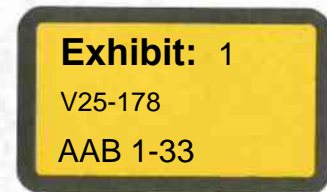


ARCHITECTURAL ACCESS BOARD- HEARING PACKET

Name	Residential Building	Docket #	V 25 - 178
Address	54-56 Hayes Street	Docket #	C -
City	Cambridge	Hearing	2/9/2026
Bldg Type		Time of hearing	1:00 PM
Complaint's Name		Plans on file?	
Complaint ?	Variance ?	Request for continuance?	
Jurisdiction:	3.2	All new construction of public buildings/facilities shall comply fully with 521 CMR.	

Building Permits: Anticipated construction cost: \$2,500,000

Assessed Value:



Variances to be addressed:

Petitioner seeks relief from: 9.5.4: Accessible routes: An accessible route at least 36 inches (36" = 914mm) wide shall be provided to all rooms and spaces in the dwelling unit including exterior decks, patios, balconies, attached garages, and storage closets. An accessible route shall be provided to mechanical spaces, only if the resident is expected to service, adjust or maintain the equipment therein.

On September 19, 2025 the Board received an application for variance for the above referenced address and on October 6, 2025 the Board voted to Grant relief to 43.3.2 with the usual conditions, Grant relief to 28.1 as proposed, and to Grant relief to 9.5.4 on the condition that future installation of the lifts is facilitated by the placement of stacked closets and information on the availability of lift installation in the advertising and sales material for the units. (See AAB 7- 33)


On October 9, 2025 the Board received a request for an adjudicatory hearing and on October 10, 2025 notice was sent to all appropriate parties. (See AAB 2-6)

54-56 Hayes Street, Cambridge

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

Date Fri 10/10/2025 9:05 AM

Bcc Joseph, Mary <mary.joseph@rimkus.com>; Anderson, Doug <douglas.anderson@rimkus.com>; ccpd <ccpd@cambridgema.gov>; Tanenhaus, Rachel (EXT) <rtanenhaus@Cambridgema.gov>; Michael Muehe <Mmuehe@bostoncil.org>; Richard, Andrew <arichard@cambridgema.gov>; ISD <isd@cambridgema.gov>

 1 attachment (562 KB)

Notice of Hearing.pdf;

Good morning,

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

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

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

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

Thank you,
Molly

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



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., 6th Floor
Boston, Massachusetts 02118

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

VARIANCE HEARING

Docket Number **V 25 178**

RE: Residential Building , 54-56 Hayes Street, Cambridge

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **February 9, 2026** at **1:00 PM**. Remote meeting information will be sent out prior to the hearing date.

This hearing is upon an application for variance filed by: Mary A. Joseph for modification of or substitution of the following Rules and Regulations: 9.5.4
A copy of the request is available for public inspection during regular business hours.

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

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

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

ARCHITECTURAL ACCESS BOARD

Chairperson

Date: October 10, 2025

cc: Local Building Inspector
Independent Living Center
Local Disability Commission

Re: 54-56 Hayes Street, Cambridge

From Joseph, Mary <mary.joseph@rimkus.com>
Date Thu 10/9/2025 3:35 PM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc Anderson, Doug <douglas.anderson@rimkus.com>

 1 attachment (248 KB)

AAB-hearing-request-ajudiciary- Residential Building, 54-56 Hayes Street, Cambridge, MA.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.

Hi Molly,

Please find attached an adjudicatory hearing request for Residential Building, 54-56 Hayes Street, Cambridge, MA. Kindly let me know if there's anything else I would need to provide or anyone else I would need to send this to.

Thank you!
Mary



Mary Joseph
Consultant
mary.joseph@rimkus.com | rimkus.com
313 Congress St, 2nd Floor, Boston, MA 02210

Notice: This email and any attachments are confidential and may be privileged, and are intended exclusively for the addressee(s). All unauthorized use, such as disclosure, copying, and alteration is prohibited. If you received this email in error, please notify the sender by replying, then immediately delete it from your system along with all copies and attachments.

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Wednesday, October 8, 2025 9:35 AM
Subject: 54-56 Hayes Street, Cambridge

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

Good morning,

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

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

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

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

Thank you,
Molly

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



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

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

Docket Number

(Office Use Only)

Docket Number: _____
(Staff Use Only)

REQUEST FOR ADJUDICATORY HEARING

RE: Residential Building, 54-56 Hayes Street, Cambridge, MA
(Name and address of building as appearing on application for variance)

I, Mary A Joseph, do hereby request that the Architectural Access Board
conduct an informal Adjudicatory Hearing in accordance with the provisions of 801 CMR Rule 1.02 et.
seq. as I am aggrieved by the decision of the Board with respect to Section(s)
9.5.4

of the Rules and Regulations of the Architectural Access Board, 521 CMR.

I understand that I may request such a hearing within **thirty (30) days** of receipt of the Notice of Action.

Date: 10/9/25

Signature

PLEASE PRINT:

Mary A Joseph

Name

313 Congress Street, Floor 2

Address

Boston

City/Town

MA

State

02210

Zip Code

mary.joseph@rimkus.com

E-mail

857-372-0606

Telephone

PLEASE NOTE:

This form must be received by the Board **within thirty (30) days** after receipt of the Notice of Action.



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

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

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

NOTICE OF ACTION

Docket Number **V 25 178**

RE: Residential Building , 54-56 Hayes Street , Cambridge

On September 19, the Architectural Access Board received an application submitted by Mary A. Joseph .
This application and all attached documentation were reviewed by the Board on October 6, 2025 .
At that meeting, the Board voted as follows:

#	Section	Result
1	9.5.4	GRANTED as proposed on the condition that: future installation of the lifts is facilitated by the placement of stacked closets and information on the availability of lift installation in the advertising and sales material for the units
2	28.1	GRANTED as proposed.
3	43.3.2	GRANTED as proposed on the condition that: Language is included in lease specifying a tenant may request installation of a complaint sink, that said installation shall be completed within 30 days, and that the installation shall be at no cost to the tenant, and when Group 2A units become available for rent proper notice is given to the Mass Access Housing Registry pursuant to MGL Ch. 151b Sec. 4.

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.

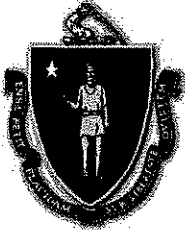
Date: October 7, 2025

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Dawn Guarnello WT

Chairperson
ARCHITECTURAL ACCESS BOARD

AAB 7

	<p align="center"> 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 </p>	<p align="center"> Docket Number V25-178 (Office Use Only) </p>
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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:

54-56 Hayes Street, Cambridge, MA

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

54 Hayes Street LLC
Scott Zink

E-mail: scott@zredevelopment.com

Telephone: 617-650-1929

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

Please see attached.

AAB Variance 54-56 Hayes Street Cambridge

From Joseph, Mary <mary.joseph@rimkus.com>

Date Fri 9/19/2025 1:22 PM

To Joyce, William (DPL) <William.Joyce@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; pmclaughlin@cambridgema.gov <pmclaughlin@cambridgema.gov>; Tanenhaus, Rachel (EXT) <rtanenhaus@Cambridgema.gov>; contactBCIL@bostoncil.org <contactBCIL@bostoncil.org>

Cc Adam Glassman <ajglassman.ra@gmail.com>; alison hammer <ahammer@hammerdesign.com>; jhegarty@hammerdesign.com <jhegarty@hammerdesign.com>; Andrew Collins <andy@zredevelopment.com>; Scott Zink <scott@zredevelopment.com>

 1 attachment (4 MB)

AAB-Variance 54-56 Hayes Street-Cambridge.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.

Hi All,

Please find attached the initial variance application for 54-56 Hayes Street, Cambridge, MA. A \$50 check has been sent via post.

If you have any questions, please do not hesitate to contact me at mary.joseph@rimkus.com or 857-372-0606.

Thank you!
Mary



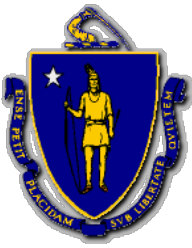
Mary Joseph

Consultant

mary.joseph@rimkus.com | rimkus.com

313 Congress St, 2nd Floor, Boston, MA 02210

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**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>.
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 - 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:

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

E-mail:

Telephone:

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

4. Total square footage of the building/facility: _____

Per floor: _____

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

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

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):

[illegible]

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

3

☐ 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>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(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: _____

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 _____

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? _____

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

Please list specific technical sections, not 521 CMR 3.**Request #1**

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 #2

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 #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:

E-mail: _____

Telephone: _____

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

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: _____



Signature of owner or authorized agent *(required)*

PLEASE PRINT:

Name

Organization (If Applicable)

Address

Address 2 (optional)

City/Town

State

Zip Code

E-mail

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			
2 Local Commission on Disability (If Applicable)			
3 Independent Living Center			



Signature

Date

September 19, 2025

54-56 Hayes Street, Cambridge, MA

Building Overview

The project is new construction of a three-story apartment building with 9 units. All floors are connected by a single stairwell without an elevator.



Requested Variance: 521 CMR 9.5.4 Accessible Route

Requirement: 521 CMR 9.5.4: *A continuous accessible route shall be provided to all spaces within a dwelling unit.*

Request:

We are requesting approval of a variance to not provide an accessible route to the lower level or between the lower and upper level of the Group 1 multi-story unit 101 and unit 102 (split between the basement and first floor). The upper level of the multi-story units is on an accessible route, served by the accessible entrance to the building.

In both the units, design option 1 shows all of the basic living spaces; including a kitchen, living room, washer/ dryer, a bedroom and a bathroom, will be located on the entry/ accessible level. Additional design options 2 and 3 were tested which do not meet 521 CMR 34.3. See attachment.

The configuration of the multi-story units would comply with the proposed MAAB changes. Per the proposed MAAB changes 521 CMR 34.3, an accessible route is not required to connect the stories of a multi-level dwelling unit as long as accessible features such as a bathroom, bedroom, washer/ dryer and kitchen are provided on the entry level.

521 CMR 34.3 (PROPOSED) TYPE B DWELLING UNITS *In new and existing buildings, that are for rent, hire, lease or sale and that are equipped with an elevator, all dwelling units must be constructed as Type B Dwelling Units, except those covered in 521 CMR 34.4, Type A and Accessible Dwelling Units. Type B dwelling units must comply with 521 CMR 34.5, Dwelling Unit Interiors, and 521 CMR 42.00: TYPE B BATHROOMS, 521 CMR 43.00: TYPE B KITCHENS, and 521 CMR 46.00: TYPE B BEDROOMS.*

Exception: Townhouses and Multi-Story Units: An accessible route shall not be required to connect stories if the accessible features, per 521 CMR 34.3, Type B Dwelling Units, are provided at the entry level of the unit. (emphasis added).

The proposed configuration is also compliant with FHA requirements.

Impracticability:

It would be an excessive cost without substantial benefit to persons with disabilities to provide vertical transportation within the dwelling unit. The total construction cost is approximately \$600,000, and a vertical lift would cost approximately \$27,000 to install. This would increase the cost of the project by 4.5%. Please see attached letter from developer, cost of a vertical lift and cost analysis.

Installing the vertical lift would also reduce the available floor space in the unit, reducing the market value and desirability.

There is no substantial benefit to providing a lift because all of the main living areas (living room, kitchen, bedrooms, bathrooms) are located on the first floor, on an accessible route.

Mitigation: We propose the following:

- Other than the lower level not being on an accessible route, both levels of the duplex unit will comply with 521 CMR Group 1 requirements.
- The upper level of the duplex units will be on an accessible route and will contain a kitchen, living room, bedroom, washer/ dryer and a bathroom.
- A space has been identified for the future lift installation, if desired by the unit owner (see attached plan).
- Unit 103, the three bedroom unit on the accessible floor will be constructed as a Group 2A unit.

This proposed mitigation would be in compliance with the proposed updates to MAAB Section 34.3. The proposed configuration is also compliant with FHA requirements.

Requested Variance #2: 521 CMR 28.1

Requirement: 521 CMR 28.12.1 General: *Vertical wheelchair lift devices and Limited use elevators may be used as a part of an accessible route of travel in lieu of an elevator under any of the following circumstances.*

e. To provide vertical access where the distance between floors is less than a full story and where a ramp is not feasible

Request:

We request approval to provide a compliant wheelchair lift with 521 CMR at the entry of the building under excessive cost and technically infeasible.

Impracticability:

The building is required to be elevated due to the floor plane level at a minimum height of 2'7". For a slope of 1:12 the ramp length with compliant landings would be approximately 47'. This would occupy the entire lobby/ foyer space. Given the size of the lot and the zoning restrictions limiting the size of the building above grade to under 10,000 Sqft providing a ramp is technically infeasible. See attached test drawing.

Mitigation: We propose a compliant wheelchair lift with 521 CMR which is independently operable at the lobby by the entry stair. It will allow a much easier connection between the entry level and the first floor without having to traverse 47', which could be exhausting for users in a manual wheelchair or people having challenges with mobility.

Requested Variance #3: 521 CMR 43.3.2, Group 1 Sink Depth

Requirement: 521 CMR 43.3.2: *Kitchen sinks shall not exceed 6.5" in depth.*

Request:

We are requesting approval of a variance to allow a sink depth up to 8" (total depth from top of counter is 9") in both Group 1-unit types. Building management will have the ability to adapt the sink depth at the request of residents in both units.

Marketing Advantage of a Deeper Sink:

Owner and marketing experience demonstrate that deeper sinks are preferred by buyers. The increased depth provides for more comfortable cleaning and washing up, is capable of holding more items, and better facilitates the filling of bottles, vases, and other tall containers. When presented with a choice, most buyers would prefer the deeper sink, and would want their sink replaced if a shallow sink is initially installed. Providing 6.5" deep sinks would affect the marketability of the unit.

Modification of a 6.5" Deep Sink to a Deeper Sink

If 6.5" deep sinks are initially installed in both Group 1 units, this will become a significant marketing challenge. Most buyers would want to change the sinks to a deeper sink. In this case, most of the shallower sinks will have to be removed and discarded. Alternatively, if deeper sinks are installed initially, fewer sinks would be replaced causing less waste.

Estimated Cost of Sinks

Initial construction cost for the sinks:

- 5.5" deep sink from Elkay \$285 (before labor)
- 8" deep sink from Dayton \$455 (before labor)

The initial construction cost is not the reason for this variance request. It is the developer's desire to be responsive to market demand that drives this request.

Estimated Cost to Replace Sinks

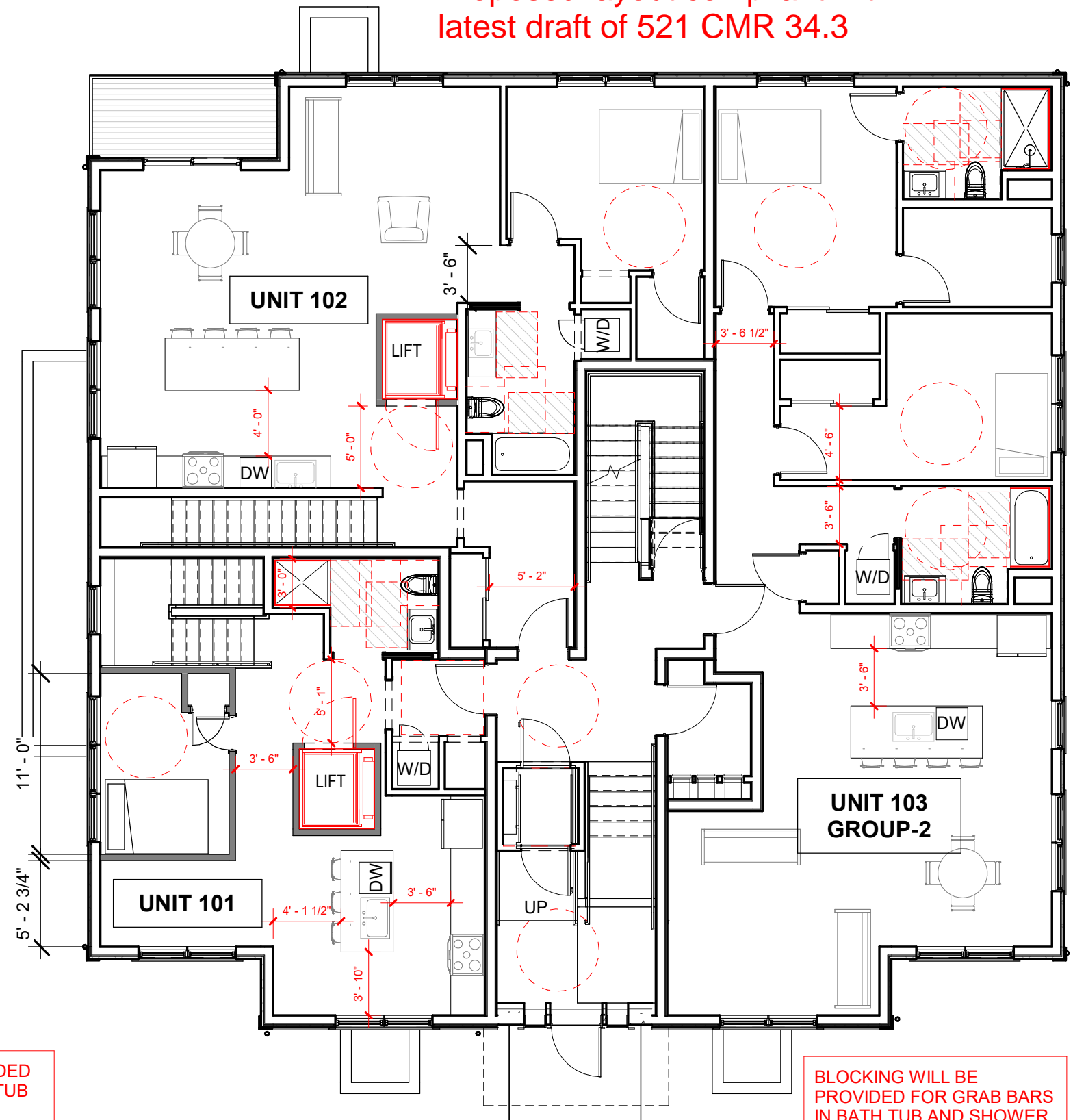
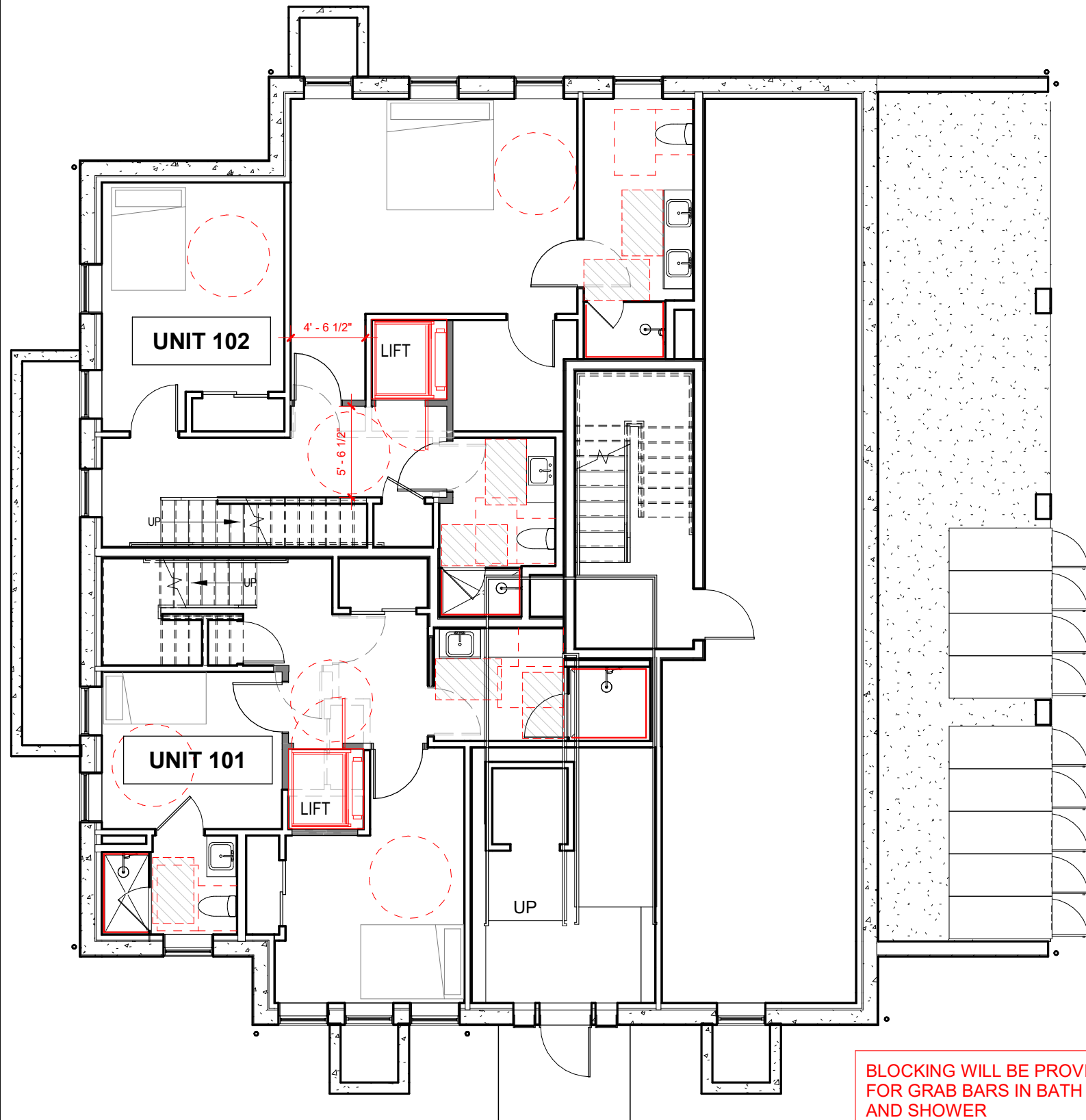
The cost difference per sink unit is \$170. However, the replacement of an 8" deep sink with a 5.5" deep sink (or vice versa) is estimated at \$1,000 when labor and other materials are included. The cost includes the replacement of the countertop as the two sinks do not share the same countertop undermount cutout profile. A majority would prefer the deeper sink.

Mitigation:

By following the adaptability intent stated in 523 CMR 43.1, we propose the following adaptability procedure:

- Deeper kitchen sinks will be initially installed in both Group 1 units.
- Plumbing is installed to facilitate installation of shallow or deep sinks that will allow them to be replaced by shallower sinks if desired. Upon tenant request, building management will install a compliant 6.5" deep sink at no cost to the tenant.

Proposed layout compliant with
latest draft of 521 CMR 34.3



1 Basement Plan MAAB
1/8" = 1'-0"

2 First Floor MAAB
1/8" = 1'-0"



ARCHITECT
GCD ARCHITECTS
2 WORTHINGTON STREET
CAMBRIDGE, MA 02138
617-412-8450
www.glassmanchungdesign.com

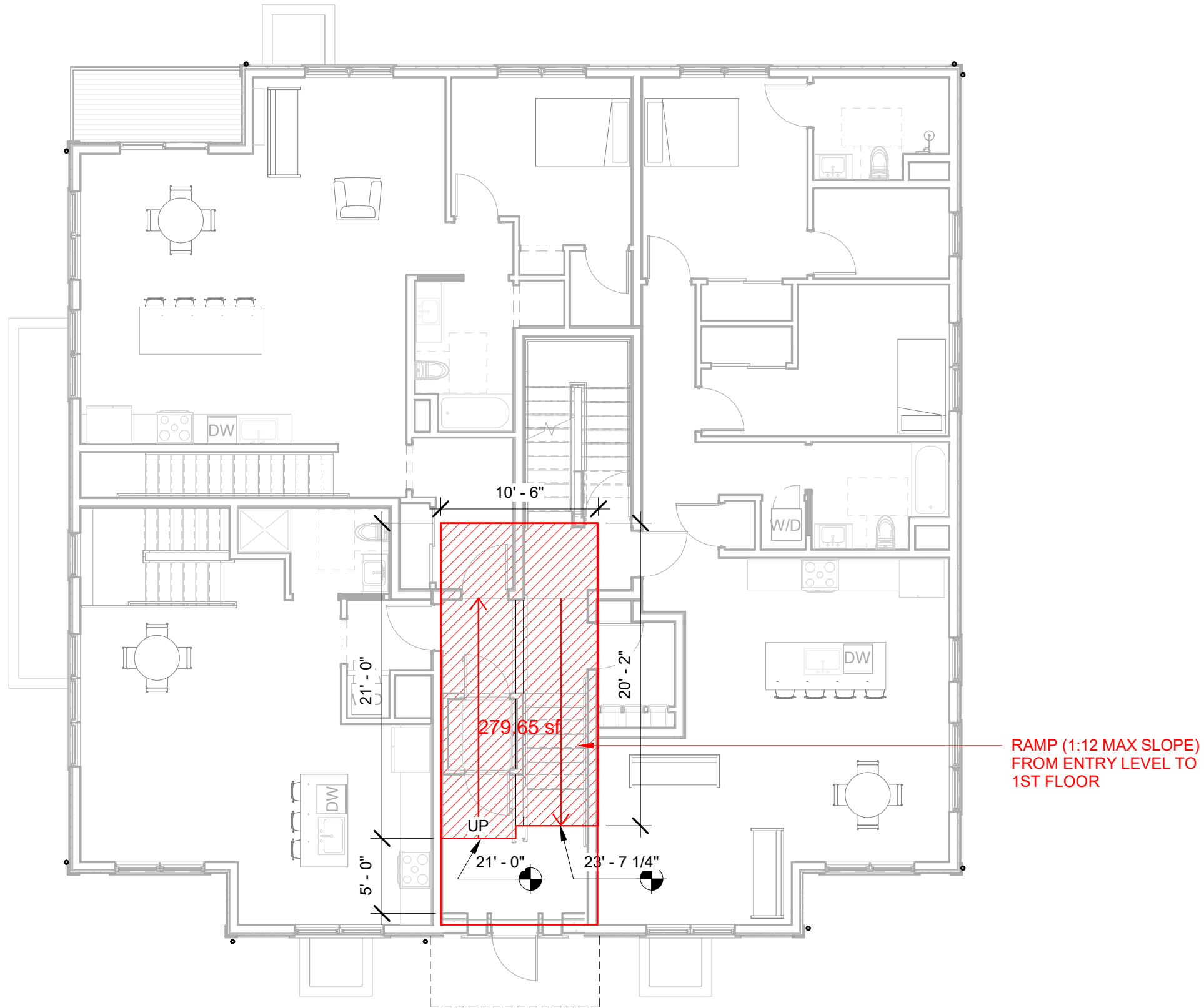
DATE
09/18/25

PROJECT
MULTIFAMILY BUILDING
MAAB APPLICATION

TITLE
MAAB PLANS
OPTION 1

SCALE
1/8" = 1'-0"

DRAWING
A1.1
AAB 23



1 First Floor MAAB with RAMP (LTFE)
1/8" = 1'-0"

ARCHITECT

GCD ARCHITECTS

2 WORTHINGTON STREET
CAMBRIDGE, MA 02138
617-412-8450
www.glassmanchungdesign.com

DATE

09/18/25

PROJECT

MULTIFAMILY BUILDING

MAAB APPLICATION

TITLE

**MAAB Plan With
Ramp to 1st Fl.
(LTFE)**

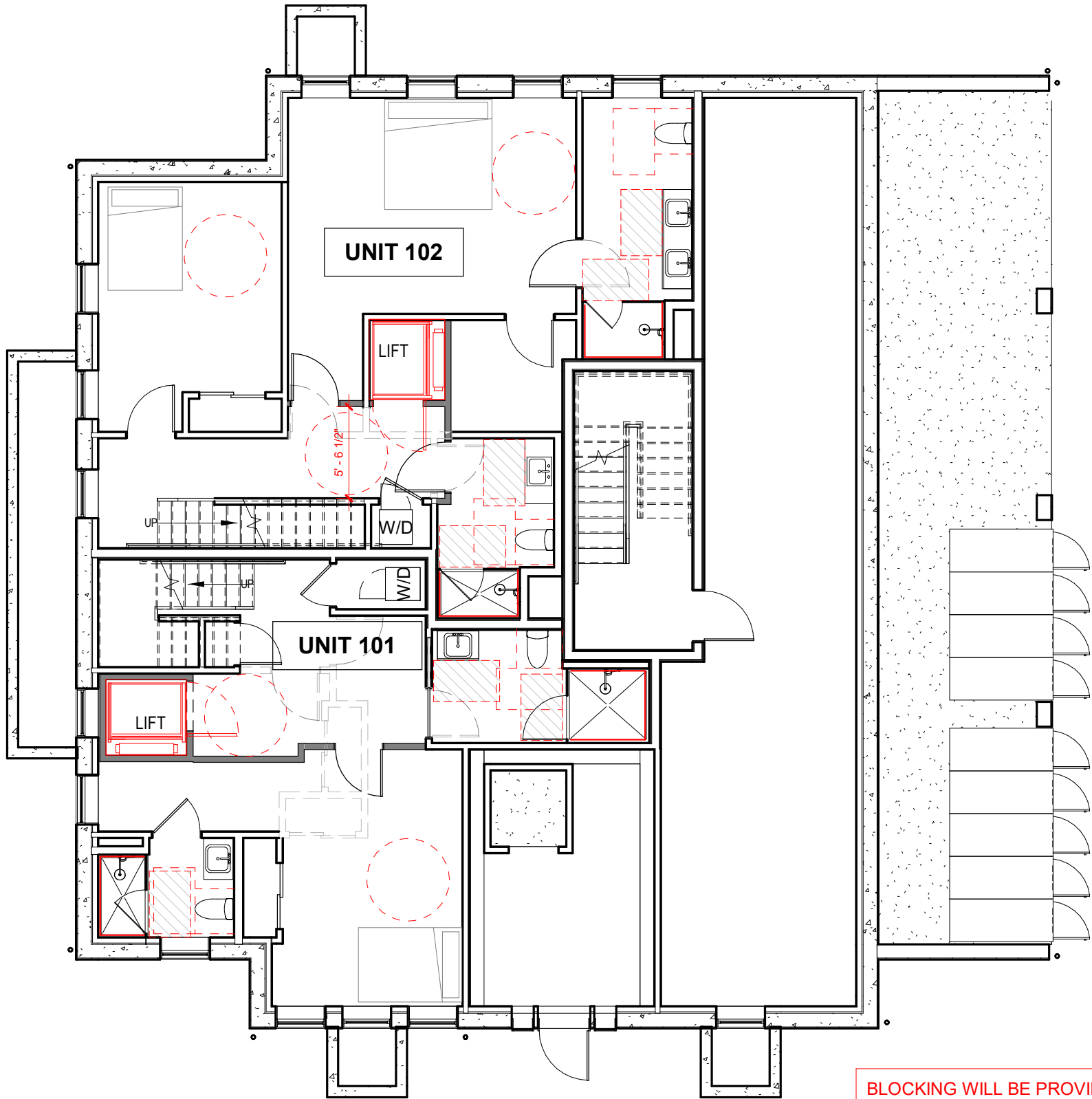
SCALE

1/8" = 1'-0"

DRAWING

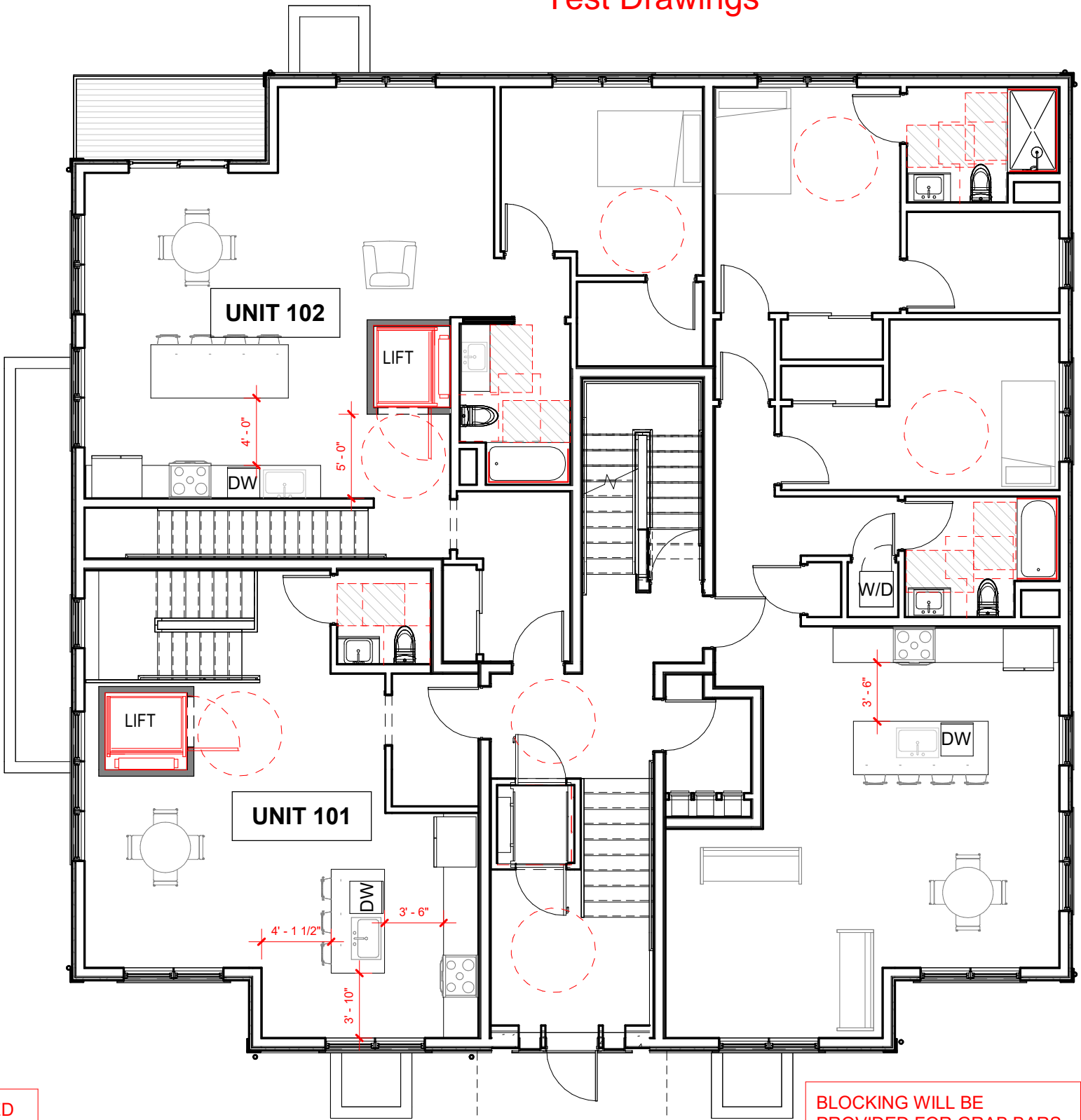
A1.3

AAB 24



1 Basement Plan MAAB
1/8" = 1'-0"

BLOCKING WILL BE PROVIDED
FOR GRAB BARS IN BATH TUB
AND SHOWER



2 First Floor MAAB
1/8" = 1'-0"

BLOCKING WILL BE
PROVIDED FOR GRAB BARS
IN BATH TUB AND SHOWER

ARCHITECT
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2 WORTHINGTON STREET
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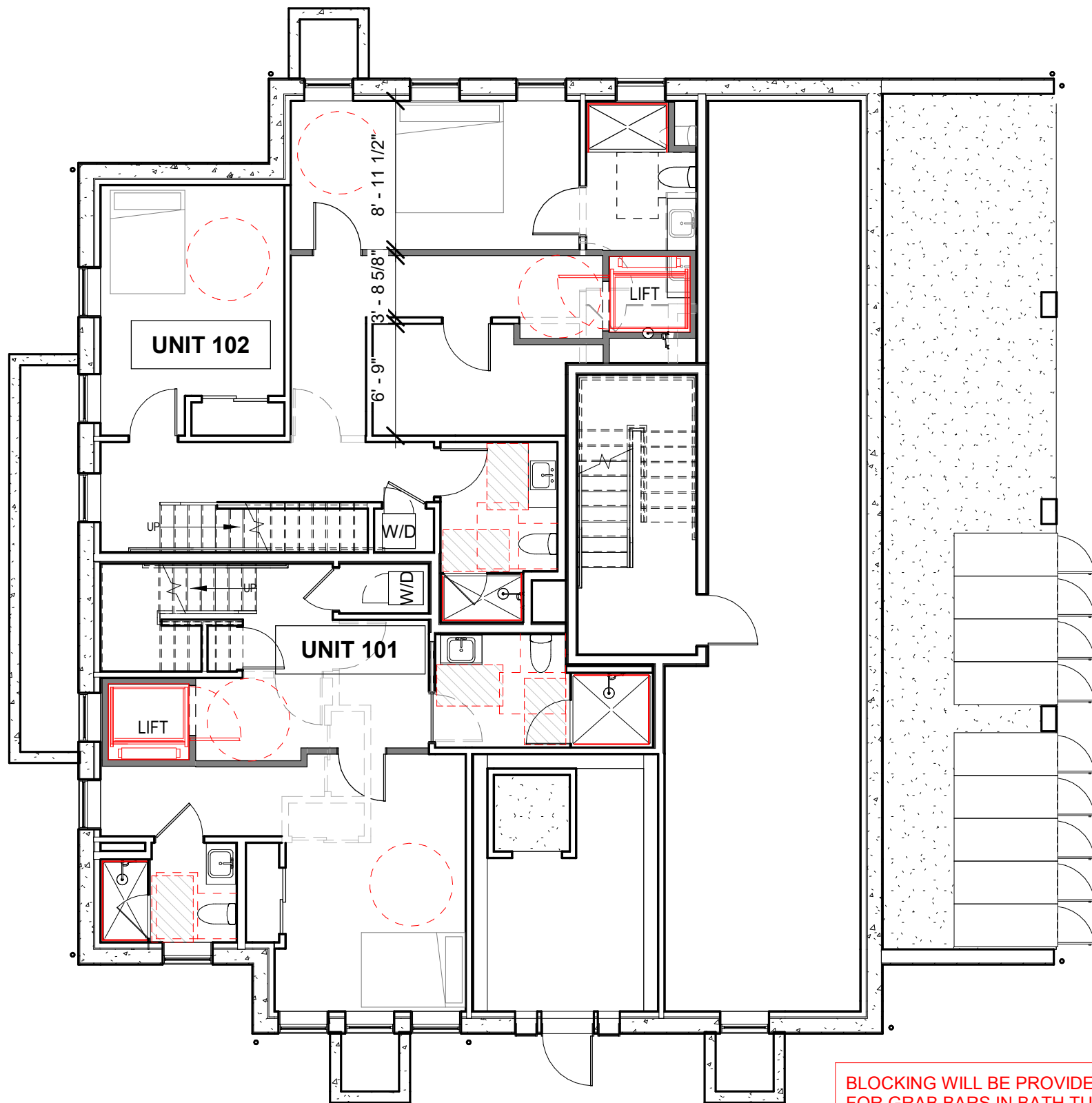
DATE
08/06/25

PROJECT
MULTIFAMILY BUILDING
MAAB APPLICATION

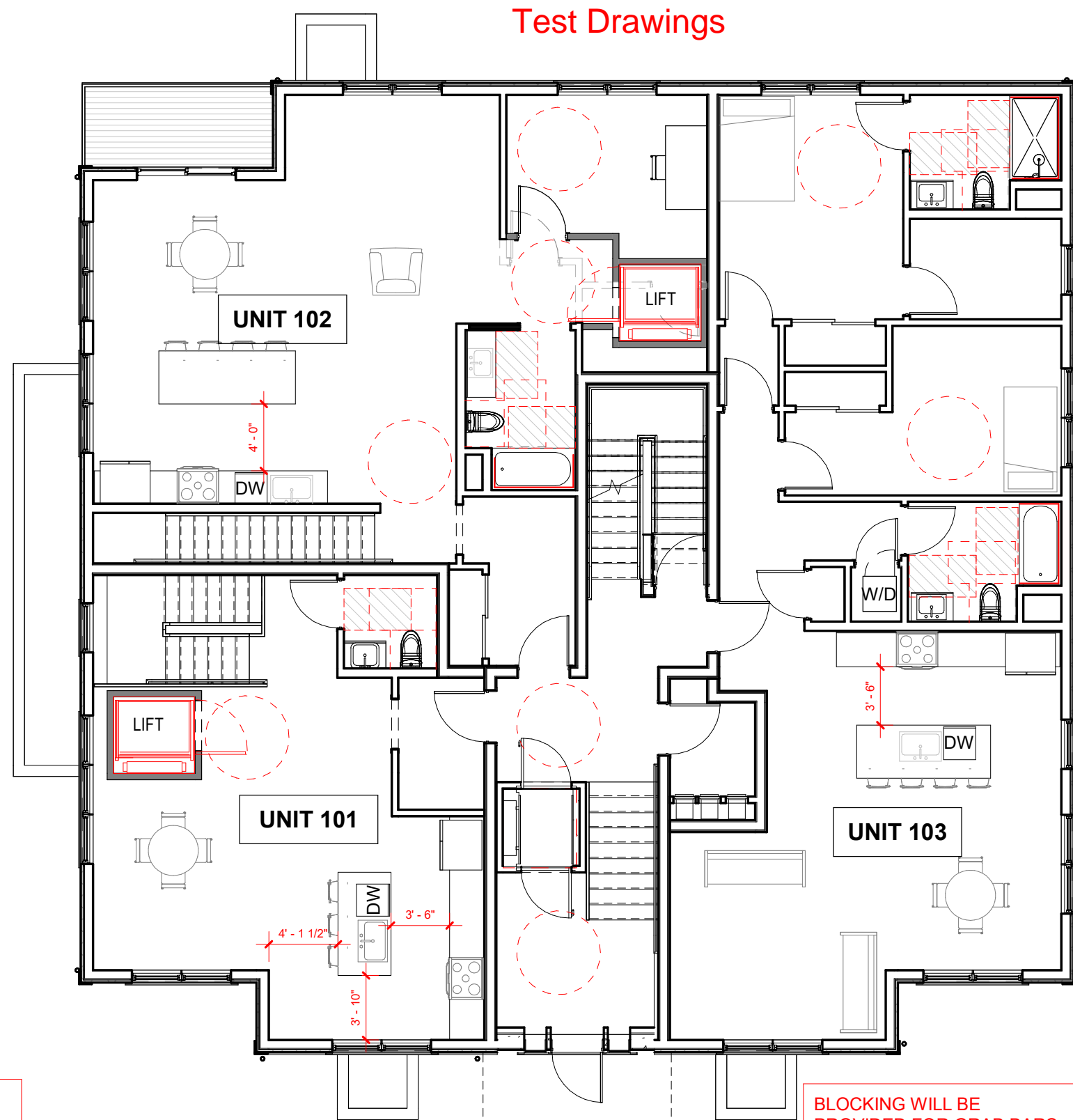
TITLE
**MAAB PLANS
OPTION 2**

SCALE
1/8" = 1'-0"

DRAWING
A2.1
AAB 25



1 Basement Plan MAAB
1/8" = 1'-0"



2 First Floor MAAB
1/8" = 1'-0"

 <p>ARCHITECT GCD ARCHITECTS 2 WORTHINGTON STREET CAMBRIDGE, MA 02138 617-412-8450 www.glassmanchungdesign.com</p>	<p>DATE 08/08/25</p>	<p>PROJECT MULTIFAMILY BUILDING MAAB APPLICATION</p>	<p>TITLE MAAB PLANS OPTION 3</p>	<p>SCALE 1/8" = 1'-0"</p>	<p>DRAWING A3.1 AAB 26</p>
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September 11, 2025
Massachusetts Architectural Access Board
1000 Washington St., Suite 710
Boston, MA 02118

REGARDING:

54-56 Hayes Street, Units 1 & 2 Cambridge, MA 02139
MAAB VARIANCE FOR FUTURE LIFTS IN GROUP-1 MULTI-STORY UNITS

54-56 HAYES STREET IS A NEW CONSTRUCTION PROJECT IN CAMBRIDGE WITH (9) NEW DWELLING UNITS. THE THREE UNITS ON THE FIRST FLOOR ARE REQUIRED TO BE MAAB GROUP-1 UNITS. UNITS 101 AND 102 ARE MULTI-STORY WITH BASEMENT SPACES AND REQUIRE LIFTS TO THE BEDROOMS AT THE BASEMENT LEVEL. WE ARE REQUESTING A HARDSHIP VARIANCE FOR THE FOLLOWING:

VARIANCE REQUEST FOR UNIT 101 & 102:

PROVIDE THE REQUIRED LAYOUT AND FLOOR FRAMING FOR A FUTURE LIFT TO THE BASEMENT. WHILE WE ARE ABLE TO PROVIDE A COMPLIANT GROUP-1 UNIT WITH A LIFT, THE LIFT COMPROMISES THE FLOW AND OPENESS OF THE UNIT SO AS TO REDUCE ITS MARKET VALUE TO THE EXTENT WHICH WOULD BE AN EXCESSIVE COST WITH NO SUBSTANTIAL BENEFIT TO MAAB USERS. SEE ATTACHED VALUE REDUCTION ANALYSIS.

UNIT 103:

AS A WAY TO OFFSET THE REQUEST FOR THESE VARIANCES WE HAVE DESIGNED UNIT 103 AS A GROUP-2A UNIT, BEYOND THE REQUIREMENTS OF THE MAAB.

ADDITIONAL VARIANCE FOR COMMON ENTRY LIFT:

DUE TO THE ELEVATION OF THE FLOOD PLAN THE FIRST FLOOR IS REQUIRED TO BE APPROX. 2'-7" ABOVE THE ENTRY GRADE LEVEL, WE THEREFORE SEEK A VARIANCE TO PROVIDE A LIFT, AS A 47'-0" RAMP WITH COMPLIANT LANDINGS IS NOT TECHNICALLY FEASIBLE GIVEN THE SIZE OF THE LOT AND THE ZONING RESTRICTIONS LIMITING THE SIZE OF THE BUILDING TO UNDER 10,000 SF. THE SITE AND THE BUILDING WOULD HAVE TO BE MUCH LARGER TO REASONABLY ACCOMMODATE A 47'-0" LONG RAMP. THE RAMP INCLUDING THE LANDINGS AND ASSOCIATED CIRCULATION SPACES WOULD REQUIRE OVER 300 SF, TAKING UP SO MUCH SPACE AS TO ELIMINATE OUR ABILITY TO PROVIDE ANY MAAB COMPLIANT UNITS.

A VARIANCE FOR THE FUTURE LIFTS IN UNITS 101 AND 102, A COMMON ENTRY BUILDING LIFT INSTEAD OF A RAMP, AND THE OPEN LAYOUT FOR UNIT 101 WILL ALLOW US TO PROVIDE THE BEST POSSIBLE ACCESSIBLE UNITS FOR THIS PROJECT AND TO DO SO WITHOUT EXCESSIVE FINANCIAL AND TECHNICAL HARDSHIPS.

Scott Zink

Principal, Zink Development



SALES CONTRACT

Quote Number: Q250821002

Quote Date: Aug 21, 2025

Terms: Quote Valid for 30 Days

Attention: Adam J Glassman

Boston Mobility Solutions, LLC

DBA 101 Mobility
289 Elm St. Ste. 115
Marlborough, MA 01752
Phone: (508) 449-9126
Fax: (508) 581-3136

Adam J Glassman
54-56 Hayes Street
Cambridge, MA 02138

BUDGET QUOTE ONLY: Payment Terms: 20 % shop drawings 40% release to production 30 progress payment on start of install 10% final payment on elevator testing. All sales are final. The equipment is custom ordered to Purchases requirements. In the event of any default by Purchaser, the unpaid balance of the purchase price, less the cost of completing the work, as estimated by us, shall immediately become due.

Based on tax exempt add tax if certificate is not available of 6.25%.

Quote based on mutually acceptable terms and conditions. We will provide our standard 101 Certificate of Insurance if increased coverage is needed cost will apply as a change order. If performance and payment bond is needed a 3 % charge will apply.

NOTE : 2 spots for parking needed on site

2 site visits included - any additional visits will be \$275 per hour -

DESCRIPTION	QTY	PRICE	TOTAL
Savaria - V-1504 - Vertical Platform Lift	2	\$27,300.00	\$54,600.00
-Swift 20 ft/min hydraulic lift to carry a wheelchair and passenger up to 4 stops over 23' of travel (code permitting)			
-750 lb capacity for residential or commercial access			
-Array of optional paint colors; gates available with aluminum, acrylic or glass inserts, and with automatic opener			
-Highly customizable: Can be built to suit virtually any home or commercial project			
-Quiet and reliable hydraulic drive: Smooth start, stop and overall ride that works dependably			
-Machine roomless: Enclosed drive system means no machine room is required, making the installation process easier			
-Other standard features: 36" x 54" standard platform, continuous pressure button operation, modular rail construction for easy construction, handrail			
-Standard finish: Beige powder-coat paint			
-Safety features: Emergency stop button on car, non-skid platform, manual lowering device, 42 1/8" (1070 mm) side panels, keyed car buttons and keyed call stations, safety brake, door locks			
-Warranty: 36 months parts			

DESCRIPTION	QTY	PRICE	TOTAL
<p>Vertical Lift VPL</p> <p>36 x 54 Platform - NON Skid</p> <p>750 lb Capacity</p> <p># 2 stops in line (Includes doors if Firetated doors needed cost impact will apply.)</p> <p>Manual swing.</p> <p>Note Fire rated shaft and venting will need to be determined based on code and or penetration of a garage. If required GC to have architect provide Venting letter for permitting.</p> <p>GC work by others: Fused lockable HD disconnect - Auxiliary contact for battery lowering, 3" pit, Rail stack support with LVL's on tower wall. GC responsible to obtain architect stamp on manufactures drawing. Overhead pick point for hoisting/staging to work off. Adequate dry storage near install area. Fused Lockable disconnect - dedicated phone line with 24 hour service . Parking for delivery and install. GC to finish around lift at opening that is made through the floor for this unit as this is not standard.</p> <p>Based on drawing Standard Beige Upgrade for color is \$2800 add more for non standard colors (see chart)</p> <p>Any car running for GC hoistway work - will require - hourly rate of \$275.</p>			
<p>101 Mobility LLC - 101 Mobility - Part</p> <p>Misc local parts - wiring etc</p>	2	\$400.00	\$800.00
<p>Annual Elevator and Lift Inspection Test</p> <p>Initial testing with new install - two years after client is responsible if commercial per code</p>	1	\$0.00	\$0.00
<p>Vertical Platform Lift Installation</p> <p>Installed by Our Knowledgeable & Courteous Mobility Specialists</p> <p>Licensed installation with MA mechanics and team - Based on standard Non Union labor rates if Prevailing wage is required cost impact will apply</p>	2	\$10,000.00	\$20,000.00
<p>Maintenance Warranty</p> <p>101 Mobility to provide for 1 Full year of warranty on labor and manufactures standard labor on parts.</p>	1	\$0.00	\$0.00
<p>Architectural Drawings</p> <p>an architect to stamp the manufactures drawings. We will obtain for the client in order to get there DPS permits from State of MA. No Venting letter will be required also per code. See 524 CMR 2018 section 35 2.28</p>	1	\$0.00	\$0.00
<p>Administration Fee</p> <p>Administrative Processing</p>	2	\$175.00	\$350.00
<p>Inspection Fee</p>	2	\$995.00	\$1,990.00

DESCRIPTION	QTY	PRICE	TOTAL
with state officials and full weight test			
Shipping / Freight	2	\$1,295.00	\$2,590.00
Permit Fee	2	\$650.00	\$1,300.00
DPS permit Fee			
Adjustment	1	\$0.00	\$0.00
Note Tariffs may impact cost of material at time of shipping - estimate will need to be update accordingly.			
QUOTE TOTAL			\$81,630.00

By signing this quote and/or by making any payments toward the quote amount, I agree to the terms and conditions herein. Terms are 50% deposit at time of order and balance due upon completion of delivery and installation. Cancellations prior to installation are subject to a restocking fee of 15% of the total before tax. No cancellations after initiation of installation. Any Custom applications are not cancelable and require a 50% non-refundable deposit at time of final measurements, and the remaining 50% is to be paid prior to our placing the order with the manufacturer. This Agreement is to be governed by the laws of the State of Massachusetts. The seller is entitled to recover all expenses (including, but not limited to, reasonable attorneys' fees, legal expenses, and reasonable costs of collection). A 4% convenience fee will be applied to all credit card charges that exceed \$3,000, no fees will be charged when payment is through ACH or check. This quote is only valid for 30 days unless otherwise specified.

A late fee will be charged of 4% on unpaid balance after 30 days of install and or service

The time for performance/completion of the work shall be extended for an Excused Delay which prevents either party from fulfilling its obligations under this Agreement due to an Excused Delay, unless the parties mutually agree otherwise. As used herein an Excused Delay means a delay preventing the [time for performance/completion of the work] caused by an Act of God, declared state of emergency or public health emergency, pandemic, including but not limited to COVID-19 , government mandated quarantine or travel ban, war, acts of terrorism, and/or order of government or civil or military authorities. The [time for performance/completion of the work] shall be extended to the earlier of 5 business days after the end of the Excused Delay. In the event that the [time for performance/completion of the work] cannot occur during the 5 day extension, unless the parties agree to further extend the closing, the Agreement shall terminate. As any Excused Delay would not be due to either the fault of either party, neither shall be responsible to the other for damages caused by or related to an Excused Delay.

ALL SPECIAL ORDERS AND ALL NON-STOCK ORDERS ARE NON-CANCELLABLE AND NON-REFUNDABLE. Exceptions may occur ONLY upon prior written consent from the manufacturer that the return will be accepted and 101 Mobility LLC will be reimbursed in full. Buyer MUST agree to reimburse 101 Mobility LLC for any cancellation fees charged by the manufacturer, and any restocking, freight, or return authorization charges.

Preparation work by others will be defined in detail before project components are ordered. Anything not listed in this quote is the responsibility of the "contractor".

Payment terms may vary by product or service, please see quote notes for specific payment terms. All prices are subject to potential import tariffs, taxes, and duties which may be applied based on the United States federal regulations , final price may vary based on applicable tariffs and customs duties prior to shipment of order. These additional costs, if applicable, are the responsibility of the customer.

Notwithstanding, you, the buyer, may have the right to cancel this transaction at any time prior to midnight of the third business day after the date of this transaction, which is the day you make a payment toward

Sales Contract: Q250821002
your purchase.

Quote Total: \$81,630.00

Signature:

Date:

Lifeway Mobility MA

4 Parker Way, Westborough, MA 01581
(508) 329-1031 (office); (781) 983-7842 (mobile); 508 329-5125 (fax);
dan@lifewaymobility.com

Lic #058108 HIC #134019

Name	<u>Adam Glassman</u>	Home	<u> </u>
Address	<u>54-56 Hayes St</u>	Work	<u> </u>
	<u> </u>	Cell	<u> </u>
	<u>Cambridge, Ma</u>	Fax	<u> </u>
Email	<u>ajglassman.ra@gmail.com</u>	Best Method	<u>TBD</u>

Installation of a Bruno 3110B Vertical Platform Lift in shaftway by others

Job Description:

Product Installation

- Installation of Bruno 3210B vertical platform lift. Includes permitting process, labor and materials needed for installation, wiring of unit and 2 send call switches. certificate frame and state ID tags and testing for inspection.
- Install door interlocking system for door installed by others
- State inspection fee

Proposed Products

VPL (vert'l platform lifts)	1	3210B 10 foot Vertical Platform Lift with rocker control emergency stop with audible/visual alarm. Battery powered includes 17AH battery Package and manual lowering device by Bruno	\$14,179.75
VPL (vert'l platform lifts)	1	36 x 54 inch platform Option by Bruno	\$ 475.00
VPL (vert'l platform lifts)	1	36" flush Oak door with steel frame(includes interlock. Left or Right handed by Bruno	\$ 3,220.00
VPL (vert'l platform lifts)	2	Landing call/send rocker controls - flush mounted by Bruno	\$ 581.00
VPL (vert'l platform lifts)	1	Platform configuration: Same side On/Off by Bruno	\$ 386.75
VPL (vert'l platform lifts)	1	Upper Landing gate 36" by Bruno	\$ 883.57
VPL Commercial	1	3" stationary ramp by Bruno	\$ 270.00

Estimate Totals

Labor	\$10,252.50
Products	\$19,996.07
<i>Estimate Total</i>	<i>\$30,248.57</i>
Sales Tax on products	\$ 1,890.54
Estimate Total Including Sales Taxes	\$32,139.10

This unit may be sales tax exempt using Ma form ST-12B

This unit requires a level 5" concrete slab base at 3500PSI and a 15 amp lockable fused disconnect no further than 8 feet away from unit.

Payments 40/50/10

A 40% deposit (\$.00) and signature is required to order the above Unit

A 50% payment (\$.00)is required upon Installation of unit

A 10% balance payment is due upon inspection of Unit

The above price, specifications and conditions are satisfactory and are hereby accepted.

X_____