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**DIANE M. SYMONDS**  
COMMISSIONER, DIVISION OF  
PROFESSIONAL LICENSURE

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

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Board Meeting Minutes – August 26, 2019 9:00 a.m. – 5:00 p.m.  
One Ashburton Place, 21<sup>st</sup> Floor, Conference Room 3, Boston

**Board Members Present:**

- Walter White (WW)
- Jane Hardin (JH)
- Jeffrey Dougan (JD)
- Jane Hardin (JH)
- David Johnson (DJ)
- Patricia Mendez, (PM)
- Harold Rhodes (HR)

**Also in Attendance:**

- William Joyce, Compliance Officer, AAB (WJ)
- Ronald Cogliano, First Deputy Commissioner, DPL (RC)
- Bruce Hopper, Chief Legal Counsel, DPL (BH)
- Karen Brann, Program Coordinator, AAB (KB)

**Board Members not in Attendance:**

- Andy Bedar (AB)
- Dawn Guarriello (DG)

The Chair opened the meeting.

**Incoming Case Review:**

1. Annisquam Village Church, 810 Washington Street, Gloucester, V19-212

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*HR motioned to packet the case. JH seconded, passed unanimously.*

2. Three Story Mixed Use, 15-17 Lunenburg Street, Fitchburg, V19-214

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking relief on the slope, 18.5%.

Currently a takeout restaurant. The petitioner proposes to install 10 to 15 seats for dining.

HR motioned to grant on condition board reviews an accommodation policy, language on the website.

HR withdrew his motion.

*JD motioned to schedule a hearing. HR seconded, passed unanimously*

3. Grafton Public Library, 35 Grafton Common, Grafton, V19-215

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of library.

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

RC arrived

4. Three Family, 14 Eldora Street, Boston, V19-216

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*JD motioned to grant on the conditions of either an automatic door opener or the lift to be relocated to allow straight on and straight off boarding. PM seconded, passed unanimously.*

5. Park View Cooperative Housing, 24-26 Corporal McTernan Street, Cambridge, V19-217

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*JD motioned to continue for a cost estimate on making one of the two entrances accessible and clarification on what areas of the first floor would be accessible if an accessible entrance was provided. JH seconded, passed unanimously.*

6. Nineteen Stories, 212-222 Stuart Street, V19-218

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New construction 7

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

7. Kettle Ho Restaurant, 12 School Street, Cotuit, V19-219

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*HR motioned to continue for additional information on test drawings on an interior ramp at the proposed relocated entrance as well as information on the entrance including if the door is kept open and the dimensions of the vestibule. JD seconded, passed unanimously.*

8. Four Unit Residential, 17 Standard Street, Mattapan, V19-220

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioners seeks use of a lift, 18 inch pull side. Not clear if auto door opener is proposed.

Missing 18 inch latch side on three other doors.

*JD motioned for information on the three doors that do not have the 18 inch latch side, and on the conditions of either an automatic door opener or the lift to be relocated to allow a straight on and straight off boarding. HR seconded, motion passed.*

9. Tufts Cummings School of Veterinary Medicine, Peabody Pavilion, 37 Wildlife Drive, North Grafton, V19-221

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner seeks to maintain the existing inclined lift as is. 28.12.4

*HR motioned to grant on the condition the lift complies with 521 CMR and suggestion for the petitioner to look into upgrading the lift system. JH seconded, motion passed.*

10. Main Street Bar and Grill, 94 Main Street, Greenfield, V19-222

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking a three year time variance. Proposing slope landing and auto door opener.

*JD motioned to continue for information on the slope of the landing.  
HR seconded, passed unanimously.*

11. Harrington Auditorium, WPI, 100 Institute Road, Worcester, V19-223

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking three variances. Full compliance has been triggered.

14.2 not provide shoulder to shoulder at fixed seating

*JD motioned to continue for proposed seating locations and companion seating locations, policy on how seating will be provided, how many seats provided, information on how user will be able to know where the designated seats are, what signage is being proposed, and a pricing scale on the seats. HR seconded, passed unanimously.*

Seeking relief from 19.1 accessible route to basement level gym.

*JH motioned to continue for a test drawings and costs. JD seconded, passed unanimously.*

Switches more than 48 inches above the floor.

*PM motioned to continue for a feasibility study. HR seconded, passed unanimously.*

12. Student Center, Milton Academy, 170 Center Street, Milton, V19-224

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

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

13. Dart Hall, 23-55 Northern Avenue a/k/a 60 Seaport Boulevard, Boston, V19-225

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking relief for three of the seven platforms.

*JD motioned to grant on the condition of a policy of how the lower level will be reserved for last minute reservations. HR seconded, passed unanimously.*

RG arrived

Administrative Discussion

14. Ramps, Grafton Street, Worcester, V19-136

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The case was previously continued.

HR AAB 15

AAB 6 wheelchair ramp 16 AAB 24

AAB 13 wheelchair ramp 59, plans on 31

AAB wheelchair ramp 60, AAB 32

The best they can do will be dangerous.

*PM Motioned for a hearing and request perpendicular reconfigurations in the most problematic ramps.*

PM withdrew her previous motion.

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

15. The Corner Mall, 413-425 Washington Street, Boston, V19-149

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The case was previously continued for additional information.

*HR motioned to grant and require an automatic door opening system installed.  
JH seconded, passed unanimously.*

16. Block P, 400 Summer Street, Boston, V19-150

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Previously continued for information on stairs.

JD Item 4. Seating capacity?

*JD motioned to grant on the condition the appropriate number of seats is provided*  
JD withdrew his previous motion.

*JD motioned to continue for further clarification of a redesign of seating to allow stairs on both sides with a center social stair. HR seconded, passed unanimously.*

RC left the meeting.

DJ Arrived

17. BMC Durfee High School, 360 Elsbree Street, Fall River, V19-165

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Seeking relief from providing handrails at both sides of stairs.

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

18. The Meeting House, 29 Center Street, Nantucket, V19-180

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Previously continued for detailed drawings, information on handrails and dimensions.

Second accessible means of egress.

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

11:00 a.m.

Waverly Commuter Rail Station Annual Report and Presentation Hearing,

525 Trapelo Road, C12-033, V13-076

Exhibit #1 – Hearing Package AAB 1-25

Exhibit #2 – MBTA Capital Accessibility Projects Annual Update to MAAB

Monica Tibbits- Nutt, MBTA, Board Vice Chair (MTN)

Laura Bralsford, MBTA, Assistant General Manager (LB)

Samantha Silverberg, MBTA, Senior Director Capital Planning (SS)

Thomas Nee, MBTA, MBTA, Deputy Assistant General Manager (TN)

The parties were sworn in by the Chair.

*JD motioned to accept the MBTA's report. HR seconded, motioned passed unanimously*

The Board maintains an audio recording of the Hearing. The Board decision dated September 10, 2019, memorializes the Hearing.

The Board broke for lunch.

The Board came back from lunch.

1:00 p.m.

Triton Regional School, 112 Elm Street, Byfield, V10-096 Variance Hearing

Exhibit #1 – Hearing Package AAB 1-26

Christopher Walsh, Triton Regional School District, Facilities Manager (CW)

The party was sworn in by the Chair.

*HR motioned to continue until 11/1/2019 for the petitioner to submit a timeframe for vertical assess to the proposed press box. RG seconded, passed unanimously.*

The Board maintains an audio recording of the Hearing. The Board decision dated August 30, 2019, memorializes the Hearing.

19. Café Sushi, 1105 Mass Ave., Cambridge, C18-033, V18-092

Exhibit – Variance Application and associated documents

Ms. Brann presented the Variance Application, accommodation plan and associated documents.

*JD motioned to grant on the condition of information on the website and take out menus, for this use only. RG seconded, passed unanimously.*

20. Educare, 100 Hickory Street, Springfield, V19-198

Exhibit – Variance Application and associated documents

Ms. Brann presented the Variance Application and associated documents.

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

21. Various Curb Ramps, Multiple Streets, Multiple Municipalities, Chester, Dalton, Hindsdale, Lee, Lenox, Pittsfield, Stockbridge, V19-211

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

JD recused himself.

The Board previously voted to packet the case.

PM - would like more time to review.

HR – if these are part of ADA transition plan approved by a town are variances require?

WJ – they need relief because they don't comply with 521 CMR.

HR – understanding that ADA transition plan variances were not required at this time.

*PM motioned to table to the next meeting. JH seconded, JD recused, motion passed.*

Minutes – AAB July 29, 2019

*HR motioned to approve the minutes of 7/29/2019. DJ seconded, motion passed.*

#### Advisory opinion

22. Public Pool, Town of Wellesley

- Is the pool considered two pools because of the adjustable bulk head splitting the pool?

Pool barricade is in the pool all the time. It is movable but never taken out.

If barrier is always in, it is two pools.

*JH motioned that it is a permanent barrier and it makes two pools.*

*PM seconded, passed unanimously.*

23. Stair door clearances at egress stair landings, Jeanne Allen, JMA Architects

Is door along an accessible route?

Existing stair case door doesn't meet the clearances.

*JD motioned that the doors that the public can access and use should be compliant with the code. PM seconded, passed unanimously.*

24. Does the installation of a crosswalk to an existing ramp make an apex curb cut?

Kevin Wright, VHB, 99 High Street, 10<sup>th</sup> Floor, Boston

JD – work performed must comply. Skewed intersection. Don't meet the exceptions for an apex. Do they need a variance because it is an apex curb cut? The work has made it into an apex, 521 CMR 3.3.5.

*JD motioned that because so much work has been done to the intersection, the intersection needs to comply or ask for variances under 3.3.5 JH seconded, PM abstained, motion passed.*

25. North Village Lofts, 155 Ararat Street, Worcester, V19-035

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application, accommodation policy and associated documents.

*JD motioned to grant as proposed with the change of the word “handicapped” to “wheelchair” on the accommodation language. JD seconded, passed unanimously.*

DJ Left for the day.

3:00 p.m.

Frost Terrace, 1789 & 1791 Massachusetts Avenue, Cambridge (V19-176) – Variance Hearing

Exhibit #1 – Hearing Package AAB 1-82

Dominic Martinelli, Accessibility Consultant, United Spinal Association, (DM)

George Gard, Brunner/Cott Architects (GG)

Jason Forney, Bruner/Cott Architects, (JF)

Jason Korb, Frost Terrace Developer, (JK)

The parties were sworn in by the Chair.

*HR motioned to grant the variances as proposed. PM seconded passed unanimously.*

The Board has recordings of the Frost Terrace, 1789 & 1791 Massachusetts Avenue, Cambridge Hearing. The Board decision dated August 30, 2019, memorializes the Hearing.

Adjourn 4:15 p.m.

Exhibits

Grafton Public Library, 35 Grafton Common, Grafton, V19-215

Exhibit – Variance Application and associated documents

Three Story Mixed Use, 15-17 Luenburg Street, Fitchburg, V19-214

Exhibit – Variance Application and associated documents

The Old State House, 206 Washington Street, Boston, V19-213

Exhibit – Variance Application and associated documents

Annisquam Village Church, 810 Washington Street, Gloucester, V19-212

Exhibit – Variance Application and associated documents

Three Family, 14 Eldora Street, Boston, V19-216  
Exhibit – Variance Application and associated documents

Park View Cooperative Housing, 24-26 Corporal McTernan Street, Cambridge, V19-217  
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Nineteen Stories, 212-222 Stuart Street, V19-218  
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Tufts Cummings School of Veterinary Medicine, Peabody Pavilion, 37 Wildlife Drive, North Grafton, V19-221  
Exhibit – Variance Application and associated documents

Main Street Bar and Grill, 94 Main Street, Greenfield, V19-222  
Exhibit – Variance Application and associated documents

Harrington Auditorium, WPI, 100 Institute Road, Worcester, V19-223  
Exhibit – Variance Application and associated documents

Student Center, Milton Academy, 170 Center Street, Milton, V19-224  
Exhibit – Variance Application and associated documents

Dart Hall, 23-55 Northern Avenue a/k/a 60 Seaport Boulevard, Boston, V19-225  
Exhibit – Variance Application and associated documents

Café Sushi, 1105 Mass Ave., Cambridge, C18-033, V18-092  
Exhibit – Variance Application, accommodation policy and associated documents

North Village Lofts, 155 Ararat Street, Worcester, V19-035  
Exhibit – Variance Application, accommodation policy and associated documents

Ramps, Grafton Street, Worcester, V19-136  
Exhibit – Variance Application and associated documents

The Corner Mall, 413-425 Washington Street, Boston, V19-149  
Exhibit – Variance Application and associated documents

Block P, 400 Summer Street, Boston, V19-150  
Exhibit – Variance Application and associated documents

BMC Durfee High School, 360 Elsbree Street, Fall River, V19-165  
Exhibit – Variance Application and associated documents



The Meeting House, 29 Center Street, Nantucket, V19-180  
Exhibit – Variance Application and associated documents

Educare, 100 Hickory Street, Springfield, V19-198  
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Various Curb Ramps, Multiple Streets, Multiple Municipalities, Chester, Dalton, Hindsdale, Lee, Lenox, Pittsfield, Stockbridge, V19-211  
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Public Pool, Town of Wellesley  
Is the pool considered two pools because of the adjustable bulk head splitting the pool?  
Advisory opinion

Stair door clearances at egress stair landings, Jeanne Allen, JMA Architects  
Advisory opinion

Does the installation of a crosswalk to an existing ramp make an apex curb cut?  
Advisory opinion

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Exhibit #2 – Presentation – Capital Accessibility Projects at eh MBTA Annual Update to MAAB

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