – Letter from Eversource and associated documents
- Glen Magna Farms Mansion, 29 Ingersoll Street, Danvers (V21-075)
 - Exhibit #1 – Hearing packet AAB 1-25
 - Exhibit #2 – Arial view and additional plans
- Upton Housing Authority, 4 Hartford Avenue, North Upton (C18-020)
 - Exhibit #1 – Hearing packet AAB 1-177
 - Exhibit #2 – Variance for Application
- Plymouth River Elementary School, 200 High Street, Hingham (V21-126)
 - Exhibit – Variance Application and associated documents