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Department of Public Safety

Architectural Access Board

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Board Meeting Minutes – January 9, 2017

AAB Conference Room

Present Board Members:

- Walter White, Chair (WW)
- Diane McLeod, Vice Chair (DM)
- Jeffrey Dougan, Massachusetts Office on Disability Designee (JD)
- Andrew Bedar, Member (AB)
- George Delegas, Member (GD)
- Jane Hardin, Member (JH)
- Patricia Mendez, Member (PM)

and

- Thomas Hopkins, Executive Director (TH)
- Kate Sutton, Program Coordinator/Clerk for Proceedings (KS)

Members Not Present:

- Raymond Glazier, Massachusetts Office on Elder Affairs Designee (RG)
- Dawn Guarriello, Member (DG)

- Meeting began at approximately 9:00 a.m.

1) Discussion: Board Member Roll Call

WW - all but DG and RG present

2) Incoming Discussion: Princeton Chelmsford Apartment Homes, 276 Mill Rd., Chelmsford (V16-343)

TH - originally presented on December 12th

- communicated with the applicant Dominic Marinelli, regarding the submittal of a CD with the application
- new construction
- variance for 20.2, routes around the site
- letter from Jim Lyons at the time of review opposing the variance
- EXHIBIT – December 13, 2016 submittal from Richard Bleakly, with amended application
- previously scheduled a hearing, based on the letter from the ILC
- hearing is scheduled for April 10, 2017
- amendment was sent to all parties via certified mail, but have not heard back from Jim Lyons regarding the amended application
- ramp estimated at \$561,000 to overcome the changes in level

JD - what are the slopes of the proposed walkway

TH - sidewalk from clubhouse to street exceeds maximum of 5%

DM - *continue for more detailed information and a narrative regarding the areas out of compliance (specific slopes), submitted as soon as possible*

JD - *second – carries unanimously*

JD left the room

3) Discussion: Ventfort Hall Building, 104 Walker St., Lenox (V13-110)

- TH - EXHIBIT – December 30, 2016 submittal from Jamie Reindhart, with progress review set for elevator installation, preliminary plans
- they say that they have to contact Mass Historic for the proposed roof penetration
 - deposit checks were also included

Raymond Glazier, Designee for the Executive Office of Elder Affairs (RG) – now present

JH - *accept the status report, and the proposed work, on the condition that they submit completed architectural drawings and the shop drawings from the elevator company within 60 days receipt of this decision, and that we receive a copy of their correspondence with Mass Historic within 60 days receipt as well*

DM - *second – carries with RG abstaining*

JH - *expedite*

RG - *second - carries unanimously*

4) Discussion: 25 Mt. Auburn St. and 10-14 Arrow St., Cambridge (V11-006)

- TH - EXHIBIT- 12/22/16 submittal from Dennis Riske, including plans for toilet rooms on Floors 1-3
- proposed single-user toilet rooms will be 99” by 60”, with pocket doors
 - other variance is for the clearance at the door

AB - *grant both as proposed*

GD - *second – carries with RG and DM opposed*

5) Discussion: League School of Greater Boston, 250 Moose Hill Road (Building B), 310 Providence Tpke (Building A) (V16-237)

TH - EXHIBIT- submittal from James Christopher on December 14, 2016 seeking a motion for reconsideration; e-mail from James Christopher on 1/6/17 with letter dated 1/5/17, seeking to withdraw the motion for reconsideration and plan as follows:

- Building B (2) – redesigned to include a full elevator and will forward revised plans as soon as they are complete
- Building A (1) – constructed and completed prior to variance request; all common spaces from the basement have been relocated to the new building; seeking exemption under 28.1g based on the fact that all accessible common spaces and common rooms are at the first floor

DM - how can they remove the second floor kitchen and bathrooms, those are common use areas

TH - only removed common spaces from the basement
- but students are considered “members of the public”
- elevator in Building 2 will cost \$350-400,000

KS - what was the last decision of the Board?

TH - denied the variance for the lack of vertical access within both buildings
- building 1 is accessible at the first floor
- they are proposing to close the basement in Building 1
- second floor is identical to first floor in Building 1

JH - rescind the denial for both buildings, and grant the variance for Building 1, on the condition that all public use at the basement is abandoned and the first floor is fully accessible, with an affidavit on letterhead by the director regarding the basement at Building 1 not being open to the public and registered within 60 days receipt of the decision of the Board; and on the condition that the elevator is installed within Building 2

AB - second – carries with RG and DM opposed

AB - expedite

JH - second – carries unanimously

Deirdre Hosler, Deputy General Counsel for the Board now present (DH)

6) Discussion: 14 Tyler St., Somerville (V15-282)

TH - EXHIBIT – 12.7.16 letter from Attorney McLaughlin asking a hearing regarding the jurisdictional issue of the Board

DH - would like the Board to schedule a hearing regarding this matter
- took testimony from William Joyce, Compliance Officer for the Board, without notice to the Petitioners so would like to allow the petitioners due process

DM - schedule a hearing

AB - second – carries unanimously

7) Advisory Opinion: Group 2 Kitchens, 521 CMR 45.3 – revisit to February 5, 2005 interpretation; Larry Braman, December 1, 2016

TH - EXHIBIT – December 1, 2016 request from Larry Braman
- previously before the Board at the 12/12/16 meeting and voted to refer to legal department

DH - what is the Board objection to for the T-turn design in Group 2 kitchens

TH - discussion was started between the code consultant and Larry Braman, the access specialist for Cambridge ISD
- 521 CMR 45 turning radius is shown as 60”

DH - from lay person’s standpoint, CMR 45 refers to Section 6 which does allow t-turns

TH - not usable for someone that requires a Group 2A unit

AB - 20.4 shows something similar

GD - corridor situation

DH - what is the will of the Board, to rescind the advisory of the Board for the 2005 opinion

TH - advisory was not for a specific case
- plans submitted are very close to 60” clearance, and they are utilizing the t-turn space

WW - reduces the clear width to 36” between cabinets

TH - needs to require 60” between cabinets in a Group 2 kitchen

DM left the room

DH - no problem with disavowing the previous advisory from 2005
- just need to be very clear

DM and JD now present

DH - would have to be moving forward with all new designs
- is the 2005 design, overly burdensome or significantly deficient

DH - current design is something that is being reviewed currently

WW - advisory in 2005 was really an “L” turn and not a T-turn, so not appropriate

JH - rescind the advisory of the Board from February 24, 2005, based on the fact that the decision was made in error, in that the design was not a compliant T-turn in the Group 2A kitchen

RG - second – carries with JD abstaining

- DH - new advisory on the applicability of 6.3
- understand that only the full turning radius applies and not the t-turn clearances
- TH - in 45.3 shows the full 60 inches, and then option of using a t-turn
- allows the kitchen to be narrowed down
- DH - if you narrow it down to the bare minimum, it makes the usability of a Group 2A kitchen minimal
- TH - new rule should be moving forward effective this date
- DM - as of today, the interpretation of the Board is that a full 60" diameter is required between the cabinets of a Group 2A kitchen, any other interpretation renders the Group 2A unusable in large part, it is illogical to say that the code referenced the T-turn which would reduce the clearances within the Group 2A kitchen, should not have generically referenced 6.3; drawing showing the 60" diameter was the basis for the t-turn not being applicable.*
- JH - second – carries unanimously*
- DM - have the subcommittee on regulations revise the regulations to reflect the changes of the advisory opinion*
- JD - second – carries unanimously*
- DM - require that the property owner in question must request a variance from the Board*
- RG - second – carries unanimously*

DH left for the day; DM and PM left the room

8) Incoming Discussion: Crystal Caves Family Entertainment Center, 790 Southbridge St., Auburn (C16-047 & V16-326)

- TH - 11/30/16 notice of action, asked for stamped plans of ramp and transition to parking area, to be submitted by 1/4/17
- EXHIBIT – 1/5/17 submittal from Guy Powell seeking an extension to the end of March, and will not open until April
- JH - grant extension to March 1, 2017, with the condition that all of the documentation that all violations shall be corrected prior to opening for the business for the 2017 season*
- JD - second – carries unanimously*

9) Incoming Discussion: Grace Church, 101 Wales Ave., Avon (V16-224)

- TH - now proposing to install a vertical wheelchair lift by right
- EXHIBIT – 12/22/16 e-mail from Mark Burke of Vanko Studio Architects, seeking a 12 month extension for installation of the proposed vertical wheelchair lift

- JD - grant the January 1, 2018 for the installation of the vertical wheelchair lift, with deposit check and shop drawings by June 1, 2017*
- JH - second – carries unanimously*

PM and DM now present and JH left the room

10) Discussion: Casey Arborway Project, Forest Hills Station, 3699 Washington St., Jamaica Plain(V16-365)

TH - 1/26/16 requested that any variances or plans for compliance submitted by 12/15/16
- EXHIBIT – 12/14/16 e-mail from Laura Brelsford seeking a one month extension to the date for compliance

JD - *grant as proposed to 1/15/17*
RG - *second – carries unanimously*

JD - *expedite*
RG - *second – carries unanimously*

JH now present

11) Incoming: Community Christian School, 39 South Broad St., Westfield (V10-101)

TH - 5/18/16 set date for submittal for proof of compliance for vertical access for 8/1/18, and plans for lift by 1/15/17
- EXHIBIT – 12/15/16 Tim Sheranko, Community School Administrator, requesting no access within the building
- seeking permanent variance for the lack of access to the second floor
- accommodations made at the first floor
- still want to expand to second floor, but due to only being a tenant and lack of available funds for design services and construction
- school has occupied this space since 2010

JD - *grant as proposed, on the condition that no unique classes, programs or services are held at the second floor and for this tenant use only*
DM - *second – carries unanimously*

JH - *expedite*
DM - *second – carries unanimously*

12) Hearing: Chesterwood, 3 Williamsville Rd., Stockbridge (V15-120)

WW - called to order at 11:15 a.m.
- introduce the Board

Donna Hassler, Chesterwood Director (DH)
Ashley Wilson, National Trust Architect for Historic Preservation (AW)

WW - both sworn in
- EXHIBIT 1- AAB1-10

AW - submittal of powerpoint presentation

WW - accept as EXHIBIT 2

AW - work for National Trust for Historic Preservation and they own Chesterwood
- however run as a private nonprofit
- history of the property
- garage buildings in 1909
- 1954 the property first opened to the public
- 1968 donated to National Trust
- 1980's first accessible restroom created on the property
- wayfinding signage upon approach
- there are three areas of accessible parking, but can also drive to all of the buildings upon request
- got a grant to redo the stucco on the buildings
- main focus of tours is for the studio building, which is fully accessible
- two years later got a grant for the main house, which triggered full compliance with AAB regulations
- three variances previously granted
- one variance was granted on the condition that the video of the second floor was created
- tours are all docent led, so everyone is talked through the experience
- so a docent would talk through the video

WW - how would you know that you needed a docent to talk you thru the video

DH - we have walkie-talkies to notify people of the need at the main house

AW - many of the clientele don't want to go to the second floor because of the stairs

DH - period photographs kept in a bookcase, which are also narrated by the docent

WW - the video is at a station?

DH - yes, an ipad mounted at an accessible height and is turned on by the docent

AW - no one wanders the site alone, all tours are docent led

- you don't have to go to the second floor, and video is timed and show some rooms that are also not open to the public

DM - docent narrates the entire video

JH - closed captioning on the video

AW - name of the room and then three sentences about each space on the video

- show the four entrances to the building

JD - Pittsfield Commission on Disabilities noted concern with no audio

- you have stated that the docent narrates the video tour

DM - video online should note that not narrated since docent led tour

JD - accept the video as what the Board originally intended, with the understanding that there is no audio because a docent gives a live tour while viewing the video at the site, should note why the video is silent on the youtube channel because it is the intent of the museum to have the docent narrate the tour

DM - second – carries unanimously

DH - there is training sessions before the opening each year

- AW - show the new accessible entrance created with a sloped walkway
 - go to barn building to get tickets
 - ramp to barn building was built in early 1990's
 - unisex toilet room at that location
 - public restrooms asked to make changes on, supposed to be accessible in 1984
 - asked to extend partition, which was done; and also installed automatic door openers, which was completed
 - page 36 shows new openers
- JD - e-mail TH with a picture of the completed bathrooms
- TH - still need to do a site visit regarding the chip seal to the entrance
- AW - slide 38 made accessibility signage bigger
 - just applied to a donor to stabilize all of the surfaces, and they have agreed to fund the stabilization
 - slide 41, spending the first stage this spring, to stabilize from property to visitors center and two main buildings
 - then going to apply again to stabilize the garden walkway and the parking lots
- DM - *schedule a site visit to review and advise on the chip seal*
 RG - *second – carries unanimously*
- DM - *expedite*
 JH - *second – carries unanimously*

Break for Lunch

Return from lunch, all present

13) Hearing: Wellfleet Police Station, 26 Gross Hill Road, Wellfleet (V16-208)

- WW - called to order at 1 p.m.
 - introduce the Board

Richard Pomroy, Pomroy Associates (RP)
 Harry Sarkis Terkanian, Chair of the Building Committee (HT)
 Todd Costa, Kaestle Boos Associates (TC)
 Ronald Fisette, Wellfleet Police Chief (RF)

- WW - all sworn in
 - EXHIBIT 1 – AAB1-41
- TC - submittal of supplemental information, including the information on the presentation board
 WW - accept as EXHIBIT 2
- TC - AAB14 and 15 are the existing floor plans, the new plans are the color-coded plans showing the public and employee-only areas of the building
 - policing has changed over the past 20 years, including but not limited to their arresting procedures, daily activities and arresting procedures

- travel between the two levels of the station will not be allowed or necessary
- lower-level is predominantly for the police staff
- public interaction would be for animal control and the detention function
- entry into detention is through sally port
- accessible parking is provided at the lower level
- upper level, everything in blue is public interaction (EXHIBIT 2)
- there will be some need for being escorted, but the public is allowed throughout the upper level
- stair is access controlled, so no one without proper credentials permitted to access the lower level
- animal control has limited hours

- RP
- existing building renovation project
 - police department works out of the building now
 - was originally a combined a police and fire facility
 - site has a sharp slope to it, which allows direct access into each floor
 - existing property owned by the Town and not an option to build a new building

- TC
- unrelated spaces, since detention and animal control at lower level
 - unrelated when it comes to the public interaction
 - upper level has an entrance at the high side of the parking area, that is the administrative level
 - lower level there is staff parking, and then 4 visitor spots, with 1 being an accessible parking space; for those visiting the animal control officer or picking up someone that is released.
 - both floors are accessible, i.e. toilet rooms and cells; the only issue is the lack of interior access

- RP
- upper level is very limited in that the front lobby is the only area that the public can go without an escort
 - all other areas at the upper level must require an escort by police staff
 - stair for patrolmen to get to detention area
 - lower level, the public can only access is the animal control officer
 - when a person is released from detention within the station, they would be picked up at the lower level
 - anyone going to the upper level would be directed to go around and park at the lower level
 - parking both at the upper level and below
 - one accessible parking space at the upper level and one at the lower level

- TC
- stair is only used by patrol staff

- TH
- intent of 28.1b is for unrelated uses and no internal stair
 - argument is a variance for no vertical access within the building
 - could take advantage of exceptions in 28.12d, to install a vertical wheelchair lift, or they can seek a variance for the complete lack of interior access
 - not an unrelated use, both floors used and operated by the Wellfleet Police Department
 - should argue that vertical access would be an excessive cost without substantial benefit to persons with disabilities

- HT
- public official back to 1977
 - Town Administrator previously, now building committee chair
 - not a lot of alternatives to do this project, not an alternate land available to build a new facility
 - 85% of state median income, so have to be respectful of what we ask of tax payers
 - very public with the process of the building and making the plans readily viewable
 - voted with a large majority in support of the police station renovation
 - cost is an issue, because of the funds available
 - location of the building is right on Route 6, near access to the center of Town

- RF - over 95% of interaction with the public will be at the upper level, where the police department who has been in this location and level for years
- downstairs is guest housing the animal control officer, and a temporary on-call office
- TC - four options, elevator, LULA, vertical wheelchair lift or incline wheelchair lift
- the installation of an elevator will increase the cost significantly and the annual maintenance cost
- need a quicker response time to get between floors if necessary
- LULA and lift are not applicable because the length of travel is 14 feet
- TH - elevator board regularly grants variances for 14 foot length of travel
- what about if arrested son
- RF - can not put a juvenile into a cell block
- would keep them in a conference room
- RP - not different than any other police station, would have to go out and around to access cell block area
- TC - no public member interacts with the detention facility from within the station, they are all directed to the secondary point of entrance at the lower level
- vertical lifts found to not travel to 14 feet
- TH - cannot offer names of companies, but can provide a number of variances for the elevator Board that were granted for a travel of 14 feet for vertical wheelchair lifts
- TC - an incline wheelchair lift on the stairs is blocked
- issue with vertical wheelchair lift is the lack of available clearances
- concrete plank, very limited in what we are touching within the building
- another challenge with the incline lift is the existing structure of the stairs, and the hazard of the lift along the stairs
- RP - would like to seek a variance for the lack of interior vertical access
- incline lift on the stair would make it cumbersome for the day-to-day operation of the department
- JH - would make more sense to seek a variance for the lack of interior vertical access
- GD - members from other departments (i.e. other towns or FBI) would not be considered employees, and would have access between the floors via the stairs
- WW - not even able-bodied people are allowed to access the stairs
- everyone has to get back into their car and drive around to the other entrance
- RP - stair is beneficial for operations, not for the public, since they are not allowed to use the stairs
- having to go around is not a factor of design, more of a factor of the site
- any alternate public agencies within the building, they would be coming to the upper level; if they were there to deal with a detainee, they would go into the lower level
- patrol officers use the internal stair, their primary location is at the lower level, but do have business at the upper level as well
- TC - offices on the upper level are used by officers, but the stairs are there for a speed to get to the lower level area if an incident occurs within the detention area

- AB - don't have any plans or cost estimates for the alternatives
- JD - since 2006 policing procedures have changed dramatically
 - was access between the floors less stringent in the past
 - understand the need for controlled access in 2017
- RF - more for safety of the public, isolating different functions of the police department
- HT - separate two functions of the building is part of police department
 - plans of brand new Orleans Police Department
- WW - accept plans as EXHIBIT 3
- TC - separate entrances for Orleans station as well, but all on one level
- TH - understand when employee only, but this is not the issue
- DM - it seems clear that there will be interaction between the two floors by people other than staff
- WW - totally separate secure area
- DM - take the matter under advisement*
AB - second – carries unanimously

JD left the room

14) Hearing: Gillette Stadium/Patriot's Place, 1 Patriot Place, Foxboro (C15-142)

- WW - called to order at 2 p.m.
 - introduce the Board

William Joyce, Compliance Officer for the Board (WJ)
 Matthew Piekarski, Gillette Stadium/Kraft Group Parking Manager (MP)
 Kevin McGuire, McGuire Associates (KM)
 Rich Hollworth, VHB, Inc. (RH)
 Rebecca Kozak, Associate Legal Counsel, Kraft Group (RK)

- WW - all but counsel sworn in
 - EXHIBIT 1 – AAB1-75
- DM - know Kevin McGuire and he has worked with DM in the past, will step out now if need to
 - no objection to DM being a voting member on this case
- WJ - received the complaint in late 2015 regarding some accessible parking was taken away during major Events
 - first notice was initially sent to the Town of Foxboro because they were listed as the property owner, the Town then notified the Board that the Kraft Group was the one that oversaw the parking lot

- issue is that there is a major medical facility at Patriot Place that is an outpatient unit, which is required to have 10% of the total number of the spaces as accessible
- the correspondence looked at the lot as a whole and did not calculate the spaces for the medical facility separately

AB - why not treatments or services for people with mobility impairments and would require 20%
WJ - could be, that will be an issue for the Board to determine
- but for the moment, need to find out the number of spaces allocated for the medical facility

KM - apologize for the confusion of the correspondence
- property is changing year-by-year
- have a packet of new information

WW - accept as EXHIBIT 2

KM - stadium opened in 2002
- and has been changing since then
- original complaint was in regards to accessible parking in 4A, but now about medical facility

WJ - complaint was first about the bagging of the spaces, but the complaint was issued because the Complainant visits the medical facility
- so now looking at medical property and number of required spaces as well

KM - stadium opened in 2002, with parking at a different location
- in 2007 Patriot Place south was opened (Bass Pro Shops, Trader Joes, Sleepy's, Ulta, Christmas Tree Shops)

- in 2008 the Patriot Place north opened (pro shop, CBS Scene, museum, restaurants, movie theaters)
- Renaissance Hotel also opened as well
- 2009 was when the spaces began to be bagged
- operates under a certain way for Patriots Games and concerts (6-8 during the course of the year)
- 2011 CBS Scene opened
- parking lot in 2013, State Police became involved and forced them to shut down the parking lot for security reasons
- also coned the area to prevent people from going into the 4A lot
- lot 4A is only open from April 2nd through October
- concerts were running into September in 2016, so Lot 4A was closed from the end of August to April
- now use 200lb planters to prevent people from accessing the lot
- new hotel that opened in 2016
- in 2002 had 16,000 parking spaces, with accessible parking spaces at the west side of the building and at the north side of the building
- on event days when south and north opened up, parking had to be redesignated
- during event have to provide 250 parking spaces for the south and the north areas of patriot place
- need to provide accessible parking for the stadium and for north and south
- created a new plaza to access the stadium via ramping system or new elevator
- can no longer use Lot 4A for parking, they are used as event space now, and accessible parking is in Lot 4B
- on a nonevent day, 4A is open with accessible parking, as well as accessible parking in 4B
- on nonevent days had a plethora of accessible parking in Lot 4B, so started bagging those spaces in 4B due to a large amount of complaints regarding the number of accessible parking spaces not being used in Lot 4B
- still meet the required number of accessible parking with bagging the spaces in 4B on nonevent days

- RH - working as the design and civil engineer since the beginning of Patriot Place
 - prepared vast majority of graphics that are being referred to
 - change in elevation from lower plaza to upper level
- KM - the stairs between the two levels is a lot of steps
 MP - 88 steps
- RH - Brigham and Women's Medical building is at the upper area
 - architect of record is Linea 5
 - 5 story building with main access
 - Linea 5 went through the building and separated out the administrative offices versus patients
 - 20% for the amount of spaces used for patients
 - 30 accessible spaces provided for the medical facility, large majority in front of the building (approximately 24 spaces) and then approximately 6 spaces along the drive area adjacent to the medical building
 - the plans for parking was approved by the planning board
 - there are also accessible parking spaces within the garage
- WJ - copy of the memo, March 31, 2007; AAB46
 - 10% noted in the 2007
 - all of the facilities should meet the 10%, the specified divisions that deal with people with mobility impairments would still need 20%
- RH - 20% for the 12,500 square feet for the areas provided for patient with mobility impairments, and the rest of the spaces were provided based on 2%
- WJ - about a 40-50 space difference from what is provided now, to be allocated for the medical building
- DM - where are the spaces dispersed?
 RH - almost entire area in front of the medical building is accessible parking spaces for that facility
 - significant number of accessible parking spaces provided throughout the parking lots throughout the site
- KM - other accessible parking spaces allotted for event days
- RH - nearly twice as many spaces out there during a non-event day
 - 358 provided, 239 spaces required during events
 - 300 spaces provided and 165 required during non-event days
- AB - seems to be ample parking provided
- MP - healthcare center has evolved over the years
 - patient load goes down significantly on event days
 - area is maintained for a certain period of time prior to an event
 - usually close between 1 and 4 in the afternoon on event days
- KM - most of the games are weekend games, an occasional weekday game
 - out of 8-10 event/concerts, half are during the week
 - 7 days total where the weekday shops and facilities have to change from a nonevent mode to an event mode

- MP - the businesses just close early
 - even if 40-50 accessible parking spaces are additionally required
 - hardly use the accessible parking spaces, and the health center has actually asked to bag some of their accessible parking spaces, but they were told they cannot
- KM - Gillette Stadium is an atypical property in how it morphs and changes in construction and operation
 - compliant as it relates to the original complaint, since Lot 4A is closed
 - have the required number of adjacent accessible parking spaces in adjacent lots
- WJ - all variance arguments
 - need to have Linea 5 show their math regarding the parking
- RH - figures 2 and 3 correspond to AAB 17 and 18
 - total amount of provided accessible spaces, far exceeds the required amount, even with the additional 20% requirement
- JH - parking lot to be closed is for event days only, so how many spaces were lost in that Lot
- MP - Lot 4A on nonevent day, 30 accessible spaces
 - covered only 22 when ice rink was put in place within this lot during the winter months
 - 2008-2013 there were 80 parking spaces within the lot
 - always looking to provide additional spaces
 - only 30 accessible parking spaces signed, but 88 were striped
 - during that time, only people with placards were allowed to park in that area
- KM - confiscate many placards per year, based on the enforcement of parking spaces by state police and local police
 - trying to push people that do not have vans into the accessible spaces and not the van accessible spaces
- JH - when the complaint was made on various occasions or during an event
- WJ - recurring issue for her concerns, but unsure of why she formally submitted the complaint
- JH - can you specify accessible parking for the Brigham and Women's center?
- MP - not sure if it would be allowed legally
- WW - the uses fluctuate for the facility
 - understand that when the health center closed and using the spaces for event situations
- MP - not parking in those spaces during events due to homeland security requirements
 - can't have unattended vehicles in that area
 - only using as accessible parking, as long as the health care center is open
 - 170 spaces within the garage, allocated to the health care center
 - really only an issue for weekday events
 - during weekday events, from 2-4 p.m. go into valet operation have to enter through the parking garage or valet at no charge
 - 6 accessible parking spaces within the garage
 - 2 hour window allows the accessible spaces in front of the healthcare center to be vacated
 - 20,000 people per gate on average

- area is closed for security reasons

DM - continue for the submittal of further information, including the number of spaces used for the health facility, and documentation from Linea 5 on how they allotted for the accessible parking spaces and the 20% and 10% application, submitted by 1/20/17

RG - second – carries unanimously

DM - expedite

RG - second – carries unanimously

JD now present

15) Hearing: Wellfleet Police Station, 26 Gross Hill Rd., Wellfleet (V16-208) – cont'd

DM - submit more information regarding the installation of a LULA/vertical wheelchair lift (cost, test plans, etc), to be submitted by February 15, 2017

JH - second – carries unanimously

JD - expedite

DM - second – carries unanimously

DM and JH left for the day

16) Discussion: First United Methodist Church of Westborough, 120 Main St., Westborough (V16-070)

TH - EXHIBIT – 12/2/16 Chris Howe of CDHA Consulting wrote to the Board regarding further variances
- well beyond appeal dates of final decision from August 2016
- time-barred from asking for any further relief
- asking the board to reconsider some decisions
- under no obligation to do so

JD - 6 months beyond the final decision

TH - okay to reopen, but no obligation to do so either

JD - they can always ask for a time extension, the Board already granted a 5 year time variance
- don't see the need to reopen this case at this time

RG - they are saying that they want to use an 8 foot temporary ramp to overcome the 18" change in level to the chancel

JD - not reopen

AB - second – carries unanimously

17) Discussion: Abby's House, 52 High St., Worcester (V08-128)

TH - presented on 12/12/16 to put in packets for today
- EXHIBIT – Kitty Ryan submittal of Narrowgate Architects originally received on 12/6/16

- issued a final decision on the case in 2008
- had trouble with funding, but adjudicated all of the variance requests with another architect from the Narrowgate firm
- Kitty Ryan is seeking to reopen the case
- were required to put in a 5-stop elevator, don't think that the elevator has been installed yet

RG - entrance into a bathroom (AAB41-42)

JD - when were they supposed to be compliant?
- AAB60-61

AB - not reopen, but require status report of project, by January 20, 2017

JD - second – carries unanimously

JD - expedite

AB - second – carries unanimously

18) Discussion: Father Bills Mainspring House, 54 North Main St., Brockton (V14-230)

TH - last letter to Mark Coughlin, AIA, architect, 8/3/16 accepted the report and ordered next report by 1/1/17

- EXHIBIT – 12/30/16 status report via an e-mail from Nicole Fitzgerald
- included pictures of the door hardware, signage, accessible sinks
- last remaining item is the installation of the LULA
- LULA will be installed as planned, no later than April 1, 2019
- status report shows increase in funds

JD - accept the status report

RG - second – carries unanimously

JD - expedite

RG - second – carries unanimously

19) Incoming Discussion: South Canal Apartments, Sargeant St., South Summer St., and South Canal St., Holyoke (V16-346)

TH - 12/12/16 voted to have me meet with the architect

- EXHIBIT – 12/12/16 copy of e-mail to the architect from a co-chair of the Holyoke Commission on Disabilities
- spending \$3 million to renovate and remodel

JD - continue until the meeting is held between architect and commission, per previous decision of the Board

RG - second – carries unanimously

20) Incoming Discussion: Zion Lutheran Church, 74 First St., Pittsfield (V16-345)

TH - voted to put in your packets for today's meeting at the 12/12/16

- EXHIBIT – variance application and supplemental; and letter from June Hailer in support of variance, received 12/9/16

- JD* - grant all as proposed, on the condition that if the lower or upper levels reopen for use by the congregation or to other members of the public, revisit with the access board would be required at the time
- RG* - second – carries unanimously

21) Incoming Discussion: Mixed Use Commercial building, 625 Mass. Ave., Cambridge (V16-288)

- TH*
- first presented to the Board on 10/17/16
 - project spending exceeds 30% of tenant space, seeking variance to not provide access between the tenant space levels
 - e-mail from Michael Muehe of Cambridge Commission on Disabilities opposition on 10/6/16
 - the Board voted to deny the variance requested
 - spoke to Lisa Thomas on 12/2/16 (space designer) and said that they will be putting in a lift
 - EXHIBIT – e-mail from Doug Anderson on 12/15/16 submittal of additional code analysis and a couple of drawings regarding what is required for the lift
 - past the 30 day timeframe to appeal the decision of the Board
 - commission has opposed the plans all along
 - no verification that these additional documents were served to all parties concerned

JD - not reopen

22) Incoming: Goddard House, 201-205 South Huntington Ave., Jamaica Plain (V16-370)

- TH*
- EXHIBIT – variance application and supplemental information
 - existing building being renovated from nursing home to multi-family dwelling
 - seeking 9 variances

JD - put in packet for 1/23/17

PM - second – carries unanimously

23) Incoming: Charlesbank Apartments, 650 Huntington Ave., Boston (V16-361)

- TH*
- 276 apartments, only studios and one bedrooms
 - onsite coin laundry and parking
 - renovation of HVAC and lobby
 - spending over 30%
 - EXHIBIT – variance application and supplemental information
 - seeking 5 variances, and one is a time variance, with one asking to only provide studios over a 12 year period
 - seeking variance for elevator cab size 43” by 70”
 - EXHIBIT – videos of tenants using the elevator and testimony to tenant accommodation policy

JD - schedule a hearing

AB - second – carries unanimously

24) Discussion: Board meeting minutes from December 12, 2016 and January 6, 2017

AB - approve both

JD - second – carries with *PM* and *RG* abstaining

25) Discussion: Cabot Performing Arts Center, 26 Cabot St., Beverly (V16-194)

TH - EXHIBIT – submittal from Thaddeus Siemsko, received on 11/23/16, including plans of the slopes
- continued the discussion to allow submittal of more information regarding the sloped interior landing at the front doors to the grand lobby

JD - *grant the lobby slope as proposed*

GD - *second – carries unanimously*

JD - *expedite*

AB - *second – carries unanimously*

26) Advisory Opinion: Tatte Bakery, 1280 Mass. Ave., Cambridge

TH - 12/12/16 granted vertical access request for V16-344 for this tenant
- EXHIBIT – e-mail from Larry Braman, dated 12/20/16 seeking advisory about high counters, per 521 CMR 17.3

JD - *one of each type of seating being accessible would comply with the requirement of having “not less than one”*

AB - *second – carries unanimously*

- End of Meeting -

Matters not reasonably anticipated 48 hours in advance of meeting

EXHIBITS:

- Princeton Chelmsford Apartment Homes, 276 Mill Rd., Chelmsford (V16-343)
 - December 13, 2016 submittal from Richard Bleakly, with amended application
- Ventfort Hall Building, 104 Walker St., Lenox (V13-110)
 - December 30, 2016 submittal from Jamie Reindhart, with progress review set for elevator installation, preliminary plans
- 25 Mt. Auburn St. and 10-14 Arrow St., Cambridge (V11-006)
 - 12/22/16 submittal from Dennis Riske, including plans for toilet rooms on Floors 1-3
- League School of Greater Boston, 250 Moose Hill Road (Building B), 310 Providence Tpke (Building A) (V16-237)
 - submittal from James Christopher on December 14, 2016 seeking a motion for reconsideration; e-mail from James Christopher on 1/6/17 with letter dated 1/5/17, seeking to withdraw the motion for reconsideration and plan as follows:
 - Building B (2) – redesigned to include a full elevator and will forward revised plans as soon as they are complete
 - Building A (1) – constructed and completed prior to variance request; all common spaces from the basement have been relocated to the new building; seeking

exemption under 28.1g based on the fact that all accessible common spaces and common rooms are at the first floor

- 14 Tyler St., Somerville (V15-282)
 - 12.7.16 letter from Attorney McLaughlin asking a hearing regarding the jurisdictional issue of the Board
- Group 2 Kitchens, 521 CMR 45.3 – revisit to February 5, 2005 interpretation; Larry Braman, December 1, 2016
 - December 1, 2016 request from Larry Braman
- Crystal Caves Family Entertainment Center, 790 Southbridge St., Auburn (C16-047 & V16-326)
 - 1/5/17 submittal from Guy Powell seeking an extension to the end of March, and will not open until April
- Grace Church, 101 Wales Ave., Avon (V16-224)
 - 12/22/16 e-mail from Mark Burke of Vanko Studio Architects, seeking a 12 month extension for installation of the proposed vertical wheelchair lift
- Casey Arborway Project, Forest Hills Station, 3699 Washington St., Jamaica Plain (V16-365)
 - 12/14/16 e-mail from Laura Brelsford seeking a one month extension to the date for compliance
- Community Christian School, 39 South Broad St., Westfield (V10-101)
 - 12/15/16 Tim Sheranko, Community School Administrator, requesting no access within the building
- Chesterwood, 3 Williamsville Rd., Stockbridge (V15-120)
 - AAB1-10
- Wellfleet Police Station, 26 Gross Hill Road, Wellfleet (V16-208)
 - AAB1-41
 - submittal of supplemental information, including the information on the presentation board
 - plans of brand new Orleans Police Department
- Gillette Stadium/Patriot's Place, 1 Patriot Place, Foxboro (C15-142)
 - AAB1-75
 - Packet of new information
- First United Methodist Church of Westborough, 120 Main St., Westborough (V16-070)
 - 12/2/16 Chris Howe of CDHA Consulting wrote to the Board regarding further variances
- Abby's House, 52 High St., Worcester (V08-128)
 - Kitty Ryan submittal of Narrowgate Architects originally received on 12/6/16
- Father Bills Mainspring House, 54 North Main St., Brockton (V14-230)
 - 12/30/16 status report via an e-mail from Nicole Fitzgerald
- South Canal Apartments, Sargeant St., South Summer St., and South Canal St., Holyoke (V16-346)
 - 12/12/16 copy of e-mail to the architect from a co-chair of the Holyoke Commission on Disabilities
- Zion Lutheran Church, 74 First St., Pittsfield (V16-345)
 - variance application and supplemental; and letter from June Hailer in support of variance, received 12/9/16
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 - variance application and supplemental information
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