



Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

# The Commonwealth of Massachusetts

## Department of Public Safety Architectural Access Board

One Ashburton Place, Room 1310  
Boston, Massachusetts 02108-1618

Phone 617-727-0660

Fax 617-727-0665

[www.mass.gov/dps](http://www.mass.gov/dps)

Daniel Bennett  
Secretary

Matt Carlin  
Commissioner

Thomas P. Hopkins  
Executive Director

### **Board Meeting Minutes – April 4, 2016** **21<sup>st</sup> Floor – Inspector General's Conference Room**

#### **Present Board Members:**

- Walter White, Chair (WW)
- David D'Arcangelo, Massachusetts Office on Disability Director (DD )
- George Delegas, Member (GD)
- Dawn Guariello, Member (DG)
- Jane Hardin, Member (JH)

and

- Thomas Hopkins, Executive Director (TH)
- Kate Sutton, Program Coordinator/Clerk for Proceedings (KS)

#### **Members Not Present:**

- Diane McLeod, Vice Chair (DM)
- Carol Steinberg, Member (CS)
- Andrew Bedar, Member (AB)
- Raymond Glazier, Executive Office on Elder Affairs Designee (RG)

- Meeting began at approximately 9:15 a.m.

- 1) **Discussion:** Board Member Roll Call  
WW - all but CS, DM, AB and RG present

2) Incoming: Mutual One Bank, 49 Main St., Natick (V16-076)

- TH - EXHIBIT – variance application and supplemental information
- spending over 30%
  - width between handrails will be 40” instead of 48”

*GD - grant as proposed*

*JH - second – carries unanimously*

3) Incoming: Watertown Boys and Girls Club, 25 Whites Ave., Watertown (V16-089)

- TH - EXHIBIT – variance application and supplemental information
- pool currently served by lift, would like to remove the lift and install a ramp
  - width between the handrails variance (36” instead of 48”), but the handrails don’t comply since they are interrupted

*JH - grant on the condition that compliant handrails are part of the installation*

*DD - second – carries unanimously*

4) Incoming: Foster Hospital for Small Animals, 55 Willard Street, North Grafton (V16-081)

- TH - EXHIBIT- variance application and supplemental information
- jurisdiction is 3.3.1b, based on spending over \$100,000
  - brought in trailers and constructed ramps to them
  - seeking variance for the landings and the slope is 1:14 (which is compliant)
  - 58 feet long with no intermediate landing
  - temporary trailers will be in place until August 31, 2016

*GD - grant as proposed*

*DD - second – carries unanimously*

5) Incoming: North Shore Business Center, Building 300, 30 Logbridge Road, Middleton (V16-093)

- TH - EXHIBIT- variance application and supplemental information
- proposing to build a 8,900 square foot mezzanine, with no access
  - new building
  - proposing to provide same services at the first floor

*GD - deny*

*DD - second – carries unanimously*

6) Incoming: St. Paul’s Parish House, 20 Fair Street, Nantucket (V16-077)

- TH - EXHIBIT – variance application and supplemental information
- work performed, renovation of existing stair to the Parish House
  - fully compliant entrance leading to the same floor from a 5% walkway

*GD - grant as proposed*

*DD - second – carries unanimously*

7) Incoming: Waldorf School of Lexington, 739 Mass. Ave., Lexington (V16-095)

- TH - EXHIBIT – variance application and supplemental information  
- proposed addition 5 years away, in an effort to make the existing building comply, proposing to provide accessible toilet room, entrance and drinking fountain  
- just that work will trigger the requirement for full compliance by triggering 30% (3.3.2)  
- the work in 3-5 years will again trigger 30%  
- the proposed work will fully comply

DD - *grant the time variance to April 1, 2019, with any additional variance submitted prior to said deadline*

GD - *second – carries unanimously*

8) Incoming Discussion: Euphoria Lounge, 289 Acushnet Ave., New Bedford (V16-057)

- TH - EXHIBIT – submittal from John Cayman of Design Concepts of New England, received on March 28, 2016; submitted plans showing stall sizes of 60 by 63.5”  
- the stall sizes do not comply  
- seeking a variance for those toilet rooms

***Raymond Glazier, Designee for Executive Office on Elder Affairs – Now Present (RG)***

DD - *deny*

GD - *second – carries with RG abstaining*

9) Incoming Discussion: Chatham Inn, 359 Main St., Chatham (V16-026)

- TH - denied at first review the proposal to steps to the outside patio  
- EXHIBIT- March 23, 2016, architect of record, sent a ramp plan, with a ramp along the side of the building to the patio  
- still unsure of how the ramp will connect the ramp to the building  
- the door is already installed  
- seeking a variance to use the ramp as the solution

DD - *continue to have the Petitioners submit more information, specifically the interior floor plans, submitted by next meeting*

GD - *second – carries unanimously*

10) Discussion: Cinderella’s Restaurant, 901 Main St., Cambridge (V15-298)

- TH - hearing held on February 27, 2016  
- subpoenaed the owner to appear, but only the tenants of the building appeared at the hearing  
- EXHIBIT – plans of accessible bathroom and potential of accessible ramp, submitted April 1, 2016  
- spoke to the owner of the building  
- authorized at the last meeting to give some times  
- think that another hearing should be scheduled  
- Cinderella’s did a lot of work without permits, including the removal of structural walls for the apartments above  
- want to extend the Temporary Certificate of Occupancy 3 months  
- also want another hearing to be scheduled

*GD* - grant a three month extension to the Temporary Certificate of Occupancy, to July 1, 2016; and schedule another hearing

*RG* - second – carries unanimously

11) Incoming: Sawyer Building, 8 Ashburton Place, Boston (V16-098)

- TH - EXHIBIT – variance application and supplemental information
- previous variance V15-324
  - project is over 30%
  - part of the project is a raised mezzanine on the 12<sup>th</sup> floor, proposing to install a vertical wheelchair lift at that mezzanine
  - vertical head clearance is impeded by an inch and 7/8, at the top of the lift

*DD* - grant as proposed

*GD* - second – carries unanimously

12) Incoming: Norman Rockwell Museum, 9 Glendale Road, Stockbridge (V16-086)

- TH - EXHIBIT – variance application and supplemental information
- reconstructing the stone terrace, the accessible walkway to the terrace, and rebuilding and replacing emergency egress to be accessible
  - spending \$400,000; jurisdiction is work performed (3.3.1b)
  - drop-off location is 200 feet from the entrance; parking is 240 feet away from the building, instead of the required 100 feet from the entrance due to existing routes and landscaping

WW - main parking lot is gravel, accessible parking spaces are paved

JH - they are approving the route location?

TH - no just the surface

*RG* - grant for the drop-off location

*DD* - second – carries unanimously

TH - While the walkway is re-graded, they will have an alternate accessible entrance to the lower level, with elevator access to the main floor

*JH* - grant the variance requested

*RG* - second – carries unanimously

***Carol Steinberg, Member – Now Present via Conference Call (CS)***

13) Incoming: Town Hall and Temporary Trailers, 25 High Road, Newbury (V16-085)

- TH - EXHIBIT – new application received by the Board on March 9, 2016
- inaccessible trailers, existing town offices closed due to mold issues
  - two trailers put in place for use as town offices, seeking until June 30, 2016 to use the trailers, while securing a lease for “compliant accommodations”
  - proposing more trailers

- DD* - continue for more information and ask to have a trailer with a temporary lift or ramp to at least one of the trailers, submit the information by next meeting (April 25, 2016); and provide signage as to which trailer is accessible
- RG* - second – carries unanimously

14) Incoming: Hanesborough Affordable Housing Inc., 35 Hanesborough St., Dorchester (V16-090)

- TH* - EXHIBIT – variance application and supplemental information
- new construction of new residential building
  - variance for lift at change in level at the lobby interior entrance stairs
  - up to the elevator lobby

- GD* - grant as proposed
- JH* - second – carries unanimously

15) Incoming Discussion: Peggy O’Neils (aka Blend), 1310-1314 Dorchester Avenue, Dorchester (V16-033)

- TH* - continued to have permits not be issued until spending analysis submittal
- met with architect on March 31, 2016; EXHIBIT – submittal of full jurisdictional analysis verifying jurisdiction of 3.3.1a
  - they are getting a grant for a façade change, which involves work on the doors
  - meeting resolved the issue that no jurisdiction to enforce the installation of compliant toilet rooms

- GD* - grant as proposed
- JH* - second – carries with CS opposed

16) Incoming: Little Building, Emerson College, 80 Boylston Street, Boston (V16-069)

- TH* - EXHIBIT – variance application and supplemental information
- put in packet for this meeting
  - seeking 5 variances

- RG* - no plans of second floor, which was dining hall
- do not like to assume about compliance

- GD* - grant all variances requested for the first floor as proposed
- RG* - second – carries unanimously

- KS* - any other variances besides first floor requests?

- TH* - 20.11.2
- Tremont Street entrance/exit only
  - voted on that, based on motion of GD covering all variances requested

17) Incoming: Bullfinch Square, 47 Thorndike St., Cambridge (V16-092)

- TH* - EXHIBIT – variance application and supplemental information
- replacement of existing platform lift
  - current platform is 30” by 41”, seeking a variance for 30” by 35”; 30” by 48” required

- CS* - deny

- RG* - can CS make a motion if participating by phone?

- WW - *unsure*  
CS - *withdraw motion*
- GD - *deny – withdrawn*
- 41” DD - *grant on the condition that the platform of the lift platform is a minimum of clearance of 30” by*  
RG - *second – carries unanimously*

18) Incoming Discussion: Garland House, 263 Merrimac St., Lowell (V16-017)

- TH - EXHIBIT – commitment from owner that wall side handrails will be provided at stairs and carpet on the stair to mitigate the nosings; submittal from Raymond Gurtin received on Friday April 1, 2016, included drawings, pictures and plans
- RG - *grant the variance for the stairs, on the condition wall-mounted handrails installed as proposed*  
GD - *second – carries with CS abstaining*
- TH - other issue is the lack of access at the front entrance  
- proposing a new ramp and accessible parking at the rear of the building  
- new main entrance to the building
- RG - *grant as proposed for the front entrance, on the condition that signage is provided at the front entrance*  
DD - *second – carries unanimously*

19) Incoming: Restaurant, 140 Main St., North Easton (V16-091)

- TH - EXHIBIT – variance application and supplemental information  
- spending over 30%  
- work to be performed  
- proposes mezzanine of 400 square feet and 28 seats for overflow dining  
- did an elevator study, but no study for LULA or lift  
- seeking variance for no access to the mezzanine
- RG - *grant on the condition that always have one table that is available at the first floor for overflow, so would have to put people at the mezzanine before the overflow is full and then could seat the main seat*  
DD - *second – carries unanimously*

***Brief Break***

20) Hearing: Performing Arts Center, 51 Walden Street, Concord (V16-004)

- WW - called to order at 11 a.m.  
- introduce the Board

John Hutchins, Board Member, Performing Arts Center (JHu)  
Carole Wayland, Executive Director of 51 Walden Inc. (CW)

William Joyce, Compliance Officer for the Board (WJ)

WW - all sworn in  
- EXHIBIT 1 – AAB1-103

WJ - questions raised regarding jurisdiction of the Board  
- 3.3.1a, work performed  
- AAB19, 46-48 and 58-59, substantial work to the stage, over \$100,000  
- therefore required the stage to be fully compliant  
- variance was requested only based on the advisory opinion and at the request of Mr. Hopkins  
- discrepancies between advertising materials and the application submitted  
- need to clarify if any other jurisdictional discrepancies have been met  
- \$240,000 in spending in AAB47  
- AAB59, \$239,092 for stage renovation  
- building permit for the work is \$198,000  
- AAB27, breakdown of fees; permits were discounted on AAB23 and AAB19  
- want to verify that the work is not over 30%  
- AAB2 is the assessed value for the years  
- want to verify spending, but definitely triggered access to the stage

JHu - financial record keeping is adequate for a 501C3 nonprofit, unsure of financial records back to 2006  
- any more detailed cost records than what is put in there  
- Carole was Executive Director back in 2006

WW - 3 year window is the trigger for the 30%

CW - Do not believe that the spending went over \$240,000; that was the stage renovation in 2006  
- replaced some windows, a boiler and some broken slate

WW - when was that work done?  
CW - in 2009

WJ - AAB19, June 26, 2006 date for the two permits for the stage  
- AAB10, previous order of the Board was to require bring documentation to the hearing spending for all spending on the building from 2000-2016

JHu - regulations were in effect in July 23, 2006

WJ - AAB regulations have been in effect for public buildings since 1975

WW - permit would have been required for the installation of the boiler from the plumbing department  
- August 2009 permit is outside of the window  
WJ - Yes, the window would extend to June of 2009

WW - when was boiler installed?  
CW - probably after July 3, 2009; \$30,000, to be completed by August 14, 2009

WJ - if the permit was filed on or before June 23, 2009, that \$30,000 would apply towards the 30% and full compliance would be triggered, or will be really close to the trigger

WW - issue date of the permit for the boiler installation is critical

- June 26, 2006 permit is the start of the 36 month period
- need to find out work from there
- based on issue date

WJ - issue date was July 3, 2016

WW - so July 3, 2016, and 36 months before or after that date

CW - building was constructed in 1887  
- ordinary repairs and maintenance

WJ - most recent permit value for the 36 month count back  
- which is the 2009 value work  
- issue is the date of the plumbing permit

CW - \$240,000 for stage renovations

WW - stage was modified, so work performed required to create access  
- because it was completely rebuilt was required to be made accessible

JHu - have arguments on both for impracticability of the variance  
- substantially renovated in 1972  
- three-principle resident performing arts groups  
- music stage was put at the southern edge of the building, there is a performance stage at the northern edge of the building  
- drama stage is at the front of the building, and music stage is at the back  
- 12 foot, 4 large platforms, 20 feet long and 10 feet wide, which can pull out to two levels, can increase the floor areas for seating  
- drama stage was the one that was rebuilt  
- there is large depth  
- no work was done on the music stage  
- no access to the music stage because of the fact that the stage moves in and out  
- presidium arch to close off the back of the stage, sometimes use the front of the stage for seating  
- the diagram shows seating at the performing stage for a pops counter, where seating is provided at the front of the stage  
- sometimes build temporary stage thrusts  
- there are drops and lighting equipment that go overhead  
- about 36" up to the stage

WW - any drawings to show what a ramp would look like to access the stage  
- would like to see some drawing to show the impact of the ramp to the stage  
- need to prove either impracticability: either technologically infeasible or a cost estimate showing the types of access and what the cost would be for creating access to the stage  
- need to have that information

JHu - there are exit doors at either side of the stage, need to be maintained  
- when we have musicals, orchestra is set immediately in front of the stage and

WW - stairs are movable as well?

JHu - yes, everything has to be movable  
- due to usage of building



- JHu - behind the stage is a scene dock, with vertical storage racks (20'-30' high) for past scenes  
 - side lot extends 4' on the left side and 4' of the right side, widening slightly to the bottom of the page  
 - redid the egress, because the wooden stairs were crumbling, put in metal risers  
 - 5 foot change in level  
 - drop on the right side of the building is closer to 15 feet
- CW - building is owned by the Town of Concord and leased by the company  
 - main performing part is behind the curtain and not shown on the plans  
 - another 20 feet beyond the top line for the front of stage, with an additional 20 feet to the scene docks  
 - green room is underneath the drama stage and 8 feet below the stage
- WW - a whole level below the plans submitted?  
 JHu - yes, used as storage for orchestra equipment  
 - accessible lavatory on the main floor, and lobby about 40 feet beyond the entrance to the performing space
- WW - what is the access to the lower level?  
 JHu - stair from lobby to the lower level and there is a stair down to the green room at the scene dock, and then can go out to the work shop and get through the garage door  
 - lobby is in the head house, which is in a two-story structure built up from the street  
 - the auditorium was a drill shed with a peaked roof down the middle
- DG - doors in the upper right hand corner, those are doors and not windows?  
 CW - there is a door to the back of the stage that is shown on plan on AAB93
- DD - continue for more information, including but not limited to, any information regarding work performed, from July 3, 2006 36 months prior and past; photographs of the existing interior; full set of as-built plans for the stage, specifically the construction plans for the stage; plans and cost estimates for proposed alternate means of access (i.e. portable ramp or lift); submittal by July 1, 2016*
- GD - second – carries unanimously*
- DD - expedite decision*  
*RG - second – carries unanimously*
- DD - require that the Local Commission on Disability and the Local Independent Living Center, via the submittal of a new service notice, attesting that services rendered to the required parties, to be submitted within 30 days receipt of the decision of the Board*
- GD - second – carries unanimously*
- WW - other issue is the seating plan
- JHu - no fixed seating provided, but are providing adequate clearances at the seating  
 - Carl Packard was the consultant for the project
- CW - there are different seating plans for each group, at least two for each group
- TH - there are not wide enough routes provided in the plans submitted  
 - the Board reviewed the plans and the architect was required to submit a variance for the seating plans

WW - red notations show the areas that do not comply  
- seeking a variance for those areas highlighted

DD - *have the consultant work with staff to identify alternatives to the plans shown, either submit compliant plans or identify plans where variances will be required, to be submitted by July 1, 2016*

GD - *second – carries unanimously*

21) Incoming: Fayweather School, 765 Concord Ave., Cambridge (V16-072)

TH - EXHIBIT – variance application and supplemental information  
- tech deck, everyone is able to use a tablet for lighting and sound systems

DD - *grant a variance for the lack of access to the mezzanine as proposed, on the condition that all people use the tech deck*

RG - *second – carries unanimously*

***LUNCH BREAK***  
***TH left for the day***  
***CS not present***

22) Hearing: Luciano's Cotton Club – Union Station, 2 Washington Square, Worcester (C14-073)

WW - called to order at 1 p.m.  
- introduce the Board

Scott Ricker, Complainant – via conference call (SR)

William Joyce, Compliance Officer for the Board (WJ)

WW - both sworn in  
- EXHIBIT 1 – AAB1-32

SR - made aware of the issue in the summer of 2013  
- visited the location and the deck area  
- people can walk from Luciano's out to the deck, but people that require a form of access have to go out through the adjacent train station and out to the sidewalk to go to the event area, while others access the space directly from the restaurant  
- the accessible route is 500 feet  
- shortest route is from side entrance and up stairs, 40-60 feet

WW - outside facility is part of the Cotton Club?

SR - part of Union Station that the Cotton Club uses for outside events  
- do they serve alcohol out on the patio?

SR - Yes, I believe they do

WJ - first and second notice were served without response  
- did receive response from John O'Dell (AAB14)  
- two pieces to the complaint, seating and the lack of an accessible route  
- O'Dell alleged that the seating was in compliance, but no photographs were submitted  
- Sent a letter to Mr. O'Dell (AAB5), that if a waiver is requested, need to file a variance

- have attempted to contact Mr. O'Dell, and they did receive the service notice, as seen on AAB4

JH - responsibility of ownership?

WJ - Luciano's is a tenant, the building is owned by the Worcester Redevelopment Authority  
- no other person cited as being responsible for the space, per the correspondence of Mr. O'Dell

SR - Union Station went through a significant restoration approximately 8 years ago  
- the area in question was part of the restoration project, and was not improved to be used as a bar/entertainment space  
- should have created the accessible space  
- whether used from restaurant or from the station

*RG - find in favor of the Complainant on both counts*

*DD - second – carries unanimously*

WJ - sooner date than later

*DD - confirm compliance or submit a variance application within 30 days receipt of the decision*

*RG - second – carries unanimously*

SR - Luciano's Cotton Club is an extension of another place and an extension of the license for the sale of liquor

*RG - send a letter to the licensing board regarding the liquor license for Luciano's Cotton Club*

*DD - second – carries unanimously*

*RG - expedite*

*DD - second – carries unanimously*

23) Hearing: Burger King, 227 Washington Street, Hudson (C15-017)

WW - called to order at 1:30  
- introduce the Board

William Joyce, Compliance Officer for the Board (WJ)

Frank Noyes, Jr., ADA Committee of Hudson (FN)

WW - both sworn in  
- EXHIBIT 1 – AAB1-28

WJ - first notice, second notice and hearing notice were all received  
- have received no communication from the property owner other than return receipt  
- complaint regarding parking  
- spaces are noncompliant, with no signage  
- it has been alleged that there are not enough accessible spaces, complainant states that there are 76 spaces, we counted 77 spaces  
- no van accessible space provided

FN - visited the site on April 2, 2016  
- four spaces designated with the symbol on the ground, but no signage

- WW - this just went to the headquarters  
- try to find the actual owner for the franchise
- FN - submittal of photos of the existing conditions as April 2, 2016  
WW - accept as EXHIBIT 2
- WW - pictures show that another space was added
- FN - Yes and the spaces meet all the dimensions and van accessible space, just no sign
- RG - *find in favor of complainant for all three violations reported*  
DD - *second – carries unanimously*
- RG - *provide compliant signage by June 1, 2016*  
DD - *second – carries unanimously*
- RG - *expedite*  
DD - *second – carries unanimously*

***CS present via conference call***

24) Incoming: One Franklin Tower, One Franklin St., Boston (V16-078 & V16-083)

- KS - EXHIBIT – variance application and supplemental information  
- both variance applications for same building  
- one variance for outlet height for one unit

- DD - *grant for 9.5.6 as proposed*  
RG - *second – carries unanimously*

- CS - would want it available at the outset

- DD - *grant variance for 43.3.2 as proposed*  
RG - *second – carries with CS opposed*

25) Hearing: Beaver County Day School, 791 Hammond Street, Brookline

- WW - called to order at 2 p.m.  
- introduce the Board

Katherine Faulkner, NADAAA (KF)  
Peter Hutton, Head of School (PH)  
Kevin Hastings, RWS (KH)  
Arthur Chang, NADAAA (AC)

- WW - all sworn in  
- EXHIBIT 1 – AAB1-22

- CS - daughter went to the school from 2004-2008  
- can be impartial

- PH - no objection
- WW - EXHIBIT 2 – Katie Faulkner e-mail about submittal to Commission on Disability  
- EXHIBIT 3 – response to variance request from Commission on Disability
- KF - submittal of larger packet
- WW - accept as EXHIBIT 4
- KF - school was built over several decades, with the first building built in 1925, addition in 1967, arts wing in 2004, a gym in 2007 and a renovation in the 1967 addition  
- current project requires compliance throughout the entire building  
- new wing is compliant with the requirements of 521 CMR  
- Research and Design Center renovation and 22,000 square feet of new construction, which includes a new floor of classrooms on the top of the 1967 portion of the building  
- seeking nine variances  
- very grateful to the turnaround time for the submittal of the commission's comments  
- front door of the school is at the turn-around which is not usually open to vehicles other than deliveries, or handicapped parking or drop-off  
- grading of the existing accessible route, with a slope of 16% to as low as 5%
- GD - who would use the path?  
KF - the route from parking to front door, or dropped-off at the front door  
- visitor would come right up and park in the accessible parking spaces at the turn-around area
- CS - how many accessible parking spaces are provided at the turn-around area?  
KF - two accessible parking spaces  
- can you leave your vehicle there all day?  
KF - yes, that would generally be for students
- KF - the dashed line will be re-graded to comply, issue is the slope of the adjacent walkway
- DD - of the current student population, how many students have disclosed a disability?  
DH - none currently, only one teacher and no parents currently have requested  
- clarified that we do have one student with a disclosed disability
- RG - grant on the condition that directional signage is posted*  
*GD - second – carries unanimously*
- KF - AAB15 – two other doors, that are primarily used as exits, but can be used as entrances as well  
- fieldstone patio outside each of the doors, with a step up  
- cost to re-grade these was \$99,000 to address each door
- AC - A and C are doors off an existing fire stair that are locked shut  
- B and D are corridor doors that remain unlocked and are used as entrances  
- stair A and C have double doors that lead to corridors
- CS - Doors C and D lead to Admissions  
PH - changing the flow to enter through the front door to get to Admissions when the proposed project is completed

- there is currently an accessible door off of the circle to the Admissions area

*JH* - grant the variance as proposed

*RG* - second – carries unanimously

- KF - AAB16 – ramp has slight curvature  
- seeking for a variance to maintain the curve

- KH - running slope complies and cross slope does as well

- GD - length of the ramp?

KF - no intermediate landings

KH - only about 20 feet long

- DG - any concern about the extensions?

KF - will provide handrail extensions

*RG* - grant as proposed

*GD* - second – carries unanimously

- KF - AAB17- swimming pool used by summer day camp and families for summer camp  
- pool lift is provided  
- route to the pool is not directly from the adjacent building  
- there is a compliant route from the locker rooms down to the pool  
- most direct way out from adjacent building is a change in level of 4 steps

- DG - will stair handrails proposed to be brought into compliance

KF - yes

- KF - there are also stairs beyond the stairs from the building

- JH - are there any other proposed improvements for around the pool area

KF - the route from the edge of the ramp to the entrance of the pool is proposed to be re-graded to be made accessible

- PH - swim club, they park in the main area and traverse outside the building and come through the red area  
- most of the kids go through the red shaded area, which is the most direct route to the pool

- KF - most direct route out is the inaccessible route shown in the red zone  
- the green route is the accessible route through the building and out to the ramp to access the pool

- KH - corridor that goes by the locker room is the accessible route to the pool

- RG - concern that the accessible route is about 6 times the length

*GD* - deny

*DD* - second – carries unanimously

*DD* - plans for compliance prior to plan submittal for the building permits

*GD* - second – carries unanimously

- KF - AAB18- stair nosings at existing stairs  
 - nine stairs of the main building  
 - concrete tread on steel risers
- WW - any profile plans?  
 GD - dimensions?
- KH - less than an inch and a half
- KF - there is a small piece of molding under the nosing
- DD - grant all on the condition that recruit persons with disabilities*  
*- no second*
- GD - less than a ¼ of an inch off of the molding
- DG - what is the general use of the stairs?  
 KF - are seeking variances for the lack of compliance at the stair handrails, on the condition compliant wall-mounted handrails are added
- RG - deny the variance for the nosings*  
*DD - second – carries with CS opposed and JH abstaining*
- GD - grant on the condition that wall-mounted handrails are installed as proposed*  
*JH - second – carries unanimously*
- KF - double-doors; 10 in total  
 - each of the sets are on hold-opens, 4 of the 10 are into private offices or classroom/studio spaces
- KH - 30 ½” clear for each leaf
- WW - typically open during school hours?  
 KF - yes, they are on magnetic hold opens  
 - doors on hold-opens are in corridors or from the stairways
- CS - considered automatic door openers?  
 KF - no
- DG - are any of the doors in the path of egress, and fire doors?  
 PH - yes, they are the stairs at the doors
- JH - grant the variance requested*  
*RG - second – carries with GD and DG opposed*
- KF - seven doors that do not have compliant pull side clearance  
 - not a secondary door, they are two doors that appear as the same on the corridor  
 - some have very tight clearance on the pull side
- DG - do they comply on the push side?  
 KH - they do comply on the push side since no closers

- GD - two doors per classroom and one is accessible
- GD - grant as proposed*  
*JH - second – carries unanimously*
- KF - extension of 12 months beyond the completion of the RND Center  
- 17-18 month construction schedule  
- complete the work through 2018 for accessibility
- CS - balcony with seating that was not accessible
- KF - part of the accessibility upgrades, also have to deal with the sprinkler project  
- phased project renovation of the main building
- CS - what is the accommodation in the interim for watching games at the gym?  
PH - all one level at the gym
- DG - when do you hope to get certificate of occupancy?  
KF - start of school year for 2017  
- why taking so long  
KF - phasing issue to have that much of the school be under construction
- PH - summer program keeps the building operational 12 months out of the year, with the exception of some vacation  
- very aggressive schedule, but will be done straight time
- CS - still have question about balcony, what is the accommodation for the lack of access to the balcony in the interim?  
KF - it will start with the same project, all of the upgrades noted in the variances will start with the current renovations  
- have to roll the renovations and there is a possibility of using temporary facilities, but propose to have all of the work done by the fall of 2017
- GD - grant the time variance as proposed*  
*JH - second – carries unanimously*
- CS - would like to see accommodations made in the interim

***JH left for the day***

26) Hearing: Unifirst Corporation, 295 Parker St., Springfield (V15-326)

- WW - called to order at 3:25 p.m.  
- introduce the Board

David McClain, Tessier Associates, Architect (DM)  
Robert Morin, Operations Engineer (RM)  
Robert Stevens, Tessier Associates, Architect (RS)

- WW - all sworn in



- EXHIBIT 1 – AAB 1-19

- RS - the building is primarily a one-story building, with one two-story section that is presently occupied by employees only  
- proposing to provide access to the first floor of the building, with an accessible lobby and conference room at the first floor  
- very small portion of the site where the addition can occur, directly adjacent to a truck drive  
- only one means of egress, exit discharge to the exterior, with a stair and exit door off of the existing stair  
- one additional site plan to show where the addition will be located  
- also potentially an issue for additional utilities under the elevator pit
- WW - submittal of site plan, accept as EXHIBIT 2
- DG - asphalt up to the building?  
RS - would try to create a small buffer, but generally only asphalt
- WW - costs?  
RS - around \$200,000 for the elevator
- DM - Springfield Commission does not exist
- CS - what does the company do?  
RM - Unifirst cleans uniform cleans rugs and uniforms; Unitech cleans nuclear plant uniforms  
- currently no access to first floor of this building
- DG - proposed partial first floor plan with ramp will be built no matter what  
- vestibule looks tight for dimensions
- RS - yes, do realize the dimensions
- DD - *grant, on the condition that an affidavit is submitted regarding the second floor being employee only-use, submit within 14 days receipt of decision*  
RG - *second – carries with CS opposed*

27) Incoming Discussion: Mixed Use Building, 50 Water Street, Worcester (V16-001)

- KS - EXHIBIT – April 1, 2016 letter from Neil Dixon
- DD - *allow temporary certificate of occupancy of the building for the lower level, to expire on May 10, 2016, after the scheduled variance hearing*  
GD - *second – carries unanimously*

28) Incoming: New Mixed-Use Building, 253 Walden St., Cambridge (V16-082)

- KS - EXHIBIT – variance application and supplemental information
- GD - *deny*  
RG - *second – carries unanimously*

*CS left for the day*

29) Discussion: Cahoon Museum of American Art, 4676 Falmouth Road, Cotuit (V14-105)

KS - EXHIBIT – March 25, 2015 Jason Eldredge, Building Committee Chairman letter submittal

*RG - accept the report, grant full occupancy and close the case*

*GD - second – carries unanimously*

30) Incoming: Ashton Cambridge Park, 130 Cambridge Park Drive, Cambridge (V16-090)

KS - EXHIBIT – variance application and supplemental information

- EXHIBIT – e-mail from Michael Muehe dated April 1, 2016

*RG - grant for the Group 1 Unit sinks (521 CMR 43.3.2), with the usual conditions, of accommodation language in the lease and shallow compliant sink available upon request and at no cost to the tenant, with compliant sinks kept in stock*

*DD - second – carries unanimously*

*RG - deny the variance request for the Group 2A sinks (521 CMR 45.4.5), shallow sinks shall be installed and deeper sinks available upon request, kept in stock and installed no cost to the tenant*

*DD - second – carries unanimously*

*RG - grant the outlets*

*DD - second – carries unanimously*

31) Discussion: Curb Cut Renovations, Corners of Centre Street and Ferry Street, Malden (V16-042)

KS - EXHIBIT – April 1, 2016 submittal from RJ O’Connell and Associates, Inc.

*- move to next meeting*

32) Incoming: Commercial Building, 445 Main Street, Medfield (V16-080)

KS – EXHIBIT – variance application and supplemental information

*RG - grant as proposed*

*DD - second – carries unanimously*

33) Incoming: Residential Building, 12 Mount Auburn Street, Cambridge (V16-079)

KS - EXHIBIT – variance application and supplemental information

*GD - grant*

*DD - second – carries with RG opposed*

*Loss of quorum – following items moved to next meeting:*

*- Academy Hills Apartment Building, 4 Westminster St., Nantucket (C16-008)*

*- Sam’s Mobil Service Center, 285 Turnpike Road, Shrewsbury (V16-074)*

*- The Lobster Shanty, 25 Front Street, Salem (V16-104)*

*- 391 South Street, Randolph (C16-010)*

*- Day’s of Discovery Child Care Center, 575 Church Street, New Bedford (V16-075)*

*- Goshen Town Hall, 42 Main Street, Goshen n (V16-084)*

- *James Library and Center for the Arts, 24 West Street, Norwell (V16-087)*
- *Sidewalks and Curb Cuts, Hollis Street/Irving Street, Concord Street/Union Avenue, Concord Street/Frederick Street, Concord Street/Howard Street, Framingham (V16-094)*
- *Mixed-Use Existing Building, 121 High Street (109-131 Pearl Street, Boston (V16-096)*
- *Auburn Court Residential Complex, 80 and 84-88 Auburn Park, 72 & 94 Brookline Street, 41, 42, 45-47, 46-48 Pilgrim Street, 115 and 117 Pacific Street and 3 Brookline Place, Cambridge (V16-097)*

- End of Meeting -

Matters not reasonably anticipated 48 hours in advance of meeting

- Cinderella's Restaurant, 901 Main St., Cambridge (V15-298) - plans of accessible bathroom and potential of accessible ramp, submitted April 1, 2016
- Peggy O'Neils (aka Blend), 1310-1314 Dorchester Avenue, Dorchester (V16-033) - submittal of full jurisdictional analysis verifying
- Garland House, 263 Merrimac St., Lowell (V16-017) - commitment from owner that wall side handrails will be provided at stairs and carpet on

EXHIBITS:

- Euphoria Lounge, 289 Acushnet Ave., New Bedford (V16-057) - submittal from John Cayman of Design Concepts of New England, received on March 28, 2016; submitted plans showing stall sizes of 60 by 63.5"
- Chatham Inn, 359 Main St., Chatham (V16-026) - March 23, 2016, architect of record, sent a ramp plan, with a ramp along the side of the building to the patio
- Mixed Use Building, 50 Water Street, Worcester (V16-001) - April 1, 2016 letter from Neil Dixon
- Cahoon Museum of American Art, 4676 Falmouth Road, Cotuit (V14-105) - March 25, 2015 Jason Eldredge, Building Committee Chairman letter submittal
- Curb Cut Renovations, Corners of Centre Street and Ferry Street, Malden (V16-042) - April 1, 2016 submittal from RJ O'Connell and Associates, Inc.
- Mutual One Bank, 49 Main St., Natick (V16-076) - variance application and supplemental information
- Watertown Boys and Girls Club, 25 Whites Ave., Watertown (V16-089) - variance application and supplemental information
- Foster Hospital for Small Animals, 55 Willard Street, North Grafton (V16-081) - variance application and supplemental information
- North Shore Business Center, Building 300, 30 Logbridge Road, Middleton (V16-093) - variance application and supplemental information
- St. Paul's Parish House, 20 Fair Street, Nantucket (V16-077) - variance application and supplemental information
- Waldorf School of Lexington, 739 Mass. Ave., Lexington (V16-095) - variance application and supplemental information
- Sawyer Building, 8 Ashburton Place, Boston (V16-098) - variance application and supplemental information
- Norman Rockwell Museum, 9 Glendale Road, Stockbridge (V16-086) - variance application and supplemental information

- Town Hall and Temporary Trailers, 25 High Road, Newbury (V16-085) - new application received by the Board on March 9, 2016; variance application and supplemental information
- Hanesborough Affordable Housing Inc., 35 Hanesborough St., Dorchester (V16-090) - variance application and supplemental information
- Little Building, Emerson College, 80 Boylston Street, Boston (V16-069) - variance application and supplemental information
- Bullfinch Square, 47 Thorndike St., Cambridge (V16-092) - variance application and supplemental information
- Restaurant, 140 Main St., North Easton (V16-091) - variance application and supplemental information
- Fayweather School, 765 Concord Ave., Cambridge (V16-072) - variance application and supplemental information
- One Franklin Tower, One Franklin St., Boston (V16-078 & V16-083) - variance application and supplemental information
- New Mixed-Use Building, 253 Walden St., Cambridge (V16-082) - variance application and supplemental information
- Ashton Cambridge Park, 130 Cambridge Park Drive, Cambridge (V16-090) - variance application and supplemental information; e-mail from Michael Muehe dated April 1, 2016
- Commercial Building, 445 Main Street, Medfield (V16-080) - variance application and supplemental information
- Residential Building, 12 Mount Auburn Street, Cambridge (V16-079) - variance application and supplemental information