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CONSUMER AFFAIRS AND
BUSINESS REGULATION

DIANE M. SYMONDS
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

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

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

Board Meeting Minutes – October 7, 2019 9:00 a.m. – 5:00 p.m.
One Ashburton Place, 21st Floor, Conference Room 3, Boston

Board Members Present:

- Jane Hardin (JH)
- Jeffrey Dougan (JD)
- Raymond Glazier (RG)
- Dawn Guarriello (DG)
- Patricia Mendez, (PM)
- Harold Rhodes (HR)

Also in Attendance:

- Bruce Hopper, Chief Legal Counsel, DPL (BH)
- William Joyce, Compliance Officer, AAB (WJ)

Board Members not in Attendance:

- Walter White (WW)
- Andy Bedar (AB)
- David Johnson (DJ)

JH- JD, DG, PM, HR

The Chair opened the meeting.

1. Incoming Bobby Connors Playground, 20 Sunnyside Street, Waltham, V19-256
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

PM motion to grant, DG 2nded
Passed unanimously.

2. Incoming John Holyoke Nichols Building, 365 East Street, Tewksbury, V19-257
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

HR motion to grant, JD 2nded
Passed unanimously

3. Incoming Boston College Schiller Institute, 245 Beacon Street, Chestnut Hill, V19-258
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

JD motion to grant, dg 2nded
Passed unanimously

4. Incoming Six Stories, 57 Quincy Shore Drive, Quincy, V19-260
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

JD motion to grant on outlets and sink depths usual conditions PM 2nded
Passed unanimously

Grab bars

JD motion to continue for a test drawing of the grab bars when installed. DG 2nded
Passed unanimously.

5. Incoming Curb Cuts, 42 Bridge Street, Great Barrington, V19-261
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

JD motion for a hearing PM 2nded
Passed unanimously

6. Incoming Memoire Night Club, One Horizon Way, Everett, V19-263
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

JD motion for a hearing, HR 2nded
Passed unanimously.

7. Incoming Boston University College of Fine Arts, 855 Commonwealth Avenue, Boston, V19-265
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

HR motion for a hearing, JD 2nded
Passed unanimously

8. Incoming Washburn House at Smith College, 4 Seelye Drive, Northampton, V19-267
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

JD motion for a hearing, PM 2nded
Passed unanimously

9. Discussion The Summit House, Joseph Skinner State Park, Hadley, V11-081

Exhibit – 9/4/19 Amended Application for Variance and associated documents.
Mr. Joyce presented the Amended Variance Application and associated documents.

JD motion to grant on the condition that video is submitted to the Board for its approval.
DG 2nded
Passed unanimously.

10. Discussion Maitland Street at Beacon, Yawkey Way Extension and Brookline, Boston,
a/k/a Fenway Center 1-2, 771 and 775 Beacon Street, Boston, V12-131
Exhibit – 9/16/19 Amended Application for Variance and associated documents
Mr. Joyce presented the amended application and associated documents.

JD motion to grant as proposed, DG 2nded
Passed unanimously.

11. Discussion Howard Thurman Center, 808 Commonwealth Avenue, Brookline, V19-129
Exhibit – 9/16/19 Amended Application for Variance and associated documents.
Mr. Joyce presented the amended application and associated documents.

Jd moved to accept proposed nosing plan. DG 2nded
Passed unanimously

JD motion to grant on handrails as proposed, PM 2nded
Passed unanimously

12. Discussion Houghton Library, 29 Harvard Yard, Cambridge, V19-243
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

JD motion for a hearing, pm 2nded
Passed unanimously

13. Advisory Waltham Fields Community Farm, 240 Beaver Street, Waltham
Access Trax product
Exhibit - Request for Advisory Opinion
Mr. Joyce presented the request for an advisory opinion and associated documents

DG moves to find that a variance would be required, JD 2nded
Passed unanimously

14. Discussion Westford Public Schools, 23 Depot Street, Westford
Playground surface, 521 CMR 19.7

RG Arrived

15. Advisory Would an adjustable height, rolling kitchen cart with butcher board be an
acceptable design modification for the retractable bread board in 521 CMR 45.6.4?
The Architectural Team, 50 Commandant's Way at Admiral's Hill, Chelsea
Exhibit - Request for Advisory Opinion
Mr. Joyce presented the request for an advisory opinion and associated documents

*JD moves that variance would be required, PM 2nded
Passed unanimously.*

16. Advisory Do the attached post to the railings allow for a continuous gripable surface without interruption?

Chris Adcock Architecture, Inc., 133 Worcester Street, Unit 1, North Grafton

Exhibit - Request for Advisory Opinion

Mr. Joyce presented the request for an advisory opinion and associated documents

*HR motion to find that the railing would comply, JD 2nded.
Passed unanimously*

17. Advisory Can a remote control be used to satisfy the zone of reach requirements for a washing machine in group 1 units?

Buddy Lamplough, Building Inspector, City of Newton

Exhibit - Request for Advisory Opinion

Mr. Joyce presented the request for an advisory opinion and associated documents

*JD motion to find that so long as the remote fully complies with 39, the provision of a remote would satisfy the control requirement in 9.5.5. DG 2nded
Passed unanimously*

18. Advisory Travel distance from accessible parking spaces to accessible entrances.

Nault Architects, 71 Hope Ave., Worcester

Exhibit - Request for Advisory Opinion

Mr. Joyce presented the request for an advisory opinion and associated documents

*JD motion to find that the 100' starts at the base of the walk, ramp, or lift providing vertical access to the entrance platform DG 2nded (see definition of Entrance in 5)
Passed unanimously*

19. Discussion Rosewood Restaurant, 455 Hartford Avenue, Bellingham, C14-120

Exhibit – Petitioner’s 9/23/19 Extension Request & 9/30/19 Update

Mr. Joyce presented the additional submission and associated documents.

*RG moves to grant 30 days, PM 2nded
Passed unanimously.*

20. Discussion Easton Housing Authority, 71 Parker Terrace, North Easton, C19-036

Exhibit – 4/29/19 Complaint and associated documents.

Mr. Joyce requested the Board’s guidance on how they would like him to proceed in this case.

*RG moves to find that this constitute a violation of 3.3.4, PM 2nded
Passed w/ JD abstaining.*

DG left

21. Incoming Fox Hill Village, 10 Longwood Avenue, Westwood, V19-264

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

*HR moves for a hearing, JD 2nded
Passed unanimously*

22. Incoming Handrails, 107 First Street, Cambridge, V19-259
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

*JD moves to continue for more info on accessible seating & the use of the platform area.
PM 2nded. Passed unanimously.*

DG returned

23. Discussion Greenfield Garden Cinema, 361 Main Street, Greenfield, V12-089
Exhibit – 9/30/19 Letter from Petitioner
Mr. Joyce presented the additional submission and associated documents.

24. Discussion Three Story Brick Mill Building, 6 Brussels Street, Worcester, V16-363
Exhibit –
Mr. Joyce presented the additional submission and associated documents.

*HR moves to grant on condition of w/ 6 months status reports, PM 2nded
Passed unanimously.*

25. Discussion French Cultural Center, 53 Marlborough Street, Boston, V17-217
Exhibit – 9/26/19 Weather Protection Feasibility Study
Mr. Joyce presented the additional submission and associated documents.

*JD moves to request a meeting between the a rep of the Board and staff and a BBAC. RG
2nded
Passed unanimously.*

26. Hearing Newcastle/Saranac, 599 Columbus Ave, Boston, V19-185
Exhibit – Board Packet AAB 1-14
Stephen Caswell, The Architectural Team(SC)
Albert Rudgier The Schochet Companies (AR)
Anglea Gile, The Schochet Companies (AG)
Riaham Henken, The Schochet Companies (RH)

JH – Introduced the Board.

- All parties sworn in.
- EXHIBIT 2 – Narrative & Pictures
- AR – Operated as a residential bldg.
- Transferred to a non-profit, being recapitalized
- Seeking to preserve it as affordable housing
- EXHIBIT 3 – Photos of Complex

Colloquy about whether FCDC is meeting their count portfolio wide.

AG – We're 3 over count.

RH- Owner of Symphony has agreed.

William Joyce, AAB Compliance Officer (WJ) is sworn in,

Colloquy on status of units and number of accessible units provided in FCDC's portfolio

HR moves to grant relief on the condition that 1) referrals to accessible units are provided, 2) 2 accessible units are provided by the Petitioner at their earliest convenience, and 3) semi-annual status reports will be provided with the 1st report will be provided 7/1/20. RG 2nded.
Passed unanimously.

The Board maintains an audio recording of the Hearing. The Board decision dated October 25, 2019, memorializes the Hearing.

Board Broke for Lunch
DG Left for the day.

27. Hearing Blackington Building, 572 Main Street, Sturbridge V14-007
Exhibit – Board Packet AAB 1-122

Kevin MacConnel, Blueleighton LLC (KM)
Kevin Rothchild-Shea, Architecture EL (KR)
Naisia Thomas, Architecture EL (NT)

JH – Introduced the Board.
- All parties sworn in.

HR motions to order the Petitioner provide proof of compliance on the walkways & ramps, including but not limited to, walkway widths, sidewalk clear space, and curb cuts to be provided within 90 days receipt of the decision. RD 2nded.
Passed unanimously.

The Board maintains an audio recording of the Hearing. The Board decision dated October 25, 2019, memorializes the Hearing.

28. Hearing Alumni Hall Dining Facility, 1 Lamplighter Way, Mount Herman V19-192
Exhibit – Board Packet AAB 1-28

Tom Chalmers, Austin Design (TC)
Rich Couture, Northfield Mount Herman School (RC)

JH – Introduced the Board.
- All parties sworn in.

#4

JD motion to continue for more info on the swing of the non-accessible stall doors, RG 2nded.
Passed unanimously.

#3

JD moves to deny, HR 2nded
Passed unanimously.

The Board maintains an audio recording of the Hearing. The Board decision dated October 25, 2019, memorializes the Hearing.

29. Discussion Dental Office, 106 Broadway, Revere, V19-239
Exhibit – Petitioner’s 9/12/19 Letter & Plans
Mr. Joyce presented the additional submission and associated documents.

*JD motion to table to the hearing, HR 2nded.
Passed unanimously*

30. Discussion Five Story Mixed-use, 52 Temple Place, Boston, V18-183
Exhibit – Petitioner’s 9/18/19 Status Report
Mr. Joyce presented the additional submission and associated documents.

*Pm moved to accept, JD 2nded
Passed unanimously*

31. Discussion 500 Ocean Avenue, 500 Ocean Avenue, Revere, V19-012
Exhibit – 8/27/19 Amended Request for Variance
Mr. Joyce presented the additional submission and associated documents.

*HR moved to grant, JD 2nded.
Passed unanimously.*

32. Discussion Andover Hall, 45 Francis Avenue, Cambridge, V19-056
Exhibit – Petitioner’s 9/18/19 Letter
Mr. Joyce presented the additional submission and associated documents.

*JD moved to accept, HR 2nded,
Passed unanimously.*

33. Discussion First Baptist Church of New Bedford, 149 William Street, New Bedford, V19-183
Exhibit – Petitioner’s 9/27/19 Letter and associated documents.
Mr. Joyce presented the additional submission and associated documents.

*HR moved to packet, JD 2nded
Passed unanimously.*

34. Discussion Three Family Building, 71-73 Ellington Street, Dorchester, V19-111
Exhibit – Petitioner’s 9/13/19 Letter, Plans and associated documents
Mr. Joyce presented the additional submission and associated documents.

*JD moves to grant on the condition that 1) language is included in the lease specifying the lift can be installed, 2) info is included on website and in ads, 3) money for 1 lift is put in escrow. HR 2nded.
Passed unanimously.*

35. Discussion Block P, 400 Summer Street, Boston, V19-150

Exhibit – Petitioner’s 9/17/19 Letter

Mr. Joyce presented the additional submission and associated documents.

Tabled

36. Discussion Grafton Public Library, 35 Grafton Common, Grafton, V19-215

Exhibit – Petitioner’s 9/24/19 Letter & Plans

Mr. Joyce presented the additional submission and associated documents.

JD moved to find that no variance is required.

37. Discussion Beer Hall, 190 North Beacon Street, Boston, V19-244

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

JD moves to grant relief to 24.3, RG 2nded.

Passed unanimously.

JD moves to continue 25.1 for info on feasibility study for raising sidewalk & feasibility study on alternative ramp designs. PM 2nded.

Passed unanimously.

38. Discussion 386 Squire Road, Revere

Exhibit – Affidavit & Color Coded Floor Plans

Accept

39. Discussion Minutes – August 12, 2019

Exhibit – Draft Minutes of 8/12/19 Meeting

JD motion to table, HR 2nded.

Passed unanimously

40. Discussion Minutes – August 23, 2019

Exhibit – Draft Minutes of 8/23/19 Meeting

HR motion to accept

JD motion to table, HR 2nded

Passed unanimously

EXHIBITS:

- Bobby Connors Playground, 20 Sunnyside Street, Waltham, V19-256
 - Variance Application and associated documents
- John Holyoke Nichols Building, 365 East Street, Tewksbury, V19-257

- Variance Application and associated documents
- Boston College Schiller Institute, 245 Beacon Street, Chestnut Hill, V19-258
 - Variance Application and associated documents
- Handrails, 107 First Street, Cambridge, V19-259
 - Variance Application and associated documents
- Six Stories, 57 Quincy Shore Drive, Quincy, V19-260
 - Variance Application and associated documents
- Curb Cuts, 42 Bridge Street, Great Barrington, V19-261
 - Variance Application and associated documents
- Memoire Night Club, One Horizon Way, Everett, V19-263
 - Variance Application and associated documents
- Fox Hill Village, 10 Longwood Avenue, Westwood, V19-264
 - Variance Application and associated documents
- Boston University College of Fine Arts, 855 Commonwealth Avenue, Boston, V19-265
 - Variance Application and associated documents
- Washburn House at Smith College, 4 Seelye Drive, Northampton, V19-267
 - Variance Application and associated documents
- The Summit House, Joseph Skinner State Park, Hadley, V11-081
 - 9/4/19 Amended Application for Variance and associated documents.
- Maitland Street at Beacon, Yawkey Way Extension and Brookline, Boston, a/k/a Fenway Center 1-2, 771 and 775 Beacon Street, Boston, V12-131
 - 9/16/19 Amended Application for Variance and associated documents
- Howard Thurman Center, 808 Commonwealth Avenue, Brookline, V19-129
 - 9/16/19 Amended Application for Variance and associated documents.
- Houghton Library, 29 Harvard Yard, Cambridge, V19-243
 - Variance Application and associated documents
- Waltham Fields Community Farm, 240 Beaver Street, Waltham
 - Request for Advisory Opinion
- Westford Public Schools, 23 Depot Street, Westford
 - Letter and Photographs
- Would an adjustable height, rolling kitchen cart with butcher board be an acceptable design modification for the retractable bread board in 521 CMR 45.6.4? The Architectural Team, 50 Commandant's Way at Admiral's Hill, Chelsea
 - Request for Advisory Opinion
- Do the attached post to the railings allow for a continuous gripable surface without interruption? Chris Adcock Architecture, Inc., 133 Worcester Street, Unit 1, North Grafton
 - Request for Advisory Opinion
- Can a remote control be used to satisfy the zone of reach requirements for a washing machine in group 1 units? Buddy Lamplough, Building Inspector, City of Newton
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 - Petitioner's 9/23/19 Extension Request & 9/30/19 Update
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 - 4/29/19 Complaint and associated documents.
- Greenfield Garden Cinema, 361 Main Street, Greenfield, V12-089

- 9/30/19 Letter from Petitioner
- Three Story Brick Mill Building, 6 Brussels Street, Worcester, V16-363
 - Exhibit –
- French Cultural Center, 53 Marlborough Street, Boston, V17-217
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- Five Story Mixed-use, 52 Temple Place, Boston, V18-183
 - Petitioner's 9/18/19 Status Report
- 500 Ocean Avenue, 500 Ocean Avenue, Revere, V19-012
 - 8/27/19 Amended Request for Variance
- Andover Hall, 45 Francis Avenue, Cambridge, V19-056
 - Petitioner's 9/18/19 Letter
- First Baptist Church of New Bedford, 149 William Street, New Bedford, V19-066
 - Petitioner's 9/27/19 Letter and associated documents.
- Three Family Building, 71-73 Ellington Street, Dorchester, V19-111
 - Petitioner's 9/13/19 Letter, Plans and associated documents
- Block P, 400 Summer Street, Boston, V19-150
 - Petitioner's 9/17/19 Letter
- Grafton Public Library, 35 Grafton Common, Grafton, V19-215
 - Petitioner's 9/24/19 Letter & Plans
- Dental Office, 106 Broadway, Revere, V19-239
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- Beer Hall, 190 North Beacon Street, Boston, V19-244
 - Variance Application and associated documents
- Minutes – August 12, 2019
 - Draft Minutes of 8/12/19 Meeting
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 - Draft Minutes of 8/23/19 Meeting
- Minutes – September 9, 2019
 - Draft Minutes of 9/9/19 Meeting
- 386 Squire Road, Revere
 - Affidavit & Color Coded Floor Plans
- Newcastle/Saranac, 599 Columbus Ave, Boston, V19-185
 - Board Packet AAB 1-14
- Blackington Building, 572 Main Street, Sturbridge V14-007
 - Board Packet AAB 1-122
 - Documents & Site Photos
- Alumni Hall Dining Facility, 1 Lamplighter Way, Mount Herman V19-192
 - Board Packet AAB 1-28