



The Commonwealth of Massachusetts  
 Department of Public Safety  
 Architectural Access Board

One Ashburton Place, Room 1310  
 Boston Massachusetts 02108-1618

Phone: 617-727-0660

Fax: 617-727-0665

www.mass.gov/dps

Docket Number

(Office Use Only)

**APPLICATION FOR VARIANCE**  
**Curb cuts/sidewalks**

In accordance with M.G.L., Chapter 22, Section 13A, I hereby apply for modification of or substitution for the rules and regulations of the Architectural Access Board as they apply to the location(s) described below on the grounds that literal compliance with the Board's regulations is impracticable in my case.

**PLEASE ENCLOSE:**

- 1) A filing fee of \$50.00 (Check/Money Order) made payable to the "Commonwealth of Massachusetts" and all supporting documentation (e.g. plans in 11" x 17" format, photographs, etc.). In addition, the complete package (including plans, photographs and the completed "Service Notice") must be submitted to all parties via compact disc.
- 2) The completed "Service Notice" form provided at the end of this application certifying that a copy of your *complete application* has been received by the Local Building Inspector, Local Disability Commission (if applicable), and Local Independent Living Center for the city/town that the property in question resides in. A list of the local entities can be found by calling the Architectural Access Board Office or the Local City/Town Clerk. For a list of the Local Independent Living Centers you can either call the Architectural Access Board Office or visit the Massachusetts Statewide Independent Living Council website at

1. State the name and address of the owner of the project:

PATRIOT SQUARE CONDOMINIUM TRUST  
BOX 2350, 69 GREAT ROAD, ACTON, MA 01720  
 E-mail: ACTONMGT@VERIZON.NET  
 Telephone: 978 263-2989 X2

2. State the exact location of the area in question (e.g. Northwest corner of Main St. and Broadway) (use additional sheets if necessary):

179 GREAT ROAD, ACTON, MA 01720, NORTH side of  
GREAT ROAD (ROUTE 2A)

3. Describe the project (e.g. complete reconstruction of Rt. 20 from Main St. to Broadway):  
REPLACEMENT OF 30 YEAR OLD SIDEWALK AT 129 GREAT ROAD, ACTON, MA

4. Check the work performed or to be performed:  
 New Construction  Reconstruction/Alteration  Repair

5. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):  
REPLACEMENT OF SIDEWALK.

6. State each section of the Architectural Access Board's Regulations for which a variance is being requested:

6a. Check appropriate regulations:  
 1996 Regulations  2002 Regulations  2006 Regulations

SECTION NUMBER	LOCATION OR DESCRIPTION
<u>23</u>	
<u>24</u>	

7. For each variance requested, state in detail the reasons why compliance with the Board's regulations is impracticable (use additional sheets if necessary), including but not limited to: the necessary cost of the work required to achieve compliance with the regulations (i.e. written cost estimates); and plans justifying the cost of compliance.

WE ARE ADDING TWO NEW RAMPS AS SHOWN ON PLANS. THE DISTANCE BETWEEN THE FRONT SIDEWALK AND THE PARKING LOT MAKES A COMPLYING RAMP INADVISABLE. PLEASE SEE ATTACHED LETTER

8. Has the project been out bid? Yes  
Has the contract been awarded? YES  
8a. If the contract has been awarded, what date was it awarded?  
8b. Has the project been completed?  
NO  
8c. If work has been completed, state the date work began:  
Completion date: \_\_\_\_\_

9. State the estimated cost of the total project: \$60,000.00

10. Has any other work been performed at this location within the past 36 months? OFFICE INTERIORS

11. Is this project funded by the Massachusetts Department of Transportation? NO

12. Has the project been accepted by the City or Town? NA  
 If yes, state the date that the project was accepted: \_\_\_\_\_
13. To the best of your knowledge, has a complaint ever been filed on this project relative to accessibility? \_\_\_\_\_ yes  no

14. State the name and address of the architectural or engineering firm including the name of the individual architect or engineer responsible for preparing drawings of the project:  
REPLACEMENT ONLY, NO DRAWINGS DONE.  
 \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Telephone: \_\_\_\_\_

15. State the name and address of the local or state building official responsible for overseeing this project:  
FRANK RAMSBOTTOM, Building Commissioner  
472 MAIN ST, ACTON, MA 01720  
 E-mail: FRANRBOTTOM@ACTON-MA.GOV  
 Telephone: 978 264-9632

Date: 7/30, 2013

Stephen P. Steinberg  
 Signature of owner or authorized agent

**PLEASE PRINT:**

STEPHEN P. STEINBERG  
 Name

Box 2350  
 Address

ACTON MA 01720  
 City/Town State Zip Code

ACTONMGT@VERIZON.NET  
 E-mail

978 263 2989 X2  
 Telephone

**ARCHITECTURAL ACCESS BOARD VARIANCE APPLICATION  
SERVICE NOTICE**

I, STEPHEN P. STEINBERG, as MANAGER

for the Petitioner PATRIOT SQUARE CONDOMINIUM TRUST submit a  
variance application filed with the Massachusetts Architectural Access Board on \_\_\_\_\_  
2013.

HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR  
CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING  
PERSON(S) IN THE FOLLOWING MANNER:

	<u>NAME AND ADDRESS OF PERSON OR AGENCY SERVED</u>	<u>METHOD OF SERVICE</u>	<u>DATE OF SERVICE</u>
1	FRANK RAMSBOTTOM ACTON BUILDING COMMISSIONER 472 MAIN ST. ACTON, MA 01720	Delivered by HAND	
2	ACTON COMMISSION ON DISABILITIES 472 MAIN ST, ACTON, MA 01720	" "	
3	Bill Herming, Exec. DIR. LI INDEPENDENT LIVING CTR 60 TEMPLE PLACE, STPL BOSTON, MA 02111	Fed X	

AND CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT THE ABOVE  
STATEMENTS TO THE BEST OF MY KNOWLEDGE ARE TRUE AND ACCURATE.

Stephen P. Steinberg  
Signature: Appellant or Petitioner

On the 30TH Day of JULY 2013  
PERSONALLY APPEARED BEFORE ME THE ABOVE NAMED

STEPHEN P. STEINBERG  
(Type or Print the Name of the Appellant)

Susan A. Williams  
NOTARY PUBLIC



## **Patriot Square Condominium Trust**

**P.O. Box 2350  
69 Great Road  
Acton, MA 01720**

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**(978) 263-2989  
FAX (978) 263-0403  
actonmgt@verizon.net**

July 30, 2013

Architectural Access Board  
One Ashburton Place, Room 1310  
Boston, MA 02108-1618

Boston, MA

Re: Request for Variance at Patriot Square, 179 Great Road, Acton, MA 01720

Dear Members of the Board:

This building is an office building of about 30,000 square feet of floor space, constructed approximately thirty-five years ago.

### **Existing Conditions.**

The existing conditions include a single accessible access point on the western side of the building, marked on the enclosed Plan as "Existing Accessible Point."

Across from the Existing Accessible Point described above are the original accessible parking spaces, marked on the enclosed Plan as "Existing Accessible Spaces," and photographed in Picture # 1.

### **Current Work.**

The sidewalks serving the building are constructed of pavers, which have decomposed and are being replaced with poured concrete sidewalks.

We have improved the accessibility of the building in three ways as part of this construction.

1. We have added a complying ramp at the western side, marked on the Plan as "New Ramp #1," and photographed in Picture # 2.

2. We have added a second complying ramp at the eastern side, marked on the Plan as “New Ramp #2,” and photographed in Picture # 3

3. We have demolished the barrier between the Existing Accessible Spaces and the building on the western side in order to shorten the distance between the handicap parking and the building entry. This is marked on the Plan as “Removal of Curbing,” and photographed in Picture # 4.

**Request for Variance.**

The front of the building has two ramps, marked on the Plan as “Non-Complying Ramp #1” and Non-Complying Ramp #2.” These are photographed in Pictures #5 and #6.

They are non-complying because the short distance between the sidewalk and the parking lot curb does not allow for complying slopes.

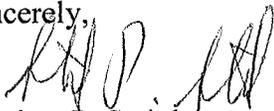
Based on the construction of complying New Ramp #1 and New Ramp #2, we respectfully request that Non-Complying Ramp #1 and Non-Complying Ramp #2 remain unaltered.

**Additional Accessible Spaces.**

We are happy to comply with the location and number of accessible spaces required by the Acton Building Department.

Thank you for your assistance and consideration.

Sincerely,



Stephen P. Steinberg  
Manager of Patriot Square Condominium Trust