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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

Board Meeting Minutes – March 11, 2024
Teams Meeting

This meeting was open to the public and began approximately 9:05 AM

Architectural Access Board member attendance

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

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, JD, EM, JP



1. 9:06 AM V24-027 2180 Dorchester Avenue, Boston
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance:

Request 1- Variance from 22.3, walkway:

Motion to Grant by PD

2nd by JD

Request to add wayfinding language by JD

By Acclamation/Carried

Request 2- Relief from an existing walkway:

Motion to Grant on the condition of wayfinding signage by JD

2nd by KD

By Acclamation/Carried

Request 3- Third Walkway:

Motion to Continue with a color-coded plan by slope, 5% or less green, 6-7% yellow, 7-8% orange,
anything above 8% red by JD

2nd by KD

By Acclamation/Carried

2. 9:34 AM V24-029 3 Oriol Drive, Worcester

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant with usual conditions by JD

2nd by PM

By Acclamation/Carried

3. 9:34 AM V24-030 128 Newbury Street, Peabody

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant with usual conditions by PD

2nd by PM

By Acclamation/Carried

4. 9:35 AM V24-031 225 Princeton Street,
Chelmsford Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Grant with usual conditions by PM

2nd by PD

By Acclamation/Carried

5. 9:36 AM V24-032 337-349 2nd Street and 12
& 24 Vine Street, Everett

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Deny by PM

2nd by JD

By Acclamation/Carried

6. 9:42 AM V24-033 1223 Main Street, Chatham

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Find that the proposed spending of the \$245,000 exceeds 30% of the value of the tenancy based on the partial application and as such 521 CMR section 3.3.3 has been triggered common space compliance by the owner including the sidewalk and parking must comply by JD

2nd by KD

By Acclamation/Carried

7. 9:52 AM V24-034 54 The Fenway, Boston

Exhibit – Variance Application and associated documents

WJ presented documentation – Discussion of Variance:

Motion to Packet by PM

2nd by EM

Motion Withdrawn by PM

Motion to Continue to get a specific timeline and plans of action for each variance requested by KD

2nd by PD

By Acclamation/Carried

8. 9:55 AM V24-035 Route 16, Mendon

Exhibit – Amended Variance Application and associated documents

WJ presented documentation – Discussion of Variance and

Motion to Table by PM

2nd by JD

By Acclamation/Carried

9. 9:57 AM V24-036 301 Guest Street, Boston

Exhibit – Variance Application and associated documents

Motion to Packet by KD

2nd by JD

By Acclamation/Carried

10. 9:57 AM Advisory Opinion 521 CMR 3.6.1

Exhibit -Advisory Opinion 3.6.1

Motion to Table by KD

2nd by JD

Request for WJ to clarify question for next packet- when does 3.6 and 3.6.1 apply and how?

By Acclamation/Carried

11. 10:22 AM Advisory Opinion Building Relocation

Exhibit – Advisory Opinion and associated documents

WJ presented documentation – Discussion of
Advisory Opinion Request:
PM Recuses

Motion to Find that if 780 CMR treats this as new
construction the exemption would go away by JD

2nd by KD

By Acclamation/Carried

12. 10:27 AM Packeted Case V24-020 Various On Ramps, Holyoke,

Southampton, Wales, Ware, and West Brookfield

Exhibit- Variance Application and associated documents

WJ Presented Documentation- Discussion of Variance

Motion to Grant as proposed variances 1,3,4,5,7,10, and 11 by JD

2nd by EM

By Acclamation/Carried

Motion to Continue variance 2 for test drawings of reducing the 21.3% slope and what they can do
with the bridge joint by JD

2nd by PD

By Acclamation/Carried

Motion to Continue variance 6 for more information about where the sidewalk is on East St and
College Highway by JD

2nd by KD

By Acclamation/Carried

Motion to Grant variance 8 as proposed by JD

KD asks if it is better to spend the money and do temp work now or wait until they have money to do
them right; 6.43 cross-slope is a lot

Motion to Continue variances 8 and 9 for the remaining slopes and curb cuts for more information by
KD

2nd by JD

By Acclamation/Carried

DG opened the hearing, introduced Board and established procedures. Participants Alexis Halbert, Virgenmina Cosme, Luiz Escobar, Stephen Santosuosso, Andrew Chase, and Michael Muehe are sworn in. Exhibit #1 –hearing packet AAB 1-59 is noted. Virgenmina Cosme and Luiz Escobar presented complaint. Additional comments and testimony provided by Alexis Halbert. Exhibit #2- photos of the handrails in staircases in the building is shown to the Board. Exhibit #3, structural drawings is shown to the Board. Exhibit #4 photo is shown to the Board. Discussion and Questions of Hearing:

Michael Muehe testifies on behalf of the BCIL to request that the Board conduct an immediate fact finding to see how many of the lifts inside the building are compliant

Motion to take this Under Advisement by JD

2nd by PD

By Acclamation/Carried

4:00PM Deliberations

Motion to Find the Complaint Valid by KD

2nd by PD

By Acclamation/Carried

Motion to Grant Relief until 12/1/24 with status updates on 7/1/24 on two conditions: condition 1 provide accommodation plan to the Board regarding relocation to hotels or similar, and 2 provide floorplan where all chair lifts are located and an updated variance application with the use of the chair lifts as a variance request by JD

2nd by PD

By Acclamation/Carried

Motion that the MAAB Staff provide a letter of support on behalf of the Board to the City of Boston indicating that we believe whatever steps can be taken by the city to expedite this repair process within the bounds of all applicable laws and regulations including considering any day other than

Saturday by JD

2nd by PD

By Acclamation/Carried

Motion to Request elevator outage or other reasons if known records for the other two elevators serving the B Building for the past year by KD

2nd by JD

By Acclamation/Carried

14. 1:00 PM Hearing V23-203 30 Bickford Street, Boston

KD recused

DG opened the hearing, introduced the Board, and established procedures. Participants Karl Pops, Brad McCord, Rick Jegorow, Veronica Mansilla, and Michael Muehe are sworn in. Exhibit #1 AAB 1-24 is noted. Exhibit #2, a PowerPoint presentation, is presented to the Board. Discussions and questions of Hearing:

Michael Muehe from BCIL testifies; asks for number of vacant units from Mildred Hailey and BHA at large to MAAB and BCIL. BCIL would conditionally support timely relief if reasonable with two conditions- if the petitioner provides a detailed phasing timeline, and two the petitioner agrees to provide tabular information on the number and percentage of Group 2 units in the various BHA projects along with this project.

Motion to Grant (Variance 1) the time relief until 1/1/2027 with annual reports on January 1st on the condition that we be provided the phasing schedule with the accessible units included by JD
2nd by JP

By Acclamation/Carried

Motion to Grant Variance 3 by JD

2nd by PD

By Acclamation/Carried

Motion to Grant Variance 4 by JD

2nd by PM

By Acclamation/Carried

Motion to Grant Variance 2 on the condition that as many Group 2A elements as possible are put into inaccessible bathrooms without structural changes by JD

2nd by PD

By Acclamation/Carried

15. 2:07 PM V22-042 139 Spring Street, Millis

Exhibit – Amended Variance Application and associated documents

WJ presented documentation:

Discussion of Extension Request for an additional year

Motion to Grant Additional Year, noting that the Board is not inclined to grant any further extensions by JD

2nd by PD

By Acclamation/Carried

16. 2:14 PM V23-024 345 Chelsea St., East Boston
Exhibit- Amended Variance Application and associated documents
WJ presented documentation:

Motion to Continue for the information that was requested by JD

Motion to Deny by JD

2nd by PD

By Acclamation/Carried

17. 2:21PM V23-052 204 Main Street, Worcester
Exhibit- Amended Variance Application and associated documents
WJ presented documentation

Motion to Deny by PD

2nd by JD

Are they arguing historic significance or just cost? Just cost

By Acclamation/Carried

Motion to Grant Variance Request 3 as proposed by KD

2nd by JD

By Acclamation/Carried

Motion to Grant Variance Request 3 as long as other stairs are compliant
with 27 by PM

2nd by JD

By Acclamation/Carried

18. 2:36 PM V23-155 1500 Massachusetts Avenue,
Boston

Exhibit – Additional Documents Presented

Motion to Deny by JD

2nd by KD

By acclamation/Carried

19. 2:37 PM V23-166 199 Commercial Street,
Provincetown

Exhibit – Additional documents presented

WJ presented documentation – Discussion of Variance

Motion to Continue to get information from the owner of the retail space about how they would
accommodate disabled consumers by JD

2nd by PD

By Acclamation/Carried

20. 2:41 PM V23-204 191 Commonwealth
Avenue, Boston
Exhibit- Additional information
WJ presented documentation- discussion

Motion to Continue for Petitioner to submit an amended
application by JD
2nd By PM
By Acclamation/ Carried

21. 2:43 PM V23-215 51A Massachusetts
Avenue, Boston
Exhibit – Additional documents presented
WJ presented documentation – Discussion of withdrawal
clearances

Motion to Accept the withdrawal for the seating by JD
2nd by PD
By Acclamation/Carried

22. 2:56 PM V23-216 592-600 East
Broadway, Boston
Exhibit – Additional documents presented
WJ presented documentation – Discussion of Variance

Motion to Continue for more information about
the gym equipment, how the gym is utilized, and
if they have an accommodation policy by KD
2nd by JD
By Acclamation/Carried

23. 3:16 PM V23-221 57-59 Nightingale Street, Boston
Exhibit – Additional documents presented
WJ presented documentation – Discussion of Variance

Motion to Grant by JD
2nd by KD
By Acclamation/Carried

Motion to find that the group 1 toilet room needs the toilet to be relocated 28 inches from the wall by
JD
2nd by KD
By Acclamation/Carried

24. 3:29 PM V24-001 79 Prospect Street, Milford
Exhibit –Additional documents
WJ presented documentation – Discussion of Variance
Motion to Continue for more information about how they will provide the unique programming on the first floor, or how vertical access will be proved by JD
2nd by PD
By Acclamation/Carried
25. 3:32 PM V24-002 1 School Street, Taunton
Exhibit – Accommodation Policy presented
WJ presented documentation – Discussion of Policy
Motion to Accept on the condition they provide a contact for making these requests by JD
2nd by KD
By Acclamation/Carried
26. 3:34 PM V24-018 67-69 Newburyport Turnpike,
Newbury
Exhibit – Additional floor plan presented
WJ presented documentation – Discussion of Floor Plan
Motion to Continue for more information on how they are providing that upper-level play area on an accessible level by KD
2nd by JD
By Acclamation/Carried
27. 3:37 PM V24-022 44 Hope Street, Greenfield
Exhibit- Additional Documents presented
WJ presented documentation- Discussion of Floor Plan and Variance

Motion to Schedule for a Hearing by JD
2nd by KD
By Acclamation/Carried
28. 3:50PM V24-026 19 Main Street, Taunton
Exhibit- Additional Floor Plans presented
WJ presented documentation- Discussion of Floor Plan and Variance

Motion to Continue for a test drawing of vertical lift by JD
2nd by PD
By Acclamation/Carried

29. Minutes and Decisions

Motion to Accept Minutes from February 26, 2024 by PD

2nd by EM

JD Abstains

Roll Call Vote

KD- yes

PD- yes

EM-yes

JP-yes

JD- abstains

Motion to Approve Waterview Village Decision by KD

2nd by PD

Roll Call

KD- yes

PD-yes

JD-abstains

JP-yes

EM-yes

Decision Passes

Motion to Approve Richmond Building and Somerset Middle School

Decisions by PD

2nd by JP

Roll Call

PD-yes

JD-abstains

KD-abstains

JP-yes

EM-yes

Decision Passes

Respectfully submitted,

Molly Griffin, Program Coordinator

Exhibit List

- Dorchester Park, 2180 Dorchester Avenue, Boston (V24-027)
 - Exhibit – Variance Application and associated documents
- Alexan Worcester, 3 Oriol Drive, Worcester (V24-029)
 - Exhibit – Variance Application and associated documents
- Alexan Peabody, 128 Newbury Street, Peabody (V24-030)
 - Exhibit – Variance Application and associated documents
- Alexan Chelmsford, 255 Princeton Street, Chelmsford (V24-031)
 - Exhibit – Variance Application and associated documents
- Hanover Everett, 337-349 2nd Street and 12 & 24 Vine Street, Everett (V24-032)
 - Exhibit – Variance Application and associated documents
- Liberty Artisanal Bakery, 1223 Main Street, Chatham (V24-033)
 - Exhibit – Status Report and associated documents
- Berklee College of Music Dormitory, 54 The Fenway, Boston (V24-034)
 - Exhibit – Variance Application and associated documents
- Various Locations Along Route 16, Route 16, Mendon (V24-035)
 - Exhibit – Amended Variance Application and associated documents
- Allston Yards Biuilding A, 301 Guest Street, Boston (V24-036)
 - Exhibit – Amended Variance Application and associated documents
- Tangerini's Spring Street Farm, 139 Spring Street, Millis (V22-042)
 - Exhibit – Variance Application and associated documents
- Franklin Square Apartments, 11 East Newton Street, Boston (C22-050)
 - Exhibit #1 AAB 1-59
 - Exhibit #2 Photo of Handrails
 - Exhibit #3 Structural drawing
 - Exhibit #4 Additional Photos
- Commercial Building, 345 Chelsea Street, East Boston (V23-024)
 - Exhibit – Amended Variance Application and associated documents
- Mixed Use Building, 204 Main Street, Worcester (V23-052)
 - Exhibit – Variance Application and associated documents
- Mixed Use Building, 1500 Massachusetts Avenue, Arlington (V23-155)
 - Exhibit – Variance Application and associated documents
- Market Wharf Building, 199 Commercial Street, Provincetown (V23-166)
 - Exhibit – Variance Application and associated documents
- Mildred C. Hailey Apartments, 30 Bickford Street, Boston (V23-203)
 - Exhibit #1 AAB 1-24
 - Exhibit #2 PowerPoint Presentation
- 6 Story Residential Building, 191 Commonwealth Avenue, Boston (V23-204)
 - Exhibit – Variance Application and associated documents
- Yoshida Omakase, 51A Massachusetts Avenue, Boston (V23-215)
 - Exhibit – Variance Application and associated documents
- Commercial Building, 592-600 East Broadway, Boston (V23-216)
 - Exhibit – Variance Application and associated documents
- 3 Family Dwelling, 57-59 Nightingale Street, Boston (V23-221)
 - Exhibit – Variance Application and associated documents
- Noah's Ark Christian Childcare, 79 Prospect Street, Milford (V24-001)
 - Exhibit – Variance Application and associated documents
- Rob Roy Academy, 1 School Street, Taunton (V24-026)
 - Exhibit – Variance Application and associated documents
- Harmony Nature Learning Center, 67-69 Newburyport Turnpike, Newbury (V24-018)
 - Exhibit – Variance Application and associated documents
- Packet- Various Outdoor Locations, Holyoke, Southampton, Wales, Ware, and West Brookfield (V24-020)

- Exhibit- Variance Application and associated documents
- Mixed Use Building, 44 Hope Street, Greenfield (V24-022)
 - Exhibit- Variance Application and associated documents
- Taunton Antiques Center, 19 Main Street, Taunton (V24-026)
 - Exhibit- Variance Application and associated documents
- Advisory Opinion- 521 CMR 3.6.1
 - Exhibit- Advisory Opinion 3.6.1
- Advisory Opinion- Building Relocation
 - Exhibit- Advisory Opinion and supporting documents
- Decisions and Minutes to approve from February 26, 2024
 - February 26, 2024 minutes