



MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1000 Washington Street, Suite 710
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY, CONSUMER
AFFAIRS AND BUSINESS
REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Subcommittee on Regulations Meeting Minutes – August 23, 2023
Teams Meeting

This meeting was open to the public and began approximately 10:05 AM.

Subcommittee member attendance:

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

Division of Professional Licensure Employees attendance:

William Joyce – AAB Executive Director (WJ)
Jamie Dalton – Board Counsel (JaD)
Bradley Souders – Office Support Specialist (BS)

JD opened the meeting for Roll Call:

CS, MK, PM, EM, DR

1. 1009 Grab Bar
 - WJ: May not be different
 - WJ: Exception for 1109.6.1 is from the ADA
 - DR: I would move to add that
 - CS: Why is it an exception?
 - WJ: we have no requirements for height or run, only that they're uniform

Motion to adopt ADA exception language for 1009.6.1 by DR
2nd by MK

- CS: Can't tell if I'm in favor, I don't like it if steps are too high
- WJ: its allowing lower or higher, as navigating stairs in water is different



- JD: this is straight out of what ADA allows already
- WJ: this would be putting us in harmony with 780
- DR: this wouldn't be the accessible route into a pool anyways
- WJ: this is the requirement we have for all stairs
- JD: This only requires riser heights to be uniform

Roll Call CS/N, PM/Y, EM/Y, DR/Y, JD/Y, MK/Y

2. Chapter 1100

- WJ: this would be a new chapter, not in ADA, this exists for multiple reasons. We looked at adding type A/B regs into their respecting chapter with exceptions, like bathing rooms for Type A units. We're adopting Ansi- Type A is Group 2, Type B is Group 1. ADA doesn't contemplate type B unit. Trying to work that in as exceptions didn't work. The same is true for kitchens as ADA contemplates kitchens in transient lodging and not necessarily residential units.
- WJ: Do we change chapter 900 say point to 11, or have chapter 11 just be stuff we can't fit into existing chapters?
- DR: I spent a lot of time looking at this section, I find it extremely confusing, I think it can be consolidated to be a little better, the problem with this is under FHA you can only pick one safe harbor and stick with that, you can't pick different pieces. If we stick with FHA for the base for group 1s I think that will work. In the ADA standards in 233 they talk about residential housing, I think scoping should be up front. My biggest issue is a bathroom is a bathroom is a bathroom, when I look at Group 2, it doesn't work with the bathroom requirements we've already talked about. When people use our existing code there's a section on bathing rooms, people use that section when designing a bathroom. I think for unique requirements you can put them in the residential section.
- DR: For layout, I think there's a lot of scoping stuff in here that can go in the scoping section, other issues like storage and closets and accessible routes come from the main body of the code so they will be in there regardless. I think stuff that is unique gets put into scoping. I think the kitchen section needs to be beefed up in the ADA kitchen section. I found this extremely confusing.
- WJ: Discusses all options AAB staff looked at for this section
- CS: I'm thinking about design professionals that are already used to this, especially for the change to group 1s and type Bs. So what is the easiest way for designers and architects. My gut would be a whole new section.
- DR: the easiest way is the 'a' bathroom is the same for a public bathroom and a private bathroom.
- WJ: We will need a new chapter regardless for the Group 1 requirements
- DR: Agreed that we will need a new chapter for group 1/type B units
- JD: I want consistency throughout the code
- WJ: the problem is ADA already does it both ways, so the question is where do we place the exceptions, that's the high level question.
- JD: I think chapter 11 should send people to where the exceptions
- DR: Discussion about Group 1 and 2 units and how that overlaps with ADA and FHA
- PM: I defer to Debbie for this
- WJ: Where do we want the exceptions? Do we want them in the housing section or in the section they are referring to?
- MK: I'm aligning towards what Debbie is saying and options 2/3 for the subcommittee.

3. 1130 Discussion of Chp 11 discussions

- JD: We're leaning towards option 2 or 3 with 2 leading, so what are our thoughts

- DR: we should have Chp 11 deal with just group 1 units, and the exceptions for bathrooms can be in the bathroom section and not
- WJ: option 2 would have the exceptions and only have language for stuff not covered in the rest of the code
- JD: looks like we're leaning towards option 2

Motion to adopt option 2 that has chapter 11 that refers back to other sections as much as possible by DR

2nd by PM

By Acclamation/Carried

4. 11:42 AM Minutes

Motion to Accept minutes by PL

2nd by MK

By Roll Call DR/Y, EM/Y, PM/A, PL/Y, MK/Y/ CS/Y

Motion to Adjourn by PL

2nd by CS

By Acclamation/Carried