

Deval L. Patrick
Governor

Andrea J. Cabral
Secretary

The Commonwealth of Massachusetts
Department of Public Safety

Architectural Access Board
One Ashburton Place, Room 1310
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Phone 617-727-0660

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Thomas G. Gafzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

TO: Local Building Inspector
Local Disability Commission
Independent Living Center

Docket Number **V 14 080**

FROM: ARCHITECTURAL ACCESS BOARD

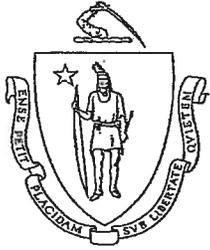
RE: **Spa Use first and Second Floor**
457 Great Road
Acton

Date: **6/5/2014**

Enclosed please find the following material regarding the above location:

- Application for Variance
- Decision of the Board *amended*
- Notice of Hearing *cancellation*
- Correspondence
- Letter of Meeting

The purpose of this memo is to advise you of action taken or to be taken by this Board. If you have any information which may assist the Board in reaching a decision in this case, you may call this office or you may submit comments in writing.



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AMENDED NOTICE OF ACTION

Docket Number **V14 080**

RE:

Spa Use first and Second Floor, 457 Great Road, Acton

Norton S. Remmer (Applicant) on March 20, 2014

1. An application for variance was filed with the Board by Norton S. Remmer (Applicant) on March 20, 2014. The applicant has requested variances from the following sections of the 2006 Rules and Regulations of the Board:

Section: Description:

3.4 Second Floor of existing residential building.

20.1 Accessible route/entrance to second floor (28.1) Petitioner seeks relief from having to provide vertical access to the second floor of the Spa, and states that the services that are offered on the 2nd floor will all be provided on the first floor to meet the needs of persons with disabilities. After consultation with the Acton Disabilities Commission the owners decided to move the hydro therapy tub, originally planned for the 2nd floor, to an accessible location on the first floor.

2. The submittal was reviewed by the Board on Monday, June 2, 2014
3. After reviewing all materials submitted to the Board, the Board voted as follows:

GRANT: the variance to Section 28.1 as proposed in the application submitted, for the reason that impracticability (see definitions of impracticability in Section 5 of 521 CMR) has been proven in this case and on the condition that:

1. the hydro therapy tub is installed on the first floor as proposed.
2. all services that are provided on the 2nd floor are made available to persons with disabilities on the 1st floor.
3. the variance is for this use only.

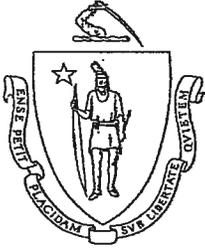
In addition the Board voted that Acton Building Inspector Frank Ramsbottom, can now issue the occupancies for the business as long as there are no other outstanding issues under his jurisdiction. The Board further voted to cancel the hearing that had been previously scheduled for July 14, 2014 at 2:00 P.M.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

NOTE: If the work being performed is reconstruction, renovation, addition, or alteration, compliance with this decision must be achieved by completion of the project and prior to final approval by the building department. Otherwise, if the work being performed is new construction, compliance with this decision must be achieved prior to the issuance of an occupancy permit.

cc: Local Building Inspector
Local Disability Commission
Independent Living Center
Chairperson

Walter White T.H.



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CANCELLED HEARING NOTICE

RE: Spa Use first and Second Floor, 457 Great Road, Acton

You are hereby notified that your informal adjudicatory hearing before the Architectural Access Board has been canceled.

This hearing was to be held on an application for variance filed by Norton S. Remmer on 3/20/2014.

This hearing is being canceled for the following reason:

On June 2, 2014 the Board reached resolution on the variance issues and voted to cancel the hearing.

ARCHITECTURAL ACCESS BOARD

Date: 6/5/2014

Walter White T.H.

Chairperson

cc: Independent Living Center
Local Building Inspector
Local Disability Commission
Board of Selectmen