



**CHARLES D. BAKER**  
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SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

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

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**JOHN C. CHAPMAN**  
UNDERSECRETARY OF  
CONSUMER AFFAIRS AND  
BUSINESS REGULATION

**CHARLES BORSTEL**  
COMMISSIONER, DIVISION OF  
PROFESSIONAL LICENSURE

Board Meeting Minutes – February 4, 2018 9:00 a.m.  
One Ashburton Place, 21<sup>st</sup> Floor, Conference Room 3, Boston

**Board Members Present:**

- Walter White (WW)
- Jane Hardin (JH)
- Ray Glazier (RG)
- Jeffrey Dougan (JD)
- Dawn Guarriello (DG)
- David Johnson (DJ)
- Patricia Mendez, (PM)

**Also in Attendance:**

- William Joyce, Compliance Officer, (WJ)
- John High, Assistant Legal Counsel and Director of External Affairs, DLP (JH)
- Kevin Scanlon, General Counsel, DPL (KS)
- Karen Brann, Program Coordinator/Clerk for the Board (KB)

**Members not present:**

- Andrew Bedar
- Harold Rhodes (HR)

WW, JH, PM, DG, DJ, JD

**Incoming Case Review:**

1. Upton Housing Authority, 4 Hartford Avenue, N. Upton, C18-020

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Complaint was previously before the Board. The Board issued a closed order and it was appealed.

*DG motioned to packet. JH seconded, passed unanimously.*

2. Reunion Tap & Table, 198 Worcester Street, North Grafton, V18-404

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Restaurant, full compliance. Seeking relief from 25.1 rear entrance change in grade. Main entrance is accessible. Scott Ricker supports request with compliant stairs.

*JH motioned to grant on the condition wall side handrails are installed and stairs and front entrance of restaurant are fully compliant. PM seconded, motion passed.*

3. MacDonald Cabinet, 580 Washington Street, Easton, V18-405

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

3.4 change in use. 28.12.1, Converting into cabinet display area.

Asking for a time variance until 11/30/2020. Proposing accommodation policy. Providing equivalent experience on both floors.

*JD motioned to grant the use of the lift as long as it is compliant with 521 CMR.*

*DG seconded, passed unanimously.*

*Time – JD motioned to grant until 11/30/2020 for the lift to be completed and be expected by 11/30/2020 on the condition the board receives an accommodation policy and there is a notice on the website with accessible accommodations, and status reports every 6 months starting 7/1/19. JH seconded, motion passed.*

4. Adams House Complex, Multiple Streets, Cambridge, V19-001

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*JD Motioned to packet. DG seconded, passed unanimously.*

5. Story Chapel, 580 Mt. Auburn Street, Cambridge, V19-002

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*JD motioned to packet. PM seconded, passed unanimously.*

6. Belmont Police Station, 460 Concord Avenue, Belmont, V19-003

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Seeking relief for three items.

Seeking relief for historic main entrance. The Board has received support letters from the Historic Commission. Is side entrance accessible?

*JD motioned to continue for more information on the variance requests and for staff to reach out to the petitioner and check that entrance is accessible. DG Seconded, passed unanimously.*

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

7. 10 Story Building, 121-127 Portland Street, Boston, V19-004

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Mixed use. Retail space. Looks like a new building. Seeking to use secondary side entrance.

Door needs to be more welcoming. Needs to show where it goes to. Residential and store needs to be separate. Entrance would need to be unlocked when store is open.

~~*PM motioned to request more information on exploration of an accessible 36" ramp facing the street. JD seconded, passed unanimously.*~~

*PM motioned to rescind her vote. JD seconded, passed unanimously.*

*DJ motioned to continue until ISD building has reviewed plans for possible violations of ramp and handrails. JD seconded, passed.*

RG arrived

8. Salt Therapy Spa, 1372 Main Street, Palmer, V19-005

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Salt therapy spa. Full compliance. Seeking relief for lower level access. Services are the same on both floors.

*JH motioned to grant on the condition that if there is a need for a single use accessibility room, room 108 can be accessible also, the Board reviews the accessibility policy and the policy is on their website. DG seconded passed unanimously.*

9. New Four Story, 253 Walden Street, Cambridge, V19-007

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New apartment building with underground parking.

Also one structural column. Can't fix without tearing down building. Majority is 8'2".

These are not deeded parking spaces. Are there a couple spaces guaranteed 8'2" clearance without interacting with the pipe? Are the plans stamped? Ceiling is too low at some areas.

*JD motioned to grant on the condition of an accommodation policy stating that spaces will be made available for tenants who need the higher clearance and a sign saying what the clearance is, height limit should also be on clear rental documents.*

*DG seconded, DJ abstained. Motion passed.*

10. 68 Main Street Apartments, 68 Main Street, Everett, V19-009

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking relief from vertical access two levels above the parking. Seeking to provide a vertical wheelchair lift. Size of the vestibule. Can we ask for stamped plans?

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

*JD motioned to grant on the condition of correct maneuvering clearance at parking level vestibule and on the first floor level going up to where the residences are and compliant dimensions on lift. DG seconded, passed unanimously.*

11. Sidewalk Reconstruction, Dudley St between Mass Ave. & Clifton, Cambridge, V18-384  
Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*JD 1 -9 Motioned to grant as proposed. DJ second, passed unanimously  
10-13 JD motioned to grant as proposed. DJ seconded, passed unanimously.  
15 and 16 JD motioned to grant as proposed. JH seconded, passed unanimously.*

14 – Montgomery and Clay appears to be the only part narrowed down to 24 inches.  
Photo 14, is there a possibility of a bump out. Looks like it is on the property line.

*14 – JD motioned to grant as proposed. DG seconded, passed unanimously.*

## 12. Advisory Opinion

Fire Wall Separating Dwelling Units, D/R/E/A/M Collaborative, A18-019

Are they separate buildings under our code if they are firewalls? Separate lots. If they are separately deeded they can be sold separately. There are different kind of firewalls. All new construction on separate lots. Ask the staff to get more information

*PM motioned that the Board cannot determine an answer until the Board sees the locations of firewalls on stamped construction documents. JH seconded, passed unanimously.*

13. Employee Only Space, 521 CMR 5.00, Mendon Police Station, 20 Main Street, A19-001  
Do they have to have access to upper level of police station? Offices, evidence room, locker rooms are upstairs.

Under 521 CMR

*JD motioned to fine that it does not seem to be public space on top level and only open to employees, the Board finds 521 CMR jurisdiction does not go to that level and vertical access is not required to the upper level. Other state and federal laws may trigger vertical access.  
DG seconded, passed unanimously.*

WW left the meeting. JH Chaired.

## Administrative Discussion:

14. Berkshire Pulse, 420 Park Street, 3<sup>rd</sup> Floor, Housatonic, V13-100

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application, status report and associated documents.

Status report states that they now have a fully working elevator, passed inspection.

*JD motioned to accept the status report. RG seconded, passed unanimously.*

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

15. Refuge Church of Christ, 46 Millmont Street, Roxbury, V18-218

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application, status report and associated documents.

Received a status report. They have a two year time variance. This is the first report due.

~~JD motioned to accept status report with concerns on clarity on what they are giving us and the compliance that they are showing. Rear access looks very non-compliant.~~  
Withdrew motion.

*JD motioned to reject the report as it is non responsive to the Board's order.  
In remedied report and future reports, state what work has been started, completed, still under  
designed. DJ seconded, passed unanimously.*

16. Kingdom Hall of Jehovah's Witnesses, 1672 Washington Street, Newton, V18-219

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application, affidavit and associated documents.

Updated affidavit for lower floor.

*DG motioned to accept the affidavit and colored plan and for the affidavit and plan to be  
registered with the registry of deeds with book and page number. A copy of the executed  
document to be sent to the building inspector and the Board.  
PM seconded, JD abstained, motion passed.*

17. Six Floor Apartment Building, 1039 Mass Ave., Cambridge, V18-323

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Submitted information requested. Additional accessibility work.

Previously continued for relief on the front entry.

*DG motioned to grant relief on the existing entry 521 CMR, on the condition exterior railings  
are provided and interior three risers inside vestibule. JD seconded passed unanimously.*

18. Bellevue Golf Club, 320 Porter Street, Melrose, V18-360

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application, updated plan and associated documents.

Gave us a plan of the proposed changing area.

*DG motioned to deny JD seconded, passed unanimously.*

19. Wilder memorial Hall, 666 Main Street, Hingham, V98-060

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*JD motioned to schedule a fine hearing. DG seconded, passed unanimously.*

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

20. Salem Probate and Family Court, 36 Federal Street, Salem, V14-322

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is asking for additional variances. Existing bathroom doors used to swing in, now swinging out, 16 inches instead of 18 inches.

*1 - JD Motioned to grant on the condition swing is not less than 16 inches.*

*RG seconded, passed unanimously.*

2 – tunnel between court and judicial center, prisoner transfer.

*RG motioned to grant. DG seconded, passed unanimously.*

3 - stall

*JD motioned to grant. PM seconded, passed unanimously.*

4 - exterior walkway slope

*JD motioned to grant. DG seconded, passed unanimously.*

21. Metro Bank, 1124 Worcester Road, Framingham, C18-053

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

23.4.6e they used a brick path instead of striping. Mark Dempsey sent in an email objecting. Ticketable offense because it is a no parking zone.

*JD motioned this does not meet access aisle under 23.4.6. DJ seconded, passed unanimously.*

22. Mixed Use Building, 23 Federal Street, Nantucket, V15-330

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Board previously granted until 1/15 for the lift. The petitioner is requesting an extension.

*JD motioned to grant. PM seconded, passed unanimously.*

23. Cabot Performing Arts Center, 26 Cabot Street, Beverly, V16-194

Exhibit – Variance Application, status report and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Received a status report. Two of the items are past deadline.

*DG motioned to accept the status report with question on what is the update on stage ramp and accessible route to stage that were due 12/31/18 within 30 days.*

*RG seconded, passed unanimously.*

24. Hingham Congregational Church, 378 Main Street, Hingham, V16-220

Exhibit – Variance Application and associated documents

February 4, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Mr. Joyce presented the Variance Application and associated documents.  
Sent in a status report on accommodation policy for thrift store who is using it and how it is being used.

~~RG motioned to reopen the case. JD seconded, passed unanimously.~~

~~RG motioned to add to the status report order of the status report the fundraising activities.~~  
~~RG withdrew his motion.~~

*DG motioned to accept the status report. Seconded David Johnson, passed unanimously.*

25. 14 David G. Mugar Way, 14 David G. Mugar Way, Boston, V17-306  
Exhibit – Variance Application and associated documents  
Mr. Joyce presented the Variance Application and associated documents.  
Amendment request. Don't want to put in both shower switches on both sides of the wall.

*RG motioned to deny. DJ seconded, passed unanimously.*

WW came back to the meeting.

26. Mass Bay Community College, 50 Oakland Street, Wellesley, V18-104  
Exhibit – Variance Application and associated documents  
Mr. Joyce presented the Variance Application and associated documents.  
Received requested information. Long corridor to accessible restroom.

Signage notification on policy if needed class rooms will be relocated if need to be closer to the accessible restroom.

The order language was grant on condition there is an accessible bathroom in the vicinity of toilet room.

*JD motioned to accept with signage showing where the accessible bathroom is and how to get there by elevator two on the third floor. JH seconded, DG abstained.*

Board broke for lunch.

WW left the meeting for the day. JH Chaired.

27. Three Family, 153 Bowen Street, South Boston, V18-150  
Exhibit – Variance Application, updated plans and associated documents  
Mr. Joyce presented the Variance Application and associated documents.  
Sent in proposed plans for a lift.

*JD motioned to grant on the condition the lift complies with 521 CMR and verification provided to staff of the accessible route. DG seconded, PM abstained. Motion passed.*

28. Lown School for Near East and Judiac Studies, 415 South Street, Waltham, V18-161  
Exhibit – Variance Application and associated documents

February 4, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Mr. Joyce presented the Variance Application and associated documents.  
Previous granted on reach ranges with a policy. Received policy and status report.

*DG motioned to accept the policy and status report. PM seconded, passed unanimously.*

29. Halstead Danvers (Bradlee Danvers) 1000 & 2000 Kirkbride Drive, Danvers, C15-139  
Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.  
JD abstained.

We received a site report that was sent out in the board packets. Sara Lavado from C3 sent in a letter that was read into the record. KMA prepared a report on the violations. Mr. Safi is concerned they may not be able to complete the work in the amount of time. Picked half of the problems to address now. KMA did site report. C3 has a relationship with the owner. Harbor, the new owner of building contacted C3. They need to check the rest of the site as originally ordered. C3 will start on fixing some of the items.  
Another month and then a plan with time frames.

*DG motioned to give three months to finish the report, come up with a schedule of when issues will be fixed and in compliance and to send the Board a complete plan and an itemized list of what needs to be fixed and when it will be fixed or variances to be needed.*

*RG seconded, JD abstained*

*DG motioned for staff to reach out to the town of Danvers to request the construction documents, permits, and a copy of the entire file. RG seconded, JD abstained. Motion passed.*

30. Dance Classroom Springfield College, 29 Sheffield Street, Springfield, V18-394  
Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.  
The Board previously asked for info on who uses lounge and occupies the class room.

Do we know why elevator was decommissioned?

*RG motion for a study to bring the decommissioned elevator back online and information on when it was decommissioned. DJ seconded, passed unanimously.*

*JD motioned to clarify what furniture and activities are planned or unplanned for the lounge. RG seconded, passed unanimously.*

31. Hayward Landing, 26 North Street, Douglas, V18-382

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

TH had concerns about the accommodation policy and relocating people if needed.

*JD motioned to table the case until Monday, 2/11/19, for staff to contact the owners for an update of the elevator work. DG seconded passed unanimously.*

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.



Thomas Hopkins

Commissioner Charles Borstel visited the meeting to express his condolences on the passing of Director Hopkins and to let the Board know that DPL will begin the search for a replacement. He thanked both the Board and staff for their hard work and dedication. He went on to discuss that there may be some administrative changes occurring in the near future in the form of the location of the AAB office being moved.

32. Berkshire Lodge, Catamount Ski Area, 17 Nicholson Road, South Egermont, V19-008

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovations. Seeking 4 variances. Ski rental area, no vertical route between levels. Will provide help to people getting their equipment. Make information clear on website for accommodations.

*#1 - DG motioned to grant as proposed on the condition stairs are fully compliant and have compliant handrails and an accommodation policy is sent to the board for review and the accommodation policy information on the website. DJ seconded, passed unanimously.*

#2 and 4 are related - tower entrance, step up to main lobby or lower level, there are two other accessible entrances. Tower is secondary entrance.

Don't specify the slope.

With board approved policies for the programs.

*JD motioned to grant on the condition of a robust accommodation policy for this program and programs targeted for children. DJ seconded, passed unanimously.*

Lower level only used for children programs.

#3 only 1 accessible means of egress.

*JD motioned to grant on the of robust accommodation policy for this program and programs targeted for children. DJ seconded, passed unanimously.*

33. Boston Calling - Advisory Opinion

Are they required to provide access to upper boxes?

They have two levels of VIP boxes. 14.4.1 distribution of accessible seating, sky boxes. Ramps to bottom, stairs to tops.

*RG motioned that accessible seating needs to be on the upper level and vertical access is needed. JD seconded, passed unanimously.*

34. Elm Street Reconstruction, Elm and Multiple Streets, Amesbury, V19-006

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*PM motioned to packet to Monday 2/11/19. JD seconded, passed unanimously.*

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

35. Five Story Mixed-use, 52 Temple Place, Boston, V18-183

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Received a letter pushing schedule out

*JD motioned to extend 3 months more on the time variance until May 4, 2019.*

*DG seconded, passed unanimously.*

36. Westminster Court Apartments, 30-108 Westminster Avenue, Roxbury, V18-213

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovations of an existing building. The Board previously continued the request. Petitioner submitted an additional drawing. Short on clear space at the tub.

*JD motioned to continue for the test drawing of an accessible shower.*

*RG seconded, passed unanimously.*

37. Boston Spanish SDA Church, 50 Stoughton Street, Dorchester, V18-252

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Will put in an entrance and bathroom and asking for two years' time.

*JD motioned to grant a two year time variance with status reports every six months starting 7/1/19 and proposed plans are to be included in the first status report and also updates on the funding status in all the status reports. DG seconded, passed unanimously.*

38. Residential Commercial, 139 Pleasant Street, Marblehead, V18-298

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Received the stamped survey and test drawing.

*JD motioned to grant a three year time variance with status updates every six months starting 7/1/2019 and an accommodation policy and the accommodation policy is on the website.*

*RG seconded, DJ abstained.*

39. Chatham Works, 323 Orleans Road, Chatham, V18-361

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Asking for lack of access at two existing entrances. Being turned into a gym.

*DG motioned that no variance is required as long as they are used as exit egress only.*

*JD seconded, passed unanimously.*

40. Matheson Property, Wellington St, Murray Ave, Main St., Worcester, V18-261

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Previously in front of the Board. Received a submission from the petitioner. Elevator. Five stories. There is an elevator don't want to expand the shaft to make it accessible.

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

*JD motioned to continue for information on what the largest size cab is that will fit in the shaft size. DG seconded, passed unanimously.*

41. Hampshire County Jail, 205 Rocky Hill Road, Northampton, V18-380

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Received plan with proposed portable seat.

*JD motioned to accept the accommodation policy. DG seconded, passed unanimously.*

42. Residential Building, 94 Washington Square East, Salem, V18-398

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

25.1 at entrance

*JD motioned to grant on the condition of signage, compliant handrails on both sides, or a middle compliant handrail. DG seconded, passed unanimously.*

43. Affidavit

Karyopharm, 85 Wells Avenue, Newton

Roof deck

*RG motioned to accept the affidavit and color coded plan and have it registered with a book and page number at the registry of deeds, and a copy given to AAB and the Building Inspector.*

*DJ seconded, passed unanimously.*

44. Gaylord Mansion, 12 Fairview Avenue, Chicopee, V18-396

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

This was a packeted case. The petitioner is seeking 11 variances.

Egress concerns, unique programs. Would time variance be appropriate? Are there any alternatives? What are the other accessible rooms on campus?

*DG motioned to schedule a hearing. JD seconded, passed unanimously.*

Minutes from the January 7, 2019 Architectural Access Board meeting

*DJ motioned to approve the minutes from the January 7, 2019 meeting with modifications to the minutes. DG seconded, passed unanimously*

Matters not reasonably anticipated 48 hours in advance of meeting.

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Adjourn 5:00 p.m.

Exhibits

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Affidavit

Karyopharm, 85 Wells Avenue, Newton

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## Boston Calling Music Festival

### Advisory Opinion

Fire Wall Separating Dwelling Units, D/R/E/A/M Collaborative, A18-019

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Employee Only Space, 521 CMR 5.00, Mendon Police Station, 20 Main Street, A19-001

Exhibit – Variance Application and associated documents

Upton Housing Authority, 4 Hartford Avenue, N. Upton, C18-020

Exhibit – Variance Application and associated documents

Berkshire Pulse, 420 Park Street, 3<sup>rd</sup> Floor, Housatonic, V13-100

Exhibit – Variance Application and associated documents

Refuge Church of Christ, 46 Millmont Street, Roxbury, V18-218

Exhibit – Variance Application and associated documents

Kingdom Hall of Jehovah's Witnesses, 1672 Washington Street, Newton, V18-219

Exhibit – Variance Application and associated documents

Six Floor Apartment Building, 1039 Mass Ave., Cambridge, V18-323

Exhibit – Variance Application and associated documents

Bellevue Golf Club, 320 Porter Street, Melrose, V18-360

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Metro Bank, 1124 Worcester Road, Framingham, C18-053

Exhibit – Variance Application and associated documents

Wilder memorial Hall, 666 Main Street, Hingham, V98-060

Exhibit – Variance Application and associated documents

Salem Probate and Family Court, 36 Federal Street, Salem, V14-322

Exhibit – Variance Application and associated documents

Mixed Use Building, 23 Federal Street, Nantucket, V15-330

Exhibit – Variance Application and associated documents

Cabot Performing Arts Center, 26 Cabot Street, Beverly, V16-194

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