

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

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

TO: Local Building Inspector
Local Disability Commission
Independent Living Center

Variance Number: 10 027

FROM: ARCHITECTURAL ACCESS BOARD

RE: **Acton Family Dental Care, Inc.**
249 Central Street
Acton

Date: **3/29/2010**

Enclosed please find the following material regarding the above location:

Application for Variance

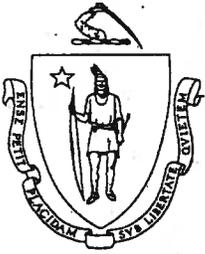
Decision of the Board

Notice of Hearing

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.



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

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

NOTICE OF ACTION

DOCKET #: 10 - 027

RE: Acton Family Dental Care, Inc., 249 Central Street, Acton

1. A request for a variance was filed with the Board by Fan Gao & Yuan Yao (Applicant) on March 3, 2010. The applicant has requested variances from the following sections of the 06 Rules and Regulations of the Board:

Section:	Description:
24.2	The least possible slope should be used for any ramp. The maximum slope of a ramp shall be 1:12 (8.3%).
24.4	Ramps shall have landings for turning and resting. At a minimum, landings shall be located at the bottom and the top of each ramp and each ramp run, and whenever a ramp changes direction: The maximum length of a ramp run between landings shall not exceed 30 feet.
24.4.1	Landings shall be level and unobstructed by projections and door swings. The petitioner reports that the landing at the bottom of the ramp is not level, and has been warped to meet the existing driveway conditions
24.6	The cross slope of ramp surfaces shall be no greater than 1:50 (2%) The petitioner reports that the bottom of the ramp has a non compliant cross slope due to the fact hat it has been warped to meet the existing pavement.

2. The application was heard by the Board as an incoming case on Monday, March 22, 2010

3. After reviewing all materials submitted to the Board, the Board voted as follows:

GRANT: the variances to 521 CMR Sections 24.2, 24.4, 24.4.1, and 24.6 for the reason that impracticability (see definitions of impracticability in Section 5 of 521 CMR) has been proven in this case.

PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.

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.

Date: March 29, 2010

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Donald Lang, F.H.
Chairperson
ARCHITECTURAL ACCESS BOARD