

ARCHITECTURAL ACCESS BOARD - HEARING PACKET

Name **New England Sports Center**
Address **121 Donald Lynch Blvd.**
City **Marlborough, MA 01752**

Docket # C24 - 002

Docket #

Hearing 6/1/2026

Type of Complaint Bldg

Time of hearing 1:00PM

Complaint's Name David Correia

Complaint ?

Variance ?

Jurisdiction: 2.6 Maintenance of Access Features: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc).

Building Permits:

Assessed Value:

Exhibit: 1

C24-002

AAB 1-143

Complaints to be Addressed:

19.6.1 - 20.1 - 20.11.2 - 24.2.1 - 27.2 - 27.4.1 - 2.6 - 28.1 - 29.1 - 30.11

Descriptions can be found on Pages AAB 89-90

February 5, 2024 – The AAB received a complaint regarding accessibility issues at the property. (AAB 99-143)

February 6, 2024 – A Building Permit Request was mailed. (AAB 95-96)

March 8, 2024 – A First Notice was issued to all relevant parties. (AAB 88-92)

March 26, 2024 – The AAB received a Public Records Request for complaint-related documents. (AAB 83)

March 26, 2024 – The Respondent submitted a response outlining actions taken. (AAB 79-80)

April 30, 2024 – The Respondent submitted an additional response and update regarding corrective actions. (AAB 73-78)

June 11, 2024 – The Respondent submitted a further response and status update. (AAB 70-72)

July 12, 2024 – The Building Permit Request was resubmitted. (AAB 45-49)

July 17, 2024 – The Board issued a Notice of Action for Variance V24-114. (AAB 44)

July 31, 2024 – A Site Visit Notice was issued scheduling a site inspection for September 24, 2024, at 11:00 a.m. (AAB 42-43)

November 22, 2024 – The Site Visit Report was issued and mailed. (AAB 15-41)

October 24, 2025 – A Hearing Notice was issued to all relevant parties. (AAB 12)

February 23, 2026 – A Rescheduled Hearing Notice was issued to all relevant parties. (AAB 8-11)

February 25, 2026 – The AAB received a request from the Respondent to reschedule the hearing. (AAB 7)

February 26, 2026 – A Hearing Notice was issued to all relevant parties scheduling the matter for June 1, 2026. (AAB 4-6)

May 15, 2026 – A reminder notices for the June 1, 2026, hearing was issued to all relevant parties. (AAB 3)

Machado, Victor (DPL)

From: AAB Complaint (DPL)
Sent: Friday, May 15, 2026 11:54 AM
Cc: Machado, Victor (DPL)
Subject: C24-002 - New England Sports Center, 121 Donald Lynch Blvd, Marlborough
Attachments: NEW DATE - June 1 2026 Notice of Reschedule Hearing.pdf

Hello,

Attached is reminder of the **Complaint Hearing Notice** issued by the **Architectural Access Board** regarding accessibility concerns at:

Case Number & Location Address:

C24-002 - New England Sports Center, 121 Donald Lynch Blvd, Marlborough

This email is intended to keep all relevant parties informed.

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
P: (617) 727-0660

1 Federal Street, 6th Floor, Boston, MA 02118
www.mass.gov/aab

Machado, Victor (DPL)

From: Machado, Victor (DPL)
Sent: Thursday, February 26, 2026 2:57 PM
Cc: Machado, Victor (DPL)
Subject: NEW DATE - C24-002 - New England Sports Center, 121 Donald Lynch Blvd, Marlborough
Attachments: NEW DATE - June 1 2026 Notice of Reschedule Hearing.pdf

Hello,

Attached is the copy of the **NEW DATE** for the **Rescheduled Complaint Hearing Notice** issued by the **Architectural Access Board** regarding accessibility concerns at:

Case Number & Location Address:

C24-002 - New England Sports Center, 121 Donald Lynch Blvd, Marlborough

This email is intended to keep all relevant parties informed.

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
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: Renfroe H Larue TR
John Leonard
84 South St.
Carlisle, MA 01741

Docket Number **C 24 002**

RE: New England Sports Center
121 Donald Lynch Blvd.
Marlborough, MA 01752

DATE: 2/26/2026

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

- | | |
|---|---|
| ☐ First Notice | ☐ Stipulated Order |
| ☐ Second Notice | ☐ Letter of Meeting |
| ☒ Notice of Hearing | ☐ Application for Variance |
| ☐ Correspondence | ☐ 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

RESCHEDULED COMPLAINT HEARING NOTICE

C 24 - 002

RE: New England Sports Center, 121 Donald Lynch Blvd., Marlborough, MA

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **June 1, 2026** at **1:00 PM**

See the please note section for information on attending the remote meeting.

This hearing is upon a complaint filed by **David Correia** relative to Sections 19.6.1 - 20.1 - 20.11.2 - 24.2.1 - 27.2 - 27.4.1 - 2.6 - 28.1 - 29.1 - 30.11

A copy of the complaint is available for public inspection during regular business hours.

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. **The link to the meeting can be found on the Architectural Access Board's web site under 2025 Meeting's Calendar, click Notice of Meeting then click join meeting. You can also contact Executive Director William Joyce at William.Joyce@Mass.Gov or mobile #617-894-1254 to request an electronic link to the meeting or to request a continuance.**

Date: February 26, 2026

ARCHITECTURAL ACCESS BOARD

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

Chairperson

Machado, Victor (DPL)

From: Larue Renfroe <Renfroe@assurtech.com>
Sent: Wednesday, February 25, 2026 5:29 PM
To: Joyce, William (DPL)
Cc: Machado, Victor (DPL); Jason Silbor
Subject: NESC_AAB_ C24 002 Hearing_Notice_2-25-26.pdf
Attachments: NESC_AAB_ C24 002 Hearing_Notice_2-25-26.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 Mr. Joyce:

Due to an error on my part, described in the attached letter, we are requesting a continuance of the hearing presently scheduled for March 9, 2026. I apologize for any inconvenience created by this request.

We will take actions beginning immediately on the outstanding request, and would appreciate your consideration of this requested continuance to enable us to be as responsive and prepared as possible at the hearing. I am sending a companion email with our earlier action responses as examples of our commitment to maintaining compliance.

I have been coordinating with Mr. Machado, the Compliance Officer, today, and appreciate his information and guidance.

We will respond as quickly and completely as possible to the additional actions.

H. Larue Renfroe
President
New England Sports Management
(978) 505-5810

Machado, Victor (DPL)

From: Machado, Victor (DPL)
Sent: Monday, February 23, 2026 11:42 AM
Cc: Machado, Victor (DPL)
Subject: C24-002 - New England Sports Center, 121 Donald Lynch Blvd, Marlborough
Attachments: March 2026 Notice of Reschedule Hearing.pdf

Hello,

Attached is the copy of the **Rescheduled Complaint Hearing Notice** issued by the **Architectural Access Board** regarding accessibility concerns at:

Case Number & Location Address:

C24-002 - New England Sports Center, 121 Donald Lynch Blvd, Marlborough

This email is intended to keep all relevant parties informed.

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

P: (617) 727-0660

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AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

TO: Renfroe H Larue TR
John Leonard
84 South St.
Carlisle, MA 01741

Docket Number **C 24 002**

RE: New England Sports Center
121 Donald Lynch Blvd.
Marlborough, MA 01752

DATE: 2/23/2026

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

- | | |
|---|---|
| ☐ First Notice | ☐ Stipulated Order |
| ☐ Second Notice | ☐ Letter of Meeting |
| ☒ Notice of Hearing | ☐ Application for Variance |
| ☐ Correspondence | ☐ 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

RESCHEDULED COMPLAINT HEARING NOTICE

C 24 - 002

RE: New England Sports Center, 121 Donald Lynch Blvd., Marlborough, MA

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **March 9, 2026** at **11:00 AM**

See the please note section for information on attending the remote meeting.

This hearing is upon a complaint filed by **David Correia** relative to Sections 19.6.1 - 20.1 - 20.11.2 - 24.2.1 - 27.2 - 27.4.1 - 2.6 - 28.1 - 29.1 - 30.11

A copy of the complaint is available for public inspection during regular business hours.

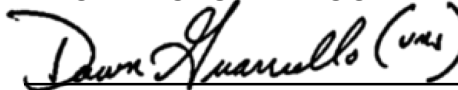
This hearing will be conducted in accordance with the procedures set forth in M.G.L., c. 30A, and 801 CMR 1.02, the Informal/Fair Hearings Rules. At the hearing, each party may be represented by counsel, may present evidence and may cross examine opposing witnesses.

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Date: February 23, 2026

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

ARCHITECTURAL ACCESS BOARD


Chairperson

USPS TRACKING #
BOSTON MA 020

RECEIVED

4 MAR 2026 PM 3 L

MAR 09 2026

9590 9402 9449 5069 3086 98

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box®

**Division of Occupational Licensure
Architectural Access Board
1 Federal Street, Suite 600
Boston, MA 0211-2012**

C24-002
Rescheduled Hearing 3/9
NE Sports
Marlboro

MAR 06 2026

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ 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: 24-002 Renfroe H Larue TR John Leonard 84 South St. Carlisle, MA 01741 9590 9402 9449 5069 3086 98 2. Article Number (Transfer from service label) 7010 1870 0001 4990 2450	A. Signature X <i>Helena Bradley</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>Helena Bradley</i> C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below: 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

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



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

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UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

COMPLAINT HEARING NOTICE

C 24 - 002

RE: New England Sports Center, 121 Donald Lynch Blvd., Marlborough, MA

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **February 23, 2026** at **11:00 AM**

See the please note section for information on attending the remote meeting.

This hearing is upon a complaint filed by David Correia relative to Sections

A copy of the complaint is available for public inspection during regular business hours.

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Date: October 24, 2025

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

ARCHITECTURAL ACCESS BOARD

Dawn Guannella WT
Chairperson

Chase, Andrew M (DPL)

From: Chase, Andrew M (DPL)
Sent: Thursday, December 5, 2024 9:28 AM
Subject: New England Sports Center, 121 Donald Lynch Blvd, Marlborough (C24-002) - Site Visit Report.pdf
Attachments: C24-002 Site Visit Report.pdf

Hello,

Attached is a copy of the AAB Site Visit report for the New England Sports Center at 121 Donald Lynch Blvd. This email is intended to keep all interested parties informed.

Regards,

Andrew Chase
Compliance Officer
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
617-826-5255 Ext. 25255
www.mass.gov/aab



MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

11/22/2024

Site Visit Report

RE: New England Sports Center, 121 Donald Lynch Blvd, Marlborough (C24-002)

On Tuesday, September 24th, 2024, at 11:00 AM, the Architectural Access Board (AAB) conducted a Site Visit at New England Sports Center, 121 Donald Lynch Blvd, Marlborough in relation to complaint docket #C24-002. The purpose of this Site Visit was to conduct a comprehensive inspection of the facility to identify and clarify any potential violations of 521 CMR. Those in attendance were as follows:

AAB: William Joyce, Executive Director

AAB: Andrew Chase, Compliance Officer

MetroWest Center for Independent Living: David Correia, Advocacy Director

Center for Living and Working: Mike Kennedy, ADA/Access Coordinator

City of Marlborough: Ethan Lippitt, Building Inspector

New England Sports Center (NESC): Jason Silbor, General Manager

New England Sports Center (NESC): Peter Henderson, Assistant General Manager

Independent Consultant: John Riel

This Site Visit began in the facility's interior lobby where it was noted that the winding double-staircase located immediately adjacent to the entrance had been approved for a variance (V24-114) related to uniform treads and risers. It was also noted that the areas beneath the tread and riser system had already been blocked out to eliminate potential headroom violations per 521 CMR 20.7 (see photo #1).

Rink 1 was then inspected. Upon entering Rink 1, it was noted that stairs leading up to spectator seating area from 1st floor had uniform treads and risers, and compliant handrails. Stairs throughout spectator seating areas were noted as having uniform treads and risers but were missing handrails (see photo #2). It was also noted that Rink 1 lacked required number of accessible seats per 521 CMR 14.2. Additional stair in Rink 1 noted for lacking required 12-inch extension (see photo #3).



The stairs leading from Rink 1 to the second floor were noted as having compliant treads and risers, nosings, and handrails. As per 521 CMR 26.8.1, interior doors may have a maximum opening force of 5lbs. The door from Rink 1 into the second floor was measured at precisely 5 lbs. Additionally, a single designated accessible seating area was noted on the exterior of Rink 1 (see **photo #4**).

The arcade area was then inspected. A ramp leading to the arcade entrance was found to have compliant slope, handrails, and landing. It was noted that the height of the transaction counter for game prizes was 38 inches, while the maximum allowable is 36 inches above the finished floor (521 CMR 7.2.2b). NESC Assistant General Manager Peter Henderson stated that this service counter is no longer in use.

Tables in second-floor common viewing areas were measured as meeting the 27-inch knee clearance requirements per 521 CMR 35.5, but not the 19-inch clear floor space as per 521 CMR 35.4 (see **photo #5**). It was noted to NESC General Manager Jason Silbor that 5% of all seating must comply with section 35 and that if compliant tables were located in the adjacent dining area, these could be moved to meet distribution requirements.

Three sets of common main stairs from the first floor to second floor were noted. All had compliant treads and risers. Non-compliant handrails were noted at all three locations, with stair one and three not having required extensions, whereas stair two had interrupted handrails (see **photo #6 and photo #7**).

Rink 4 was then inspected. It was noted that door from second floor into Rink 4 was measured at 10 lbs. of opening force. Stairs leading from second floor to the Rink 4 spectator area were noted as having compliant treads and risers, nosings, and handrails. Rink 4 ground floor area was noted as having a path of travel which measured at 34 inches wide, 2 inches less than the 36 inches required in 521 CMR 20.3 (see **photo #8**). It was also noted that Rink 4 did not have handrails for spectator seating or designated accessible seating as per 521 CMR 14.2.

Rink 2 was then inspected. It was noted that the second-floor door to Rink 2 was measured as having a compliant opening force of 4 lbs. It was also noted that Rink 2 did not have handrails for spectator seating or designated accessible seating as per 521 CMR 14.2.

Rink 5 was measured as having a door opening force of 18 lbs. Additionally, it was noted that Rink 5 had a set of stairs within non-uniform treads and risers, and stairs were missing 12-inch extensions from the bottom step (see **photo #9**).

Between rinks 5 and 7 is a common viewing area. The door to enter this area was measured as having an opening force of 13 lbs. Floor area on swing side of this door was measured as having a running slope of 3.6% (see **photo #10**). Within this viewing area, non-compliant running slopes varying from 2.3% to 4.2% were measured (see **photo #11**).

Door to Rink 8 was measured as having an opening force of 7lbs. It was noted that Rink 8 did not have requisite handrails at spectator seating or designated accessible seating as per 521 CMR 14.2.

A common dining area was then inspected. Service counter was measured at 36 inches high with the required 36-inch width. Tables in this area were noted as having compliant 19-inch knee clearance but not requisite clear space as per 521 CMR 35.4.

2nd floor men's bathroom was then inspected. The door from common area was measured as having an opening force of 6lbs. Inside, it was noted that the mirrors had been moved to compliant height from date of complaint. Sinks were measured as having 29-inch knee clearances. Accessible toilet stall was noted as having a door with double-action hinge, allowing for swing into and out of the stall. This door lacked the required handle on the pull side (see **photo #12**). Clearance for turning radius and 18-inch to centerline of toilet of from wall, as well as grab bars, were compliant.

2nd floor women's bathroom was then inspected. The door from common area was measured as having an opening force of 6lbs. Inside, identical conditions to men's bathroom were noted: compliant mirror, sink clearances, turning radius, 18-inch centerline, and grab bars. Accessible stall had a double-action hinge missing a handle on the pull side.

A dining/service area was then inspected. Service lines, counters, and condiment stations were all measured as being compliant. Tables in the adjacent area was also noted as having compliant knee clearances.

The building's elevator was then inspected. It was noted that there was a wet floor cone obstructing path of travel into elevator (see **photo #13**). It was noted that the elevator inspection certificate was due to expire within a week of the site visit (see **photo #14**). NESC GM Jason Silbor stated that an inspection was scheduled for that week. Several lightbulbs were out (see **photo #15**), and it was noted that illumination levels inside of car were likely less than 5 footcandles (53.8 lux). It was also noted that the self-leveling feature presented a change in level of greater than ½ inch (see **photo #16**).

The first-floor men's bathroom was then inspected. The door was measured as having an opening force of 18 lbs. Mirrors and knee clearances at sink were measured as compliant. Centerline of toilet was measured at 17 inches, one inch short of the requirement under 30.7.2 (see **photo #17**). It was also noted that the door to this stall was missing the 18-inch clearance from the pull side latch, as well as missing a handle from the pull-side of door (see **photo #18**). It was also noted that a small trash can was obstructing the turning radius within the accessible stall (see **photo #19**).

The first-floor women's bathroom was then inspected. Identical issues to the men's first floor were noted in all areas, with the exception of the non-compliant centerline to toilet in accessible stall. First-floor women's bathroom door was measured as having 13 lbs. of opening force.

Locker rooms were then inspected. NESC GM Jason Silbor noted to AAB Director William Joyce that most locker rooms were identical. For that reason, not all were inspected. The door into locker room #10 was measured as having an opening force as 10 lbs. Door to private locker room was noted as having a door opening force of 20 lbs. It was noted that no locker rooms currently had compliant accessible showers (see **photo #20**), but that a private locker room could be converted for accessible use.

A conversation then began regarding a second accessible means of egress. All parties exited the facility and travelled around the perimeter of the building. It was noted that the emergency door from rink #10 could be used as a second means of accessible egress (see **photo #21**).

We then entered the pro shop. The transaction counter was measured as having a height of 38 inches, two inches higher than the maximum allowable under 521 CMR 7.2.1c (see **photo #22**). Several retail aisles were also measured as having a clear width of less than the minimum 36 inches (see **photo #23**).

Lastly, photographs were taken of the former picnic area which was noted in the complaint as being non-compliant, but that element had been removed prior to the site visit (see **photo #24**).

If you have any questions, please feel free to contact this office.

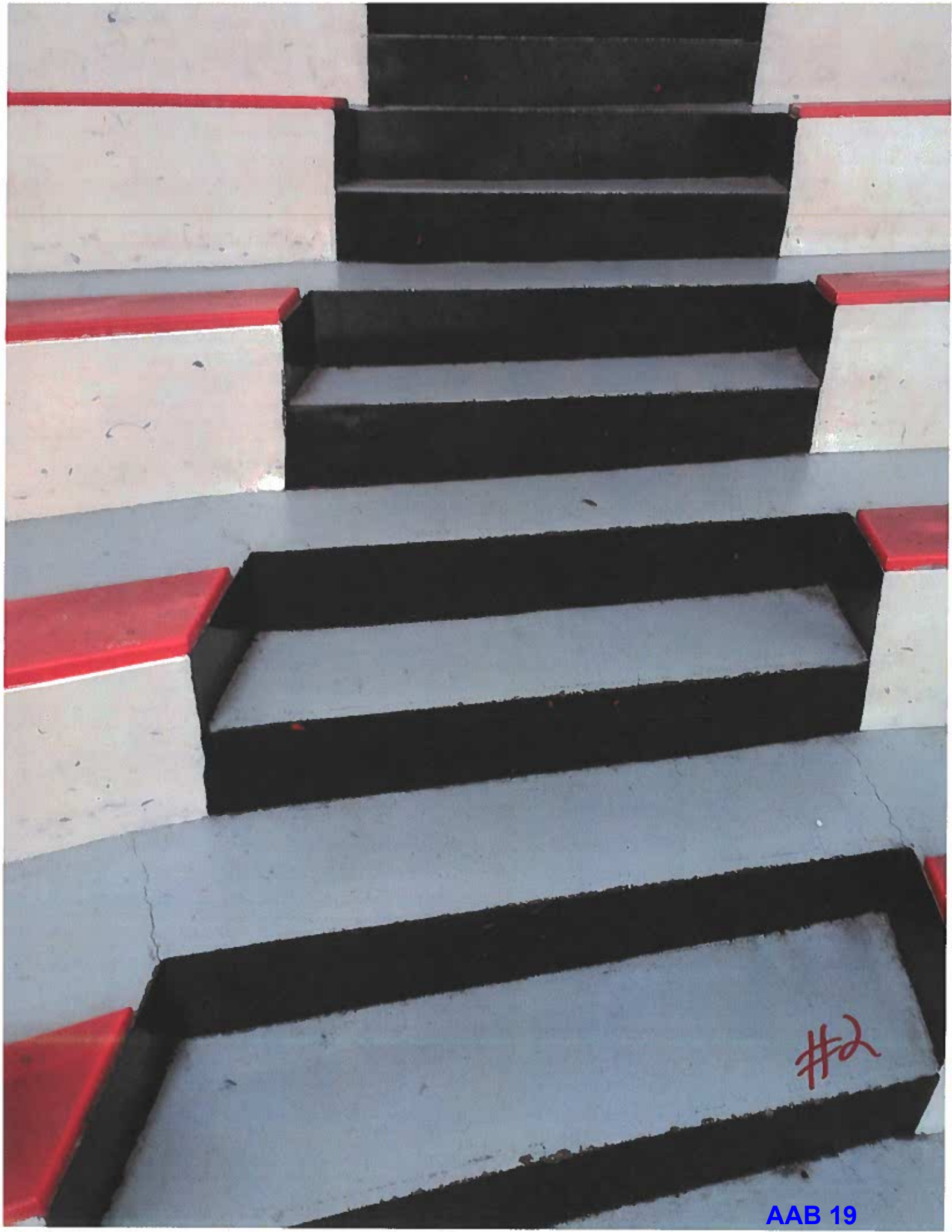
Sincerely,



Andrew Chase

RE: Building Department
Independent Living Center
Disability Commission





#2

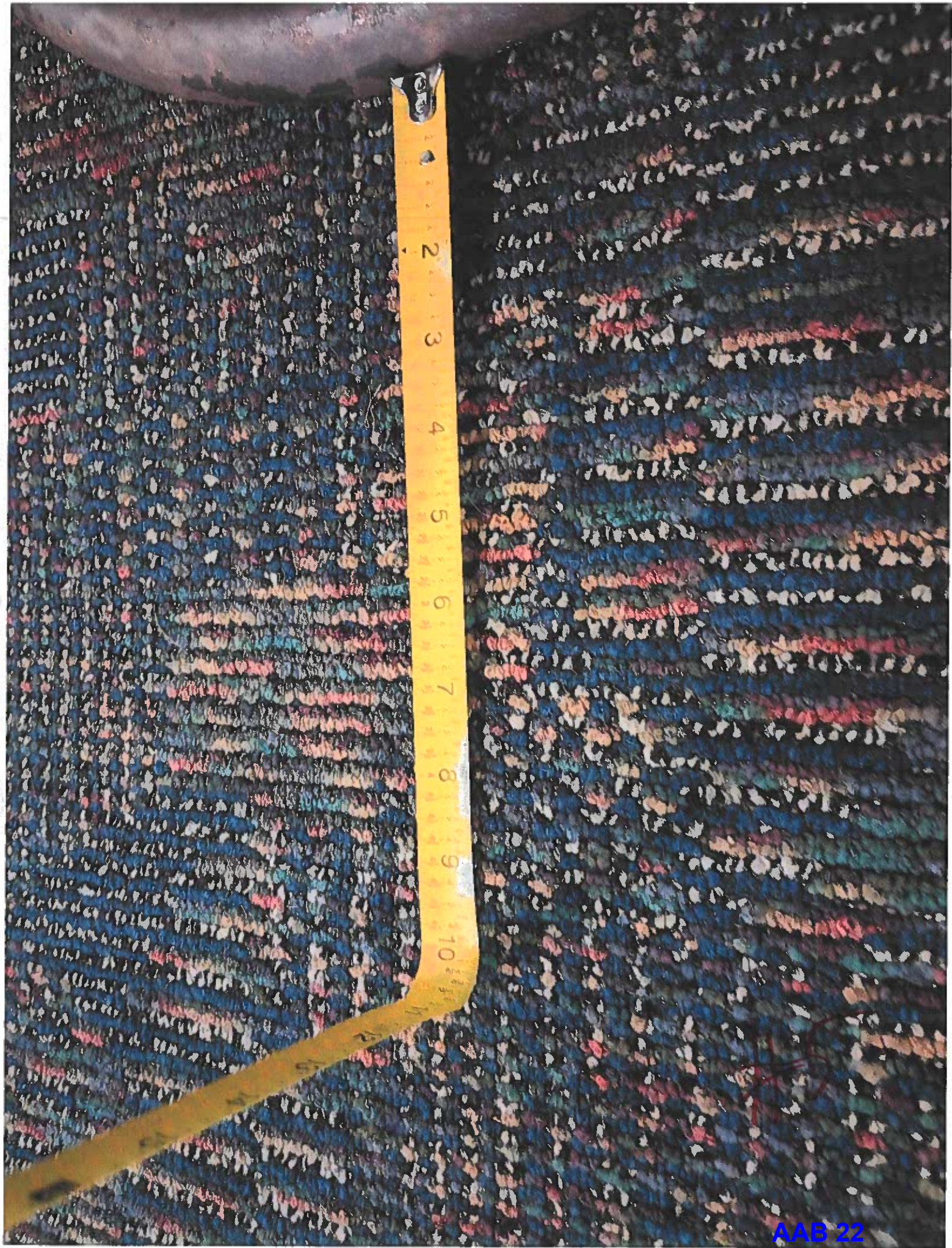
#3

BECKER

AAB 20

#4





AAB 22



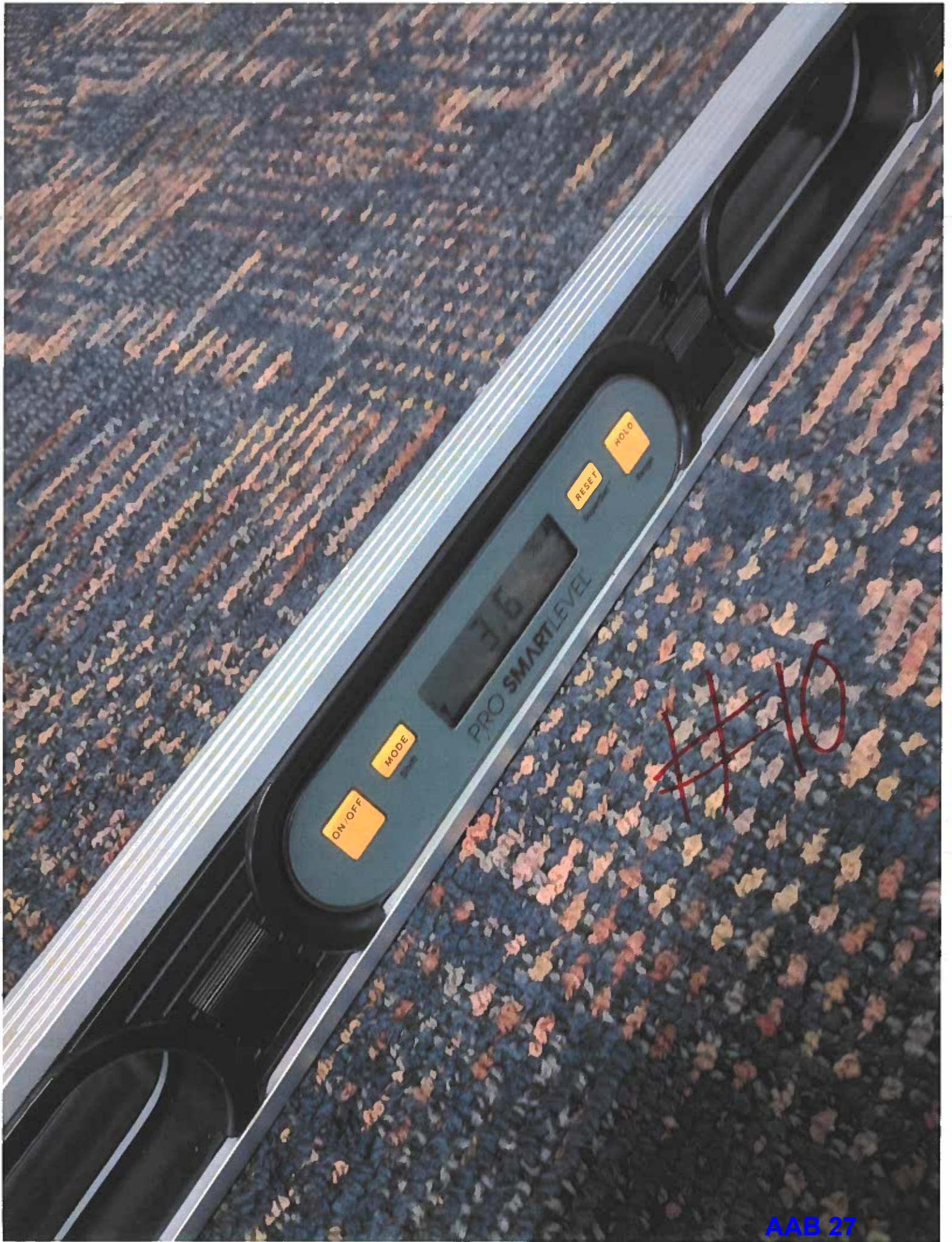
#6



AAB 24



#9



#11



#12

HEAVY DUTY ID



STX.COM



#13



The Commonwealth of Massachusetts
Department of Transportation
Division of Public Safety and Inspection
100 State Street, Boston, MA 02109
Chapter 143 General Laws, as amended

Location:

121 DONALD LYNCH BOULEVARD,
MARLBOROUGH, 01752

Issued On: September 18, 2023

Expires: September 30, 2024

Chapter 143 of the General Law, Section 65 states the
elevator inspection certificate shall be posted in a
conspicuous place in or near the cab or car of such elevator.

Capacity (Wgt.): 2500

Speed (Fpm): 100

State ID#: 170-P-124

Inspection #: INS-522460

Sarah R. Wilkinson

Sarah R. Wilkinson
Commissioner

#14

IN CASE OF ACCIDENT NOTIFY (508) 820-1444 AT ONCE
REPORT UNSAFE CONDITIONS TO BUILDING MANAGER / OWNER

TTY/TDD: (617) 701-8845

TELEPHONE: (617) 701-8600

#15





#17

AAB 34

#18

#19

#20

AAB 37

#21

#22

ORLD'S **HIGHEST** QUALITY



#

#24

AAB 41





MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

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

1000 Washington St., Suite 710
Boston, Massachusetts 02118

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

TO: Renfroe H Larue TR
John Leonard
84 South St.
Carlisle, MA 01741

Docket Number C 24 002

RE: New England Sports Center
121 Donald Lynch Blvd.
Marlborough, MA 01752

DATE: 7/31/2024

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

- | | |
|--|---|
| ☐ First Notice | ☐ Stipulated Order |
| ☐ Second Notice | ☒ Letter of Meeting |
| ☐ Notice of Hearing | ☐ Application for Variance |
| ☐ Correspondence | ☐ Decision of the Board |

Please review all enclosed documents carefully.

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

AAB 42



MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts
Division of Occupational Licensure
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UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

July 31, 2024

Docket: C 24 - 002

Renfroe H Larue TR
John Leonard
84 South St.
Carlisle, MA 01741

RE New England Sports Center
121 Donald Lynch Blvd.
Marlborough, MA 01752

Dear Sir/Madam

On September 24, 2024, at 11:00 AM , Director Joyce and I will conduct a site visit in relation to the existing complaint that has been filed against the above premises. Please have someone available on site to answer questions.

If you have any questions or concerns prior to the visit, please contact me at 617-727-0660.

Sincerely,

Andrew Chase
Compliance Officer

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



MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
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Architectural Access Board

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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 24 114**

RE: New England Sports Center , 121 Donald Lynch Boulevard , Marlborough

On June 18, 2024 the Architectural Access Board received an application submitted by H. Larue Renfro
This application and all attached documentation were reviewed by the Board on July 15, 2024 .
At that meeting, the Board voted as follows:

<u>#</u>	<u>Section</u>	<u>Result</u>
	27.2	GRANTED as proposed on the condition that: directional signage is provided indicating the location of the elevator

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: July 17, 2024

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Dawn Guarnello WT

Chairperson
ARCHITECTURAL ACCESS BOARD

AAB 44



MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

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

1000 Washington St., Suite 710
Boston, Massachusetts 02118

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

TO: Office of Inspectional Services - Building
Department
140 Main Street
2nd Floor

Docket Number C 24 002

RE: New England Sports Center
121 Donald Lynch Blvd.
Marlborough, MA 01752

DATE: 07/12/2024

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

- | | |
|--|---|
| ☐ First Notice | ☐ Stipulated Order |
| ☐ Second Notice | ☐ Letter of Meeting |
| ☐ Notice of Hearing | ☐ Application for Variance |
| ☒ Correspondence | ☐ 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

YVONNE HAO
SECRETARY, HOUSING AND
ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts
Division of Occupational Licensure**

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

07/12/2024

RE: New England Sports Center, 121 Donald Lynch Blvd, Marlborough (C24-002)

To whom it may concern,

My name is Andrew Chase; I'm the Compliance Officer for the Massachusetts Architectural Access Board. In February of this year, I had requested the building permit history for 121 Donald Lynch Blvd in Marlborough from your office, including any and all applications with cost estimates for work performed. This information is essential to an ongoing investigation being conducted by the Commonwealth.

I would like to again request this information from your office. This letter constitutes a request pursuant to Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10). Please provide our office with all permits and applications for this address dating back to January of 1975 at your earliest convenience. Permits and applications may be sent via email or standard mail, the addresses of which are listed below. Please feel free to contact our office if you have any questions.

Regards,

Andrew Chase
Compliance Officer
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
617-826-5255 Ext. 25255
www.mass.gov/aab
andrew.m.chase@mass.gov



TELEPHONE: (617) 701-8600

FAX: (617) 701-8652

TTY/TDD: (617) 701-8645

<http://www.mass.gov/dp>

AAB 46



MAURA HEALEY
GOVERNOR

**Commonwealth of Massachusetts
Division of Occupational Licensure**

1000 Washington St., Suite 710
Boston, Massachusetts 02118

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

KIM DRISCOLL
LIEUTENANT GOVERNOR

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

YVONNE HAO
SECRETARY, HOUSING AND
ECONOMIC DEVELOPMENT

TO: Building Department
FROM: Andrew Chase, Compliance Officer

RE: New England Sports Center
121 Donald Lynch Blvd.
Marlborough, MA 01752

Docket No: C 24 002

DATE: February 6, 2024

REQUEST FOR BUILDING PERMIT

The Architectural Access Board received a complaint regarding the aforementioned premises. As part of our routine investigative process, it is necessary to obtain copies of all building permits with associated construction costs issued for this property since 1975. These permits are essential for the Board to determine its jurisdiction under 521 CMR Section 3.3.

Please provide copies of the appropriate permits at your earliest convenience. If you have questions, please contact the Board at 617-727-0660 or Compliance Officer Andrew Chase at 617-826-5255 Ext. 25255.

Building Official (Please print)

Signature

Chase, Andrew M (DPL)

From: Joyce, William (DPL)
Sent: Friday, July 12, 2024 2:01 PM
To: David Correia; Chase, Andrew M (DPL)
Cc: Simone, Sadie
Subject: Re: New England Sports Complex

Good afternoon,

Considering the currently indeterminate date of the site visit, I am loathe to put this request off indefinitely. Is there information you believe will arise from the site visit that would affect Petitioner's argument vis-a-vis excessive and unreasonable cost or substantial benefit? If so what sort of information are you expecting? This application as is, is fairly self-contained, limited only to a set of curved stairs, and seeking relief only on the fact that they are curved.

Each issue we can resolve prior to the visit will allow us to better focus what time we do have on the site on areas of genuine dispute or uncertainty. If there is some sort of dispute of fact relating to these stairs, then delaying could make sense. Otherwise, we'll be right back where we started when this comes up again only we'll have taken time out of the site visit to just put the same facts on the record as it relates to these stairs.

In either instance I will communicate your request to the Board. However, if there is some sort of factual dispute about the contents of the application it would be helpful to know that prior to the meeting.

Sincerely,

William Joyce
Executive Director
He/Him/His
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
617-727-0660
www.mass.gov/aab

From: David Correia <dcorreia@mwciil.org>
Sent: Thursday, July 11, 2024 12:00 PM
To: Chase, Andrew M (DPL) <Andrew.M.Chase@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Cc: Simone, Sadie <:ssimone@mwciil.org>
Subject: New England Sports Complex

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,

I am requesting that the Variance submitted for Docket Number C24-002 be put on hold till after the site visit, we plan to have in August.

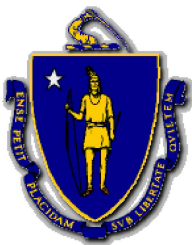
any questions please feel free to contact me.

Thank you

--

David Correia
Advocacy Director
MetroWest Center for Independent Living
One Clarks Hill, Suite 200
Framingham, MA 01702

(508) 875-7853 ext 117



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

1000 Washington St., Suite 710 • Boston • MA • 02118
V: 617-727-0660 • 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 & 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:

New England Sports Center (NESC)
121 Donald Lynch Blvd.
Marlborough, MA 01752

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

H. Larue Renfroe
84 South Street
Carlisle, MA 01741

E-mail: renfroe@assurtech.com

Telephone: (978) 369-8848 (W), (978) 505 5810 (M)

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

The New England Sports Center (NESC) is a family oriented on-ice sports facility used for ice hockey practices, games and events, figure skating practices and events, learn-to-skate sessions, and related on-ice activities. The facility is used primarily by youngsters, teenagers and their families, and is also frequented by adult skaters. The facility has also hosted sledge hockey, disadvantaged hockey and disadvantaged figure skating events.

The facility consists of one floor containing the ice surfaces, locker rooms, machine rooms, offices, a sports shop, rest rooms and showers, plus a mezzanine over the areas other than the ice surfaces containing viewing areas, snack bars, and some tenant rental offices.

4. Total square footage of the building/facility: 273,000 sq. ft.

Per floor: 228K 1st, 45K M

a. Total square footage of tenant space (if applicable): 2,560 sq. ft.

5. What was the original year of construction for the building/facility: 1994?

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 building was originally constructed in 1994. The requested variance is for the elliptical stairway in the atrium of the building that was part of the original construction. This staircase is in addition to the main staircase and elevator, which are fully 521 CMR compliant.

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

(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 ☐

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>
None		

(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:

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

If yes, state the date it was issued: 11/23/94

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 C24 002

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: _____

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:
The construction is complete

Please list specific technical sections, not 521 CMR 3.**Request #1**Section(s) for which you are seeking relief: 27-2Are you seeking temporary relief: ☐ Yes ☒ No

Types of Attachments for this Request:

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

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):

The NESC main stairway is two 3' 8" wide 521 CMR compliant stairways with 7" high risers and 12" deep treads, and connects to the main entrance by the 12' wide main hallway. The elevator is 521 CMR compliant, and is next to the main stairway (See main stairway and elevator photographs). The elliptical stairway, located in the atrium is also 3' 8" wide with 7" high risers and 12" deep treads, except in the curved stair areas, where the tread depths are non 521 CMR compliant because they are 12" on the inner edge, and 17 " on the outer edge(See elliptical stairway photographs). Also, under the stairs are in the process of being enclosed as recommended by the NESC code expert. The drawings and construction were approved by the Marlborough Planning Board, Building Department and Building Inspector in 1994. The elliptical stairway is easy to navigate and safe because of the ample tread depths and the curved wood railings. We believe replacing the stairway with one fully compliant with 521 CMR would result in excessive and unreasonable costs without any substantial benefit to persons with disabilities.

Request #2

Section(s) for which you are seeking relief: _____

Are you seeking temporary relief: ☐ Yes ☐ No

Types of Attachments for this Request:

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

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):

Request #3

Section(s) for which you are seeking relief: _____

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):

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: _____

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):

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:

Donald Bray, Architect, Seconset Street, Worcester MA (deceased)

E-mail: _____

Telephone: _____

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

Unknown. The construction was in 1994.

E-mail: _____

Telephone: _____

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

Date: 6/9/24

H Larue Renfroe Digitally signed by H Larue Renfroe
Date: 2024.06.16 13:11:38 -04'00'

Signature of owner or authorized agent *(required)*

PLEASE PRINT:

H. Larue Renfroe

Name

New England Sports Center

Organization (If Applicable)

121 Donald Lynch Blvd.

Address

Marlborough, MA 01752

Address 2 (optional)

84 South Street

City/Town State Zip Code

Carlisle, Massachusetts 01741

E-mail

(978) 369 8848 (W), (978) 505 5810 (M)

Telephone

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 SERVED</u>		<u>METHOD OF SERVICE</u>	<u>DATE OF SERVICE</u>
1 Building Department	Tim Htway, Building Commissioner / ZEO,	Emailed to thtway@marlboroug h-ma.gov	6/16/24
2 Local Commission on Disability (If Applicable)	Debra McManus, Chair, Marlborough Commission on Disabilities	Emailed to DMcManus818@ve rizon.net	6/16/24
3 Independent Living Center	David Correia, MetroWest Center For Independent Living, 1 Clarks Hill. Suite 200, Farmingham, MA 01702	Emailed to correia@mw cil.org	6/16/24

H Larue Renfroe Digitally signed by H Larue Renfroe
Date: 2024.06.16 13:13:05 -04'00'

Signature

Date

New England Sports Center

Main Stairway And Elevator Photographs

8 June 2024



Main Stairway



Elevator

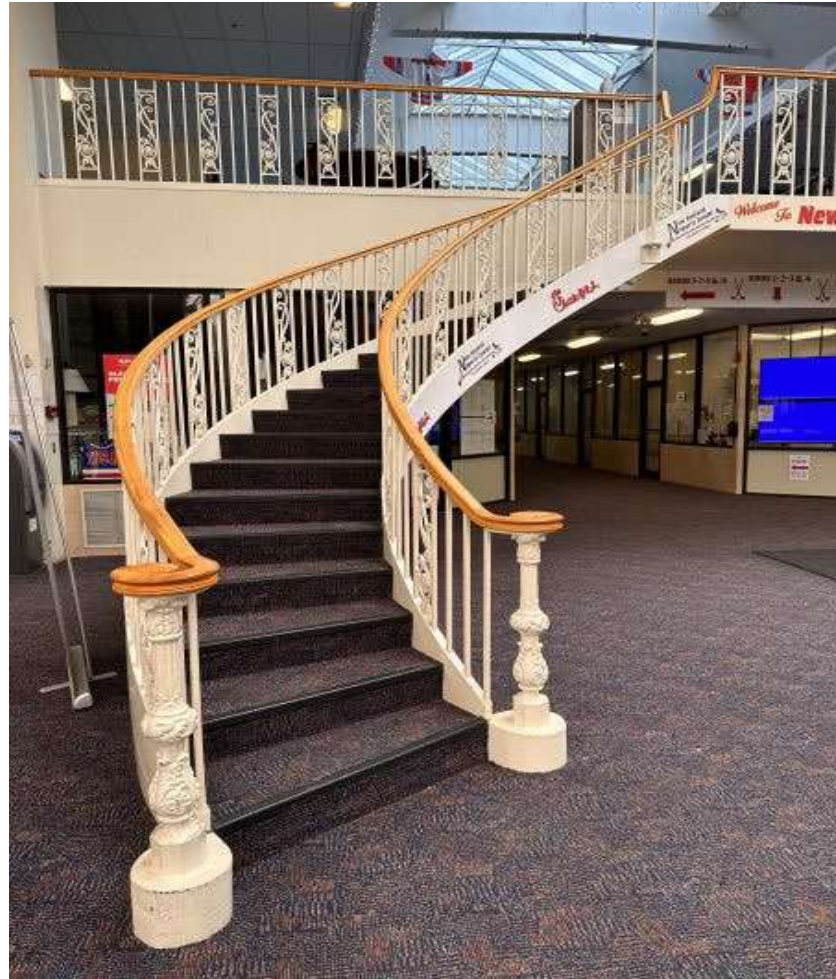


Elevator And Main Stairway

New England Sports Center
Elliptical Staircase Photographs



Elliptical Stairway



Elliptical Stairway Treads

From: [Larue Renfroe](#)
To: [Joyce, William \(DPL\)](#); [Griffin, Molly \(DPL\)](#)
Cc: renfroe@assurtech.com; jr2jag@yahoo.com
Subject: Variance Application - 121 Donald Lynch Blvd - Marlborough MA 01752 - Resent
Date: Monday, June 17, 2024 4:59:33 PM
Attachments: [AAB-Variance Request NESC 6-8-24 AAB Docket C24 002 SIGNED 3.pdf](#)
[Check Image AAB Variance, 121 Donald Lynch Blvd Marlborough MA 6-8-24 .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.

To William Joyce, Molly Griffin:

The subject request for variance approval and an image of the variance check being submitted by mail are attached.

This request for variance stems from a detailed Building Code Expert audit requested by me in response to a complaint submitted to the Access Assessment Board. The AAB Docket Number is C24 002. The Building Code Expert that conducted the audit is John Riel Sr. of JR Associates, 508-326-0233, copied on this email. Mr. Riel confirmed some of the complaints, all of which were minor and have been corrected. He also found some to be unfounded. These issues are addressed with the Access Assessment Board.

He identified one non-compliance that would be very difficult and costly to replace with a compliant one, the elliptical stairway in the building atrium. and didn't consider its removal and replacement to be of any substantial benefit to persons with disabilities. His recommendation was to submit a variance request for this one non-compliance given that the elliptical stairway was considered safe and easily navigated by persons with disabilities that could use stairways, and that many compliant means of access to the mezzanine were available, the two most notable means being the main stairway and elevator.

Please contact me should additional information be needed to evaluate this request.

H. Larue Renfroe
President and Owner
New England Sports Center
121 Donald Lynch Blvd
Marlborough, MA 01752
(978) 505 5810 (m)

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:

Office of Inspectional Services
Building Department
140 Main Street
2nd Floor
Marlborough, MA 01752



9590 9402 8787 4005 2987 34

2. Article Number (Transfer from service label)

7016 0750 0001 1132 2341

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addn

B. Received by (Printed Name)

C. Date of De

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

JUL 17 2024

01752

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 Re

USPS TRACKING#



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

9590 9402 8787 4005 2987 34

United States
Postal Service

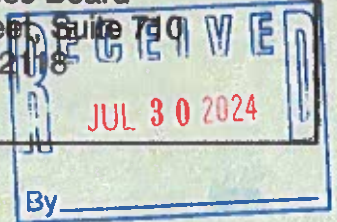
RECEIVED

• Sender: Please print your name, address, and ZIP+4® in this box•

Division of Professional Licensure
Office of Public Safety and Inspections
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118

AAB

I.S.D.
Marlborough
Permits/corr.



AAB 67

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:

Inspectional Services
140 Main Street
2nd Floor
Mansfield, MA 01752



9590 9402 8242 3030 4647 41

2. Article Number (Transfer from service label)

7016 0750 0001 1133 3439

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *[Signature]*☐ Agent☐ Addn

B. Received by (Printed Name)

Harley Carney

C. Date of De

2/9/24

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

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3. Service Type

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

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

Domestic Return Re

USPS TRACKING #



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

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CD 4-002

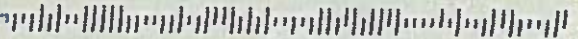
United States
Postal Service

Sender: Please print your name, address, and ZIP+4® in this box*

RECEIVED
FEB 12 2024
By

Division of Professional Licensure
Office of Public Safety and Inspections
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118

*T.S.D.
Marlborough
CORR./permits*





84 South Street • Carlisle, MA 01741
(978) 369-8848 • Fax (978) 369-3368 • www.nes.com

11 June 2024

REF: NESC-6-11-24

Andrew Chase, Compliance Officer
Commonwealth of Massachusetts
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118

Subject: Architectural Access Board Notice to The New England Sports Center, Docket Number C24-002,
Received on 13 March 2024, Actions Taken

Dear Mr. Chase,

NESC has completed all of the actions requested relative to the subject Notice to resolve any 521 CMR non-compliances found, and submits this report documenting these findings and actions taken. As recommended by your office, NESC retained a Building Code Expert, John Riel Sr. of JR Associates, 508-326-0233, to conduct a thorough audit of the NESC building compliance with the 521 CMR requirements, including evaluation against the complaints contained in the subject notice. Mr. Riel confirmed some of the complaints, all of which were minor and have been corrected. He also found some to be unfounded. These issues and the actions taken are described in the attached table and it's supporting photographs.

He also identified one non-compliance that would be very difficult and costly to correct, the elliptical stairway in the building atrium, and didn't consider its removal and replacement to be of any substantial benefit to persons with disabilities. His recommendation was to submit a variance request for this one non-compliance given that the elliptical stairway was considered safe and easily navigated by persons with disabilities that could use stairways, and that many compliant means of access to the mezzanine were available, the two most notable means being the main stairway and elevator. This variance request is also enclosed for your information

Please contact me should additional actions be necessary or information be needed. Thank you for your assistance in guiding us through the response process.

Sincerely,
New England Sports Management

H. Larue Renfro
President

NESC Actions Taken In Response To Architectural Access Board
Notice Docket Number C24-002

8 June 2024

Section	Reported Violation	NESC Response Update
19.6.1	PICNIC AREAS AND HIGHWAY REST AREAS Shall comply with the following: Access: All facilities shall be accessible and shall be on an accessible route that is paved or hard packed. If curb cuts are provided, they shall comply with 521 CMR 21, Curb Cuts.	The complainant questioned the accessibility of the picnic area at NESC under the Massachusetts Building Code, Sections 19.8.21 and 21. 4-30-24 Update: NESC has removed the picnic area as shown in the pictures attached. Please consider this item for closure.
20.1	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	NESC has insufficient information to understand this reported violation, and has requested a redacted copy of the complaint to understand and respond. 6-8-24 Update: NESC retained the services of John Riel Sr., MA Building Code Expert, to conduct a thorough audit of the NESC building inside and outside. Mr. Riel found no 521 CMR accessibility violations. Please consider this item for closure.
20.11.2	The exit discharge shall provide a continuous path of travel from an exit to a public way by means of a walkway or a ramp.	NESC has insufficient information to understand this reported violation, and has requested a redacted copy of the complaint to understand and respond. 6-8-24 Update: Mr. Riel found no 521 CMR accessibility violations. Please consider this item for closure.
24.2.1	[The maximum slope of a ramp shall be 1:12 (8.3%), measured between any two points on the ramp. (There is no tolerance allowed. on slope)	NESC is in the process of measuring the several ramps at the facility, and will make any corrections necessary. The redacted copy of the complaint will help guide our effort. 6-8-24 Update: Mr. Riel found one ramp, and found it to be 521 CMR compliant. Please consider this item for closure.
27.2	TREADS AND RISERS On any given flight of stairs, all steps shall have uniform riser heights and uniform tread widths. Open risers are not permitted.	NESC is unaware of any violations of this code requirement, and is in the process of searching for any. The redacted copy of the complaint should help guide our effort. 6-8-24 Update: Mr. Riel found all stairways to be 521 CMR compliant relative to riser heights and tread widths. Please consider this item for closure. Note: Mr. Riel found one stairway to be 521 CMR non-compliant relative to uniform tread depth, and recommended that NESC submit a variance request
27.4.1	Location: Stairways shall have continuous handrails at both sides of all stairs. The inside handrail on switchback or dogleg stairs shall always be continuous. See Fig. 27c.	NESC is unaware of any violations of this code requirement, and is in the process of searching for any. The redacted copy of the complaint will help guide our effort. 6-8-24 Update: Mr. Riel found four (4) all stairways to be 521 CMR compliant in that only one side had a handrail. NESC has installed a second 521 CMR compliant handrail in these locations (See attached photographs). Please consider this item for closure.
2.6	Maintenance of Access Features: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc). Complainant reports elevator outage.	NESC has one elevator servicing the first floor and the mezzanine. To our knowledge, the only recent out-of-service condition was approximately one week during the August/September 2023 timeframe while the elevator company (Schindler) was awaiting a replacement part. The redacted copy of the complaint should help to close this reported violation. 4-30-24 Update: The elevator has been operational since September 2023, and all accessibility features have been inspected and found to be clear and operationsl. Please consider this item for closure.
28.1	In all multi-story buildings and facilities, each level including mezzanines, shall be served by a passenger elevator. If more than one elevator is provided, each passenger elevator shall comply With 521 CMR 28. Accessible elevators shall be on an accessible route and located within the space with which it is intended to serve.	NESC has insufficient information to understand this reported violation, and has requested a redacted copy of the complaint to understand and respond. There is only a first floor and a mezzanine, which are serviced by an elevator. 6-8-24 Update: Mr. Riel found the elevator to be 521 CMR compliant. (See attached photographs). Please consider this item for closure.
29.1	General - Ground and floor surfaces including floors, walks, ramps, and curb cuts shall be stable, firm, slip resistant, and maintained with materials that ensure continued slip resistance.	NESC is unaware of any violations of this code requirement, and is in the process of searching for any. The redacted copy of the complaint will help guide our effort. 6-8-24 Update: NESC retained the services of John Riel Sr., MA Building Code Expert, to conduct a thorough audit of the NESC building, both inside and outside, and found it to be 521 CMR compliant relative to this complaint. Please consider this item for closure.
30.11	Mirror: The top of any shelf and or bottom of any mirror that is provided above a sink shall be set with the bottom edge of the reflecting surface no higher than 40 inches (1016mm) above the finish floor.	NESC is in the process of measuring the heights of the mirrors in the facility, and is adjusting the mirror heights as necessary to be compliant. The redacted copy of the complaint should help guide our effort. 4-30-24 Update: The mirror heights were approximately 46 inches above the floor, and were adjusted to the required 40 inches. Please see the photographs attached. Please consider this

Chase, Andrew M (DPL)

From: Larue Renfroe <Renfroe@assurtech.com>
Sent: Monday, June 17, 2024 11:54 AM
To: Chase, Andrew M (DPL)
Cc: jr2jag@yahoo.com
Subject: NESC Actions Taken In Response To AAB Notice - Docket Number C24 002
Attachments: NESC_AAB_Notice C24 002 Actions Taken 6-11-24.pdf; AAB-Variance Request NESC 6-8-24 AAB Docket C24 002 SIGNED 2.pdf; NESC_AAB_Notice Respns 4-21-24.pdf; Photographs Added Stir Rails.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 Morning Andrew:

We've completed the actions requested relative to the subject Notice. These actions and the supporting photographs are attached. The Building Code Expert, John Riel Sr. of JR Associates, 508-326-0233, conducted a thorough audit of the NESC building compliance with the 521 CMR requirements, including the complaints contained in the notice. He confirmed some of the complaints, all of which were minor, and we have made the changes to bring them into compliance. He also found some to be unfounded.

He also identified one non-compliance that would be very difficult and costly to correct, the elliptical stairway in the building atrium, and didn't consider its removal and replacement to be of any substantial benefit to persons with disabilities. His recommendation was to submit a variance request for this one non-compliance given that the elliptical stairway was considered safe and easily navigated by persons with disabilities that could use stairways, and that many compliant means of access to the mezzanine were available, the two most notable means being the main stairway and elevator. This variance request is also enclosed for your information.

Thanks you for guiding us through the process. Please let me know whether we've successfully addressed the issues of the notice, and if you need additional actions or information.

Larue
(978) 505 5810 (m)



84 South Street. • Carlisle, MA 01741
(978) 369-8848 • Fax (978) 369-3368 • www.nes.com

30 April 2024

REF: NESC-4-30-24

Andrew Chase, Compliance Officer
Commonwealth of Massachusetts
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118

Subject: Architectural Access Board Notice To The New England Sports Center, Docket Number C24-002,
Received on 13 March 2024, Status Of NESC Actions To Address Issues

Dear Mr. Chase,

The status of findings and actions taken to-date to address the Subject Notice are:

- The public bathroom mirrors have been adjusted to comply with the Massachusetts Building Code, Section 30.11, requirement of 40 inches above the floor. As indicated by the attached pictures, the mirrors were approximately 46 inches above the floor, and were adjusted to the required 40 inches. While not called out in the Subject Notice, we also adjusted the bathroom sign heights to comply with the Massachusetts Building Code requirement of 60 inches above the floor. As indicated by the attached pictures, the signs were approximately 66 inches above the floor, and were adjusted to the required 60 inches. NESC also procured and installed signs with the handicapped designator, indicating the bathrooms are handicapped accessible. Please consider this item for closure.
- The maintenance and accessibility features have been inspected and found to be maintained and fully operational in compliance with the Massachusetts Building Code, Section 2.8. Specifically, the elevator was reported by the complainant to be non-operational. NESC has one elevator servicing the first floor and the mezzanine. To our knowledge, the only recent out-of-service condition was approximately one week during the August/September 2023 timeframe while the elevator company (Schindler) was awaiting a replacement part. Please consider this item for closure.
- The complainant questioned the accessibility of the picnic area at NESC under the Massachusetts Building Code, Sections 19.8.21 and 21. NESC has removed the picnic area as shown in the attached pictures. Please consider this item for closure.

Sincerely,
New England Sports Management

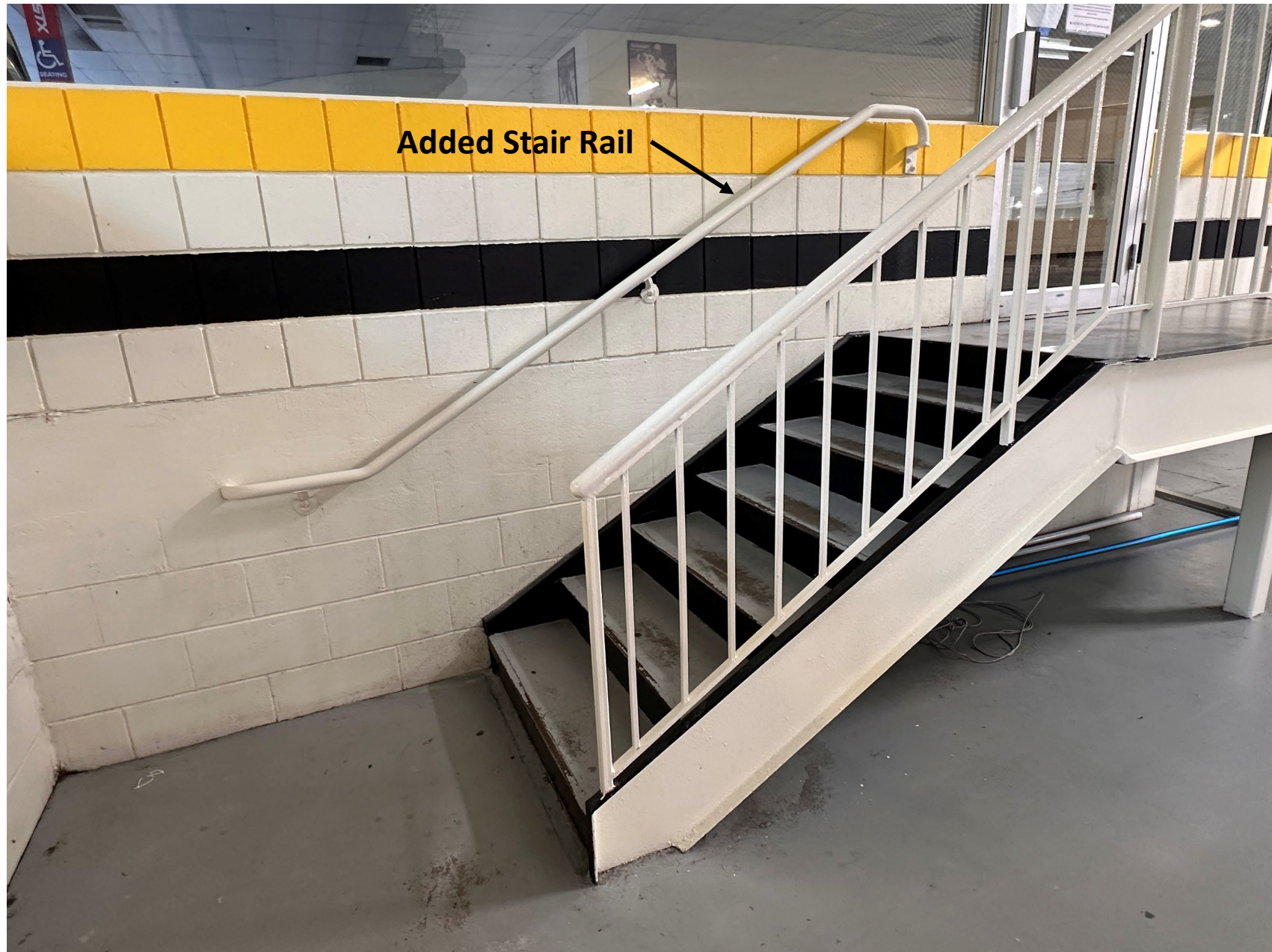
H. Larue Renfroe
President

NESC Update To Resolution Plan And Actins Taken For Architectural Access Board
Notice Docket Number C24-002

30 April 2024

Section	Reported Violation	NESC Response Update
19.6.1	PICNIC AREAS AND HIGHWAY REST AREAS Shall comply with the following: Access: All facilities shall be accessible and shall be on an accessible route that is paved or hard packed. If curb cuts are provided, they shall comply with 521 CMR 21, Curb Cuts.	The complainant questioned the accessibility of the picnic area at NESC under the Massachusetts Building Code, Sections 19.8.21 and 21. 4-30-24 Update: NESC has removed the picnic area as shown in the attached pictures. Please consider this item for closure.
20.1	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.	NESC has insufficient information to understand this reported violation, and has requested a redacted copy of the complaint to understand and respond.
20.11.2	The exit discharge shall provide a continuous path of travel from an exit to a public way by means of a walkway or a ramp.	NESC has insufficient information to understand this reported violation, and has requested a redacted copy of the complaint to understand and respond.
24.2.1	[The maximum slope of a ramp shall be 1:12 (8.3%), measured between any two points on the ramp. (There is no tolerance allowed. on slope)]	NESC is in the process of measuring the several ramps at the facility, and will make any corrections necessary. The redacted copy of the complaint will help guide our effort.
27.2	TREADS AND RISERS On any given flight of stairs, all steps shall have uniform riser heights and uniform tread widths. Open risers are not permitted.	NESC is unaware of any violations of this code requirement, and is in the process of searching for any. The redacted copy of the complaint should help guide our effort.
27.4.1	Location: Stairways shall have continuous handrails at both sides of all stairs. The inside handrail on switchback or dogleg stairs shall always be continuous. See Fig. 27c.	NESC is unaware of any violations of this code requirement, and is in the process of searching for any. The redacted copy of the complaint will help guide our effort.
2.6	Maintenance of Access Features: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc). Complainant reports elevator outage.	NESC has one elevator servicing the first floor and the mezzanine. To our knowledge, the only recent out-of-service condition was approximately one week during the August/September 2023 timeframe while the elevator company (Schindler) was awaiting a replacement part. The redacted copy of the complaint should help to close this reported violation. 4-30-24 Update: The elevator has been operational since September 2023, and all accessibility features have been inspected and found to be clear and operationsl. Please consider this item for closure.
28.1	In all multi-story buildings and facilities, each level including mezzanines, shall be served by a passenger elevator. If more than one elevator is provided, each passenger elevator shall comply With 521 CMR 28. Accessible elevators shall be on an accessible route and located within the space with which it is intended to serve.	NESC has insufficient information to understand this reported violation, and has requested a redacted copy of the complaint to understand and respond. There is only a first floor and a mezzanine, which are serviced by an elevator.
29.1	General - Ground and floor surfaces including floors, walks, ramps, and curb cuts shall be stable, firm, slip resistant, and maintained with materials that ensure continued slip resistance.	NESC is unaware of any violations of this code requirement, and is in the process of searching for any. The redacted copy of the complaint will help guide our effort.
30.11	Mirror: The top of any shelf and or bottom of any mirror that is provided above a sink shall be set with the bottom edge of the reflecting surface no higher than 40 inches (1016mm) above the finish floor.	NESC is in the process of measuring the heights of the mirrors in the facility, and is adjusting the mirror heights as necessary to be compliant. The redacted copy of the complaint should help guide our effort. 4-30-24 Update: The mirror heights were approximately 46 inches above the floor, and were adjusted to the required 40 inches. Please consider this item for closure

Photographs
Second Stair Rails Added To NESC





Added Stair Rail

Added Stair Rail





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26 March 2024

REF: NES-3-26-24

Andrew Chase, Compliance Officer
Commonwealth of Massachusetts
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118

Subject: Architectural Access Board Notice To The New England Sports Center, Docket Number C24-002, Received on 13 March 2024

Dear Mr. Chase,

Thank you for providing guidance on the process of responding to the subject notice. We have secured the services of a Building Code expert, and have initiated evaluation of the complaint based upon the notice and the preliminary information on the complaint. As we discussed, we need more specific information on the alleged violations to understand their nature and, in some cases, their location (s) in the building. Therefore, we are requesting a redacted copy of the complaint in a companion letter so that we can address the discrepancies cited.

For this reason, we request a 90-day extension to address and resolve the issues we uncover as we move toward their resolution to your satisfaction. We're expecting to be able to resolve the cited violations well within the requested 90-day period, and intend to do so. We recommend providing you a bi-weekly reports on our findings, progress and recommended resolution on each of the cited discrepancies during this period. Our progress thus far on the cited discrepancies and plans going forward to resolve these issues are provided in the attached table.

The Complaint Response Form required by the notice is also attached. If there are any questions or recommendations relative to our resolution of the complaint and any violations, please contact me at renfro@nes.com, or (978) 505 5810.

Sincerely,

New England Sports Management

H. Larue Renfro
President

NESC Initial Response And Resolution Plan For Architectural Access Board
Notice Docket Number C24-002

26 Mach 2024

Section	Reported Violation	Initial NESC Response
19.6.1	PICNIC AREAS AND HIGHWAY REST AREAS Shall comply with the following: Access: All facilities shall be accessible and shall be on an accessible route that is paved or hard packed. If curb cuts are provided, they shall comply with 521 CMR 21, Curb Cuts.	NESC was providing picnic tables for use by our customers, and plans to discontinue the practice. There will not be a picnic area at the facility going forward. The redacted copy of the complaint should help guide our effort on the question of curb cut compliance
20.1	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.	NESC has insufficient information to understand this reported violation, and has requested a redacted copy of the complaint to understand and respond.
20.11.2	The exit discharge shall provide a continuous path of travel from an exit to a public way by means of a walkway or a ramp.	NESC has insufficient information to understand this reported violation, and has requested a redacted copy of the complaint to understand and respond.
24.2.1	[The maximum slope of a ramp shall be 1:12 (8.3%), measured between any two points on the ramp. (There is no tolerance allowed. on slope)	NESC is in the process of measuring the several ramps at the facility, and will make any corrections necessary. The redacted copy of the complaint will help guide our effort.
27.2	TREADS AND RISERS On any given flight of stairs, all steps shall have uniform riser heights and uniform tread widths. Open risers are not permitted.	NESC is unaware of any violations of this code requirement, and is in the process of searching for any. The redacted copy of the complaint should help guide our effort.
27.4.1	Location: Stairways shall have continuous handrails at both sides of all stairs. The inside handrail on switchback or dogleg stairs shall always be continuous. See Fig. 27c.	NESC is unaware of any violations of this code requirement, and is in the process of searching for any. The redacted copy of the complaint will help guide our effort.
2.6	Maintenance of Access Features: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc). Complainant reports elevator outage.	NESC has one elevator servicing the first floor and the mezzanine. To our knowledge, the only recent out-of-service condition was approximately one week during the August/September 2023 timeframe while the elevator company (Shindler) was awaiting a replacement part. The redacted copy of the complaint should help to close this reported violation.
28.1	In all multi-story buildings and facilities, each level including mezzanines, shall be served by a passenger elevator. If more than one elevator is provided, each passenger elevator shall comply With 521 CMR 28. Accessible elevators shall be on an accessible route and located within the space with which it is intended to serve.	NESC has insufficient information to understand this reported violation, and has requested a redacted copy of the complaint to understand and respond. There is only a first floor and a mezzanine, which are serviced by an elevator.
29.1	General - Ground and floor surfaces including floors, walks, ramps, and curb cuts shall be stable, firm, slip resistant, and maintained with materials that ensure continued slip resistance.	NESC is unaware of any violations of this code requirement, and is in the process of searching for any. The redacted copy of the complaint will help guide our effort.
30.11	Mirror: The top of any shelf and or bottom of any mirror that is provided above a sink shall be set with the bottom edge of the reflecting surface no higher than 40 inches (1016mm) above the finish floor.	NESC is in the process of measuring the heights of the mirrors in the facility, and is adjusting the mirror heights as necessary to be compliant. The redacted copy of the complaint should help guide our effort.

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:

Andrew Chase, Compliance Officer
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118
Email: andrew.m.chase@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**:

renfro@nes.com

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

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



84 South Street • Carlisle, MA 01741
(978) 369-8848 • Fax (978) 369-3368 • www.nes.com

26 March 2024

REF: NESC-3-26-24-PRR

Andrew Chase, Compliance Officer
Commonwealth of Massachusetts
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118

Subject: Massachusetts Public Records Request

Dear Mr. Chase,

This is a request under the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10).
I am requesting that I be provided a copy of the following records:

A redacted copy of the complaint and accompanying photographs filed with the
Architectural Access Board citing alleged building code violations at the New England
Sports Center (NESC) located at 121 Donald Lynch Blvd, Marlborough, MA 01752. The
Architectural Access Board Docket Number is C24-002

I recognize that you may charge reasonable costs for copies, as well as for personnel time needed
to comply with this request.

The Public Records Law requires you to provide me with a written response within 10 business
days. If you cannot comply with my request, you are statutorily required to provide an
explanation in writing.

Sincerely,

H. Larue Renfroe
renfroe@nes.com
84 South Street
Carlisle, MA 01741
(978) 505-5810, (978) 369-8848

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:

JOHN T. MCCLAUGHLIN ESQ
44 SCHOOL ST. 9TH FLR.
BOSTON, MA 02108



9590 9402 8241 3030 8741 83

2. 7016 0750 0001 1133 3712

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent☐ Addressee

B. Received by (Printed Name)

M. Ingrand 03/13/24

C. Date of Delivery

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

RECEIVED

MAR 18 2024

AAB

3. Service Type

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- ☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Signature Confirmation☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

AAB 84

USPS TRACKING #



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Marlborough
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Office of Public Safety and Inspections
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118

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DEC 10 2003
MAR 18 2004
C24-002



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■ 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.		A. Signature X <i>Alexis Fischer</i> ☐ Agent ☐ Address	
1. Article Addressed to: Renfroe H Larue TR John Leonard 84 South St. Carlisle, MA 01741		B. Received by (Printed Name) <i>Alexis Fischer</i> C. Date of Delivery <i>MAR 18 2024</i>	
2. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below:		3. Service Type AAB ☐ 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)	
9590 9402 8241 3030 8741 90 7016 0750 0001 1133 3729		PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt	

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13 MAR 2024 PM 8 L

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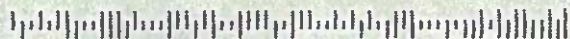
9590 9402 8241 3030 8741 90

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Division of Professional Licensure
Office of Public Safety and Inspections
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118

N.E.S.C.
Marlborough
First





MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

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

1000 Washington St., Suite 710
Boston, Massachusetts 02118

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

TO: Inspectional Services
140 Main Street
2nd Floor
Marlborough, MA 01752

Docket Number C 24 002

RE: New England Sports Center
121 Donald Lynch Blvd.
Marlborough, MA 01752

DATE: 03/08/2024

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

- | | |
|--|---|
| ☒ First Notice | ☐ Stipulated Order |
| ☐ Second Notice | ☐ Letter of Meeting |
| ☐ Notice of Hearing | ☐ Application for Variance |
| ☐ Correspondence | ☐ 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

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

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AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

March 8, 2024

Docket Number C24 002

Inspectional Services
140 Main Street
2nd Floor
Marlborough, MA 01752

RE: New England Sports Center 121 Donald Lynch Blvd.

Marlborough, MA 01752

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:

19.6.1	PICNIC AREAS AND HIGHWAY REST AREAS Shall comply with the following: Access: All facilities shall be accessible and shall be on an accessible route that is paved or hard packed. If curb cuts are provided, they shall comply with 521 CMR 21, Curb Cuts.
20.1	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.
20.11.2	The exit discharge shall provide a continuous path of travel from an exit to a public way by means of a walkway or a ramp.
24.2.1	The maximum slope of a ramp shall be 1:12 (8.3%), measured between any two points on the ramp. (There is no tolerance allowed on slope)
27.2	TREADS AND RISERS On any given flight of stairs, all steps shall have uniform riser heights and uniform tread widths. Open risers are not permitted.
27.4.1	Location: Stairways shall have continuous handrails at both sides of all stairs. The inside handrail on switchback or dogleg stairs shall always be continuous. See Fig. 27c.

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

AAB 89



MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

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

1000 Washington St., Suite 710
Boston, Massachusetts 02118

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

March 8, 2024

Docket Number C24 002

Inspectional Services
140 Main Street
2nd Floor
Marlborough, MA 01752

RE: New England Sports Center 121 Donald Lynch Blvd.

Marlborough, MA 01752

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:

2.6	Maintenance of Access Features: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc). Complainant reports elevator outage.
28.1	In all multi-story buildings and facilities, each level including mezzanines, shall be served by a passenger elevator. If more than one elevator is provided, each passenger elevator shall comply with 521 CMR 28. Accessible elevators shall be on an accessible route and located within the space with which it is intended to serve.
29.1	General - Ground and floor surfaces including floors, walks, ramps, and curb cuts shall be stable, firm, slip resistant, and maintained with materials that ensure continued slip resistance. Complainant reports bathroom floors are not slip-resistant.
30.11	Mirror: The top of any shelf and or bottom of any mirror that is provided above a sink shall be set with the bottom edge of the reflecting surface no higher than 40 inches (1016mm) above the finish floor. See Fig. 30i. Complainant reports bathroom mirrors are too high.

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

AAB 90



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

1000 Washington St., Suite 710 • Boston • MA • 02118
V: 617-727-0660 • www.mass.gov/aab

Docket Number

C24-002

(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:

**Andrew Chase, Compliance Officer
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118
Email: andrew.m.chase@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**:

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

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

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:

Inspectional Services
140 Main Street
2nd Floor
M.orough, MA 01752



9590 9402 8242 3030 4647 41

2. Article Number (Transfer from service label)

7016 0750 0001 1133 3439

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Hayley Carney*☐ Agent☐ Addres

B. Received by (Printed Name)

Hayley Carney

C. Date of Deliv

2/9/24

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

FEB - 9 2024

RECEIVED

0175 FEB 12 2024

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery

(over \$500)

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restr

Delivery

☐ Signature Confirmatic☐ Signature Confirmatic

Restricted Delivery

AAB

Domestic Return Rece

USPS TRACKING#



BOSTON MA 02108

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

9590 9402 8242 3030 4647 41

United States
Postal Service

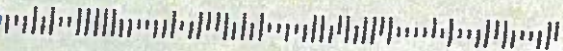
Sender Please print your name, address, and ZIP+4® in this box*

CD4-002

RECEIVED
FEB 12 2024
By

Division of Professional Licensure
Office of Public Safety and Inspections
Architectural Access Board
1000 Washington Street, Suite 710
Boston, MA 02118

*I.S.D.
Marlborough
corr./permits*





MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1000 Washington St., Suite 710
Boston, Massachusetts 02118

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

TO: Inspectional Services
140 Main Street
2nd Floor
Marlborough, MA 01752

Docket Number C 24 002

RE: New England Sports Center
121 Donald Lynch Blvd.
Marlborough, MA 01752

DATE: 02/06/2024

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

- | | |
|--|---|
| ☐ First Notice | ☐ Stipulated Order |
| ☐ Second Notice | ☐ Letter of Meeting |
| ☐ Notice of Hearing | ☐ Application for Variance |
| ☒ Correspondence | ☐ 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

YVONNE HAO
SECRETARY, HOUSING AND
ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts
Division of Occupational Licensure**

1000 Washington St., Suite 710
Boston, Massachusetts 02118

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

TO: Tin Htway
FROM: Andrew Chase, Compliance Officer

RE: New England Sports Center
121 Donald Lynch Blvd.
Marlborough, MA 01752

Docket No: C 24 002

DATE: February 6, 2024

REQUEST FOR BUILDING PERMIT

The Architectural Access Board has received a complaint on the above referenced premises. Before the complaint is processed, we would like to obtain copies of all the building permits since 1975. The Board needs the permits to determine whether or not we have jurisdiction under Section 3.3. As such, the permits must include the value of the work performed.

Please return copies of the appropriate permits at your earliest convenience. If you have questions, please contact the Board at 617-727-0660 or Compliance Officer Andrew Chase at 617-826-5255 Ext. 25255.

Building Official (Please print)

Signature

Property Card: 121 DONALD J LYNCH BLVD

City of Marlborough, MA



Parcel Information	
Parcel ID: M_192073_901711 Vision ID: 1827 Owner: RENFROE H LARUE TR Co-Owner: Mailing Address: 84 SOUTH ST CARLISLE, MA 01741	Map: 26 Lot: 32 - Use Description: Ice Skating Rink Zone: LI Land Area in Acres: 27.03
Sale History	Assessed Value
Book/Page: Sale Date: 12/29/1994 Sale Price: \$0	Land: \$2,856,200 Buildings: \$28,031,600 Extra Bldg Features: Outbuildings: Total: \$31,176,000

Building Details: Building #		
	Model: Living Area: 283750 Appr. Year Built: Style: Ice Rink Stories: 2 Occupancy: 1 No. Total Rooms: No. Bedrooms: No. Baths: No. Half Baths:	Int Wall Desc 1: Minimum Int Wall Desc 2: Drywall Ext Wall Desc 1: Concr/Cinder Ext Wall Desc 2: Pre-cast Concr Roof Cover: Tar & Gravel Roof Structure: Gable or Hip Heat Type: Hot Air Ducted Heat Fuel: Gas A/C Type: Partial



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Chase, Andrew M (DPL)

From: Chase, Andrew M (DPL)
Sent: Tuesday, February 6, 2024 4:32 PM
To: David Corriea (dcorreia@mwcil.org)
Subject: New England Sports Center - C24-002

David,

I received your complaints. The one for the New England Sports Center has been processed in the system. The docket number is C24-002. I've also sent a permit request to the local commissioner, and I'll be reaching out to Will regarding a Site Visit for this one. I'll keep you posted.

Regards,

Andrew Chase

Compliance Officer
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
617-826-5255 Ext. 25255
www.mass.gov/aab

**MetroWest
Center For
Independent Living**

1 Clarks Hill, Suite 200, Framingham, MA 01702

V/TTY: (508) 875-7853, Fax: (508) 875-8359

RECEIVED
FEB 05 2024

AAB

RECEIVED
FEB 06 2024

AAB

Dear Mr. Joyce,

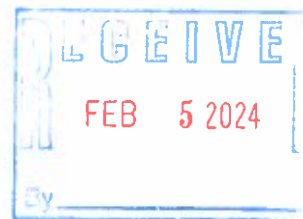
I have enclosed an access complaint on the New England Sports Center in Marlborough, MA. This is a big complex with 10 ice rinks, 65 locker rooms, a merchandise shop and numerous restrooms as well. I have received several calls for lack of accessibility and I also enclosed an email as well of someone else that has experienced the lack of accessibility. I was only able to look at the ice rinks, bathrooms, stairs, elevator and main entrance and egresses.

I am requesting a Site Visit to this location. I believe it would benefit everyone to look at the whole complex to better understand how to bring this location to compliance.

Thank you for your attention on this matter.



Advocacy Director
David Correia
dcorreia@mwciil.org
w. 508-875-7853 ext.117
c. 508-740-4045



MWCIL enhances the full participation of persons with disabilities in the community.

[REDACTED]



Lou-

Received this transmission in error, please inform us immediately
or by electronic mail



Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1000 Washington St., Suite 710 • Boston • MA • 02118
V: 617-727-0660 • 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:

New England Sports Center

Street Address:

121 Donald Lynch BLVD

City/Town:

Marlborough, MA 01752

2. Does it appear that the building was recently constructed or renovated? yes
3. What date were you most recently at the building? 1/24/24
4. How many floors? 2

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):

Exterior Picnic area has no accessible route do to surface. This location has 12 accessible egresses that do not provide accessible route away from the building.

Stairs to second Floor has a protruding object, stairs also have pie shaped treads that are not uniform.

Bathrooms: mirrors are too high, not accessible surface tripping hazard and bathroom sign too high.

All 10 rinks are not accessible at all. They have 65 locker rooms that I have not looked at yet for accessibility. I have enclosed pictures. Rink 1 which is used at times for games for the public with a fee is not accessible, even if you were trying to watch the event from the second floor through the glass they close the curtains so you cannot watch the event. I personally witnessed this with a person using a manual wheelchair and was told not to open the curtain.

They have had elevator shut down many times which leaves a person with a disability not able to go upstairs. The elevator has not been inspected in a couple of years. The ramp exceeds 8.3% and the railings where there are stairs are not continuous.

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: David Correia(MetroWest Center for Independent Living)

Mailing Address:

One Clarks Hill Suite 200

Framingham,MA 01702

E-mail: dcorreia@mwclil.org

Telephone: 508-740-4045

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

Email: ☐ Regular Mail: ☒

8. Individual Signature (required): 

Date: 1/30/2024

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: _____

Mailing Address:

- 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.

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

No

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.

Added 6 Rinks

2004 - 2017

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

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



New England Sports Center

Coordinates: 42.363443°N 71.596548°W

The **New England Sports Center** is a two-story, eight-rink ice-skating facility located in Marlborough, Massachusetts. Covering 22.3 acres (90,000 m²) of suburban land, the 220,000-square-foot (20,000 m²) building^[1] has over 65 locker rooms, a hockey pro shop, ice skate sharpening, ice skate rentals, function rooms, a full-service restaurant, and a snack bar. In addition to the eight full-size rinks, the facility has two miniature ice surfaces, Rinks 9 and 10. Host to the Haydenettes, home to the Skating Club of Boston Metrowest,^{[2][3]} the Minuteman Flames, Central Mass. Outlaws, and the Junior Bruins hockey teams, the New England Sports Center is noteworthy for having more ice-skating surfaces than any other arena in the New England area.

History

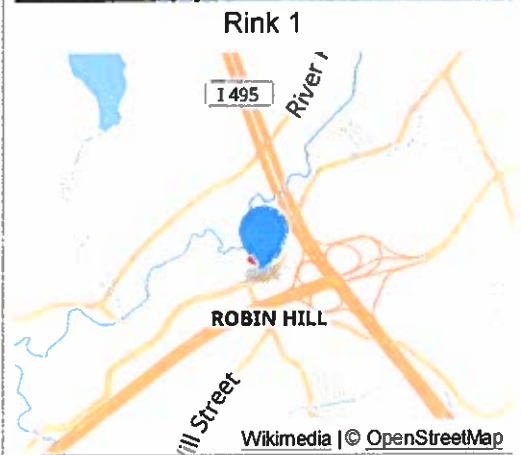
Construction of the original four rinks (Rinks 1-4) of the New England Sports Center on previously undeveloped land was completed in November 1994.^{[4][5]} An additional fifth rink (Rink 5) was completed in September 2004.

Plans for the addition of a sixth full-size ice-skating surface and a partial-surface practice rink were approved by the City of Marlborough in April 2010.^{[6][7]} and the full-size Rink 6 opened for operation on December 4, 2010. The miniature Rink 7, which has since been re-designated as Rink 9, opened in January 2011, and is used primarily for goaltender training and player training.

The Marlborough City Council approved plans to expand the center yet again in June 2016.^[8] This expansion added two more full-sized rinks, as well as an additional miniature rink. The new rinks were built partially on newly acquired land to the west of the preexisting facility. Rink 7 opened on September 23, 2017, and Rink 8 opened on October 1, 2017. The additional miniature rink, designated Rink 10, opened in early December 2017.

Providence Bruins 2021 season

New England Sports Center



Address	121 Donald Lynch Blvd, Marlborough, MA, 01752
Owner	H. Larue Renfro
Operator	New England Sports Management
Type	Ice Rink Complex
Capacity	1,800 (Rink 1) 60 (Rinks 2-8)
Acreage	22.3
Surface	200 ft x 85 ft (Rinks 1-8)
Construction	
Built	1994
Expanded	2004, 2010, 2017
Tenants	

On January 4, 2021, the Providence Bruins announced that they would be playing their entire 2021 American Hockey League season at NESC. The Bruins made the move due to the ongoing COVID-19 pandemic and that their arena, the Dunkin' Donuts Center had been turned into a Coronavirus testing center. Team owner H. Larue Renfroe also owns all of NESC. The team plans to return to Rhode Island for the upcoming 2021-22 season.^[9] It marks the first time in over 100 years that there would be zero Rhode Island Professional sports teams playing a season.

<u>Providence Bruins</u> ^[a]
<u>Minuteman Flames</u>
<u>Boston Junior Bruins</u>
<u>Central Mass Outlaws</u>
<u>495 Stars</u>
<u>Hudson High School</u>
<u>Nashoba Regional High School</u>
<u>Lincoln-Sudbury Regional High School</u>
<u>Hopkinton High School</u>
<u>Northbridge High School</u>
<u>St. John's High School</u>
<u>Hillside School</u>
<u>Anna Maria College AMCATS</u>
<u>Skating Club of Boston Metrowest</u>
<u>Center Skating Academy</u>
Website
<u>www.nes.com</u> (<u>http://www.nes.com</u>)

Management

The facility was constructed at the direction of and is owned by Larue Renfroe, current owner of the AHL Providence Bruins.^[10] and founder of ATC Corporation^[11] The current facility manager is Wesley Tuttle,^[12] who served as Operations Manager for the 1991 Central Massachusetts Arenas Co., and who has served as the manager for the New England Sports Center since its opening in 1994.^[13]

Events and alumni

Because the New England Sports Center has ten ice surfaces, it has the ability to host larger organizations and has hosted events of national and international importance, as well as playing host to Olympic figure-skating hopefuls and hockey players of all ages and abilities.

In the past, the rink has served as a practice rink for Olympic medal winners Ilia Kulik,^[14] Evgeny Platov,^[15] and Pasha Grishuk.^[16]

The proximity to Worcester and the regular availability of ice time made the New England Sports Center an alternate practice area for the AHL Worcester Sharks,^[17] (relocated in 2015 to San Jose, CA and renamed San Jose Barracuda).

The New England Sports Center has hosted the Massachusetts State Hockey Coaches Association annual Garrett Reagan High School Hockey Summit since 2008^{[12][18]} (the Hockey Summit pits as many as sixty high school teams against each other in 30-minute mini-games).

The 2003 USA Hockey Tier III Junior National Championship were held at the New England Sports Center. The Tier III Junior "B" championships were held there in 2008, 2009, 2010, and 2011.^{[19][20]}

Starting in January 2012, the New England Sports Center was the home venue of the now-defunct Boston Rockhoppers professional indoor lacrosse team.

Disabled hockey

The New England Sports Center hosted the 2008 IPC Ice Sledge Hockey World Championships

and the 2008 International Standing Amputee divisional match-up, part of the Annual USA Disabled Festival, described as "...the largest disabled hockey event ever..." by Dr. David Crandell, president of the American Amputee Hockey Association. Thirty-four teams were present during the 2008 event, representing the four divisions of USA Hockey's disabled section - sled hockey, special hockey, hard of hearing or deaf, and standing amputee.

"...I still get inspired by it myself," said festival co-chairman Rick Fask. "People who have never seen disabled athletes perform at this level, it's inspiring. It should say to a lot of people that whatever ability you have, you can accomplish it all. We hope that the impact on the community is more awareness for any disability. That's what we hope to get out of it."^[21]

Economic contribution

The New England Sports Center has been described by the Marlborough Regional Chamber of Commerce as " ... one of the greatest economic contributors for the businesses in this region ... " to the hospitality industry, with economic benefits accruing to the " ... local hotels, restaurants, retail establishments, and gas stations ... ".^[22]

" ... (i)t's a great boon for the community," said Arthur Vigeant, president of the Marlborough City Council. "The hotel rooms and the restaurants are filled when (the New England Sports Center) has one of (their) big tournaments."^[23]

Facility operation

The New England Sports Center is principally an ice-skating facility, and most operational aspects center on ice-making and air conditioning.

Refrigeration system

The New England Sports Center uses a brine/ammonia indirect refrigeration system to cool the concrete surface underlying the skating surface. Brine chilled to between 18 °F (−8 °C) and 20 °F (−7 °C) loops between the skating surfaces and an anhydrous ammonia refrigeration system.

There are two separate compressor systems in use at the New England Sports Center: the Primary System, which cools Rinks 1-6 and Rink 9, and the Secondary System, which cools the rinks constructed during the summer of 2017 (Rinks 7, 8, and 10).

The Primary consists of two "sleds", each of which consists of three compressors. The compressors (a total of six) are Cimco Lewis (http://www.cimcorefrigeration.com/ice_packaged_systems.asp) 300 horsepower (220 kW) model C6-WO6A compressors.^[24] There are two evaporative cooling towers at the rear of the building. The evaporative cooling towers are Evapco (<http://www.evapco.com/>) model LSCA430;^[25] the towers were replaced for the first time in August 2009.

In simple terms, the ammonia portion of the system functions like an oversized household refrigerator. The brine passes through the "refrigerator" and is cooled to well below the freezing point of fresh water - but the brine does not freeze because it's not fresh water, it's salt water (calcium chloride as opposed to the more commonly known sodium chloride).

When the ammonia in the refrigeration loop is compressed, energy is released in the form of heat. When the ammonia is allowed to expand, heat is absorbed from the brine loop. The cold brine (now at 18 °F (−8 °C) to 20 °F) is circulated under the concrete rink floor.

Counter-intuitively, hot water (typically 150 °F (66 °C) to 160 °F) is used to make new ice.^[26] Hot water has a lower oxygen content, and makes clearer, harder ice. The hot water also flows better across the frozen surface, smoothing gouges and filling holes. The ice-making water is untreated City of Marlborough tap water.

In an effort to save energy, the New England Sports Center recycles not water (which would be unsanitary), but heat. When the Zamboni ice resurfacer makes a sheet of ice, a quantity of ice shavings are cut from the surface of the ice. The collected ice shavings are melted by the heat released during the compression of the anhydrous ammonia. Prior to discharge to the sanitary sewer system, the melted ice shavings are used to help chill the water which flows into the evaporation towers to cool the anhydrous ammonia.

Cogeneration units

In early 2011, three Tecogen (<https://web.archive.org/web/20140312212242/http://www.tecogen.com/products-cogeneration-cm-60.htm>) CM-75 cogeneration units were installed at the rear (north-facing side) of the building. These three units generate electricity (for on-site use) and hot water. At full capacity the three cogeneration units are insufficient to meet facility hot water demands, but serve as a supplement for the natural-gas-fueled boiler system.

Resurfacers

The New England Sports Center uses battery-powered Zamboni model 552 ice resurfacers for its full size rinks.^{[27][28]} There are currently nine machines at the facility, six to eight of which may be in use at any one time while remaining machines undergo repairs. The endurance of the machines varies, but a fully charged Zamboni model 552 can be expected to make between 10 and 12 sheets of ice before requiring a recharge.

Rink 9 is resurfaced using a Design Form Show-Ice 3B electric ice resurfacer, and Rink 10 is resurfaced using a SportIce Bumblebee electric ice resurfacer.

Food service

The New England Sports Center has two food service areas. The primary food service area (the Starlight Grill) functions during normal working hours and offers typical fast-food fare such as burgers and pizzas, as well as fresh salads, soups, coffee, soft drinks, and fruit juices. On-site catering for special events is also available. A fresh seafood restaurant (New England Seafood), which opened in 2015, is currently closed indefinitely. Alcohol is available (except during high school games), but can only be consumed in the restaurant areas.

Off-ice physical conditioning room

The New England Sports Center has a large, carpeted, glass-wall exercise room located on the

second floor between Rink 2 and Rink 5. Previously used for seminars, semi-formal events, business meetings, and as a scouting area, the space was converted to a physical fitness area in 2013.

New England Figure Skating Club

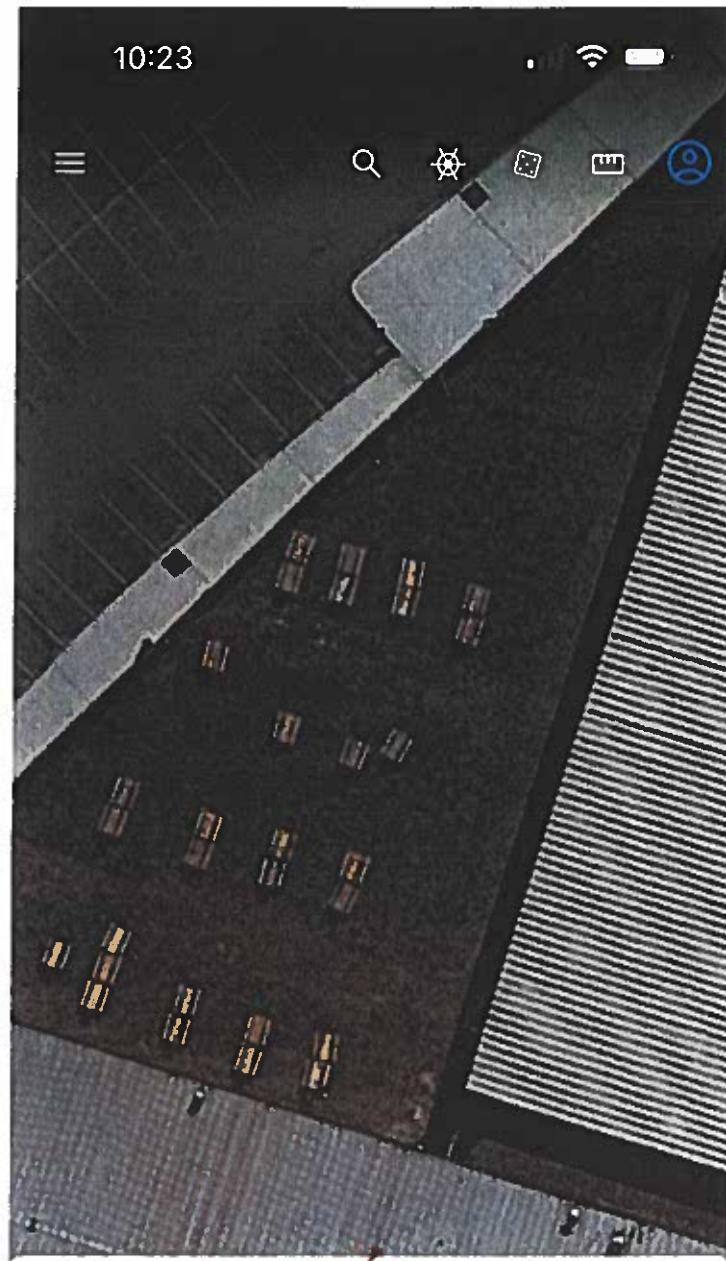
The New England Figure Skating Club (NEFSC) served as the focus for figure-skating activities at the New England Sports Center until it disbanded in 2009.^[29]

Skating Club of Boston

The Skating Club of Boston Metrowest synchronized skating team Team Excel, coached by Merita Mullen, practices at the New England Sports Center on a weekly basis.^[30]

References

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2. "SCOB Metrowest" (<https://web.archive.org/web/20100216123404/http://www.scboston.org/scobwest.php>). Archived from the original (<http://www.scboston.org/scobwest.php>) on 2010-02-16. Retrieved 2010-03-05.
3. Boston Globe article, Feb 22, 2009, "Launching new ice age" (http://www.boston.com/news/local/massachusetts/articles/2009/02/22/launching_new_ice_age/)
4. Boston Globe article, October 22, 1995, "In need of ice time, he built a rink"
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7. "City Council approves sixth rink at skating center" (https://web.archive.org/web/20111007103939/http://www.communityadvocate.com/news/2010-04-09/Front_Page/City_Council_approves_sixth_rink_at_skating_center.html). Archived from the original (http://www.communityadvocate.com/news/2010-04-09/Front_Page/City_Council_approves_sixth_rink_at_skating_center.html) on 2011-10-07. Retrieved 2010-05-08.
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10. *Providence Journal* August 26, 2006 "P-Bruins are icing on cake for new owner" (http://www.projo.com/pbruins/content/projo_20060826_26pbruins.313798f.html)



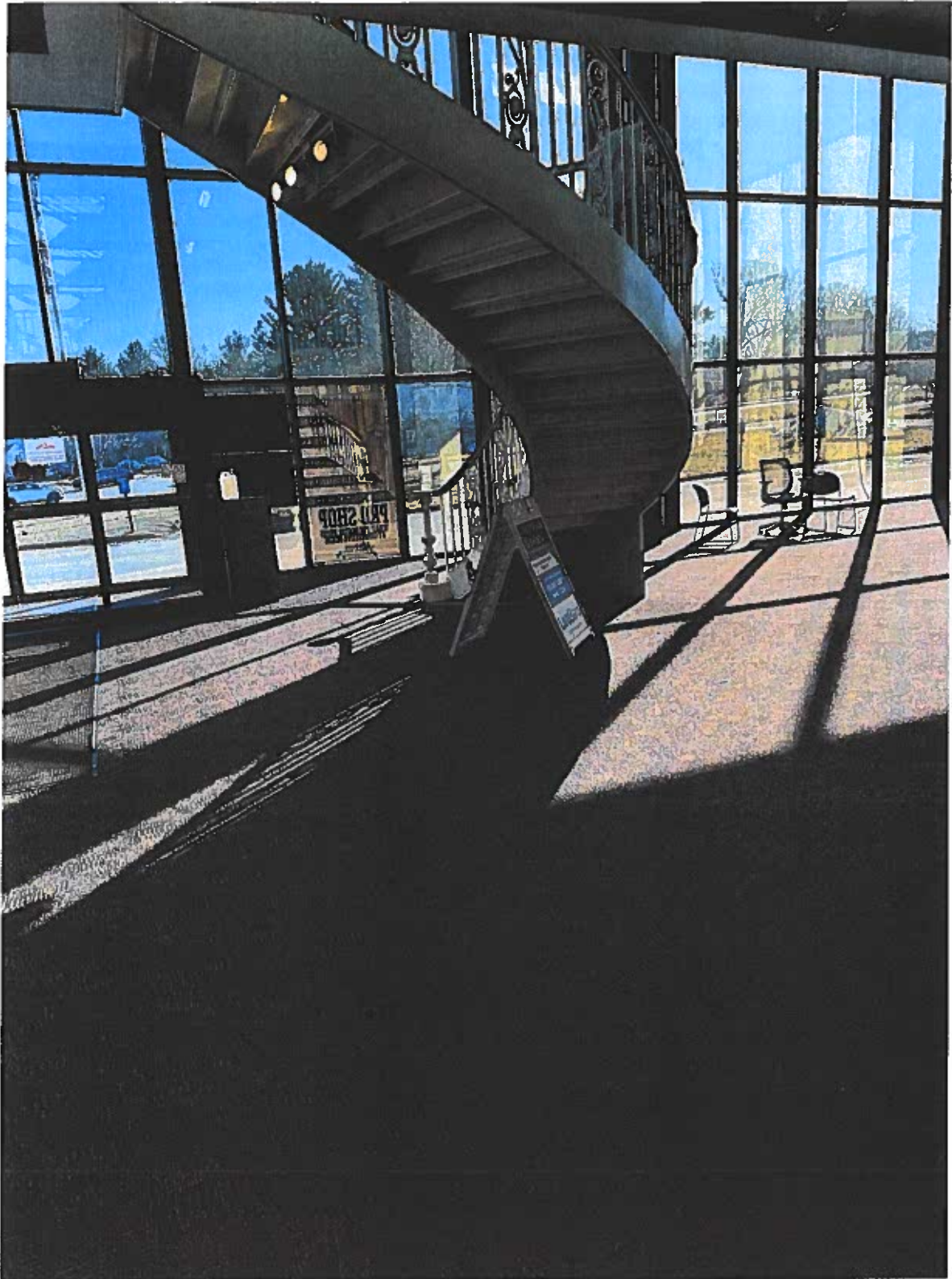
Dropped Pin

42°21'47"N 71°35'49"W · 277 ft

Imagery date: Not available

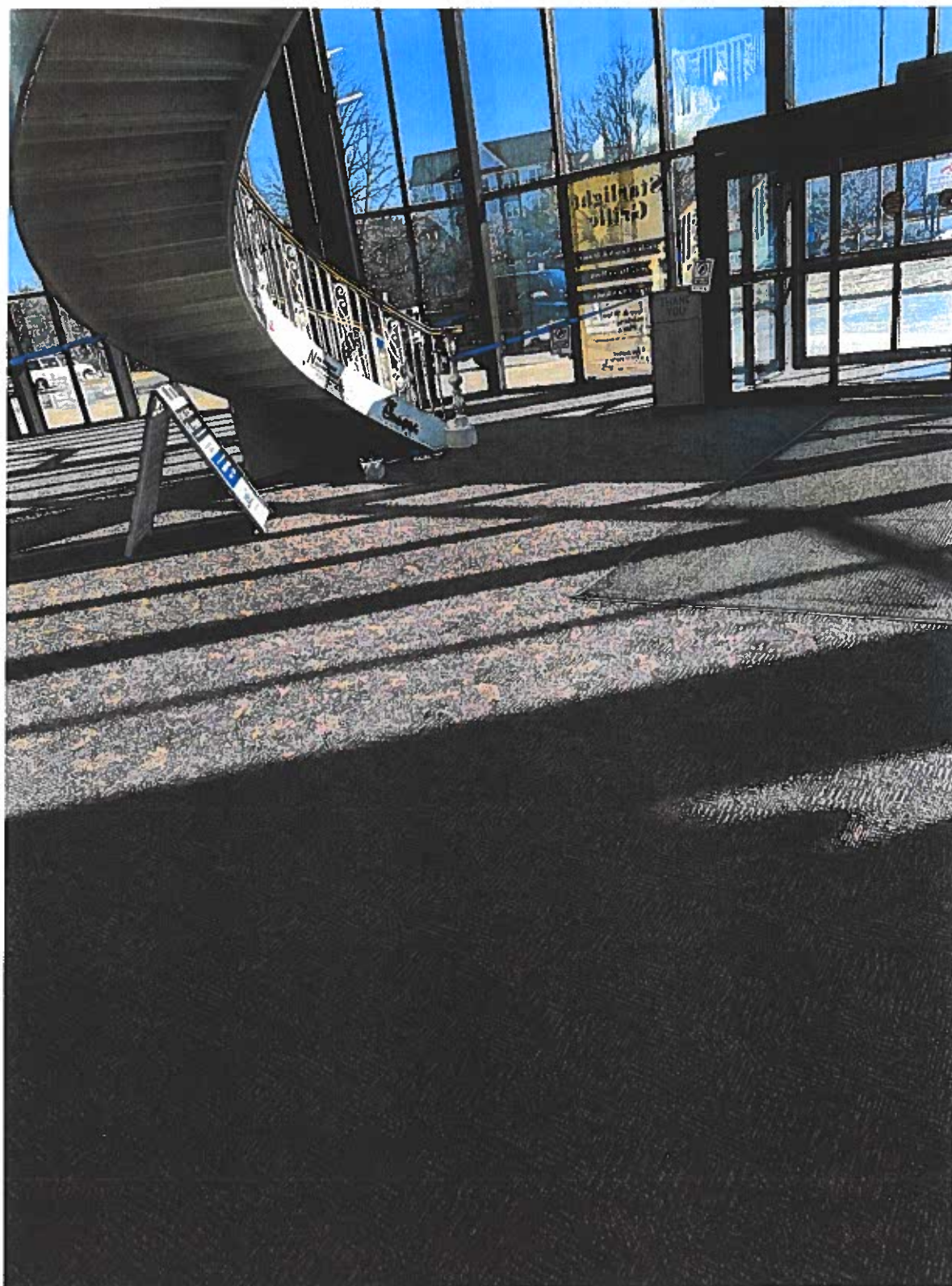
[Measure](#)

picnic AREA provides no accessible
Route do to surface.
20.8 / 29.1



20.7 Stairs obstruct Route.

27.2 Stair Risers treads are pie
Shaped do not provide uniform tread.





Sent from my iPhone



30.9.2 mirrors too High
30.11

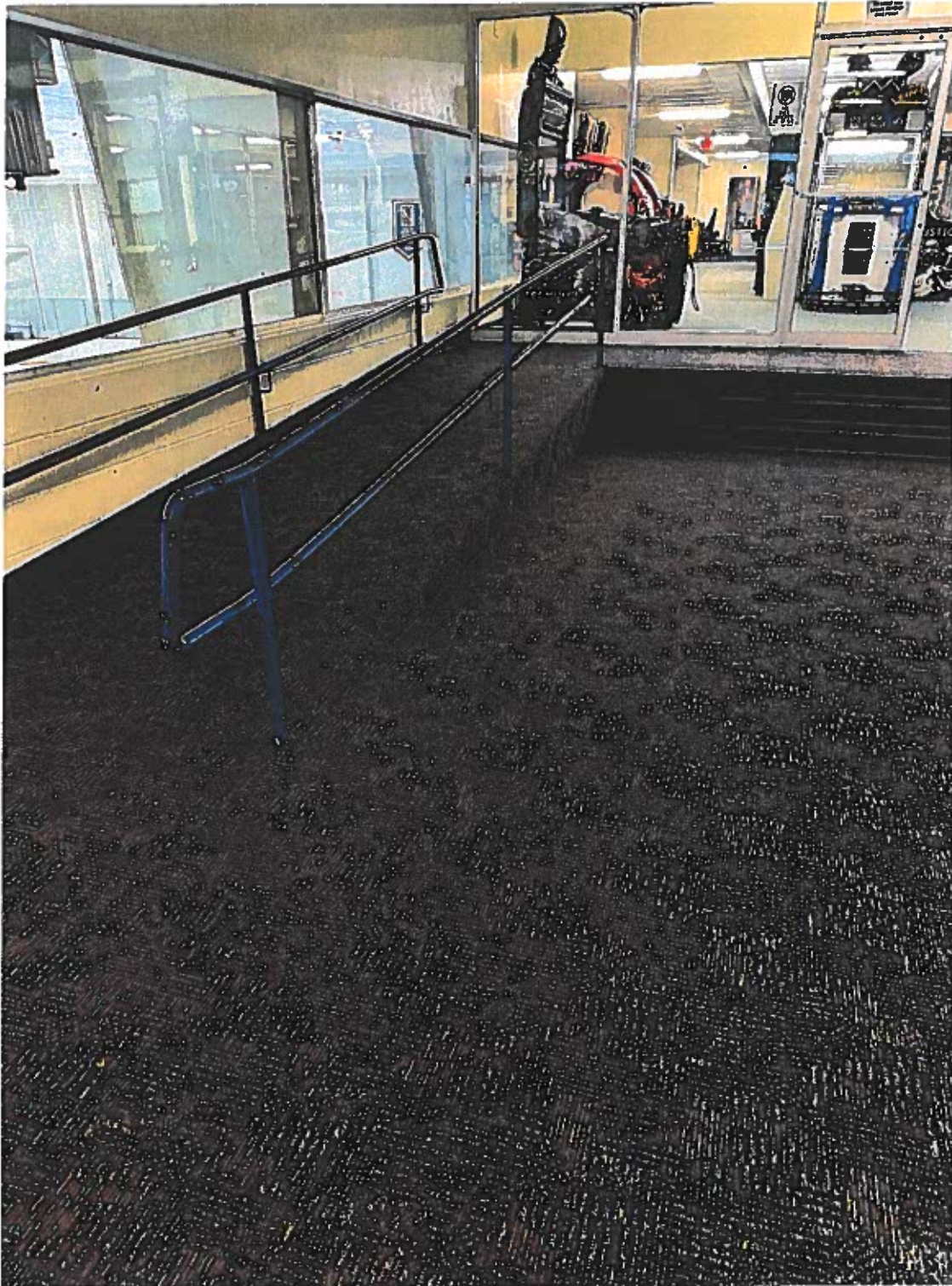


29.2 Surface trip Hazard





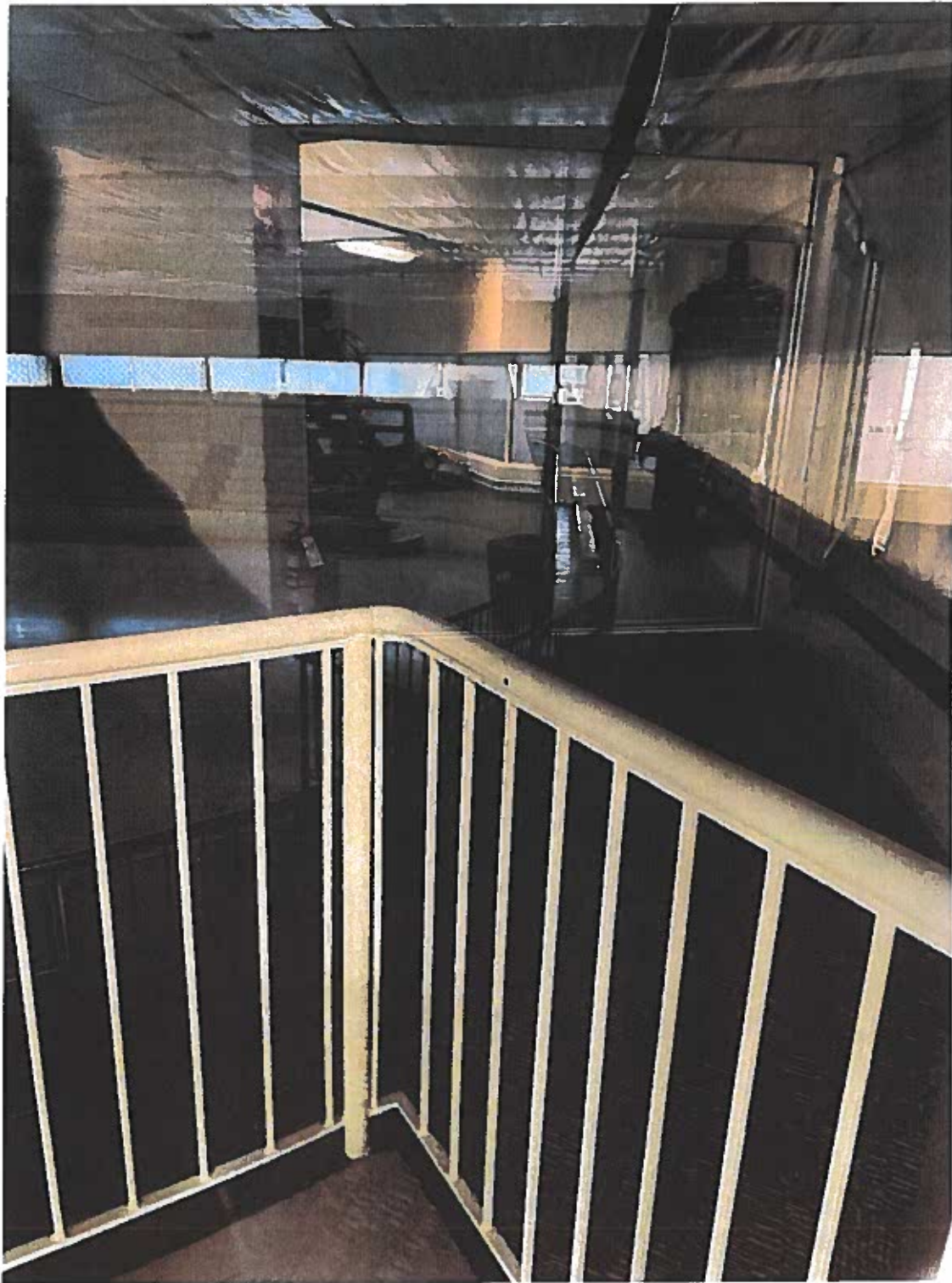
41.2 Signage too High



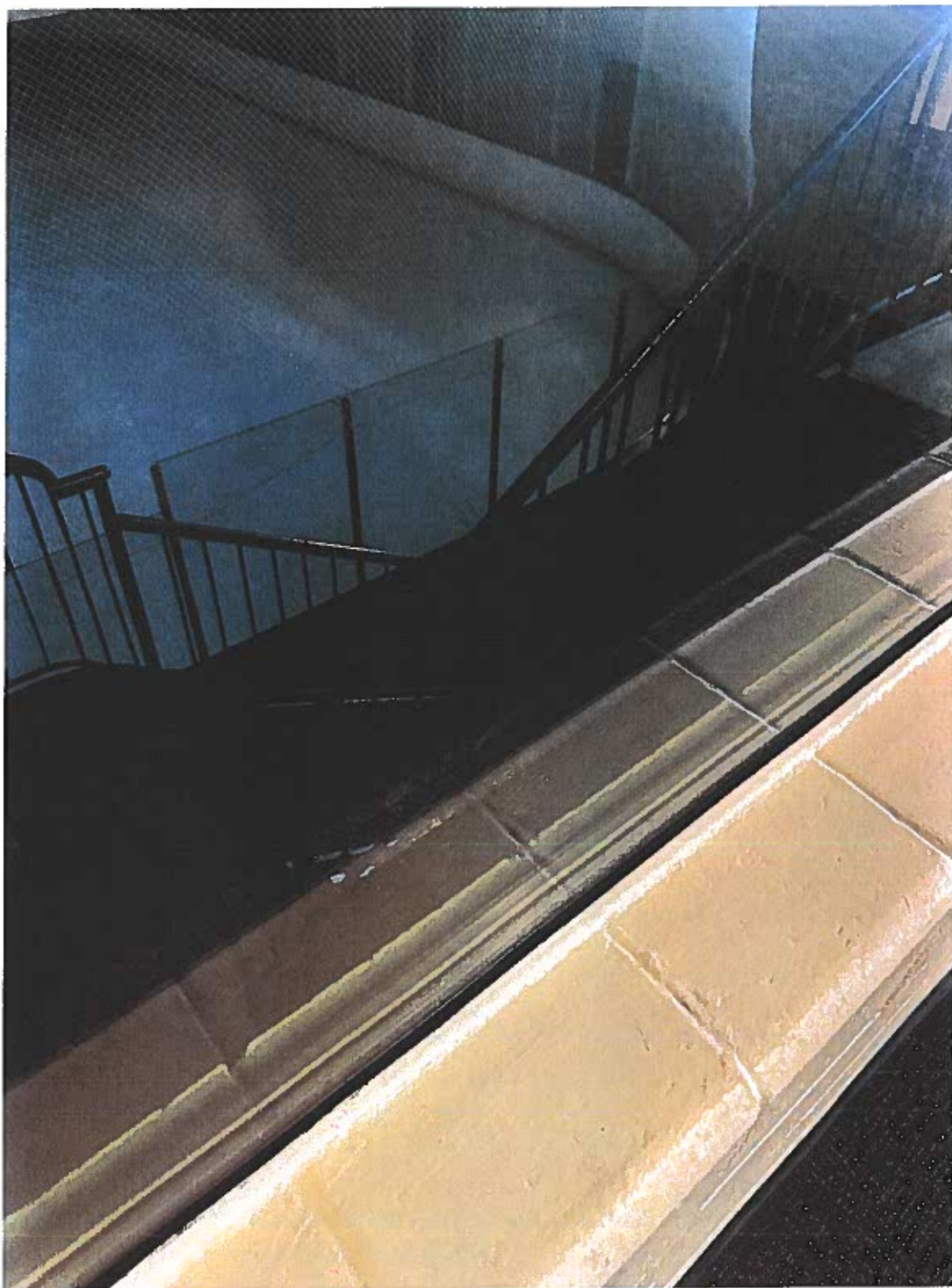
24.2 exceeds 8.3%



do not comply with 27.4







looking down to Risk 1.



Rink 3



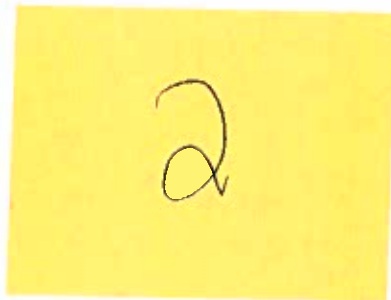
Rink 3



Rink 3



Link 2



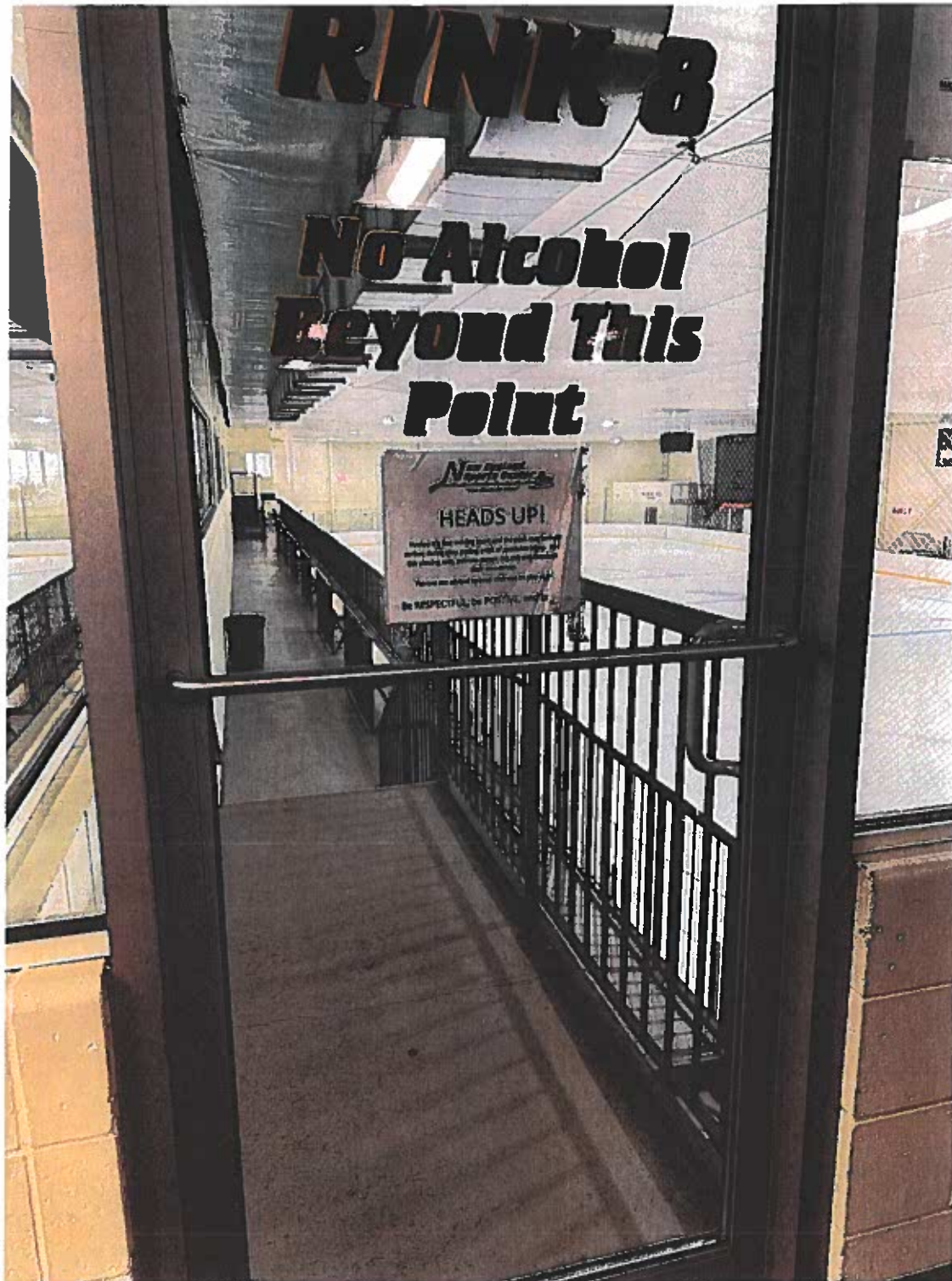


Rink 2



Rink 2









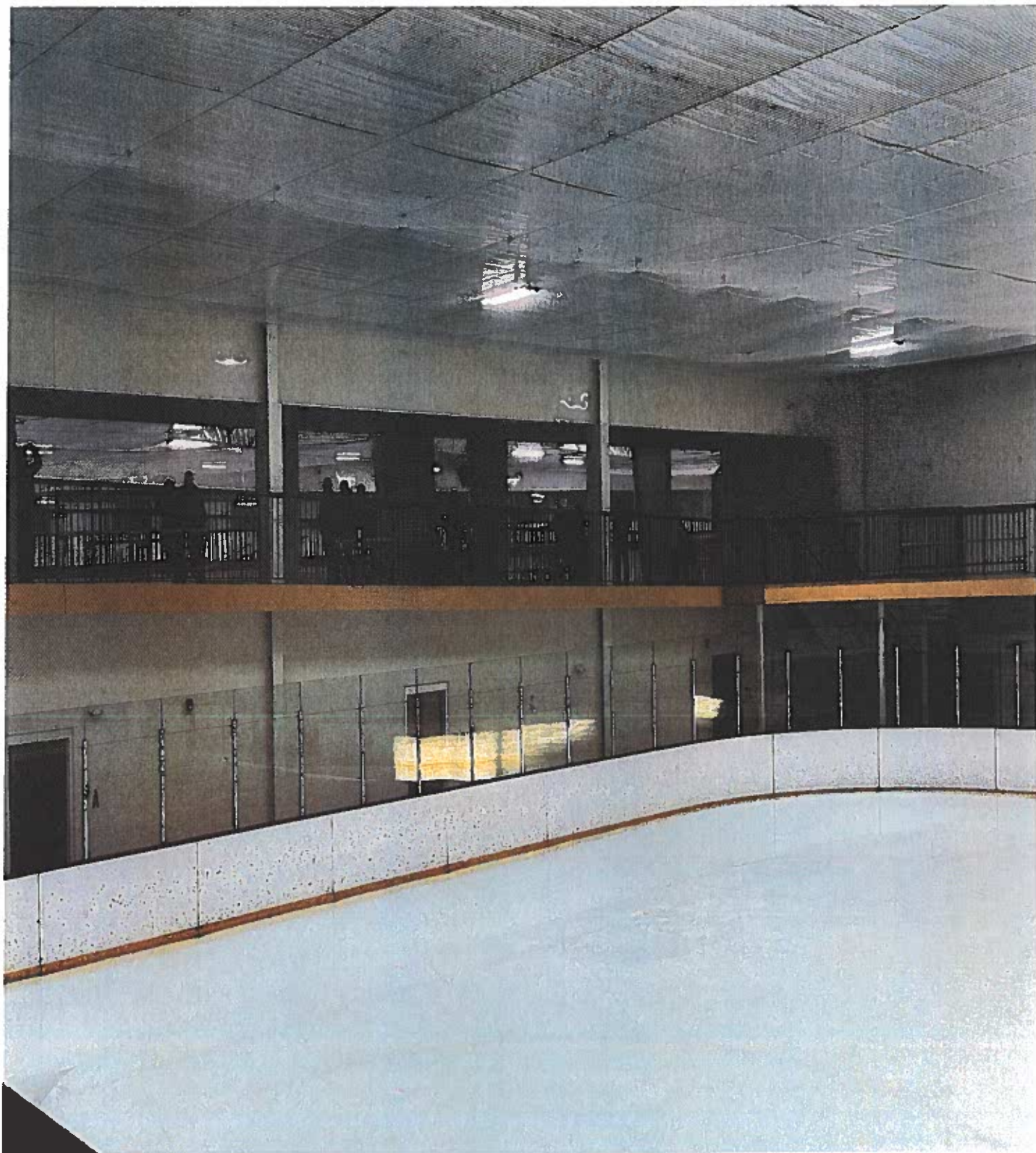
Rink 1
only space to see game

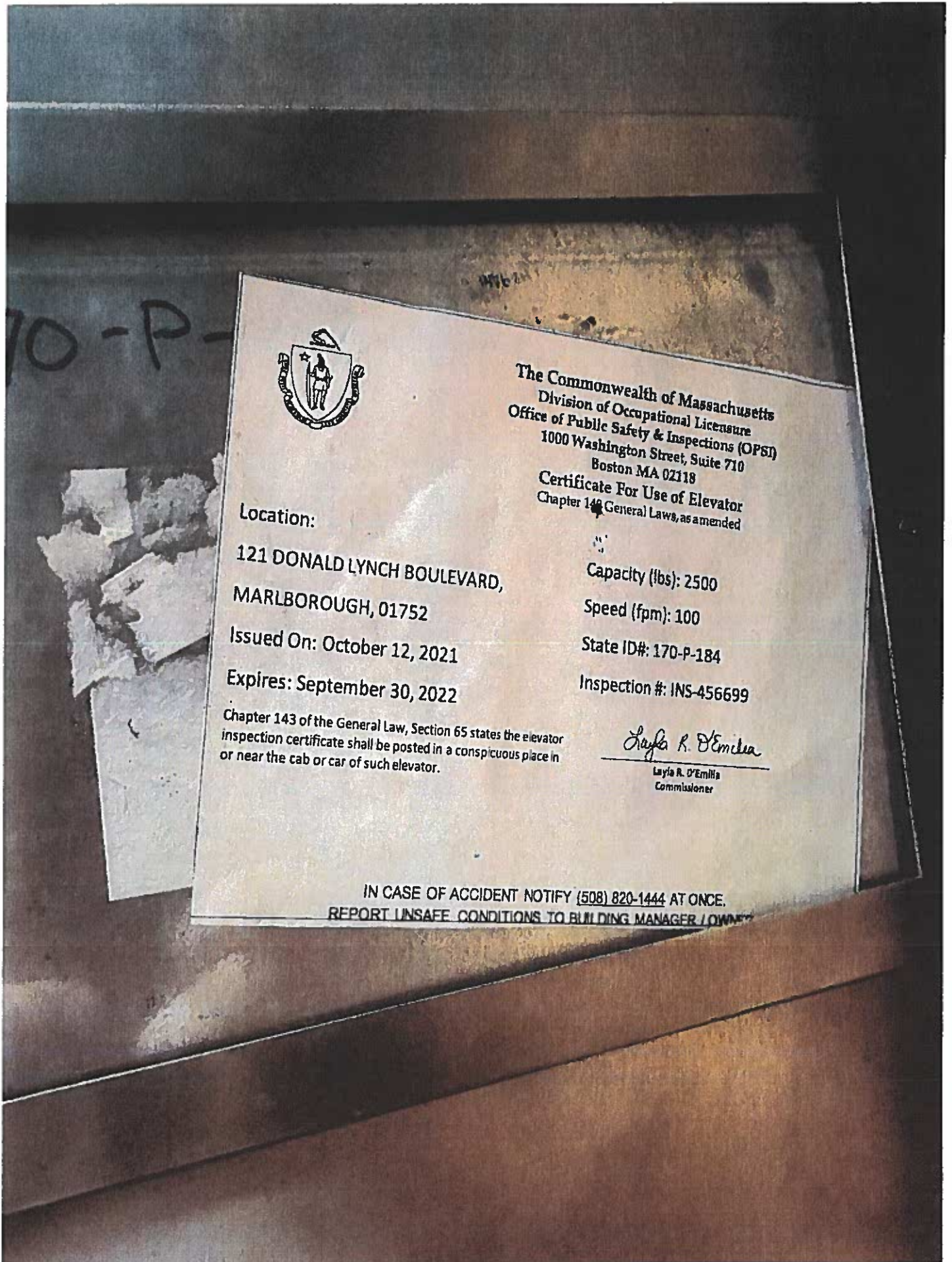




















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New England Sports Center
<https://www.nes.com>

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Rating: 3.5 · 103 votes



Wikipedia
https://en.wikipedia.org/wiki/New_England_Sports_Center

New England Sports Center

The New England Sports Center is a two-story, eight-rink ice-skating facility located in Marlborough, Massachusetts. Covering 22.3 acres (90,000 m²) of ...



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Power Play Hockey League
<https://www.powerhockey.com/info-marlboro>

Marlboro League | Information Page

League Details · Front view, New England Sports Center | Marlboro, MA · NESC Aerial View -
NESC boasts 8 full ice sheets - Biggest Rink in the Northeast · Layout ...



SportsEngine
<https://www.leagueathletics.com/Page>

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See outside

New England Sports Center

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Directions

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4.2

726 Google reviews

Rink in Marlborough, Massachusetts

The New England Sports Center is a two-story, eight-rink ice-skating facility located in Marlborough, Massachusetts. Wikipedia

Address: 121 Donald Lynch Blvd, Marlborough, MA 01752

Capacity: 1,800 (Rink 1); 60 (Rinks 2-8)

Team: Boston Junior Bruins

Hours: Open · Closes 12 AM

Built: 1994

Phone: (508) 229-2700

Owner: H. Larue Renfroe

Surface: 200 ft x 85 ft (Rinks 1-8)

Acreage: 22.3

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Fri, Feb 16	President's Day 8U Invitational
Sat, Feb 17	CCM Boston Invite
Wed, Feb 21 2:00 PM	Marlborough, MA - Goalle Clin...

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Ask a question

A: Yes

(12 more answers)

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Live: Not busy

