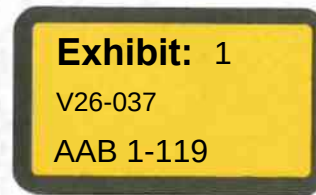


# ARCHITECTURAL ACCESS BOARD- HEARING PACKET

|                   |                             |                                                                                                                                                       |                 |                 |
|-------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------|
| Name              | <b>Mixed Use Building</b>   |                                                                                                                                                       | Docket #        | V 26 - 037      |
| Address           | <b>367-369 Grant Street</b> |                                                                                                                                                       | Docket #        | C 25 - 014      |
| City              | <b>Framingham</b>           |                                                                                                                                                       | Hearing         | 7/13/2026       |
| Bldg Type         |                             |                                                                                                                                                       | Time of hearing | <b>11:00 AM</b> |
| Complaint's Name  |                             |                                                                                                                                                       | Plans on file?  |                 |
| Complaint ?       | Variance ?                  | Request for continuance?                                                                                                                              |                 |                 |
| Jurisdiction:     | 3.3.2                       | If the work performed amounts to 30% or more of the full and fair cash value of the building, the entire building is required to comply with 521 CMR. |                 |                 |
| Building Permits: | 230849                      | \$501,000                                                                                                                                             |                 |                 |
| Assessed Value:   | \$1,063,400                 |                                                                                                                                                       |                 |                 |



## Variances to be addressed:

Petitioner seeks relief from 25.1: All public entrance(s) of a building or tenancy in a building shall be accessible. Public entrances are any entrances that are not solely service entrances, loading entrances, or entrances restricted to employee use only.

7.2/ 17.10: Where payment is made at a cash register, the counter shall be no higher than 36 inches (36" = 914mm) from the floor to the top of the counter.

On April 28, 2025 the Board received a complaint regarding the above referenced address and on August 8, 2025 the First Notice was sent. (See AAB 101-119 )

On August 31, 2025 there was correspondence between the compliance officer and the petitioner. On November 10, 2025 the Second Notice was sent. (See AAB 91-100)

There was correspondence between the petitioner and compliance officer and program coordinator between November and February of 2025. (See AAB 99-5)

On February 25, 2026 an application for variance was received and at the March 23, 2026 meeting the Board voted to Schedule hearing. (See AAB 98-4)

On March 25, 2026 the Notice of Hearing was sent to all parties. (See AAB 2-3 )

---

**367-369 Grant Street, Framingham**

---

**From** Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

**Date** Wed 3/25/2026 1:11 PM

**Bcc** caroline.connor@live.com <caroline.connor@live.com>; Catherine Cuddy <fdccuddy@gmail.com>; David Correia <dcorreia@framinghamma.gov>; mdempsey@mwciil.org <mdempsey@mwciil.org>; Simone, Sadie <ssimone@mwciil.org>; fbray@framinghamma.gov <fbray@framinghamma.gov>; mat@framinghamma.gov <mat@framinghamma.gov>

 2 attachments (1 MB)

Notice of Hearing.pdf; Mixed Use Building, 367-369 Grant Street, Framingham (V26-037) - Notice of Action.pdf;

Good afternoon,

Please find attached the Notice or Decisions for the above referenced case.

If you require a paper copy of a Notice or Decision, you may contact me to request one but be aware that the delivery of physical copies may be delayed.

If you wish to appeal the decision made in this case, you can fill out and send in an Adjudicatory Hearing Request form available [here](#).

If you have any questions, please do not hesitate to get in touch with the Board's staff.

Thank you,  
Molly

**Molly Griffin**  
Program Coordinator  
She/Her/Hers  
Architectural Access Board  
Office of Public Safety and Inspections  
Division of Occupational Licensure  
1 Federal Street, 6<sup>th</sup> Floor  
Boston, MA 02110-2012  
[www.mass.gov/AAB](http://www.mass.gov/AAB)  
617-727-0660





MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

ERIC PALEY  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1 Federal St., 6th Floor  
Boston, Massachusetts 02118

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

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**VARIANCE HEARING**

Docket Number **V 26 037**

**RE: Mixed Use Building , 367-369 Grant Street, Framingham**

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **July 13, 2026** at **11:00 AM**. Remote meeting information will be sent out prior to the hearing date.

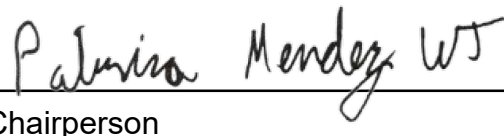
This hearing is upon an application for variance filed by: Raphael Hernandez for modification of or substitution of the following Rules and Regulations: 25.1, 17.10, 7.2. A copy of the request is available for public inspection during regular business hours.

You should be aware that the burden of proof is upon the applicant requesting a variance to prove that compliance is either: 1. technologically infeasible or; 2. the cost of compliance is excessive without substantial benefit to a person with a disability.

This hearing will be conducted in accordance with the procedures set forth in M.G.L., c. 30A, and 801 CMR 1.02, the Informal/Fair Hearings Rules. At the hearing, each party may be represented by counsel, may present evidence and may cross examine opposing witnesses.

**PLEASE NOTE:** Requests for the continuance of a hearing must be received no later than fourteen (14) days prior to the scheduled hearing date. Continuances are granted at the Board's discretion only.

ARCHITECTURAL ACCESS BOARD

  
Chairperson

Date: March 25, 2026

cc: Local Building Inspector  
Independent Living Center  
Local Disability Commission



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

ERIC PALEY  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board

1 Federal St., 6th Floor  
Boston, Massachusetts 02118

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

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**NOTICE OF ACTION**

Docket Number **V 26 037**

**RE: Mixed Use Building , 367-369 Grant Street , Framingham**

On February 25, 2026 the Architectural Access Board received an application submitted by Raphael Hernandez . This application and all attached documentation were reviewed by the Board on March 23, 2026 .

At that meeting, the Board voted as follows:

| <u>#</u> | <u>Section</u> | <u>Result</u>                                                               |
|----------|----------------|-----------------------------------------------------------------------------|
| 1        | 25.1           | <b>SCHEDULE</b> a hearing for this request. See attached Notice of Hearing. |
| 2        | 25.1           | <b>SCHEDULE</b> a hearing for this request. See attached Notice of Hearing. |
| 3        | 17.10/7.2      | <b>SCHEDULE</b> a hearing for this request. See attached Notice of Hearing. |

**PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.**

*Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.*

Date: March 24, 2026

cc: Local Disability Commission  
Local Building Inspector  
Independent Living Center

*Palmino Mendez WS*

Chairperson  
ARCHITECTURAL ACCESS BOARD

**AAB 4**

## **Machado, Victor (DPL)**

---

**From:** Griffin, Molly (DPL)  
**Sent:** Monday, March 23, 2026 4:29 PM  
**To:** Caroline Connor; Machado, Victor (DPL)  
**Cc:** Lou Cintolo  
**Subject:** Re: AAB meeting tonight re: 369/371 Grant Street, Framingham?

Hi Caroline,

You are always welcome to attend the meetings and listen in; they are open to the public. However, the only time applicants would be able to present and speak with the Board directly would be if their case was up for a formal hearing.

Thanks!  
Molly

**Molly Griffin**  
Program Coordinator  
She/Her/Hers  
Architectural Access Board  
Office of Public Safety and Inspections  
Division of Occupational Licensure  
1 Federal Street, 6<sup>th</sup> Floor  
Boston, MA 02110-2012  
[www.mass.gov/AAB](http://www.mass.gov/AAB)  
617-727-0660

---

**From:** Caroline Connor <caroline.connor@live.com>  
**Sent:** Monday, March 23, 2026 4:26 PM  
**To:** Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Machado, Victor (DPL) <Victor.Machado@mass.gov>  
**Cc:** Lou Cintolo <lcintolo@gmail.com>  
**Subject:** Re: AAB meeting tonight re: 369/371 Grant Street, Framingham?

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Thank you, Molly. We are certainly getting conflicting information as to this process. We were told specifically at the FDC last week to attend the AAB meeting, so I had a company develop additional documentation for presentation, and now I am finding out I would not be able to present it anyway.

Based on the FDC meeting, it seems our submission had some questions, so I was hoping to be able to address those as well.

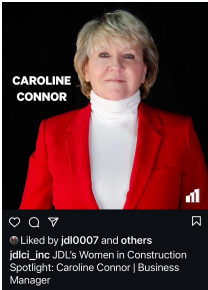
Sounds like my architect was supposed to provide us with a lot more information than he has, so we are really in the dark in this whole process.

Once again, thank you for getting back to me. I will wait for the Board's decision to determine next steps.

Cheers,



Caroline Connor  
781-697-4242



---

**From:** Griffin, Molly (DPL) <Molly.Griffin@mass.gov>  
**Sent:** Monday, March 23, 2026 2:06 PM  
**To:** Caroline Connor <caroline.connor@live.com>; Machado, Victor (DPL) <Victor.Machado@mass.gov>  
**Subject:** Re: AAB meeting tonight re: 369/371 Grant Street, Framingham?

Hi Caroline,

Apologies for any confusion, but to clarify we do not send notices about these Board meetings- they hold these meetings every other Monday. As the applicants, you do not have the opportunity to speak with the Board members unless your case was up for a hearing (three cases a meeting are on for a hearing), which this case was not; it was reviewed as an incoming case, so you would have just been able to watch the Board members discuss this project solely based off of the application.

The Board discussed this case this morning, and we will send a notice with their decision out by the end of this week.

Thanks!  
Molly

**Molly Griffin**  
Program Coordinator  
She/Her/Hers  
Architectural Access Board  
Office of Public Safety and Inspections  
Division of Occupational Licensure  
1 Federal Street, 6<sup>th</sup> Floor  
Boston, MA 02110-2012

---

**From:** Caroline Connor <caroline.connor@live.com>

**Sent:** Monday, March 23, 2026 10:12 AM

**To:** Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Machado, Victor (DPL) <Victor.Machado@mass.gov>

**Subject:** AAB meeting tonight re: 369/371 Grant Street, Framingham?

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Molly

When attending the Framingham Disabilities Commission last Wednesday, we were informed that the Architectural Access Board has the final say over our Variance submission and that they will be meeting tonight to discuss our project at 369/371 Grant Street.

We were unaware of the AAB and had no idea that they would be the deciding group on our variance. Obviously we would like to attend this meeting.

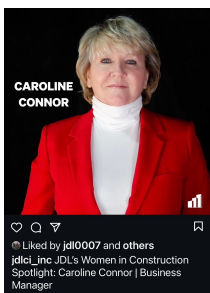
Can you please tell me where the meeting is, the agenda and remote participation options, if available? Is there any information we should provide to this Board?

Thank you.



Caroline Connor

781-697-4242



## **Machado, Victor (DPL)**

---

**From:** Griffin, Molly (DPL)  
**Sent:** Monday, March 23, 2026 2:07 PM  
**To:** Caroline Connor; Machado, Victor (DPL)  
**Subject:** Re: AAB meeting tonight re: 369/371 Grant Street, Framingham?

Hi Caroline,

Apologies for any confusion, but to clarify we do not send notices about these Board meetings- they hold these meetings every other Monday. As the applicants, you do not have the opportunity to speak with the Board members unless your case was up for a hearing (three cases a meeting are on for a hearing), which this case was not; it was reviewed as an incoming case, so you would have just been able to watch the Board members discuss this project solely based off of the application.

The Board discussed this case this morning, and we will send a notice with their decision out by the end of this week.

Thanks!  
Molly

### **Molly Griffin**

Program Coordinator  
She/Her/Hers  
Architectural Access Board  
Office of Public Safety and Inspections  
Division of Occupational Licensure  
1 Federal Street, 6<sup>th</sup> Floor  
Boston, MA 02110-2012  
[www.mass.gov/AAB](http://www.mass.gov/AAB)  
617-727-0660

---

**From:** Caroline Connor <caroline.connor@live.com>  
**Sent:** Monday, March 23, 2026 10:12 AM  
**To:** Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Machado, Victor (DPL) <Victor.Machado@mass.gov>  
**Subject:** AAB meeting tonight re: 369/371 Grant Street, Framingham?

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Hi Molly

When attending the Framingham Disabilities Commission last Wednesday, we were informed that the Architectural Access Board has the final say over our Variance submission and that they will be meeting tonight to discuss our project at 369/371 Grant Street.

We were unaware of the AAB and had no idea that they would be the deciding group on our variance. Obviously we would like to attend this meeting.

Can you please tell me where the meeting is, the agenda and remote participation options, if available? Is there any information we should provide to this Board?

Thank you.



Caroline Connor

781-697-4242



Framingham Disability Commission  
Framingham City Hall  
150 Concord Street  
Framingham, MA 01702

March 18th, 2026

To whom it may concern,

On March 18th 2026, the Framingham Disability Commission voted to write a letter regarding the variance application for 369-371 Grant St. Lou Cintolo and Caroline Connor attended the meeting to be available to answer questions. After reviewing the variance application and discussing, the Commission voted that more information was needed to truly understand the feasibility, or lack of, regarding the proposed requests.

Sincerely,

Framingham Disability Commission  
Catherine Cuddy, Chair  
Tyler Terrasi, Vice Chair  
Dennis Moran, Treasurer  
Susie Santone  
Meghan Todd  
Michael Higgins  
Sheryl Goldstein



## **Machado, Victor (DPL)**

---

**From:** Mark Dempsey <mdempsey@mwciil.org>  
**Sent:** Friday, March 13, 2026 11:00 AM  
**To:** Joyce, William (DPL); Griffin, Molly (DPL); Machado, Victor (DPL)  
**Cc:** Simone, Sadie; Catherine Cuddy; David Correia  
**Subject:** C25-014 V26-037 - 369-371 Grant Street Cintolo Market Framingham

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear AAB Board Members and staff,

After reviewing the application for variance MWCIL opposes the front (Grant Street) entrance not being accessible. The City sidewalk was constructed five (5) feet from the building allowing the space for a ramp to be constructed.

The variance application for the Ice Cream window on C Street is confusing. One paragraph says they will lower the window. The next paragraph states they won't lower the window and only provide a lowered shelf.

The request to provide access for people in wheelchairs only at the rear of the building is problematic as space is limited and parking for the tenants is in this location. MWCIL opposes the plan as proposed in the application.

MWCIL feels the best route of action would be a HEARING.

Thank you for your time

--

**Mark Dempsey**  
**Independent Living Coordinator**  
**MetroWest Center for Independent Living**  
**One Clarks Hill, Suite 200**  
**Framingham, MA 01702**  
**508-875-7853 x137 V/TTY**  
**508-875-8359 FAX**

MetroWest Center for Independent Living, Inc. is a scent free workplace. To accommodate full participation Consumers, Staff, Volunteers, Community Partners and Business partners must refrain from wearing any scented deodorants, perfumes, etc. when visiting or working in our office.

This electronic message transmission contains information from MetroWest Center for Independent Living that may be confidential or privileged. The information is intended solely for the addressee(s) and use by any other party is not authorized. If you are not the intended recipient, be aware

that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this transmission in error, please notify us immediately by telephone (1-508-875-7853) or by electronic mail at [mdempsey@mwcil.org](mailto:mdempsey@mwcil.org). Thank you.

---

**C25-014 V26-037 - 369-371 Grant Street Cintolo Market Framingham**

---

**From** Mark Dempsey <mdempsey@mwil.org>

**Date** Fri 3/13/2026 11:00 AM

**To** Joyce, William (DPL) <William.Joyce@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Machado, Victor (DPL) <Victor.Machado@mass.gov>

**Cc** Simone, Sadie <ssimone@mwil.org>; Catherine Cuddy <FDCCuddy@gmail.com>; David Correia <dcorreia@framinghamma.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear AAB Board Members and staff,

After reviewing the application for variance MWCIL opposes the front (Grant Street) entrance not being accessible. The City sidewalk was constructed five (5) feet from the building allowing the space for a ramp to be constructed.

The variance application for the Ice Cream window on C Street is confusing. One paragraph says they will lower the window. The next paragraph states they won't lower the window and only provide a lowered shelf.

The request to provide access for people in wheelchairs only at the rear of the building is problematic as space is limited and parking for the tenants is in this location. MWCIL opposes the plan as proposed in the application.

MWCIL feels the best route of action would be a HEARING.

Thank you for your time

--

**Mark Dempsey**  
**Independent Living Coordinator**  
**MetroWest Center for Independent Living**  
**One Clarks Hill, Suite 200**  
**Framingham, MA 01702**  
**508-875-7853 x137 V/TTY**  
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---

**Variance Application - 356/371 Grant Street, Framingham, MA**

---

**From** Caroline Connor <caroline.connor@live.com>

**Date** Wed 2/25/2026 4:26 PM

**To** fbray@framinghamma.gov <fbray@framinghamma.gov>; mat@framinghamma.gov <mat@framinghamma.gov>; fdccuddy@gmail.com <fdccuddy@gmail.com>; dcorreia@framinghamma.gov <dcorreia@framinghamma.gov>; mdempsey@mwil.org <mdempsey@mwil.org>; Simone, Sadie <ssimone@mwil.org>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

 2 attachments (7 MB)

Variance Proposal backup - 369 and 371 Grant St..pdf; 369 371 Grant Street Variance submission.pdf;

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Attached please find a Variance Application and supporting documentation for the property located at 369/371 Grant Street, Framingham, MA.

This application is submitted in response to a complaint filed regarding accessibility to the commercial space on the property and the "ice cream window" located on C Street.

We respectfully request that the Committee review this application at its earliest available meeting so that we may proceed with completion of construction and issuance of the final Certificate of Occupancy.

Please let us know if any additional information or documentation is required.



Caroline Connor  
781-697-4242



**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1 Federal St., Suite 600 • Boston • MA • 02110  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab)

Docket Number

(Office Use Only)

**APPLICATION FOR VARIANCE**

**INSTRUCTIONS:**

- 1) Answer all questions on this application to the best of your ability.
  - a. Information on the Variance Process can be found at:  
<https://www.mass.gov/guides/applying-for-an-aab-variance>.
- 2) Attach whatever documents you feel are necessary to meet the standard of impracticability laid out in 521 CMR 4.1. You must show that either:
  - a. Compliance is technologically infeasible, or
  - b. Compliance would result in an excessive and unreasonable cost without any substantial benefit for persons with disabilities.
- 3) Sign the certification on Page 8.
- 4) If the applicant is not the owner of the building or his or her agent, include a signed letter from the owner granting permission for you to apply for variance.
- 5) Serve copies of the completed application and all attachments via electronic or physical delivery based on the recipient's preference to:
  - a. Local Building Department,
  - b. Local Commission on Disability (if applicable in the town where the project is located) (A list of all active Disability Commissions can be found at: <https://www.mass.gov/commissions-on-disability>), and
  - c. The Independent Living Center (ILC) for your area.  
(Your ILC can be found at: <http://www.masilc.org/findacenter>.)
- 6) Complete the Service Notice included with the Application and sign it.
- 7) Deliver the completed Application and all attachments to the Board via electronic or physical delivery:
  - a. Electronic:
    - i. Applications should be sent via email to [william.joyce@mass.gov](mailto:william.joyce@mass.gov) & [molly.griffin@mass.gov](mailto:molly.griffin@mass.gov).
    - ii. The email submission must have the subject line: Variance Application - <Address>, <City>
    - iii. The application and all attachments must be in .pdf format
    - iv. The application and all attachments should be included in a single email, except where that email would exceed 15 megabytes in size.
    - v. Please submit the \$50 filing fee via check or money order via mail to the mailing address listed above with either a cover letter or, "Variance - <Address>, <City>" in the memo line.
  - b. Physical
    - i. Applications should be sent to the mailing address listed above and must include:
      1. The completed application and all attachments.
      2. A copy of the application and all attachments on a CD/DVD (Thumb Drives will not be accepted),

3. The completed and signed Service Notice.
  4. A check or money order in the amount of \$50 dollars, made out to the Commonwealth of Massachusetts.
- ii. Please ensure that all documents included are no larger than 11" x 17".
  - iii. Incomplete applications will be returned via regular mail to the applicant with an explanation as why it was unable to be docketed.

---

In accordance with M.G.L., c.22, § 13A, I hereby apply for modification of or substitution for the rules and regulations of the Architectural Access Board as they apply to the building/facility described below on the grounds that literal compliance with the Board's regulations is impracticable in my case.

1. State the name and address of the building/facility:

367- 369 grant street Framingham MA\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. State the name and address of the owner of the building/facility:

LOUIS V. CINTOLO

367- 369 grant street Framingham MA

E-mail:\_\_\_LCINTOLO@GMAIL.COM\_\_\_\_\_

Telephone: \_\_\_508-245-2930\_\_\_\_\_

3. Describe the facility (i.e. number of floors, type of functions, use, etc.):

Mixed use- building with three residential units over three stories and attached adjacent storefront at ground level on left side of building. Building has had a substantial addition and alteration to all areas.

4. Total square footage of the building/facility: 5600 sf +/- total

Per floor: 1400 sf

a. Total square footage of tenant space (if applicable): \_\_\_\_\_ 1000 sf +/-

\_\_\_\_\_

5. What was the original year of construction for the building/facility: \_\_1945

6. Check the nature of the work performed or to be performed:

Addition & Reconstruction/Remodeling/Alteration

7. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):

Complete renovation of commercial store space, full alteration and addition to three residential units,

8. Is the building or facility historically significant? No

a. If yes, check one of the following and indicate date of listing:

☐ National Historic Landmark NO

☐ Listed individually on the National Register of Historic Places NO

☐ Located in registered historic district NO

☐ Listed in the State Register of Historic Places NO

☐ Eligible for listing

\_\_\_\_\_  
(In which registry?)

b. If you checked any of the above **and** your variance request is primarily based upon the historical significance of the building, you *must* complete the ADA Consultation Process of the [Massachusetts Historical Commission](#), located at 220 Morrissey Boulevard, Boston, MA 02125.

9. Which section(s) of the Board's Jurisdiction (see *Section 3 of the Board's Regulations*) has been triggered?

2.6    3.2    3.3.1(a)    3.3.1(b)    3.3.2 **X**    3.3.4    3.4

10. List **all** building permits that have been applied for within the past 36 months, include the issue date and the listed value of the work performed:

| <u>Permit #</u> | <u>Date of Issuance</u> | <u>Value of Work</u> |
|-----------------|-------------------------|----------------------|
| 230849          | 6-6-23                  | 501,000              |



11. List the anticipated construction cost for any work not yet permitted or for any relevant work which does not require a permit: N/A

~~700,000~~  
~~200,000~~

12. Has a certificate of occupancy been issued for the facility? No

13. To the best of your knowledge, has a complaint ever been filed with the AAB on this building or facility relative to accessibility? No

14. For existing buildings or facilities, state the actual assessed valuation of the **BUILDING/IMPROVEMENTS ONLY**, as recorded in the **Assessor's Office** of the municipality in which the building or facility is located: 1,063,400

Is the assessment at 100%? Yes

If not, what is the town's current assessment ratio? \_\_\_\_\_

Requirement to meet AAD is required, due to level of work and cost of construction

15. State the phase of design or construction of the facility as of the date of this application:

Residential units are ready for final inspection and occupancy certificate. Commercial space remains a shell, unfinished and unoccupied

16. Please list specific technical sections, not 521 CMR 3.

Request #1

Section(s) for which you are seeking relief: 24.0 Ramps, 521 CMR 25.00: **ENTRANCES**

25.1 **GENERAL** All public *entrance(s)*

Are you seeking temporary relief: **No**

If yes, what date do you propose to be in compliance by: \_\_\_\_\_?

Please describe in detail why compliance with the Board's regulations is impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

Due to lot size and building footprint, there is no space on grant st. and C street it is technically unfeasible to place a ramp in these two locations. The only area that could allow for a ramp is at the rear of the building but due to parking space requirements rear door approach interior rear hallway.

Floor plans attached



Request #2

Section(s) for which you are seeking relief: 24.0 Ramps, 521 CMR 25.00: **ENTRANCES**

Are you seeking temporary relief: No

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

**Front Door:** Because space and height limitations make a front ramp infeasible,

Request #3

Section(s) for which you are seeking relief: 24.0 Ramps, 521 CMR 25.00: **ENTRANCES**

Are you seeking temporary relief: **No**

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

- **Side Door:** We own less than 16" of space on that side, making a ramp impossible. This door will remain unchanged



### Request #3 - Side Door

#### Request #4

Section(s) for which you are seeking relief: SECTION 6.6 SIDE REACH, 7.2.1 Cash register , **17.10 CASH REGISTER**

Are you seeking temporary relief: No



Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

- **Request to I change Ice Cream Window:** We will comply by removing the granite step and lowering the window to meet accessibility requirements.

Instead of changing existing window, we can add exterior counter shelf for transactions, remove granite step and level area

#### Request #5

Section(s) for which you are seeking relief: 521 CMR 25.00: **ENTRANCES**, **26.00: DOORS AND DOORWAYS**, 24.0 Ramps

#### 25.1 GENERAL

All public *entrance(s)*

Are you seeking temporary relief: No



Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

- **Rear Entrance:** After extensive discussion, we believe an ADA-compliant solution is feasible by adding a 2' landing outside the door and constructing a ramp running adjacent to the store, preserving rear access.

#### Request #6

Section(s) for which you are seeking relief:

Are you seeking temporary relief: No

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support

your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

- **Rear Entrance:** After extensive discussion, we believe an ADA-compliant solution is feasible by adding a 2' landing outside the door and constructing a ramp running adjacent to the store, preserving rear access.

**If you require more than 4 requests, please use the *Additional Request Sheet* and complete the *Large Variance Tally Sheet*, both of which are available on the “Forms and Applications” page of the Board’s website (<http://www.mass.gov/aab>).**

17. State the name and address of the architectural or engineering firm, including the name of the individual architect or engineer responsible for preparing drawings of the facility:

Acropolis Design Consultants/Dimensions 2&3

E-mail: Rafael Hernandez, Project manager

Telephone: 7742623187

18. State the name and address of the building inspector responsible for overseeing this project:

**Fred Bray**

[Inspectional Services](#)

Title: Director/Building Commissioner

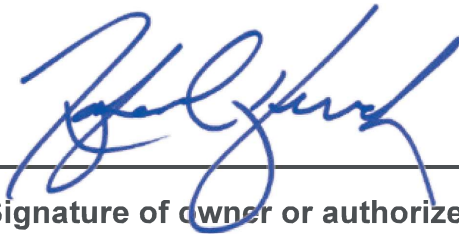
Phone: [508-532-5500](tel:508-532-5500)

[Email](#)

[fbray@framinghamma.gov](mailto:fbray@framinghamma.gov)

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION AND SUPPORTING DOCUMENTATION IS TRUE AND CORRECT

Date: 2-6-26

  
Signature of owner or authorized agent (required)

**PLEASE PRINT:**

Rafael Hernandez, President

**Acropolis Design Consultants, Inc.**

5 Brussels Street

Building A, Rear 2nd Floor

Worcester MA 01610

rh@acropolisdesign.org

[www.acropolisdesign.org](http://www.acropolisdesign.org)

Direct 774-262-3187

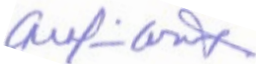
Office: 774-243-6161

# SERVICE NOTICE

I, Caroline Connor, as Co-owner  
(Name) (Relationship to the applicant)

HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

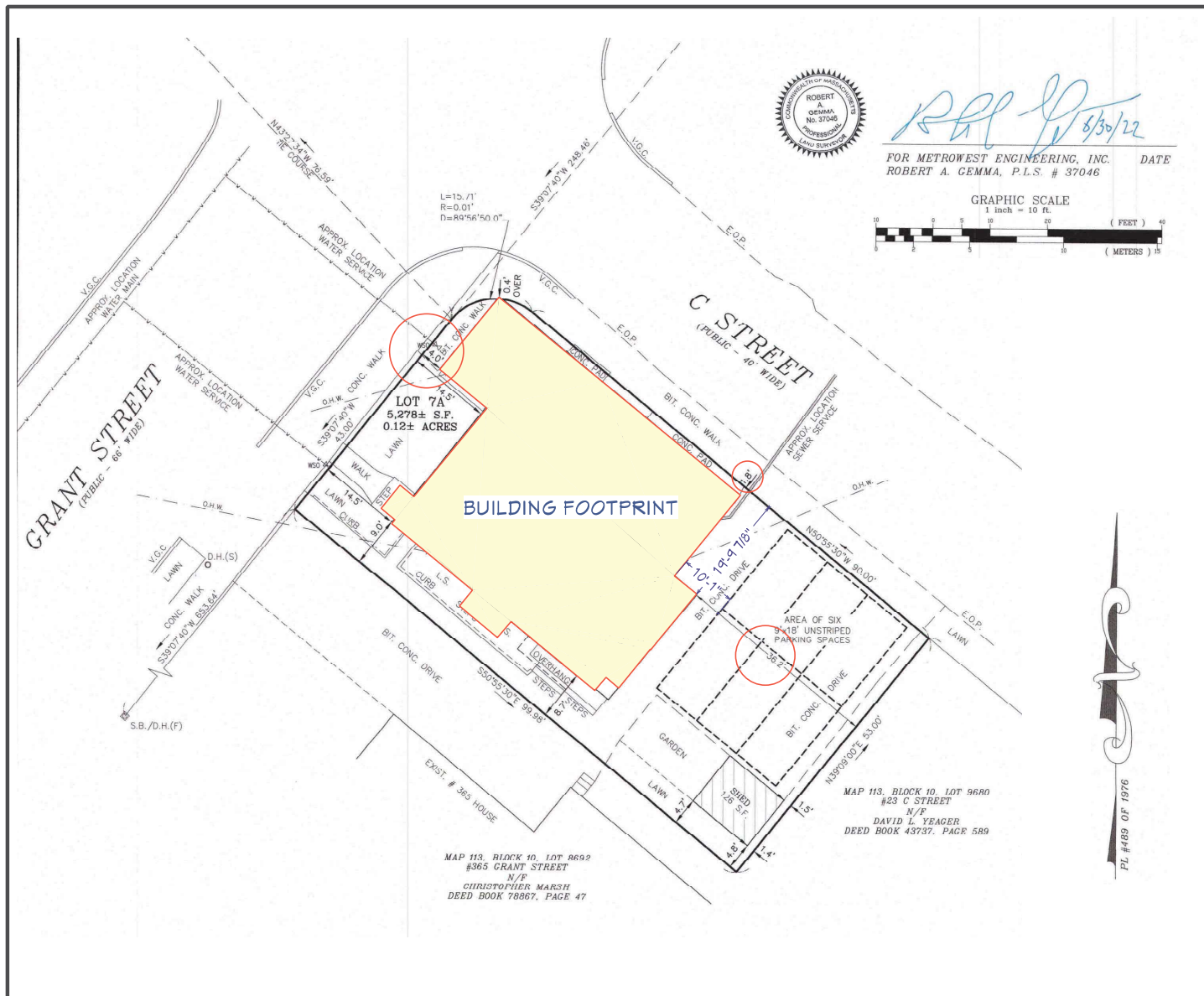
| <u>NAME AND ADDRESS OF PERSON OR AGENCY SERVED</u>            |                                                                                          | <u>METHOD OF SERVICE</u> | <u>DATE OF SERVICE</u> |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------|--------------------------|------------------------|
| <b>1</b><br>Building Department                               | Framingham Building Department<br>fbray@framinghamma.gov<br>mat@framinghamma.gov         | Email                    | 2/25/2026              |
| <b>2</b><br>Local Commission on Disability<br>(If Applicable) | Framingham Commission on Disabilities<br>fdccuddy@gmail.com<br>dcorreia@framinghamma.gov | Email                    | 2/25/2026              |
| <b>3</b><br>Independent Living Center                         | MetroWest Center for Independent Living<br>mdempsey@mw cil.org<br>ssimone@mw cil.org     | Email                    | 2/25/2026              |



Signature

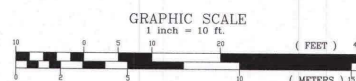
2/25/2026

Date



*RAH* *6/30/22*

FOR METROWEST ENGINEERING, INC. DATE  
ROBERT A. GEMMA, P.L.S. # 37046



PROJECT NAME:  
Condominium Documents:  
357-369 GRANT ST  
**CONDOMINIUM**  
367-369 GRANT ST  
FRAMINGHAM, MA

**ACROPOLIS**  
DESIGN CONSULTANTS  
774-262-3187  
5 Brussels St, Building "A" Rear,  
Second Floor,  
Worcester, MA, 01610  
(774) 243-6161  
dennis@acropolisdesign.org



| REVISION TABLE |      |             |
|----------------|------|-------------|
| NO.            | DATE | DESCRIPTION |
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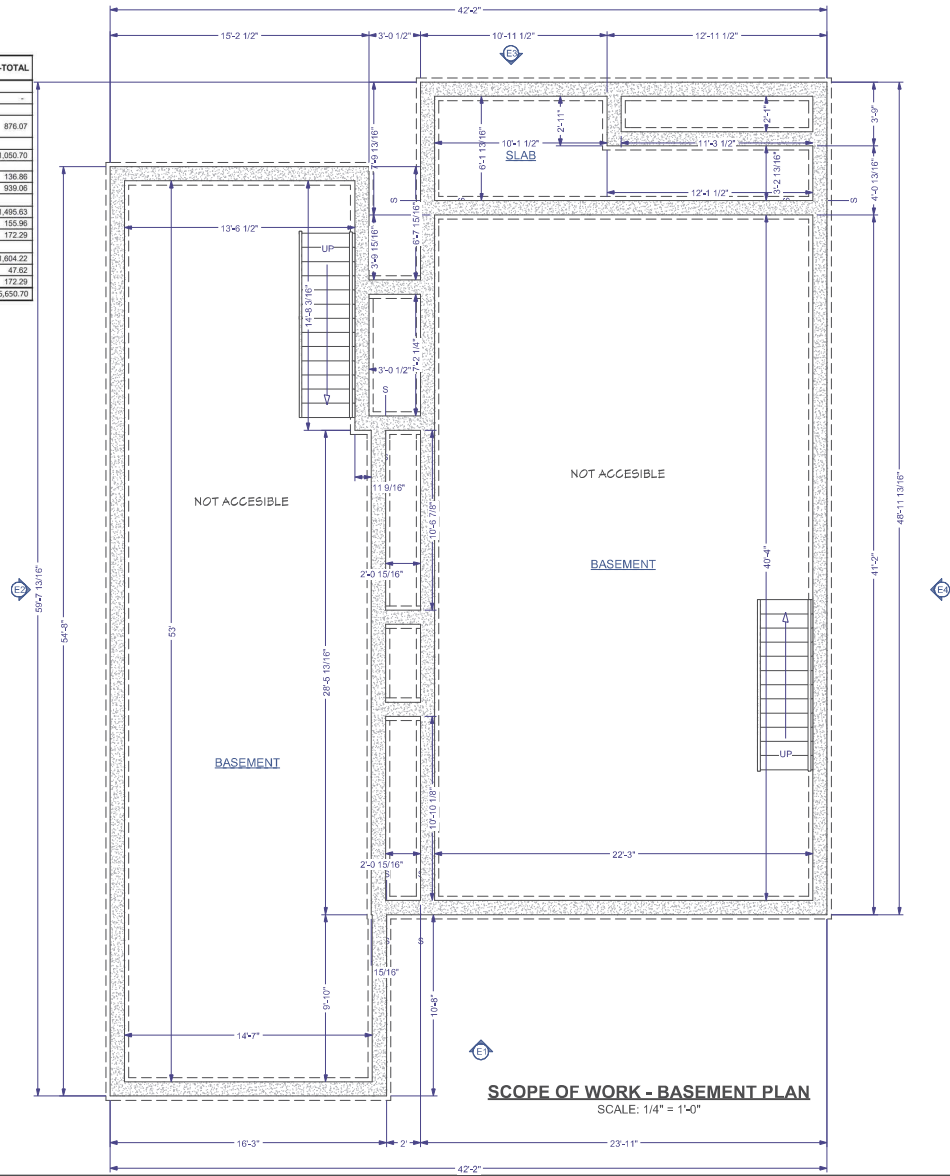


REVISION NO. 22-072  
DATE 2/6/2026  
BY RH/SM/DEE  
SHEET NUMBER

**L-1**

BUILDING SPACE SUMMARY - APPROX. UNIT SIZE (SF)

| LEVELS                  | BASEMENT | UNIT 1   | UNIT 2   | UNIT 3   | COMMON AREA | SUB-TOTAL |
|-------------------------|----------|----------|----------|----------|-------------|-----------|
| <b>BASEMENT</b>         |          |          |          |          |             |           |
| STORAGE                 |          |          |          |          | -           | -         |
| COMMON AREA             |          |          |          |          | -           | -         |
| STORAGE COMMERCIAL UNIT | 876.07   |          |          |          | 876.07      | 876.07    |
| <b>FIRST FLOOR</b>      |          |          |          |          |             |           |
| UNIT 1                  |          | 1,050.70 |          |          |             | 1,050.70  |
| COMMON AREA             |          | 939.06   |          |          |             | 939.06    |
| COMMERCIAL UNIT         |          | 136.86   |          |          | 136.86      | 136.86    |
| DECK EGRESS PATH        |          | 939.06   |          |          | -           | 939.06    |
| <b>SECOND FLOOR</b>     |          |          |          |          |             |           |
| UNIT 2                  |          |          | 1,495.63 |          |             | 1,495.63  |
| COMMON AREA             |          |          | 155.96   |          | 155.96      | 155.96    |
| DECK EGRESS PATH        |          |          | 172.29   |          | 172.29      | 172.29    |
| <b>THIRD FLOOR</b>      |          |          |          |          |             |           |
| UNIT 3                  |          |          |          | 1,604.22 |             | 1,604.22  |
| COMMON AREA             |          |          |          | 47.62    | 47.62       | 47.62     |
| DECK EGRESS PATH        |          |          |          | 172.29   | 172.29      | 172.29    |
| <b>TOTALS</b>           | 876.07   | 3,062.68 | 1,823.88 | 1,824.13 | 1,361.09    | 6,850.70  |



PROJECT NAME:  
Condominium Documents:  
357-369 GRANT ST  
**CONDOMINIUM**  
367-369 GRANT ST  
FRAMINGHAM, MA

**ACROPOLIS**  
DESIGN CONSULTANTS  
774-262-3187  
5 Brussels St, Building "A" Rear,  
Second Floor,  
Worcester, MA, 01610  
(774) 243-6161  
info@acropolisdesign.org

**dimensions**  
Architecture / Design  
500 Park St  
Framingham, MA 01901  
Phone: (508) 885-9000  
Email: info@dimensions.com

| REVISION TABLE |
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| NO.            |
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SCOPE OF WORK -  
BASEMENT PLAN

22-072 RH/SM/DED  
AS NOTED 2/6/2026  
SHEET NUMBER:

**A-1**

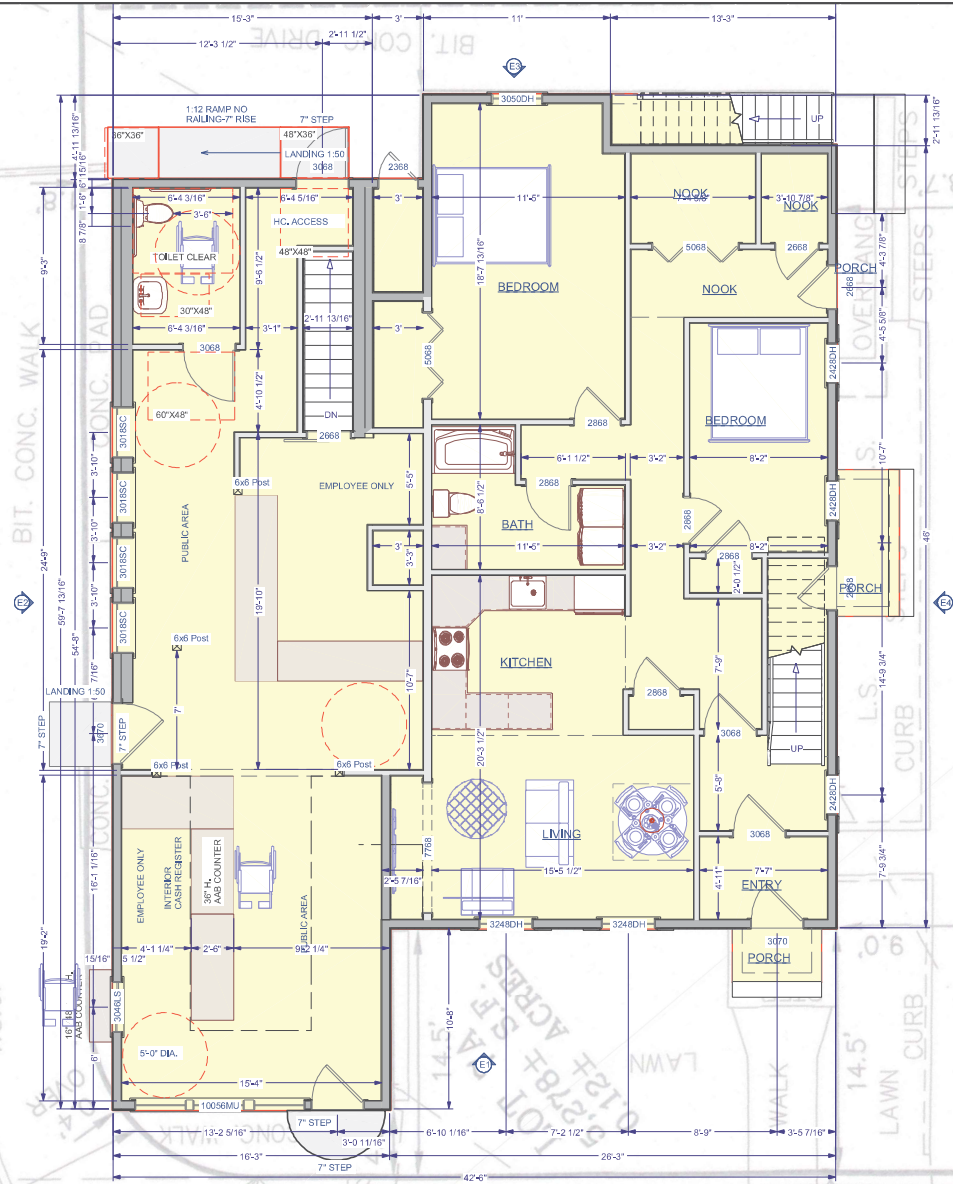


APPROX. LOCATION  
SEWER SERVICE

C STREET  
(PUBLIC - 40' WIDE)

E.O.P.

V.G.C.



SCOPE OF WORK - FIRST FLOOR PLAN  
SCALE: 1/4" = 1'-0"

PROJECT NAME:  
Condominium Documents:  
357-369 GRANT ST  
CONDOMINIUM  
357-369 GRANT ST  
FRAMINGHAM, MA

ACROPOLIS  
DESIGN CONSULTANTS  
774-262-3187  
5 Brussels St, Building "A" Rear,  
Second Floor,  
Worcester, MA, 01610  
(774) 243-6161  
info@acropolisdesign.org

dimensions  
P.C.  
307 Park St  
Worcester, MA 01609  
Phone: (508) 855-9505  
Email: c@acropolisdesign.org

| REVISION TABLE |      |             |
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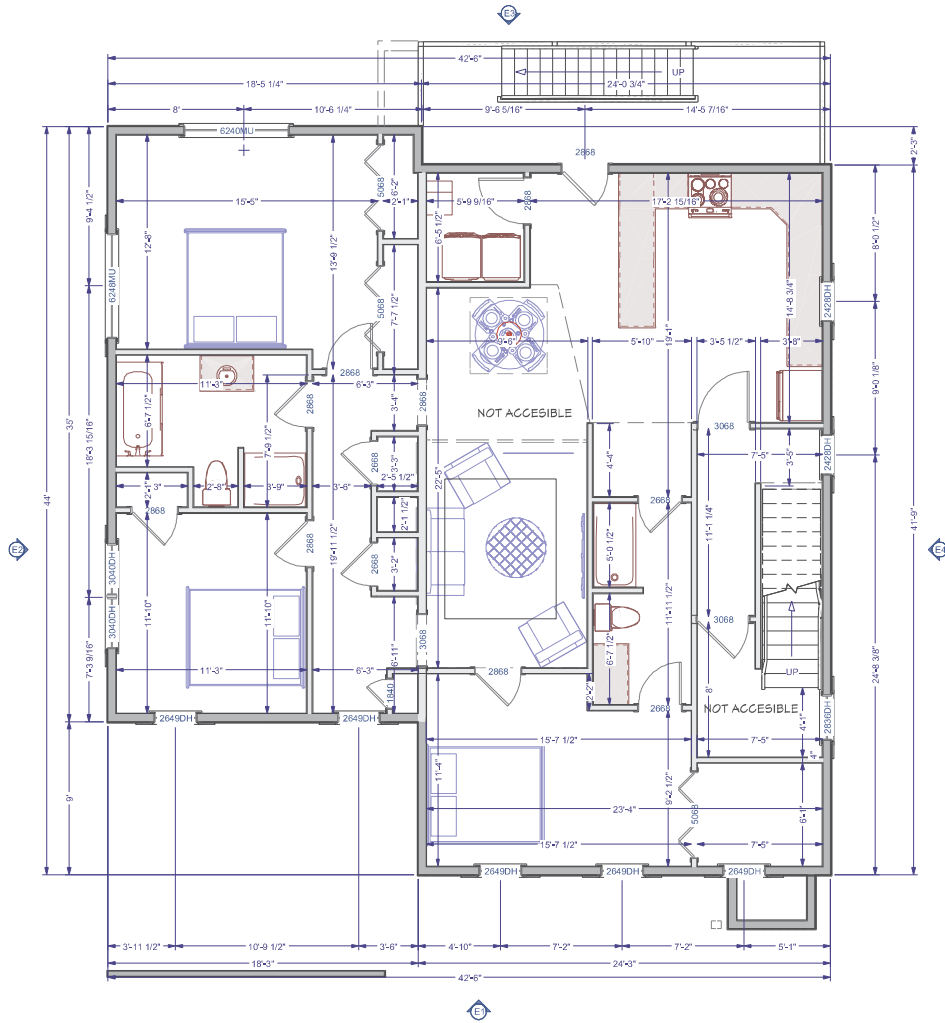
SCOPE OF WORK -  
FIRST FLOOR PLAN

22-072 RH/SM/DED  
AS NOTED 2/6/2026  
SHEET NUMBER:

A-2

**NOTES:**

1. ALL SMOKE & CARBON MONOXIDE DETECTORS TO BE HARD WIRED AND OF THE "PHOTOELECTRIC" TYPE AS PER CODE.
2. NEW LIFE SENSOR THROUGHOUT THE BUILDING.
3. EXISTING SENSORS TO BE REMOVE AND REPLACE FOR NEW ONES TIED INTO THE SAME HARDWIRE SYSTEM AS THE NEW ADDITION.
4. ALL BATHROOM SHALL HAVE FAN/ LIGHTS VENTED TO EXTERIOR AS PER CODE.
5. DIMENSIONS ARE FROM FACE TO FACE OF STUD
6. KITCHEN HOOD M1503.4 SIZE - MAKEUP AIR REQUIRED IF ABOVE 400 CFM



PROJECT NAME:  
Condominium Documents:  
357-369 GRANT ST  
**CONDOMINIUM**  
357-369 GRANT ST  
FRAMINGHAM, MA

**ACROPOLIS**  
DESIGN CONSULTANTS  
774-262-3187  
5 Brussels St, Building "A" Rear,  
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Worcester, MA, 01610  
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dennis@acropolisdesign.org



| REVISION TABLE |      |             |
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| NO.            | DATE | DESCRIPTION |
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SCOPE OF WORK -  
2ND FLOOR PLAN

22-072 RH/SM/DED  
AS NOTED 2/6/2026  
SHEET NUMBER:

**A-3**



**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1 Federal St., Suite 600 • Boston • MA • 02110  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab)

Docket Number

(Office Use Only)

**APPLICATION FOR VARIANCE**

**INSTRUCTIONS:**

- 1) Answer all questions on this application to the best of your ability.
  - a. Information on the Variance Process can be found at:  
<https://www.mass.gov/guides/applying-for-an-aab-variance>.
- 2) Attach whatever documents you feel are necessary to meet the standard of impracticability laid out in 521 CMR 4.1. You must show that either:
  - a. Compliance is technologically infeasible, or
  - b. Compliance would result in an excessive and unreasonable cost without any substantial benefit for persons with disabilities.
- 3) Sign the certification on Page 8.
- 4) If the applicant is not the owner of the building or his or her agent, include a signed letter from the owner granting permission for you to apply for variance.
- 5) Serve copies of the completed application and all attachments via electronic or physical delivery based on the recipient's preference to:
  - a. Local Building Department,
  - b. Local Commission on Disability (if applicable in the town where the project is located) (A list of all active Disability Commissions can be found at: <https://www.mass.gov/commissions-on-disability>), and
  - c. The Independent Living Center (ILC) for your area.  
(Your ILC can be found at: <http://www.masilc.org/findacenter>.)
- 6) Complete the Service Notice included with the Application and sign it.
- 7) Deliver the completed Application and all attachments to the Board via electronic or physical delivery:
  - a. Electronic:
    - i. Applications should be sent via email to [william.joyce@mass.gov](mailto:william.joyce@mass.gov) & [molly.griffin@mass.gov](mailto:molly.griffin@mass.gov).
    - ii. The email submission must have the subject line: Variance Application - <Address>, <City>
    - iii. The application and all attachments must be in .pdf format
    - iv. The application and all attachments should be included in a single email, except where that email would exceed 15 megabytes in size.
    - v. Please submit the \$50 filing fee via check or money order via mail to the mailing address listed above with either a cover letter or, "Variance - <Address>, <City>" in the memo line.
  - b. Physical
    - i. Applications should be sent to the mailing address listed above and must include:
      1. The completed application and all attachments.
      2. A copy of the application and all attachments on a CD/DVD (Thumb Drives will not be accepted),

3. The completed and signed Service Notice.
  4. A check or money order in the amount of \$50 dollars, made out to the Commonwealth of Massachusetts.
- ii. Please ensure that all documents included are no larger than 11" x 17".
  - iii. Incomplete applications will be returned via regular mail to the applicant with an explanation as why it was unable to be docketed.

---

In accordance with M.G.L., c.22, § 13A, I hereby apply for modification of or substitution for the rules and regulations of the Architectural Access Board as they apply to the building/facility described below on the grounds that literal compliance with the Board's regulations is impracticable in my case.

1. State the name and address of the building/facility:

367- 369 grant street Framingham MA\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. State the name and address of the owner of the building/facility:

LOUIS V. CINTOLO

367- 369 grant street Framingham MA

E-mail:\_\_\_LCINTOLO@GMAIL.COM\_\_\_\_\_

Telephone: \_\_\_508-245-2930\_\_\_\_\_

3. Describe the facility (i.e. number of floors, type of functions, use, etc.):

Mixed use- building with three residential units over three stories and attached adjacent storefront at ground level on left side of building. Building has had a substantial addition and alteration to all areas.

4. Total square footage of the building/facility: 5600 sf +/- total

Per floor: 1400 sf

a. Total square footage of tenant space (if applicable): \_\_\_\_\_ 1000 sf +/-

\_\_\_\_\_

5. What was the original year of construction for the building/facility: \_\_1945

6. Check the nature of the work performed or to be performed:

Addition & Reconstruction/Remodeling/Alteration

7. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):

Complete renovation of commercial store space, full alteration and addition to three residential units,

8. Is the building or facility historically significant? No

a. If yes, check one of the following and indicate date of listing:

☐ National Historic Landmark NO

☐ Listed individually on the National Register of Historic Places NO

☐ Located in registered historic district NO

☐ Listed in the State Register of Historic Places NO

☐ Eligible for listing

\_\_\_\_\_  
(In which registry?)

b. If you checked any of the above **and** your variance request is primarily based upon the historical significance of the building, you *must* complete the ADA Consultation Process of the [Massachusetts Historical Commission](#), located at 220 Morrissey Boulevard, Boston, MA 02125.

9. Which section(s) of the Board's Jurisdiction (see *Section 3 of the Board's Regulations*) has been triggered?

2.6    3.2    3.3.1(a)    3.3.1(b)    3.3.2 **X**    3.3.4    3.4

10. List **all** building permits that have been applied for within the past 36 months, include the issue date and the listed value of the work performed:

| <u>Permit #</u> | <u>Date of Issuance</u> | <u>Value of Work</u> |
|-----------------|-------------------------|----------------------|
| 230849          | 6-6-23                  | 501,000              |

11. List the anticipated construction cost for any work not yet permitted or for any relevant work which does not require a permit: N/A

~~700,000~~  
~~1,000,000~~

12. Has a certificate of occupancy been issued for the facility? No

13. To the best of your knowledge, has a complaint ever been filed with the AAB on this building or facility relative to accessibility? No

14. For existing buildings or facilities, state the actual assessed valuation of the **BUILDING/IMPROVEMENTS ONLY**, as recorded in the **Assessor's Office** of the municipality in which the building or facility is located: 1,063,400

Is the assessment at 100%? Yes

If not, what is the town's current assessment ratio? \_\_\_\_\_

Requirement to meet AAD is required, due to level of work and cost of construction

15. State the phase of design or construction of the facility as of the date of this application:

Residential units are ready for final inspection and occupancy certificate. Commercial space remains a shell, unfinished and unoccupied

16. Please list specific technical sections, not 521 CMR 3.

Request #1

Section(s) for which you are seeking relief: 24.0 Ramps, 521 CMR 25.00: **ENTRANCES**

25.1 **GENERAL** All public *entrance(s)*

Are you seeking temporary relief: **No**

If yes, what date do you propose to be in compliance by: \_\_\_\_\_?

Please describe in detail why compliance with the Board's regulations is impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

Due to lot size and building footprint, there is no space on grant st. and C street it is technically unfeasible to place a ramp in these two locations. The only area that could allow for a ramp is at the rear of the building but due to parking space requirements rear door approach interior rear hallway.

Floor plans attached



Request #2

Section(s) for which you are seeking relief: 24.0 Ramps, 521 CMR 25.00: **ENTRANCES**

Are you seeking temporary relief: No

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

**Front Door:** Because space and height limitations make a front ramp infeasible,

Request #3

Section(s) for which you are seeking relief: 24.0 Ramps, 521 CMR 25.00: **ENTRANCES**

Are you seeking temporary relief: **No**

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

- **Side Door:** We own less than 16" of space on that side, making a ramp impossible. This door will remain unchanged





### Request #3 - Side Door

#### Request #4

Section(s) for which you are seeking relief: SECTION 6.6 SIDE REACH, 7.2.1 Cash register , **17.10 CASH REGISTER**

Are you seeking temporary relief: No



Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

- **Request to I change Ice Cream Window:** We will comply by removing the granite step and lowering the window to meet accessibility requirements.

Instead of changing existing window, we can add exterior counter shelf for transactions, remove granite step and level area

#### Request #5

Section(s) for which you are seeking relief: 521 CMR 25.00: **ENTRANCES**, **26.00: DOORS AND DOORWAYS**, 24.0 Ramps

#### 25.1 GENERAL

All public *entrance(s)*

Are you seeking temporary relief: No



Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

- **Rear Entrance:** After extensive discussion, we believe an ADA-compliant solution is feasible by adding a 2' landing outside the door and constructing a ramp running adjacent to the store, preserving rear access.

#### Request #6

Section(s) for which you are seeking relief:

Are you seeking temporary relief: No

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support



your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

- **Rear Entrance:** After extensive discussion, we believe an ADA-compliant solution is feasible by adding a 2' landing outside the door and constructing a ramp running adjacent to the store, preserving rear access.

**If you require more than 4 requests, please use the *Additional Request Sheet* and complete the *Large Variance Tally Sheet*, both of which are available on the “Forms and Applications” page of the Board’s website (<http://www.mass.gov/aab>).**

17. State the name and address of the architectural or engineering firm, including the name of the individual architect or engineer responsible for preparing drawings of the facility:

Acropolis Design Consultants/Dimensions 2&3

E-mail: Rafael Hernandez, Project manager

Telephone: 7742623187

18. State the name and address of the building inspector responsible for overseeing this project:

**Fred Bray**

[Inspectional Services](#)

Title: Director/Building Commissioner

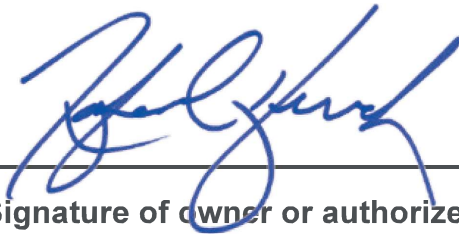
Phone: [508-532-5500](tel:508-532-5500)

[Email](#)

[fbray@framinghamma.gov](mailto:fbray@framinghamma.gov)

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION AND SUPPORTING DOCUMENTATION IS TRUE AND CORRECT

Date: 2-6-26

  
\_\_\_\_\_  
Signature of owner or authorized agent (required)

**PLEASE PRINT:**

Rafael Hernandez, President

**Acropolis Design Consultants, Inc.**

5 Brussels Street

Building A, Rear 2nd Floor

Worcester MA 01610

rh@acropolisdesign.org

[www.acropolisdesign.org](http://www.acropolisdesign.org)

Direct 774-262-3187

Office: 774-243-6161

# SERVICE NOTICE

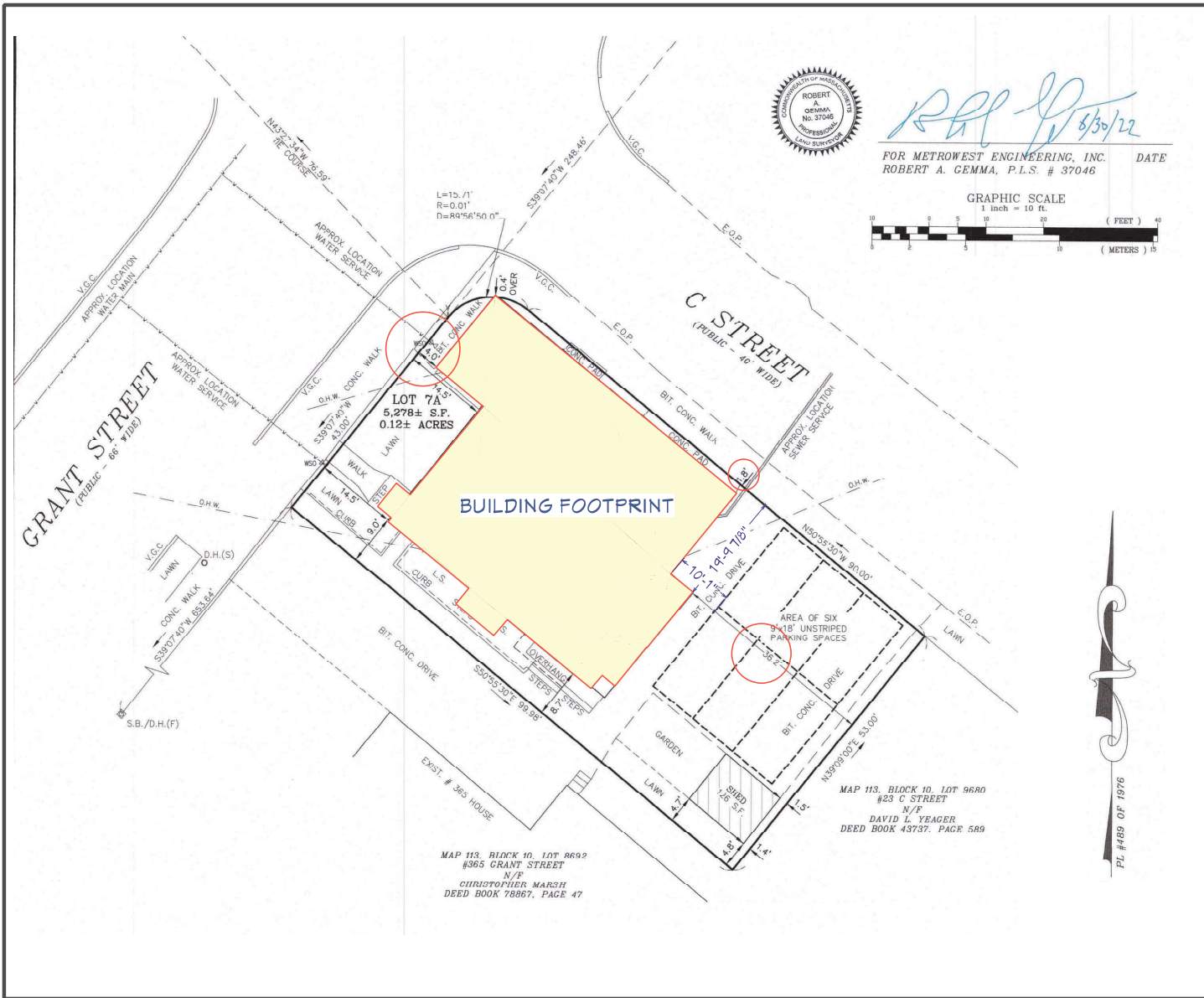
I, \_\_\_\_\_, as \_\_\_\_\_  
(Name) (Relationship to the applicant)

HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

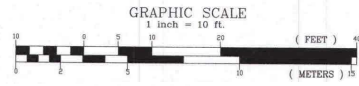
| <u>NAME AND ADDRESS OF PERSON OR AGENCY<br/>SERVED</u>              |  | <u>METHOD OF<br/>SERVICE</u> | <u>DATE OF<br/>SERVICE</u> |
|---------------------------------------------------------------------|--|------------------------------|----------------------------|
| <b>1</b><br>Building<br>Department                                  |  |                              |                            |
| <b>2</b><br>Local<br>Commission<br>on Disability<br>(If Applicable) |  |                              |                            |
| <b>3</b><br>Independent<br>Living<br>Center                         |  |                              |                            |

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



*RAH* *6/30/22*  
FOR METROWEST ENGINEERING, INC. DATE  
ROBERT A. GEMMA, P.L.S. # 37046



PROJECT NAME:  
Condominium Documents:  
367-369 GRANT ST  
**CONDOMINIUM**  
367-369 GRANT ST  
FRAMINGHAM, MA

**ACROPOLIS**  
DESIGN CONSULTANTS  
774-262-3187  
5 Brussels St, Building "A" Rear,  
Second Floor,  
Worcester, MA, 01610  
(774) 243-6161  
dennis@acropolisdesign.org



| REVISION TABLE |      |             |
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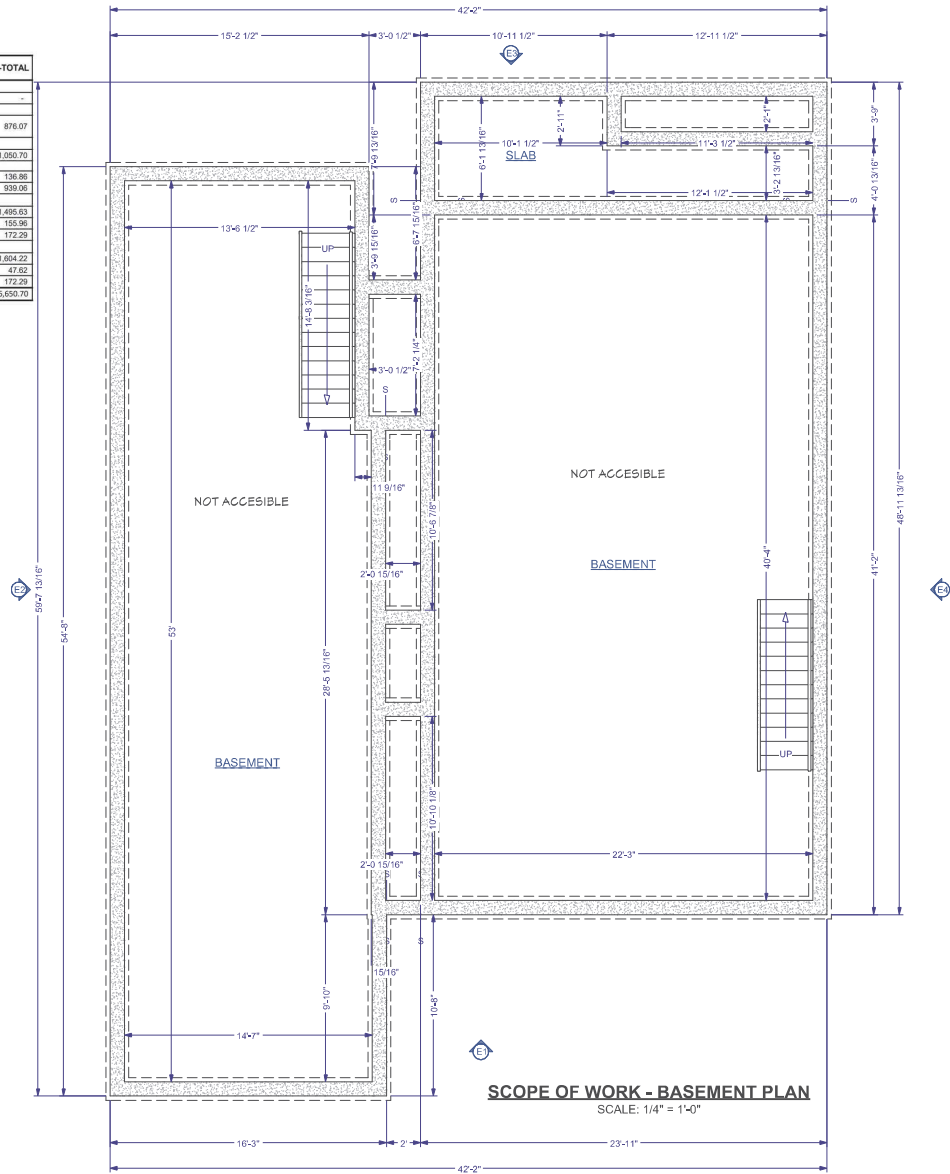
**SITE PLAN**

|          |          |
|----------|----------|
| 22-072   | RH/SM/DE |
| AS NOTED | 2/6/2026 |

SHEET NUMBER:  
**L-1**

BUILDING SPACE SUMMARY - APPROX. UNIT SIZE (SF)

| LEVELS                  | BASEMENT | UNIT 1   | UNIT 2   | UNIT 3   | COMMON AREA | SUB-TOTAL |
|-------------------------|----------|----------|----------|----------|-------------|-----------|
| <b>BASEMENT</b>         |          |          |          |          |             |           |
| STORAGE                 |          |          |          |          | -           | -         |
| COMMON AREA             |          |          |          |          | -           | -         |
| STORAGE COMMERCIAL UNIT | 876.07   |          |          |          | 876.07      | 876.07    |
| <b>FIRST FLOOR</b>      |          |          |          |          |             |           |
| UNIT 1                  |          | 1,050.70 |          |          |             | 1,050.70  |
| COMMON AREA             |          | 939.06   |          |          |             | 939.06    |
| COMMERCIAL UNIT         |          | 136.86   |          |          | 136.86      | 136.86    |
| DECK EGRESS PATH        |          | 939.06   |          |          | -           | 939.06    |
| <b>SECOND FLOOR</b>     |          |          |          |          |             |           |
| UNIT 2                  |          |          | 1,495.63 |          |             | 1,495.63  |
| COMMON AREA             |          |          | 155.96   |          | 155.96      | 155.96    |
| DECK EGRESS PATH        |          |          | 172.29   |          | 172.29      | 172.29    |
| <b>THIRD FLOOR</b>      |          |          |          |          |             |           |
| UNIT 3                  |          |          |          | 1,604.22 |             | 1,604.22  |
| COMMON AREA             |          |          |          | 47.62    | 47.62       | 47.62     |
| DECK EGRESS PATH        |          |          |          | 172.29   | 172.29      | 172.29    |
| <b>TOTALS</b>           | 876.07   | 3,062.68 | 1,823.88 | 1,824.13 | 1,361.09    | 6,850.70  |



PROJECT NAME:  
Condominium Documents:  
367-369 GRANT ST  
**CONDOMINIUM**  
367-369 GRANT ST  
FRAMINGHAM, MA

**ACROPOLIS**  
DESIGN CONSULTANTS  
774-262-3187  
5 Brussels St, Building "A" Rear,  
Second Floor,  
Worcester, MA, 01610  
(774) 243-6161  
info@acropolisdesign.org

**dimensions**  
Architecture / Design  
500 Park St  
Framingham, MA 01901  
Phone: (508) 885-9505  
Email: info@dimensions.com

| REVISION TABLE       |
|----------------------|
| NO. DATE DESCRIPTION |
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11/25/2021

SCOPE OF WORK -  
BASEMENT PLAN

22-072 RH/SM/DED  
AS NOTED 2/6/2026  
SHEET NUMBER:

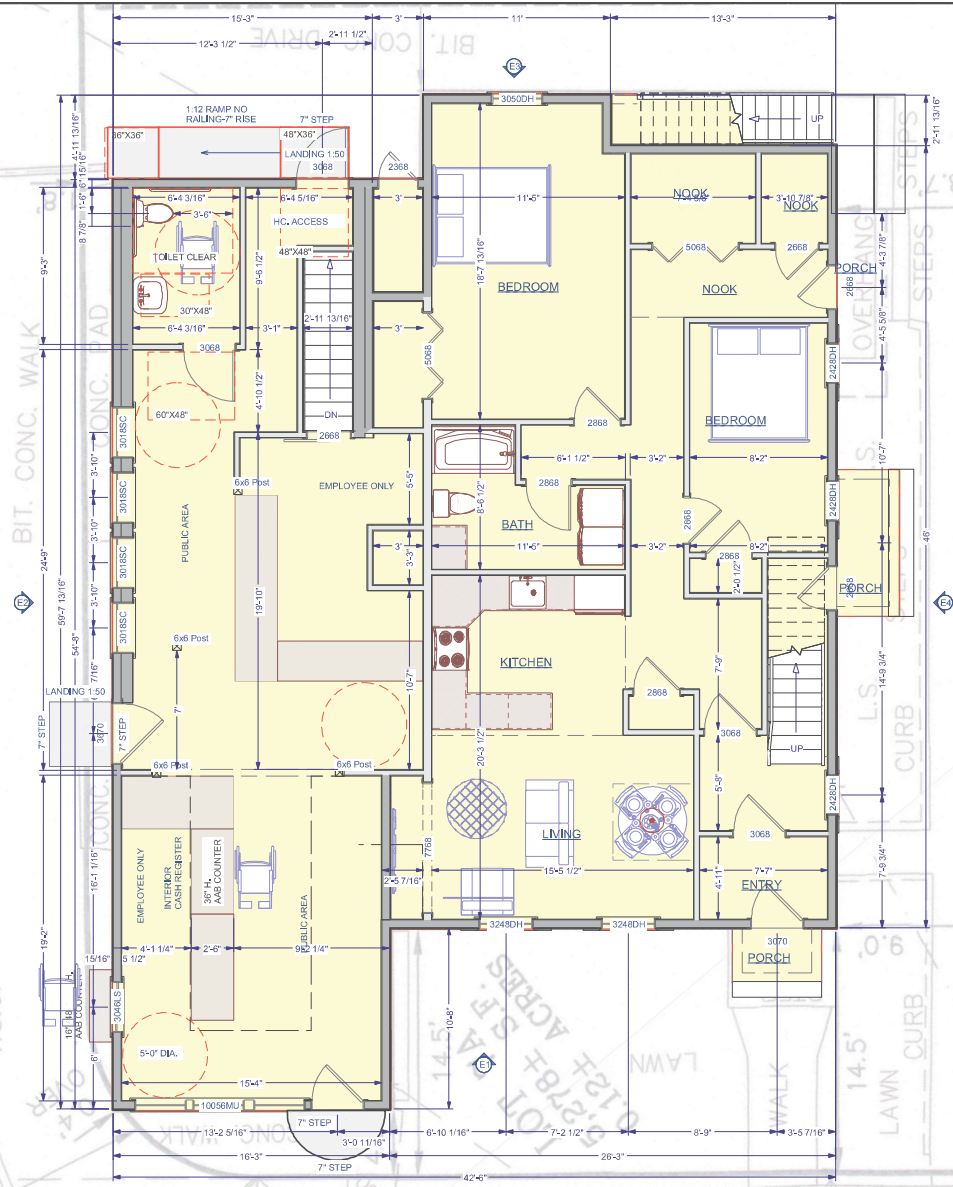
**A-1**

APPROX. LOCATION  
SEWER SERVICE

C STREET  
(PUBLIC - 40' WIDE)

E.O.P.

V.G.C.



SCOPE OF WORK - FIRST FLOOR PLAN  
SCALE: 1/4" = 1'-0"

PROJECT NAME:  
Condominium Documents:  
357-369 GRANT ST  
CONDOMINIUM  
357-369 GRANT ST  
FRAMINGHAM, MA

ACROPOLIS  
DESIGN CONSULTANTS  
774-262-3187  
5 Brussels St, Building "A" Rear,  
Second Floor,  
Worcester, MA, 01610  
(774) 243-6161  
info@acropolisdesigngroup.com

dimensions  
P.C.  
507 Park St  
Framingham, MA 01905  
Phone: (508) 885-9800  
Email: info@dimensionspc.com

| REVISION TABLE |      |             |
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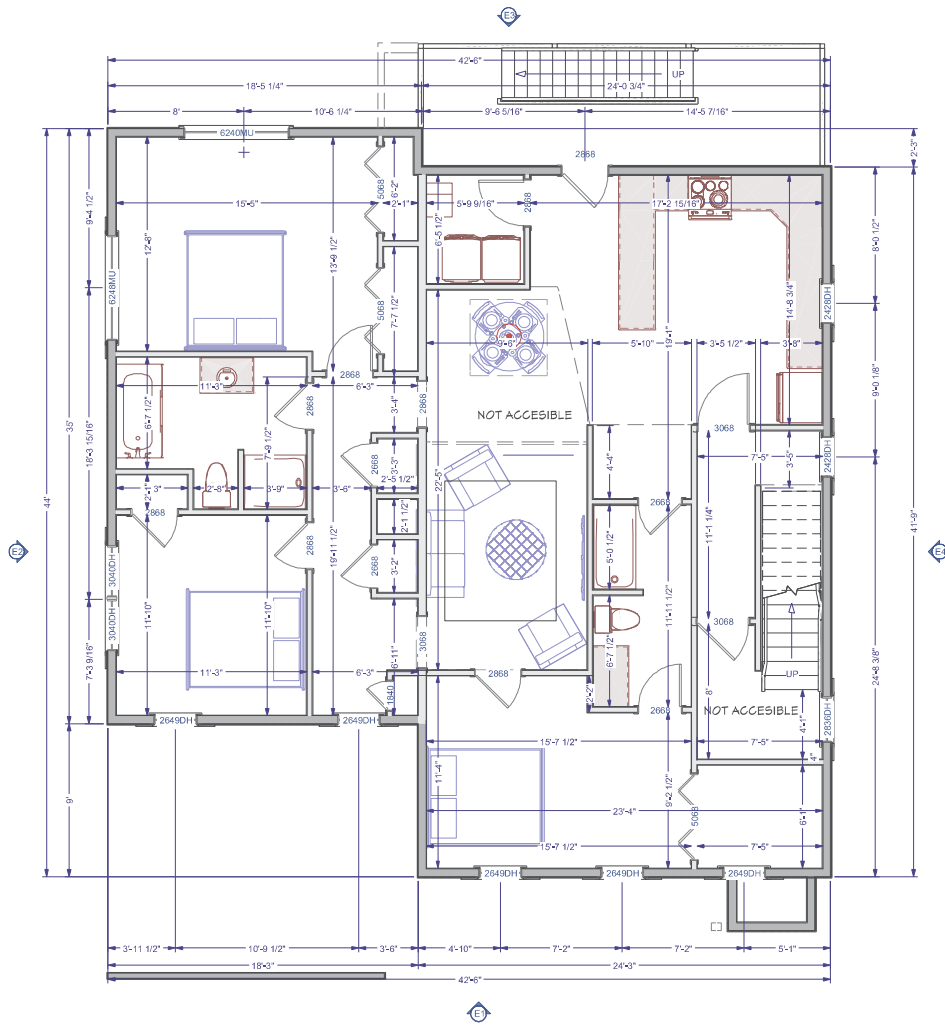
SCOPE OF WORK -  
FIRST FLOOR PLAN

22-072 RH/SM/DED  
AS NOTED 2/6/2026  
SHEET NUMBER:

A-2

# NOTES:

1. ALL SMOKE & CARBON MONOXIDE DETECTORS TO BE HARD WIRED AND OF THE "PHOTOELECTRIC" TYPE AS PER CODE.
2. NEW LIFE SENSOR THROUGHOUT THE BUILDING.
3. EXISTING SENSORS TO BE REMOVE AND REPLACE FOR NEW ONES TIED INTO THE SAME HARDWIRE SYSTEM AS THE NEW ADDITION.
4. ALL BATHROOM SHALL HAVE FAN/ LIGHTS VENTED TO EXTERIOR AS PER CODE.
5. DIMENSIONS ARE FROM FACE TO FACE OF STUD
6. KITCHEN HOOD M1503.4 SIZE - MAKEUP AIR REQUIRED IF ABOVE 400 CFM



PROJECT NAME:  
Condominium Documents:  
357-369 GRANT ST  
**CONDOMINIUM**  
357-369 GRANT ST  
FRAMINGHAM, MA

**ACROPOLIS**  
DESIGN CONSULTANTS  
774-262-3187  
5 Brussels St, Building "A" Rear,  
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Worcester, MA, 01610  
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| REVISION TABLE |                  |
|----------------|------------------|
| NO.            | DATE DESCRIPTION |
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|                |                  |



SCOPE OF WORK -  
2ND FLOOR PLAN

22-072 RH/SM/DEE  
AS NOTED 2/6/2026  
SHEET NUMBER:

**A-3**





**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1 Federal St., Suite 0600 • Boston • MA • 02110-2012  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab)

Docket Number

(Office Use Only)

**APPLICATION FOR VARIANCE**

**INSTRUCTIONS:**

- 1) Answer all questions on this application to the best of your ability.
  - a. Information on the Variance Process can be found at:  
<https://www.mass.gov/guides/applying-for-an-aab-variance>.
- 2) Attach whatever documents you feel are necessary to meet the standard of impracticability laid out in 521 CMR 4.1. You must show that either:
  - a. Compliance is technologically infeasible, or
  - b. Compliance would result in an excessive and unreasonable cost without any substantial benefit for persons with disabilities.
- 3) Sign the certification on Page 8.
- 4) If the applicant is not the owner of the building or his or her agent, include a signed letter from the owner granting permission for you to apply for variance.
- 5) Serve copies of the completed application and all attachments via electronic or physical delivery based on the recipient's preference to:
  - a. Local Building Department,
  - b. Local Commission on Disability (if applicable in the town where the project is located) (A list of all active Disability Commissions can be found at:  
<https://www.mass.gov/commissions-on-disability>), and
  - c. The Independent Living Center (ILC) for your area.  
(Your ILC can be found at: <http://www.masilc.org/findacenter>.)
- 6) Complete the Service Notice included with the Application and sign it.
- 7) Deliver the completed Application and all attachments to the Board via electronic or physical delivery:
  - a. Electronic:
    - i. Applications should be sent via email to [william.joyce@mass.gov](mailto:william.joyce@mass.gov) & [molly.griffin@mass.gov](mailto:molly.griffin@mass.gov).
    - ii. The email submission must have the subject line: Variance Application - <Address>, <City>
    - iii. The application and all attachments must be in .pdf format
    - iv. The application and all attachments should be included in a single email, except where that email would exceed 15 megabytes in size.
    - v. Please submit the \$50 filing fee via check or money order via mail to the mailing address listed above with either a cover letter or, "Variance - <Address>, <City>" in the memo line.
  - b. Physical
    - i. Applications should be sent to the mailing address listed above and must include:
      1. The completed application and all attachments.
      2. A copy of the application and all attachments on a CD/DVD (Thumb Drives will not be accepted),



3. The completed and signed Service Notice.
  4. A check or money order in the amount of \$50 dollars, made out to the Commonwealth of Massachusetts.
- ii. Please ensure that all documents included are no larger than 11" x 17".
  - iii. Incomplete applications will be returned via regular mail to the applicant with an explanation as why it was unable to be docketed.

---

In accordance with M.G.L., c.22, § 13A, I hereby apply for modification of or substitution for the rules and regulations of the Architectural Access Board as they apply to the building/facility described below on the grounds that literal compliance with the Board's regulations is impracticable in my case.

1. State the name and address of the building/facility:

Foglia and Associates Law Offices  
340 Union Avenue  
Framingham, MA 01702

2. State the name and address of the owner of the building/facility:

Three 40 Union Avenue, LLC  
340 Union Avenue  
Framingham, MA 01701

E-mail: mfoglia@foglialaw.com

Telephone: 877-675-7207 Ext. 10

3. Describe the facility (i.e. number of floors, type of functions, use, etc.):

2-1/2 story wood frame structure with a basement, stone foundation. First floor uses are law offices. Second and half floors above are apartments and the basement is storage for legal documents and utilities. The building is in consideration to go on the Framingham CRI (Critical Resource Inventory of historic structures) along with a number of other buildings on the street. These buildings are of iconic colonial revivalist design or transitional revivalist design.

4. Total square footage of the building/facility: 4,823.55

Per floor: 1<sup>ST</sup> FL. = 1,744, 2<sup>ND</sup> FL. = 1,520, 3<sup>RD</sup> FL. 447

a. Total square footage of tenant space (if applicable): Noted above.

5. What was the original year of construction for the building/facility: 1902 ?

6. Check the nature of the work performed or to be performed:

☒

New Construction

☒

Addition

☒

Reconstruction/Remodeling/Alteration

☐

Change of Use

7. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):

The work consisted of changing a front porch to an enclosed addition (a total of 66.5 sq. ft.). The work included new siding, new windows, renovation of the existing roof balcony and renovation of the reception, secretarial workstation and waiting area. Existing stone entry stairway was repaired and replaced to its original condition done as a field condition that required repairs.

8. Is the building or facility historically significant? ☒ Yes ☐ No

a. If yes, check one of the following and indicate date of listing:

☐

National Historic Landmark

☐

Listed individually on the National Register of Historic Places

☐

Located in a Registered Historic District

☐

Listed in the State Register of Historic Places

☒

Eligible for listing

CULTURAL RESOURCES INVENTORY

FRAMINGHAM CRI

(In which registry?)

b. If you checked any of the above **and** your variance request is primarily based upon the historical significance of the building, you *must* complete the ADA Consultation Process of the [Massachusetts Historical Commission](#), located at 220 Morrissey Boulevard, Boston, MA 02125.

9. Which section(s) of the Board's Jurisdiction (see Section 3 of the Board's Regulations) has been triggered?

2.6 ☐ 3.2 ☐ 3.3.1(a) ☐ 3.3.1(b) ☐ 3.3.2 ☐ 3.3.4 ☒ 3.4 ☐ 25.1 ☒

10. List **all** building permits that have been applied for within the past 36 months, include the issue date and the listed value of the work performed:

| <u>Permit #</u> | <u>Date of Issuance</u> | <u>Value of Work</u> |
|-----------------|-------------------------|----------------------|
| 292159          | 8/9/24                  | \$ 87,000.00         |
|                 |                         |                      |
|                 |                         |                      |
|                 |                         |                      |

(Use additional sheets if necessary.)

11. List the anticipated construction cost for any work not yet permitted or for any relevant work which does not require a permit:

\$ 0.00 ALL WORK WAS COMPLETED 3/28/25 SEE AS.

12. Has a certificate of occupancy been issued for the facility? ☐ Yes ☒ No

If yes, state the date it was issued: THE BUILDING WAS ALREADY OCCUPIED AND NO ADDITIONAL CERTIFICATE OF OCCUPANCY IS REQUIRED.

13. To the best of your knowledge, has a complaint ever been filed with the AAB on this building or facility relative to accessibility? ☐ Yes ☒ No

a. If so, list the AAB docket number of the complaint except for current complaint

14. For existing buildings or facilities, state the actual assessed valuation of the **BUILDING/IMPROVEMENTS ONLY**, as recorded in the **Assessor's Office** of the municipality in which the building or facility is located: \$ 611,000.00

Is the assessment at 100%? ☒ Yes ☐ No

If not, what is the town's current assessment ratio? 0%

15. State the phase of design or construction of the facility as of the date of this application: All work has been completed.



16.

**Please list specific technical sections, not 521 CMR 3.**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Request #1</p> <p>Section(s) for which you are seeking relief: <u>3.3.4</u></p> <p>Are you seeking temporary relief:    <input type="radio"/> Yes    * <input checked="" type="radio"/> No</p> <p>If yes, what date do you propose to be in compliance by: _____?</p> <p>Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):</p> <div style="border: 1px solid black; padding: 10px; min-height: 150px;"> <p>*We are seeking permanent relief and dismissal of the complaint.</p> <br/><br/><br/><br/><br/><br/><br/><br/><br/><br/> <p>SEE ATTACHMENT AA    &amp; ATTACHMENT ①</p> </div> | <p>Types of Attachments for this Request:</p> <div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> Floor/Site Plans, <input checked="" type="checkbox"/> Cost Estimates,<br/> <input checked="" type="checkbox"/> Photographs, <input type="checkbox"/> Test Drawings,<br/> <input checked="" type="checkbox"/> Other(s): <u>See list of attachments</u> </div>            |
| <p>Request #2</p> <p>Section(s) for which you are seeking relief: <u>25.1</u></p> <p>Are you seeking temporary relief:    <input type="radio"/> Yes    * <input checked="" type="radio"/> No</p> <p>If yes, what date do you propose to be in compliance by: _____?</p> <p>Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):</p> <div style="border: 1px solid black; padding: 10px; min-height: 150px;"> <p>*We are seeking permanent relief and dismissal of the complaint.</p> <br/><br/><br/><br/><br/><br/><br/><br/><br/><br/> <p>SEE ATTACHMENT BB    &amp; ATTACHMENT ①</p> </div>  | <p>Types of Attachments for this Request:</p> <div style="border: 1px solid black; padding: 5px;"> <input checked="" type="checkbox"/> Floor/Site Plans, <input checked="" type="checkbox"/> Cost Estimates,<br/> <input checked="" type="checkbox"/> Photographs, <input type="checkbox"/> Test Drawings,<br/> <input checked="" type="checkbox"/> Other(s): <u>see list of attachments</u> </div> |

Request #3

Section(s) for which you are seeking relief: Relief not Req.

Are you seeking temporary relief: ☐ Yes ☒ No

If yes, what date do you propose to be in compliance by: \_\_\_\_\_?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

In anticipation of questions that the Board may have, we have analyzed potential alternatives, all of which have been found to be not feasible.

SEE ATTACHMENT CC & ATTACHMENT I

Types of Attachments for this Request:

☐ Floor/Site Plans, ☐ Cost Estimates,  
☐ Photographs, ☐ Test Drawings,  
☐ Other(s): \_\_\_\_\_

Request #4

Section(s) for which you are seeking relief: NONE

Are you seeking temporary relief: ☐ Yes ☐ No

If yes, what date do you propose to be in compliance by: N/A?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

RELIEF NOT REQUESTED.

Types of Attachments for this Request:

☐ Floor/Site Plans, ☐ Cost Estimates,  
☐ Photographs, ☐ Test Drawings,  
☐ Other(s): \_\_\_\_\_

If you require more than 4 requests, please use the *Additional Request Sheet* and complete the *Large Variance Tally Sheet*, both of which are available on the "Forms and Applications" page of the Board's website (<http://www.mass.gov/aab>).

17. State the name and address of the architectural or engineering firm, including the name of the individual architect or engineer responsible for preparing drawings of the facility:

Lewis Colten AIA & Associates  
Lewis Colten, Architect  
9 Vernon Street  
Framingham, MA 01701

E-mail: lewcoltenaia@gmail.com

Telephone: 508-596-7220

18. State the name and address of the building inspector responsible for overseeing this project:

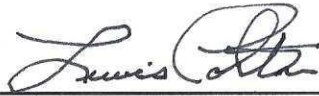
Eric Chartier, Inspector  
Framingham Inspectional Services  
150 Concord Street, Room 203  
Framingham, MA 01702

E-mail: echartier@framinghamma.gov

Telephone: 508-523-5500

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION AND SUPPORTING DOCUMENTATION IS TRUE AND CORRECT

Date: 2/9/26



Signature of owner or authorized agent *(required)*

**PLEASE PRINT:**

Lewis Colten, Authorized Agent

Name

Lewis Colten AIA & Associates

Organization (If Applicable)

9 Vernon Street

Address

Address 2 (optional)

Framingham

MA

01701

City/Town

State

Zip Code

lewcoltenaia@gmail.com

E-mail

508-596-7220

Telephone



# SERVICE NOTICE

I, Lewis Colten, as Authorized Agent  
 (Name) (Relationship to the applicant)

HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

|                                                            | <u>NAME AND ADDRESS OF PERSON OR AGENCY SERVED</u>                                                                          | <u>METHOD OF SERVICE</u>          | <u>DATE OF SERVICE</u> |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------|------------------------|
| <b>1</b><br>Building Department                            | Eric Chartier, Inspector<br>150 Concord Street, Rm. 203<br>Framingham, MA 01702                                             | Email: echartier@Framinghamma.gov | 2/9/26                 |
| <b>2</b><br>Local Commission on Disability (If Applicable) | Catherine Cuddy, Chair<br>Framingham Disability Commission<br>150 Concord Street<br>Framingham, MA 01702                    | Email: fdccuddy@gmail.com         | 2/9/26                 |
| <b>3</b><br>Independent Living Center                      | Mark Dempsey, IL Coordinator<br>Metro West Cntr. for Independent Liv.<br>One Clarks Hill, Suite 200<br>Framingham, MA 01702 | Email: mdempsey@mwcil.org         | 2/9/26                 |



Signature

2/9/26

Date

Copies also sent by e-mail to:

William Joyce [william.joyce@mass.gov]  
 Executive Director  
 Architectural Access Board

Victor Machado [victor.machado@mass.gov]  
 Compliance Office  
 Architectural Access Board

Molly Griffin [molly.griffin@mass.gov]  
 ADA Program Coordinator  
 Architectural Access Board

David Correia, ADA Coordinator  
 [dcorreia@framinghamma.gov]  
 City of Framingham



### LIST OF ATTACHMENTS

- Ⓐ Request No. 1
- Ⓑ Request No. 2
- Ⓒ Additional Considerations
- Ⓐ<sub>1</sub> Phase one construction documents, sheets Ⓐ<sub>1</sub>, Ⓐ<sub>2</sub>, Ⓐ<sub>3</sub> and Ⓐ<sub>4</sub> dated 4/29/24.
- Ⓐ<sub>5</sub> Final Construction Control Document.
- Ⓑ<sub>1</sub> Photo of original existing conditions attached to submitted complaint.
- Ⓑ<sub>2</sub> Photo of original existing conditions showing clearer view.
- Ⓑ<sub>3</sub> Photo of present condition after construction.
- Note: It was brought to our attention that the reconstruction differed from the original construction. As can be observed, the replacement is exactly the same as the original.
- Ⓑ<sub>4</sub> Photo of front door with signage
- Ⓒ<sub>1</sub> Drawing: "Handicap Accessibility Variance," dated 1/27/26.
- Ⓓ<sub>1</sub> Entry sign, buzzard and notice, "Entry by Appointment."
- Ⓔ<sub>1</sub> Assessor's 2024 appraisal at the time of permitting for \$808,400.
- Ⓔ<sub>2</sub> Assessor's 2026 appraisal after construction completed for \$897,300.
- Ⓕ<sub>1</sub> Permit application, dated 7/19/22, for construction, denial for submission to ZBA for variance.
- Ⓕ<sub>2</sub> Decision of variance approval from the ZBA dated 9/13/23.
- Ⓕ<sub>3</sub> Copy of contractor's construction agreement to owner, dated 9/9/24, for \$87,000, initialed.
- Ⓕ<sub>4</sub> Permit information from Framingham Building Department of 8/9/24 for permit for \$85,000.
- Ⓖ<sub>1</sub> Owner's authorization letter for Lewis Colten's representation for the variance application.
- Ⓕ<sub>1</sub> ADA Section 36.402 Alterations.
- Ⓕ<sub>2</sub> 521 CMR 5.1: Definitions – Alterations defines ordinary repairs as not alterations.
- Ⓘ Final Statement.

## ATTACHMENT AA

### 3.3.4

#### REQUEST NO. 1

The entirety of the existing building has remained as is with no alterations to the interior. Changes were made to the exterior envelope of the building, which focused on an exterior porch enclosed and had an addition added to, thereby creating one enlarged room essentially for an enlarged secretarial work area, a receptionist area and a waiting room. There was no decreasing of accessibility or of diminishing accessibility due to the alteration and addition of this work. Accessibility to the existing space was always limited due to the configuration of the building and its already limitation of the existing construction (See Attachment (C<sub>1</sub>)) i.e., interior corridors, and access to this enlarged room from other locations is less than an acceptable width for wheelchairs (3'-0" or less) and doorways through loadbearing walls that are 2'-6" wide, minus 2" for door thickness, leaving a clear width of 28" (less than acceptable access) and inaccessible route to this space, other than the front door, as noted, for a means of egress. The design and construction of this alteration is in full compliance with CMR 780 and all applicable codes. (Refer to Attachments (A<sub>1</sub>), (A<sub>2</sub>), (A<sub>3</sub>) and (A<sub>4</sub>).) Existing conditions identifying the inaccessible conditions throughout the entire facility, which, in order to correct, would require extensive and excess costs to accomplish. See Attachments (H<sub>1</sub>) and (H<sub>2</sub>).)

## ATTACHMENT BB

### 25.1

#### REQUEST NO. 2

During construction of the addition to the existing porch, the contractor noted that the front stairs subsurface support system had deteriorated to the point of being unsafe. The new adjacent construction had disturbed the stability of the existing stairs and platform and was a threat to the existing deck above. Furthermore, the instability of the stair foundation caused the stone stairs and platform to crack and the reposition of stones, other than the original position, could be in violation of the state statute of CRM 780 and life safety (NFPA 101) for the proper riser and run for treads and risers. It is my understanding that the contractor pointed this out to the assigned building inspector, Eric Chartier, and, together, they decided it would be acceptable to replace the stone stairs and platform and create a more stable foundation if it were put back in the same way it was originally. So, within the course of ordinary repairs, the contractor proceeded with the repairs, which were made to replicate the original stairs and platform. Albeit, the intention of 25.1 is that should an entrance (not noting the stairs) be altered, it must be done to meet accessibility. In this case, the intention was to repair, make safer and more stable, without any intention of diminishing accessibility, with the understanding that beyond the stairs and landing, the building was not accessible. In accordance with section 5.1 of 521 CMR Alterations (see Attachment (H<sub>2</sub>)), alterations not requiring a building permit (with the consent of the building inspector), are considered "ordinary repairs" as defined in 780 CMR: The State Building Code, and therefore are not alterations. See Attachments (B<sub>1</sub>), (B<sub>2</sub>) and (B<sub>3</sub>) (photos of existing before and after construction).



## ATTACHMENT CC

### ADDITIONAL CONSIDERATIONS.

#### A) ADA Section 36.402C, Alterations. To the maximum extent feasible

The extent of the alteration to the building was limited to an alteration of an existing porch and addition of 66.65 sq. ft., for the purposes of much needed office support space. The addition allowed for a reception area, secretarial support and a waiting area. The limited amount of area allowed was established by the city's setback area a maximum allowable FAR (floor area ratio). We had submitted for a variance from the city's Zoning Board of Appeals (see Attachment (F<sub>1</sub>)) and were granted a variance (see Attachment (F<sub>2</sub>)). The building was being used to the maximum for usable space to serve this building operation and required some expansion to better serve for its intended use and that maximum expansion was only allowed in size, as noted able. Due to the age and physical layout of this structure, wheelchair handicap accessibility is not possible because it would require extensive alterations to the interior of the building, as corridors are too narrow, doorways are too narrow and existing toilet rooms are too small and expansion of same is not feasible because the space is not available.

Getting access into the building from all of the existing entrances would require modifications to the existing exterior bearing walls because of the narrowness of the entrances. In addition, it would be very difficult in getting lifts or ramps installed and the expense could exceed the cost of the entire project. All of these other existing entrances are located at working spaces, which would cause the elimination of the present use of these working areas and relocation of these working areas is not possible due to lack of space.

The front entry door has its own particular issue as described in Attachment (BB). Accessibility for those using crutches or for the visual or hearing impaired are accommodated by the use of handrails and any other appropriate means of assistance.

#### B) Limited yet accommodating conditions.

The existing use of this facility is law offices that cater to criminal law and personal injury. It must be emphasized that there are no public walk-in clients coming into the front door of this office from the street. Clients are admitted only by appointment. There is a camera, doorbell and a sign on the exterior wall. See Attachment B<sub>4</sub> noting access by "appointment only." In the 15 years of operation, this firm has never had a wheelchair handicap individual enter this building for the reasons previously noted. But this does not limit service to their firm's clients. Criminal law clients are visited by attorneys in jail or in court or by appointment. If they are so handicapped as not to be able to access the office, the attorneys visit them at an appropriate location. This also goes for physically injured clients, which is always the cause for a visitation of an attorney at the hospital or their home.

There is a basement which might be thought of as a remote location, however, use of that area would not be permissible due to Mass. Building Code 780 CMR as the ceiling height is only 6'-4" and the Code requires a height of at least 7'-4" for occupancy. This space is used for storage of legal records and utilities.

Another location which might be considered is the addition as fully described above. This space is for the receptionist, secretarial staff and waiting room. Because all cases of these attorneys are private, secure and personal, it is not feasible to use an open waiting area in which to discuss or review with clients their personal cases.

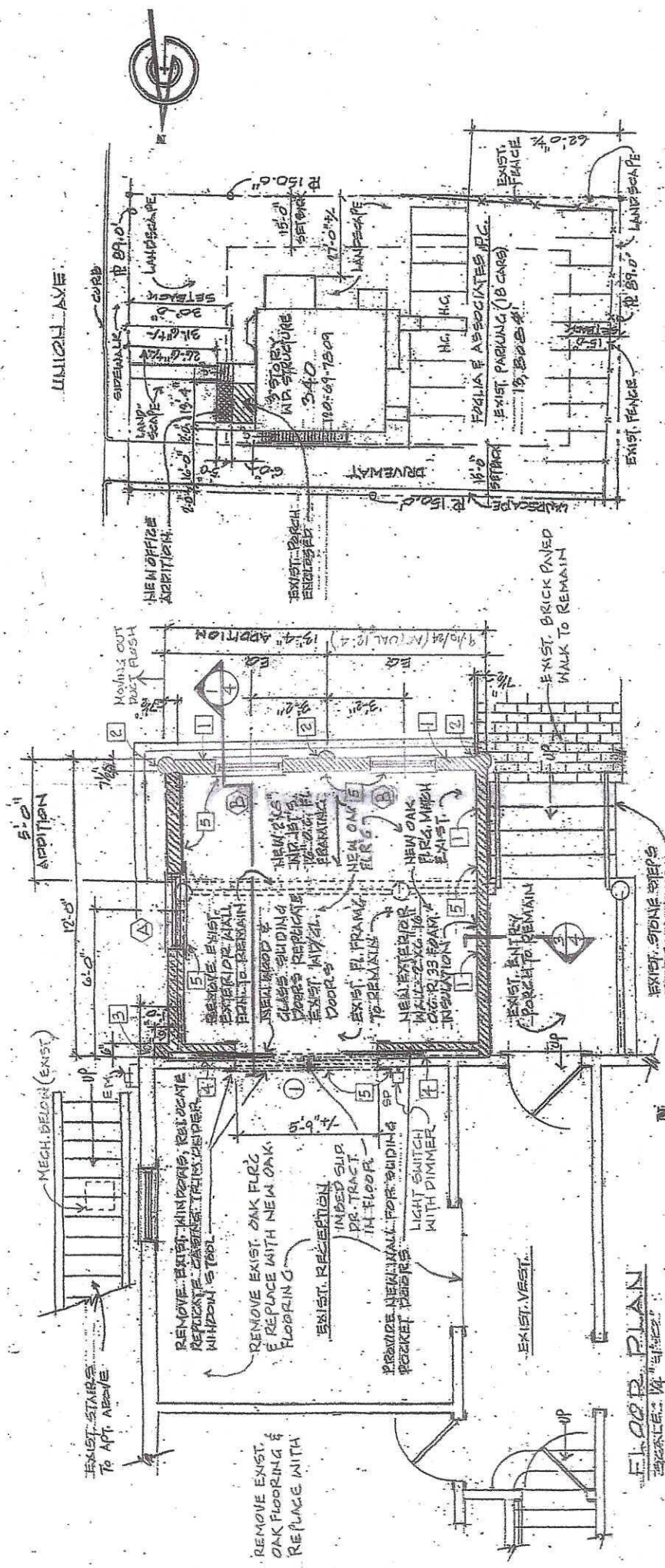
C) Review of Alternatives.

As discussed, the difficulties of removing the repaired front steps and providing a substitute would be:

1. Provide an exterior stair lift. The cost of this would almost match the cost of the entire project. Furthermore, getting the lift to the stair landing would still not gain wheelchair access to the building because there is a 3-1/4" high threshold to get over, therefore, requiring demolishing the entire porch landing causing an impact to the addition's structure as well as affecting the structure of the roof deck above. This would cause significant costs and have a negative impact on the structure of the addition.
2. Provide a ramp to a newly constructed platform with changes the structure as noted above. Further consideration for a ramp would be to necessitate a 38'-0" long ramp with a 5'-0" mid-point landing and clear 5'-0" x 5'-0" landing top and bottom of the ramp. The ramp width would be 4'-0" wide. All in all, the area of a ramp would be a 51'-0" long switch back, taking up to over 200 square feet. The front lawn is landscaped with plantings, trees, bushes, hedges and walkway. The total area is a little over 700 sq. ft. The ramp and walkway would require 415 sq. ft., thus leaving only around 285 sq. ft. left over and destroying all mature landscaping. Needless to say, the ramp cost would be excessive. In addition, there is an additional wheelchair obstacles as there is a 4" high step from the city sidewalk to the property walkway as well as a 4" high curb from the driveway curb from the driveway to the property walkway. See attached drawing (Attachment C<sub>1</sub>).
3. Providing wheelchair or handicap access to the existing doorways at the sides or rear of the building would also be a hardship because:
  - a) There is not adequate space for the installation of a ramp; and
  - b) Once having gotten to the platform, there is a 3" sill and the access door is only 30" wide and the space directly inside the door is the secretarial workspace. In addition, once inside, the doorway maneuverability is limited due to narrow corridors and narrow doorways. The cost of this alternative would be considerable and the structural alterations to bearing walls would cause a loss of structural integrity to the building. See ADA, Section II, Alterations, Sec. 35.151(b), attached hereto as Attachment H<sub>1</sub>.



A1



|                                                                                |   |
|--------------------------------------------------------------------------------|---|
| <b>PHASE ONE</b>                                                               |   |
| <b>TENANT FIT-UP</b>                                                           |   |
| <b>OFFICE ADDITION</b>                                                         |   |
| <b>FOGLIA &amp; ASSOCIATES<br/>LAW OFFICES</b>                                 |   |
| <b>340 UNION AVENUE<br/>FRAMINGHAM, MA, 01702</b>                              |   |
| Date: 4/23/24                                                                  | 1 |
| <b>Lewis Colten AIA</b><br>ARCHITECT<br>1000 Main Street, Framingham, MA 01702 |   |

AAB 56



॥ श्रीगणेशाय नमः ॥

**Lot Size:** 0.317 acres = 13,808 sf. **Required:** 6,000 sf.

|              |           |       |   |             |
|--------------|-----------|-------|---|-------------|
| of Coverage: | Maximum:  | 20%   | = | 2,761.0 sf. |
|              | Existing: | 12.6% | = | 1,739.8 sf. |
|              | Proposed: | 13.1% | = | 1,810.6 sf. |

|           |             |            |                  |
|-----------|-------------|------------|------------------|
| Frontage: | Existing:   | 89'-0"     | Required: 65'-0" |
| Setback:  | Front:      | 23'-6"     | Required: 30'-0" |
|           | Side Left:  | 18'-0"     | Required: 15'-0" |
|           | Side Right: | 27'-0" +/- | Required: 15'-0" |
|           | Rear:       | 62'-0" +/- | Required: 15'-0" |

**Building Footprint = 1,744 sf.**

|                       |           |      |
|-----------------------|-----------|------|
| FAR Floor Area Ratio: | Existing: | .395 |
|                       | Proposed: | .399 |
|                       | Required: | .32  |

|                    |           |        |
|--------------------|-----------|--------|
| Minimum Landscape: | Required: | 20%    |
|                    | Provided: | 26.72% |

|                 |           |         |
|-----------------|-----------|---------|
| Minimum Height: | Required: | 3/40    |
|                 | Provided: | 3/30,75 |

**Parking:**

Residential: 1 units @ 2 ea. = 2.0  
Professional Office 1,744 sf. @  
150 sf. per occupant = 11.6

**NOTE: THIS PROJECT AS PRESENTED  
HAS BEEN APPROVED BY THE**

FRAMINGHAM ZONING BOARD OF  
APPEALS, CASE 23-18, DATE OF DECISION,  
SEPTEMBER 13, 2023. REGISTERED, CITY  
CLERKS OFFICE 2023, SEPT.27 A 919

|           |          |
|-----------|----------|
| Required: | 13 or 14 |
| Provided: | 18       |

## PHASE ONE

## TENANT FIT-UP

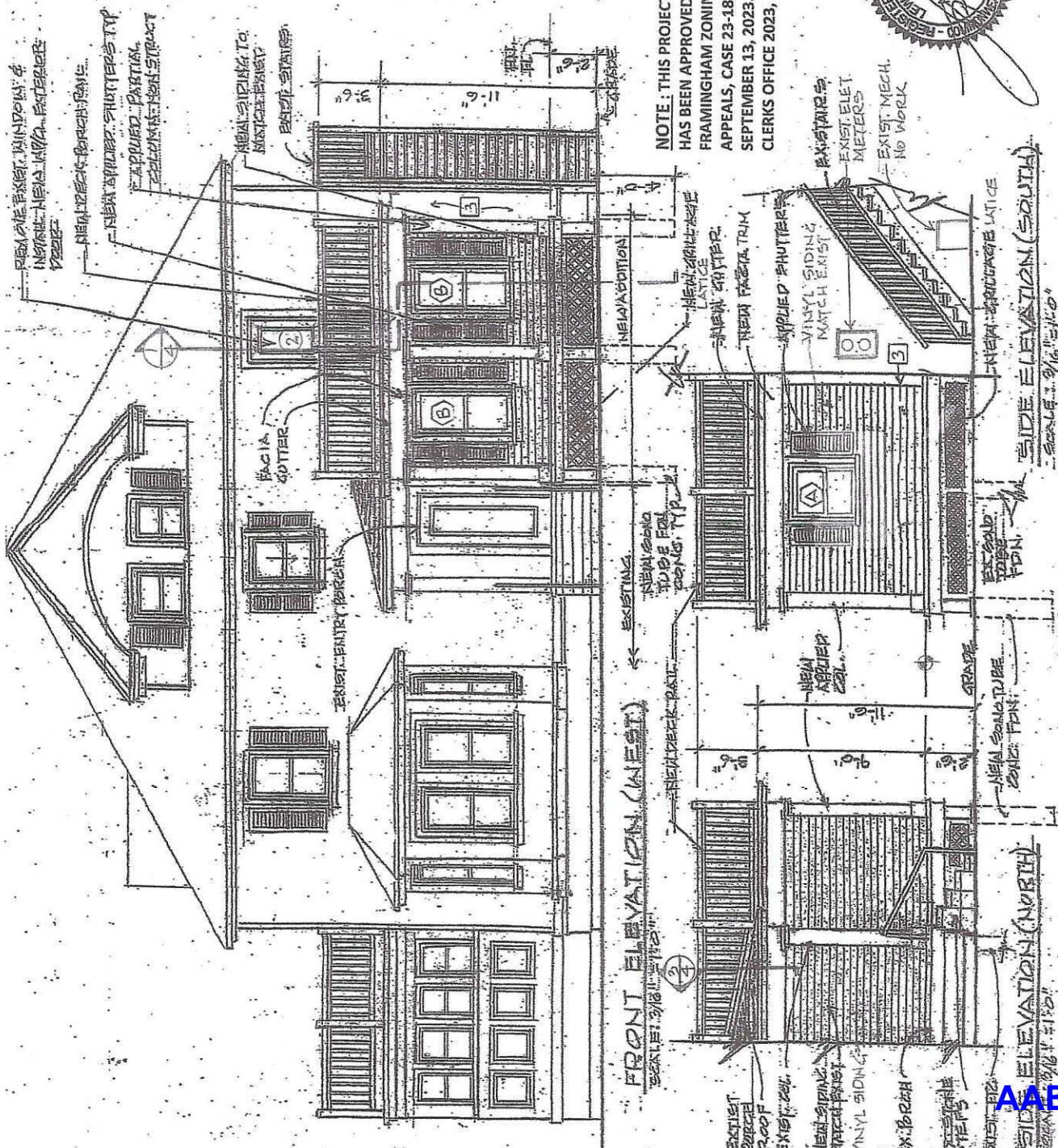
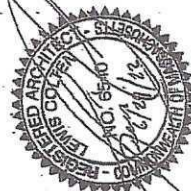
OFFICE ADDITION

**FOGLIA & ASSOCIATES  
LAW OFFICES**

340 UNION AVENUE  
FRAMINGHAM, MA. 01702

Lewis Cullen AIA  
 ROBERT B. G. H.  
 1940-1941  
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**SHEET 2**





EXTERIOR BEARING WALL. 2" x 6" WOOD STUDS, 16" O.C. WITH ZIP BRD SHEATHING. CLAYBOARD EXTERIOR FINISH (MATCH EXISTING) AND 1/2" INTERIOR GWB. EXTERIOR FINISH CLAYBOARD (MATCH EXISTING STEEL AND MATERIAL). SPRAY FOAM INSLATION IN WALL CAVITY EQUIVALENT TO R-30.

APPLIED PARTIAL, ORNAMENTAL, COLUMN COVER. REUSE EXISTING OR  
REPLACE WITH NEW TO MATCH EXISTING.

BOX OUT WALL WITH MATCHING ADJACENT CONSTRUCTION TO SUIT  
EXTENSION OF POCKET DOOR CAVITY, WEATHERPROOF AND  
WEATHERPROOF AS REQUIRED.

PROVIDE NEW POCKET BETWEEN EXISTING WALL AND NEWLY CONSTRUCTED WOOD STUD WALL, 2" x 3" at 12 O.C., MEETING ALL REQUIREMENTS FOR INSTALLATION AND SUPPORT OF SLIDING POCKET DOOR HARDWARE.

NEW WOOD BASE BOARD, WINDOW OR DOOR TRIM, REPAIR OR RPLACE TO MATCH EXISTING, FINISH AND WOOD MATERIAL TO MATCH EXISTING.

RECESSED CAN LED LIGHT FIXTURES 6" DIA., LOCATE AS SHOWN.

NEW BOXED IN CEILING COPPERS APPLIED TO CEILING. REFER TO COFFER  
DETAIL 7, SHEET 1, PHASE 2. MATCH MATERIAL, DETAIL AND FINISH.

PRESSURE TREATED, WOOD DECK PALLET. SET ON TOP OF H.P. PROTECTION PAD FOR EPDM RUBBER ROOFING PROTECTION. 2" x 3" PRESSURE TREATED SLEEPERS, AS SHOWN, WITH AZEK FLOOR BOARDS, AS SHOWN. SEE DETAIL.

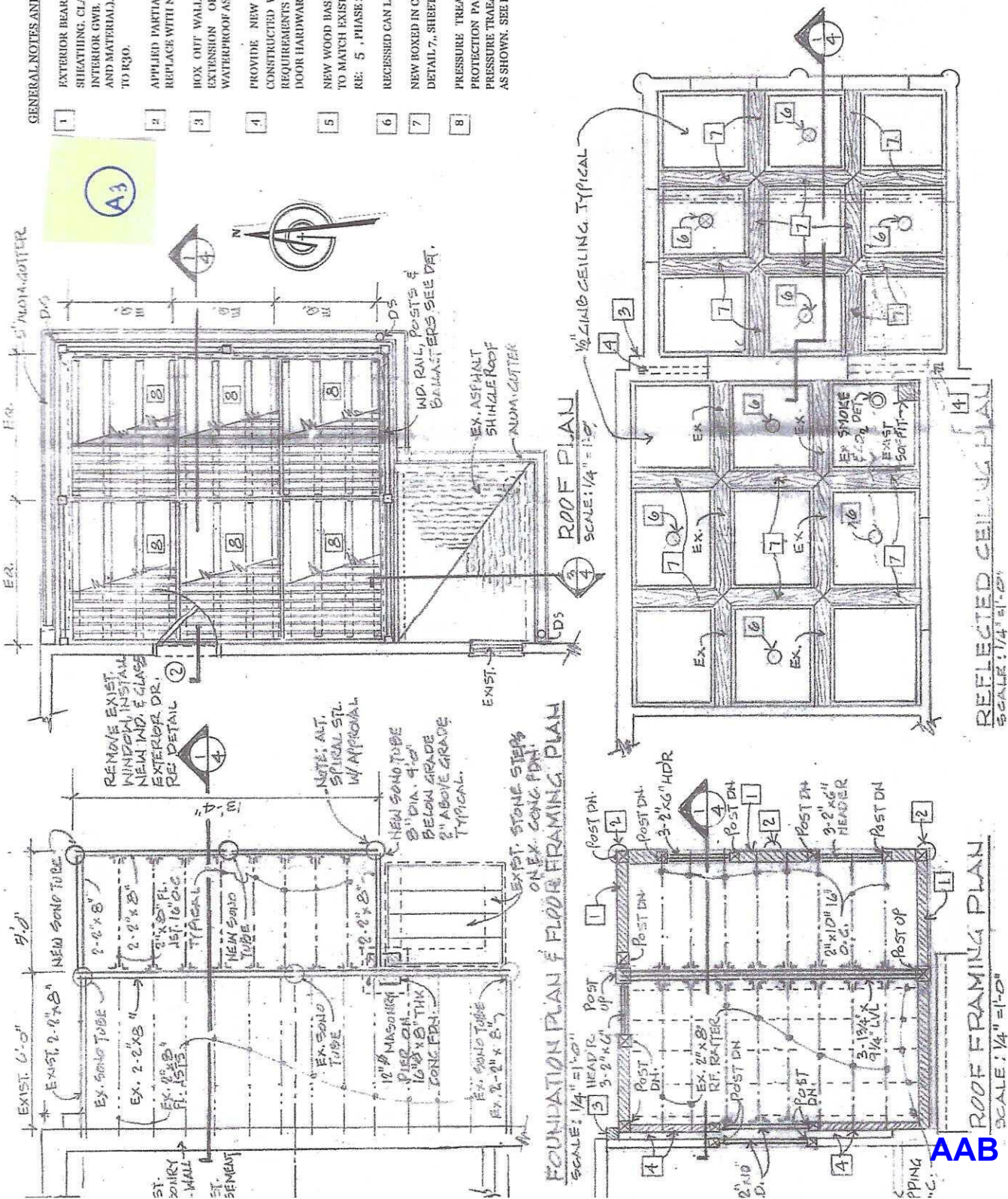
**PHASE ONE  
TENANT FIT-UP  
OFFICE ADDITION  
FOGLIA & ASSOCIATES  
LAW OFFICES**

340 UNION AVENUE  
FRAMINGHAM, MA, 01702

Lewis Colten AIA  
 ARCHITECTS  
 9 Union Street, Newington, Mass 02459  
 617/552-6600 fax 617/552-6601

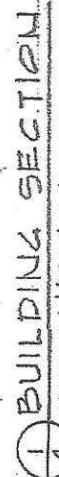
2/15/02 11:11  
 Bates  
 Revision:  
 SHEET 3

SHEET 3





44


$$\frac{1}{2} = \frac{1}{2} = \frac{1}{2}$$

## TENANT FIT-UP

## OFFICE ADDITION

**FOGLIA & ASSOCIATES  
LAW OFFICES**

340 UNION AVENUE  
FRAMINGHAM, MA, 01702

**Lewis Colton, AIA**  
ARCHITECT

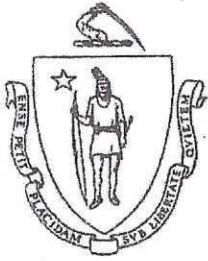
## 4. RESULTS

WINDOWN UNITS (B) # (A)  
VINYL DOUBLE HUNG - INSULATED  
WITH LOW E. FLEETOR 0.6  
INSTALL PER MANUFACTURERS  
STRICT INSTRUCTIONS  
WINDON BY HARVEY INDUSTRIES  
OR APPROVED EQUAL  
UNIT (A) MODEL W30 46  
UNIT (B) MODEL W30 32

UNIT A MODEL W3046  
UNIT B MODEL W3032

**AAB 59**





# Final Construction Control Document

To be submitted at completion of construction by a

**Registered Design Professional**

*for work per the tenth edition of the*

**Massachusetts State Building Code, 780 CMR, Section 107**



**Project Title:** 340 Union Avenue, Framingham, MA 01702 Phase 1 and 2

**Date:** March 28, 2025

**Property Address:** 340 Union Avenue, Framingham, MA 01702

**Permit No.** 242159

**Project:** Check (x) one or both as applicable: ☒ New construction ☒ Existing Construction

**Project description:** Project description: The existing building had a 66.65 square foot addition added to an existing porch. The project was presented to the Framingham Planning Board, Case No. 23-18 and approved for set back and FAR. All work proposed and submitted for permit has been completed in accordance with the construction documents, with no appreciable changes. However, there were minor changes from the permit application, which included changing the exterior wood stairs to stone. With regard to interior modifications, as noted on the construction documents, there were no changes. As indicated on the drawing, the exterior soffit is shown to have a 5" extension from the face of the building and extended with an aluminum gutter attached to the fascia, which is permissible in accordance with the Framingham Zoning By-Laws up to 2'-0". New windows, added as shown, new balcony, with railing, as shown; new siding to match existing, as shown; some interior recessed lighting, as shown, new interior flooring, as shown; and painting as required.

I, Lewis Colten, MA Registration Number: 6540 Expiration date: 8/31/25, am a *registered design professional*, and I have prepared or directly supervised the preparation of all design plans, computations and specifications concerning:

☒ Architectural  
☐ Fire Protection

☒ Structural  
☒ Electrical (minor)

Mechanical

Plumbing

for the above named project. I, or my designee, have performed the necessary professional services and was present at the construction site on a regular and periodic basis. To the best of my knowledge, information, and belief the work proceeded in accordance with the requirements of 780 CMR and the design documents approved as part of the building permit and that I or my designee:

1. Have reviewed, for conformance to this code and the design concept, shop drawings, samples and other submittals by the contractor in accordance with the requirements of the construction documents.
2. Have performed the duties for registered design professionals in 780 CMR Chapter 17, as applicable.
3. Have been present at intervals appropriate to the stage of construction to become generally familiar with the progress and quality of the work and to determine if the work was performed in a manner consistent with the construction documents and this code.

Nothing in this document relieves the contractor of its responsibility regarding the provisions of 780 CMR 107.

Enter in the space to the right a "wet" or electronic signature and seal:

**Phone number:** (508) 596-7220

**Email:** lewcoltenaia@gmail.com



**Building Official Use Only**

**Building Official Name:**

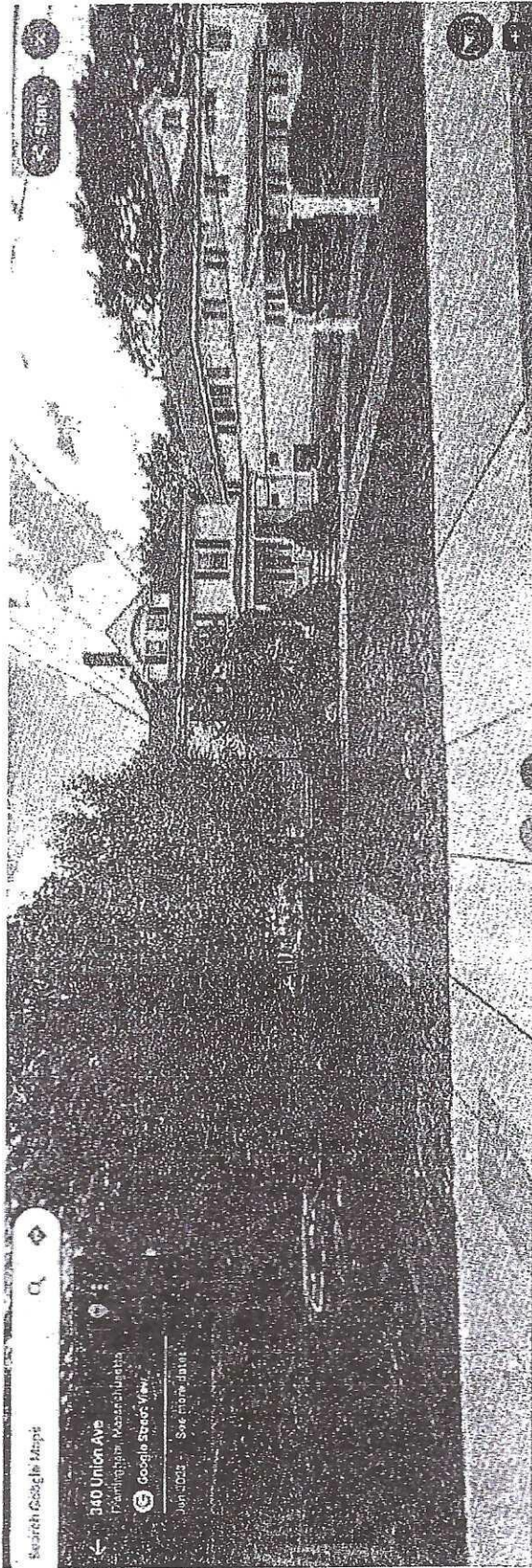
**Permit No.:**

**Date:**

**AAB 60**



PHOTO FROM COMPLAINT





B2

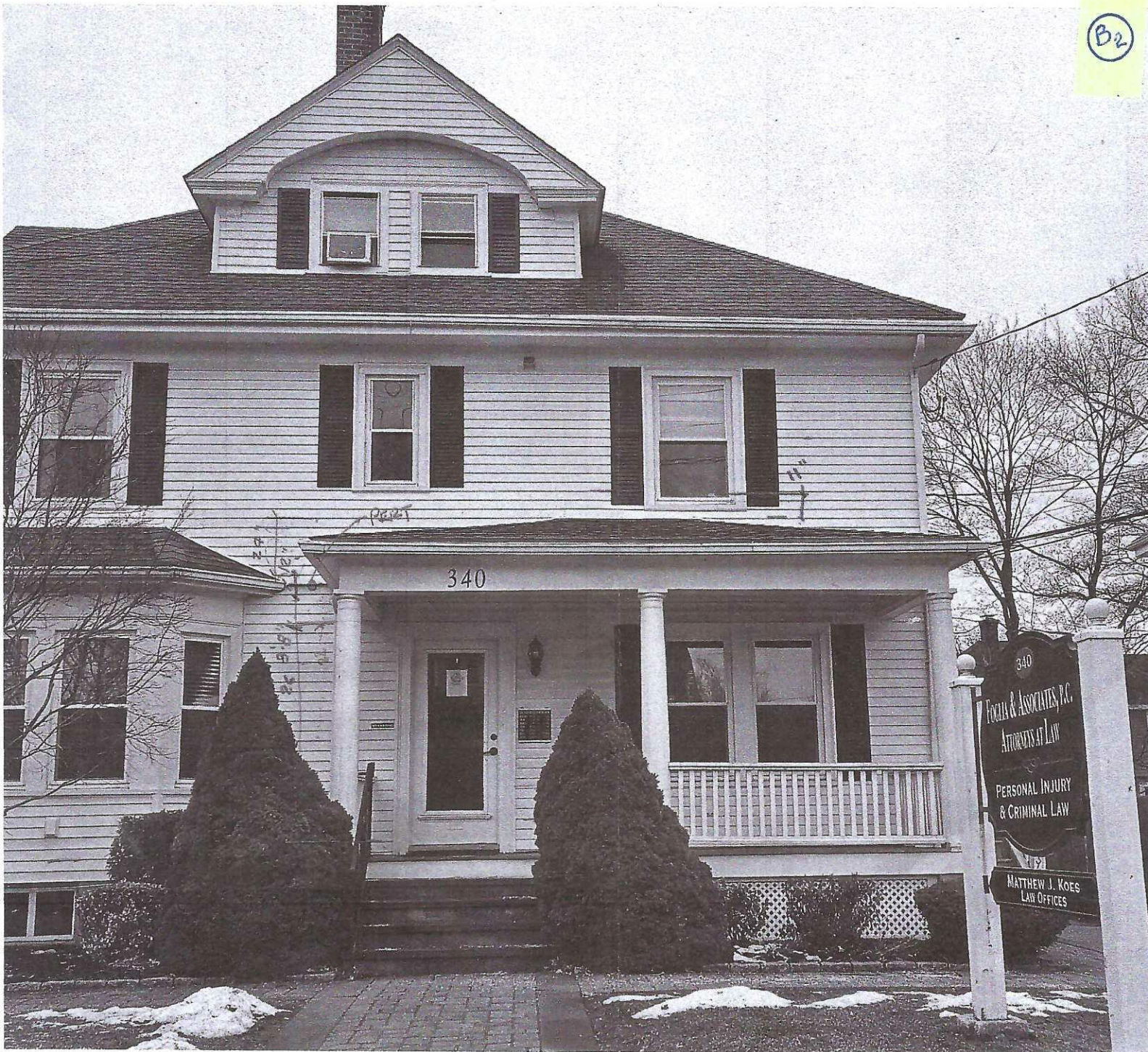


PHOTO PRIOR TO CONSTRUCTION



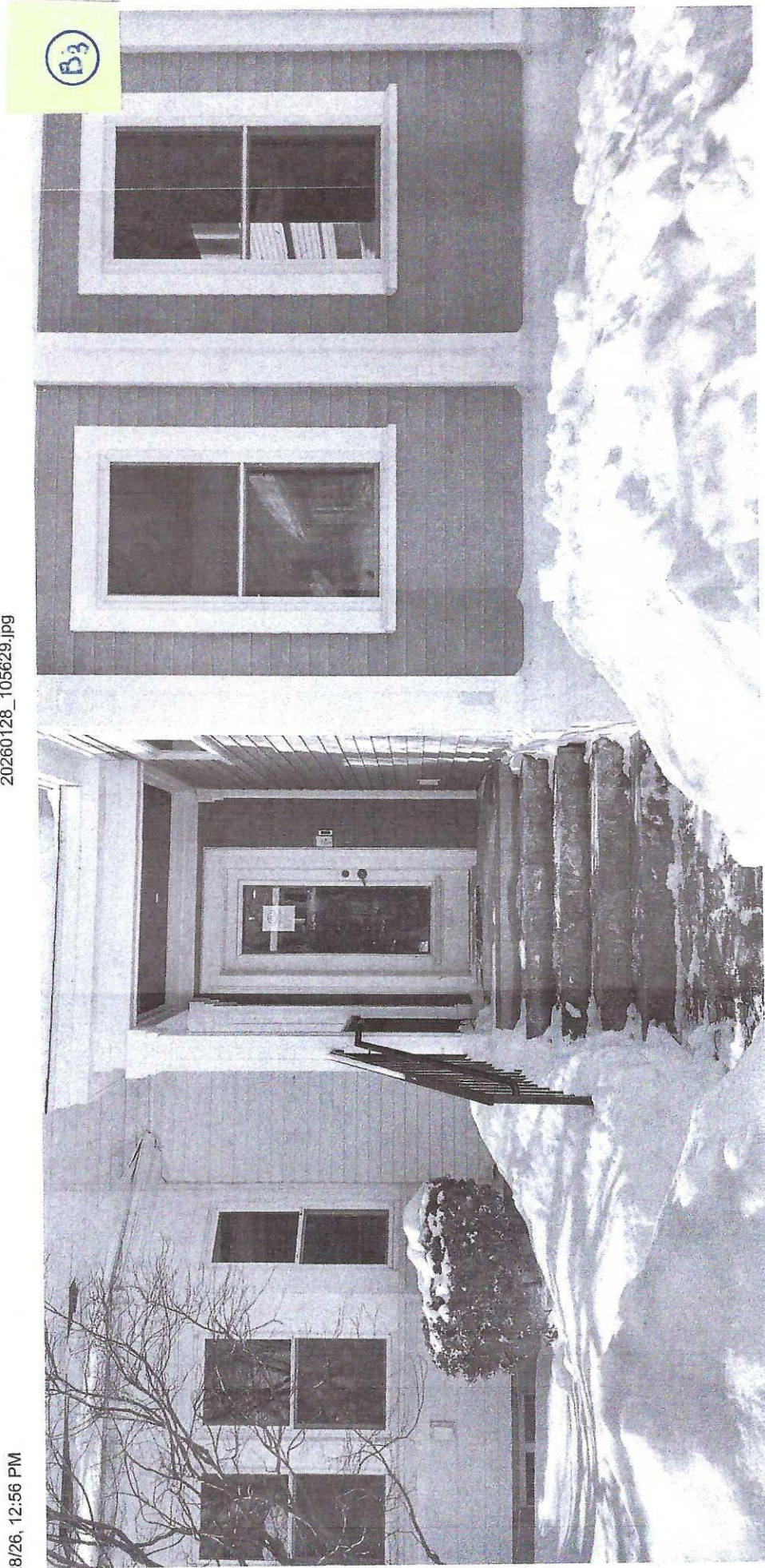


PHOTO AFTER COMPLETION

AAB 63









FRONT DOOR SECURITY ENTRANCE

AAB 65





HOME

SEARCH

SUMMARY

INTERIOR

EXTERIOR

SALES

ABOUT

Assessors Record Card | Summary Record Card | Previous Assessment  
 Condo Info | Sales | Zoning | Comments

WebPro

Card 1 of 1

Location 340 UNION AVE

 Property Account Number  
 F\_676708\_2929897

Parcel ID 120-69-7809-000

Old Parcel ID 100/025.0 --

## Current Property Mailing Address

Owner THREE 40 UNION AVE, LLC

City FRAMINGHAM

State MA

Zip 01702

Zoning P

Address 340 UNION AVE

## Current Property Sales Information

Sale Date 4/9/2009

Sale Price 520,000

Legal Reference 52550-366

Grantor(Seller) GRONTZOS, ATHANASIOS

## Current Property Assessment

Year 2024

Land Area 0.317 acres

**Card 1 Value**

Building Value 564,900

Xtra Features Value 7,000

Land Value 236,500

Total Value 808,400

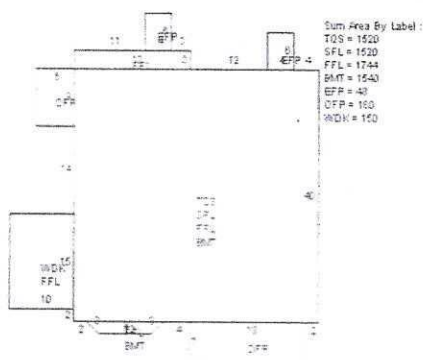
## Narrative Description

This property contains 0.317 acres of land mainly classified as MULTIUSE-RES with a(n) N/A style building, built about 1902, having N/A exterior and N/A roof cover, with 3 unit(s), 8 total room(s), 4 total bedroom(s), 2 total bath(s), 1 total half bath(s), 0 total 3/4 bath(s).

## Legal Description

100/025.0-0047-0006.0

## Property Images





E2

# 340 UNION AVE

Location 340 UNION AVE

Mblu 120/ 69/ 7809/ 1

Acct# 758

Owner THREE 40 UNION AVE, LLC

PBN

Total Market Value \$897,300

Appraisal \$897,300

PID 758

Building Count 1

## Current Value

### Appraisal

| Valuation Year | Building  | Extra Features | Outbuildings | Land      | Total     |
|----------------|-----------|----------------|--------------|-----------|-----------|
| 2026           | \$611,100 | \$0            | \$8,100      | \$278,100 | \$897,300 |

### Assessment

| Valuation Year | Building  | Extra Features | Outbuildings | Land      | Total     |
|----------------|-----------|----------------|--------------|-----------|-----------|
| 2026           | \$611,100 | \$0            | \$8,100      | \$278,100 | \$897,300 |

## Owner of Record

Owner THREE 40 UNION AVE, LLC  
Co-Owner  
Address 340 UNION AVE  
FRAMINGHAM, MA 01702

Sale Price \$520,000  
Certificate  
Book & Page 52550/0366  
Sale Date 04/09/2009  
Instrument 1Y

## Ownership History

### Ownership History

| Owner                   | Sale Price | Certificate | Book & Page | Instrument | Sale Date  |
|-------------------------|------------|-------------|-------------|------------|------------|
| THREE 40 UNION AVE, LLC | \$520,000  |             | 52550/0366  | 1Y         | 04/09/2009 |

BUILDING VALUE 611,100 X 30% = 183,331  
COST OF CONSTRUCTION ..... 87,000  
LESS THAN \$100,000 AND  
LESS THAN 30%

## Building Information

Building 1 : Section 1

Year Built: 1902  
Living Area: 4,404  
Replacement Cost: \$848,480  
Building Percent Good: 69

## Building Photo

Building Photo

(<https://images.vgsi.com/photos/framingham/0075/340%20Union>)

AAB 67

DENIAL

RECEIVED

F1



City of Framingham, Building Department

150 Concord Street, Room 203  
Framingham, MA 01702  
p. 508-532-5500 f. 508-532-5795



Building Permit Application for any Building other than a One- or Two-Family Dwelling

(This Section For Official Use Only)

Building Permit Number: \_\_\_\_\_ Date Issued: \_\_\_\_\_ Building Official: \_\_\_\_\_

SECTION 1: LOCATION (Please indicate Block # and Lot # for locations for which a street address is not available.)

340 UNION ST No. and Street  
MICHAEL FELICA Name of tenant/owner

SECTION 2: PROPOSED WORK

Edition of MA State Code used \_\_\_\_\_ If New Construction check here ☐ or check all that apply in the two rows below

Existing Building ☒ Repair ☐ Alteration ☐ Addition ☒ Demolition ☐ (Please fill out and submit Appendix 1.)

Change of Use \_\_\_\_\_ Change of Occupancy \_\_\_\_\_ Other ☐ Specify: \_\_\_\_\_

Are building plans and/or construction documents being supplied as part of this permit application? Yes ☒ No ☐  
Is an Independent Structural Engineering Peer Review required? Yes ☐ No ☒

Brief Description of Proposed Work: ENCLOSING PORCH AND ADDITION TO PORCH FOR ADDED OFFICE SPACE. 66.65' P' ADDITION

SECTION 3: COMPLETE THIS SECTION IF EXISTING BUILDING UNDERGOING RENOVATION, ADDITION, OR CHANGE IN USE OR OCCUPANCY

Check here if an Existing Building Investigation and Evaluation is enclosed (See 780 CMR 34) ☐

Existing Use Group(s): PROFESSIONAL OFFICE Proposed Use Group(s): P

SECTION 4: BUILDING HEIGHT AND AREA

|                                                                            | Existing       | Proposed       |
|----------------------------------------------------------------------------|----------------|----------------|
| No. of Floors/Stories (include basement levels) & Area Per Floor (sq. ft.) | 1744 4 STORIES | 1810 4 STORIES |
| Total Area (sq. ft.) and Total Height (ft.)                                |                |                |

SECTION 5: USE GROUP (Check as applicable)

A: Assembly A-1 ☐ A-2 ☐ Nightclub ☐ A-3 ☐ A-4 ☐ A-5 ☐ B: Business ☒ E: Educational ☐  
F: Factory F-1 ☐ F-2 ☐ H: High Hazard H-1 ☐ H-2 ☐ H-3 ☐ H-4 ☐ H-5 ☐  
I: Institutional I-1 ☐ I-2 ☐ I-3 ☐ I-4 ☐ M: Mercantile ☐ R: Residential R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐  
S: Storage S-1 ☐ S-2 ☐ U: Utility ☐ Special Use ☐ and please describe below:

Special Use \_\_\_\_\_

SECTION 6: CONSTRUCTION TYPE (Check as applicable)

IA ☐ IB ☐ IIA ☐ IIB ☐ IIIA ☐ IIIB ☐ IV ☐ VA ☐ VB ☒

SECTION 7: SITE INFORMATION (refer to 780 CMR 111.0 for details on each item)

Water Supply: Public ☒ Private ☐ Flood Zone Information: Check if outside Flood Zone ☒ or identify Zone: \_\_\_\_\_ Sewage Disposal: Indicate municipal ☒ or on site system ☐ Trench Permit: Yes ☐ No ☒ Debris Removal: Yes ☒ No ☐

Railroad right-of-way: Not Applicable ☒ or Consent to Build enclosed ☐ Hazards to Air Navigation: Is Structure within airport approach area? Yes ☐ or No ☒ Historic District? Yes ☐ No ☒

☐ FFD ☐ B.O.H. ☒ ZBA ☐ FHC  
☐ CON. COMM. ☐ PLAN BD ☐ DPW-ENG

PERMIT PICK-UP CONTACT: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

AAB 68



# SECTION 8: PROPERTY OWNER AUTHORIZATION

Name and Address of Property Owner

MICHAEL FOGLIA 340 UNION AVE FRAMINGHAM, MA 01702  
Name (Print) No. and Street City/Town Zip

MANAGER/OWNER 508-820-3400 508-370-7793 MFAGLIA@FOGLIALAW.COM  
Title Telephone No. (business) Telephone No. (cell) e-mail address

If applicable, the property owner hereby authorizes

LEWIS COLTEN 9 VERNON ST FRAMINGHAM MA 01701  
Name Street Address City/Town State Zip

to act on the property owner's behalf, in all matters relative to work authorized by this building permit application.

## SECTION 9: CONSTRUCTION CONTROL AND CONTRACTOR

### 9.1 Registered Professional Responsible for Construction Control

LEWIS COLTEN 508-596-7220 LEWCOLTENAIAC@MAIL.COM 6540  
Name (Registrant) Telephone No. e-mail address Registration Number  
9 VERNON ST. FRAMINGHAM MA 01701 ARCH 8/31/22  
Street Address City/Town State Zip Discipline Expiration Date

### 9.2 General Contractor

N/A  
Company Name

Name of Person Responsible for Construction License No. and Type if Applicable

Street Address City/Town State Zip

Telephone No. (business) Telephone No. (cell) e-mail address

## SECTION 10: CONSTRUCTION COSTS AND PERMIT FEE

BUILDING PERMIT FEE WILL BE AMENDED (IF NECESSARY) TO INCLUDE ACTUAL CONSTRUCTION COSTS BEFORE A PERMANENT OCCUPANCY WILL BE ISSUED. SEE FORM A1AG702703. N/A

| Item                        | Estimated Costs: (Labor and Materials) | Official Use Only (\$100.00 Minimum)                |
|-----------------------------|----------------------------------------|-----------------------------------------------------|
| 1. Building                 | \$                                     | (a) Building Permit Fee Multipliers \$15.00/\$1000. |
| 2. Electrical               | \$                                     | (b) Estimated Total Cost (6)                        |
| 3. Plumbing                 | \$                                     | Building Permit Fee (a) x (b)                       |
| 4. Mechanical (HVAC)        | \$                                     |                                                     |
| 5. Fire Protection          | \$                                     | Check Number                                        |
| 6. Total Cost = (1+2+3+4+5) | \$                                     |                                                     |

## SECTION 11: SIGNATURE OF BUILDING PERMIT APPLICANT

I hereby certify that I am the owner's agent / contractor for the property listed above and that all the information above, and plans and specifications submitted are correct and that all work pursuant thereto shall comply with all applicable provisions of the Commonwealth of Massachusetts Statutes, Building Code, and Town of Framingham Zoning By-Laws. The following is subscribed to and executed by me under the Pains and Penalties of Perjury.

LEWIS COLTEN ARCHITECT 508-596-7220 7/19/22  
Please print and sign name Title Telephone No. Date  
9 VERNON ST. FRAMINGHAM MA 01701  
Street Address City/Town State Zip

DENIAL FOR ZONING BOARD OF APPEALS:

PER SECTION: I, D, 8, 6

Addition proposed within front setback  
Increase pre-existing non-conforming floor area ratio  
Extension of pre-existing non-conforming commercial structure; finding from ZBA required

DATE

7/25/22

BUILDING COMMISSIONER

AAB 69

2023 SEP 27 A 9:19

**BOARD OF APPEALS CASE NO. 23-18**

**PETITION OF MICHAEL FOGLIA**

**DATE OF DECISION: SEPTEMBER 13, 2023**

**1. Application**

This document is the DECISION of the Framingham Zoning Board of Appeals (hereinafter the Board) on the Application of MICHAEL FOGLIA (hereinafter the Applicant), for property located at 340 UNION AVENUE. This Decision is in response to a Petition for a Finding to extend an enclosed porch by five feet within the front set-back, increase of pre-existing, non-conforming floor area ratio, of lawful, pre-existing, non-conforming commercial structure as required by the Zoning Ordinance (hereinafter the Application).

**2. Applicant & Property Owner**

Michael Foglia  
340 Union Ave  
Framingham, MA 01702

Three 40 Union Ave, LLC  
340 Union Ave  
Framingham, MA 01702

**3. Location**

Property is located at 340 Union Avenue and identified by Assessors' Parcel ID 120-69-7809-000 (hereinafter the Site).

**4. Board Action**

After due consideration of the Application, the record of proceedings, and based upon the findings set forth below, on September 13, 2023 the Board voted to GRANT the requested FINDING by a unanimous vote in favor of the petition of three (3) members sitting on the Application. The record of the vote is stated as follows:

|                   |     |
|-------------------|-----|
| STEPHEN MELTZER   | YES |
| HEATHER O'DONNELL | YES |
| EDWARD COSGROVE   | YES |

**5. Proceedings**

The Application was received by the Board on August 2, 2023 pursuant to M.G.L. c. 40A, §6, and the Framingham Zoning By-Law. The Application was considered by the Board at a duly noticed public hearing of the Board on September 13, 2023 at 7:00 P.M. in the Blumer Community Room of the Memorial Building. Board Members Stephen Meltzer, Heather O'Donnell, Edward Cosgrove were present throughout the proceedings. The minutes of the public hearing and submissions on which this Decision is based, which together with this Decision constitute the record of the proceedings, may be referred to in the Office of the Zoning Board of Appeals at the Memorial Building.



The Applicant's representative, Attorney David Click, was present and explained that they were looking to expand the front porch by extending a portion of it by 5' and enclosing that area. The existing entry porch will remain. The existing front setback is 28.3'; the request is for 23.5'. They also need relief from Floor Area Ratio. The existing is .344%; proposed is .349%, which is equivalent to one half of one percent. The use of the addition will be as office space. The basement is not usable as office space, as they have had repeated problems with sewer backup. The proposal would add 67SF to the building, allowing for storage on the first floor, instead of in the basement.

Mr. Colten commented that considering the neighborhood, this proposal would not look out of place, as it will be less intrusive than other setbacks on the surrounding streets.

Mr. Svirsky asked about the use of the property, noting that mixed use is not permitted in a Professional zone. Mr. Meltzer commented that the existing residential use was surely the original use of the building and therefore would be considered pre-existing non-conforming.

Richard Perry, owner of 357 Union Avenue, was present at the hearing and offered his full support, noting that the subject property is very well maintained and an asset to the neighborhood.

## **6. Exhibits**

Submitted for the Board's deliberation were the following exhibits:

- 6.1 Application for Hearing before the Zoning Board of Appeals filed with the City Clerk on August 15, 2023.
  - 6.1.1 Filing fee in the amount of \$1,200.00.
  - 6.1.2 Supplemental Information Memo prepared by Nealon, Nealon & Click, 85 Main St, Suite 101, Hopkinton, MA 01748, received with application.
  - 6.1.3 Application filed with the Building Official for a permit to extend and enclose a porch by five feet for an addition, on a pre-existing nonconforming commercial structure dated July 19, 2023.
  - 6.1.4 "Plot Plan, Proposed Variance, Parcel ID 120-89-7809, 340 Union Street, Framingham, MA;" Prepared Hawk Consulting, Inc. 3 Lackey Dam Road, Douglas, MA 01516; Stamped and signed by Timothy R. Callahan, PLS; Dated 7/12/22.
  - 6.1.5 "Tenant Fit-Up, Office Addition, Foglia & Associates Law Offices;" Sheets 1 and 2, Plans and Elevations; Prepared, stamped, and signed by Lewis Colton, AIA Architect, 9 Vernon St, Framingham, MA 01701; Dated 6-29-22, Revision 5-9-23.

Exhibits 6.1.4 and 6.1.5 shall be hereinafter referred to as the "Plans."

## **7 Findings and Conclusions**

Based upon its review of the Application, exhibits, and the public hearing thereon, the Board makes the following findings and conclusions:

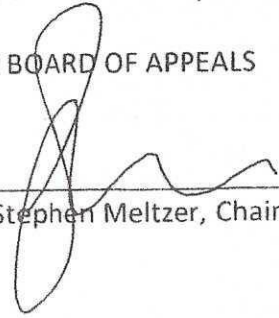
- 7.1 The property is located within the Professional (P) zoning district.
- 7.2 On July 19, 2023, the Building Official denied the Application for a permit to build an addition to a nonconforming structure under Section I.C of the Zoning By-Law.

- 7.3 On August 15, 2023, the Application was filed with the City Clerk for Hearing before the Zoning Board of Appeals for the purpose of obtaining a Finding pursuant to the Ordinance and M.G.L. c. 40A, §6.
- 7.4 Notice of the public hearing was duly published in "THE METROWEST DAILY NEWS" on August 29 and September 5, 2023 and mailed to all parties-in-interest, as defined by M.G.L. c. 40A, §11.
- 7.5 A Finding is necessary because the proposed addition will further encroach into the front setback by five feet and the floor area ratio will increase by .005%. The existing use of the building will remain. The existing building is to be considered pre-existing non-conforming regarding setback, floor area ratio, and use.
- 7.6 M.G.L. c. 40A, §6 applies to pre-existing, nonconforming uses or structures and requires a Finding when the nonconforming structure is extended or altered in such a way that the extension does not at all affect the nonconformity. The Board finds that the proposed addition will not increase the nonconforming nature of the structure, and that it will not be substantially more detrimental to the area than the existing structure.
- 7.7 The Board grants this Application with the following condition:
- 7.7.1 The addition shall be located and constructed as shown on the Plans.
- 7.7.2 This Decision applies only to the granted Findings. Other approvals or permits required by the By-Law, other governmental boards, agencies or bodies having jurisdiction, shall not be assumed or implied by this Decision.
- 7.7.3 If the rights authorized by this Finding are not exercised within three years of the date of the filing of this Decision with the City Clerk, said Finding shall lapse. If construction or substantial use has not commenced within this three-year period, the Applicant may request an extension by submitting a written Application to the Board which contains an explanation of good cause for the failure to exercise the rights of this Finding.
- 7.8 This Decision shall be recorded at (as appropriate) the Middlesex South District Registry of Deeds or District of the Land Court prior to the issuance of a Building Permit. A copy of the recorded or filed Decision certified by the Registry, and notification by the owner of the recording, including recording information, shall be furnished to the Board and the Building Official.
- 7.9 The terms, conditions and provisions of this Decision shall run with the land and shall be binding upon the Applicant, its successors in interest and assigns, and shall be enforceable by the City of Framingham.

## 8 Appeals

Appeals, if any, shall be made pursuant to M.G.L. c. 40A, §17 and shall be filed within twenty (20) days after the date of filing this Decision with the City Clerk.

ZONING BOARD OF APPEALS

By: 

Stephen Meltzer, Chairman

*Dedicated to excellence in public service.*



## Contract Agreement

**T&J Concepts and Construction LLC** henceforth known as "Builder," and **340 Union Avenue LLC**, henceforth known as "Client," are entering into this Contract today **9/9/2024** for the purposes of establishing the provisions of the construction of office addition, located at **340 Union Avenue, Framingham MA 01702**

Client agrees to the following scope of work to be performed by the Builder:

### Site Work

Prepare site to install foundation for office addition.

### Structural/Exterior

Install foundation according to plans/code  
 Frame & Install office addition according to plans/code  
 Install roof according to plans/code  
 Install siding according to plans/code Install insulation of office addition according to plans/code

### Interior

Install sheetrock, tape and mud  
 Plaster  
 Paint  
 Install hardwood flooring to match existing

### Notes:

*This contract is based on the architect plans dated 04/29/2024 provided by Lewis Colten AIA Architect.*

**Services.** Builder shall coordinate all labor, materials, equipment, tools, construction equipment and machinery, transportation, and other facilities and services necessary for the proper execution and completion of the office addition. The work shall be done substantially in conformance with the plans and specifications that have been initialed or signed by each party.

**Permits.** The Builder shall be responsible for obtaining and keeping in good standing any required approvals for the Plans and any required construction or other permits. Notwithstanding the foregoing the Owner shall be responsible for all costs in relation to such approvals or permits.

**Commencement of the Work.** Builder shall commence the Services within 14 Calendar days of receipt of all applicable license and permits and the down payment.

*This price includes demolition, excavation, foundation, framing, siding, roofing, sheetrock, Plaster, windows & doors, cabinets, and painting. Yard will be left clear of all debris and clean. Architect fees are not included in this price. A tentative product list will be provided and all prices are based on those or similar products. More expensive products will result in change orders. Special permits are not included in this price*

Total: \$87,000.00

**AAB 73**



· Client agrees to the contract, with the agreed price of:

Eighty-Seven Thousand Dollars

· Client agrees to pay Builder according to the following plan:

Payments #1 - \$26,100.00 To start the project and order the materials to start the project

Payment #2 - \$26,100.00 To Continue on to phase 2. (Siding, Roofing, insulation,  
Electrical work)

Payment #3 - \$31,100.00 To sheetrock, floors and paint

Payment #4 - \$3,700.00 when project is finished and

signed off by city officials

- Client agrees that if payment is not made according to the above plan, Builder has the right to stop all work until such time as payments have been brought current
- Client understands that if changes are necessary during current construction, the Builder will provide the Client with a change order, and the Client will be responsible for the additional incurred costs of the agreed upon changes.
- Builder will be responsible for all materials and equipment necessary for the completion of the job, which the Builder agrees were included in the estimate, or were added with the changes listed above.
- Builder agrees that any delays and/or changes not agreed to in this document must be discussed with the client before work is to continue.
- Builder may use subcontractors with the understanding that payment to the subcontractors is the sole responsibility of the Builder.
- Builder agrees to hold an insurance policy, which will cover equipment, materials and all employees and/or subcontractors.
- Builder agrees to obtain all necessary permits for the construction, the costs of which will be the builder's responsibility.
- Builder agrees that it will remove all debris, equipment, materials, etc. from the location upon completion of the construction.

Invalidity or unenforceability of one or more provisions of this agreement shall not affect any other provision of this agreement.

This contract is subject to the laws and regulations of the state of **Massachusetts**.

  
 T&J Concepts and Construction LLC.  
 MA HIC#211799  
 MA CSL# CS-109197

Date

Client Signature

Date

**PERMIT INFORMATION FOR 340 UNION AVE****BUILDING PERMIT INFORMATION**

|                      |                                                       |
|----------------------|-------------------------------------------------------|
| <b>PERMIT NUMBER</b> | BLD242159                                             |
| <b>APPLIED</b>       | AUGUST 09, 2024                                       |
| <b>STATUS</b>        | CLOSED                                                |
| <b>NAME</b>          | TOM LAN                                               |
| <b>TOTAL COST</b>    | \$85,000.00                                           |
| <b>PERMIT FEE</b>    | \$1,275.00                                            |
| <b>DESCRIPTION</b>   | MAKE ALTERATIONS AND ADDITION PER THE ATTACHED PLANS. |

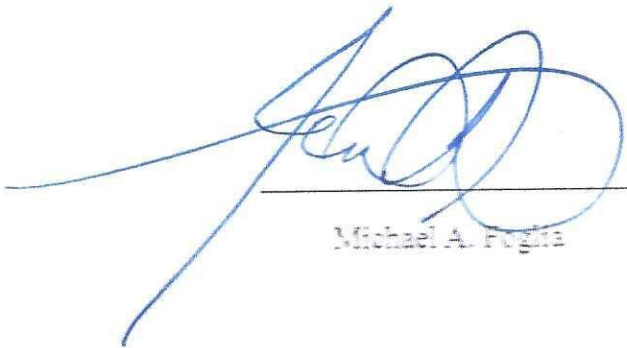
Permit information is maintained by the issuing department.  
Please contact the Building and Wire Department with any questions.





I Michael Foglia, owner of 340 Union Ave LLC, hereby authorize Lewis Colten, AIA Architect, to represent the interests of 340 Union Ave LLC relative to all matters and hearings concerning handicap disability.

Date Jan 16 2024

  
\_\_\_\_\_  
Michael A. Foglia

**ADA****§ 36.402 Alterations.**

(H)

**(a) General.**

(1) Any alteration to a place of public accommodation or a commercial facility, after January 26, 1992, shall be made so as to ensure that, to the maximum extent feasible, the altered portions of the facility are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs. (2) An alteration is deemed to be undertaken after January 26, 1992, if the physical alteration of the property begins after that date.

**(b) Alteration.** For the purposes of this part, an alteration is a change to a place of public accommodation or a commercial facility that affects or could affect the usability of the building or facility or any part thereof.

(1) Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, changes or rearrangement in structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions. Normal maintenance, reroofing, painting or wallpapering, asbestos removal, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility. (2) If existing elements, spaces, or common areas are altered, then each such altered element, space, or area shall comply with the applicable provisions of appendix A to this part.

**(c) *To the maximum extent feasible.*** The phrase "to the maximum extent feasible," as used in this section, applies to the occasional case where the nature of an existing facility makes it virtually impossible to comply fully with applicable accessibility standards through a planned alteration. In these circumstances, the alteration shall provide the maximum physical accessibility feasible. Any altered features of the facility that can be made accessible shall be made accessible. If providing accessibility in conformance with this section to individuals with certain disabilities (e.g., those who use wheelchairs) would not be feasible, the facility shall be made accessible to persons with other types of disabilities (e.g., those who use crutches, those who have impaired vision or hearing, or those who have other impairments).



## 521 CMR 5.00: DEFINITIONS

## 5.1 GENERAL

As used in 521 CMR, the following words shall have the meaning set forth in 521 CMR 5.00 unless the context otherwise requires.

**ACCESS AISLE:** An *accessible* pedestrian space between elements such as parking spaces, seating, or desks that provides clearances complying with 521 CMR.

**ACCESSIBLE:** A *site, building, facility* or portion thereof that complies with 521 CMR and that can be approached, entered, and used by *persons with disabilities*. When the term "*accessible*" is used, it shall mean both physical and communication accessible unless otherwise noted in 521 CMR.

**ACCESSIBLE ELEMENT:** An element complying with 521 CMR that can be used by *persons with disabilities* (for example, telephone, controls, appliances, equipment and the like).

**ACCESSIBLE ROUTE:** A continuous, unobstructed path connecting all *accessible* elements and spaces within or between *buildings* or *facilities*. Interior *accessible routes* may include corridors, floors, *ramps*, elevators, lifts, and *clear floor space* at fixtures. Exterior *accessible routes* may include parking, *access aisles*, *curb cuts*, crosswalks at vehicular ways, *walks*, *ramps*, and lifts.

**ACCESSIBLE SPACE:** Space that complies with 521 CMR and that can be used by *persons with disabilities*.

**ADAPTABILITY:** The ability of certain *building* spaces and elements, such as kitchen counters, sinks, and grab bars, to be added or altered so as to accommodate the needs of persons with or without disabilities or with different types or degrees of disability.

**ADAPTABLE:** Can readily be made *accessible* to, functional for, and safe for use by *persons with disabilities* without *structural change*.

**ADDITION:** An extension or increase in floor area or height of a *building* or structure.

**ADMINISTRATIVE AUTHORITY:** A governmental agency that adopts or enforces regulations for the design, construction, or alteration of *buildings* and *facilities*.

**ALTERATIONS:** A change or modification of a *building* or structure, or portion thereof, that requires a building permit. Alterations shall include but not be limited to: *remodeling*, renovation, rehabilitation, *reconstruction*, historic restoration, changes or rearrangements in the plan configuration of walls and full height partitions, and any *repairs* which require a building permit. *Ordinary repairs as defined in 780 CMR: The State Building Code are not alterations.*

**AREA OF RESCUE ASSISTANCE:** An area, which has direct access to an exit or an area adjacent to an exit discharge, where people who are unable to use stairs or are unable to travel more than 100 feet to a public way may remain temporarily in safety to await further instructions or assistance during emergency evacuation.





Lewis Colten AIA  
A R C H I T E C T

9 Vernon Street  
Framingham, MA 01701

Phone: 508-596-7220 Fax: 508-820-9708  
Electronic Mail: lewcoltenaia@gmail.com

February 9, 2026

### FINAL STATEMENT

When the construction of this project was completed by the end of 2025, it was assumed that all was in order and compliant in all respects. The building department inspector, Eric Chartier, wanted an acceptance of work performed. After 2 years of being highly scrutinized—going through Planning Board Review, and Zoning Board of Appeals variance procedures (see Attachment F 2: Decision of Variance Approval), and construction inspections on a regular basis--the phase of design review, construction, issuance of the Final Construction Control Document (Attachment A<sub>5</sub>), the project was finally completed. Needless to say, there was a surprise when notified of the complaint for noncompliance with MAAB CMR 521. The first item noted was Section 3.34 – That alterations shall not decrease accessibility. Based on the limited interior work, as shown on the construction drawings (see Attachments A<sub>1</sub>, A<sub>2</sub>, A<sub>3</sub>, A<sub>4</sub> and AA). The nature of an existing 124-year old building showing that altering the existing conditions, as indicated on Attachment C<sub>1</sub>, is consistent with CMR 521 and ADA Section 36.402 Alterations, as infeasible. See Attachment H<sub>1</sub>.

The complaint notes MAAB CMR 521, Sec. 25.1 having to deal with the alterations of the existing entry steps. It was noted that the alteration changed the configuration of the steps and number of treads and risers. The explanation is noted on Attachments BB and C<sub>1</sub>. It goes without saying, the contractor was trying to rectify an unacceptable deteriorating condition, made it better, put it back the way it was originally and seeing it met all CMR 780 requirements with the local inspector's agreement. The consequences of changing the entire access was not considered and numerous alternatives were reviewed and found to be infeasible. Refer to Attachment CC.

The final completion of the stairs was admirable insofar as it was an identical replication but looking new. Finally, being well aware of making the best effort to accommodate the handicap with remote visitation and exploring alternate means of getting into the building, we came to the realization that these alternatives, other than off site visitation, were **infeasible**. Therefore, we are asking that our variance request be granted.

Respectfully submitted,

Lewis Colten AIA, CBO



**AAB 80**

## **Machado, Victor (DPL)**

---

**From:** Lewis Colten <lewcoltenaia@gmail.com>  
**Sent:** Monday, February 9, 2026 5:42 PM  
**To:** Joyce, William (DPL); Griffin, Molly (DPL)  
**Cc:** Eric Chartier; fdcuddy@gmail.com; mdempsey@mwcil.org; Dcorreia@framinghamma.gov; Machado, Victor (DPL)  
**Subject:** Variance Application -- 340 Union Avenue, Framingham, MA 0170- Docket No. C 25 074  
**Attachments:** Application for Variance\_0001.pdf

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Attached please find Application for Variance regarding the above-stated property.

Thank you.

--

Lewis Colten AIA, CBO  
Architect  
9 Vernon Street  
Framingham, Massachusetts 01701  
Phone: 508-596-7220  
Cell: 508-596-7220  
Fax: 508-820-9708  
Email: [lewcoltenaia@gmail.com](mailto:lewcoltenaia@gmail.com)

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## **Machado, Victor (DPL)**

---

**From:** Machado, Victor (DPL)  
**Sent:** Tuesday, February 10, 2026 8:57 AM  
**To:** Caroline Connor  
**Cc:** Lou Cintolo; Machado, Victor (DPL)  
**Subject:** RE: Resubmission - Variance Request - 369/371 Grant Street, Framingham, MA

Thank you, Caroline,

I have recorded on the complaint that a variance was submitted, and Molly will contact you if anything else is needed.

Best,  
Victor

**Victor Machado**  
Compliance Officer  
He/Him/His  
**Architectural Access Board**

**Office of Public Safety and Inspections**  
**Division of Occupational Licensure**  
E: [victor.machado@mass.gov](mailto:victor.machado@mass.gov)  
P: (617) 727-0660

1 Federal Street, 6th Floor, Boston, MA 02118  
[www.mass.gov/aab](http://www.mass.gov/aab)

---

**From:** Caroline Connor <caroline.connor@live.com>  
**Sent:** Monday, February 9, 2026 4:37 PM  
**To:** Machado, Victor (DPL) <Victor.Machado@mass.gov>  
**Cc:** Lou Cintolo <lcintolo@gmail.com>  
**Subject:** Resubmission - Variance Request - 369/371 Grant Street, Framingham, MA

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Mr. Machado

Attached please find our variance re-submission for the Committee's consideration. In this submission, we have provided better quality, accurate drawings, including superimposed images of the rear ramp and location of interior furniture/counter space. The architectural drawings also include dimensions of all spaces.



The application has been updated to better explain the property attributes and constraints. As you will see in the application, we are recommending lowering the 'ice cream' window to allow direct ADA accessibility.

Please let me know if you have any questions on the attached submission or if you require additional information.

Thank you in advance and Best Regards,



Caroline Connor  
781-697-4242



## Machado, Victor (DPL)

---

**From:** Caroline Connor <caroline.connor@live.com>  
**Sent:** Thursday, February 5, 2026 2:59 PM  
**To:** Machado, Victor (DPL)  
**Cc:** Lou Cintolo  
**Subject:** Re: Variance Request - 371 Grant Street, Framingham, MA  
**Attachments:** Outlook-k4zydxto

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

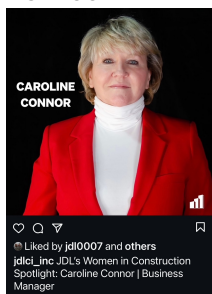
Hi Victor

Thank you for your email.

We are awaiting the updated documents from the architect and plan to re-submit to you by Monday, February 9.

Cheers,

Caroline Connor  
781-697-4242



---

**From:** Machado, Victor (DPL) <Victor.Machado@mass.gov>  
**Sent:** Wednesday, February 4, 2026 11:43 AM  
**To:** Caroline Connor <caroline.connor@live.com>  
**Cc:** Lou Cintolo <lcintolo@gmail.com>; Machado, Victor (DPL) <Victor.Machado@mass.gov>  
**Subject:** RE: Variance Request - 371 Grant Street, Framingham, MA

Hello All,

Could you please provide an update on the current plan or variance process?

Thank you.

Best regards,  
Victor

**Victor Machado**  
Compliance Officer  
He/Him/His  
**Architectural Access Board**

**Office of Public Safety and Inspections**  
**Division of Occupational Licensure**  
E: [victor.machado@mass.gov](mailto:victor.machado@mass.gov)  
P: (617) 727-0660

1 Federal Street, 6th Floor, Boston, MA 02118  
[www.mass.gov/aab](http://www.mass.gov/aab)

---

**From:** Caroline Connor <caroline.connor@live.com>  
**Sent:** Thursday, January 15, 2026 3:11 PM  
**To:** Machado, Victor (DPL) <Victor.Machado@mass.gov>  
**Cc:** Lou Cintolo <lcintolo@gmail.com>  
**Subject:** Re: Variance Request - 371 Grant Street, Framingham, MA

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Victor

Thanks very much for your time today and for sending over the regulations.

We will put together an enhanced package and get it back to you in time for one of the February meetings.

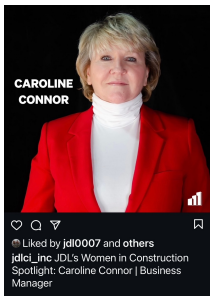
Your assistance is greatly appreciated.

Cheers,



Caroline Connor  
781-697-4242





---

**From:** Machado, Victor (DPL) <[Victor.Machado@mass.gov](mailto:Victor.Machado@mass.gov)>  
**Sent:** Thursday, January 15, 2026 2:46 PM  
**To:** Caroline Connor <[caroline.connor@live.com](mailto:caroline.connor@live.com)>  
**Cc:** Lou Cintolo <[lcintolo@gmail.com](mailto:lcintolo@gmail.com)>; Machado, Victor (DPL) <[Victor.Machado@mass.gov](mailto:Victor.Machado@mass.gov)>  
**Subject:** RE: Variance Request - 371 Grant Street, Framingham, MA

Please see attached 521 CMR

Best,  
Victor

**Victor Machado**  
Compliance Officer  
He/Him/His  
**Architectural Access Board**

**Office of Public Safety and Inspections**  
**Division of Occupational Licensure**  
E: [victor.machado@mass.gov](mailto:victor.machado@mass.gov)  
P: (617) 727-0660

1 Federal Street, 6th Floor, Boston, MA 02118  
[www.mass.gov/aab](http://www.mass.gov/aab)

---

**From:** Caroline Connor <[caroline.connor@live.com](mailto:caroline.connor@live.com)>  
**Sent:** Thursday, January 8, 2026 2:24 PM  
**To:** Machado, Victor (DPL) <[Victor.Machado@mass.gov](mailto:Victor.Machado@mass.gov)>  
**Cc:** Lou Cintolo <[lcintolo@gmail.com](mailto:lcintolo@gmail.com)>  
**Subject:** Variance Request - 371 Grant Street, Framingham, MA

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Victor

Attached please find the variance request that you discussed with Lou. Please let me know if you have any questions or if there is any other information you may require.



Caroline Connor  
781-697-4242

## **Machado, Victor (DPL)**

---

**From:** Fred Bray <fbray@framinghamma.gov>  
**Sent:** Tuesday, December 30, 2025 4:37 PM  
**To:** Machado, Victor (DPL)  
**Cc:** David Correia; Eric Chartier; Edward F. Clinton  
**Subject:** RE: C25-014 Cintolo Market, 371 Grant Street, Framingham

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Victor:

We are aware of the situation at this address. Work has slowed to a crawl and he is not close to seeking any sort of occupancy permit at this time. We will ensure compliance with 521 CMR, and any standing orders from the AAB, are complied with prior to any occupancy being issued. We appreciate your assistance on all accessibility cases. Happy New Year.

Thank you

Fred Bray

Building Commissioner

508-532-5503

---

**From:** Machado, Victor (DPL) <Victor.Machado@mass.gov>  
**Sent:** Tuesday, December 30, 2025 4:01 PM  
**To:** Fred Bray <fbray@framinghamma.gov>  
**Cc:** David Correia <dcorreia@framinghamma.gov>; Machado, Victor (DPL) <Victor.Machado@mass.gov>  
**Subject:** RE: C25-014 Cintolo Market, 371 Grant Street, Framingham

**CAUTION:** This email originated from outside your organization. Do not click links or open attachments unless you recognize and verify the sender and know the content is safe.

Mr. Bray,

I just got off the phone with Mr. Cintolo. No action is needed from you.

Happy New Year.

Best,

Victor

**Victor Machado**

Compliance Officer

He/Him/His

**Architectural Access Board**

**Office of Public Safety and Inspections**



**Division of Occupational Licensure**

E: [victor.machado@mass.gov](mailto:victor.machado@mass.gov)

P: (617) 727-0660

1 Federal Street, 6th Floor, Boston, MA 02118

[www.mass.gov/aab](http://www.mass.gov/aab)

---

**From:** Machado, Victor (DPL) <[Victor.Machado@mass.gov](mailto:Victor.Machado@mass.gov)>

**Sent:** Tuesday, December 30, 2025 10:39 AM

**To:** [fbray@framinghamma.gov](mailto:fbray@framinghamma.gov)

**Cc:** [dcorreia@framinghamma.gov](mailto:dcorreia@framinghamma.gov); Machado, Victor (DPL) <[Victor.Machado@mass.gov](mailto:Victor.Machado@mass.gov)>

**Subject:** C25-014 Cintolo Market, 371 Grant Street, Framingham

Hello Mr. Bray,

A Second Notice and request for a renovation plan was sent to the owner of the above-referenced property. To date, the Board has not received any correspondence or response from the property owner.

At this time, we are seeking any information you may have regarding the status of renovations at this location. Specifically, please advise whether any site visits or inspections have been conducted by City personnel, including but not limited to fire, electrical, plumbing, or building departments.

Your assistance in this matter is appreciated. Please feel free to contact me should you require any additional information.

Best regards,

Victor

**Victor Machado**

Compliance Officer

He/Him/His

**Architectural Access Board**

**Office of Public Safety and Inspections**

**Division of Occupational Licensure**

E: [victor.machado@mass.gov](mailto:victor.machado@mass.gov)

P: (617) 727-0660

1 Federal Street, 6th Floor, Boston, MA 02118

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*One Framingham - Focused on the Future*

Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to public access under the Massachusetts Public Records Law, M.G.L. c. 66 § 10.

---

**C25-014 Cintolo Market, 371 Grant Street, Framingham**

---

**From** Machado, Victor (DPL) <Victor.Machado@mass.gov>

**Date** Mon 11/10/2025 4:18 PM

**Cc** Machado, Victor (DPL) <Victor.Machado@mass.gov>

**Bcc** fdccuddy@gmail.com <fdccuddy@gmail.com>; dcorreia@framinghamma.gov  
<dcorreia@framinghamma.gov>; mdempsey@mwil.org <mdempsey@mwil.org>; mat@framinghamma.gov  
<mat@framinghamma.gov>; Simone, Sadie <ssimone@mwil.org>; fbray@framinghamma.gov  
<fbray@framinghamma.gov>

 1 attachment (93 KB)

C25-014 Second Notice and AAB Response to plan.pdf;

Hello,

Attached is the copy of the **Second Notice** mailed out by the **Architectural Access Board** regarding accessibility concerns at:

Case Number:

**C25-014**

Location Address:

**Cintolo Market, 371 Grant Street, Framingham**

This email is intended to keep all relevant parties informed.

Regards,  
Victor

**Victor Machado**

Compliance Officer I

He/Him/His

**Architectural Access Board**

**Office of Public Safety and Inspections**

**Division of Occupational Licensure**

E: [victor.machado@mass.gov](mailto:victor.machado@mass.gov)

P: (617) 727-0660

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MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

ERIC PALEY  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1 Federal St., Suite 600  
Boston, Massachusetts 02118

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

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

TO: Louis V Cintolo and Caroline L Conner  
371 Grant Street  
Framingham, MA 01702

Docket Number **C 25 014**

RE: Cintolo Market  
371 Grant Street  
Framingham

DATE: 11/10/2025

Enclosed please find a copy of the following material regarding the complaint against the above location:

- |                                                    |                                                   |
|----------------------------------------------------|---------------------------------------------------|
| <input type="checkbox"/> First Notice              | <input type="checkbox"/> Stipulated Order         |
| <input checked="" type="checkbox"/> Second Notice  | <input type="checkbox"/> Letter of Meeting        |
| <input type="checkbox"/> Notice of Hearing         | <input type="checkbox"/> Application for Variance |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Decision of the Board    |

Please review all enclosed documents carefully.

cc: Local Building Inspector  
Independent Living Center  
Local Commission on Disability  
Complainant





MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

ERIC PALEY  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1 Federal St., Suite 600  
Boston, Massachusetts 02110

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

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

November 10, 2025

Louis V Cintolo and Caroline L Conner  
371 Grant Street  
Framingham, MA 01702

RE: Cintolo Market  
371 Grant Street  
Framingham

Docket Number **C25 014**

Dear Sir/Madam

On August 8, 2025, you were notified of a complaint filed against you with respect to alleged violations of the Board's Rules and Regulations at your premises. Attached is a copy of the original notice.

To date, we have not received a full plan for compliance or an update on the status. If you do not respond within <sup>45 days</sup> ~~ten (10) days~~ of receipt of this letter, the Board will schedule a hearing for you to appear on the complaint. You should also be aware that the Board has the authority to impose fines of up to \$1,000.00 per day per violation for any person found in willful violation of the Board's orders.

Sincerely,

Victor Machado  
Compliance Officer

cc: Local Building Department  
Local Disability Commission  
Independent Living Center  
Complainant

**AAB 93**

MAURA HEALEY  
GOVERNOR



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

KIM DRISCOLL  
LIEUTENANT GOVERNOR

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

ERIC PALEY  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

One Federal Street, Suite 600 • Boston • MA • 02110  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab) • Fax: 617-979-5459

November 10, 2025

Via certified mail:

Tracking #: 7010 1870 0001 4989 8470

Louis V. Cintolo  
Caroline Connor  
371 Grant Street  
Framingham, MA 01702

**RE: Cintolo Market, 371 Grant Street, Framingham (C25-014) – SECOND NOTICE**

Dear Mr. Cintolo and Ms. Connor,

This letter serves as a second notice regarding the accessibility requirements for the property referenced above.

The Board acknowledges receipt of your correspondence dated August 31, 2025, regarding accessibility provisions at 371 Grant Street, Framingham, MA, which states: "We have installed a fully accessible, unobstructed, and continuous entrance at the rear of the building, along with an ADA-compliant restroom."

Please be advised that all public access, including any and all points of entry or service areas intended for use by the public, must fully comply with the requirements of 521 CMR. This includes, but is not limited to, entrances, take-out windows, and service counters that provide goods or services to the public.

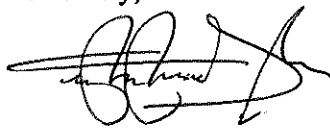
While we note that the project remains under construction and has not yet received a Certificate of Occupancy, any portion of the premises intended for public use must be designed and constructed in accordance with 521 CMR prior to occupancy or operation.

Please note that you may request a variance under Section 7.2.1 for the take-out window on C Street, should you choose to do so; however, all other public access points must remain in full compliance with 521 CMR.

Please ensure that final plans and construction details reflect full compliance with these accessibility standards and submit the requested information to this office within forty-five (45) days of the date of this notice.

Thank you for your attention to this matter. Should you require additional information or assistance, please do not hesitate to contact me. You may submit the requested documentation to this address or directly to me via email at [victor.machado@mass.gov](mailto:victor.machado@mass.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Victor Machado', with a stylized flourish at the end.

Victor Machado  
Compliance Officer I

cc: Local Building Inspector  
Local Commission on Disability  
Independent Living Center

## **Machado, Victor (DPL)**

---

**From:** Mark Dempsey <mdempsey@mwciil.org>  
**Sent:** Tuesday, October 28, 2025 11:14 AM  
**To:** Machado, Victor (DPL)  
**Subject:** Photos  
**Attachments:** Photos taken August 8.docx

**CAUTION:** This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

--

**Mark Dempsey  
Independent Living Coordinator  
MetroWest Center for Independent Living  
One Clarks Hill, Suite 200  
Framingham, MA 01702  
508-875-7853 x137 V/TTY  
508-875-8359 FAX**

MetroWest Center for Independent Living, Inc. is a scent free workplace. To accommodate full participation Consumers, Staff, Volunteers, Community Partners and Business partners must refrain from wearing any scented deodorants, perfumes, etc. when visiting or working in our office.

This electronic message transmission contains information from MetroWest Center for Independent Living that may be confidential or privileged. The information is intended solely for the addressee(s) and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this transmission in error, please notify us immediately by telephone (1-508-875-7853) or by electronic mail at [mdempsey@mwciil.org](mailto:mdempsey@mwciil.org). Thank you.



Louis V. Cintolo  
Caroline L. Connor  
371 Grant Street  
Framingham, MA 01702

SEP 11 2025

August 31, 2025

Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
1 Federal Street  
Suite 600  
Boston, MA 02110

RECEIVED

SEP 29 2025

SEP 30 2025

AAB

Attn: Daun Guarriello, Chairperson

RE: Cintolo Market 361 Grant Street

Dear Ms. Guarriello:

We acknowledge receipt of your letter dated August 2, 2025, regarding a potential violation of M.G.L. c.22 § 13A and 521 CMR.

Please note that the subject property is still under construction, has not opened to the public, and has not yet received a Certificate of Occupancy.

Your letter references Section 7.2.1 and concerns the take-out window on C Street. This window is one of three service access points and is **not** the primary location for food or ice cream service.

We have installed a fully accessible, unobstructed, and continuous entrance at the rear of the building, along with an ADA-compliant restroom. We are committed to ensuring all services are accessible, and the rear ramp provides compliant access (see enclosed picture).

Due to space constraints and the window's proximity to public property, installing a ramp at the C Street window is not readily achievable. However, we are prepared to offer alternative service methods, including delivery to the exterior of the building for individuals with disabilities.

As the building remains under construction, please advise if any additional measures are expected at this stage.

I apologize for the delay in responding to your letter. I fell and broke my shoulder on August 2 in Maine and have been unable to get back to work until very recently.

Sincerely,



Caroline Connor

AAB 97





WARNING  
Security  
Cameras In Use



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Louis V Cintolo and Caroline L Conner**  
**371 Grant Street**  
**Framingham, MA 01702**



9590 9402 9147 4225 7435 07

2. Article Number (Transfer from service label)

9589 0710 5270 2411 7166 90

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

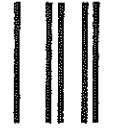
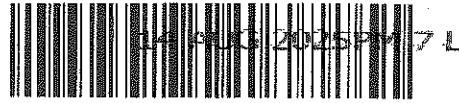
☐ Adult Signature☐ Priority Mail Express®☐ Adult Signature Restricted Delivery☐ Registered Mail™☒ Certified Mail®☐ Registered Mail Restricted Delivery☐ Certified Mail Restricted Delivery☐ Signature Confirmation™☐ Collect on Delivery☐ Signature Confirmation Restricted Delivery☐ Collect on Delivery Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

AAB 99

USPS TRACKING#

BOSTON MA 020



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

CAS-014

9590 9402 9147 4225 7435 07

United States  
Postal Service

Division of Occupational Licensure

One Federal Street, Suite 600

Boston, MA 02110-2012

AUG 18 2025

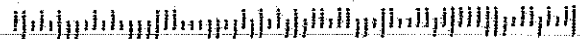
Cintelo  
Market

Frammingham

ATTN: AAB

1st NOV

110-201250



AAB 100



---

**(C25-014) Cintolo Market, 371 Grant Street, Framingham - First Notice**

---

**From** Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>

**Date** Fri 8/8/2025 4:07 PM

**Bcc** fdccuddy@gmail.com <fdccuddy@gmail.com>; David Correia <dcorreia@framinghamma.gov>; Simone, Sadie <ssimone@mwil.org>; fbray@framinghamma.gov <fbray@framinghamma.gov>; mat@framinghamma.gov <mat@framinghamma.gov>; mdempsey@mwil.org <mdempsey@mwil.org>

 1 attachment (463 KB)

C25-014 First Notice.pdf;

Good afternoon,

Attached is the First Notice for complaint # C25-014. This email is intended to keep all interested parties informed.

Regards,

**Arelyn Benitez**

Compliance Officer I

She/Her

Architectural Access Board

Office of Public Safety and Inspections

Division of Occupational Licensure

One Federal Street, Suite 600

Boston, MA 02118

(617) 727-0660

[\[www.mass.gov/aab\]](http://www.mass.gov/aab)[www.mass.gov/aab](http://www.mass.gov/aab)



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**

1 Federal St., Suite 600  
Boston, Massachusetts 02118

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

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

TO: Louis V Cintolo and Caroline L Conner  
371 Grant Street  
Framingham, MA 01702

Docket Number **C 25 014**

RE: Cintolo Market  
371 Grant Street  
Framingham

DATE: 08/08/2025

Enclosed please find a copy of the following material regarding the complaint against the above location:

- |                                                  |                                                   |
|--------------------------------------------------|---------------------------------------------------|
| <input checked="" type="checkbox"/> First Notice | <input type="checkbox"/> Stipulated Order         |
| <input type="checkbox"/> Second Notice           | <input type="checkbox"/> Letter of Meeting        |
| <input type="checkbox"/> Notice of Hearing       | <input type="checkbox"/> Application for Variance |
| <input type="checkbox"/> Correspondence          | <input type="checkbox"/> Decision of the Board    |

Please review all enclosed documents carefully.

cc: Local Building Inspector  
Independent Living Center  
Local Commission on Disability  
Complainant

**AAB 102**



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**

1 Federal St., Suite 600  
Boston, Massachusetts 02110

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

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

August 8, 2025

Docket Number **C25 014**

Louis V Cintolo and Caroline L Conner  
371 Grant Street  
Framingham, MA 01702

**RE: Cintolo Market 371 Grant Street**

**, Framingham**

Dear Sir/Madam

Upon information received by the Architectural Access Board, the facility referenced above has been reported to violate M.G.L. c. 22, § 13A and the Rules and Regulations (521 CMR) promulgated thereunder. Reported violations, include the following items:

Section: Reported violation:

|       |                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 20.1  | 20.1 GENERAL<br>An accessible route shall provide a continuous unobstructed path connecting accessible spaces and elements inside and outside a facility. Accessible routes may include but are not limited to walks, halls, corridors, aisles, skywalks, and tunnels. Accessible routes may not include stairs, steps, or escalators, even if the stairs and steps are required to be accessible under 521 CMR. |
| 25.1  | All public entrance(s) of a building or tenancy in a building shall be accessible.                                                                                                                                                                                                                                                                                                                               |
| 7.2.1 | Cash register transactions: In department stores and retail stores where counters have cash registers and are provided for sales or distribution of goods or services to the public, at least one of each type shall comply with the following.<br><br>This is for the Take-out window on C Street.                                                                                                              |

Under Massachusetts law, the Board is authorized to take legal action against violators of its regulations, including but not limited to, an application for a court order preventing the further use of an offending facility. The Board also has the authority to impose fines of up to \$1,000.00 per day, per violation, for willful noncompliance with its regulations.

You are requested to notify this Board, in writing, of the steps you have taken or plan to take to comply with the current regulations. Please note the current sections may be different from the sections that are cited above. Unless the Board receives such notification within 14 days of receipt of this letter, it will take necessary legal action to enforce its regulations as set forth above. If you have any questions, you may contact this office.

cc: Local Building Inspector  
Local Disability Commission  
Independent Living Center  
Complainant

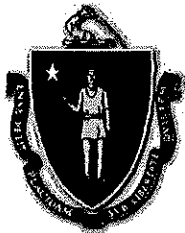
Sincerely,

  
Dawn Guarriello  
Chairperson









**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1 Federal St., Suite 600 • Boston • MA • 02110  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab)

Docket Number

(Office Use Only)

You have received this Notice because the Board has received information indicating that an element or elements of the building or facility you own is or are not in compliance with 521 CMR. This process is designed to provide you with a reasonable opportunity to correct any outstanding violations. Please complete both sides of this form and return it to:

**Arelyn Benitez**  
**Architectural Access Board**  
**1 Federal Street, Suite 600**  
**Boston, MA 02110**  
**Email: [Arelyn.Benitez@mass.gov](mailto:Arelyn.Benitez@mass.gov)**

Electronic Copies of this form are available at the Board's website (<http://www.mass.gov/aab>) if you wish to submit it via email. If you have any questions, please contact the Board's staff via telephone at [617-727-0660](tel:617-727-0660) during normal business hours (9am – 5pm Mon-Fri). Please note that failure to return this document in a timely manner will result in the issuance of a Second Notice, and continued failure to address the items cited may result in fines of up to \$1,000 per day per violation among other legal remedies.

**Please check ONE of the boxes below and return this form within 14 days of receipt of the First Notice:**

- ☐ I have enclosed a plan to correct the violation(s), including a date for when I expect the work to be complete. I am aware that this plan will need to be approved by the Compliance Officer.
- ☐ I require additional time to prepare a plan to correct the cited violation(s), I have attached an explanation for why I require this additional time, including the specific amount of additional time I am requesting (which cannot exceed 90 days from the date of receipt of this Notice), and am aware that the Compliance Officer is not obligated to grant this additional time.
- ☐ I believe that correcting the violation(s) cited in the First Notice is impracticable (as defined in 521 CMR 5) and will be submitting a completed Application for Variance in no more than 30 days from the date I received the First Notice.
- ☐ I believe that the element(s) cited in the First Notice are not in violation of 521 CMR and I have attached a detailed explanation showing why they are in compliance or not otherwise subject to 521 CMR, including specific references to the applicable code sections.
- ☐ I am neither the legal owner of the building/facility nor their employee or agent.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

## Communications Preference

Please Select one:

☐ I want to receive all further documents regarding this case

electronically at the following **email address**:

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☐ I want to receive all further documents regarding this case via

certified mail at the following **mailing address**:

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The property at 371 Grant Street consisted of a market and a multi family building. The market has been closed for decades. On February 18 2023 a building permit with a value for the work at \$501,000. The work being performed was a renovation of the existing structures and an addition. The value of the building only at the time of the permit being issued (FY24) is listed at \$313,400. The spending far exceeded 30% of the value of the building, actually exceeding 100% of the value of the building. Section 3.3.2. Therefore full compliance is required.

The front entrance (West side) has been constructed with a step. This does not comply with 521 CMR Section 25.1 Entrance.



The take out window on the C Street side (North side) has a step. This does not comply with 521 CMR Section 7.2.1 cash register transactions





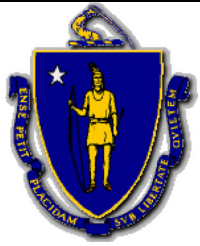
## PERMIT INFORMATION FOR 371 GRANT ST

### BUILDING PERMIT INFORMATION

|                      |                                                                                                     |
|----------------------|-----------------------------------------------------------------------------------------------------|
| <b>PERMIT NUMBER</b> | BLD230849                                                                                           |
| <b>APPLIED</b>       | APRIL 25, 2023                                                                                      |
| <b>STATUS</b>        | ISSUED                                                                                              |
| <b>NAME</b>          | LOUIS CINTOLO                                                                                       |
| <b>TOTAL COST</b>    | \$501,000.00                                                                                        |
| <b>PERMIT FEE</b>    | \$7,515.00                                                                                          |
| <b>DESCRIPTION</b>   | 369-371 GRANT STREET RENOVATION & ADDITION FOR THREE FAMILY EXISTING HOME AND MARKET. REMODEL OF EX |

Permit information is maintained by the issuing department.

Please contact the Building and Wire Department with any questions.



**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1 Federal St., Suite 0600 • Boston • MA • 02110-2012  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab)

Docket Number

(Office Use Only)

**GENERAL BUILDING COMPLAINT FORM**

**PLEASE BE ADVISED THAT THIS FORM IS A MATTER OF PUBLIC RECORD AND  
WILL BE DISCLOSED UPON REQUEST.**

1. What is the name and address of the building believed to be in violation of the Rules and Regulations of this Board?

Building Name or Description:

Mixed Used - Cintolo Market on first floor

Street Address:

371 Grant Street

City/Town:

Framingham

2. Does it appear that the building was recently constructed or renovated? yes
3. What date were you most recently at the building? April 25, 2025
4. How many floors? Market is 1 floor

5. Please describe the violation(s) as clearly as possible. Include information on the nature of the violation, the location of the violation within the building or site, and any other information you feel might be relevant. **The Board's staff also recommends you include photographs of the violation if possible.** (Please use additional sheets if necessary):

New front entrance on Grant Street (West side) has steps. Take out window on C Street (North Side) has steps

6. Name and address of person/organization filing this complaint (if organization is filing, please provide the Board with the name of a contact person) (**required**):

Name: Mark Dempsey

Mailing Address:

MetroWest Center for Independent Living

1 Clarks Hill

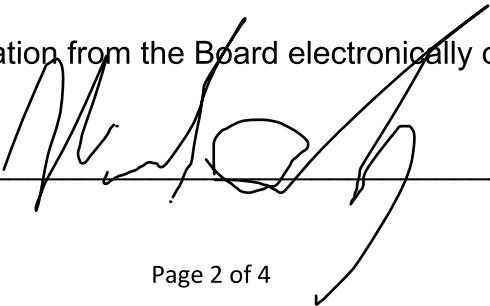
Framingham, MA 01702

E-mail: mdempsey@mwciil.org

Telephone: 508-875-7853

7. Would you like to receive communication from the Board electronically or via US Mail?

Email: ☒ Regular Mail: ☐

8. Individual Signature (**required**): 

Date: 4/28/25

## **OPTIONAL INFORMATION**

The following information is optional, and your complaint will be processed regardless of whether the information is provided. **However, you should be aware that the less information that is provided, the longer it will take this office to process your complaint.**

a. Name and address of the building owner or manager:

Name: CINTOLO, LOUIS V and CONNOR, CAROLINE L

Mailing Address:

371 Grant Street

Framingham, MA 01702

b. The Board only considers complaints with respect to buildings which are:

- 1.) constructed by the state, city or town, and construction, reconstruction, alteration or remodeling occurred after December of 1968; or
- 2.) privately financed buildings that are open to or used by the public and construction, reconstruction, alteration or remodeling occurred after June 10, 1975.

c. Do you have reason to believe the element(s) subject to this complaint have been recently renovated?

Yes: ☒ No: ☐

If you answered yes, please indicate the date and extent of the work below, and if possible attach a copy of the associated building permit to this complaint.

The old corner market was closed for decades. the permit was to add apartments

above the market while refurbishing the market. as you can see in the

attached photos the grant street entrance (West side) has a step with brick

pavers surrounding the step. The takeout window (North side) on C Street

*Continued on Next Page*



2.) Do you have reason to believe that in any continuous 3-year period the spending on construction, reconstruction, alteration, or remodeling was more than:

\$100,000

No

30% of the building's assessed value

Yes

If you answered yes, please indicate the date and extent of the work below, and if possible attach a copy of the associated building permit to this complaint.

Attached is a copy of the assessors property card with the 2023 value

and a copy of the permit with a value far exceeding 30% of the value of the building

Assessed value of the building only (do not include the value of the land):

see attached

If possible, please attach a copy of the property card to your complaint.

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**Market, 371 Grant Street, Framingham**

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**From** Mark Dempsey <mdempsey@mwciil.org>

**Date** Mon 4/28/2025 4:46 PM

**To** Joyce, William (DPL) <William.Joyce@mass.gov>; Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>; Simone, Sadie <ssimone@mwciil.org>

 4 attachments (2 MB)

371 Grant Street property assessors card.pdf; Framingham 371 Grant Street bld230849.docx; Jurisdiction and violations.docx; AAB-general-building-complaint-form 371 Grant Street.pdf;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon AAB Staff

Attached is a copy

--

**Mark Dempsey**  
**Independent Living Coordinator**  
**MetroWest Center for Independent Living**  
**One Clarks Hill, Suite 200**  
**Framingham, MA 01702**  
**508-875-7853 x145 V/TTY**  
**508-875-8359 FAX**

MetroWest Center for Independent Living, Inc. is a scent free workplace. To accommodate full participation Consumers, Staff, Volunteers, Community Partners and Business partners must refrain from wearing any scented deodorants, perfumes, etc. when visiting or working in our office.

This electronic message transmission contains information from MetroWest Center for Independent Living that may be confidential or privileged. The information is intended solely for the addressee(s) and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this transmission in error, please notify us immediately by telephone (1-508-875-7853) or by electronic mail at [mdempsey@mwciil.org](mailto:mdempsey@mwciil.org). Thank you.

371 GRANT ST

Location 371 GRANT ST

Mblu 113/ 10/ 9617/ /

Acct# 2105

Owner CINTOLO, LOUIS V

PBN

Assessment \$590,500

Appraisal \$590,500

PID 2105

Building Count 2

Current Value

| Appraisal      |           |                |              |           |           |
|----------------|-----------|----------------|--------------|-----------|-----------|
| Valuation Year | Building  | Extra Features | Outbuildings | Land      | Total     |
| 2025           | \$375,200 | \$0            | \$0          | \$215,300 | \$590,500 |
| Assessment     |           |                |              |           |           |
| Valuation Year | Building  | Extra Features | Outbuildings | Land      | Total     |
| 2025           | \$375,200 | \$0            | \$0          | \$215,300 | \$590,500 |

Owner of Record

|          |                      |             |            |
|----------|----------------------|-------------|------------|
| Owner    | CINTOLO, LOUIS V     | Sale Price  | \$1        |
| Co-Owner | CONNOR, CAROLINE L   | Certificate |            |
| Address  | 371 GRANT ST         | Book & Page | 82697/0265 |
|          | FRAMINGHAM, MA 01702 | Sale Date   | 04/24/2024 |
|          |                      | Instrument  | 1F         |

Ownership History

| Ownership History        |            |             |             |            |            |
|--------------------------|------------|-------------|-------------|------------|------------|
| Owner                    | Sale Price | Certificate | Book & Page | Instrument | Sale Date  |
| CINTOLO, LOUIS V         | \$1        |             | 82697/0265  | 1F         | 04/24/2024 |
| CINTOLO, MICHAEL V       | \$1        |             | 65791/0517  | 1F         | 07/27/2015 |
| CINTOLO LOUIS V & MARY J | \$1        |             | 12982/0521  | 1S         | 05/26/1976 |

Building Information

Building 1 : Section 1

Year Built: 1900  
Living Area: 4,167

Replacement Cost: \$935,369  
Building Percent Good: 32  
Replacement Cost  
Less Depreciation: \$299,300

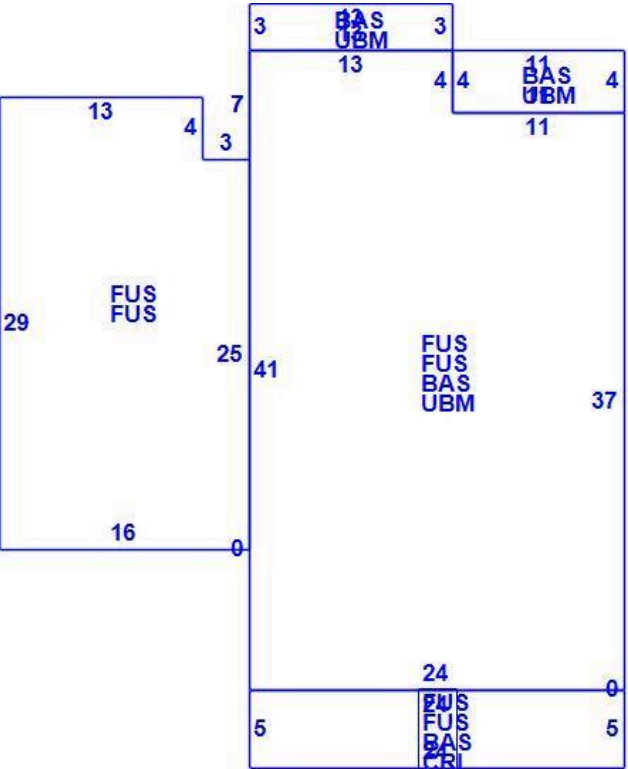
| Building Attributes |              |
|---------------------|--------------|
| Field               | Description  |
| Type                | Three Family |
| Model               | Residential  |
| Grade               | Average      |
| Stories             | 3            |
| Foundation          | Concrete     |
| Ext Wall 1          | Vinyl        |
| Ext Wall 2          |              |
| Roof Structure      | Gable        |
| Roof Cover          | Asphalt      |
| Int Wall 1          | Drywall      |
| Int Wall 2          |              |
| Int Floor 1         |              |
| Int Floor 2         |              |
| Heat Fuel           | Gas          |
| Heat Type           | Forced H/W   |
| AC Percent          | 0            |
| Bedrooms            | 8            |
| Full Baths          | 6            |
| Half Baths          |              |
| Extra Fixtures      | 0            |
| Total Rooms         | 15           |
| Full Bath Rating    | Good         |
| Kitchen Rating      | Good         |
| Kitchens            | 3            |
| % Sprinkler         |              |
| Secondary Floor %   |              |
| Fireplace Rating    | A            |
| WS Flue Rating      | A            |
| Electric            | Typical      |
| Insulation          | Typical      |
| AddlHalfBathRating  | N            |
| Fireplace(s)        | 0            |
| 2nd Ext Wall %      |              |
| ThreeQtrBathRating  |              |
| Bsmt Garage         | 0            |
| WS Flues            | 0            |

Building Photo



(<https://images.vgsi.com/photos/framinghamPhotos/\A2000\105001.jpg>)

Building Layout



([ParcelSketch.ashx?pid=2105&bid=2105](#))

| Building Sub-Areas (sq ft) |                      |            | Legend      |
|----------------------------|----------------------|------------|-------------|
| Code                       | Description          | Gross Area | Living Area |
| FUS                        | Finished Upper Story | 3,024      | 3,024       |
| BAS                        | Base Floor           | 1,143      | 1,143       |
| CRL                        | Crawlspace           | 120        | 0           |
| UBM                        | Basement             | 1,023      | 0           |
|                            |                      | 5,310      | 4,167       |



|                  |      |
|------------------|------|
| Heat Type 2      |      |
| Num Heat Systems | 0    |
| % Heated         | 100  |
| Avg Ht/FL        | 9    |
| Frame            | Wood |
| Bsmt Floor       |      |
| Total # Units    | 3    |
| 2nd Int Wall %   |      |
| Solar Hot Water  | No   |
| Central Vac      | No   |
| 2nd % Heated     | 0    |
| Addl Half Bath   |      |

Building 2 : Section 1

Year Built: 1900  
Living Area: 798  
Replacement Cost: \$237,166  
Building Percent Good: 32  
Replacement Cost  
Less Depreciation: \$75,900

| Building Attributes : Bldg 2 of 2 |             |
|-----------------------------------|-------------|
| Field                             | Description |
| Type                              | Store       |
| Model                             | Residential |
| Grade                             | Average     |
| Stories                           | 1           |
| Foundation                        | Concrete    |
| Ext Wall 1                        | Fibcembrd   |
| Ext Wall 2                        |             |
| Roof Structure                    | Gable       |
| Roof Cover                        | Asphalt     |
| Int Wall 1                        | Drywall     |
| Int Wall 2                        |             |
| Int Floor 1                       | Average     |
| Int Floor 2                       |             |
| Heat Fuel                         | Gas         |
| Heat Type                         | Forced H/A  |
| AC Percent                        | 100         |
| Bedrooms                          | 0           |
| Full Baths                        | 0           |
| Half Baths                        | 2           |
| Extra Fixtures                    | 0           |

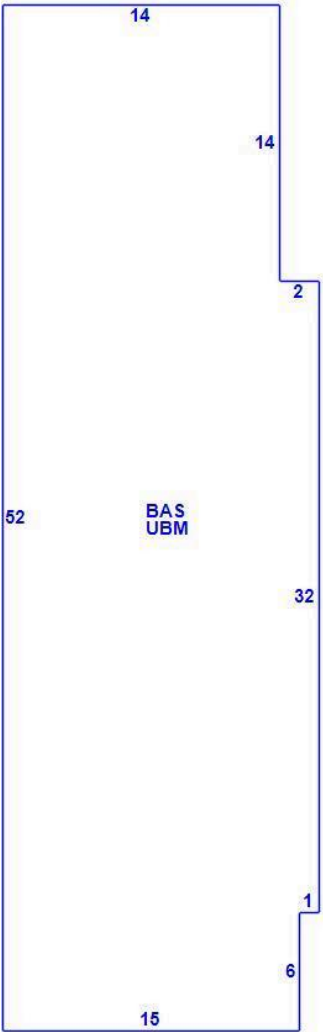
Building Photo



(<https://images.vgsi.com/photos/framinghamPhotos/A2000\105002.JPG>)

|                    |           |
|--------------------|-----------|
| Total Rooms        | 1         |
| Full Bath Rating   | N         |
| Kitchen Rating     | Very Good |
| Kitchens           | 1         |
| % Sprinkler        |           |
| Secondary Floor %  |           |
| Fireplace Rating   | A         |
| WS Flue Rating     | A         |
| Electric           | Typical   |
| Insulation         | Average   |
| AddlHalfBathRating | N         |
| Fireplace(s)       | 0         |
| 2nd Ext Wall %     |           |
| ThreeQtrBathRating |           |
| Bsmt Garage        | 0         |
| WS Flues           | 0         |
| Heat Type 2        | None      |
| Num Heat Systems   | 0         |
| % Heated           | 100       |
| Avg Ht/FL          | 8         |
| Frame              | Wood      |
| Bsmt Floor         |           |
| Total # Units      | 3         |
| 2nd Int Wall %     |           |
| Solar Hot Water    | No        |
| Central Vac        | No        |
| 2nd % Heated       | 14        |
| Addl Half Bath     |           |

Building Layout



(ParcelSketch.ashx?pid=2105&bid=121184)

| Building Sub-Areas (sq ft) |             |            | Legend      |
|----------------------------|-------------|------------|-------------|
| Code                       | Description | Gross Area | Living Area |
| BAS                        | Base Floor  | 798        | 798         |
| UBM                        | Basement    | 798        | 0           |
|                            |             | 1,596      | 798         |

Extra Features

| Extra Features |              |               |       | Legend |
|----------------|--------------|---------------|-------|--------|
| Code           | Description  | Size          | Value | Bldg # |
| XFAPT          | Apartment    | 1008.00 UNITS | \$0   | 1      |
| XFRTL          | Retail/Showr | 798.00 UNITS  | \$0   | 2      |
| XFAPT          | Apartment    | 1008.00 UNITS | \$0   | 1      |
| XFAPT          | Apartment    | 1008.00 UNITS | \$0   | 1      |

Land

| Land Use               |              | Land Line Valuation |           |
|------------------------|--------------|---------------------|-----------|
| Use Code               | 0130         | Size (Acres)        | 0.12      |
| Description            | MULTIUSE-RES | Frontage            |           |
| Zone                   | G            | Depth               |           |
| Neighborhood           | 50           | Land                | \$215,300 |
| Alt Land Appr Category | No           | Appraised Value     | \$215,300 |

Outbuildings

| Outbuildings             | Legend |
|--------------------------|--------|
| No Data for Outbuildings |        |

Valuation History

| Appraisal      |           |                |              |           |           |
|----------------|-----------|----------------|--------------|-----------|-----------|
| Valuation Year | Building  | Extra Features | Outbuildings | Land      | Total     |
| 2024           | \$313,400 | \$0            | \$0          | \$192,900 | \$506,300 |
| 2023           | \$283,200 | \$0            | \$0          | \$172,800 | \$456,000 |
| 2022           | \$283,600 | \$0            | \$0          | \$156,900 | \$440,500 |

| Assessment     |           |                |              |           |           |
|----------------|-----------|----------------|--------------|-----------|-----------|
| Valuation Year | Building  | Extra Features | Outbuildings | Land      | Total     |
| 2024           | \$313,400 | \$0            | \$0          | \$192,900 | \$506,300 |
| 2023           | \$283,200 | \$0            | \$0          | \$172,800 | \$456,000 |
| 2022           | \$283,600 | \$0            | \$0          | \$156,900 | \$440,500 |