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Division of Occupational Licensure
Office of Public Safety and Inspections
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Subcommittee on Regulations**

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Subcommittee on Regulations Meeting Minutes –October 26, 2022
Teleconference

This meeting was open to the public and began approximately 10:00 AM.

Subcommittee member attendance:

Jeff Dougan, Chairperson (JD)
Carole Steinberg, Vice Chairperson (CS)
Patricia Mendez (PM)
Elizabeth Myska (EM)
Ana Julian (AJ)
Paul Logan (PL)
Mike Kennedy (MK)
Deborah Ryan (DR)

Division of Professional Licensure Employees attendance:

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

JD opened the meeting for Roll Call:

CS, AJ, MK, PM, PL, DR

Chapter 5 General Site and Building Elements

- WJ: 501 and 502.1 are all scoping stuff that we will discuss later.
- WJ: 502.2 has some differences. How we allocate the spaces are different.
- DR: One of the reasons for 11 and 5 van space in ADADs is to prevent people from parking in the access aisle.
- PL: Most of the time a van is not in the van accessible space. It's a misnomer. The 8 and 8 is easier for everybody.
- CS: I don't know if it is feasible to make the change PL is suggesting, even though I understand. I agree with DR.
- MK: I concur with PL. I'm for the 8 by 8 as opposed to the 11 by 5.
- JD: I see benefits with both. The 8 by 8s allow us to use the other side of the parking spot.
- PL: When I have seen the 11 and 5- these can be violated easily. The people that park in access aisles are usually people with valid plates and placards. The 8 and 5 should be eliminated in Massachusetts.
- CS: It sounds like you are saying regular accessible spots should be eliminated and everything should be accessible.
- PL: Yes, everything should be 8 and 8. It would be easier for everybody.



- CS: I do better in the 11 by 5 spaces even though there are not a lot of them.
- WJ: We are talking about two different topics- it may be better to split them out.
- JD: We don't want the 13ft space anymore, we want the 16ft wide space, but there are discussions about the access aisles.
- PM: I defer to wheelchair users that deal with this every day.
- AJ: Same here.
- PL: I put orange cones in the back of my vans because 80% of the time, when I am in a 8 by 5 space, the person next to me with a valid placard is encroaching on the access aisle. It should be a requirement that it says "no parking" in the access aisles.
- DR: I agree that the 8x8 space is more accessible. In existing facilities where parking is tight, 3 feet can make a huge difference. I think requiring 8 and 8 without a ton of justification will leave us with a lot of questions. I am not convinced the 16ft space is the way to go all the time.
- JD: Would the 8x5 be an exception or a variance?
- DR: I would not put anything in the regulations that encourage a variance.
- WJ: If you want to do that, I would split it out by new and existing.
- PL: The 5-foot access aisle is just not wide enough.
- DR: Cars are getting bigger as well. 8-foot spaces are tiny for everyone. I think we will start seeing bigger spaces.
- PL: Most non-accessible spaces in lots are 9 feet.
- DR: So maybe it is 9x5 space.
- WJ: Local zoning regulates the parking space sizes. The major problem with parking violations is when lots get re-striped.
- PL: I have reached out to striping companies, and they do whatever the business owners want, and they always want to cut corners.
- CS: 502.2 hits PL's issue.
- JD: Are there motions from members?

Motion to Change 502 to make every accessible space in new construction 8 feet wide or minimum of local zoning requirements, whichever is greater, and an 8-foot-wide striped access aisle by PL
2nd by MK

- WJ: I think this should go to a listening session before we make a change. It would strengthen our position.
- CS: I agree with WJ. It might deter people from providing parking lots; it is a dramatic change.
- PL: I agree with WJ at this point. Our goal is to get changes through.
- PL: Withdraws motion.

Motion to Request staff to schedule a listening session related to the design of accessible parking spaces: 1) how many van spaces should be required? 2) for van spaces which design is preferred 8x8 or 11x5? by CS
2nd by PM
By Acclamation/Carried

- WJ: Okay, 5-2.3.3. WJ reads section. 521 clearly specifies diagonal stripes. PL said, "no parking."
- PL: Should we require a color?
- WJ: My only hesitation are light gray lots where a darker color might be clearer.

Motion to Add access aisles shall be clearly marked by means of diagonal stripes and the words no parking on the ground to 502.3.3 by PL
2nd by CS

- AJ: What happens when it snows?
- WJ: The access aisle is already only marked on the ground.
- AJ: I don't think it will discourage people from using the access aisle.
- WJ: It could encourage the police to ticket.
- PL: Submits photo of a parking space to go into the user guidance document.

By Acclamation/Carried

DR Recuses from Public Means of Way guidelines

5-minute break taken at 11:21 AM. Meeting resumes at 11:28 AM

- WJ: Okay, 502.6. There is a difference here. We measure to different heights of the sign, and we specify the location of the sign. We should pick a side to measure from, we can impose a range.
- CS: What is the practical difference? How visible the signs are?
- WJ: The distinction is where people measure to.
- CS: How big is the sign itself?
- WJ: It is not specified.
- DR: I think it is best to be consistent.
- MK: I concur with the ADADS measurement.
- CS: Do we want to leave the International Symbol of Accessibility?
- WJ: Yes, because we require that too.
- WJ: 521 currently provides more guidance on where the sign should be located than ADADS. Do you guys think it should be woven into 502.6?
- CS: I think it should be.
- PL: I agree.
- WJ: I think the comma should be replaced by the word "and" to make it extremely clear.

Motion to Accept the ADADS language 502.6 combined with 521 language 502.6.1 replacing the comma in the first line with the word "and" by CS
2nd by PL

By Acclamation/Carried

- WJ: Next is 502.8
- DR: I think it is good to add this.

Motion to Add 502.8 (521 language) to the code by DR
2nd by CS

By Acclamation/Carried

- WJ: 502.9 is something I constructed by taking a bunch of exceptions from different areas and making them into their own section. In 521 we have exceptions for temporary parking spaces. WJ reads sections.
- PL: I think it is well worth it to include this.
- WJ: Does this mess with substantial equivalency? Because ADADS does not have similar language.



- DR: I don't think it creates a problem because you are going beyond it.
- JD: I agree.
- CS: Is the language too vague?
- JD: This is from current language.
- JD: I think our current definition of temporary events should be here somewhere.
- DR: I am concerned about fairs where people offer to let people park in their backyards.
- WJ: The temp spaces do not require paving.
- DR: Right, but these are private homes with grassy lawns that they open.
- WJ: We give you a lot of leeway for these.

DR leaves meeting at 12:00 PM

- PL: I think private property is going to be difficult to enforce. Also, can we spell out temporary better?
- WJ: I think adding 502.9.6 can help.
- PM: Is the signage like a piece of paper or a pole?
- WJ: We require a sign in a bucket.
- CS: I don't want to exempt people renting out their yards who have more than 15 spaces.

Motion to Accept 502.9 including 502.9.6 as written by CS

2nd by PL

By Acclamation/Carried

- JD: I am concerned that we did not exempt the private homes.
- WJ: Okay no differences for passenger loading zones. Stairways have one big difference the Feds specify actual riser heights and tread depths.
- JD: Doesn't the building code put that out there already?
- CS: What would be the downside of accepting the ADAAG language?
- JD: If another code changes, we would have to go in and alter these static numbers.

Motion to Accept ADAD Language for 504.2 by CS

2nd by AJ

By Acclamation/Carried

- WJ: That's the only conflict, but we need to address curved stairs. We need to complete some rules for dealing with curved stairs.

Motion to Include in next meeting's agenda curved stairs by PM

2nd by CS

By Acclamation/Carried

- WJ: ADADs just has handrail rules that apply everywhere.

Motion to Accept what is written, adding 521 exceptions to 505.3 and deleting the exception to

505.2 by CS

2nd by PL

DR re-enters meeting.



Motion withdrawn

Motion to Table this until talks of Place of Assembly by CS

2nd by PL

By Acclamation/Carried

- WJ: 505.5 is already making a change we were proposing to make. There is one difference about height.

Motion to Add 521 language to 505.5 by PL

2nd by CS

By Acclamation/Carried

- WJ: I think that is it for section 500.

Motion to Approve minutes by PL

2nd by PM

Roll Call Vote

CS- abstain

AJ- abstain

MK- yes

PL- yes

PM- yes

DR- abstain

JD- yes

4 yes, 3 abstentions, 0 nos- Motion Passes

