



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

Board Meeting Minutes – April 8, 2024
Teams Meeting

This meeting was open to the public and began approximately 9:02 AM

Architectural Access Board member attendance:

Dawn Guarriello, Chairperson (DG)

David Johnson (DJ)

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)

PM opened the meeting for Roll Call:

KD, PD, DJ, EM, JP, JD



1. 9:03 AM V24-051 20 & 80 Rugg Road, Boston
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance:
KD Recuses

Motion to Grant by JD
2nd by PD
By Acclamation/Carried
2. 9:05 AM V24-052 33 A Street, Boston
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance:
Motion to Grany under the usual conditions by JD
2nd by PD
By Acclamation/Carried
3. 9:08 AM V24-057 1-31 Main Street, Taunton
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance:
Motion to Continue by DJ
2nd by JD
By Acclamation/Carried
4. 9:09 AM V24-058 135 Burncoat Street, Worcester
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance:
Motion to Grant by PD
2nd by JP
JD asks if we want any conditions; add a note to ensure it works for the student
By Acclamation/Carried
5. 9:25 AM V24-059 145 Essex Street, New Bedford
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance:
Motion to Grant on the Condition that Auto-Door Openers are installed on the lift
by JD
2nd by DJ
By Acclamation/Carried

6. 9:39 AM V19-273 26 Middleton Road, Boxford
Exhibit – Variance Application and associated documents
WJ presented documentation – Discussion of Variance:
JD Recuses

Motion to Accept the Status Report with standard meet the deadline language by
KD
2nd by JP
By Acclamation/Carried

7. 9:44 AM V21-114 264 Boston Turnpike, Shrewsbury
Exhibit – Amended Variance Application and associated documents
WJ presented documentation – Discussion of Variance

Motion to Have Board Staff File Complaint by JD
2nd by DJ
By Acclamation/Carried

8. 9:46 AM V23-052 204 Main Street, Worcester
Exhibit – Variance Application and associated documents
WJ presented documentation- Discussion of Variance:

Motion to Grant for This Use Only by PD
2nd by JP
By Acclamation/Carried

9. 9:54 AM V23-136 149 High Street, Newburyport
Exhibit- Variance Application and associated documents
WJ Presented Documentation- Discussion of Variances

Motion to Continue for Measurements taken every 3
feet measuring the running slope by JD
2nd by KD
By Acclamation/Carried

10. 9:30 AM V23-151/C22-044 41 Strong Avenue, Northampton
Exhibit – Amended Variance Application and associated documents
KD Recuses
WJ presented status update:
Motion to Table by JD
2nd by PD
By Acclamation/Carried
11. 10:01 AM V23-158 Various Streets, Boston
WJ presented documentation – Discussion of Variance
KD Recused

Motion to Packet From 1-143 and 144-254 by JD
2nd by PD
By Acclamation/Carried
12. 10:03 AM V23-165 777-779 Huntington Avenue, Boston
Exhibit- Variance Application and associated documents
WJ Presented Documentation- Discussion of Variance

Motion to Continue for MHC Letter by JD
2nd by DJ
By Acclamation/Carried
13. 10:10 AM V23-195 301 Border Street, Boston
Exhibit- Variance Application and associated documents
WJ presented documentation- Discussion of Variance

Motion to Schedule a Hearing by JD
2nd By PD
By Acclamation/Carried
14. 10:14 AM V23-216 592-600 East Broadway, Boston
WJ presented documentation- Petitioner’s Response

Motion to Grant for this use only by KD
2nd by PD
By Acclamation/Carried

15. 10:19 AM V24-012 34 Harvard Way, Boston
WJ presented documentation- Petitioner's Resposne

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

16. 10:22 AM V24-013 44 Harvard Way, Boston
Exhibit- Amended Variance Application and associated documents
WJ presented documentation- Petitioner's Response

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

Request 2- Stairs
Motion to Find that this is a level of exit discharge and 2 accessible means of egress are
required by KD
2nd by JD
By Acclamation/Carried

Motion to Grant relief to 20.11.1A as proposed with a condition to provide an evacuation
chair or equivalent device and appropriate signage and information on the device is
provided by KD
2nd by PD
By Acclamation/Carried

17. 10:38 AM V24-018 67-69 Newburyport Turnpike,
Newbury
WJ presented documentation- Petitioner's Response

Motion to Grant for this use only, and include modified classes information in orientation
packets by JD
2nd by PD
By Acclamation/Carried

18. 10:40 AM V24-021 162 Boylston Street, Boston
Exhibit- Additional information
WJ presented documentation

Motion to Schedule a Hearing by JD
2nd By DJ
By Acclamation/ Carried

19. 10:48 PM V24-027 2180 Dorchester Avenue, Boston
Exhibit – Additional documents presented
WJ presented documentation – Petitioner's Response

Motion to Grant as proposed by JD
2nd by DJ
By Acclamation/Carried

20. 11:00AM Hearing V24-022 44 Hope Street, Greenfield

DG opened the hearing, introduced Board and established procedures. Participants Noah Modie, Jim Zaccara, and Carl Woodruff are sworn in. Exhibit #1 –hearing packet AAB 1-59 is noted. Noah Modie presents, noting adding a lift would be too costly for the owners. Discussion and Questions of Hearing:

WJ asks what temporary measures can be taken since work is estimated not to begin for over a year

11:35 AM

Motion to Grant on the Condition that the limited vertical access is made clear in the lease language, and the tenant would have an accommodation policy, and lease language includes that access to the second floor should be limited to tenants and their invitees only
by JD
2nd by DJ
By Acclamation/Carried

21. 1:00 PM Hearing V23-215 51A Massachusetts Avenue, Boston

DG opened the hearing, introduced the Board, and established procedures. Participants Brian Burke, Iverson Guo, Eric Hsu, Phil Ruggiero, and Michael Muehe are sworn in. Exhibit #1 AAB 1-54 is noted, Exhibit #2, AAB 1-7, and Exhibit #3 AAB1-AAB11 are noted. Brian Burke presents Exhibit #4, plans and photos, to the Board. Brian Burke presents photos from Exhibit #4 to the Board, and the loss of seats would be detrimental to the business.
Discussions and questions of Hearing

Michael Muehe presents Exhibit #5, BCIL's conditional support for this petitioner, and recommendation of granting the variance for 3 years so the petitioner can rethink their layout to the Board. It would be substantially beneficial for persons with disabilities that a toilet room be provided within the restaurant space.

Motion to Take This Under Advisement by JD

2nd by DJ

By Acclamation/Carried

Motion to Deny (finding BCIL's statement credible) by KD

2nd by JD

By Acclamation/Carried

22. 2:00 PM Hearing C17-037 10 Dresser Hill Road, Charlton

DG opened the hearing, introduced the Board, and established procedures. Participants Andrew Golas, Andrew Chase, and Diane Doherty are sworn in. Exhibit #1 AAB 1-95 is noted. Exhibit #2, construction documents are sent to the Board. Discussions and questions of Hearing:

Motion to Fine \$300/day if work is not completed by 9/1 by DJ

2nd by JD

By Acclamation/Carried

23. 11:38 AM V24-037 55 Lagrange Street, Boston

Exhibit – Additional documents presented

WJ presented documentation – Discussion of Variance

Motion to Accept Withdrawal by JD

2nd by PD

By Acclamation/Carried

24. 11:39 AM Advisory Opinion Specialty Equipment, Hearing Booth
WJ Presents Documentation- Hearing Booth, is it required to comply with fixed
instruments

Motion to Find a hearing booth is a room and would need to comply with 521CMR by JD
2nd by JP
By Acclamation/Carried

25. 11:46 AM Advisory Opinion Webster High School Auditorium
WJ Presents Documentation

Motion to Table by JD
2nd by PD
By Acclamation/Carried

2:46 PM
Motion to Continue for overall floor plans of both floors, enlarged plans of both floors
of the auditorium and balcony, and any sections that cut through the auditorium space by
JD
2nd By KD
By Acclamation/Carried

26. 3:20 PM V24-038 198 Commercial Street, Provincetown
Exhibit –Additional documents
WJ presented documentation – Discussion of Variance

Motion to Table to next meeting by JD
2nd by KD
By Acclamation/Carried

27. 3:22 PM V24-036 301 Guest Street, Boston
Exhibit – Additional documents presented
WJ presented documentation – Discussion of Variance

Request 1
Motion to Grant with usual conditions by KD
2nd by JD
By Acclamation/Carried

Request 2
Motion to Grant with usual conditions by KD
2nd by JD
By Acclamation/Carried

Request 3
Motion to Grant by JD
2nd By KD
By Acclamation/Carried

Request 4
Motion to Grant by KD
2nd by PD

Request 5
Motion to Grant by KD
2nd By PD
By Acclamation/Carried

28. 3:33 PM V23-105 57 Elm Street, Millbury
WJ presented documentation – Discussion of Variance:

Request 1

Motion to Continue for more information for a cross-section of the water fountains
by JD

2nd by KD

By Acclamation/Carried

Request 2

Motion to Grant by JD

2nd By

By Acclamation/Carried

Request 3

Motion to Accept withdrawal as this is a staff bathroom by JD

2nd by DJ

By Acclamation/Carried

Request 4

Motion to Grant by JD

2nd by DJ

By Acclamation/Carried

29. 4:02 PM V23-158 (Requests 255-367) Various Streets, Boston
WJ presented documentation- Discussion of Variance
KD Recuses

#277

Motion to Continue for more information for justification on the use of apex by
2nd By
By Acclamation/Carried

#295

Motion to Continue for more information for the width between the tree and the fence by JP
2nd By PD
By Acclamation/Carried

#313

Motion to Continue for more information for the distance between the sign post and the wall by JP
2nd by DJ
By Acclamation/Carried

#318

Motion to Grant for the slope 21.3 and Deny for the width 21.6 by JP
2nd by EM
By Acclamation/Carried

#328

Motion to Continue for more information on the width between the light and the building
2nd by DJ
By Acclamation/Carried

Motion to Grant those that the Board did not call out by JP
2nd by DJ
By Acclamation/Carried

30. 4:50 PM V24-046 11 East Newton Street, Boston
Exhibit – Additional Documents
WJ presented documentation – Discussion of Documents
 Motion to Grant for this tenant and use only by JD
 2nd by PD
 By Acclamation/Carried

31. Minutes and Decisions

Motion to Accept Minutes and Decisions from March 25, 2024 by

DJ

2nd by JP

By Acclamation/ Carried

Respectfully submitted,

Molly Griffin, Program Coordinator

Exhibit List

- Harper Allston, 20 & 80 Rugg Road, Boston (V24-051)
 - Exhibit – Variance Application and associated documents
- Mixed Use Building, 33 A Street, Boston (V24-052)
 - Exhibit – Variance Application and associated documents
- Union Block Condominiums, 1-31 Main Street, Taunton (V24-057)
 - Exhibit – Variance Application and associated documents
- Burncoat Middle School, 135 Burncoat Street, Worcester (V24-058)
 - Exhibit – Variance Application and associated documents
- Elwyn G. Campbell Middle School, 145 Essex Street, New Bedford (V24-059)
 - Exhibit – Variance Application and associated documents
- Harry Lee Cole School, 26 Middleton Road, Boxford (V19-273)
 - Exhibit – Variance Application and associated documents
- Big Bois Meat Market, 264 Boston Turnpike, Shrewsbury (V21-114)
 - Exhibit – Variance Application and associated documents
- Mixed Use Building, 204 Main Street, Worcester (V23-052)
 - Exhibit – Variance Application and associated documents
- Talbot House, 25 Prospect Street, Northampton (V23-054)
 - Exhibit – Variance Application and associated documents
- Shaw Elementary School, 57 Elm Street, Millbury (V23-105)
 - Exhibit – Variance Application and associated documents
- Bartlett Mall, 149 High Street, Newburyport (V23-136)
 - Exhibit-Variance Application and associated documents
- Honey, Mulino's, Bishop's Lounge, 41 Strong Avenue, Northampton (C22-044, V23-151)
 - Exhibit – Variance Application and associated documents
- Various Curb Cuts (Packet from 3/25) Various Streets, Boston (V23-158)
 - Exhibit – Variance Application and associated documents
- Various Curb Cuts (Request 1-143) Various Streets, Boston (V23-158)
 - Exhibit – Variance Application and associated documents
- Various Curb Cuts (Request 144-254) Various Streets, Boston (V23-158)
 - Exhibit – Variance Application and associated documents
- Mixed Use Building, 44 Hope Street, Greenfield (V24-021)
 - Exhibit #1- AAB 1-59
- Yoshida Omakase, 51A Massachusetts Avenue, Boston (V23-215)
 - Exhibit #1- AAB 1-54
 - Exhibit #2- AAB 1-7
 - Exhibit #3- AAB 1-11
 - Exhibit #4- Site plans and photos
 - Exhibit #5- BCIL Letter
- Maynard Field, 10 Dresser Hill Road,| Charlton (C17-037)
 - Exhibit #1 AAB 1-95
- Housing Complex, 777-779 Huntington Avenue, Boston (V23-165)
 - Exhibit – Variance Application and associated documents
- Mixed Use Building, 301 Border Street, Boston (V23-195)
 - Exhibit – Variance Application and associated documents
- Commercial Building, 592-600 East Broadway, Boston (V23-216)

- Exhibit – Variance Application and associated documents
- Chase Hall, 34 Harvard Way, Boston (V24-012)
 - Exhibit – Variance Application and associated documents
- McCulloch Hall, 44 Harvard Way, Boston (V24-013)
 - Exhibit – Variance Application and associated documents
- Harmony Natural Learning Center, 67-69 Newburyport Turnpike, Newbury (V24-018)
 - Exhibit – Variance Application and associated documents
- Mixed Use Building, 162 Boylston Street, Boston (V24-021)
 - Exhibit- Variance Application and associated documents
- Dorchester Park, 2180 Dorchester Avenue, Boston (V24-027)
 - Exhibit- Variance Application and associated documents
- Allston Yards Building A, 301 Guest Street, Boston (V24-036)
 - Exhibit- Variance Application and associated documents
- Residential Building, 55 Lagrange Street, Boston (V24-037)
 - Exhibit- Variance Application and associated documents
- Advisory Opinion- Webster High School Auditorium
 - Exhibit- Advisory Opinion and supporting documents
- Advisory Opinion- Specialty Equipment, Hearing Booth
 - Exhibit- Advisory Opinion and supporting documents
- Decisions and Minutes to approve from March 25, 2024
 - March 25, 2024 minutes
 - March 25, 2024 draft decisions