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GOVERNOR

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Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
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LAYLA R. D'EMILIA
UNDERSECRETARY, CONSUMER
AFFAIRS AND BUSINESS
REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Board Meeting Minutes – February 26, 2024
Teams Meeting

This meeting was open to the public and began approximately 9:00 AM

Architectural Access Board member attendance

Dawn Guarriello, Chairperson (DG)
Patricia Mendez, Vice-Chairperson (PM)
David Johnson (DJ)
Elizabeth Myska (EM)
Kathryn Denis (KD)
Pamela Daly (PD)
Joe Prochilo (JP)

Division of Occupational Licensure Employees attendance:

William Joyce – AAB Executive Director (WJ)
Jamie Dalton – Board Counsel (JaD)
Andrew Chase – Compliance Officer (AC)
Molly Griffin – Program Coordinator (MG)

DG opened the meeting for Roll Call:

PM, KD, PD, DJ, EM, JP



1. 9:04 AM V24-016 18 Howard Street, Norton

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

KD recused

Request 1- Entrances:

Motion to Continue for more information for
separate cost estimate to make the south entrance
accessible by PD

2nd by DJ

By Acclamation/Carried

Motion to grant variance for east and west entrances by PD

2nd by DJ

By Acclamation/Carried

Request 2- Elevator:

Motion to Deny by PD

2nd by PM

DG calls roll

5 in favor 0 opposed KD left room

By Acclamation/Carried

Request 3- Toilet Rooms on the upper levels:

Motion for a hearing by PD

2nd by DJ

By Acclamation/Carried

2. 9:31 AM V24-017 4 Campus Drive, Norton

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

KD recused

Motion to move to a hearing consolidated with
V24-016 by PD

2nd by DJ

By Acclamation/Carried

3. 9:32 AM V24-018 67-69 Newburyport Turnpike,
Newbury

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Continue for complete floor plan of 67 Newburyport Turnpike by DJ

2nd by PD

By Acclamation/Carried

4. 9:36 AM V24-019 50 School Street, Brookline

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion for a hearing by DJ

2nd by PD

By Acclamation/Carried

5. 9:49 AM V24-020 Curb Cuts at Various
Locations, Holyoke, Southampton, Wales, Ware, and West Brookfield

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Packet by KD

2nd by EM

By Acclamation/Carried

6. 9:51 AM V24-021 162 Boylston Street, Boston

Exhibit – Status Report and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Continue for a complete floor plan
showing staircases and if there is an elevator by
DJ

2nd by KD

By Acclamation/Carried

7. 9:53 AM V24-022 44 Hope Street, Greenfield

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Continue for more information for first floor layout, cost information on accessible
entrance, and a feasibility study on a lift for the entrance by PM

2nd by DJ

By Acclamation/Carried

8. 9:59 AM V24-023/ C23-013 Hampstead Street,
Methuen

Exhibit – Amended Variance Application and associated documents

WJ presented documentation – Discussion of Variance and

Complaint:

Motion to Grant with a June 1st completion date
for all work by PM

2nd by DJ

EM asked about detouring signs during construction- no further discussion

By Acclamation/Carried

5 minute break called

9. 10:30 AM V24-024/C22-027 1 Ranger Road,
Methuen

Exhibit – Variance Application and associated documents

WJ presented documentation, and original complaint from

2022 – Discussion of Variance:

Motion to Grant with a completion date of
October 31st, on the condition there is any activity
planned they provide temporary accessible
parking by DJ

2nd by KD

By Acclamation/Carried

10. 10:46 AM V24-025 198 Purgatory Road, Sutton

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant by PD

2nd by DJ

By Acclamation/Carried

11. 10:48 AM V24-028 320 Onota Street, Pittsfield

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of
Variance:

Motion to waive the 2-week waiting period by

PM

2nd by DJ

By Acclamation/Carried

Motion to Grant temp relief until August 30th by PM

2nd by JP

By Acclamation/Carried

12. 11:00AM Hearing C23-056 1296 Worcester Street, Framingham

PM opened the hearing, introduced Board and established procedures. Participants Kaitlyn Hesse, Catherine Cuddy, Cathy Cuddy, Emily Costa, and Ted Papadopoulos are sworn in. Exhibit #1 – hearing packet AAB 1-106 is noted. Catherine Cuddy presented complaint. Additional comments and testimony provided by Ted Papadopoulos and Kaitlyn Hesse. Exhibit #2, a 48 second video, submitted by the complainant is noted and played for the Board. Discussion and Questions of Hearing:

Motion to take this under advisement by DJ

2nd by PD

By Acclamation/Carried

Motion to recognize during the time period surrounding the complaint there were violations of 521

CMR by DJ

2nd by PM

DG takes Roll Call Vote:

DG abstains

PM - yes

KD - yes

PD - yes

EM- yes

DJ – yes

JP- yes

By Acclamation/Carried

Motion to Continue for more information regarding the Elevator Report following Elevator Inspection on February 29, 2023 and updated call log list showing when elevator operators have been called between September 21, 2023 and the date of receipt of the decision by DJ

2nd by KD

DG takes Roll Call Vote

DG abstains

PM - yes

KD - yes

PD - yes

EM- yes

DJ – yes

JP- yes

By Acclamation/Carried

13. 1:00 PM Hearing V22-023 1141 Brayton Avenue, Somerset
KD recused
DG opened the hearing, introduced the Board, and established procedures.
Participants Troy Randall, Josh Safdie, Jonathan Quell, Daniel Tavares, and
Marybeth Carney are sworn in. Exhibit #1 AAB 1-77 is noted. Troy Randall
presents materials from Exhibit #1. Discussions and questions of Hearing:

Motion to Grant with the proposed layout as shown in AAB 15 by DJ
2nd by PD
By Acclamation/Carried

14. 1:28 PM V24-026 19 Main Street, Taunton
Exhibit – Amended Variance Application and associated documents
WJ presented documentation:

Discussion of Variance 28.12.3
Motion to Continue for more information for a study on
a vertical lift and ramp by PM
2nd by DJ
By Acclamation/Carried

Petitioner's second request to be heard after point of continuance

15. 1:52 PM Emergency Motion to Stay V23-151 & C22-044 41 Strong
Avenue, Northampton
Exhibit- Emergency Motion to Stay presented by WJ
KD recused

Motion to Deny Request for an Emergency Stay by PD
2nd by PM
By Acclamation/Carried

16. 2:00PM Hearing V23-184 33 Bow Street, Somerville
KD recused
DG opened the Hearing, introduced Board, and established procedures.
Participants Trea LaRaia, Elizabeth Malloy, Gonzalo Puigbo, Alba Solis,
Doug Tierney, Michael Feloney, Michael Muehe, Holly Simione, and Josh
Safdie are sworn in. Exhibit #1- hearing packet AAB 1-134 is noted.
Exhibit #2 a PowerPoint AAB 1-19 from the applicant is shown, and
applicant runs through their 7 variance requests- two withdrawn.

Michael Muehe testifies on behalf of BCIL
Holly Simione testifies on behalf of SCPD

Motion to take it Under Advisement by PD
2nd by PM
By Acclamation/Carried

Deliberations:

Variance Request 1

Motion to Continue for more information regarding a study of one elevator on the Wesley St Side of the building by PM

2nd by DJ

By Acclamation/Carried

Variance Request 2 and 3 :

Motion to Accept Withdrawal of Requests 2 & 3 by PM

2nd by DJ

By Acclamation/Carried

Variance Request 4:

Motion to Grant as long as applicant adds handrails on both sides of the entryway complying with 521 CMR 24.5 by PD

2nd by JP

By Acclamation/Carried

Variance Requests 5,6,7:

Motion to Continue for more information regarding pricing of widening each door, and complete floor plan with accurate measurements of each door by DJ

2nd by PM

By Acclamation/Carried

17. 4:20 PM V19-045 193 Salem Street, Boston

Exhibit – Variance Application and associated documents

Motion to accept by DJ

2nd by PM

By acclamation/Carried

18. 4:21 PM V23-191 59 Margin Street,

Haverhill

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance

Motion to Find that No Variance is Necessary for Bathrooms 1, 2, 6, & 7, but Employee Only spaces must be clearly marked as such on the stamped permit set on file with the building department by PM

2nd by KD

By Acclamation/Carried

Regarding the Ramp:

Motion to Grant by PM

2nd by KD

By Acclamation/Carried

19. 4:29 PM V23-192 121 Newbury Street,
Boston
Exhibit- Variance Application and associated documents
WJ presented documentation- discussion

Motion to Grant by PD
2nd By PM
By Acclamation/ Carried

20. 4:35 PM V23-215 51A Massachusetts
Avenue, Boston
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance
Motion to Deny the withdrawal for the seating by KD
2nd by PM
By Acclamation/Carried

Motion to Grant for 25.2 for approach to the door by KD
2nd by DJ
By Acclamation/Carried

Motion to Continue for more information regarding the bathrooms for the hearing by KD
2nd by PD
By Acclamation/Carried

21. 4:50 PM V23-219 51 State Road, North
Dartmouth
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance
Motion to Grant by JP
2nd by PM
By Acclamation/Carried

22. 4:51 PM V24-004 536 Massachusetts Avenue, Cambridge
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance
Motion to Continue for Mass Historic Letter by
DJ
2nd by KD
By Acclamation/Carried

23. 4:52 PM V24-006 54 Union Street, Attleborough
Exhibit – Amended Variance Application and associated
documents WJ presented documentation – Discussion of Variance
Motion to Continue for more information
regarding accessible entrance and route to parking
by PM
2nd by KD
By Acclamation/Carried

Motion to Continue for floor plan by PD
2nd by PM
By Acclamation/Carried

24. 4:58 PM V24-009 61 Boston Turnpike, Shrewsbury
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance
Motion to Grant given the information for temporary accommodations for the secondary entrance is on their website and marketing materials including the timeline by PM
2nd by PD
By Acclamation/Carried

25. 5:04 PM V24-010 283, 287, & 289 Lambert's Cove
Road, West Tisbury
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance
Motion to Grant by PD
2nd by KD
By Acclamation/Carried

26. 5:06 PM Minutes and Decisions

Motion to Accept Minutes and Decisions by PM
2nd by PD
EM abstains

DG takes Roll Call Vote

PM yes
DG yes
KD yes
PD yes
JP yes

Time did not permit the Board to address during this meeting the following items on the agenda:

- Advisory Opinion - Building Relocation
- Advisory Opinion - 521 CMR 3.6.

Respectfully submitted,
Molly Griffin, Program Coordinator

Exhibit List

- Everett Hall, Wheaton College, 18 Howard Street, Norton (V24-016)
 - Exhibit – Variance Application and associated documents
- Stanton Hall, Wheaton College, 4 Campus Drive, Norton (V24-017)
 - Exhibit – Variance Application and associated documents
- Harmony Natural Learning Center, 67-69 Newburyport Turnpike, Newbury (V24-018)
 - Exhibit – Variance Application and associated documents
- John R, Pierce School, 50 School Street, Brookline (V24-019)
 - Exhibit – Variance Application and associated documents
- Various Curb Cuts, Holyoke, Southampton, Wales, Ware, and West Brookfield (V24-020)
 - Exhibit – Variance Application and associated documents

- Mixed Use Building, 162 Boylston Street, Boston (V24-021)
 - Exhibit – Status Report and associated documents
- Mixed Use Building, 44 Hope Street, Greenfield (V24-022)
 - Exhibit – Variance Application and associated documents
- Sidewalk, Hampstead Street, Methuen (V24-024)
 - Exhibit – Amended Variance Application and associated documents
- Methuen High School Baseball Field, 1 Ranger Road, Methuen (V24-024)
 - Exhibit – Amended Variance Application and associated documents
- Purgatory Chasm Playground, 198 Purgatory Road, Sutton (V24-025)
 - Exhibit – Variance Application and associated documents
- Taunton Antiques Center, 19 Main Street, Taunton (V24-026)
 - Exhibit – Amended Variance Application and associated documents
- Former Assisted Living Facility, 320 Onota Street, Pittsfield (V24-028)
 - Exhibit – Variance Application and associated documents
- Water View Village, 1296 Worcester Street, Framingham (C23-056)
 - Exhibit #1- Hearing Packet AAB 1-106
- Somerset Middle School, 1141 Brayton Avenue, Somerset (V22-023)
 - Exhibit #1- Hearing Packet AAB 1-77
- The Richmond Building, 33 Bow Street, Somerville (V23-184)
 - Exhibit #1 – Hearing Packet AAB 1-134
 - Exhibit #2 – PowerPoint Presentation AAB 1-19
- Old North Church, 193 Salem Street, Boston (V19-045)
 - Exhibit – Variance Application and associated documents
- Moody School, 59 Margin Street, Haverhill (V23-191)
 - Exhibit – Variance Application and associated documents
- Mixed Use Building, 121 Newbury Street, Boston (V23-192)
 - Exhibit – Variance Application and associated documents
- Yoshida Omakase, 51A Massachusetts Avenue, Boston (V23-215)
 - Exhibit – Variance Application and associated documents
- Greater New Bedford Surgery Center, 51 State Road, North Dartmouth (V23-219)
 - Exhibit – Variance Application and associated documents
- The Dance Complex, 536 Massachusetts Avenue, Cambridge (V24-004)
 - Exhibit – Variance Application and associated documents
- The Jewel, 54 Union Street, Attleborough (V24-006)
 - Exhibit- Variance Application and associated documents
- Moe's Southwest Grill, 61 Boston Turnpike, Shrewsbury (V24-009)
 - Exhibit- Variance Application and associated documents
- James Pond Reserve, 283, 287, & 289 Lambert's Cove Road, West Tisbury (V24-010)
 - Exhibit- Variance Application and associated documents
- Decisions and Minutes to approve from February 5, 2024
 - February 5, 2024 minutes