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

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

Board Meeting Minutes – September 23, 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)
- Andy Bedar (AB)
- Jeffrey Dougan (JD)
- Dawn Guarriello (DG)
- Jane Hardin (JH)
- David Johnson (DJ)
- Patricia Mendez, (PM)
- Harold Rhodes (HR)

**Also in Attendance:**

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

**Board Members not in Attendance:**

- Andy Bedar (AB)
- Raymond Glazier (RG)

WW-JH, JD, DG, DJ

PM in at 10:15 p.m.

The Chair opened the meeting.

**Incoming Case Review:**

1. Wood Frame Structure, 548 Dalton Avenue, Pittsfield, V19-119

Exhibit – Variance Application and associated documents

Ms. Brann presented the Variance Application and associated documents.

The petitioner is seeking a time extension until 12/31/2019 to install a ramp.

*DJ motioned to grant the time extension until 12/31/2019. JD seconded, passed unanimously,*

2. Smith Art Center, Chimney Corners Camp for Girls, 748 Hamilton Road, Becket, V19-240

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking two variances.

28.1 – two story building

Seeks relief for no elevator. Everyone needs to exit the building and take the same route.

Second 32.3.3

Fewer than 15 spaces.

*JD motioned that no variance is required because there is less than 15 spaces.*

*JH seconded, passed unanimously.*

*JD motioned to grant relief from 28.1 with for this use only. JH seconded, passed unanimously.*

Did not ask for 14.6 and 24.4

*JD motioned that lift location is not within the access required leaving auditorium and stairs stage, handrails will require variance. DJ seconded, passed unanimously.*

3. Lucky Nails, 40 Main Street, Unit 4 and 5, Lee, V19-241

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner states a door between two tenants will only be used by employees.

*DJ motioned to deny. JD seconded, passed*

4. Leo Meehan School of Business, 320 Washington Street, Easton, V19-242

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Seeks 24.4.5 temporary 12/31/19.

*JD motioned to grant 12/31/19. DG seconded, passed unanimously.*

5. Houghton Library, 29 Harvard Yard, Cambridge, V19-243

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*DG motioned to packet. DJ seconded, passed unanimously.*

6. Restaurant/Beer Hall, 190 North Beacon Street, Boston, V19-244

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

25.1 – petitioner seeks relief for no access at front entrance.

The petitioner is proposing the use of a 4' temporary ramp.

BCIL is opposed.

*Case was tabled due to not having a quorum to vote.*

7. Café, 36 Summer Street, Somerville, V19-245

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

25.1

It is a butcher shop. Proposing a portable ramp with a 14% slope.

Sidewalk is 7'3/8".

*JD motioned to continue for information on raising the sidewalk to make the entrance compliant.*

*JH seconded, passed unanimously.*

8. Modera Framingham, 266 Waverly Street, Framingham, V19-246

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New construction, mixed use.

#1 Sink depths

*JD motioned to grant with the usual conditions and timeframe. JH seconded, motion passed.*

#2 10.3 lack of headroom in a portion of the first level garage.

Under construction

*DG motioned to continue for detailed information on that particular area and why it was designed the way it was. JH seconded, passed unanimously.*

9. Taj Hotel, 15 Arlington Street, Boston, V19-201

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*The case was tabled due to not having a quorum to vote.*

10. Temp Ramp, 48 Geneva Avenue, Dorchester, V19-247

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Seeks relief to use a 36" wide temp Amramp.

Asking for relief from the width. It has compliant landings.

*JD motioned to grant on the condition the handrails are compliant with section 24.5. and to not exceed 45 days from installation. DG seconded, passed unanimously.*

11. Bad Martha Farmers Brewery, 876 East Falmouth Highway, East Falmouth, V19-248

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New construction. The petitioner is seeking relief from access to the mezzanine level to access two tables.

Other noncompliance - bathroom stalls are too small, no handrail extensions, open risers, designed by an engineer not an architect, they have a CO.

*JH motioned to schedule a hearing to cover all items. JD. Seconded, passed unanimously.*

12. Duprey Building, 16 Norwich Street, Worcester, V19-249

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Asking relief for 7 residential dwellings. No sure why they are asking for relief.

Conversion of existing building to dwelling units.

JH motioned that no variance is needed.

JH withdrew her previous motion.

*JD motioned to ask staff to verify the variances that are needed and an affidavit stating that no other work is being undertaken. JH seconded, passed unanimously.*

13. Luminosity, 23 West Bay Road, Osterville, V19-250

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Change in use. Skin care in basement. No access proposes services in other tenant space.

Barnstable commission opposes but has conditions. The other business is open by appointment only. Needs clear information on website and advertising

*JD motioned to grant on the condition policy and agreement procedures are provided to the board and the accessibility needs are stated clearly on the website and materials and are reviewed by the board. The grant is for this use only. Also, confirmation on the use of the first floor Sara Glover retail space. DG seconded, passed unanimously.*

14. Holliston Animal Hospital, 13 Exchange Street, Holliston, V19-251

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of an existing animal hospital

Variance #1 The petitioner is seeking relief from 25.1 for 1 of the 2 entrances.

*JD motioned to grant on the condition of appropriate signage to get to the reception area from the entrance and an accessible van spot to use the entrance, also, a policy for people who may need assistance with their pets. DJ seconded, passed unanimously.*

#2 – relief on parking but they have fewer than 15 spaces. They are providing an accessible space. Asking for relief on the route.

*JD motioned to grant on the route distance. JH seconded, passed unanimously,*

15. Taj Hotel

Sidewalks – The case was previously tabled for the Boston Commission to meet with the petitioner.

1 – Seeking relief to push cross slope into the furniture zone.

*JD grant JH seconded, passed unanimously.*

2 - Existing electrical vaults to maintain the condition due to the vault.

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

3 – Plaza in front of building is raised up to 4%.

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

15. Waverly Hall, 115 Mt. Auburn Street, Cambridge, V19-252

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Basement level is 6 steps below grade. Office is for the owner's company.

*JD motioned to continue for information on how to accommodate customers for that space.*

*DG seconded, passed unanimously.*

16. People Incorporated, 70 Main Street, Taunton, V19-253

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

31.7.3 Shower controls. Letter from Independence Associates not in opposition.

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

17. New England Center for Children, 33 Turnpike Road, Southborough, V19-254

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New entrance, proposes two ramp designs.

*JH motioned for further clarification on the ramp location and design.*

*DJ seconded, passed unanimously.*

PM arrived.

18. Steriti Memorial Rink, 561 Commercial Street, Boston, V19-255

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Temp ramp to provide a second means of egress. Only 36" will fit.

*JD motioned to grant on the condition that the handrails comply, more detailed, legible plans, and for no more than 30 days from installation. DG seconded, passed unanimously.*

DG left the room.

19. Food Link Headquarters, 108 Summer Street, Arlington, V19-235

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Pg 7 variance sections.

20.11.1, 28.1 are linked.

25.1 – alternate entrance

*JD motioned to grant as proposed. JH seconded, motion passed.*

27.2 – uniformed tread widths

DG came back into the room.

*JD motioned to grant with brailed warning signage at the stairs,*

*JH seconded, DG abstained, motion passed.*

28.1 –

Appropriate accommodation be provided on the first floor.

Egress issue. Only have one accessible means of egress. Can only get into the first floor.

20.11.1

Reduce bike parking and make area of rescue assistance.

*JD motioned to deny. The bike parking might be able to be reworked to be a rescue balcony.  
DG seconded, passed unanimously.*

Lift – seeking relief to the second floor.

*JD motioned to schedule a hearing to discuss the vertical access.  
JH seconded, passed unanimously*

20. Boston Fire Department, Engine 50, 34A Winthrop Street, Charlestown, V19-266

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

David Johnson recused himself.

The petitioner requested to waive the fourteen day waiting period.

*PM motioned to waive the 14 day waiting period. JH seconded, passed DJ recused, passed.*

Bridge sidewalk and firehouse.

*DG motioned to grant. JD seconded, DJ recused. Motion passed*

21. Five Story Building, 18 Newbury Street, Boston, V19-238

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Pg 11

Received a letter from BCIL

25” width.

#1 – vestibule door clearance

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

#2 stair uniformity

*JD motioned to grant as proposed with on the assumption that handrails etc. comply.*

*JH seconded, passed unanimously.*

#3 and 4 - 25 inch door is narrow

The space is going to be accessible by the LULA.

*JD motioned to continue for information to see if modifications can be made to increase the door width without changing the hoist way. PM seconded, passed unanimously.*

### Advisory Opinion

22. City of Malden, Nelson Miller, Jr, Building Commissioner/Zoning Officer

School parking lots

Have an agreement with the church to use the lots.

Two spaces serving the school

Two spaces serving the church

Have a written agreement to share the lots.

Is it a single system of lots? Are the spots distributed appropriately?

Weekend rule is separate from Monday to Friday rule.

One parking lot system.

*JD motioned that because they have a formalized agreement, count as one parking lot system and can be combined for count, and lack because of no overlap between the two buildings. Considered a joint parking lot system. DG seconded, passed unanimously.*

Distribution under 23

Determined it is a shared lot system,

*JD motioned that it is compliant with disbursement. DJ seconded, passed unanimously.*

Board broke for lunch.

1:00 p.m. - Sidewalk Area, 899 Boylston Street, Boston, V19-134 – Variance Hearing

Exhibit – Hearing Package AAB 1-40

Francesco Spagna (FS)

Mario Cabrera, Heger Engineering, LPC Property Manager, (MC)

Thomas Tryowski, STA, Inc. (TT)

Exhibit #1 – Hearing Package AAB 1-40

Exhibit #2 - Additional slides

The parties were sworn in by the Chair.

*PM – Boylston street 8 panels motioned for a feasibility study exploring how to make cross slope close to 2%, with drawings. HR seconded, JD opposed. Motion passed.*

Gloucester Street -

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

The Board maintains an audio recording of the Hearing. The Board decision dated October 24, 2019 memorializes the Hearing.

2:00 p.m. - Three Story Structure, 194 Harvard Street & 152 Columbia Street, Cambridge  
V19-200 - Variance Hearing

Exhibit – Hearing Package AAB 1-21

Jeff Deravil, Camics Bakery and Restaurant (JD)

Campbell Ellsworth, Architect, 267 Norfolk Street Cambridge (CE)

The parties were sworn in by the Chair.

*DJ motioned to ask the petitioner to consider the proposed avenue and the cost within 30 days.  
JD seconded, passed unanimously.*

The Board maintains an audio recording of the Hearing. The Board decision dated September 25, 2019, memorializes the Hearing.

3:00 p.m. - Josiah Smith Tavern, 358 Boston Post Road, Weston (V19-171) - Variance Hearing

Exhibit – Hearing Package AAB 1-44

Exhibit #3 – additional page to application

Exhibit #2 – Additional pictures

Daniel Bass, RWA Architecture (DB)

The party was sworn in by the Chair.

AAB 16 –

Item #1

*HR motioned 20.7 5, all doors listed excluding door E110A JD seconded, DJ abstain, passed.*

Item #2 – 26.5

*Item #2 HR motioned to deny for EC106A E200A, E108A. DJ seconded, JD abstained passed*

E204A

*HR motioned to grant E204A. JD seconded, passed unanimously.*

#3

*JD motioned to grant on EC106A, E200A, PM seconded, DJ abstained. Passed.*

#4 - 26.10



E100A

*PM motioned to grant all on request #4. HR seconded, passed unanimously.*

#5

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

#6 and #7

*JD motioned to grant on requests 6 and 7, DJ seconded, passed unanimously.*

#8

20.2

*DJ motioned to continue for petitioner to clarify the nature of use of the offices on first and second floor, items 8, 9, 10, 11,12. Within 30 days. HR seconded, passed unanimously.*

The Board maintains an audio recording of the Hearing. The Board decision dated October 25, 2019, memorializes the Hearing.

#### Administrative Discussion

22. The Summit House, Joseph Skinner State Park, Route 47, Hadley, V11-081

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Fine hearing on 7/15 waived fine and asked for a variance application.

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

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

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Tabled - Bumped to next meeting due to not having a quorum.

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

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Received an amendment. Lift doors will be automatic.

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

25. 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.

Slope 1 in 12, provide auto doors.

Requesting 3 years to make accessible.

*HR motioned to grant a three year time variance with updates every 6 months starting 1/2/20 and sloped landing. DJ seconded, passed unanimously.*

26. Dart Hall, 23-55 Northern Avenue, 60 Seaport Boulevard, Boston, V19-225

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Received policy.

*PM motioned to accept the policy on the condition it is posted on the website and additional telephone number for contact is added. JD seconded, passed unanimously.*

27. Howard Thurman Center, 808 Commonwealth Avenue, Brookline, V19-129

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

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

28. Blue Hills Regional, 800 Randolph Street, Canton, V17-112

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The board received an amendment request in response to denial.

20.1, 29.2.3

Ramp installed. 45.5” wide not 48”.

*JD motioned to grant. JH seconded  
In favor JD, JH against DJ, HR PM  
Motion failed.*

*HR motioned to deny. DJ seconded, JD, JH opposed. Motion passed.*

29. Marcorelle’s Package Store, 30 Central Street, Ipswich, V19-228

Exhibit – Variance Application and associated documents

Ms. Brann presented the Variance Application and associated documents.

The Board previously continued the case for information on if a wider ramp can be used and what training will be offered to staff.

*JD motioned to grant on the conditions that the Board receives clarification on where the portable ramp will be stored when not in use and that it will be readily available, that the portable ramp is not separated into two parts to be widened. The Board requests that the following language that is in the Policies Employee Training and Procedures document be taken out - all employees will also be instructed by the acting manager on how to separate the ramp for wider accommodations.  
JH seconded, passed unanimously.*

The following cases were moved to the October 7, 2019 meeting due to time constraints.

Three Family Building, 71-73 Ellington Street, Dorchester, V19-111  
Exhibit – Variance Application and associated documents

500 Ocean Avenue, 500 Ocean Avenue, Revere, V19-012  
Exhibit – Variance Application and associated documents

Maitland Street at Beacon, Yawkey Way Ext. and Brookline, Boston, V12-131  
Exhibit – Variance Application and associated documents

Easton Housing Authority, 71 Parker Terrace, North Easton, C19-036  
Exhibit – Variance Application and associated documents

Waltham Fields Community Farm, 240 Beaver Street, Waltham  
Access Trax product

Westford Public Schools, 23 Depot Street, Westford  
Playground surface, 521 CMR 19.7

#### Exhibits

Taj Hotel, 15 Arlington Street, Boston, V19-201  
Exhibit – Variance Application and associated documents

Smith Art Center, Chimney Corners Camp for Girls, 748 Hamilton Road, Becket, V19-240  
Exhibit – Variance Application and associated documents

Lucky Nails, 40 Main Street, Unit 4 and 5, Lee, V19-241  
Exhibit – Variance Application and associated documents

Leo Meehan School of Business, 320 Washington Street, Easton, V19-242  
Exhibit – Variance Application and associated documents

Café, 36 Summer Street, Somerville, V19-245  
Exhibit – Variance Application and associated documents

Houghton Library, 29 Harvard Yard, Cambridge, V19-243  
Exhibit – Variance Application and associated documents

Restaurant/Beer Hall, 190 North Beacon Street, Boston, V19-244  
Exhibit – Variance Application and associated documents

Modera Framingham, 266 Waverly Street, Framingham, V19-246  
Exhibit – Variance Application and associated documents

Temp Ramp, 48 Geneva Avenue, Dorchester, V19-247  
Exhibit – Variance Application and associated documents

Bad Martha Farmers Brewery, 876 East Falmouth Highway, East Falmouth, V19-248  
Exhibit – Variance Application and associated documents

Duprey Building, 16 Norwich Street, Worcester, V19-249  
Exhibit – Variance Application and associated documents

Luminosity, 23 West Bay Road, Osterville, V19-250  
Exhibit – Variance Application and associated documents

Holliston Animal Hospital, 13 Exchange Street, Holliston, V19-251  
Exhibit – Variance Application and associated documents

Waverly Hall, 115 Mt. Auburn Street, Cambridge, V19-252  
Exhibit – Variance Application and associated documents

People Incorporated, 70 Main Street, Taunton, V19-253  
Exhibit – Variance Application and associated documents

New England Center for Children, 33 Turnpike Road, Southborough, V19-254  
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Steriti Memorial Rink, 561 Commercial Street, Boston, V19-255  
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Boston Fire Department, Engine 50, 34A Winthrop Street, Charlestown, V19-266  
Exhibit – Variance Application and associated documents

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Exhibit – Variance Application and associated documents

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Exhibit – Variance Application and associated documents

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

Marcorelle's Package Store, 30 Central Street, Ipswich, V19-228

Exhibit – Variance Application and associated documents

Food Link Headquarters, 108 Summer Street, Arlington, V19-235

Exhibit – Variance Application and associated documents

Five Story Building, 18 Newbury Street, Boston, V19-238

Exhibit – Variance Application and associated documents

City of Malden, Nelson Miller, Jr, Building Commissioner/Zoning Officer

School parking lots

Waltham Fields Community Farm, 240 Beaver Street, Waltham

Access Trax product

Westford Public Schools, 23 Depot Street, Westford

Playground surface, 521 CMR 19.7

Sidewalk Area, 899 Boylston Street, Boston, V19-134 – Variance Hearing

Exhibit – Hearing package AAB 1-40

Three Story Structure, 194 Harvard Street & 152 Columbia Street, Cambridge

V19-200 - Variance Hearing

Exhibit – Hearing package 1- 21

Josiah Smith Tavern, 358 Boston Post Road, Weston (V19-171) - Variance Hearing

Exhibit #1 – Hearing package AAB 1-44

Matters not reasonably anticipated 48 hours in advance of meeting.

Adjourn 5:00 p.m.