



**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 – September 27, 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  
Ana Julian (AJ)  
Mike Kennedy (MK)  
Paul Logan (PL)  
Patricia Mendez (PM)  
Elizabeth Myska (EM)  
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, PL, PM, DR, AJ

1. 10:10 AM New unit type discussion
  - WJ: Group 1 = Type B, Group 2A = Type A, Group 2B = Fully accessible
2. 10:15 AM 600 exceptions for Type A
  - WJ: there are exceptions we have to build into 600 we just have to change the names, but there are some we have to deal with
  - CS: clarifying questions about new unit names
  - DR: I think the exception for 603.2.4 is for public use
  - WJ: do we add this exception for residential units
  - DR: I don't think so, we've already dealt with this for the section for doors
  - WJ: this should be an exception for Group 2A



- JD: we're looking at if the door has a self closer in a public bathroom
- WJ: basically do we want to accept 'if the door has a self closing' language for residential units
- DR: those doors would generally not have a self closing device, I don't think this exception applies here as its for a residential section and we have the 'comply or capable of complying' language
- WJ: do we want to add exception for mirrors to add "comply or capable of complying" language

Motion to add exception for 'comply or capable of complying' language for bathroom mirror and/or medicine cabinet by DR

2nd by CS

By Acclamation/Carried

- PL: difference between bathroom room and restroom?
- WJ: bathing room is used to distinguish between bathroom
- DR: bathing room will have a shower or tub in it

3. 10:26 AM 603.4 Coat hooks and shelves

- WJ: do we need language for coat hooks and shelves
- DR: I would move to add the same language for mirrors for cabinet and coat hooks, it sounds crazy for residential use by someone with a disability may ask as a reasonable accommodation, so you want it in the regs
- JD: Formatting question
- WJ: we will do formatting later

Motion to add exception for coat hook and shelves by PL

2nd by DR

By Acclamation/Carried

4. 10:30 AM 604.4 and 604.5 seats

- WJ: there is an existing exception using the word residential dwelling units, do we want to replace that phrase with "type A dwelling unit"
- DR: are we going to specify the blocking height?
- WJ: I think this would be covered in 609
- DR: there should be language for blocking height specifically and not just grab bar

Motion to add exception 2 language for type A language and add language for blocking height by DR

2nd by AJ

CS: I thought the whole section is type A

PM: Question about residential dwelling language

By Acclamation/Carried

CS: Question about Group 2A

Board discussion about Group 1 and Group 2 requirements

5. 10:46 AM 606.2

- WJ: an exception for lavatories and sinks, an exception for the clear floor space under sinks, exceptions a-c for removeable cabinets

Motion to adopt removeable cabinetry exception language by DR

2nd by PM

By Acclamation/Carried

6. 10:59 AM 606.3 exception

- WJ: this exception would allow sink height to be at a range instead of a fixed height required for public bathrooms
- DR: concern about how this happens in a kitchen, I get it for bathrooms but residential kitchens a lot of the units I look at are sinks in a granite counter, so that will not be adjustable. No one does it, that's the reality. These are market rate units and lots out there, if you want a granite counter they can't be accessible. I would say set a fixed height of 34 inches and get rid of the adjustable language.
- WJ: DR is saying to strike the exception entirely
- JD: would this still be substantially equivalent?
- WJ: it would be more stringent
- CS: why would that be in there then? The different height requirement. I think it should be in there
- WJ: its there because your standard kitchen counter is closer to 36, which is too high for someone in a wheelchair. This is so they can build it at that height and lower it later.
- MK: I want to add that I agree with what DR is saying, when these regs were put in place the granite countertops weren't popular, so it was a lighter material. But also in my experience every counter and sink is at 36 inches, I would absolutely prefer 34 over 36
- PL: I think 34 is too high
- WJ: for the moment we're only talking about sink heights
- JD: my concern is we would make it too hard for a reasonable accommodation to be granted, lowering a granite countertop could be seen as unreasonable
- WJ: would we want to set it at a fixed height of 34
- CS: I'm echoing you JD but reasonable accommodations never happen
- AJ: Question for DR, for fair housing the sink can be 36?
- DR: no requirement for sink height, unless it's a specification B bathroom, you only need one bathroom to comply, and that sink has to be at 34, but if it's a specification A bathroom neither sink has to comply. No sink height requirements in a kitchen at all for Group 1
- WJ: we should set it for what we require for accessible units if the industry won't comply
- CS: Why don't we set it at 27-34?
- WJ: to clarify this is a max so you can put it below that. If we set it at 34 then the exception doesn't do anything as anything you build already complies with the main language
- AJ: if we got rid of the exception it would be less confusing as it would be set at 34
- PM: in terms of manufacturers, the shallowest you can get is 6 inches

Motion to strike exception 2 by PL

2nd by DR

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

7. 11:40 AM 607.3

- WJ: This doesn't make sense for a residential dwelling unit
- CS: I think landlords should provide removeable seats in bathtubs
- PM: are we talking about permanent or removeable?
- WJ: you can provide either/or
- MK: from my own experience I know those transfer areas of tubs that was from way back in the 80s. People with these are taking them out and putting in roll in showers

Motion to add exception for bathtub seat requirement by DR

2nd by AJ

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

8. 12:40 PM Minutes

Motion to Accept minutes from 8/23/23 by PL

2nd by MK

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

Motion to Adjourn by PL

2nd by CS

By Acclamation/Carried