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UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

DIANE M. SYMONDS
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Board Meeting Minutes – May 20, 2019 9:00 a.m.
One Ashburton Place, 21st Floor, Conference Room 3, Boston

Board Members Present:

- Walter White (WW)
- Jane Hardin (JH)
- Andrew Bedar (AB)
- Jeffrey Dougan (JD)
- Ray Glazier (RG)
- Dawn Guarriello (DG)
- Patricia Mendez, (PM)
- Harold Rhodes (HR)

Also in Attendance:

- William Joyce, Compliance Officer, (WJ)
- John High, Assistant Legal Counsel and Director of External Affairs, DPL (JH)
- Karen Brann, Program Coordinator (KB)

Board Members not in Attendance:

- David Johnson (DJ)

WW, AB, PM, JH, HR, DG, RG, JD

The Chair opened the meeting.

Design awards

BSA is working on the design awards. WW was contacted because they want to name an award after Tomas Hopkins.

Minutes May 6, 2019

JH motioned to accept the minutes from the May 6, 2019 meeting.
DG seconded, passed unanimously.

Incoming Case Review:

1. Sociedad Latina, 1530 Tremont Street, Roxbury, V19-112

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking 5 variances

PM Motioned to packet, JH seconded, passed unanimously.

2. King James Courts Apartments, Pinecrest Apartments, 383 East River St, Orange, V19-113

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking three variances.

1. Certain dumpsters are not accessible.

RG motioned to grant as proposed. JD seconded, passed unanimously.

2. Toilets

50% will be accessible. There are 4 sets, 2 sets will be accessible.

JD motioned to grant. RG seconded, passed unanimously.

3. Kitchens – seeking relief to make one of the kitchens accessible.

JD motioned to grant on the condition the compliant kitchen is fully compliant.

RG seconded, passed unanimously.

3. Shaker Lane School, 35 Shaker Lane, Littleton, V19-114

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking to take out a LULA and install a vertical platform lift.

AB motioned to grant. JD seconded, passed unanimously.

4. Commercial Building, 18 Main Street, Concord, V19-115

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Seeking no access to two retail spaces. Information on the website stating the stores are not accessible.

HR motioned to grant on the condition there is information on the websites and other marketing materials of the two stores stating that the stores are not accessible.

JH seconded, passed unanimously.

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

5. Headstart Aldrich School, 295 Harrison Street, Fall River, V19-116

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Seeking relief for knee space on two sinks.

JD motioned to grant for this use only. DG seconded, passed unanimously.

6. Restaurant Fitout, 126 Water Street, Worcester, V19-117

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Petitioner is seeking relief from 25.2 and 25.6. Proposing an auto door opener and slope landing.

RG motioned to grant on the condition there is a pushbutton on the sidewalk side of the building leading up to the door. JD seconded, passed unanimously.

7. Residential Building, 9 Dana Street, Cambridge, V19-118

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Existing 25 unit building.

Petitioner is seeking relief from 10.1 for basement storage area.

JD motioned to grant on the condition storage is equivalent as on the other floors and no other common use space is provided in the basement and the board receives a finalized full version of the plans. RG seconded, passed unanimously.

8. Wood Frame Structure, 548 Dalton Avenue, Pittsfield, V19-119

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Conversion of a model home into a jewelry store. The petitioner is seeking relief for no access.

~~JH continued for further clarification~~

JH withdrew her motion.

JH motioned to deny. HR seconded, passed unanimously.

9. MIT Delta Tau Delta House, 416 Beacon Street, Boston, V19-120

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

JD motioned to packet the case. RG seconded, passed unanimously.

10. Rock and Roll Daycare, 190 Concord Avenue, Cambridge, V19-121

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Toilet rooms, asking for only central access toilets to be accessible. 3.3.1b

JD motioned to continue for information on the cost estimate to provide accessible restrooms in all class rooms and detail of work. RG seconded, passed unanimously.

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11. The Taylor School, 8 Hill Road, Boxborough, V19-122
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Application needs more information.
Seeking relief from 12 and 3.9.

JD motioned to continue for more information and for staff to contact the building official to draw attention to when the permits are pulled. DG seconded, passed unanimously.

12. Notre Dame Church, 446 Main Street, Southbridge, V19-123
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Accessible toilet room. Seeking relief for lack of turn circle radius and clear space at toilet.

~~*RG motioned to deny. JH seconded, passed unanimously.*~~

RG withdrew motion.

*JD motioned to continue for information on alternatives or better options for bathrooms or different location for bathrooms and a full floor plan and information on the wall structure.
JH seconded, DG abstained, motion passed.*

13. Garden Garage, 35 Lomasney Way, Boston, V19-124
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Window height for outlets

JD motioned to grant. JH seconded, passed unanimously.

14. Mary Celeste, 149-151- Front Street, Marion, V19-125
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
New ramp for access to restaurant. 36 inch width on portions of the ramp.

*JD motioned to grant on the condition the ramp has internally consistent run.
JH seconded, passed unanimously.*

15. Nantucket Community Television, 9A Bayberry Court, Nantucket, V19-126
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Proposing to convert basement to 3 studios. 3.3.1b. Seeking no access to lower level.
Petitioner states services are identical.

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

JD motioned to grant on the condition an accommodation policy is provided to the board on how the studios will be booked, accessible restroom will be provided and large detailed plan and information on the bathroom. RG seconded, passed unanimously.

16. Newton Highlands Congregational Church, 54 Lincoln Street, Newton Highlands, V19-127
Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Have a letter of support from Newton Commission supporting both requests. Kitchenette
Kitchen down stairs catering kitchen is existing, proposing to make the kitchenette upstairs.
Catering kitchen – counter tops, knee space,

JH motioned to grant. HR seconded, RG opposed. Motion passed.

17. Residential Complex, 95 St. Alphonsus Street, Boston, V19-128

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Sinks group 1 and 2.

Motioned to grant with the usual conditions and with a time requirement not to exceed 30 days for installation and to confirm that the correct sinks are on hand and will be easily incorporated into the set up without customization. JH seconded, passed unanimously.

18. Howard Thurman Center 808 Commonwealth Ave., Brookline, V19-129

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Seeking 4 variances

#1 and 2 stairs seeks relief to leave as is.

Received letter from Brookline Commission – some remediation is needed on abrupt nosings.

Stairs have worn unevenly.

PM motioned to schedule a hearing. RG seconded, passed unanimously.

Toilet rooms 89 x 69

JH motioned to grant. JD seconded, passed unanimously.

19. 7 Ink By Ollie, 217 Albany Street, Boston, V19-130

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New residential building. Seeking 8 variances.

JD motioned to packet. PM seconded, passed unanimously.

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

20. Four Story Residential, 95-99 Elmwood Street, Cambridge, V19-131

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

#1 – 23.4.7a

Clearance height in underground garage. The petitioner has 7'6" instead of 8'2".

HR motioned to continue for information on cost and information on exploring ways of gaining more head height without digging into the ground. JD seconded, passed unanimously.

#2 9.5.3 duplex levels

First two floors are flats and comply. 6 out of 28 are not going to be group 1.

JD motioned to continue for information on converting at least one of the units to group 1 to provide space for vertical access. DG seconded.

Church of Scientology, 214-216-226 Lincoln Street, Boston, V18-393 – Variance Hearing

Exhibit #1 Hearing Package AAB 1- 52

Exhibit #2 Clarification of pictures and floor and ramp plans

Exhibit #3 Anticipated construction costs

Christopher Sanders, Gensler (CS)

Dave Suny, McCormack Suny, Attorney (DS)

Brian Brewer, Kimley-Horn, Engineer (BB)

Michael Muehe, BCIL (MM)

The parties were sworn in.

(All board no David Johnson)

CS – Entered exhibit #2 clarification of pictures

CS – T-1 to explain the project. Ariel view shows existing property. The next slide shows existing entrance. There are two buildings and demolishing the third building. Entrance on corner of Everett and Lincoln. It is not accessible. Lower right is a view of the three buildings. A-3 Lincoln St. plan shows two buildings being renovated show building demolished and made into a courtyard. New ramp from parking lot side of the building. Lincoln Street on south side. Left existing entry point and proposing new accessible between the courtyard and buildings. The ramp will communicate between both buildings. First floor is elevated 7, 8 feet, have to put another ramp in the vestibule area page A-5. Second route on south side of page accessible from Lincoln St. A6.3 shows elevation of building and ramp. A 6-4 view of new ramp accessible from Lincoln Street provide accessibility to both buildings. A-6 existing building. Two examples of studies pertaining to corner of Lincoln and Everett shows study of accessible ramp. A-5a architectural plans. The ramp is 5 feet. A-5b ramp on west side of the building. Ramp crosses over the property line and need to address the vestibule and lobby. Need to introduce a second lift and renovate as well. A5-b option to provide LULA or exterior lift.

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Would have to provide lift accessible to side walk. Do work at vestibule and add another lift. We feel we tried to provide accessible entrance through Lincoln st and from the north side that has accessible parking. Cost of ramp vs lift a little less than ¼ of a million.

DS – we are relying on the excessive cost argument. Met with Boston planning and development, obtained some zoning variances. Looked at accessibility issues.

CS - Gilbane provided the cost. Option.....option 2 b describes the cost of LULA and demolition at Lincoln and Everett and work performed in the lobby.

WW - why do you feel there isn't a benefit to people with disabilities.

DS - this project is on the north side of the pike. Any foot traffic comes from south side to north side of the building. If driving from Storrow Drive come down Everett Street and feed into the main parking lot. Lincoln Street is a busy two lane road feeds in from mass pike. From mass pike enter Lincoln from Alston Brighton exit. Western of the project is Colrane Street.feel it is an entrance that will not get much use. It would be just as easy following the courtyard entrance.

MM - there is a benefit for people with disabilities to use the same entrance as everyone else. the Everett st over pass, if it is the one I am thing, there is a commuter rail station. Ramp intruding on property line, I pointed out BCIL would be open to relief on width of the ramp. if it is seldom used make it an emergency only. Mentioned the need to block out windows. A switch back ramp is another option. Didn't see a test drawing of this. I mentioned concerns to the board months ago. Petitioner didn't address concerns.

DG - comment on front entrance looks like it takes you into a bookstore? Is there a church? What are the people there for?

Paul Bradford legal administrator Church of Scientology was sworn in.

PB - bookstore, half of the first floor is information area open to general public. People get questions answered. Have self-improvement courses on first floor. Can purchase books. There is also a café on the first floor. Upper floors are course rooms. 2nd floor. Third floor is counseling.

DS - this building is a general administrative, mixed use office. 226 Lincoln is the place of worship.

CS – this is why we took opportunity to provide accessible entrance between two buildings.

PB - ramp goes into 226 and there are stairwells. People will be in main building and move over to 226 for special events. The ramp is covered.

DG – how get to parking 226?

PB – go in through Lincoln Street side or parking lot side up ramp.

CS – 8-5 shows north side of building – ramp

PB - great portion of people will be going that way.

DG -why didn't you make a ramp inside?

DG - A 6 is confusing. A5 elevator bank

DG

Cs - when we designed it wasn't to celebrate one entrance over the other. The parking lot also has façade and signage. There isn't a designated main entry point. We are dealing with an existing building.

DG – strange go inside to go outside to go back inside.

We have approved narrower ramps before. Ramp to a lift, might be easier to continue on a ramp.

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HR - on north side where is the accessible parking?

CS - A3 shows parking on north side. How do I get over to the other building? I have to take this ramp.

HR Lincoln Street parking

Brian – no accessible parking on Lincoln Street. Transportation department didn't want cars parking onto Lincoln Street.

HR - reconsider how parking is handles. Also entrances should provide the same accessibility.

DS - street accessible parking was discussed with BPA preference was to have a block of hc spots on north side of building.

DG - not under our jurisdiction. We have jurisdiction on the private in the back.

AB - did you do any studies between the rails....

Brian – we have a 5ft width didn't count the rail. At end of ramp jumps over property line 2 ½ - 3 ft. if try to keep in property line less than three feet.

AB - less than three ft. doesn't work

PB – build thirty years ago. Amazing it was approved the way it was.

JH – if want to make it as welcoming all, the entrance off of the courtyard is made primary entrance. That is going to be a concern. Rethink message. In first floor of bookstore, is everything there accessible?

PB – yes.

CS - we didn't talk about signage, it is still in review, exhibit submitted with variance on AAB 51 there is signage on Lincoln St. towards the eastern part of building. We didn't add on to the buildingbuilding codetwo buildings that is why we did outside ramp. Couldn't combine the two.

DG – signage is important

DS- we are in sign review with BPDA. We did prefer a different signage alternative. On mass pike the church was looking for visibility.

DS - there will be street level markings.

MM – clear to me that esthetics is overriding concerns for access.

WW - 85 or A5??? What is there?

CS - that is an information area.

WW - do most of the people going there go in that stairway? The stairway you are asking relief for? So people may just go to that room and not the rest of the building.

PB - inclined to come in through the parking lot. Lincoln street side people traffic is almost nonexistent.

WW -

PM - parking lot route did you explore a ramp?

CS - a ramp would be excessively long and challenging. It is possible but would have to redesign.

DG – build up the vestibule

PM - did you explore on area next to visible entrance another entrance closer to the main entrance of the building?

Cs- width requirement and property line. Everett and Lincoln width of ramp would not work.

JD the reception area is that a big learning center? There is a process that happens, but I know it is a main focus point and not having it accessible. I have hesitations on not having the entrance accessible. How far does ramp run down at the parking lot.

Brian- about 75ft long.

CS – tried to note the height and length of ramp. I am hearing everyone saying 50 million dollars. There is a cost associated with open permits and projects the bids are about 19 million.

WW - it includes a window of three years.

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

JD - it is on the application of variance.

RG motioned to take the case under advisement. HR seconded, passed unanimously.

The board broke for lunch

Quasi-Judicial Session, Pursuant to G.L. c. 30A, § 18

WW and DG left the meeting for an hour or two.

JH chaired the meeting

Affidavit

21. Waltham Fire Department

HR motioned to accept the affidavit and have petitioner submit it to the registry of deeds for book and page number and send a copy to the board and building department. PM seconded, RG abstained. Motion passed.

22. Halstead Danvers, Bradlee Danvers, 1000 & 2000 Kirkbride, Dr., Danvers, C15-139

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Received report.

PM motioned to packet the report. AB seconded, JD recused. Motion passed.

Advisory Opinion

- Handrail Newel Posts, Jensen Hughes, A19-016
- Traffic signal pedestrian controls, Vanasse Hangen Brustlin

23. 500 Boylston 222 Berkeley, 500 Boylston 222 Berkeley, Boston, V18-061

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Amended plan, material change as what was previously granted.

PM recused herself.

JD motioned to grant RG seconded, PM recused. Motion passed.

24. 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.

Previously continued for shower. Sent in plan for a roll in shower.

JD motioned to grant. HR seconded, RG abstained, motion passed.

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

25. Residential Commercial, 139 Pleasant Street, Marblehead, V18-298
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

The property has been rezoned to residential only. Seeks to withdraw application.

JD motioned to accept the withdrawal of the application. PM seconded, passed unanimously.

26. Forest Street Apartments, 16-19 Forest Street, Cambridge, V18-327
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Continued for more information.

JD motioned to table the case. PM seconded, passed unanimously.

27. Community Living Center, Chelsea soldier's Home, 100 Summit Ave., Chelsea, V18-342
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
23.2.4 Accessible parking spaces residence live there full time. Proposing 10 accessible spaces.

PM motioned to grant. JD seconded, passed unanimously.

28. Three Story Building, 182 West Main Street, Marlborough, V18-385
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Ramp at front entrance. Proposes a 1 in 10 ramp.

~~*AB motioned to deny.*~~

AB withdrew motion.

*JD motioned for a feasibility study for a 60 inch top, 54 inch bottom and two handrails.
HR seconded, passed unanimously.*

James Otis Elementary School, 218 Marion St., East Boston, V19-043
Exhibit #1 Hearing Package AAB1-28
Christopher Clocher, CSS Architects, CC
Anthony Baker, NU
Michael Meuheu, BCIL MM
William Joyce, WJ

All parties were sworn in by the Chair.

(JH, JD, RG, PM, AB, HR)

CC- after I requested a hearing I realized I misinterpreted the requirements for 3.3.1b. Had a few emails with Mr. Joyce. Depending on my interpretation if it is true we do not require a variance

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at all. I would like to get the Board's opinion. AAB ...there are two doors. The height difference is 51 inches requiring a 51 foot ramp. The door to the left is the cafeteria door. Look at requirements for window project falls in to ½ million. Entrance 521 CMR.both doors lead to landing leading to more stairs. This door is a 1 or 2 inch step up can be regarded, put auto door openers. I spoke to Mr. Joyce.

WJ there was confusion on where the door entered. Proposing a door at top of cafeteria. It is up to you if it constitutes an entrance.

MM – I was focusing on it is a public elementary school. Concerned about access. Seems reasonable given the scope of money spent to require an accessible entrance. A lot of the classes take place on the ground floor.

WJ – JP brought to our attention the notary notarized their own signature.

CC - windows and exterior doors.

JD exemption for window and roof....they don't fall under any exemptions?

WJ – they are over the 500,000 trigger.

JD it requires an entrance.

HR - what is the width of the door

CC 42 inches

HR – where do I go from the landing?

CC - it is an unfortunate layout

HR – how does a child in a wheelchair enter the building?

CC – Right now it is not an issue, the district has accessible schools.

HR - we try not to separate children with disabilities.

AB - ramp

CC- it can be installed, the city would prefer not to have an exterior lift.

Interior

CC- once we get the definition of an entrance.....

AB – I call it an entrance

JH – it is an entrance to a school that is not accessible. Boston has hired a new superintendent. There are currently three other schools that are fully accessible.

TB- the location we are talking about only gives access to café and one bathroom. No class rooms.

JH – when elections are held is this school one they are held in

CC - I am not certain I was told community doesn't come in for events.

PM - did you consider a lift in the cafeteria?

CC – the definition of entrance stops once you get inside. If provide a lift get you into the cafeteria and a non-accessible bathroom.

It is feasible to do a lift.

PM- 3.3.1b entrance, bathroom and all work performed comply.

JD – entrance gets people beyond the platform.

HR – Will 3.3.1b what are the specific requirements that must be done.

WJ 1 entrance and if provided public toilet room and water fountain and work performed must comply.

Amount spending is less than 30%

JH – how many students

CC - Grades K through 5

JH – sometimes the cities assess which buildings they should spend the money on.

How much money they should invest.

JD – AAB 7 two doors one to a classroom one to something else.

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

CC - low height storage.

JD That is not an entry to art room?

CC Correct.

MM – this is a state board. ADA is federal law. Lot of talk about programmatic issues.

Instructive for board to get cities ADA compliance plan for a more complete description.

I agree with what has been expressed a landing does not constitute an accessible entrance.

Entrance and platform lift would give some means of accessibility.

WJ – advisory question is it a public entrance? Second question variance question would you grant relief to the cafeteria area?

PM motioned to state a door connecting only to landing is not a public entrance. HR seconded, passed unanimously.

CC - if provide an interior lift from lift to platform down

JD – if people can get in with appropriate clearance and lift get down to floor will be an accessible entrance.

Could put in lift.

HR motioned to deny the variance. AB seconded, passed unanimously.

CC - we will proceed and have a fully compliant lift, may need to modify the stair.

PM – are they requesting variance for bathroom?

CC- original request was to not provide because couldn't get from one to the other. Then we were able to put one on the first floor. Not seeking relief anymore.

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

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Previously granted relief with conditions including an accommodation policy.

Provided their accommodation policy. WJ read the policy.

HR motioned to accept the policy. JD seconded, passed unanimously.

30. Philip Anthony House, 14 S. 6th Street, New Bedford, V19-019

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Continued for accommodation policy. WJ read policy.

HR motioned to grant with condition policy is on website and marketing materials. PM seconded, passed unanimously.

31. The Central Building Childcare Center, 332 Main Street, Worcester, V19-060

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Continued for a LULA study.

JD motioned to table. HR seconded

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32. Commercial Office Purpose, 619 South Street, Fitchburg, V19-063
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Continued for information on tenants and slope

Slope – JD motioned to grant. PM seconded, passed unanimously.

Tenants

JD motioned to grant for this use only. HR seconded, passed unanimously.

WW and DG came back

33. Residential Apartment Building, 75 Concord Street, Framingham, V18-072
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Amendment for electrical outlets.

JD motioned to grant. DG seconded, passed unanimously.

HR AB Left for the day.

34. Savage Field, 36 Vale Street, Clinton, V17-295
Exhibit – Variance Application and associated documents
Based on recent information received by the Board, it is the Board's understanding that the
Petitioner has not complied with the Board's order voted on during the April 9, 2018 review.

*JH motioned to require the petitioner to send the board current pictures and information by the
next Board meeting, on the current state and use of the press box. RG seconded, passed
unanimously.*

PM for clarification on the proposed vertical lift product. JD seconded, passed unanimously.

3:00 p.m. – Somerville Museum, 1 Westwood Road, Somerville, V15-194 - Variance Hearing
Exhibit #1 Hearing Package AAB 1 – 56
Exhibit #2 – Plans of proposed elevator addition
Katrina Sousa, Peter Quinn Architects, (KS)
Michael Muehe, BCIL (MM)
Barbara Mangum, Somerville Museum, BM
Richard Graf, (RG)
Vernon Woodworth, AKF Code (VW)
William Joyce

The parties were sworn in

WW, JH, DG, PM, JD, RG

WJ – The case first came to the board 11/30/2015. To date we have not received the requested

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information. Timeline on AAB 7, 8,9. Notice AAB 11. Deadline was 7/1/16, litigation started 60 days later.

RG - created drawings for elevator, the abutting neighbors sued the board of appeals and museum.

BM - there was an oversight. The architects were busy. Working with preservation commission. The plans were difficult to develop. By May the design was finalized and ok by preservation commission then approved by the zoning board 8/2016. The deadline went by us. We finally got through lawsuit, raised money for elevator, then discovered we needed to go back and do this.

VW - they did miss deadline, they called attention to the board saying they missed it.

BM – once lawsuit started we did no more work on the building. Had limited contact with architect until this year.

KS - developing revised drawings, developed a set that has been bid out received pricing.

DG - how do bid docs differ from what is in front of us?

BM - the position of accessible basement bathroom has changed.

KS – we were requesting LULA went to the basement so the basements could be accessible.

BM - the elevator makes the second floor accessible.

JH - when did bids go out

A month in a half ago. Gave them until mid May.

Got two bids back. They were high. We added a water proofing aspect.

BM - we needed two bids for the community preservation act.

JH who helps with funding.

BM – one of the bids 1.7 mill other plus architect fees.

BM – my efforts have been to get the building weather tight, make accessible. it took us three years to get ½ the money. We may try to scale it back to only the elevator portion. The basement restrooms are accessible. We have a donor but they weren't expecting to put together another 700,000. Another option is taking it in stages.

We need a major capital plan. It is good for us to try to fund raise but we can't do it tomorrow.

WJ - all of the other variances are not time variances. Two time variances on maneuvering doors.....

Time was granted 30.1 and other sections. If that is the case the only variance is the maneuvering.

BM – maneuverability Planning on having maneuverability around staircase.

WJ AAB 34 door to the existing gallery space.....

If downstairs toilet complies, it is the only outstanding issue.

Turning space.

MM left

BM - which doors are you talking about?

WJ – AAB 43 and 35 with the letter G. All three can be mitigated with asking to be held open or an automated device.

VW - on the first floor AAB 34 one of the doors appear to have plenty of push and pull side clearance.

WW - does that have a latch and closure?

Might not have 12 inches.

JD – the two items have not been addressed. They didn't comply with the order issued. They need more time to fulfill original order and tell us what they are planning to do for G and L.

BM – we were planning on June 15. A month or two.

VW - I can assist.

BM - a month can be ok June 20.

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

JD motioned to grant additional relief for items L and G AAB 21 and 22 to provide design of compliant restroom and doorway clearances auto doors or a variance 7/1/19. RG seconded, passed unanimously.

Revisit

Church of Scientology, 214-216-226 Lincoln Street, Boston, V18-393

JD voted to go into judicial quasi session. JH seconded, passed unanimously.

JD motioned to deny. The petitioner has not proved excessive cost without benefit. Esthetics is not a valid reason. PM seconded, passed unanimously.

DJ motioned to go back to regular session. RG seconded, passed unanimously.

Revisit tabled discussion

35. Central Building Childcare Center, 332 Main Street, Worcester, V19-060

Continued for a cost estimate for a two stop LULA.

Triggered full compliance in the tenancy.

RG motioned to deny. JD seconded, passed unanimously.

36. Brookline High School, Tappan Gym, Evelyn Kirrane Aquatics, 66 Tappan Street, Brookline, V19-075

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Accessible seating pool bleacher area. Bleachers are concrete. Proposing to create seating at different locations. Conditionally supported by Brookline commission.

JD motioned to grant on the commission of disabilities conditions.

RG seconded, passed unanimously.

37. Triton Regional School, 112 Elm Street, Byfield, V19-096

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Continued for more information on scoreboard controls.

JD motioned to Deny. RG seconded, passed unanimously.

38. Roosevelt Towers Apartments, 14 Roosevelt Towers, Cambridge, V19-110

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Received a letter from commission saying the variance are appropriate.

1. RG motioned to gran upholding the 1980's decisions. JD seconded, passed unanimously.

2. stair handrails relief to keep in current condition. How do you get into the courtyard from outside the building.

JD motioned to schedule a hearing. JH seconded, passed unanimously.

May 20, 2019

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

39. Advisory

Handrail Jensen Hughes

Is the handrail continuously grippable?

JD motioned to reconsider. PM seconded

JD motioned that this particular style and for the grip portion on these stairs only, that this handrail complies with 521 CMR. JH seconded, passed unanimously.

40. Traffic signal buttons

21.10.4 forward and side reach.

Does reach over obstruction rules apply?

JD motioned to table for next meeting. DG seconded, passed unanimously.

Matters not reasonably anticipated 48 hours in advance of meeting.

Adjourn 5:00 p.m.

Exhibits

Sociedad Latina, 1530 Tremont Street, Roxbury, V19-112

Exhibit – Variance Application and associated documents

King James Courts Apartments, Pinecrest Apartments, 383 East River St, Orange, V19-113

Exhibit – Variance Application and associated documents

Shaker Lane School, 35 Shaker Lane, Littleton, V19-114

Exhibit – Variance Application and associated documents

Commercial Building, 18 Main Street, Concord, V19-115

Exhibit – Variance Application and associated documents

Headstart Aldrich School, 295 Harrison Street, Fall River, V19-116

Exhibit – Variance Application and associated documents

Restaurant Fitout, 126 Water Street, Worcester, V19-117

Exhibit – Variance Application and associated documents

Residential Building, 9 Dana Street, Cambridge, V19-118

Exhibit – Variance Application and associated documents

Wood Frame Structure, 548 Dalton Avenue, Pittsfield, V19-119

Exhibit – Variance Application and associated documents

MIT Delta Tau Delta House, 416 Beacon Street, Boston, V19-120

Exhibit – Variance Application and associated documents

May 20, 2019

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

Rock and Roll Daycare, 190 Concord Avenue, Cambridge, V19-121
Exhibit – Variance Application and associated documents

The Taylor School, 8 Hill Road, Boxborough, V19-122
Exhibit – Variance Application and associated documents

Notre Dame Church, 446 Main Street, Southbridge, V19-123
Exhibit – Variance Application and associated documents

Garden Garage, 35 Lomasney Way, Boston, V19-124
Exhibit – Variance Application and associated documents

Mary Celeste, 149-151- Front Street, Marion, V19-125
Exhibit – Variance Application and associated documents

Newton Highlands Congregational Church, 54 Lincoln Street, Newton Highlands, V19-127
Exhibit – Variance Application and associated documents

Residential Complex, 95 St. Alphonsus Street, Boston, V19-128
Exhibit – Variance Application and associated documents

Howard Thurman Center 808 Commonwealth Ave., Brookline, V19-129
Exhibit – Variance Application and associated documents

7 Ink By Ollie, 217 Albany Street, Boston, V19-130
Exhibit – Variance Application and associated documents

Four Story Residential, 95-99 Elmwood Street, Cambridge, V19-131
Exhibit – Variance Application and associated documents

Halstead Danvers, Bradlee Danvers, 1000 & 2000 Kirkbride, Dr., Danvers, C15-139
Exhibit – Variance Application and associated documents, report

Savage Field, 36 Vale Street, Clinton, V17-295
Exhibit – Variance Application and associated documents, update

500 Boylston 222 Berkeley, 500 Boylston 222 Berkeley, Boston, V18-061
Exhibit – Variance Application and associated documents

Residential Apartment Building, 75 Concord Street, Framingham, V18-072
Exhibit – Variance Application and associated documents

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

May 20, 2019

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

Exhibit – Variance Application and associated documents

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

Exhibit – Variance Application and associated documents, update

Forest Street Apartments, 16-19 Forest Street, Cambridge, V18-327

Exhibit – Variance Application and associated documents

Community Living Center, Chelsea soldier's Home, 100 Summit Ave., Chelsea, V18-342

Exhibit – Variance Application and associated documents, amendment

Three Story Building, 182 West Main Street, Marlborough, V18-385

Exhibit – Variance Application and associated documents

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

Exhibit – Variance Application and associated documents, accommodation policy

Philip Anthony House, 14 S. 6th Street, New Bedford, V19-019

Exhibit – Variance Application and associated documents

The Central Building Childcare Center, 332 Main Street, Worcester, V19-060

Exhibit – Variance Application and associated documents, cost estimates

Commercial Office Purpose, 619 South Street, Fitchburg, V19-063

Exhibit – Variance Application and associated documents, information on tenants and slope

Brookline High School, Tappan Gym, Evelyn Kirrane Aquatics, 66 Tappan Street, Brookline, V19-075

Exhibit – Variance Application and associated documents

Triton Regional School, 112 Elm Street, Byfield, V19-096

Exhibit – Variance Application and associated documents

Roosevelt Towers Apartments, 14 Roosevelt Towers, Cambridge, V19-110

Exhibit – Variance Application and associated documents

Waltham Fire Department, 533 Moody Street, Waltham
Affidavit

Handrail Newel Posts, Jensen Hughes, A19-016

Advisory Opinion

Traffic signal pedestrian controls, Vanasse Hangen Brustlin

Advisory Opinion

May 20, 2019

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

Church of Scientology, 214-216-226 Lincoln Street, Boston, V18-393

Exhibit #1 Hearing Package AAB 1- 52

Exhibit #2 Clarification of pictures and floor and ramp plans

Exhibit #3 Anticipated construction costs

James Otis Elementary School, 218 Marion St., East Boston, V19-043

Exhibit #1 Hearing Package AAB1-28

Somerville Museum, 1 Westwood Road, Somerville, V15-194 - Variance Hearing

Exhibit #1 Hearing Package AAB 1 – 56

Exhibit #2 – Plans of proposed elevator addition