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Subcommittee on Regulations Open Meeting Minutes May 27, 2026
Remote Teams Meeting

INFORMATIONAL NOTE: All votes were taken by roll call

This meeting was open to the public and began approximately at 10:06 AM.

Subcommittee member attendance:

Jeff Dougan (JD)- Chairperson

Carol Steinberg (CS)- Vice Chairperson

Mike Kennedy (MK)

Paul Logan (PL)

Elizabeth Myska (EM)

Deborah Ryan (DR)

Division of Professional Licensure Employees in attendance:

William Joyce –Executive Director (WJ)

Jamie Dalton- Board Counsel (JaD)

Molly Griffin – Program Coordinator (MG)

JD opened the meeting for Roll Call:

CS, MK, PL, EM, DR,

Chapter 100

- DR: Before we begin, how long do you think this committee will be continuing?
- WJ: We have this section, then 1 session (hopefully) going over all remaining items in June likely, then we need to adopt new regs for EV charging stations, trails, automatic garages, and adult changing tables. I am hoping we have something done by the end of

the year. The real wild cards for me are how long it will take to get through trails and EV charging stations.

- WJ: Okay, brief changes from last time I adjusted 108.6.2 and 109.7 to point you to the new appeals section that you asked me to write last time. The new section is 111 Appeals- do people have any thoughts?
- CS: What's controversial about this?
- WJ: I don't know specifically, I had to substantially expand this section at your request, so it is mostly new language. It lays out the 3 types of appeals that exist, their deadlines, and how to submit the appeal.
- JD: Is 112.4 supposed to be 111.4?
- WJ: Yes, thank you.
- JD: For me, I think it lays it out.

Motion to Approve the Changes made to 111 by PL

2nd by CS

Roll Call Vote

CS- yes

MK- yes

PL- yes

EM- yes

DR- abstains due to technical difficulties

JD- yes

5 yes, 0 nos, 1 abstention- Motion Passes

- WJ: Okay does anyone have any questions on 112 or 113?
- CS: Yes, I have a question on 112 (advisories). Do they have value or force, and does it say it (its value or force) here?
- WJ: Yes, it says it can be relied upon by the people requesting them or other agencies. It is the exact language from our statute.
- WJ: 113 is largely here because it must be. (Petition for the adoption of regulations)
- CS: This does not say what happens once somebody asks this. You could say something like "this request will be dealt with under applicable Massachusetts laws."
- JaD: Statute does not require this section, so it's stated to alert the public as to what to expect.
- CS: I think we take it out or add something.
- WJ: I think this is just to put people on notice.
- CS: When I read this, I thought it meant it would automatically be granted.
- JaD: I don't think that is a fair reading, because "petition" means an ask, not that it would be granted.
- JD: I liked JaD's idea.
- JaD: I think we want the regulation to reflect this approach: "The Board or its designee shall review all such petitions and determine whether they warrant consideration by the Board."
- CS: How is it decided?

- JaD: I'm not sure petitioners are entitled to a bright-lined rule about that.
- WJ: I think this section is more to put people on notice that they can ask us this. We work with many people that do not realize they can ask.
- CS: I like people to have that right, but I think that last line is vague.
- DR: This has been around for 30-40 years, and there has never been an issue.

Motion to Approve changes (Changes on screen) made to section 113 by PL

2nd by DR

Roll Call Vote

DR- yes

EM- yes

PL- yes

MK- yes

CS- no

JD- yes

5 yes, 1 no, 0 abstentions- Motion Passes

- WJ: Okay, all that is left is 108.6.2 and 109.7. WJ reads sections. These are just pushing people to the appeals section.

Motion to Approve Changes to 108.6.2 and 109.7 by DR

2nd by CS

Roll Call Vote

CS- yes

MK- yes

PL- yes

EM- yes

DR- yes

JD- yes

6 yes, 0 no, 0 abstentions- Motion Passes

- WJ: Okay, so we are done with this apart from definitions.
- WJ: Okay so the first one is "accessible."
- CS: I thought the access aisle definition was not inclusive enough.
- WJ: These cannot be broad; they need to be specific. In the current code book, access aisle only applies to parking.

Motion to Eliminate "access aisle" by DR

2nd by PL

- CS: Can you read the parking provision?

- WJ: It only appears in 502 parking spaces and 503 pickup/passenger loading zones. WJ reads sections.
- DR: The issue is access aisles are different widths depending on what they serve.
- WJ: Writes “An accessible pedestrian space adjacent to parking spaces that provides clearances complying with 521 CMR.”

DR Withdraws motion

- CS: I think we leave it in.
- WJ: I think we leave it in because we inevitably will get a layperson who does not know what an access aisle is.

Motion to Accept rewritten access aisle definition by CS

2nd by PL

Roll Call Vote

CS- yes

MK- yes

PL- yes

EM- yes

DR- yes

JD- yes

6 yes, 0 no, 0 abstentions- Motion Passes

- WJ: Okay thoughts on the “accessible” definition?
- JD: Can I offer a reading of a merged definition? JD reads merged definition.
- WJ: So really only adding the term pedestrian facility.

Motion to Use the Source 521 CMR definition with the added words pedestrian facility by DR

2nd by EM

Roll Call Vote

CS- yes

MK- yes

PL- yes

EM- yes

DR- yes

JD-yes

6 yes, 0 no, 0 abstentions- Motion Passes

- JD: The next one I had was “accessible means of egress”

- WJ: I think some of this has been made irrelevant. I think the ADAAG definition is probably fine.

Motion to Accept accessible means of egress by DR

2nd by PL

Roll Call Vote

DR- yes

EM- yes

PL- yes

MK- yes

CS- yes

JD- yes

6 yes, 0 no, 0 abstentions- Motion Passes

- WJ: Are people fine with the accessible route changes?

Motion to Accept changes to “accessible route” by DR

2nd by PL

Roll Call Vote

CS- yes

MK- yes

PL- yes

EM- yes

DR- yes

JD- yes

6 yes, 0 no, 0 abstentions- Motion Passes

- WJ: Accessible unit and adaptability. “accessible unit” is redundant and is referencing an ICC code we do not use- so we can eliminate it. “accessible dwelling unit” is the term that we use. I would also recommend eliminating “adaptability.”
- DR: I would keep it in; I think the statute uses the word “adaptable.”
- WJ: The code itself does not use that word.

Motion to Keep the definition of adaptability by DR

2nd by CS

Roll Call Vote

DR- yes

EM- yes

PL- yes

MK- yes

CS- yes

JD- yes

6 yes, 0 no, 0 abstentions- Motion Passes

Motion to Delete “accessible unit” by PL

2nd by DR
Roll Call Vote

CS- yes

MK- yes

PL- yes

EM- yes

DR- yes

JD- yes

6 yes, 0 no, 0 abstentions- Motion Passes

- CS: Is it really true that we do not use the word “adaptability” in the regulations anywhere?
- WJ: Yes, and we do not need to.
- CS: It is just weird we are defining a term we do not use. I think we should use it in the regs.

Motion to use the definition of “addition” from ADAAG by DR

2nd by PL

Roll Call Vote

CS- yes

MK- yes

PL- yes

EM- yes

DR- yes

JD- yes

6 yes, 0 no, 0 abstentions- Motion Passes

- WJ: Okay, “alteration/altered.”
- JD: I think we get rid of the sentence starting with “normal maintenance,”
- WJ: In that case you can use the 521 definition.

Motion to Accept the 521 CMR definition of alteration by CS

2nd by PL

Roll Call Vote

DR- yes

EM- yes

PL- yes

MK- yes

CS- yes

JD- yes

6 yes, 0 no, 0 abstentions- Motion Passes

- WJ: Okay next “area of sport activity.” I am jumping to ones with areas of contradiction.
- CS: I have a question about “amusement attraction.”

- WJ: The previous subcommittee already adopted this definition, and it perfectly aligns with ADAAG.
- CS: I am just asking what it means.
- WJ: Reads the definition.
- CS: I think you should reference the definition.
- WJ: I do not think we should make any changes here; it is lifted straight from ADAAG.
- JD: Okay, “areas of sport activity”

Motion to Adopt the ADAAG version of “area of sport activity.” By DR

2nd by EM

Roll Call Vote

CS- yes

MK- yes

PL- yes

EM- yes

DR- yes

JD- yes

6 yes, 0 no, 0 abstentions- Motion Passes

- DR: The definition for “assembly area” looks like it is lifted right from the statute, but the statute limits us to 150 people. I just don’t want to see this limited to 150 people I don’t want people to be exempt.

11:33 AM- 10 Minute Break Taken- Meeting resumes at 11:43 AM

- WJ: Okay, let’s move on to block b. If anyone has any changes, we can talk about them and move on all of the items together at the end.
- DR: Under “Board” you may just want to edit Dept. of Public Safety. (The Commonwealth has changed the name of many departments.)
- WJ: Are we better off defining this with the Architectural Access Board?
- JaD: How about retaining “the Commonwealth of Massachusetts and AAB?”
- WJ: Does anybody have any objections to striking “balcony” and “bathroom?”
- DR: Federal Fair Housing does outline a half versus full bath. Maybe deleting the definition does make sense.
- CS: Do the present regs define bathroom?
- WJ: No.
- DR: If we are going to define how big a balcony must be, it might make sense to define the word.
- WJ: It would make sense to do that in the specific section. Let’s circle back to building.

Motion to Accept all of section B with the changes except “building.” by DR

2nd by PL

Roll Call Vote

CS- yes
MK- yes
PL- yes
EM- yes
DR- yes
JD- yes
6 yes, 0 no, 0 abstentions- Motion Passes

- WJ: Okay, let's move on to section c.
- CS: Where did the definition of building come from now?
- WJ: The 2018 draft and it causes problems.
- WJ: For circulation path, I think we can use the 521 definitions, I do not think we need to define "clear."
- DR: I think the ADAAG definition of cross-slope is better.
- WJ: Agreed, and I think PROWAG for curb ramp.

Motion to Accept all recommendations for the C block by DR
2nd by EM

- CS: I think it is important to define clear floor space.

Roll Call Vote

DR- yes
EM- yes
PL- yes
MK- yes
CS- yes
JD- yes
6 yes, 0 no, 0 abstentions- Motion Passes

- DR: I had one comment on the d section; about dwelling. I would rather see the things we have jurisdiction over in these definitions.
- CS: I don't think we need to get into that.
- DR: I would be in favor of getting rid of the definition of dwelling.
- WJ: We may want to change "detectable warning" to "detectable warning surface." (using ADAAG definition).
- CS: I think we must define dwelling unit because we reference an accessible dwelling unit.
- DR: We are defining it; we are deleting dwelling.

Motion to Accept all recommendations for the D block by MK
2nd by DR

- MK: So at the end of the day detectable warning surface will show up?
- WJ: We will talk about that when we talk about PROWAG changes, but yes.

Roll Call Vote

CS- yes

MK- yes

PL- yes

EM- yes

DR- yes

JD- yes

6 yes, 0 no, 0 abstentions- Motion Passes

- WJ: Okay, e. I recommend 521 for “element,” I like ADAAG for “elevated play component.”
- JD: I agree with eliminating that second sentence.
- CS: I am opposed to that.
- JD: Okay, let’s move on to entrances.
- WJ: I suggest the ADAAG definition.
- CS: I like the 521 definition, it gives more examples.

Motion to Accept changes to section e by DR

2nd by EM

Roll Call Vote

CS- no

MK- yes

PL- yes

EM- yes

DR- yes

JD- yes

5 yes, 1 no, 0 abstentions- Motion Passes

- WJ: Okay, section f. For “facility”, I think we should use the 521 definition.
- JD: Okay, I agree.
- WJ: That is the only change in this section.

Motion to Accept Section F with facility using the 521 CMR and the rest as is and to instruct staff to notify the subcommittee when a decision about condos and other parcels with different land values has come down by CS

2nd by PL

Roll Call Vote

DR- yes

EM- yes

PL- yes

MK- abstains (due to technical difficulties)

CS- yes

JD- yes

5 yes, 0 no, 1 abstention- Motion Passes

- WJ: Okay, Section g. I think the only one we need to look at is “gangway.” (use 521 definition)

Motion to Approve Section G by DR

2nd by PL

Roll Call Vote

CS- yes

MK- abstains (due to technical difficulties)

PL- yes

EM- yes

DR- yes

JD- yes

5 yes, 0 no, 1 abstention- Motion Passes

- WJ: Let’s merge sections h and i. We can strike half bathroom; we struck bathroom.

Motion to Accept H and I as written with the removal of half bath by DR

2nd by EM

Roll Call Vote

DR- yes

EM- yes

PL- yes

MK- abstains (due to technical difficulties)

CS- yes

JD- yes

5 yes, 0 no, 1 abstention- Motion Passes

- WJ: Okay, k and l we can do together.
- CS: What is a key station and what is lippage?
- WJ: Lippage got cut in the current draft. Key stations are certain types of light rail stations.

Motion to Accept K and L as written by CS

2nd by PL

Roll Call Vote

CS- yes

MK- abstains (due to technical difficulties)

PL- yes

EM- yes

DR- yes

JD- yes

5 yes, 0 no, 1 abstention- Motion Passes

- WJ: Okay we will come back to “mezzanine”, but are people fine with the rest of m and o?
- CS: I would rather we stop here.

MK leaves early

Motion to Accept the minutes from April 22, 2026 meeting by PL

2nd by EM

Roll Call Vote

CS- yes

PL- yes

EM- yes

DR- abstains

JD- yes

4 yes, 0 no, 1 abstention- Motion Passes

Motion to Adjourn by PL

2nd by DR

Roll Call Vote

CS- yes

PL- yes

EM- yes

DR- yes

JD- yes

5 yes, 0 no, 0 abstention- Motion Passes

