

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: 11 110

FROM: ARCHITECTURAL ACCESS BOARD

RE: **Exchange Hall
2 School Street
Acton**

Date: **9/19/2011**

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.



Exchange Hall

2 School Street
Acton, Massachusetts 01720
978-263-8500
www.exchangehall.com
info@exchangehall.com

September 1, 2011

Tom Hopkins
Architectural Access Board
Ashburton Place
Boston, MA



Re: Exchange Hall

Tom,

Enclosed please find the updated inventory of AAB regulations that are in violation of the code, a request for variances, plans with door numbers, pictures of the various areas that are relevant to these issues, and a letter from my accountant, Clark Taylor, CPA, regarding the sustained loss for Exchange Hall for 2010.

I am emailing the package to you, and sending the original by overnight mail.

Very truly yours,


Glenn Berger
Exchange Hall

B. Clark Taylor
CERTIFIED PUBLIC ACCOUNTANT

321 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776
TELEPHONE (978) 443-4277

August 31, 2011

Mr. Glenn Berger, Manager
Exchange Hall LLC
2 School St.
Acton, Massachusetts 01720

Dear Glenn,

As requested, I have enclosed the compiled Balance Sheet of Exchange Hall LLC as of December 31, 2010 and the related Statement of Operations for the year then ended.

The financial statements include the accounts of Exchange Hall LLC and its predecessor, Bluebird Realty Trust.

Please note that Exchange Hall LLC sustained a loss of \$20,025 for the 2010 year and is showing an accumulated loss of \$153,300.

Very truly yours,



KRAUS**ARCHITECTS**

DESIGN

BUILD

66 CENTRAL ST
SUITE 1
WELLESLEY, MA
0 2 4 8 2
OFF 781.431.7400
FAX 781.431.7411

**ACCESSIBILITY REVIEW
EXCHANGE HALL
2 SCHOOL STREET
ACTON, MA 01720**

August 27, 2011

Applicable Code: 521 CMR Architectural Access Board Rules and Regulations

Prepared by: Charles E. Kraus, AIA, Principal

This report is in response to the request of the Architectural Access Board for a full review and variance request for the entire building. This report is based on visits to the property and drawings provided by the Owner and is, to the best of my knowledge and belief, a true and accurate representation of the conditions as they exist as of the date of this report. For references purposes, the front of the building faces North towards School Street. Please see Attachment A for referenced photos and Attachment B for reference floor plans.

I. Ground Floor (Office)

- A. Entrance/exit at door number 001, leading to an accessible route, does not comply with Section 29.2 LEVEL CHANGES. There is a 1 1/2" drop from the door threshold to the concrete walkway immediately outside of the entrance/exit. To be brought into compliance with 29.2, the walkway immediately outside the entrance shall have a change in level no greater than 1/2", with a 1:2 beveled edge, which requires the walkway to be raised approximately 1" with no more than a 2% slope for a distance of 60" from the face of the building (See Photo No. 1).
- B. Entry door number 001 does not comply with Section 26.00 DOORS AND DOORWAYS. Unit is an original 5'-0" double door unit with manual type flush-bolts and door knobs, and a coordinating original double storm door unit with manual type flush-bolts and door knobs. Neither of the door units comply with Sections 26.4, 26.5 and 26.11. The set of doors does not comply with Section 26.7 (See Photo Nos. 1 & 2).

II. First Floor (Multi-Tenant Offices)

- A. Entrance at door number 107, leading to an accessible route., does not comply with Section 29.2 LEVEL CHANGES. There is a 1 1/4" drop from the door threshold to the floor immediately inside the entrance/exit (See Photo No. 3).

III. Second Floor (Function Rooms and Office)

- A. The Toilet Room at this level does not comply with Section 30.00 PUBLIC TOILET ROOMS. Door number 201 leading into the room has a clear opening of 2'-0", which does not comply with Section 26.00 DOORS AND DOORWAYS. There is a 7" step up once inside the Toilet Room, which does not comply with Section 29.2 LEVEL CHANGES (See Photo No. 4). The toilet room is approx. 3'-0" wide, which does not comply with Section 30.5, which requires a clear floor space of 60" in diameter. Water closet does not comply with Section 30.7 WATER CLOSETS. The sink does not comply with Section 30.9 SINK. There are no grab bars, which does not comply with Section 30.8 GRAB BARS.
- B. Door number 202 leading into the dressing area has a 2'-4" clear opening and does not comply with Section 26.00 DOORS AND DOORWAYS.
- C. The kitchen at this area does not comply with Section 32.00 KITCHENS. The clear space directly in front of the refrigerator is 3'-6", which does not comply with Section 32.1 GENERAL, which requires a clear floor space of 60" in diameter. The sink rim is 36" above the finish floor, which does not comply with Section 32.7.2. Plumbing pipes at sink are not insulated or guarded, which does not comply with Section 32.7.4.
- D. Door number 204 leading into the bridal suite has a clear opening of 2'-6", which does not comply with Section 26.00 DOORS AND DOORWAYS.
- E. Door number 207 has an approximately 1" high threshold, which does not comply with Section 26.10 THRESHOLDS.
- F. Door number 208 has an approximately 3/4" high threshold, which does not comply with Section 26.10 THRESHOLDS. Door swings into the waiting room away from the wall, which creates less than 18" for the pull side clearance, which does not comply with Section 26.6.3.
- G. Due to the difference in new hardwood flooring and original flooring, the floor drops approximately 3/4" at door number 207 from the Victorian room to the back hall, steps up again in the hall between doors numbered 206 and 215 and down again entering the hall in front of the kitchen. This condition does not comply with Section 29.2 LEVEL CHANGES (See Photo No. 5).

IV. Third Floor (Ballroom)

- A. The stage is approximately 2'-8" above the finish floor, which does not comply with Section 14.6 ACCESS TO PERFORMING AREAS. (See Photo No. 6)
- B. The toilet room on the west side of the building does not comply with Section 30.00 PUBLIC TOILET ROOMS. Door number 305 leading into the room has a clear opening of 2'-6 1/4", which does not comply with Section 26.00 DOORS AND DOORWAYS. The water closet is in a stall which is less than 3'-0" wide, which does not comply with Section 30.6 TOILET STALLS (See Photo No. 7). The water closet does not comply with Section 30.7 WATER CLOSETS. The sink does not comply with Section 30.9 SINK (See Photo No. 8). There are no grab bars, which does not comply with Section 30.8 GRAB BARS.
- C. The toilet room in the center of the building does not comply with Section 30.00 PUBLIC TOILET ROOMS. Door number 303 leading into the room has a clear opening of 2'-3 3/4", which does not comply with Section 26.00 DOORS AND

DOORWAYS. The toilet room is approx. 4'-0" wide, which does not comply with Section 30.5, which requires a clear floor space of 60" in diameter. Water closet does not comply with Section 30.7 WATER CLOSETS. The sink does not comply with Section 30.9 SINK. There are no grab bars, which does not comply with Section 30.8 GRAB BARS.

V. Stairs

A. West Stair

- i. Nosings are traditional bullnose with scotia molding below, which do not comply with Section 27.3 NOSINGS, requiring sloped risers or angled nosings with angle no less than 60 degrees from the horizontal.
- ii. Handrails do not comply with Section 27.4 HANDRAILS. Handrail on East side of stair is approximately 2'-8 1/2" above the stair nosings, which does not comply with Section 27.4.2. Handrails on both sides do not extend at the bottom of the stair run as far as space permits, which does not comply with Section 27.4.3 Extensions. Handrail on West side does not extend beyond the top riser, parallel to floor, which does not comply with Section 27.4.3 Extensions. Handrails on both sides have zero clearance from the floor edge and other trim projections, which does not comply with Section 27.4.7 Clearance (See Photo Nos. 9 & 10).

B. East Stair

- i. Nosings are traditional bullnose with scotia molding below, which do not comply with Section 27.3 NOSINGS, requiring sloped risers or angled nosings with angle no less than 60 degrees from the horizontal.
- ii. Handrails do not comply with Section 27.4 HANDRAILS. The outside diameter of handrails on both sides is 2 3/4" in the long direction of the oval, which does not comply with Section 27.4.4 Size. Handrails on both sides have zero clearance from the floor edge and other trim projections, which does not comply with Section 27.4.7 Clearance (See Photo Nos. 11 & 12).

VI. Elevator

- A. The second and third floors of the building are not accessible from grade, therefore an elevator would be required for accessibility at those levels. The building does not have an elevator, which does not comply with Section 28.00 ELEVATORS.

VII. Parking

- A. There are no designated accessible parking spaces on the property, which does not comply with Section 23.00 PARKING AND PASSENGER LOADING ZONES. The regulations require one Van Accessible parking space for each floor at grade level.

Attachment A - Photos

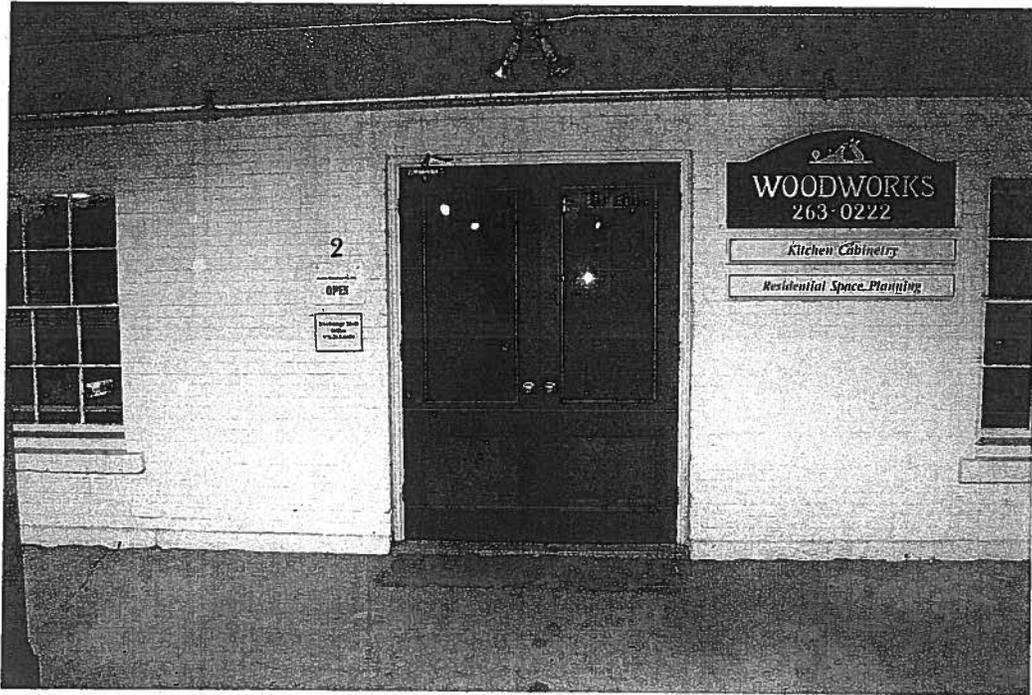


Photo No. 1

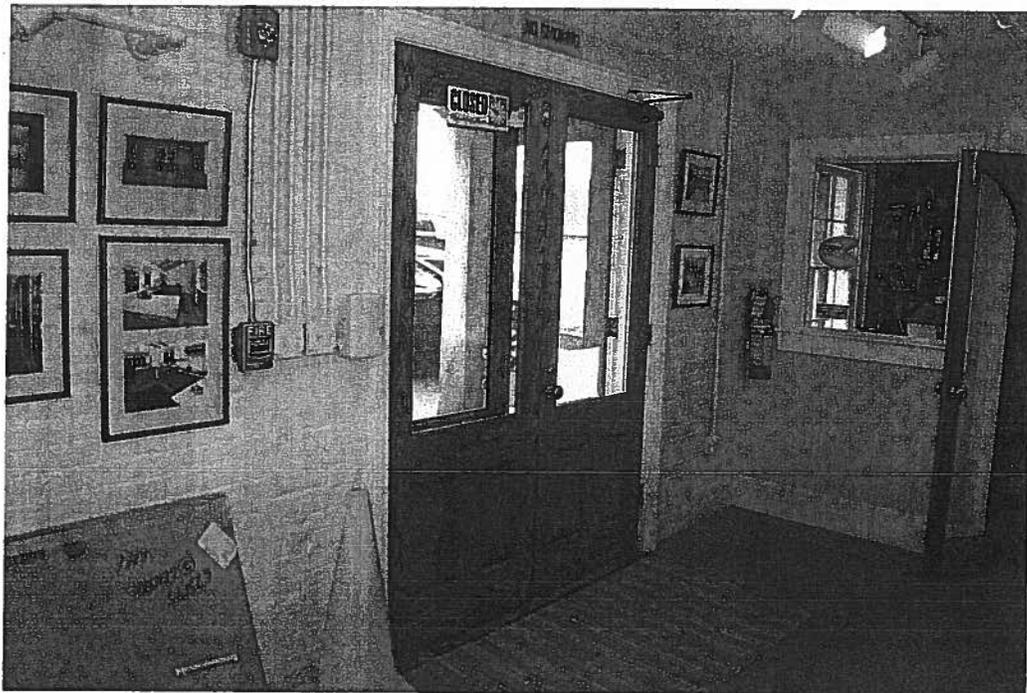


Photo No. 2

Attachment A - Photos

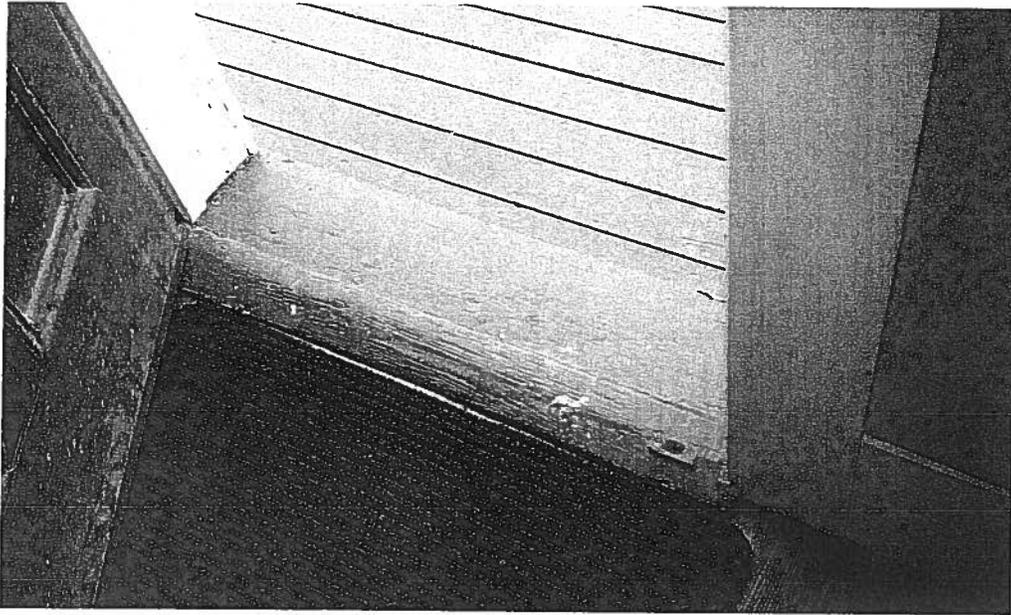


Photo No. 3



Photo No. 4

Attachment A - Photos



Photo No. 5

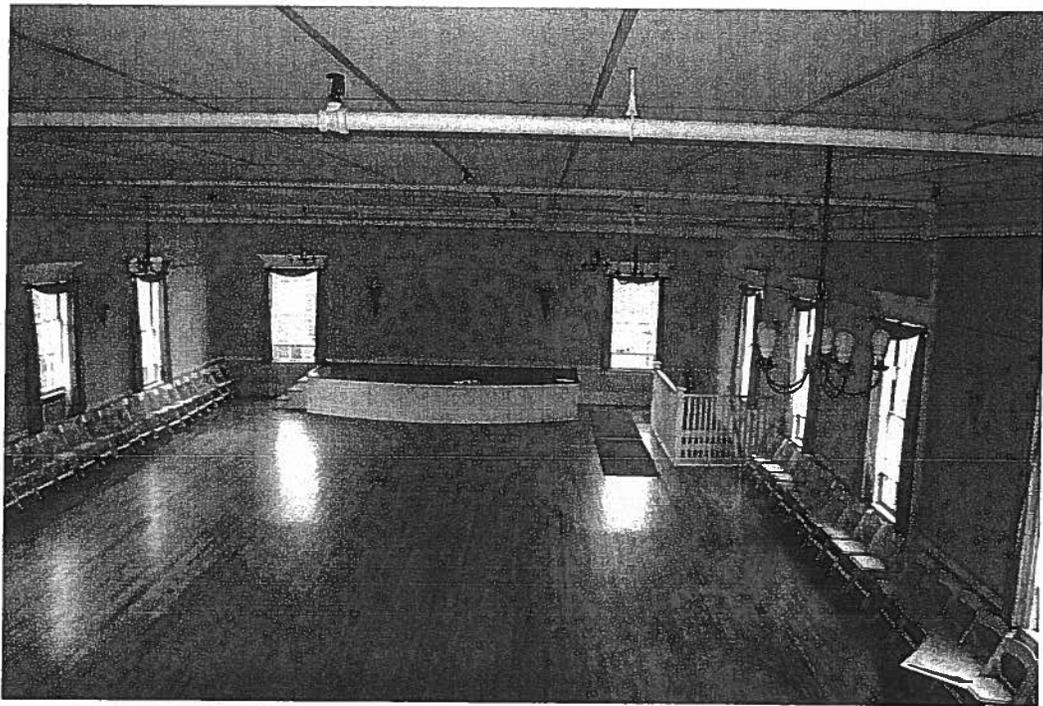


Photo No. 6

Attachment A - Photos

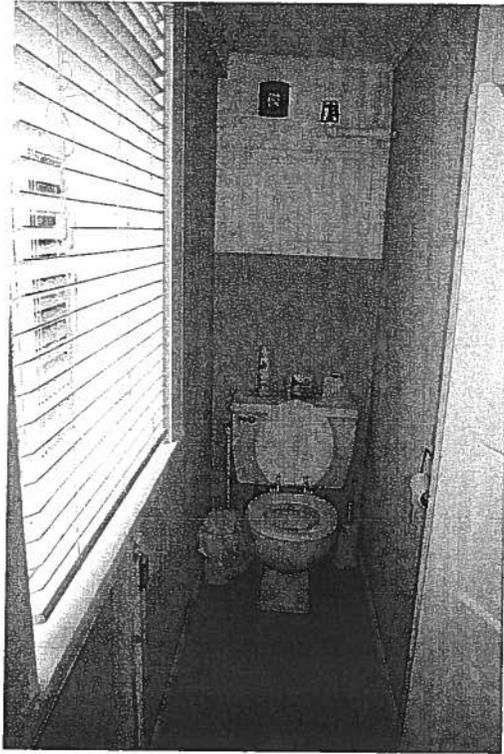


Photo No. 7

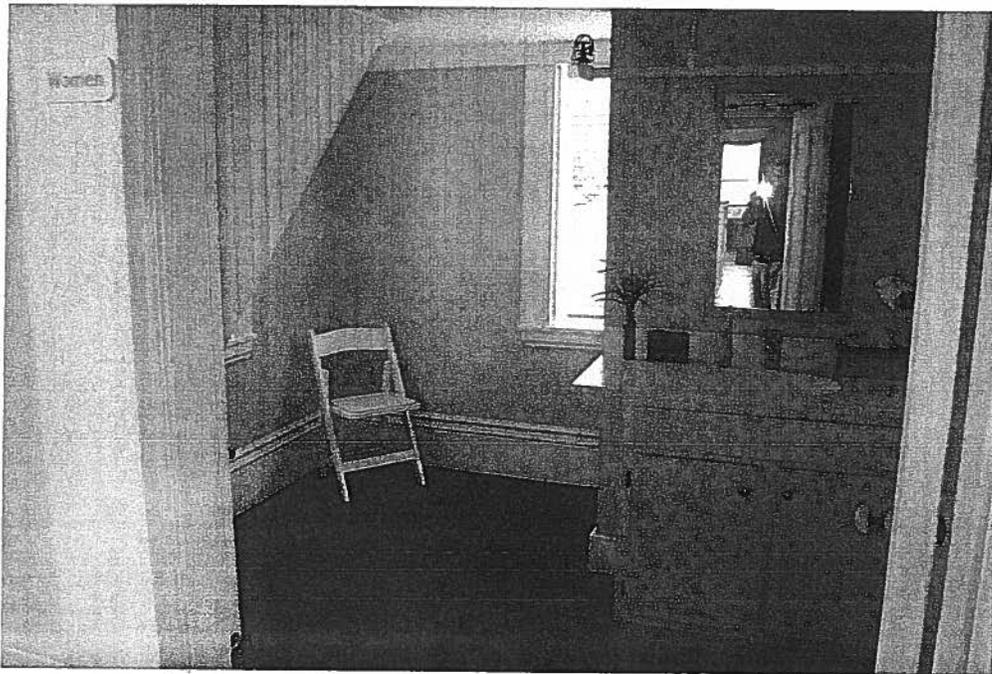


Photo No. 8

Attachment A - Photos

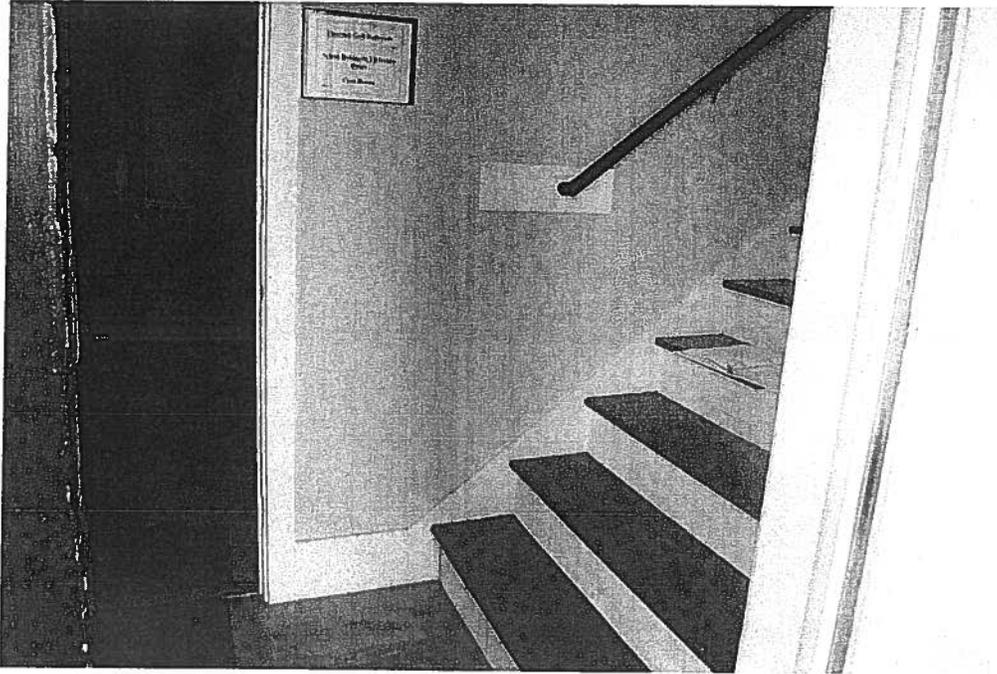


Photo No. 9

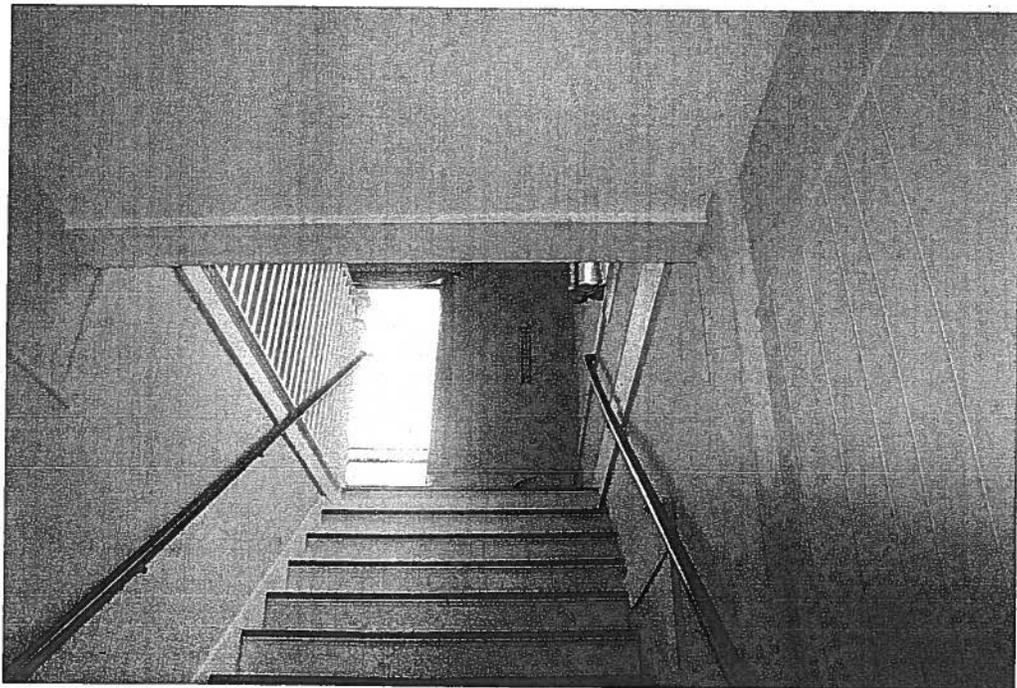


Photo No. 10

Attachment A - Photos



Photo No. 11

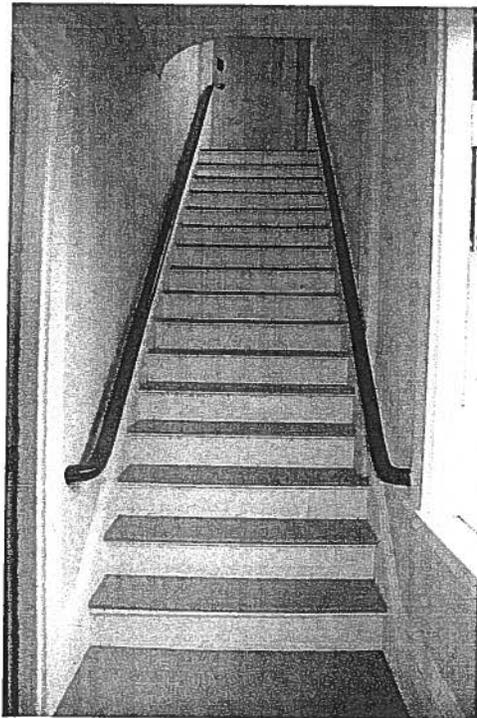


Photo No. 12

Attachment A - Photos

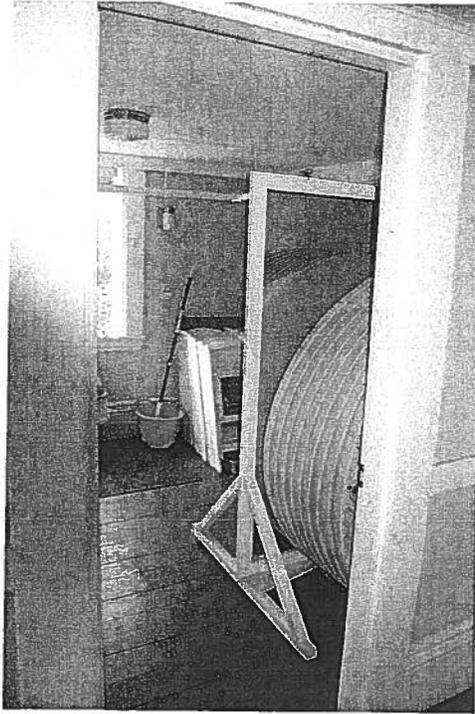


Photo No. 13

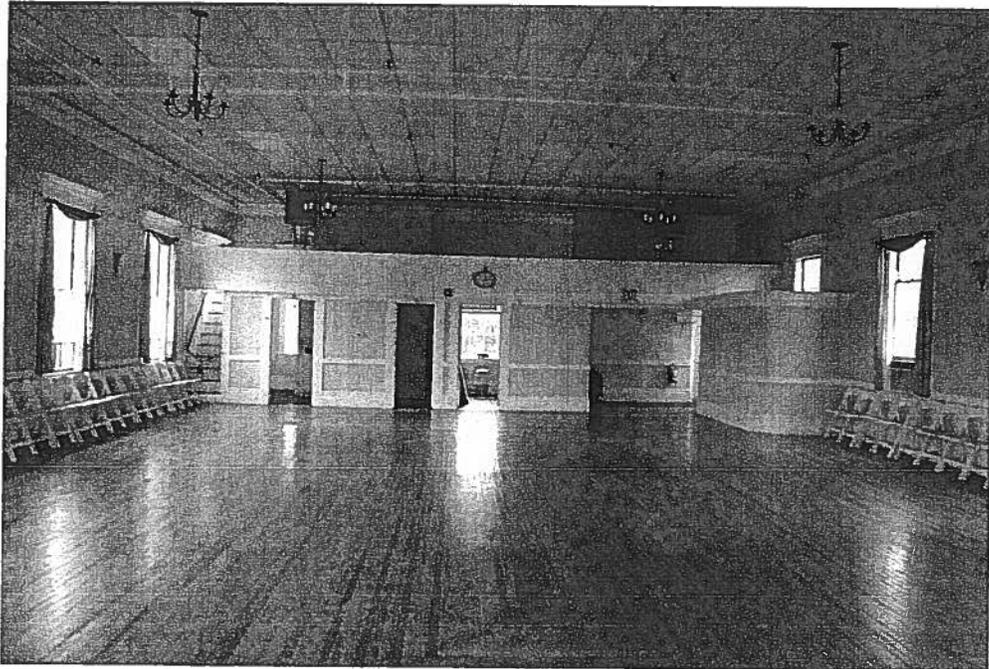


Photo No. 14



ARCHITECTS

DESIGN

BUILD

66 CENTRAL ST
SUITE 1
WELLESLEY, MA
0 2 4 8 2
OFF 781.431.7400
FAX 781.431.7411

**OWNER INTENT AND VARIANCE REQUEST
EXCHANGE HALL
2 SCHOOL STREET
ACTON, MA 01720**

August 29, 201

Applicable Code: 521 CMR Architectural Access Board Rules and Regulations

Prepared by: Charles E. Kraus, AIA, Principal

The following comments (*italicized*) summarize the intent of the Owner, as I understand it, to address each of the items identified in our Accessibility Review for the above listed project, dated August 27, 2011.

I. Ground Floor (Office)

- A. Entrance/exit at door number 001, leading to an accessible route, does not comply with Section 29.2 LEVEL CHANGES. There is a 1 1/2" drop from the door threshold to the concrete walkway immediately outside of the entrance/exit. To be brought into compliance with 29.2, the walkway immediately outside the entrance shall have a change in level no greater than 1/2", with a 1:2 beveled edge, which requires the walkway to be raised approximately 1" with no more than a 2% slope for a distance of 60" from the face of the building (See Photo No. 1). *Owner requests a variance to provide a tapered 6" wide hardwood threshold beveled to a 1:4 (25%) slope immediately outside the door in lieu of raising the entire walkway. The walkway is concrete, which means to properly raise the slope from 1 1/2" down to 0", the walkway would need to be completely cut and removed and new concrete installed. The Owner asserts that bringing this entrance into full compliance with 521 CMR is impracticable as it would result in excessive and unreasonable costs without a substantially more beneficial result than the above proposed alternate.*
- B. Entry door number 001 does not comply with Section 26.00 DOORS AND DOORWAYS. Unit is an original 5'-0" double door unit with manual type flush-bolts and door knobs, and a coordinating original double storm door unit with manual type flush-bolts and door knobs. Neither of the door units comply with Sections 26.4, 26.5 and 26.11. The set of doors does not comply with Section 26.7 (See Photo Nos. 1 & 2). *Owner requests a variance for full compliance with 521 CMR, as the door and storm doors are original and matching units. The Owner asserts that when the business is open the manual flush-bolts will be disengaged, allowing both leaves to*

swing freely. The Owner proposes to provide lever-type handles to comply with Section 26.11.1.

II. First Floor (Multi-Tenant Offices)

- A. Entrance at door number 107, leading to an accessible route., does not comply with Section 29.2 LEVEL CHANGES. There is a 1 1/4" drop from the door threshold to the floor immediately inside the entrance/exit (See Photo No. 3). *The Owner requests a variance for full compliance with 521 CMR, as the accessible route immediately outside the entrance/exit is a compliant 1/4" threshold. The Owner proposes to provide a tapered 5" wide hardwood threshold beveled to a 1:4 (25%) slope immediately inside the door. The Owner asserts that bringing this entrance into full compliance with 521 CMR is impracticable as it would result in excessive and unreasonable costs without a substantially more beneficial result than the above proposed alternate.*

III. Second Floor (Function Rooms and Office)

- A. The Toilet Room at this level does not comply with Section 30.00 PUBLIC TOILET ROOMS. Door number 201 leading into the room has a clear opening of 2'-0", which does not comply with Section 26.00 DOORS AND DOORWAYS. There is a 7" step up once inside the Toilet Room, which does not comply with Section 29.2 LEVEL CHANGES (See Photo No. 4). The toilet room is approx. 3'-0" wide, which does not comply with Section 30.5, which requires a clear floor space of 60" in diameter. Water closet does not comply with Section 30.7 WATER CLOSETS. The sink does not comply with Section 30.9 SINK. There are no grab bars, which does not comply with Section 30.8 GRAB BARS. *The Owner requests a variance for full compliance with 521 CMR. The Owner asserts that the modifications necessary to achieve full compliance, including wheelchair accessibility, are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities. In an effort to achieve partial compliance, the Owner proposes to replace the non-compliant water closet, install one 24" grab bar on the wall behind the water closet and install a lever-type faucet at the lavatory.*
- B. Door number 202 leading into the dressing area has a 2'-4" clear opening and does not comply with Section 26.00 DOORS AND DOORWAYS. *The Owner requests a variance for full compliance with 521 CMR. The Owner asserts that the modification necessary to achieve full compliance is impracticable as it would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities. If the variance for the above Toilet Room is granted, modifying door no. 202 becomes impracticable.*
- C. The kitchen at this area does not comply with Section 32.00 KITCHENS. The clear space directly in front of the refrigerator is 3'-6", which does not comply with Section 32.1 GENERAL, which requires a clear floor space of 60" in diameter. The sink rim is 36" above the finish floor, which does not comply with Section 32.7.2. Plumbing pipes at sink are not insulated or guarded, which does not comply with Section 32.7.4. *The Owner requests a variance for full compliance with 521 CMR. The Owner asserts that the modifications necessary to achieve full compliance, including wheelchair accessibility, are impracticable as they would result in excessive and*

- unreasonable costs without a substantial benefit to persons with disabilities. The Owner proposes to insulate the plumbing pipes below the sink to comply with 32.7.4.*
- D. Door number 204 leading into the bridal suite has a clear opening of 2'-6", which does not comply with Section 26.00 DOORS AND DOORWAYS. *The Owner requests a variance for full compliance with 521 CMR. The Owner asserts that the modifications necessary to achieve full compliance, including wheelchair accessibility, are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities.*
- E. Door number 207 has an approximately 1" high threshold, which does not comply with Section 26.10 THRESHOLDS. *The Owner proposes to install new hardwood flooring over original flooring to bring the floor level to the east of this door up to the same level as the floor level to the west.*
- F. Door number 208 has an approximately 3/4" high threshold, which does not comply with Section 26.10 THRESHOLDS. Door swings into the waiting room away from the wall, which creates less than 18" for the pull side clearance, which does not comply with Section 26.6.3. *The Owner proposes to remove the high threshold and reverse the door swing to bring the door opening into compliance.*
- G. Due to the difference in new hardwood flooring and original flooring, the floor drops approximately 3/4" at door number 207 from the Victorian room to the back hall, steps up again in the hall between doors numbered 206 and 215 and down again entering the hall in front of the kitchen. This condition does not comply with Section 29.2 LEVEL CHANGES (See Photo No. 5). *The Owner request a variance for full compliance with 521 CMR. The Owner proposes to provide a tapered 5" wide hardwood threshold beveled to a 1:10 (10%) slope at the level change.*

IV. Third Floor (Ballroom)

- A. The stage is approximately 2'-8" above the finish floor, which does not comply with Section 14.6 ACCESS TO PERFORMING AREAS. (See Photo No. 6) *The Owner requests a variance for compliance with 521 CMR. The Owner asserts that creating a ramp for access to the stage would be technically infeasible because of the height of the stage and the amount of ramp required to create access.*
- B. The toilet room on the west side of the building does not comply with Section 30.00 PUBLIC TOILET ROOMS. Door number 305 leading into the room has a clear opening of 2'-6 1/4", which does not comply with Section 26.00 DOORS AND DOORWAYS. The water closet is in a stall which is less than 3'-0" wide, which does not comply with Section 30.6 TOILET STALLS (See Photo No. 7). The water closet does not comply with Section 30.7 WATER CLOSETS. The sink does not comply with Section 30.9 SINK (See Photo No. 8). There are no grab bars, which does not comply with Section 30.8 GRAB BARS. *The Owner requests a variance for full compliance with 521 CMR. The Owner asserts that the modifications necessary to achieve full compliance, including wheelchair accessibility, are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities. In an effort to achieve partial compliance, the Owner proposes to replace the non-compliant water closet, install one 36" grab bar on the wall adjacent to the water closet and install a lever-type faucet at the lavatory.*

C. The toilet room in the center of the building does not comply with Section 30.00 PUBLIC TOILET ROOMS. Door number 303 leading into the room has a clear opening of 2'-3 3/4", which does not comply with Section 26.00 DOORS AND DOORWAYS. The toilet room is approx. 4'-0" wide, which does not comply with Section 30.5, which requires a clear floor space of 60" in diameter. Water closet does not comply with Section 30.7 WATER CLOSETS. The sink does not comply with Section 30.9 SINK. There are no grab bars, which does not comply with Section 30.8 GRAB BARS. *The Owner requests a variance for full compliance with 521 CMR. The Owner asserts that the modifications necessary to achieve full compliance, including wheelchair accessibility, are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities. In an effort to achieve partial compliance, the Owner proposes to replace the non-compliant water closet, install one 24" grab bar on the wall adjacent to the water closet and install a lever-type faucet and insulate the plumbing pipes at the lavatory.*

V. Stairs

A. West Stair

- i. Nosings are traditional bullnose with scotia molding below, which do not comply with Section 27.3 NOSINGS, requiring sloped risers or angled nosings with angle no less than 60 degrees from the horizontal. *The Owner requests a variance for full compliance with Section 27.3. While the nosings are not a smooth 60 degree angle, the scotia molding does mitigate the abruptness of the underside of the nosings.*
- ii. Handrails do not comply with Section 27.4 HANDRAILS. Handrail on East side of stair is approximately 2'-8 1/2" above the stair nosings, which does not comply with Section 27.4.2. Handrails on both sides do not extend at the bottom of the stair run as far as space permits, which does not comply with Section 27.4.3 Extensions. Handrail on West side does not extend beyond the top riser, parallel to floor, which does not comply with Section 27.4.3 Extensions. Handrails on both sides have zero clearance from the floor edge and other trim projections, which does not comply with Section 27.4.7 Clearance (See Photo No. 8). *The Owner proposes to replace handrails on both sides to be compliant with 521 CMR, correcting the height, providing required clearance and providing required extensions as far as space permits.*

B. East Stair

- i. Nosings are traditional bullnose with scotia molding below, which do not comply with Section 27.3 NOSINGS, requiring sloped risers or angled nosings with angle no less than 60 degrees from the horizontal. *The Owner requests a variance for full compliance with Section 27.3. While the nosings are not a smooth 60 degree angle, the scotia molding does mitigate the abruptness of the underside of the nosings.*
- ii. Handrails do not comply with Section 27.4 HANDRAILS. The outside diameter of handrails on both sides is 2 3/4" in the long direction of the oval, which does not comply with Section 27.4.4 Size. Handrails on both sides have zero clearance from the floor edge and other trim projections, which does not comply with

Section 27.4.7 Clearance (See Photo No. 9). *The Owner requests a variance for compliance with Section 27.4 for the handrails at this stair. The Owner asserts that the handrails at this stair are original historic handrails and that the modifications necessary to achieve full compliance are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities.*

VI. Elevator

A. The second and third floors of the building are not accessible from grade, therefore an elevator would be required for accessibility at those levels. The building does not have an elevator, which does not comply with Section 28.00 ELEVATORS. *The Owner requests a variance for elevator access to the second and third floors, based on the following assertions:*

- a) *An exterior addition to create a full use elevator and lobby is technically infeasible because the distance from the building to the rear property line is approximately 8 feet. The minimum setback requirement for side and rear yards in this zoning district is 10 feet.*
- b) *An interior renovation to provide a limited use limited application (LULA) elevator and required circulation space is technically infeasible because it would eliminate the only storage space used by third floor ballroom for tables and chairs, eliminate the historic balcony stairs on the right side and create an approximately 5 foot high box in the historic balcony (See Photos No. 13 & 14). The Owner asserts that the floor area taken up by the LULA, the height of the top of the LULA, the elimination of the balcony stair and the need to relocate the attic stairs would all render the balcony unusable. The balcony and associated stairs have historical value and contribute to the character of the space.*
- c) *Both the exterior full elevator addition and the interior LULA renovation are not affordable for the Owner due mainly to the inability to use the ballroom during normal business hours. Currently, the absence of parking limits the use of the ballroom area to evening and weekend hours when public parking is available. The Owner asserts that he had pursued additional parking for the upper floors to generate additional revenue to help offset the costs associated with adding an elevator, but the sought after parking was not secured. The Owner is continually exploring options to obtain parking to increase the use of the spaces, which consequently may make adding an elevator more financially feasible.*
- d) *The Owner asserts that the property does not generate the cash flow required to provide an elevator for \$142,000, as previously estimated.*

VII. Parking

A. There are no designated accessible parking spaces on the property, which does not comply with Section 23.00 PARKING AND PASSENGER LOADING ZONES. The regulations require one Van Accessible parking space for each floor at grade level. *The Owner proposes to provide a compliant Van Accessible parking space and aisle at each grade level, with markings and signage as required.*



Action Woodworks

2 School Street
 Acton, MA 01720
 978-283-0222
 978-283-1873
 info@actionwoodworks.com

Revision #10 8/15/11

Project #: 100927

CAD file:

Designer: Glenn Berger

Date: 9/30/10

Copyright: 2010

Builder: Action Woodworks

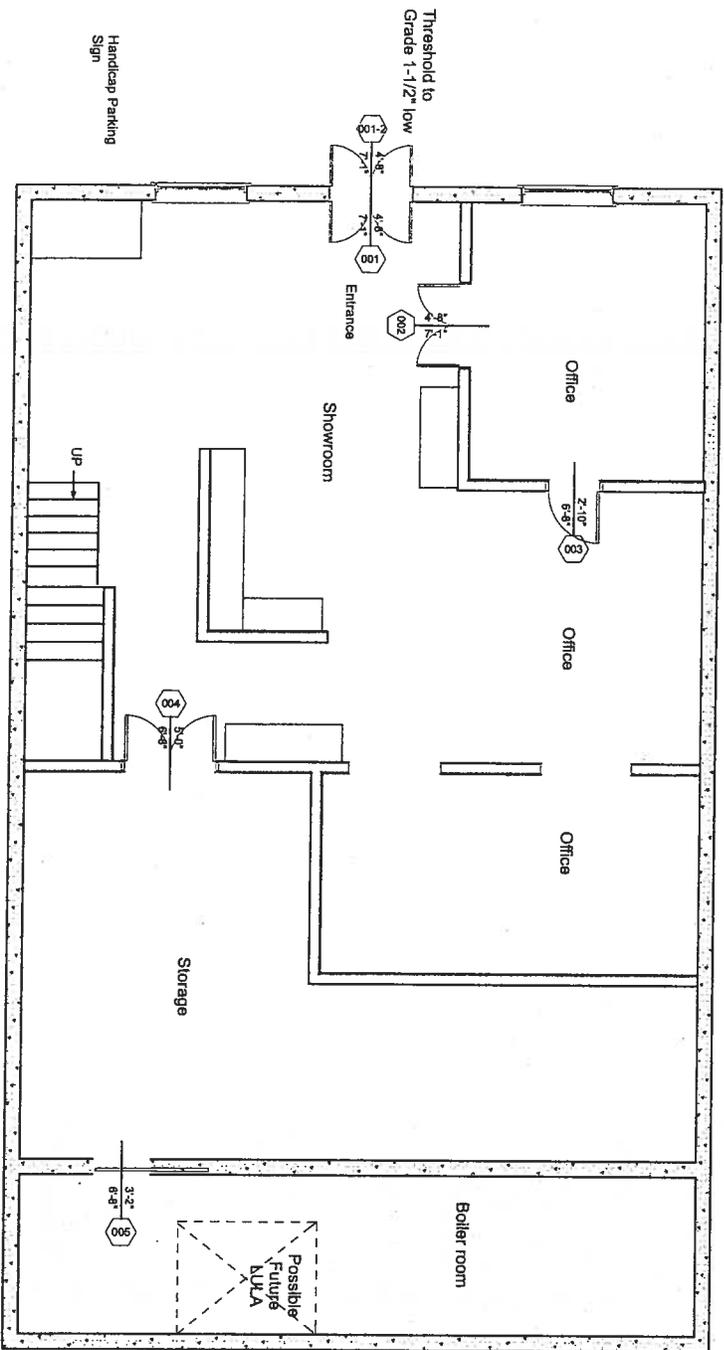
Title

Exchange Hall
 2 School Street
 Acton MA, 01720

First Floor Restoration

Ground Floor (AAB)

05 of 8



6. Ground Floor

Not To Scale



Action Woodworks

2 School Street
 Acton, MA 01720
 978-283-0222
 978-283-1873
 info@actionwoodworks.com

Revision #10 8/15/11

Project #: 100927

CAD file:

Designer: Glenn Berger

Date: 9/30/10

Copyright: 2010

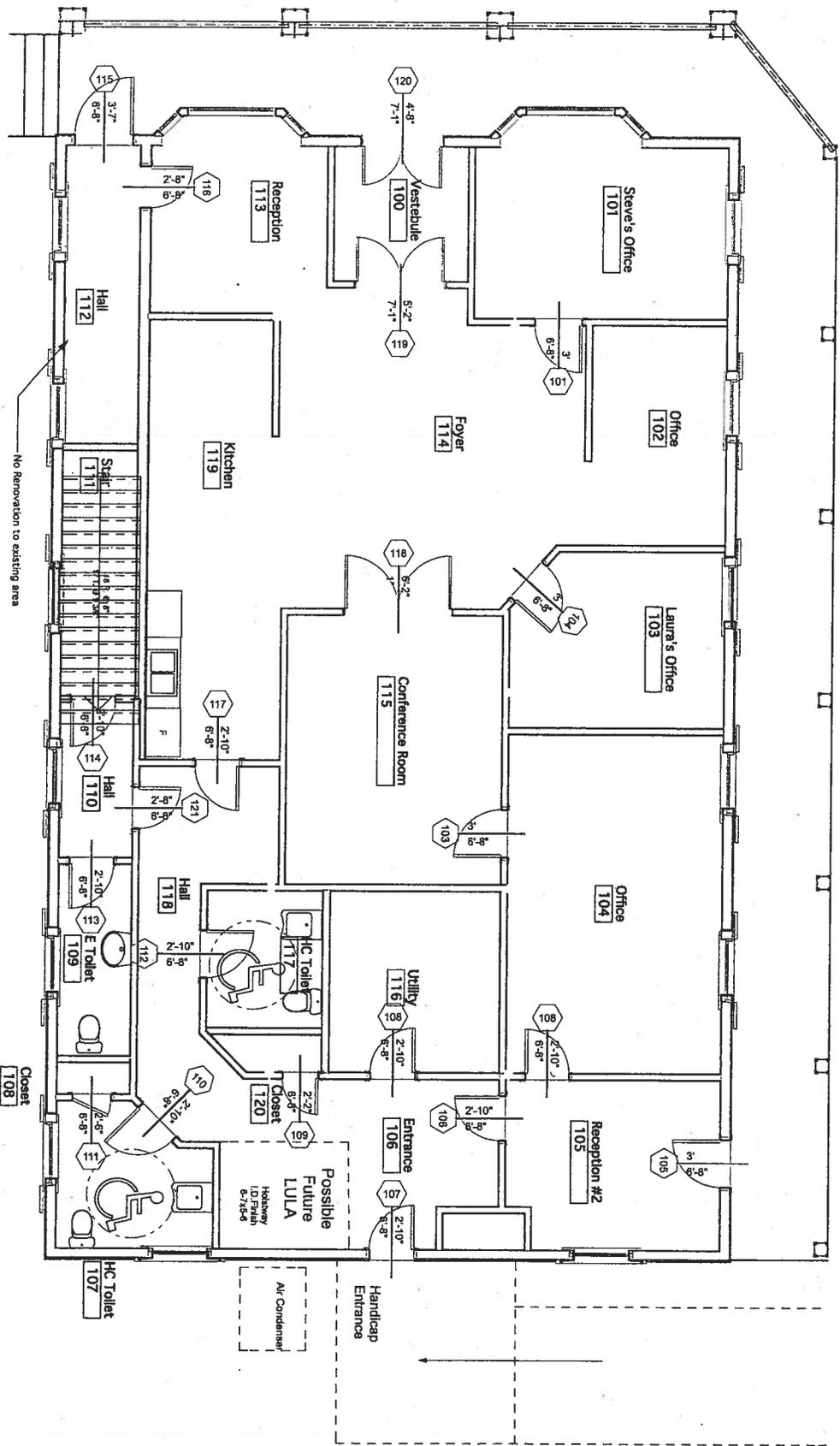
Builder: Acton Woodwork

Title

Exchange Hall
 2 School Street
 Acton MA, 01720

First Floor Restoration

1 AAB 1st Floor



1st Floor (AAB)

Not To Scale



Action Woodworks

2 School Street
 Acton, MA 01720
 978-283-0222
 978-283-1873
 info@actionwoodworks.com

Revision #10 8/15/11

Project #: 100927

CAD file:

Designer: Glenn Berger

Date: 9/30/10

Copyright: 2010

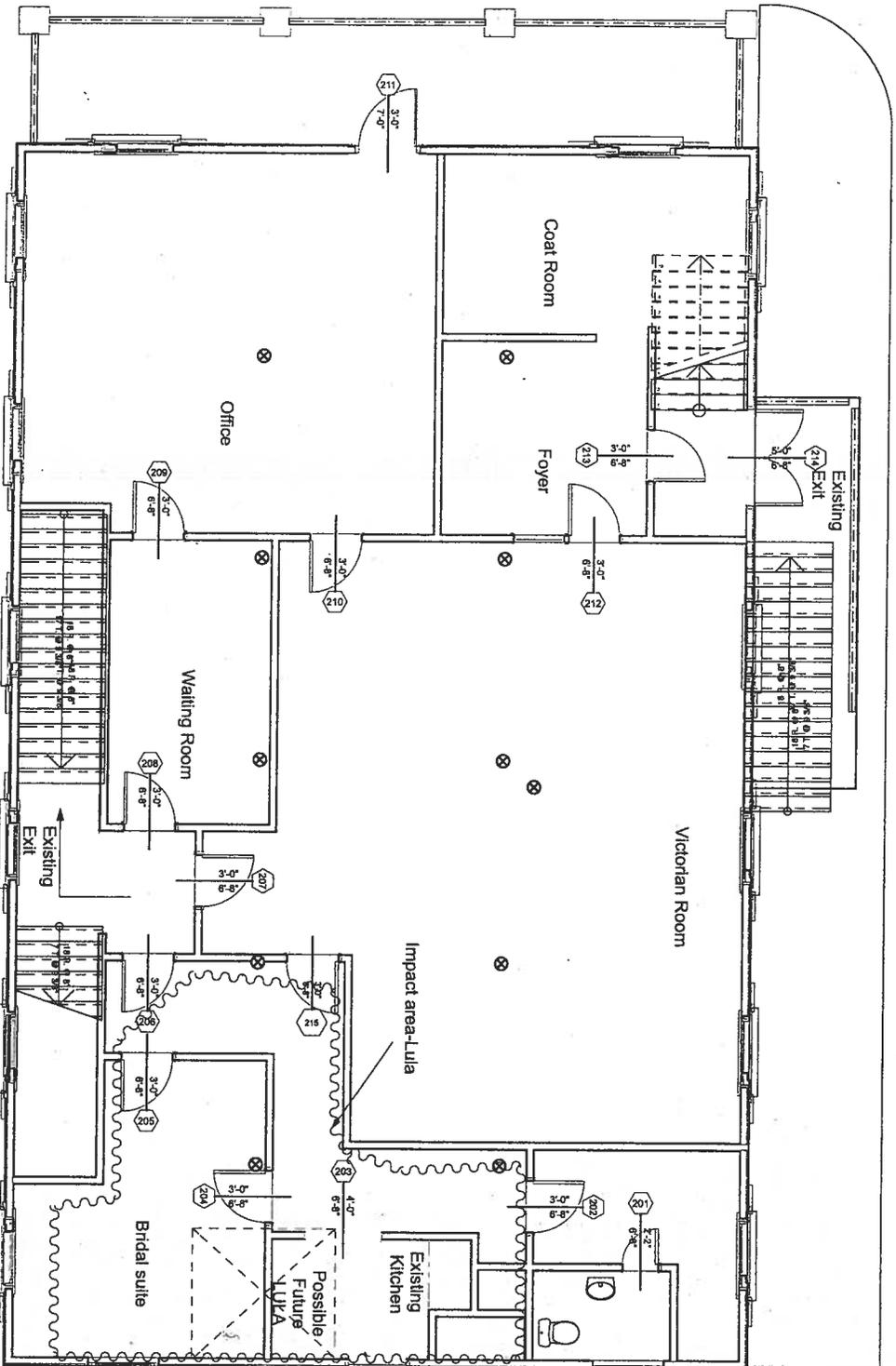
Builder: Action Woodworks

Title

Exchange Hall
 2 School Street
 Acton MA, 01720

First Floor Restoration

Second Floor Existing
 Conditions



4. Second Floor (AAB)

Not To Scale



Acton Woodworks

2 School Street
 Acton, MA 01720
 978-283-0222
 978-283-1873
 info@actonwoodworks.com

Revision #10 8/15/11

Project #: 100927

CAD file:

Designer: Glenn Berger

Date: 9/30/10

Copyright: 2010

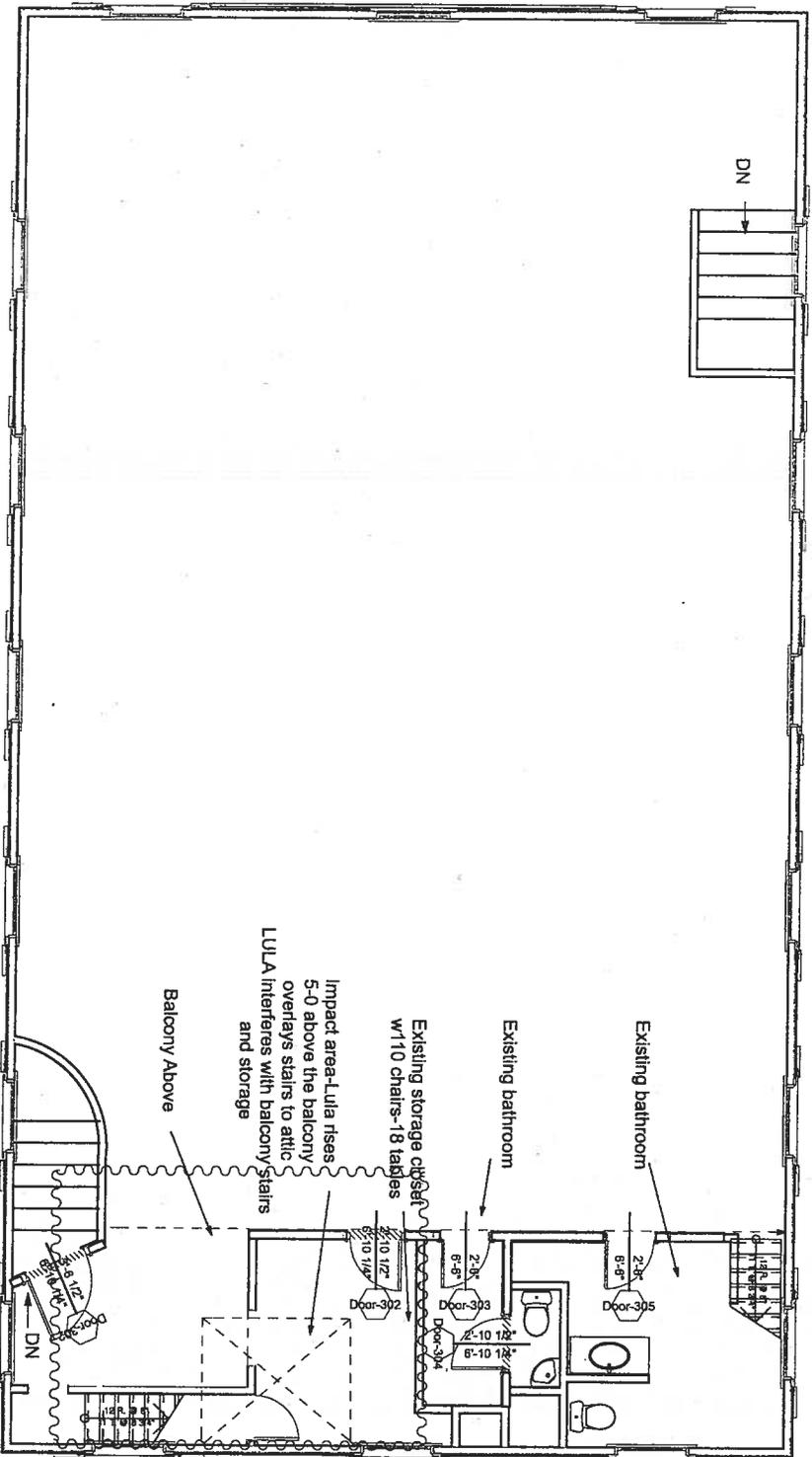
Builder: Acton Woodworks

Title

Exchange Hall
 2 School Street
 Acton MA, 01720

First Floor Restoration

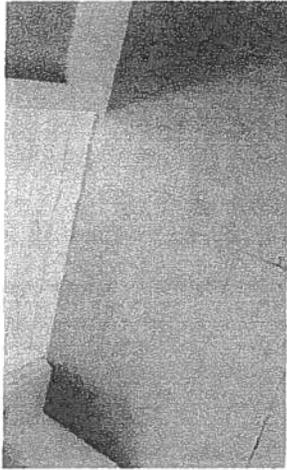
Third Floor Existing
 Conditions



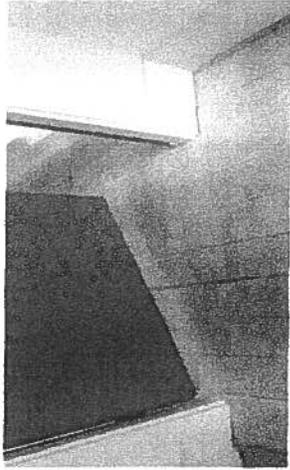
5. Third Floor (Ballroom-AAB)

Not To Scale

Exchange Hall 5/1/12



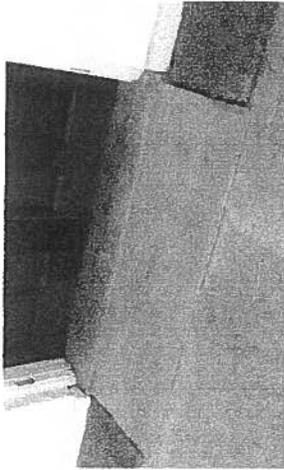
Door 207 #P1



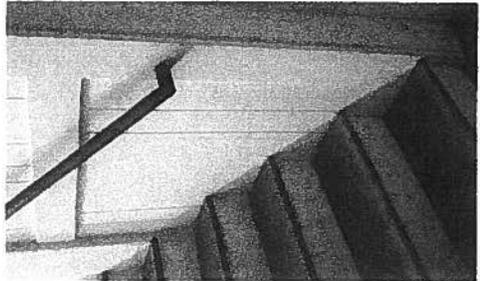
Door 208 #P2



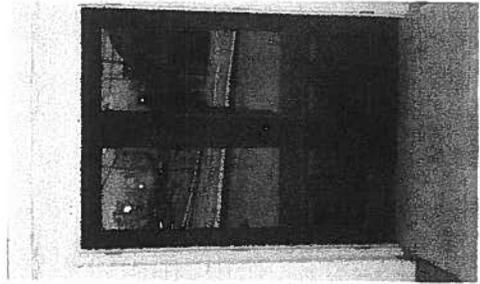
West Handrail #P3



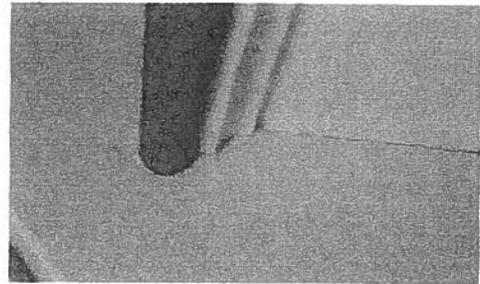
Door 001 #P4



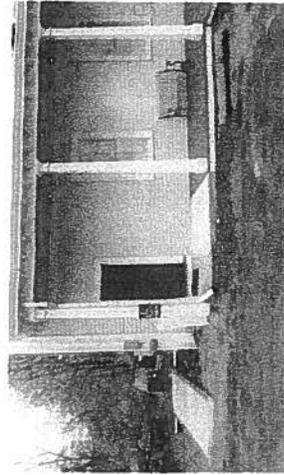
West Handrail #P3.1



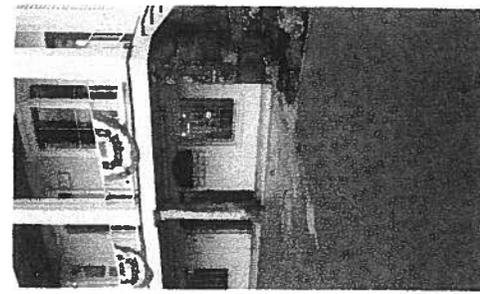
Door 001 #P5



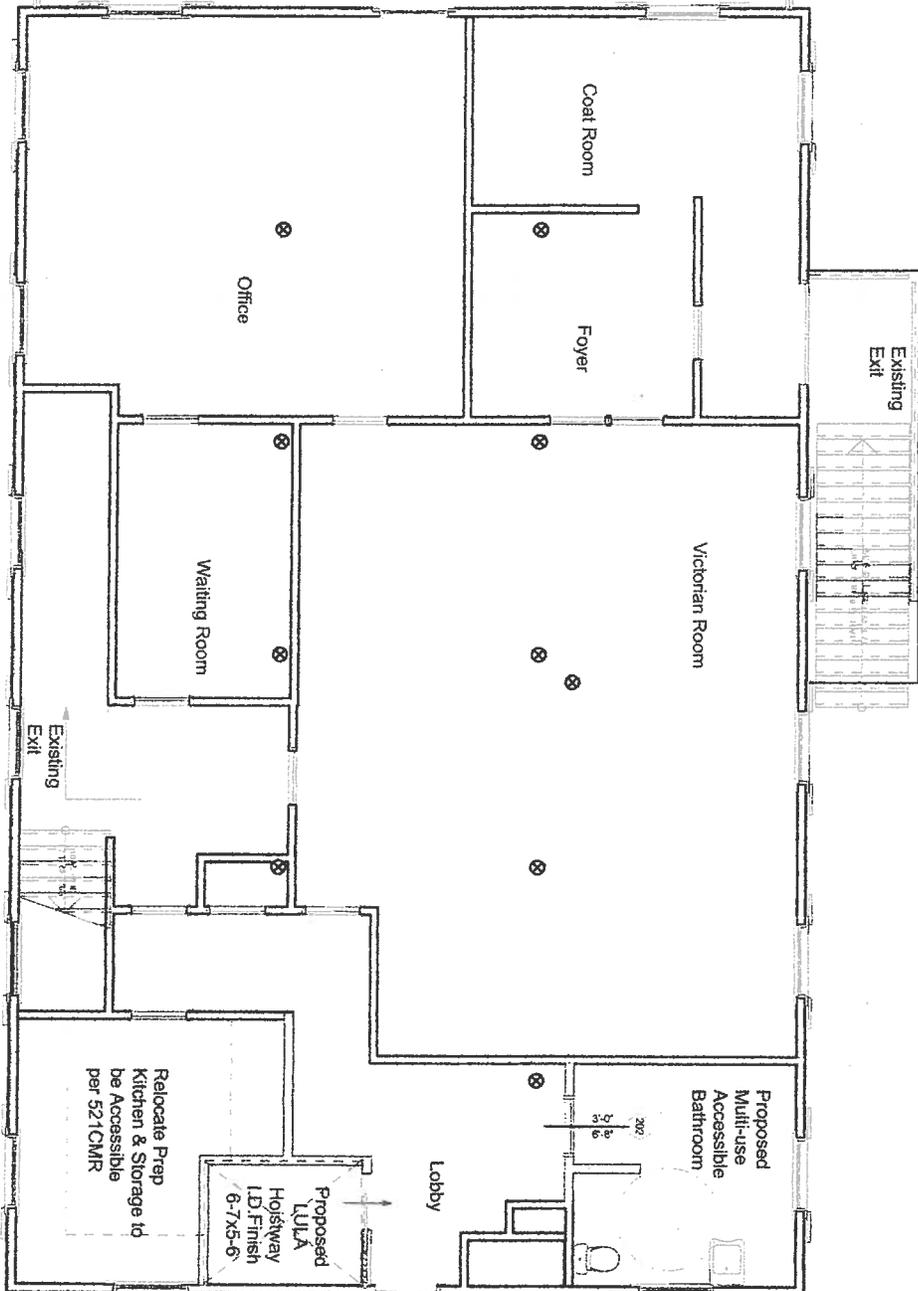
Nosing East Side Stairs #P6



South side Handicap Parking #P7



South side Handicap Parking #P8



3.2 Second Floor Proposed Plan



Action Woodworks

2 School Street
 Acton, MA 01720
 978-263-0222
 978-263-1873
 info@actionwoodworks.com

Revision	#12 4/30/12
Project #:	100927
CAD file:	
Designer:	Glenn Berger
Date:	9/30/10
Copyright:	2012
Builder:	Action Woodworks
Title	
	Exchange Hall 2 School Street Acton MA, 01720
	AAB Designs
	Second Floor Proposed Plan
06	of 14



Exchange Hall

2 School Street
Acton, Massachusetts 01720
978-263-8500
www.exchangehall.com
info@exchangehall.com

May 1, 2012

The Commonwealth of Massachusetts
Department of Public Safety/Architectural Access Board
One Ashburton Place, Room 1310
Boston, MA 02108

Re: Final Decision of the Board, November 14, 2011,
Exchange Hall
2 School St, Acton, MA 01720
Docket Number V11-110

Dear Mr. Hopkins and the Board,

In response to the decision by the Board requesting proposed plans, timeline, and budget to accomplish full compliance with 521CMR, I am submitting a proposed project for your review with plans dated April 30, 2012. The plans show our effort for design renovations to Exchange Hall that will meet the standards set out in 521 CMR, and continue to maintain the historic character of the building both inside and out.

Exchange Hall's business is the rental of office space on the ground, first, and second floors. The primary income is received from the rental of space on the second and third floors as a venue for private and public functions. There is no doubt that accessibility will be key to the success of the businesses in the building and the future of the building itself.

LU/LA Elevator:

Because of severely limited interior space, the proposed plans show a location for a LU/LA elevator, instead of a full size elevator. The LU/LA is 3' 6" by 5' 0", and as proposed will have a door on both ends. Currently, I am specifying the Elvoron LU/LA supplied by Garaventa. The height limitations of the LU/LA to 25'0" will work in this application.

A significant challenge in designing the accessibility plan was the relocation of necessary storage for tables, chairs, event and seasonal interior and exterior decorations, etc., without affecting the historic integrity of The Ballroom. This inventory is required in order to support the primary business of both the second and third floors as a venue for functions, classes, meetings, and events. The current plans show the LU/LA traveling from the first floor to the balcony located on the third floor in The Ballroom. I am requesting the board approve the LU/LA. The specifications will meet the requirements of 521CMR.

Accessible Bathrooms:



Exchange Hall

2 School Street
Acton, Massachusetts 01720
978-263-8500
www.exchangehall.com
info@exchangehall.com

The building would offer four accessible bathrooms. The plan shows two completed accessible bathrooms on the first floor. The second floor shows one proposed multi-use accessible bathroom. The third floor plan shows one multi-use accessible bathroom and one multi-use non-accessible bathroom. As proposed, there is a significant and inhibiting loss of space for storage, the food prep area, and complete loss of the bridal suite. Signage will be posted to inform the public that additional accessible bathrooms are available on all floors open to the public by the LU/LA. All products and fixtures will meet the requirements of 521CMR. I am requesting the board approve the bathroom layouts as drawn.

Doors, stairs, kitchen, and floors:

All doors, doorways, stairs, and floors that require adjustment to meet 521CMR will be modified as part of this proposed project. All hardware, fixtures, and cabinetry will meet the requirements of 521CMR as stated in the previous decisions of the Board concerning Exchange Hall.

November 14, 2011 letter from the Board:

The Board has requested photographs and written description of the solutions for accessibility. The photographs are attached.

- Door #207, 26.10: Door #207 photograph shows that the transition between floor levels of greater than 1/2" has been eliminated (photo #P1).
- Door #208, 26.10: Door #28 photograph shows that the transition between floor levels of greater than 1/2" has been eliminated (photo #P2)
- West stair handrail: 27.4.3: The west stair handrail has been addressed (photo #P3, P3.1).
- Accessible parking spaces: 23.1: There are currently two parking spaces with handicap parking signage. The south side handicap parking signage (photo #P8). The west side handicap parking signage (photo #P7).

- Door 001: The requirements of 26.4, 26.5, 26.11 and 29.2 have been met. The doors were reworked to gain the proper clearance to the active door (photo #P5), with proper hardware 26.11 (photo #P5). A concrete ramp has been installed to correct 29.2 (photo #P4).

The proposed budget for the project to completion is \$184,833. This is approximately \$40,000 more than the previous submission. The increase is due to rethinking the design layouts, crucial functions and use of the various parts of the interior of Exchange Hall. Unfortunately, it appears there is no cost effective way to provide access to the small historic stage (circa 1900) at the front of the Ballroom (7'-6" x 15'-0"). An accessible ramp would be approximately fifty feet in length, an encumbrance not feasible for the room use. A lift is cost prohibitive considering the relatively few times the stage is used. I request a variance to the requirements of 14.6. If the Board denies this request we will prohibit access to the stage entirely.

advance. Every attempt will be made to fill your request; however, all requests are subject to the availability of CART providers. Priority will be given to those requests involving urgent mental health, medical and legal matters. Generally, MCDHH will notify the requestor at least three days prior to the assignment to inform them if a CART providers has been scheduled. A one-week notification period will be used for requests for conferences, certain meetings, and other events in which rescheduling is difficult or impossible. Please note that only the requestor (the person paying for the CART Provider) will be notified regarding the availability of the CART Provider.

For all medical, mental health and legal emergency interpreter requests, during business hours, call 1-800-249-9949 TTY/Voice. Evenings after 5:00 pm, weekends, and holidays, you may also call **800-760-1625 TTY** and **617-556-5286 Voice.**

What if there is a cancellation or a change from the original request?

Please report any changes or cancellations as soon as possible. This is necessary regardless of whether you have received confirmation from MCDHH that a CART Provider has been assigned. Since CART providers are in high demand, this information will assist in more efficient use of their services. If cancellations are not called in to the MCDHH main number at least 3 business days in advance of the assignment date, you may be billed in full for the CART Provider's time.

How much does it cost to hire a CART reporter?

As do other professionals who contract their services, CART provider charge fees based on qualifications, experience, and type of job assignment. The fees quoted below are approximate ranges; fees are set by the individual interpreters and CART Providers for jobs in the private sector.

Freelance CART Reporter: a minimum fee ranging from \$225 to \$300 for the first two hours or any part thereof; \$75 to \$100 per hour; additional charges for provision of projection equipment and provision of ASCII file. Exact fees per job, cancellation policy, travel, and mileage are negotiated by the paying consumer and the CART Provider.

Can I give feedback about the CART provider?

Yes. You can share feedback, both compliments and complaints, with the Director of Interpreter and CART Services at the Commission. This information will be shared but your name will not be used without your permission.

This information is provided by the [Massachusetts Commission for the Deaf and Hard of Hearing](#).



Exchange Hall

2 School Street

Acton, Massachusetts 01720

www.exchangehall.com

info@exchangehall.com

May 1, 2012

Elizabeth Franklin
Local Disability Commission
68 Windsor Avenue
Acton, MA 01720

Re: Exchange Hall
2 School Street, Acton 01720
Docket Number V11-110

Dear Ms. Franklin,

Enclosed please find three documents related to Exchange Hall. Each was sent to The Commonwealth of Massachusetts, Department of Public Safety/Architectural Access Board, in response to the Board's decision letter, dated November 14, 2011.

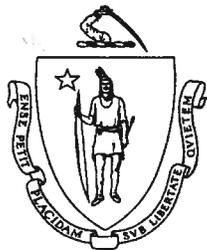
- Cover letter addressing the Board's requests for Exchange Hall's plan to become fully accessible.
- Architectural drawing for the proposed elevator.
- Photographs of completed accessibility projects.

All documents were also submitted May 1, 2012 by email.

Sincerely,



Glenn Berger, Manager
Exchange Hall, LLC



Deval L. Patrick
Governor

Andrea J. Cabral
Secretary

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

Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

July 19, 2013

Glenn Berger
Exchange Hall
2 School Street
Acton, MA 01720

**Re: Notice of Amended Decision of the Board; Exchange Hall, 2 School Street, Acton;
Docket Number V11-110**

Dear Mr. Berger,

On July 11, 2013 the Architectural Access Board ("Board") received your e-mail to Thomas Hopkins, Executive Director of the Board, which included photographs of the LULA installed within the building, and the picture of the Certificate for Use of Elevator, issued by the Department of Public Safety Elevator Division. The e-mail stated that the other information, regarding the further work outlined in the March 25, 2013 amended decision of the Board, would be submitted to the Board soon.

The Board reviewed the submitted documentation during an administrative discussion at their regularly scheduled March 25, 2013 meeting and voted as follows:

- *ACCEPT* the submittal of pictures of the LULA and its inspection certificate as being compliant with the March 25, 2013 order of the Board. The Board reiterates the other half of their March 25, 2013 decision, that the following is required to be submitted *within 30 days receipt of this decision*:
 - o an updated plan of the building, showing the current as-built layout; and
 - o photographs of the compliant work at the following outstanding locations that were ordered to be brought into compliance with the noted sections of 521 CMR (making sure to document each photograph):
 - Door #001: 521 CMR 26.4, 26.5, 26.11, 29.2;
 - Door #107: 521 CMR 29.2;
 - Door #201 and the second floor toilet room: 521 CMR 26.1, 29.2, 30.1, 30.5, 30.7, 30.8, 30.9;
 - Door #202: 521 CMR 26.1;
 - Second floor kitchen: 521 CMR 32.1, 32.7.2, 32.7.4;

- Door #204: 521 CMR 26.1;
- Door #207: 521 CMR 29.2;
- Third floor stage: 521 CMR 14.6;
- Door #305 and third floor toilet room on the west side: 521 CMR 26.1, 30.1, 30.6, 30.7, 30.8, 30.9; and
- Door #307 and third floor toilet room in center: 521 CMR 26.1, 30.1, 30.5, 30.7, 30.8, and 30.9.

Once the Board has receives these final pieces of verification, we will be able to close this docket number in our office.

ARCHITECTURAL ACCESS BOARD

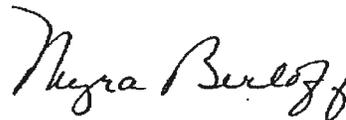
By:



Walter White, Chair



Diane McLeod, Vice Chair



Myra Berloff, Director of Massachusetts Office on Disability

Andrew Bedar, Member (not present)

Raymond Glazier, Executive Office of Elder Affairs Designee (not present)

Gerald LeBlanc, Member (not present)



Carol Steinberg, Member



D. Mark Trivett, Member

A complete administrative record is on file at the office of the Architectural Access Board.

cc: Local Building Inspector
Local Disability Commission
Independent Living Center

- Third floor stage: 14.6;
- Door #305 and third floor toilet room on the west side: 26.1, 30.1, 30.6, 30.7, 30.8, 30.9;
- Door #307 and third floor toilet room in center: 26.1, 30.1, 30.5, 30.7, 30.8, 30.9;
- East Stair handrails: 27.4;
- West Stair nosings: 27.3;
- East Stair nosings: 27.3;
- and the lack of vertical access to second and third floors: 28.1).

The Board also noted that, per the November 14, 2011 decision of the Board, the Petitioner is still required to verify that all of the aspects of the building that were proposed to be completed in full compliance with 521 CMR by the Petitioner in the August 29, 2011 submittal (Door #207: 26.10; Door #208, 26.10; West Stair handrails: 27.4.3; and accessible parking spaces: 23.1), are completed no later than *May 1, 2012*, with both photographic and written verification to be received by the Board on or before said date.

ARCHITECTURAL ACCESS BOARD

By:

Donald Lang, Chairman (not present)



Diane McLeod, Acting Chair



Andrew Bedar, Member

Myra Berloff, Director of Massachusetts
Office on Disability (not present)



Raymond Glazier, Executive Office of Elder
Affairs Designee

Gerald LeBlanc, Member
(not present)



Carol Steinberg, Member

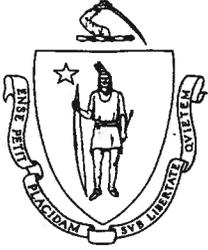


D. Mark Trivett, Member

Walter White, Executive Office of Public
Safety Designee (not present)

A complete administrative record is on file at the office of the Architectural Access Board.

cc: Local Building Inspector
Local Disability Commission
Independent Living Center
Acton Town Manager
State Representative Cory Atkins
State Representative Jennifer E. Benson
Senator James B. Eldridge



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

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

Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

November 22, 2011

Glenn Berger
Exchange Hall
2 School Street
Acton, MA 01720

Re: Final Decision of the Board; Exchange Hall, 2 School Street, Acton; Docket Number V11-110

Dear Mr. Berger,

The Architectural Access Board ("Board") has received your September 1, 2011 letter regarding the submittal of the required information from the July 25, 2011 decision of the Board. Said decision noted that the Board had voted to "*CONTINUE* the matter and *REQUIRE* that the Petitioners complete a full review of all aspects of the building as they relate to 521 CMR and then submit a more comprehensive study and variance request as to which areas of the building will not comply and if a time variance or outright relief from the requirements is being requested. Said submittal shall be received by the Board no later than *September 1, 2011*. The submittal shall detail the variances requested, and include test drawings to show how full compliance would affect the existing building." The "accessibility review" done by Kraus Architects and dated August 27th and 29th, 2011, noted several areas where the existing conditions of the building will require variances.

The Board reviewed said submittals during an administrative discussion at their regularly scheduled November 14, 2011 meeting. The variances are for the following items, as noted in the August 29, 2011 "accessibility review" done by Kraus Architects:

- 1) The entrance/exit at Door # 001 at the ground floor, leading to an accessible route, does not comply with 521 CMR 29.2, Level Changes. There is a 1 ½-inch drop from the door threshold to the concrete walkway immediately outside of the entrance/exit. *The owner requests a variance to provide a tapered 6-inch wide hardwood threshold*

excessive cost without substantial benefit to persons with disabilities. Therefore, the item in question must be brought into compliance with the applicable section(s) of 521 CMR.

- 4) The existing second floor toilet room does not comply with 521 CMR 30.00, Public Toilet Rooms. Door # 201, leading into the room has a clear opening of 24 inches, which does not comply with 521CMR 26.00, Doors and Doorways. There is a 7-inch step up once inside the toilet room, which does not comply with 521 CMR 29.2, Level Changes. The toilet room is approximately 3-feet wide, which does not comply with 521 CMR 30.5, which requires a clear floor space of 60-inches in diameter. The water closet in the toilet room in question also does not comply with 521 CMR 30.7, Water Closets. The sink in the toilet room in question does not comply with 521 CMR 30.9, Sink. There are no grab bars within the toilet room in question, which does not comply with 521 CMR 30.8, Grab Bars. *The Owner requests a variance from full compliance with 521 CMR. The Owner asserts that the modifications necessary to achieve full compliance, including wheelchair accessibility, are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities. In an effort to achieve partial compliance, the Owner proposes to replace the non-compliant water closet, install one 24-inch grab bar on the wall behind the water closet and install a lever-type faucet at the lavatory.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the all of the variances requested in regards to the lack of compliance at the existing second floor toilet room (521 CMR 26.1, 29.2, 30.1, 30.5, 30.7, 30.8, and 30.9); based on the fact that the Board felt as though the Petitioner had not proven that the cost of full compliance would be excessive cost without substantial benefit to persons with disabilities. Therefore, the items in question must be brought into compliance with the applicable sections of 521 CMR.
- 5) Door # 202 leading into the second floor dressing area has a 28-inch clear opening and does not comply with 521 CMR 26.00, Doors and Doorways. *The Owner requests a variance from full compliance with 521 CMR. The Owner asserts that the modification necessary to achieve full compliance is impracticable as it would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities. The Petitioner noted that if a variance for the existing second floor toilet room is granted, modifying Door no. 202 becomes impracticable.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the variance requested for 521 CMR 26.1, regarding the lack of a compliant door at Door # 202 leading into the second floor dressing area; based on the fact that the Board felt as though the Petitioner had not proven that the cost of full compliance would be excessive cost without substantial benefit to persons with disabilities. Therefore, the item in question must be brought into compliance with the applicable section(s) of 521 CMR.
- 6) The existing kitchen at the second floor does not comply with 521 CMR 32.00, Kitchens. The clear space directly in front of the refrigerator is 42-inches, which does not comply with 521 CMR 32.1, General, which requires a clear floor space of 60-inches in diameter. The sink rim is 36-inches above the finish floor, which does not comply with 521 CMR 32.7.2. Plumbing pipes at the sink are not insulated or

- 10) Due to the difference in new hardwood flooring and original flooring at the second floor, the floor drops approximately $\frac{3}{4}$ of an inch at Door #207 from the Victorian Room to the back hall, steps up again in the hall between Doors 206 and 215, and down again entering the hall in front of the kitchen. This condition does not comply with 521 CMR 29.2, Level Changes. *The Owner request a variance from full compliance with 521 CMR. The Owner proposes to provide a tapered 5-inch wide hardwood threshold beveled to a 1:10 (10%) slope at the level change.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the variance requested for 521 CMR 29.2, regarding the change in level at Door #207 from the Victorian Room to the back hall, steps up again in the hall between Doors 206 and 215, and down again entering the hall in front of the kitchen; based on the fact that the Board felt as though the Petitioner had not proven that the cost of full compliance would be excessive cost without substantial benefit to persons with disabilities. Therefore, the locations in question must be brought into compliance with the applicable section(s) of 521 CMR.

- 11) The stage at the third floor ballroom is approximately 32 inches above the finish floor, which does not comply with 521 CMR 14.6, Access to Performing Areas. *The Owner requests a variance from compliance with 521 CMR. The Owner asserts that creating a ramp for access to the stage would be technically infeasible because of the height of the stage and the amount of ramp required to create access.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the variance requested for 521 CMR 14.6, regarding the lack of access to the stage at the third floor ballroom; based on the fact that the Board felt as though the Petitioner had not proven that the cost of full compliance would be excessive cost without substantial benefit to persons with disabilities. Therefore, the item in question must be brought into compliance with the applicable sections of 521 CMR.

- 12) The existing toilet room on the west side of the third floor of the building does not comply with 521 CMR 30.00, Public Toilet Rooms. Door # 305, leading into the room, has a clear opening of 30 $\frac{1}{4}$ -inches, which does not comply with 521 CMR 26.00, Doors and Doorways. The existing water closet is in a stall which is less than 36-inches wide, which does not comply with 521 CMR 30.6, Toilet Stalls. The water closet does not comply with 521 CMR 30.7, Water Closets. The sink does not comply with 521 CMR 30.9, Sink. There are no grab bars, which does not comply with 521 CMR 30.8, Grab Bars. *The Owner requests a variance from full compliance with 521 CMR. The Owner asserts that the modifications necessary to achieve full compliance, including wheelchair accessibility, are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities. In an effort to achieve partial compliance, the Owner proposes to replace the non-compliant water closet, install one 36" grab bar on the wall adjacent to the water closet and install a lever-type faucet at the lavatory.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the all of the variances requested in regards to the lack of compliance at the existing toilet room on the west side of the third floor of the building (521 CMR 26.1, 30.1, 30.6, 30.7, 30.8, and 30.9); based on the fact that the Board

27.4.7, Clearance. *The Owner proposes to replace the handrails on both sides to be compliant with 521 CMR; correcting the height, providing required clearances, and providing required extensions as far as space permits.*

Upon reviewing this matter, the Board voted as follows:

- *NO VARIANCE IS NEEDED* for the handrails at the West Stair on the condition that, as proposed, compliant handrails are installed at both sides of the existing West Stair by a date to be determined later in the vote.

16) The existing nosings at the East Stair are traditional bull-nose with scotia molding below, which do not comply with 521 CMR 27.3, Nosings, requiring sloped risers or angled nosings with angles no less than 60 degrees from the horizontal. *The Owner requests a variance for full compliance with Section 27.3. While the nosings are not a smooth 60 degree angle, the scotia molding does mitigate the abruptness of the underside of the nosings.*

Upon reviewing this matter, the Board voted as follows:

- *CONTINUE* the matter regarding the nosings at the existing East Stair (521 CMR 27.3), to have the Petitioners submit more detailed dimensions and pictures of the nosings in question to be submitted by a date to be determined later in the vote.

17) The existing handrails at the East Stair do not comply with 521 CMR 27.4, Handrails. The outside diameter of handrails on both sides is 2 ¾ inches in the long direction of the oval, which does not comply with 521 CMR 27.4.4, Size. Handrails on both sides have zero clearance from the floor edge and other trim projections, which does not comply with 521 CMR 27.4.7, Clearance. *The Owner requests a variance from compliance with 521 CMR 27.4 for the handrails at the East Stair. The Owner asserts that the handrails at this stair are the original historic handrails and that the modifications necessary to achieve full compliance are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the variances requested in regards to the lack of compliant handrails at the existing East Stairs (521 CMR 27.4); based on the fact that the Board felt as though the Petitioner had not proven that the cost of full compliance would be excessive cost without substantial benefit to persons with disabilities. Therefore, the items in question must be brought into compliance with the applicable section(s) of 521 CMR.

18) The second and third floors of the building are not accessible from grade, therefore an elevator would be required for accessibility to those levels. The building does not have an elevator, which does not comply with 521 CMR 28.00, Elevators. *The Owner requests a variance for the lack of elevator access to the second and third floors, based on the following assertions:*

- 1) *An exterior addition to create a full use elevator and lobby is technically infeasible because the distance from the building to the rear property line is approximately 8 feet. The minimum setback requirement for side and rear yards in this zoning district is 10 feet.*
- 2) *An interior renovation to provide a limited use limited application (LULA) elevator*

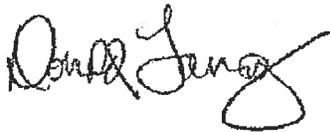
noted above into compliance by a specified date.

Upon reviewing this matter, the Board voted as follows:

- *REQUIRE* that proposed plans and dates for compliance, for all of the denied variances be submitted to the Board no later than *March 1, 2012*, to be reviewed by the Board at their regularly scheduled March 12, 2012 meeting.
- *REQUIRE* that *each* of the aspects of the building that were proposed to be completed in full compliance with 521 CMR by the Petitioner in the August 29, 2011 submittal, be completed no later than *May 1, 2012*, with both photographic and written verification to be received by the Board on or before said date.
- *NOTIFY* the Owner, the Acton Town Officials, and the State Representatives representing Acton that, based on the lack of vertical access to the upper meeting spaces, the use of the second and third floors of the building would be a violation of the Open Meeting Laws (M.G.L. Ch. 39, § 23A.) for any public meetings held at these floors.

ARCHITECTURAL ACCESS BOARD

By:



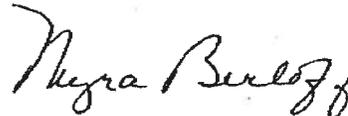
Donald Lang, Chairman



Diane McLeod, Vice Chair



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Myra Berloff, Director of Massachusetts
Office on Disability



Gerald LeBlanc, Member



Carol Steinberg, Member



D. Mark Trivett, Member



Walter White, Executive Office of Public
Safety Designee



Action Woodworks
 2 School Street
 Acton, MA 01720
 978-263-0222
 978-263-1873
 info@actionwoodworks.com

Revision #12 4/30/12

Project #: 100927

CAD file:

Designer: Glenn Berger

Date: 9/30/10

Copyright: 2012

Builder: Action Woodworks

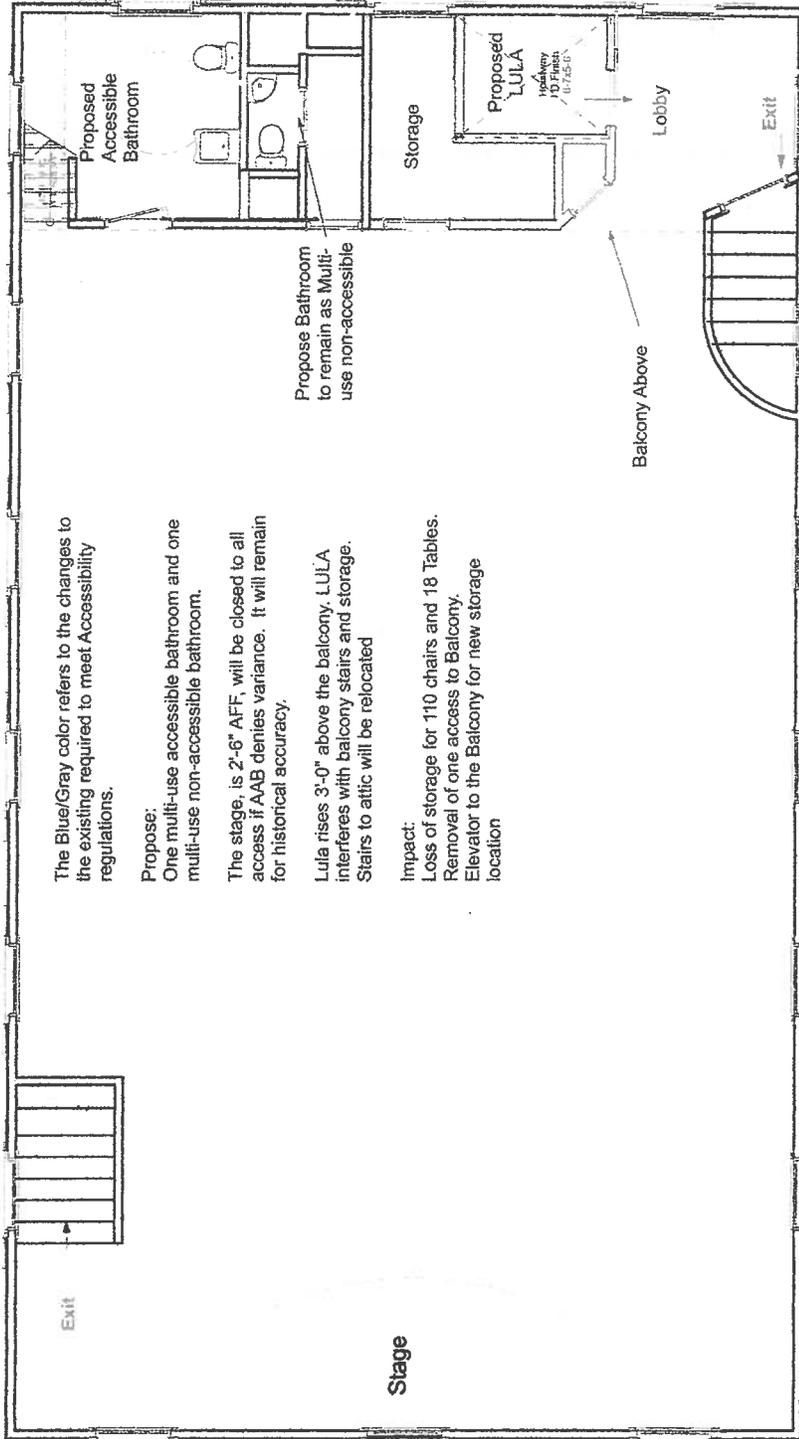
Title

Exchange Hall
 2 School Street
 Acton MA, 01720

AAB Designs

Third Floor Proposed Plan

08 of 14



The Blue/Gray color refers to the changes to the existing required to meet Accessibility regulations.

Propose:
 One multi-use accessible bathroom and one multi-use non-accessible bathroom.

The stage, is 2'-6" AFF, will be closed to all access if AAB denies variance. It will remain for historical accuracy.

Lula rises 3'-0" above the balcony. LULA interferes with balcony stairs and storage. Stairs to attic will be relocated

Impact:
 Loss of storage for 110 chairs and 18 Tables. Removal of one access to Balcony. Elevator to the Balcony for new storage location

Propose Bathroom to remain as Multi-use non-accessible

Balcony Above

4.2 Third Floor Proposed Plan (Ballroom)



Action Woodworks, Inc.
Professional Space Planning
Design and Build

Action Woodworks

2 School Street
Acton, MA 01720
978-283-0222
978-283-1873
info@actionwoodworks.com

Revision #12 4/30/12

Project #: 100927

CAD file:

Designer: Glenn Berger

Date: 9/30/10

Copyright: 2012

Builder: Action Woodworks

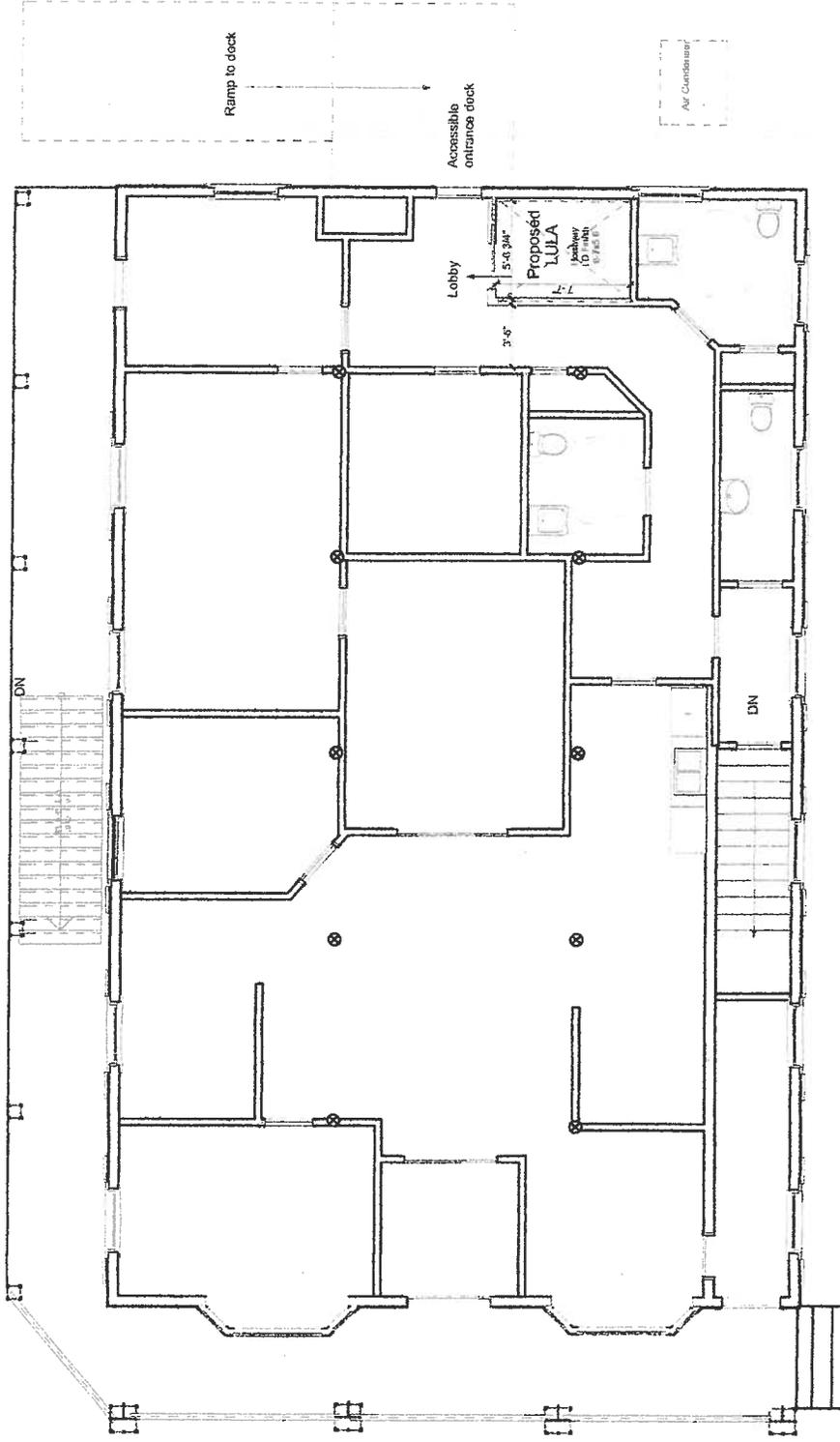
Title

Exchange Hall
2 School Street
Acton MA, 01720

AAB Designs

First Floor Proposed Plan

04 of 14



Not To Scale

First Floor Proposed Plan



Action Woodworks

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 978-283-4022
 978-283-1873
 info@actionwoodworks.com

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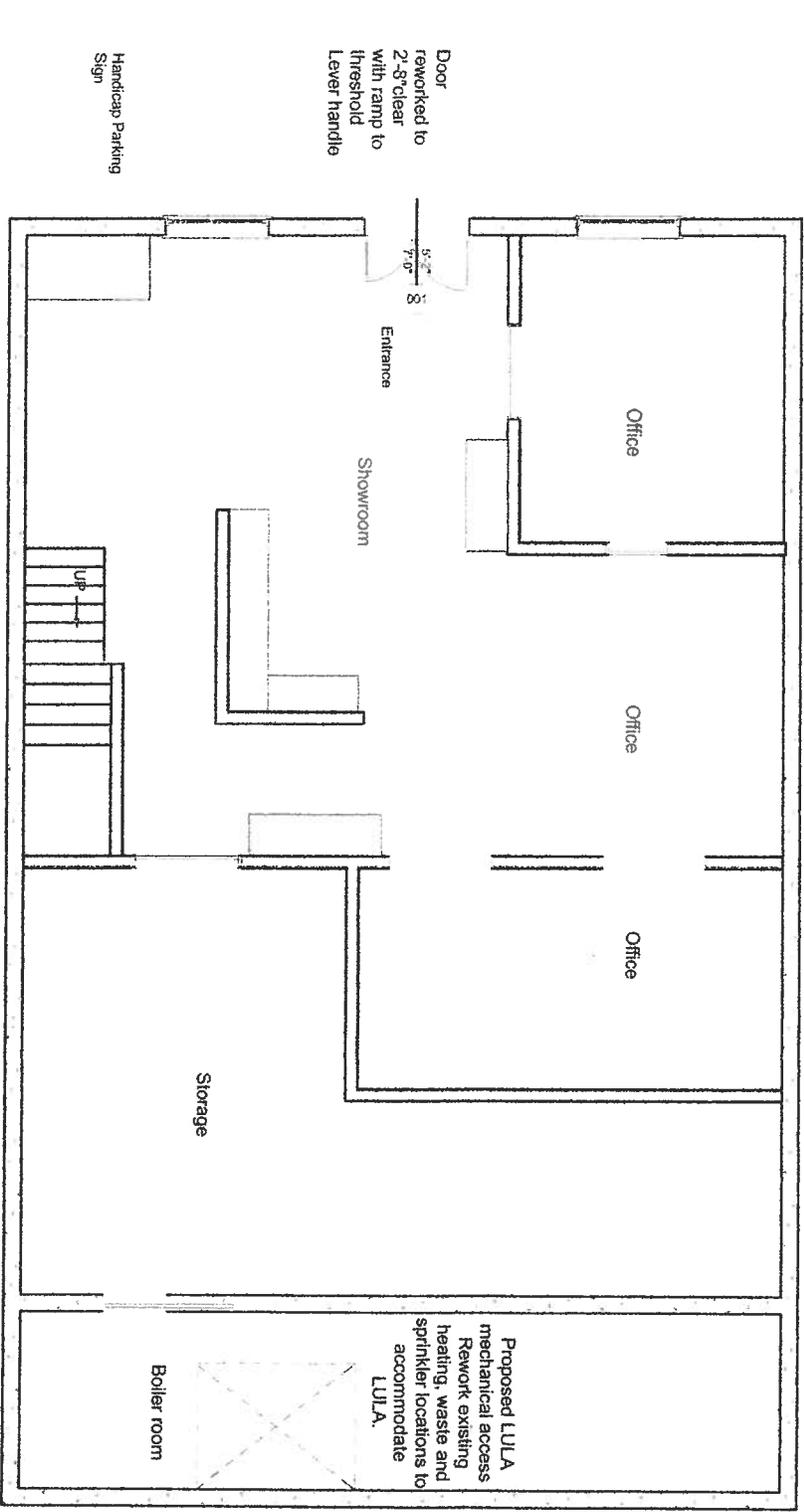
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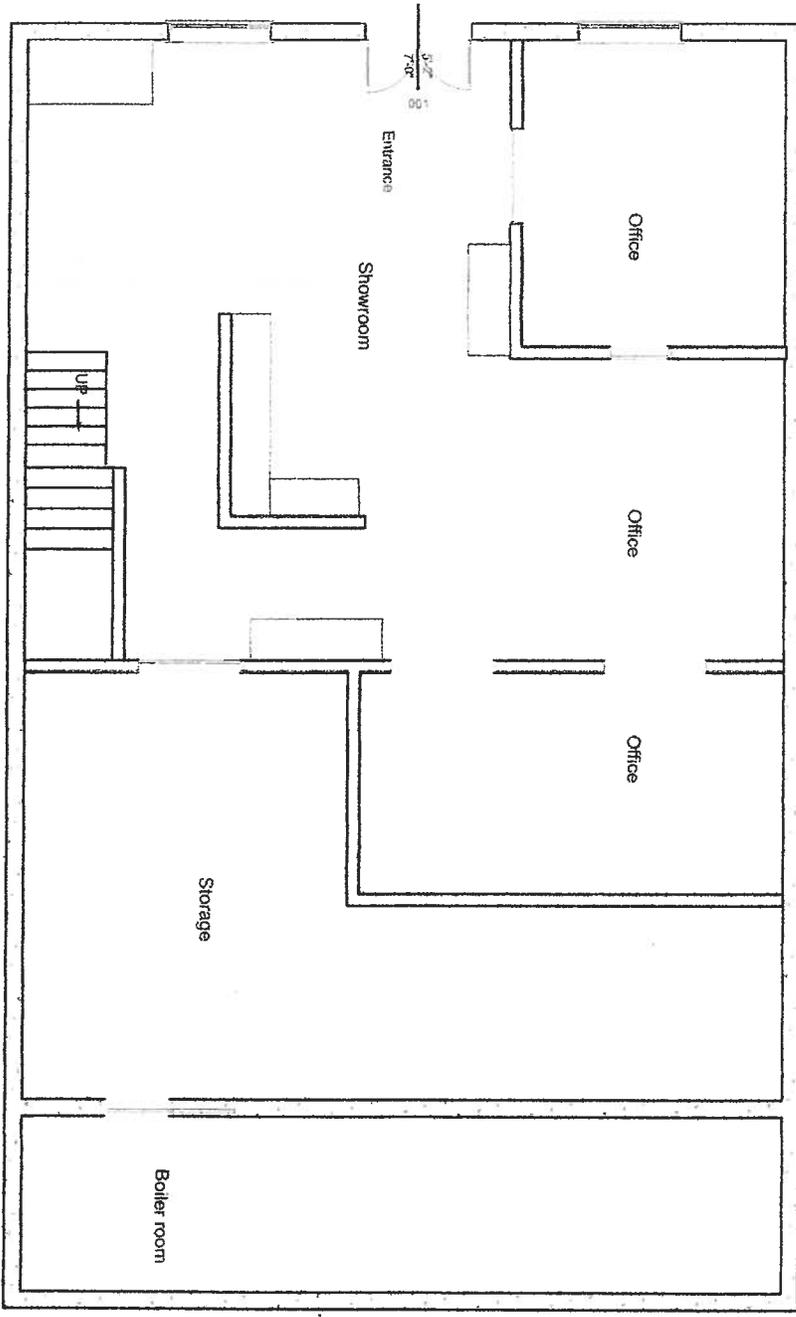
AAB Designs

Ground Floor Proposed
 Plan

02 of 14



1.2 Ground Floor Proposed Plan



1.1 Ground Floor Existing Plan



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 2 School Street
 Acton, MA 01720
 978-263-0222
 978-263-1873
 info@actionwoodworks.com

Revision #12 4/30/12

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CAD file:

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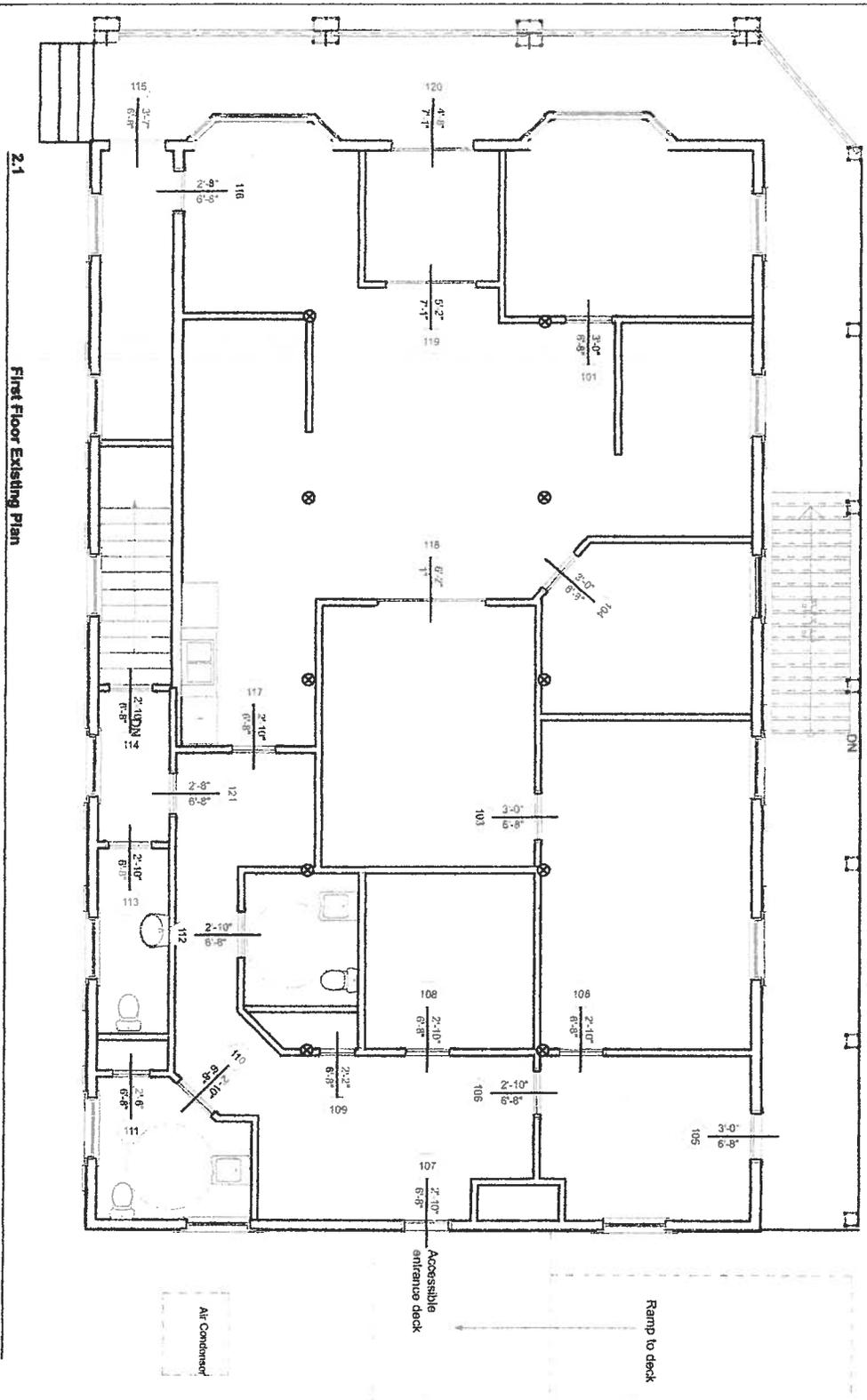
Builder: Action Woodworks

Title

Exchange Hall
 2 School Street
 Acton MA, 01720

AAB Designs

Ground Floor Existing Plan	
01	of 14



2.1 First Floor Existing Plan

Handloop parking space and sign



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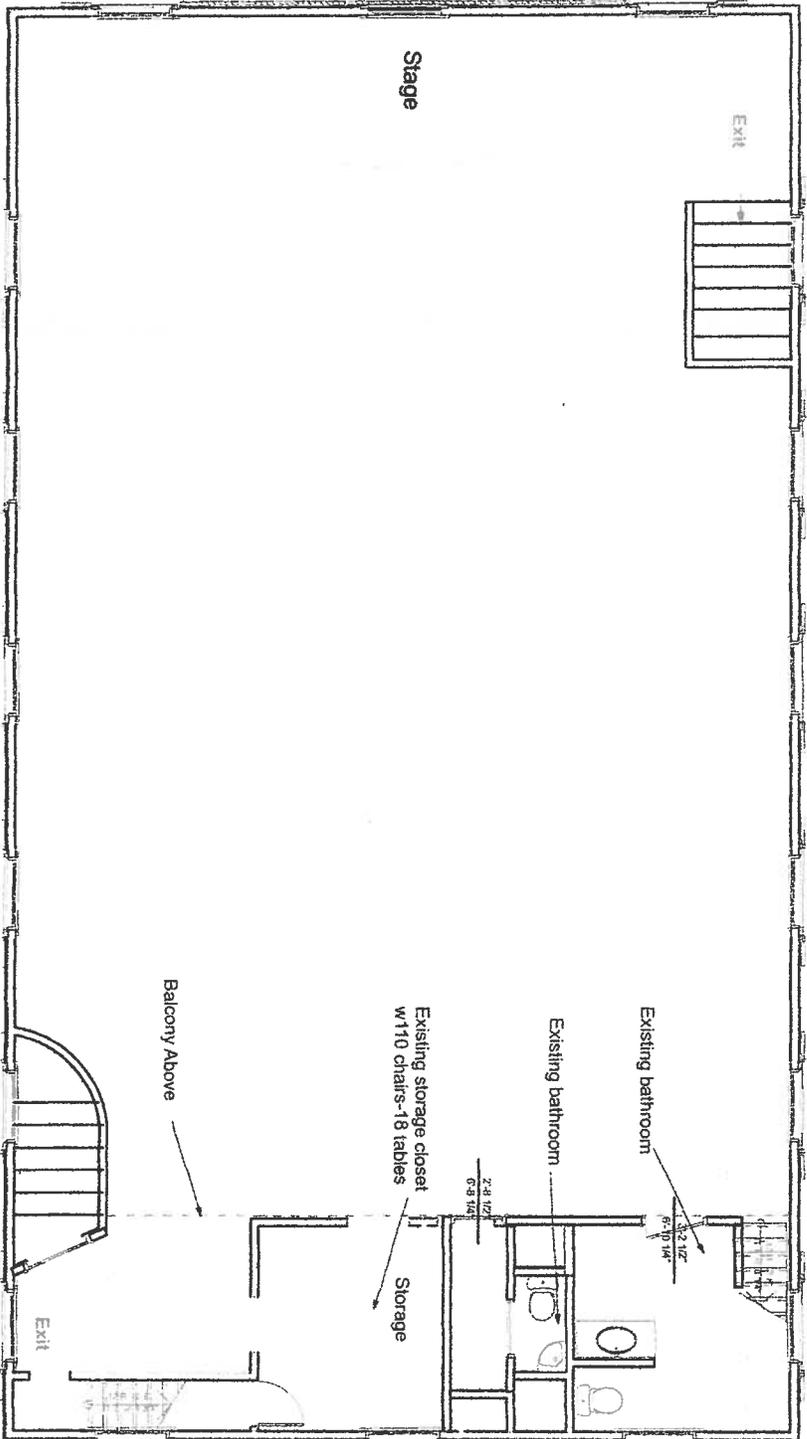
Copyright: 2012

Builder: Action Woodworks

Title
 Exchange Hall
 2 School Street
 Acton MA, 01720

AAB Designs

First Floor Existing Plan



4.1 Third Floor Existing Plan (Ballroom)



Action Woodworks

2 School Street
 Acorn, MA 01720
 978-283-0222
 978-283-1873
 info@actionwoodworks.com

Revision #12 4/30/12

Project #: 100927

CAD file:

Designer: Glenn Berger

Date: 9/30/10

Copyright: 2012

Builder: Action Woodworks

Title

Exchange Hall
 2 School Street
 Acorn MA, 01720

AAB Designs

Third Floor Existing
 (Ballroom)



Exchange Hall

2 School Street
Acton, Massachusetts 01720
978-263-8500
www.exchangehall.com
info@exchangehall.com

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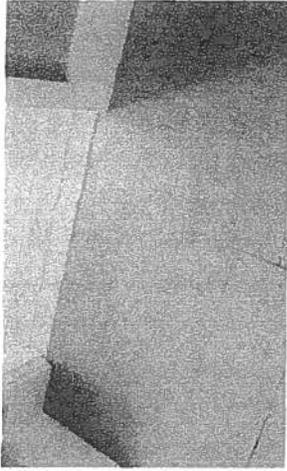
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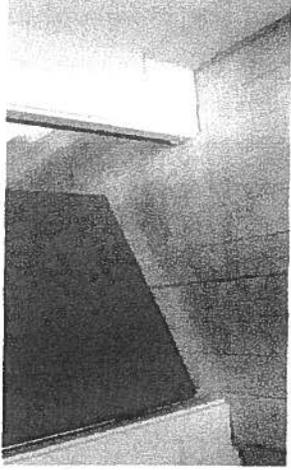
Sincerely,
Glenn Berger, Manager
Exchange Hall, LLC

cc: Frank Ramsbottom, building commissioner
Local Disability Commission
Independent Living Center
Acton Town Manager

Exchange Hall 5/1/12



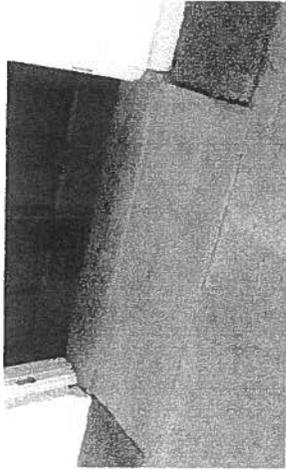
Door 207 #P1



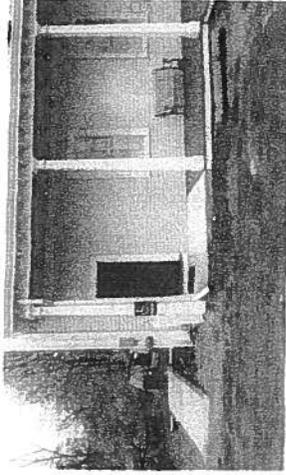
Door 208 #P2



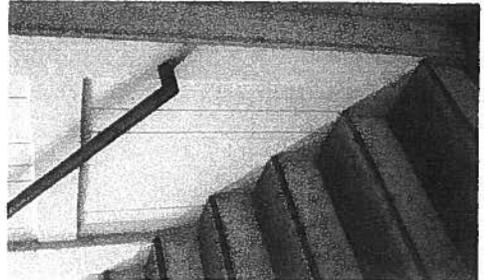
West Handrail #P3



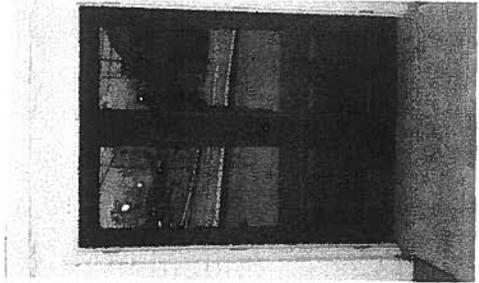
Door 001 #P4



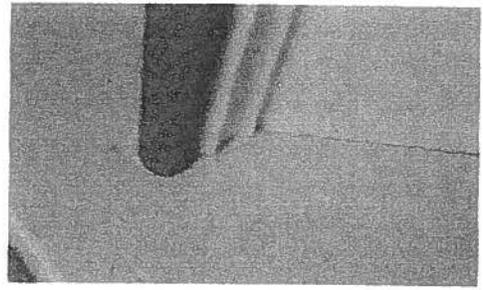
South side Handicap Parking #P7



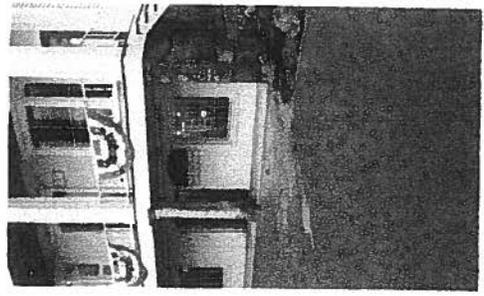
West Handrail #P3.1



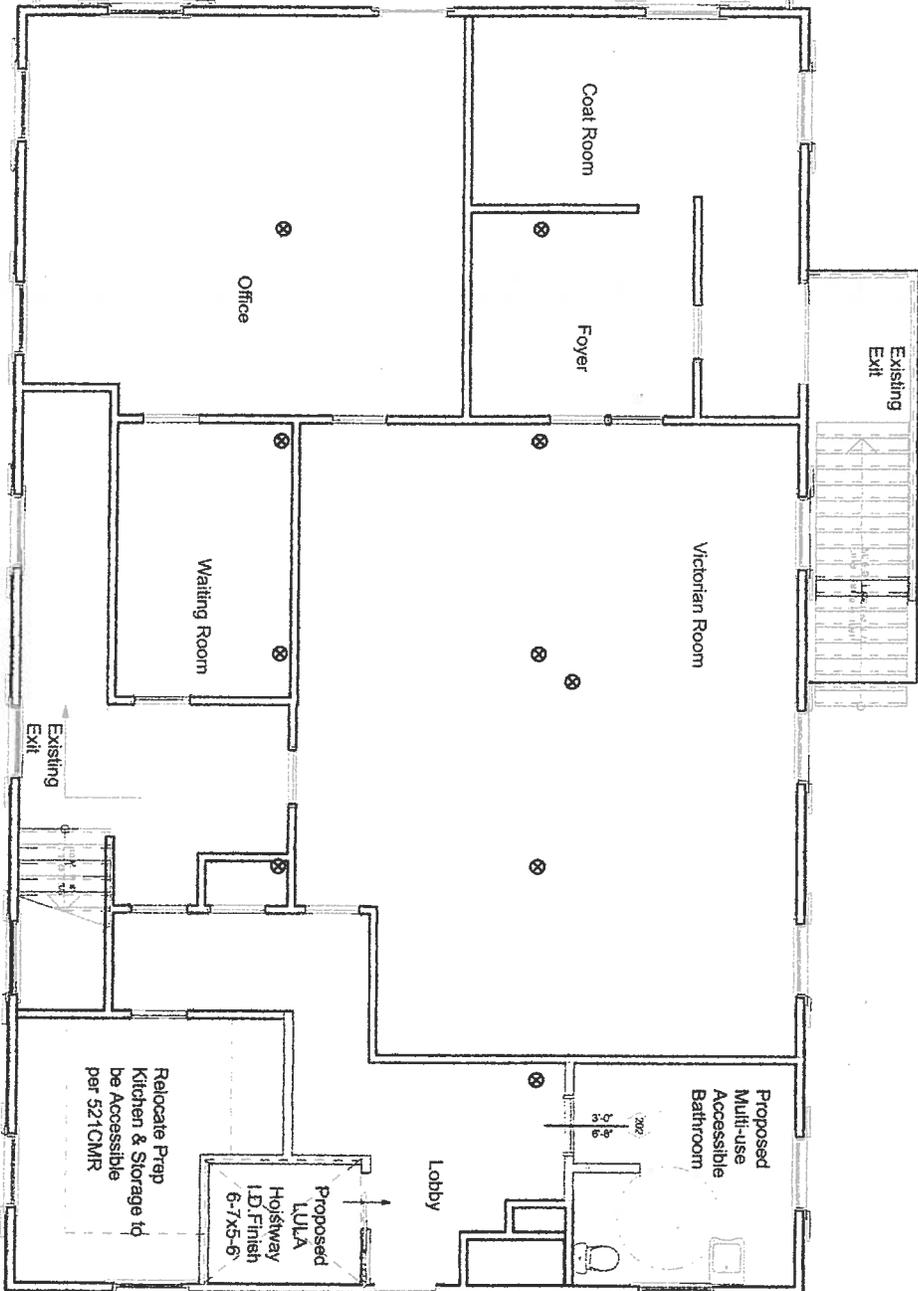
Door 001 #P5



Nosing East Side Stairs #P6



South side Handicap Parking #P8



3.2 Second Floor Proposed Plan

Permanently seal original door



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AAB Designs

Second Floor Proposed Plan



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978-263-8500
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info@exchangehall.com

May 1, 2012

The Commonwealth of Massachusetts
Department of Public Safety/Architectural Access Board
One Ashburton Place, Room 1310
Boston, MA 02108

Re: Final Decision of the Board, November 14, 2011,
Exchange Hall
2 School St, Acton, MA 01720
Docket Number V11-110

Dear Mr. Hopkins and the Board,

In response to the decision by the Board requesting proposed plans, timeline, and budget to accomplish full compliance with 521CMR, I am submitting a proposed project for your review with plans dated April 30, 2012. The plans show our effort for design renovations to Exchange Hall that will meet the standards set out in 521 CMR, and continue to maintain the historic character of the building both inside and out.

Exchange Hall's business is the rental of office space on the ground, first, and second floors. The primary income is received from the rental of space on the second and third floors as a venue for private and public functions. There is no doubt that accessibility will be key to the success of the businesses in the building and the future of the building itself.

LU/LA Elevator:

Because of severely limited interior space, the proposed plans show a location for a LU/LA elevator, instead of a full size elevator. The LU/LA is 3' 6" by 5' 0", and as proposed will have a door on both ends. Currently, I am specifying the Elvoron LU/LA supplied by Garaventa. The height limitations of the LU/LA to 25'0" will work in this application.

A significant challenge in designing the accessibility plan was the relocation of necessary storage for tables, chairs, event and seasonal interior and exterior decorations, etc., without affecting the historic integrity of The Ballroom. This inventory is required in order to support the primary business of both the second and third floors as a venue for functions, classes, meetings, and events. The current plans show the LU/LA traveling from the first floor to the balcony located on the third floor in The Ballroom. I am requesting the board approve the LU/LA. The specifications will meet the requirements of 521CMR.

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Doors, stairs, kitchen, and floors:

All doors, doorways, stairs, and floors that require adjustment to meet 521CMR will be modified as part of this proposed project. All hardware, fixtures, and cabinetry will meet the requirements of 521CMR as stated in the previous decisions of the Board concerning Exchange Hall.

November 14, 2011 letter from the Board:

The Board has requested photographs and written description of the solutions for accessibility. The photographs are attached.

- Door #207, 26.10: Door #207 photograph shows that the transition between floor levels of greater than 1/2" has been eliminated (photo #P1).
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The proposed budget for the project to completion is \$184,833. This is approximately \$40,000 more than the previous submission. The increase is due to rethinking the design layouts, crucial functions and use of the various parts of the interior of Exchange Hall. Unfortunately, it appears there is no cost effective way to provide access to the small historic stage (circa 1900) at the front of the Ballroom (7'-6" x 15'-0"). An accessible ramp would be approximately fifty feet in length, an encumbrance not feasible for the room use. A lift is cost prohibitive considering the relatively few times the stage is used. I request a variance to the requirements of 14.6. If the Board denies this request we will prohibit access to the stage entirely.

advance. Every attempt will be made to fill your request; however, all requests are subject to the availability of CART providers. Priority will be given to those requests involving urgent mental health, medical and legal matters. Generally, MCDHH will notify the requestor at least three days prior to the assignment to inform them if a CART providers has been scheduled. A one-week notification period will be used for requests for conferences, certain meetings, and other events in which rescheduling is difficult or impossible. Please note that only the requestor (the person paying for the CART Provider) will be notified regarding the availability of the CART Provider.

For all medical, mental health and legal emergency interpreter requests, during business hours, call 1-800-249-9949 TTY/Voice. Evenings after 5:00 pm, weekends, and holidays, you may also call **800-760-1625 TTY** and **617-556-5286 Voice.**

What if there is a cancellation or a change from the original request?

Please report any changes or cancellations as soon as possible. This is necessary regardless of whether you have received confirmation from MCDHH that a CART Provider has been assigned. Since CART providers are in high demand, this information will assist in more efficient use of their services. If cancellations are not called in to the MCDHH main number at least 3 business days in advance of the assignment date, you may be billed in full for the CART Provider's time.

How much does it cost to hire a CART reporter?

As do other professionals who contract their services, CART provider charge fees based on qualifications, experience, and type of job assignment. The fees quoted below are approximate ranges; fees are set by the individual interpreters and CART Providers for jobs in the private sector.

Freelance CART Reporter: a minimum fee ranging from \$225 to \$300 for the first two hours or any part thereof; \$75 to \$100 per hour; additional charges for provision of projection equipment and provision of ASCII file. Exact fees per job, cancellation policy, travel, and mileage are negotiated by the paying consumer and the CART Provider.

Can I give feedback about the CART provider?

Yes. You can share feedback, both compliments and complaints, with the Director of Interpreter and CART Services at the Commission. This information will be shared but your name will not be used without your permission.

This information is provided by the [Massachusetts Commission for the Deaf and Hard of Hearing](#).



Exchange Hall

2 School Street

Acton, Massachusetts 01720

www.exchangehall.com

info@exchangehall.com

May 1, 2012

Elizabeth Franklin
Local Disability Commission
68 Windsor Avenue
Acton, MA 01720

Re: Exchange Hall
2 School Street, Acton 01720
Docket Number V11-110

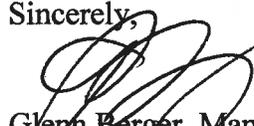
Dear Ms. Franklin,

Enclosed please find three documents related to Exchange Hall. Each was sent to The Commonwealth of Massachusetts, Department of Public Safety/Architectural Access Board, in response to the Board's decision letter, dated November 14, 2011.

- Cover letter addressing the Board's requests for Exchange Hall's plan to become fully accessible.
- Architectural drawing for the proposed elevator.
- Photographs of completed accessibility projects.

All documents were also submitted May 1, 2012 by email.

Sincerely,



Glenn Berger, Manager
Exchange Hall, LLC



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May 1, 2012

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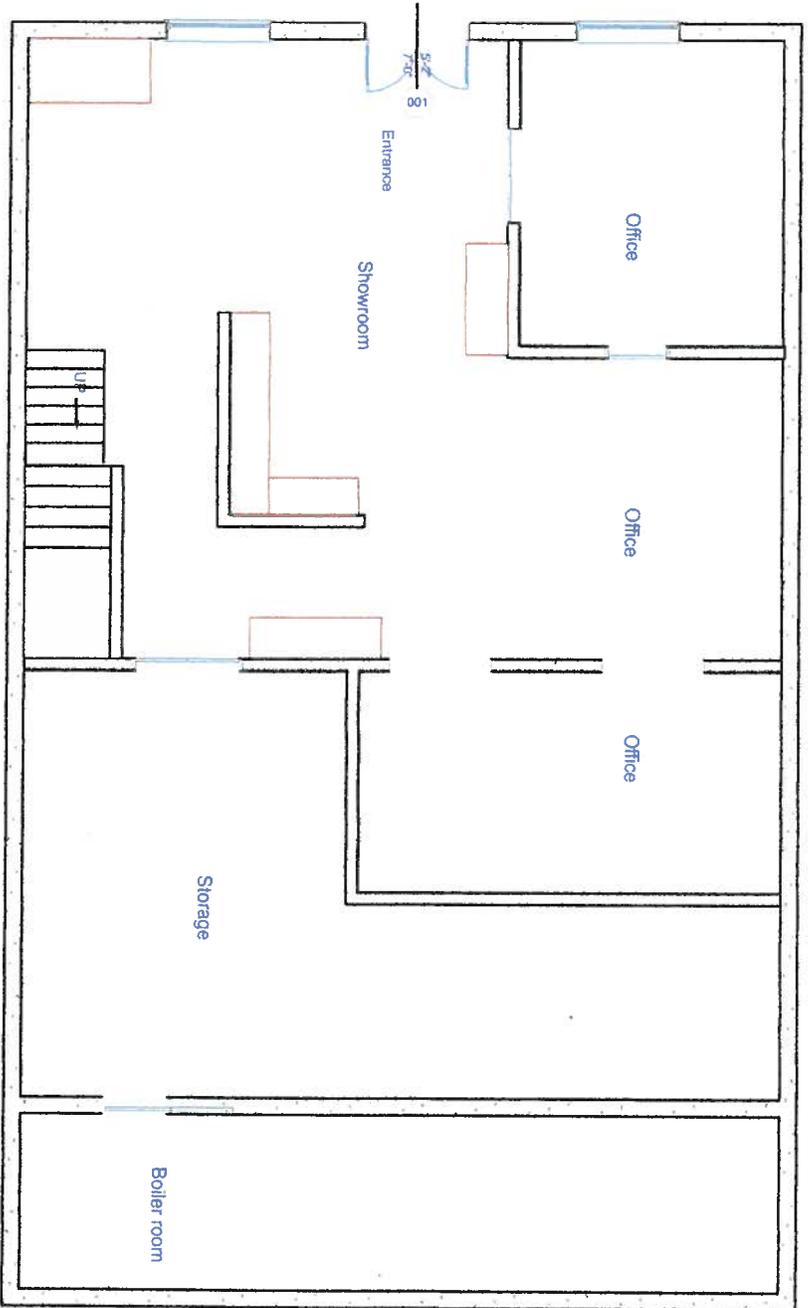
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Exchange Hall, LLC

cc: Frank Ramsbottom, building commissioner
Local Disability Commission
Independent Living Center
Acton Town Manager



1.1 Ground Floor Existing Plan



Action Woodworks

2 School Street
 Acton, MA 01720
 978-283-0222
 978-283-1873
 info@actionwoodworks.com

Revision #12 4/30/12

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CAD File:

Designer: Glenn Berger

Date: 9/30/10

Copyright: 2012

Builder: Action Woodworks

Title

Exchange Hall
 2 School Street
 Acton MA, 01720

AAB Designs

Ground Floor Existing Plan



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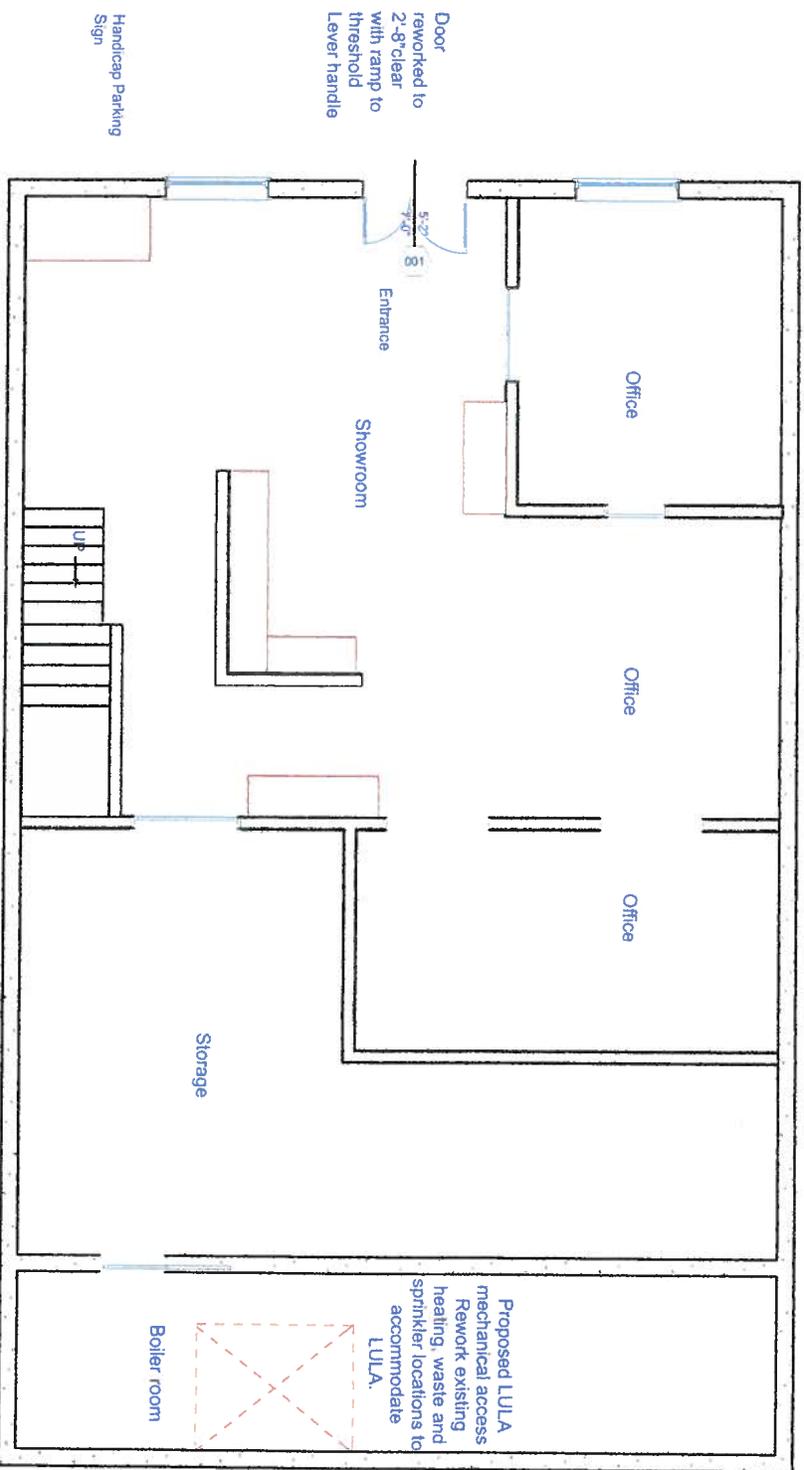
Builder: Action Woodworks

Title

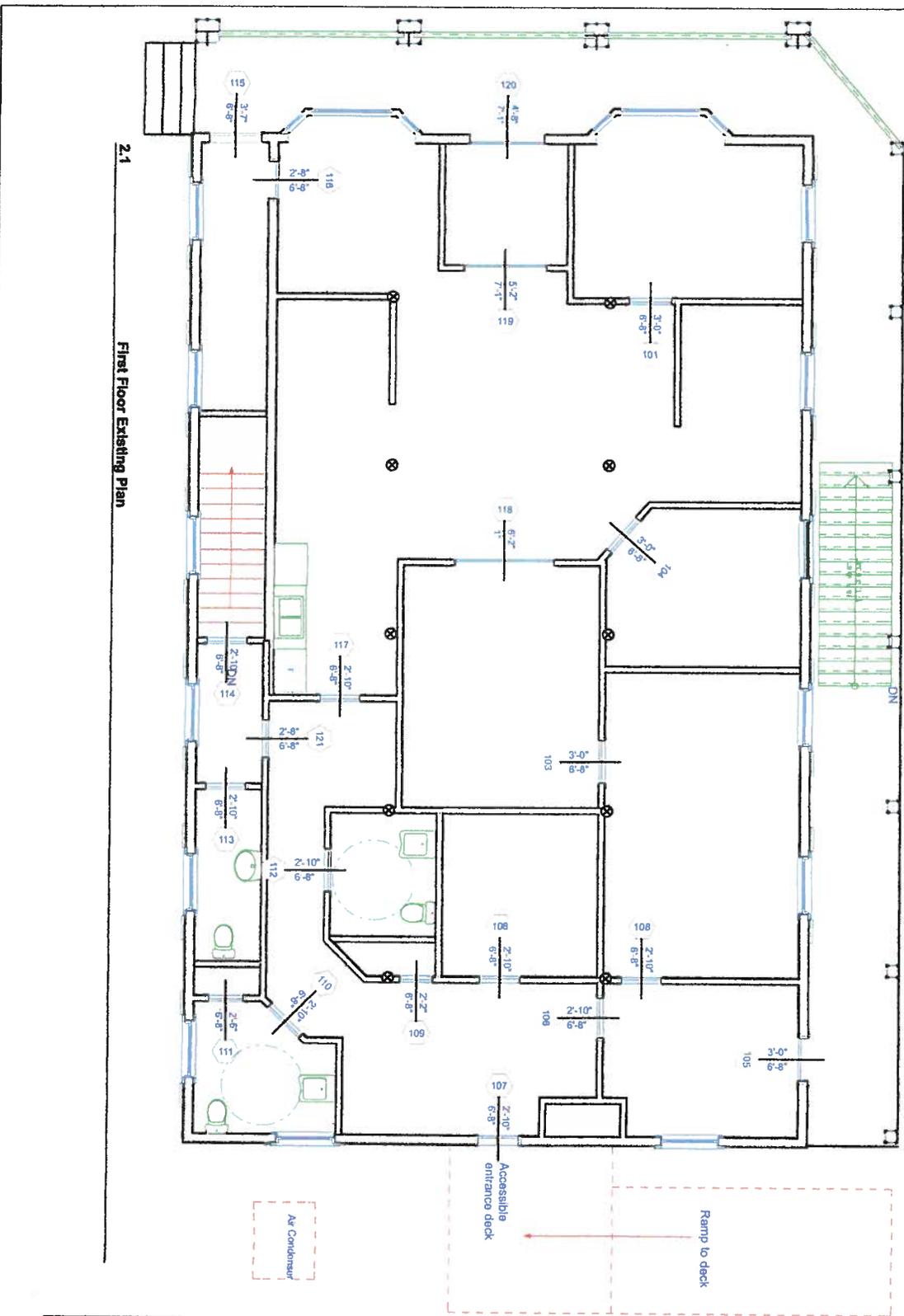
Exchange Hall
 2 School Street
 Acton MA, 01720

AAB Designs

Ground Floor Proposed Plan



1.2 Ground Floor Proposed Plan



2.1 First Floor Existing Plan

Handicap parking space and sign



Action Woodworks

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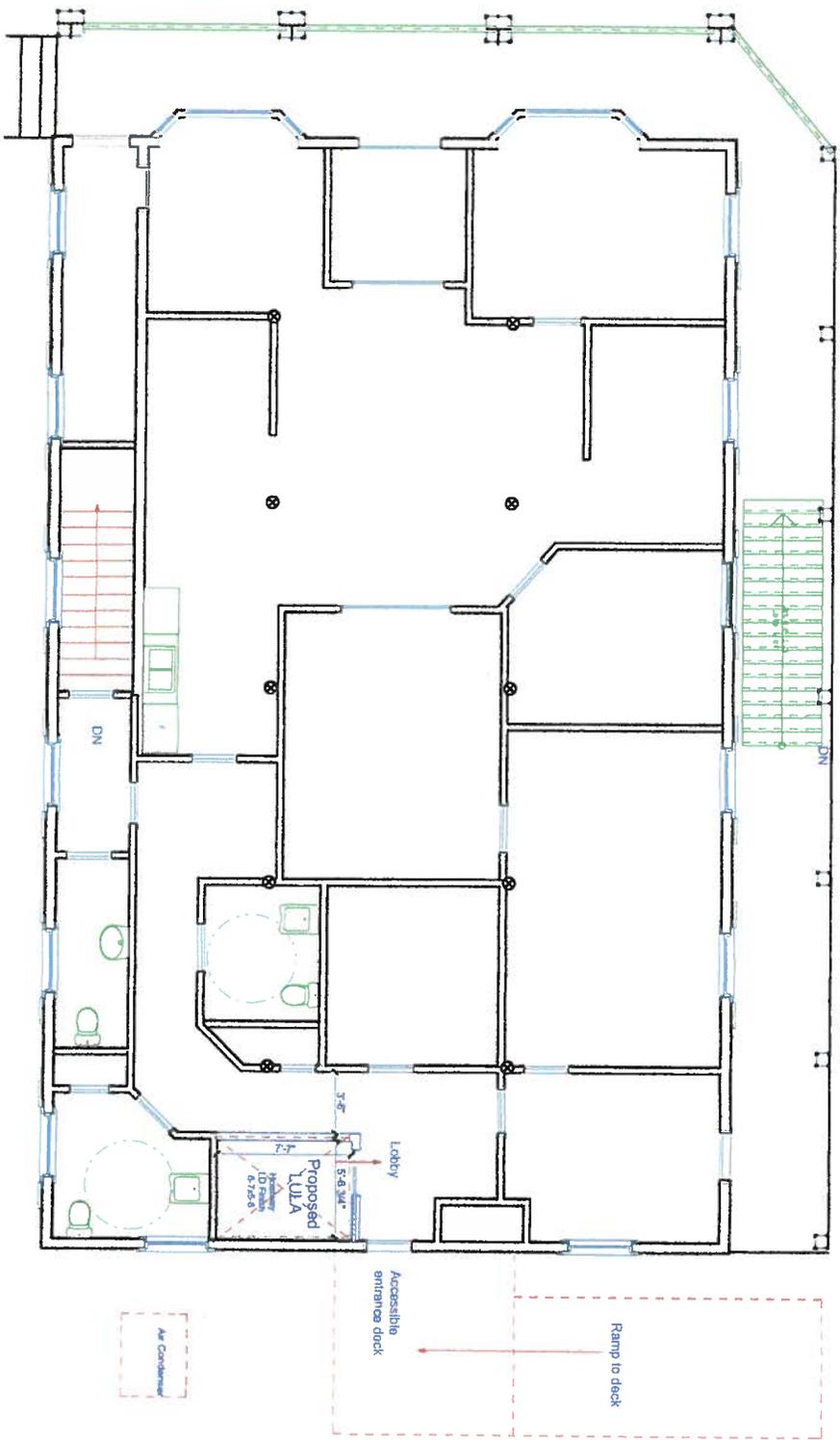
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Title
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AAB Designs

First Floor Existing Plan



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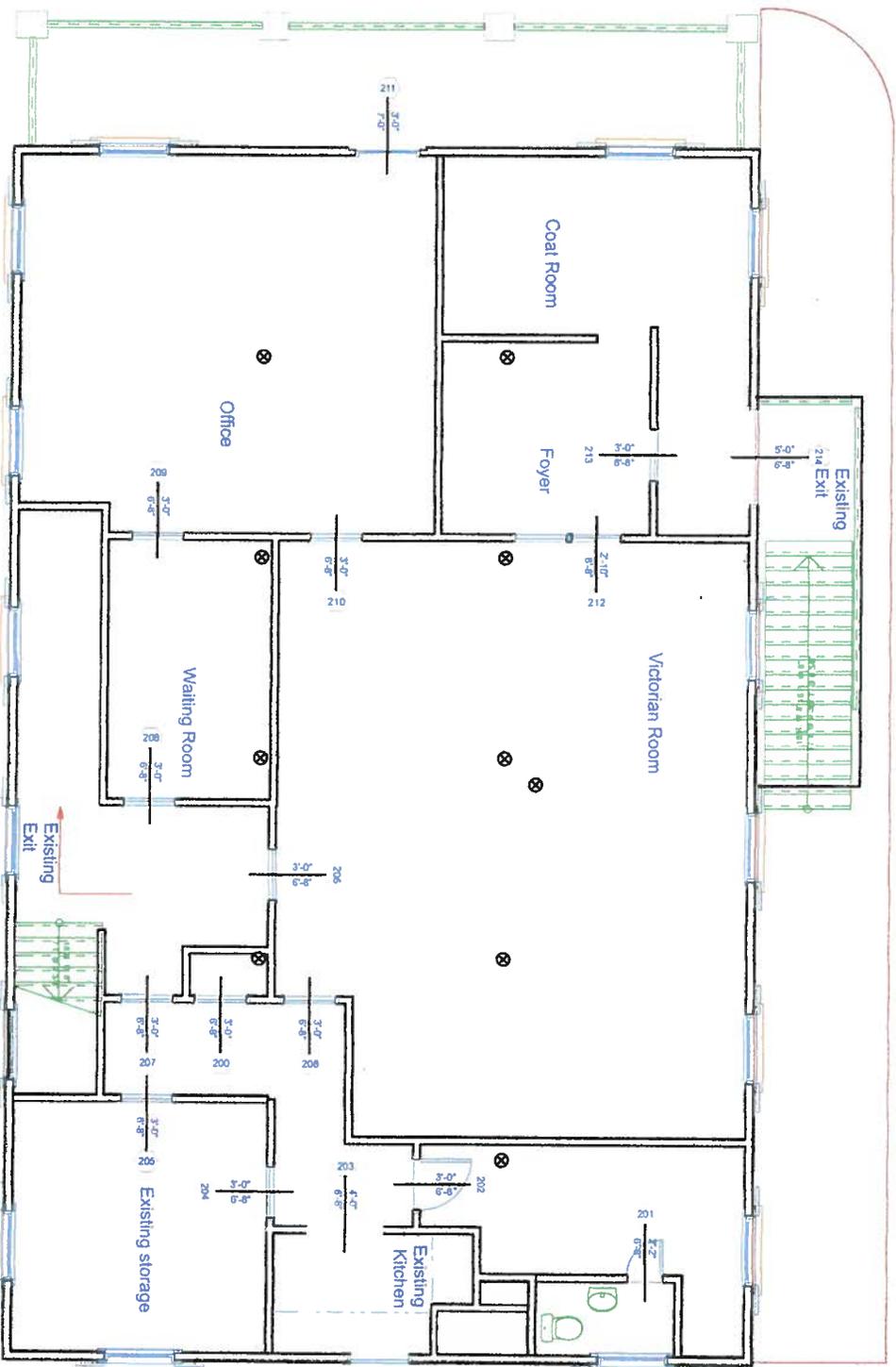
Copyright: 2012

Builder: Action Woodworks

Title

Exchange Hall
 2 School Street
 Acton MA, 01720

AAB Designs



3.1 Second Floor Existing Plan



Acton Woodworks

2 School Street
 Acton, MA 01720
 978-283-0222
 978-283-1873
 info@actonwoodworks.com

Revision #12 4/30/12

Project #: 100927

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Date: 9/30/10

Copyright: 2012

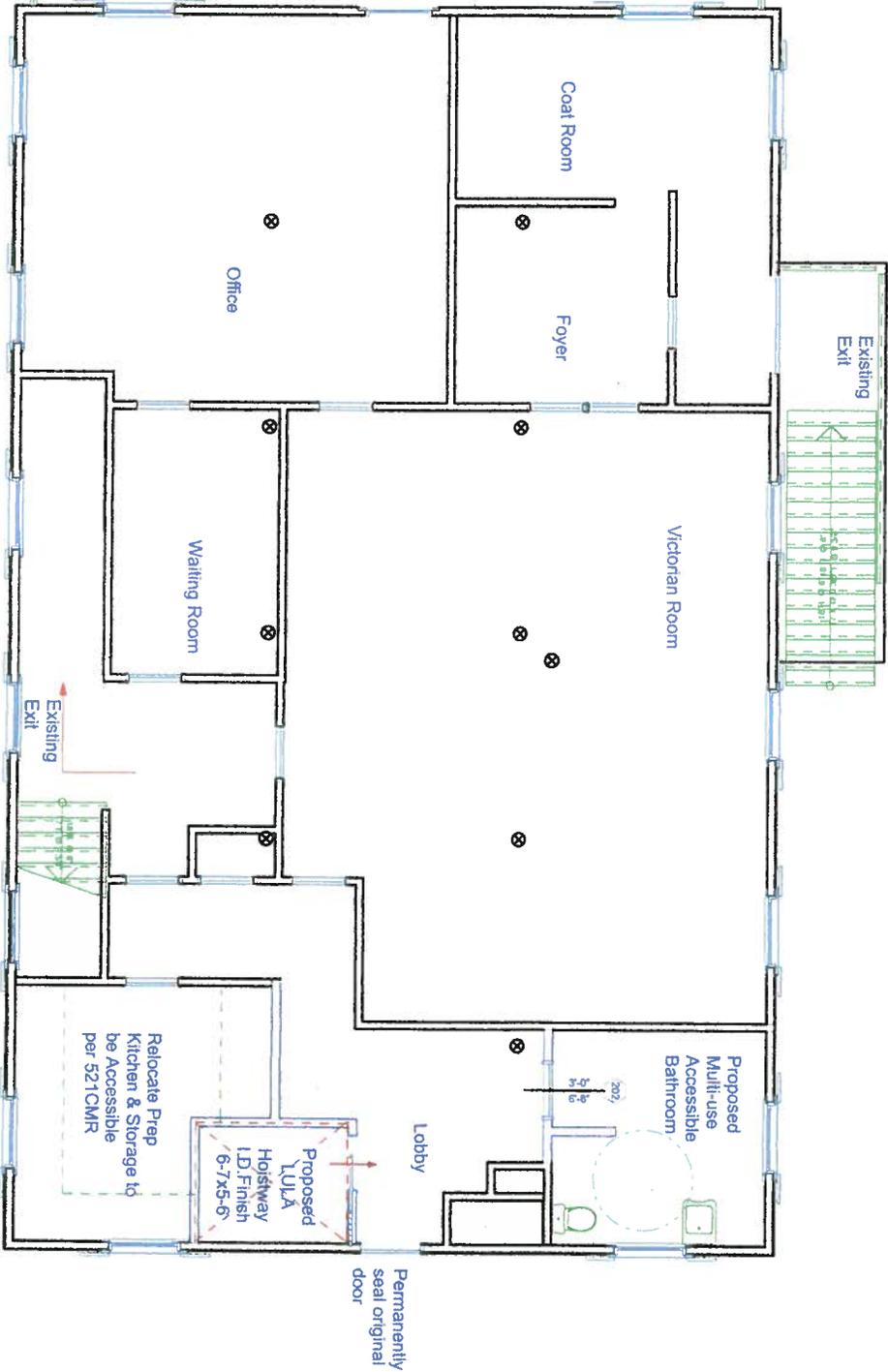
Builder: Acton Woodworks

Title

Exchange Hall
 2 School Street
 Acton MA, 01720

AAB Designs

Second Floor Existing Plan



3.2 Second Floor Proposed Plan



Acton Woodworks

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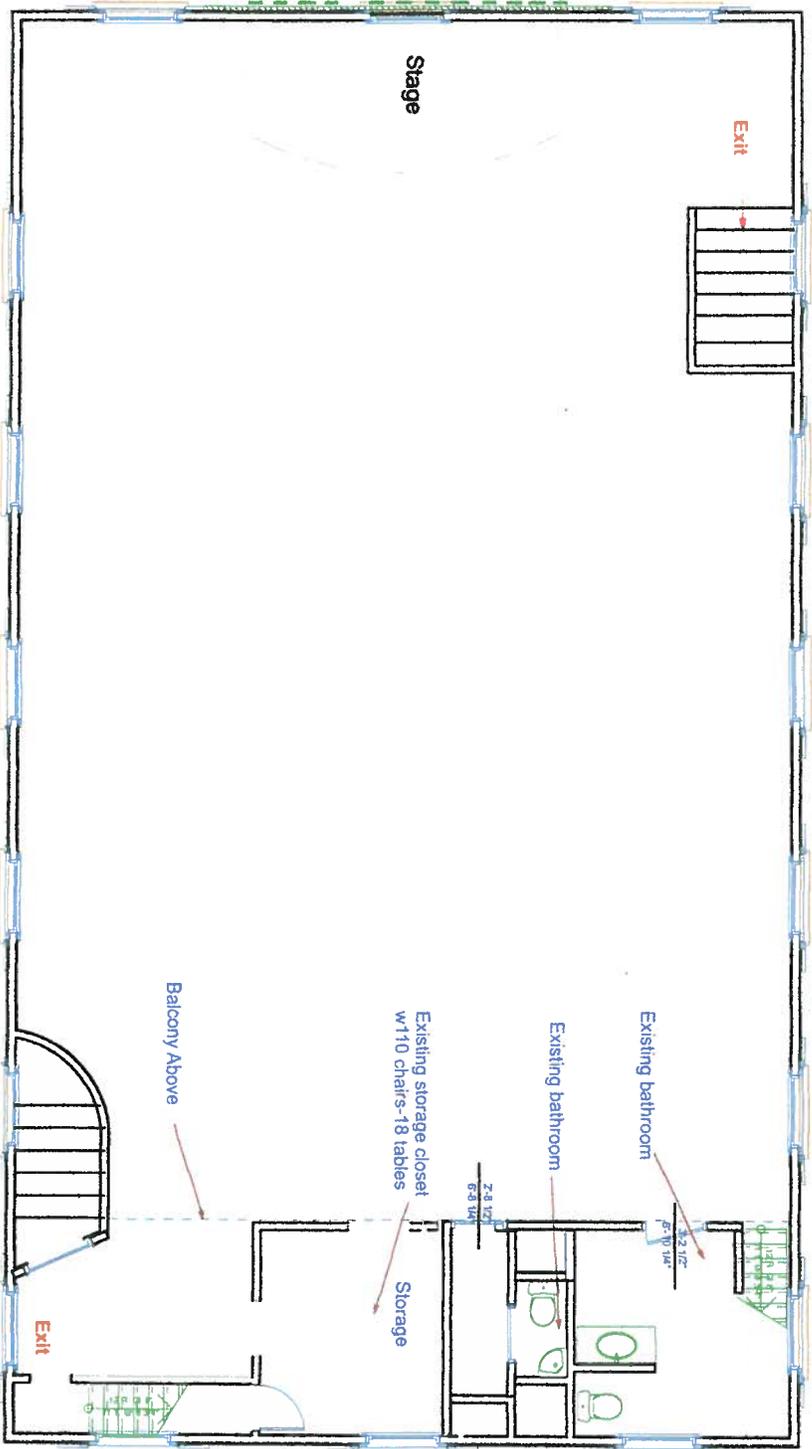
Builder: Acton Woodworks

Title

Exchange Hall
 2 School Street
 Acton MA, 01720

AAB Designs

Second Floor Proposed
 Plan



4.1 Third Floor Existing Plan (Ballroom)



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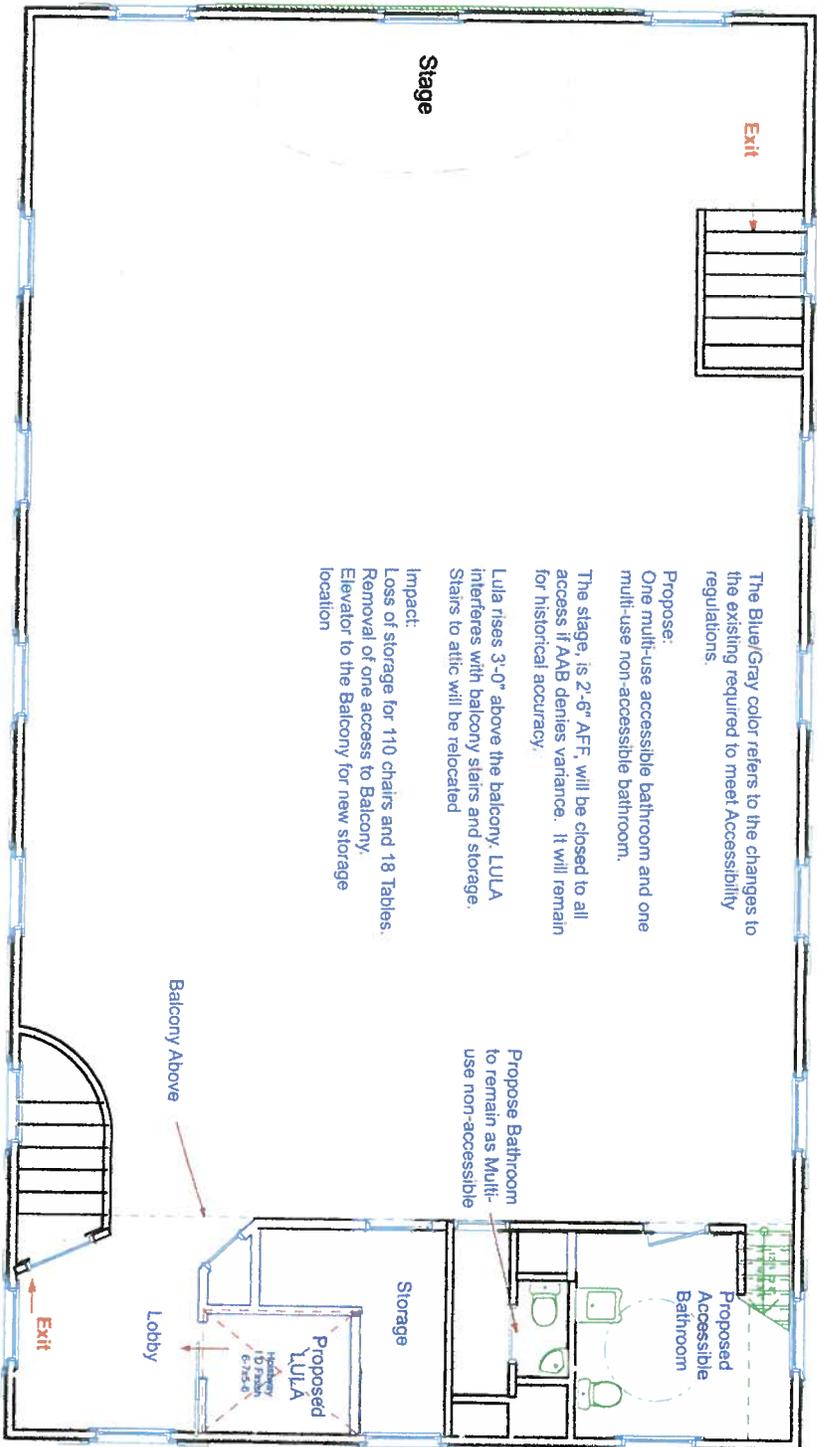
Builder: Adan Woodworks

Title

Exchange Hall
 2 School Street
 Adan MA, 01720

AAB Designs

Third Floor Existing
 (Ballroom)



4.2

Third Floor Proposed Plan (Ballroom)



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AAB Designs

Exchange Hall 5/1/12



Door 207 #P1



Door 208 #P2



West Handrail #P3



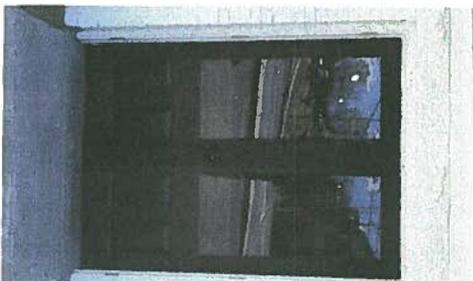
Door 001 #P4



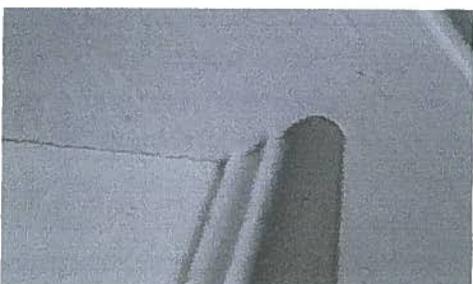
South side Handicap Parking #P7



West Handrail #P3.1



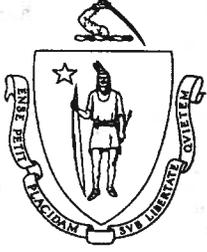
Door 001 #P5



Nosing East Side Stairs #P6



South side Handicap Parking #P8



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

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

Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

November 22, 2011

Glenn Berger
Exchange Hall
2 School Street
Acton, MA 01720

Re: Final Decision of the Board; Exchange Hall, 2 School Street, Acton; Docket Number V11-110

Dear Mr. Berger,

The Architectural Access Board ("Board") has received your September 1, 2011 letter regarding the submittal of the required information from the July 25, 2011 decision of the Board. Said decision noted that the Board had voted to *CONTINUE* the matter and *REQUIRE* that the Petitioners complete a full review of all aspects of the building as they relate to 521 CMR and then submit a more comprehensive study and variance request as to which areas of the building will not comply and if a time variance or outright relief from the requirements is being requested. Said submittal shall be received by the Board no later than *September 1, 2011*. The submittal shall detail the variances requested, and include test drawings to show how full compliance would affect the existing building." The "accessibility review" done by Kraus Architects and dated August 27th and 29th, 2011, noted several areas where the existing conditions of the building will require variances.

The Board reviewed said submittals during an administrative discussion at their regularly scheduled November 14, 2011 meeting. The variances are for the following items, as noted in the August 29, 2011 "accessibility review" done by Kraus Architects:

- 1) The entrance/exit at Door # 001 at the ground floor, leading to an accessible route, does not comply with 521 CMR 29.2, Level Changes. There is a 1 ½-inch drop from the door threshold to the concrete walkway immediately outside of the entrance/exit. *The owner requests a variance to provide a tapered 6-inch wide hardwood threshold*

excessive cost without substantial benefit to persons with disabilities.
Therefore, the item in question must be brought into compliance with the applicable section(s) of 521 CMR.

- 4) The existing second floor toilet room does not comply with 521 CMR 30.00, Public Toilet Rooms. Door # 201, leading into the room has a clear opening of 24 inches, which does not comply with 521CMR 26.00, Doors and Doorways. There is a 7-inch step up once inside the toilet room, which does not comply with 521 CMR 29.2, Level Changes. The toilet room is approximately 3-feet wide, which does not comply with 521 CMR 30.5, which requires a clear floor space of 60-inches in diameter. The water closet in the toilet room in question also does not comply with 521 CMR 30.7, Water Closets. The sink in the toilet room in question does not comply with 521 CMR 30.9, Sink. There are no grab bars within the toilet room in question, which does not comply with 521 CMR 30.8, Grab Bars. *The Owner requests a variance from full compliance with 521 CMR. The Owner asserts that the modifications necessary to achieve full compliance, including wheelchair accessibility, are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities. In an effort to achieve partial compliance, the Owner proposes to replace the non-compliant water closet, install one 24-inch grab bar on the wall behind the water closet and install a lever-type faucet at the lavatory.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the all of the variances requested in regards to the lack of compliance at the existing second floor toilet room (521 CMR 26.1, 29.2, 30.1, 30.5, 30.7, 30.8, and 30.9); based on the fact that the Board felt as though the Petitioner had not proven that the cost of full compliance would be excessive cost without substantial benefit to persons with disabilities. Therefore, the items in question must be brought into compliance with the applicable sections of 521 CMR.
- 5) Door # 202 leading into the second floor dressing area has a 28-inch clear opening and does not comply with 521 CMR 26.00, Doors and Doorways. *The Owner requests a variance from full compliance with 521 CMR. The Owner asserts that the modification necessary to achieve full compliance is impracticable as it would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities. The Petitioner noted that if a variance for the existing second floor toilet room is granted, modifying Door no. 202 becomes impracticable.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the variance requested for 521 CMR 26.1, regarding the lack of a compliant door at Door # 202 leading into the second floor dressing area; based on the fact that the Board felt as though the Petitioner had not proven that the cost of full compliance would be excessive cost without substantial benefit to persons with disabilities. Therefore, the item in question must be brought into compliance with the applicable section(s) of 521 CMR.
- 6) The existing kitchen at the second floor does not comply with 521 CMR 32.00, Kitchens. The clear space directly in front of the refrigerator is 42-inches, which does not comply with 521 CMR 32.1, General, which requires a clear floor space of 60-inches in diameter. The sink rim is 36-inches above the finish floor, which does not comply with 521 CMR 32.7.2. Plumbing pipes at the sink are not insulated or

- 10) Due to the difference in new hardwood flooring and original flooring at the second floor, the floor drops approximately $\frac{3}{4}$ of an inch at Door #207 from the Victorian Room to the back hall, steps up again in the hall between Doors 206 and 215, and down again entering the hall in front of the kitchen. This condition does not comply with 521 CMR 29.2, Level Changes. *The Owner request a variance from full compliance with 521 CMR. The Owner proposes to provide a tapered 5-inch wide hardwood threshold beveled to a 1:10 (10%) slope at the level change.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the variance requested for 521 CMR 29.2, regarding the change in level at Door #207 from the Victorian Room to the back hall, steps up again in the hall between Doors 206 and 215, and down again entering the hall in front of the kitchen; based on the fact that the Board felt as though the Petitioner had not proven that the cost of full compliance would be excessive cost without substantial benefit to persons with disabilities. Therefore, the locations in question must be brought into compliance with the applicable section(s) of 521 CMR.

- 11) The stage at the third floor ballroom is approximately 32 inches above the finish floor, which does not comply with 521 CMR 14.6, Access to Performing Areas. *The Owner requests a variance from compliance with 521 CMR. The Owner asserts that creating a ramp for access to the stage would be technically infeasible because of the height of the stage and the amount of ramp required to create access.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the variance requested for 521 CMR 14.6, regarding the lack of access to the stage at the third floor ballroom; based on the fact that the Board felt as though the Petitioner had not proven that the cost of full compliance would be excessive cost without substantial benefit to persons with disabilities. Therefore, the item in question must be brought into compliance with the applicable sections of 521 CMR.

- 12) The existing toilet room on the west side of the third floor of the building does not comply with 521 CMR 30.00, Public Toilet Rooms. Door # 305, leading into the room, has a clear opening of 30 $\frac{1}{4}$ -inches, which does not comply with 521 CMR 26.00, Doors and Doorways. The existing water closet is in a stall which is less than 36-inches wide, which does not comply with 521 CMR 30.6, Toilet Stalls. The water closet does not comply with 521 CMR 30.7, Water Closets. The sink does not comply with 521 CMR 30.9, Sink. There are no grab bars, which does not comply with 521 CMR 30.8, Grab Bars. *The Owner requests a variance from full compliance with 521 CMR. The Owner asserts that the modifications necessary to achieve full compliance, including wheelchair accessibility, are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities. In an effort to achieve partial compliance, the Owner proposes to replace the non-compliant water closet, install one 36" grab bar on the wall adjacent to the water closet and install a lever-type faucet at the lavatory.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the all of the variances requested in regards to the lack of compliance at the existing toilet room on the west side of the third floor of the building (521 CMR 26.1, 30.1, 30.6, 30.7, 30.8, and 30.9); based on the fact that the Board

27.4.7, Clearance. *The Owner proposes to replace the handrails on both sides to be compliant with 521 CMR; correcting the height, providing required clearances, and providing required extensions as far as space permits.*

Upon reviewing this matter, the Board voted as follows:

- *NO VARIANCE IS NEEDED* for the handrails at the West Stair on the condition that, as proposed, compliant handrails are installed at both sides of the existing West Stair by a date to be determined later in the vote.

16) The existing nosings at the East Stair are traditional bull-nose with scotia molding below, which do not comply with 521 CMR 27.3, Nosings, requiring sloped risers or angled nosings with angles no less than 60 degrees from the horizontal. *The Owner requests a variance for full compliance with Section 27.3. While the nosings are not a smooth 60 degree angle, the scotia molding does mitigate the abruptness of the underside of the nosings.*

Upon reviewing this matter, the Board voted as follows:

- *CONTINUE* the matter regarding the nosings at the existing East Stair (521 CMR 27.3), to have the Petitioners submit more detailed dimensions and pictures of the nosings in question to be submitted by a date to be determined later in the vote.

17) The existing handrails at the East Stair do not comply with 521 CMR 27.4, Handrails. The outside diameter of handrails on both sides is 2 ¾ inches in the long direction of the oval, which does not comply with 521 CMR 27.4.4, Size. Handrails on both sides have zero clearance from the floor edge and other trim projections, which does not comply with 521 CMR 27.4.7, Clearance. *The Owner requests a variance from compliance with 521 CMR 27.4 for the handrails at the East Stair. The Owner asserts that the handrails at this stair are the original historic handrails and that the modifications necessary to achieve full compliance are impracticable as they would result in excessive and unreasonable costs without a substantial benefit to persons with disabilities.*

Upon reviewing this matter, the Board voted as follows:

- *DENY* the variances requested in regards to the lack of compliant handrails at the existing East Stairs (521 CMR 27.4); based on the fact that the Board felt as though the Petitioner had not proven that the cost of full compliance would be excessive cost without substantial benefit to persons with disabilities. Therefore, the items in question must be brought into compliance with the applicable section(s) of 521 CMR.

18) The second and third floors of the building are not accessible from grade, therefore an elevator would be required for accessibility to those levels. The building does not have an elevator, which does not comply with 521 CMR 28.00, Elevators. *The Owner requests a variance for the lack of elevator access to the second and third floors, based on the following assertions:*

- 1) *An exterior addition to create a full use elevator and lobby is technically infeasible because the distance from the building to the rear property line is approximately 8 feet. The minimum setback requirement for side and rear yards in this zoning district is 10 feet.*
- 2) *An interior renovation to provide a limited use limited application (LULA) elevator*

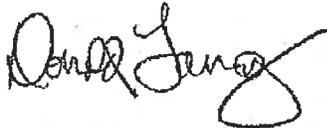
noted above into compliance by a specified date.

Upon reviewing this matter, the Board voted as follows:

- *REQUIRE* that proposed plans and dates for compliance, for all of the denied variances be submitted to the Board no later than *March 1, 2012*, to be reviewed by the Board at their regularly scheduled March 12, 2012 meeting.
- *REQUIRE* that each of the aspects of the building that were proposed to be completed in full compliance with 521 CMR by the Petitioner in the August 29, 2011 submittal, be completed no later than *May 1, 2012*, with both photographic and written verification to be received by the Board on or before said date.
- *NOTIFY* the Owner, the Acton Town Officials, and the State Representatives representing Acton that, based on the lack of vertical access to the upper meeting spaces, the use of the second and third floors of the building would be a violation of the Open Meeting Laws (M.G.L. Ch. 39, § 23A.) for any public meetings held at these floors.

ARCHITECTURAL ACCESS BOARD

By:



Donald Lang, Chairman



Diane McLeod, Vice Chair



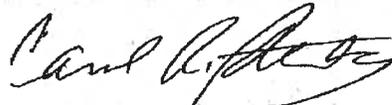
Andrew Bedar, Member



Myra Berloff, Director of Massachusetts
Office on Disability



Gerald LeBlanc, Member



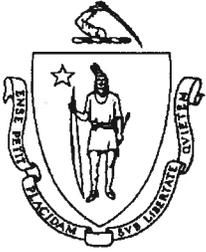
Carol Steinberg, Member



D. Mark Trivett, Member



Walter White, Executive Office of Public
Safety Designee



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

The Commonwealth of Massachusetts
Department of Public Safety

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Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

DECISION OF THE ARCHITECTURAL ACCESS BOARD

Date: **August 4, 2011**

Name of Property: **Exchange Hall**

Property Address: **2 School Street, Acton, MA**

Docket Number: **V11-110**

Date of Hearing: **July 25, 2011**

Enclosed please find a copy of the decision relative to the above mentioned matter.

Sincerely:

ARCHITECTURAL ACCESS BOARD

By:

Kate Sutton

Kate Sutton, Program Coordinator/Clerk for Proceedings

cc: Local Building Inspector
Local Commission on Disabilities
Local Independent Living Centers

Under the requirements of Section 27.1 of 521 CMR, "All stairs are required to comply with the following:...27.2, Treads and Risers;...27.3, Nosings;...27.4, Handrails;...27.5, Detectable Warnings at Stairs; and 27.6, Outdoor Conditions."

Per 521 CMR 28.1, "In all multi-story buildings and facilities, each level including mezzanines, shall be served by a passenger elevator. If more than one elevator is provided, each passenger elevator shall comply with 521 CMR 28. Accessible elevators shall be on an accessible route and located within the space with which it is intended to serve."

Section 30.1 of 521 CMR requires that, "[e]ach public toilet room provided on a site or in a building shall comply with 521 CMR...a. In each adult public toilet room, at least one water closet and one sink in each location shall be accessible to persons in wheelchairs, or a separate accessible unisex toilet room shall be provided at each location. Adult water closets shall comply with the provisions of 521 CMR 30.1 through 30.13...."

521 CMR Section 41.1 states that, "The following types of signage shall be provided:...41.1.1[:] Signs that designate permanent rooms and spaces shall comply with 521 CMR 41.2, 41.5 and 41.6. These include toilet room signs, room numbers, stair signs, etc...Exception: Building directories, menus, and all other signs that are temporary are not required to comply...41.1.2[:] Other signs that provide direction to, or information about, functional spaces of the building shall comply with 521 CMR 41.3, 41.4, and 41.6...41.1.3[:] Elements and spaces of accessible facilities which shall be identified by the International Symbol of Accessibility (See Fig. 41a) and which shall comply with 521 CMR 41.7, Symbols of Accessibility are: a. Parking spaces designated as reserved for individuals with disabilities; b. Accessible passenger loading zones; c. Accessible entrances when not all are accessible (inaccessible entrances shall have directional signage to indicate the route to the nearest accessible entrance); d. Accessible toilet and bathing facilities when not all are accessible [and] e. Emergency egress signs, which are required to be illuminated."

Exhibits

Exhibit 1: Board Packet, AAB1-114, including all correspondence and plans submitted.

Facts

The variance hearing was held on July 25, 2011 and based on the credited testimony of the witness, and the documents submitted, the Board finds the following facts:

- 1) The property in question was originally built in 1860 as a general store with function rooms above. The building is a total of four floors, with the ground level currently occupied as office space for Berger's woodworking company and accessible at grade. 75% of the first floor is used as office space for a lawyer's office (with a five year lease), with the rest available for rent, and access at grade. There is also a kitchen at the first floor that is used by the law office employees. The second and third floors are not accessible and are used as meeting/function spaces, along with one 500 square foot of rentable space at the second floor. (Exhibit 1 and Testimony of Berger).
- 2) In 2008, the Petitioner was awarded Community Preservation funds (CPA funds) for the exterior restoration of Exchange Hall. This work included the slate roof restoration/replacement, including the cupola roof; window restoration/replacement; rebuilding the lower porch and deck; and scaffolding of the entire building. The CPA funds were approved for up to \$231,948.00 of approved restoration work. The building permit pulled in 2008, was for \$100,000.00, which included the previously noted work. (Exhibit 1).

were reviewed by Kraus. Berger stated that he had requested additional parking to allow for enough required parking for the upper function spaces, and that when the proposed parking was lost, the proposal for an addition to the building, to include a new elevator lobby, was rescinded.

The Board Members noted that based on the spending, the entire building is required to comply in full and that the Petitioner was only seeking generalized variance requests, with no specifics given as to which elements and why those elements cannot comply with the requirements of 521 CMR. Therefore, the Board voted to *continue* this matter and require that the Petitioners complete a full review of all aspects of the building as they relate to 521 CMR and then submit a more comprehensive study and variance request as to which areas of the building will not comply and if a time variance or outright relief from the requirements is being requested. Said submittal shall be received by the Board no later than *September 1, 2011*.

Conclusion

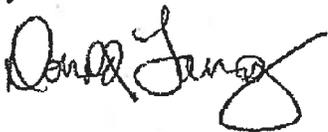
After reviewing the matter, the Board voted as follows:

- *CONTINUE* the matter and *REQUIRE* that the Petitioners complete a full review of all aspects of the building as they relate to 521 CMR and then submit a more comprehensive study and variance request as to which areas of the building will not comply and if a time variance or outright relief from the requirements is being requested. Said submittal shall be received by the Board no later than *September 1, 2011*. The submittal shall detail the variances requested, and include test drawings to show how full compliance would affect the existing building.
- *EXPEDITE* the decision of the Board, therefore bypassing the Board's approval of the decision prior to it being sent out.

A true copy attest, dated: August 4, 2011

ARCHITECTURAL ACCESS BOARD

By:

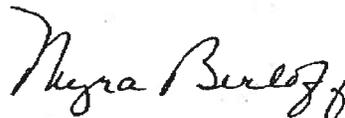


Donald Lang, Chairman

Diane McLeod, Vice Chair (not present)



Andrew Bedar, Member

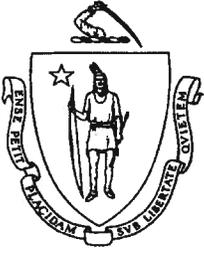


Myra Berloff, Director of Massachusetts
Office on Disability

Richard Flippin, Executive Office of
Elder Affairs Designee (not present)



Gerald LeBlanc, Member



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Andrea J. Cabral
Secretary

The Commonwealth of Massachusetts
Department of Public Safety

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Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

March 21, 2013

Glenn Berger
Exchange Hall
2 School Street
Acton, MA 01720

**Re: Notice of Amended Decision of the Board; Exchange Hall, 2 School Street, Acton;
Docket Number V11-110**

Dear Mr. Berger,

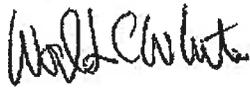
On January 8, 2013 the Architectural Access Board ("Board") received your submittal addressing the requirement from the May 21, 2012 amended decision of the Board to submit verification of the proposed limited-use-limited-application (LULA) elevator being ordered. Your January 8, 2013 e-mail stated that the construction permit for the installation of the LULA had been applied for and that the LULA would be on site in the middle of March, to be inspected and operating by April. The e-mail included a copy of a wire transfer to the manufacturer of the LULA, Savaria. The Board's May 21, 2012 decision was to "*grant the variance for the installation of a compliant limited-use-limited-application (LULA) elevator (521 CMR 28.12.3) to be installed, inspected by a State Elevator Inspector and ready for use no later than March 1, 2013.*" Based on the fact that the LULA was not proposed to be on site until the middle of March, the submittal requested that the deadline for compliance be extended to May 31, 2013 in order to ensure that there is enough time for the work to be completed and inspected.

The Board reviewed the submitted documentation during an administrative discussion at their regularly scheduled January 28, 2013 meeting and voted as follows:

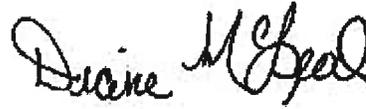
- *GRANT* the extension to the deadline for compliance for the installation of a compliant limited-use-limited-application (LULA) elevator (521 CMR 28.12.3) to be installed, inspected by a State Elevator Inspector, and ready for use no later than *May 1, 2013*. The Board also ordered that a copy of the permit for the LULA be submitted *within 30 days receipt of this decision of the Board*.

ARCHITECTURAL ACCESS BOARD

By:



Walter White, Chair



Diane McLeod, Vice Chair

Andrew Bedar, Member (not present)

Myra Berloff, Director of Massachusetts
Office on Disability (not present)



Raymond Glazier, Executive Office of Elder
Affairs Designee

Gerald LeBlanc, Member (not present)



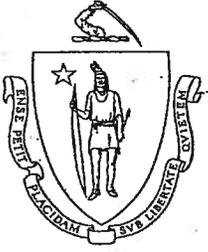
Carol Steinberg, Member



D. Mark Trivett, Member

A complete administrative record is on file at the office of the Architectural Access Board.

cc: Local Building Inspector
Local Disability Commission
Independent Living Center



The Commonwealth of Massachusetts

Department of Public Safety

Architectural Access Board

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Deval L. Patrick
Governor

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Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

Thomas G. Gatzunls, P.E.
Commissioner

Thomas P. Hopkins
Director

TO: Local Building Inspector
Local Disability Commission
Independent Living Center

Docket Number **V.11 110**

FROM: ARCHITECTURAL ACCESS BOARD

RE: **Exchange Hall
2 School Street
Acton**

Date: **6/20/2012**

Enclosed please find the following material regarding the above location:

Application for Variance

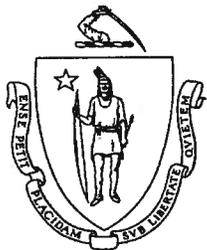
Decision of the Board

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.



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

The Commonwealth of Massachusetts
Department of Public Safety
Architectural Access Board
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Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

June 20, 2012

Glenn Berger
2 School Street
Acton, MA 01720

RE: Exchange Hall, 2 School Street, Acton (Docket Number V11-110)

Dear Mr. Berger;

The Board will be visiting the above mentioned site on **Friday June 22, 2012 at 3:00 p.m.**

Please have someone available at the site to answer any questions.

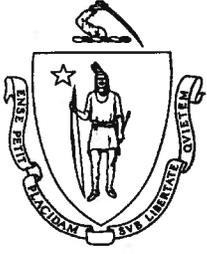
If you have any questions or concerns before the visit, please feel free to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Dempsey".

Mark E. Dempsey
Compliance Officer
Architectural Access Board

cc: Local Building Inspector
Disability Commission
Independent Living Center



The Commonwealth of Massachusetts
Department of Public Safety

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Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

March 16, 2012

Glenn Berger
Exchange Hall
2 School Street
Acton, MA 01720

Re: Final Decision of the Board; Exchange Hall, 2 School Street, Acton; Docket Number V11-110

Dear Mr. Berger,

The Architectural Access Board ("Board") has received your February 29, 2012 letter regarding an extension request for the submittal of the required information per the November 14, 2011 decision of the Board. Said decision noted that the Board had voted to "REQUIRE that proposed plans and dates for compliance, for all of the denied variances be submitted to the Board no later than March 1, 2012, to be reviewed by the Board at their regularly scheduled March 12, 2012 meeting." Your February 9, 2012 letter requested an extension to May 1, 2012 to provide the required documents that were previously ordered to be submitted by March 1, 2012. Upon reviewing this submittal during an administrative discussion at their regularly scheduled March 12, 2012 meeting, the Board voted as follows:

- GRANT an extension to May 1, 2012 for the submittal of proposed plans and dates for compliance, for all of the denied variances and continued matters noted as follows:
 - Door #001: 26.4, 26.5, 26.11, 29.2;
 - Door #107, 29.2;
 - Door #201 and the second floor toilet room: 26.1, 29.2, 30.1, 30.5, 30.7, 30.8, 30.9;
 - Door #202: 26.1;
 - Second floor kitchen: 32.1, 32.7.2, 32.7.4;
 - Door #204: 26.1;
 - Door #207: 29.2;

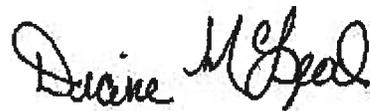
- Third floor stage: 14.6;
- Door #305 and third floor toilet room on the west side: 26.1, 30.1, 30.6, 30.7, 30.8, 30.9;
- Door #307 and third floor toilet room in center: 26.1, 30.1, 30.5, 30.7, 30.8, 30.9;
- East Stair handrails: 27.4;
- West Stair nosings: 27.3;
- East Stair nosings: 27.3;
- and the lack of vertical access to second and third floors: 28.1).

The Board also noted that, per the November 14, 2011 decision of the Board, the Petitioner is still required to verify that all of the aspects of the building that were proposed to be completed in full compliance with 521 CMR by the Petitioner in the August 29, 2011 submittal (Door #207: 26.10; Door #208, 26.10; West Stair handrails: 27.4.3; and accessible parking spaces: 23.1), are completed no later than *May 1, 2012*, with both photographic and written verification to be received by the Board on or before said date.

ARCHITECTURAL ACCESS BOARD

By:

Donald Lang, Chairman (not present)

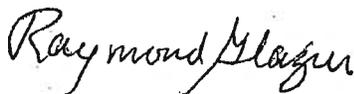


Diane McLeod, Acting Chair



Andrew Bedar, Member

Myra Berloff, Director of Massachusetts
Office on Disability (not present)

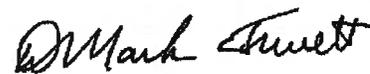


Raymond Glazier, Executive Office of Elder
Affairs Designee

Gerald LeBlanc, Member
(not present)



Carol Steinberg, Member



D. Mark Trivett, Member

Walter White, Executive Office of Public
Safety Designee (not present)

A complete administrative record is on file at the office of the Architectural Access Board.

cc: Local Building Inspector
Local Disability Commission
Independent Living Center
Acton Town Manager
State Representative Cory Atkins
State Representative Jennifer E. Benson
Senator James B. Eldridge