



The Commonwealth of Massachusetts
Department of Public Safety
Architectural Access Board

One Ashburton Place, Room 1310
Boston Massachusetts 02108-1618

Phone: 617-727-0660

Fax: 617-727-0665

www.mass.gov/dps

Docket Number

(Office Use Only)

APPLICATION FOR VARIANCE

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

PLEASE ENCLOSE:

- 1) A filing fee of \$50.00 (Check/Money Order) made payable to the "Commonwealth of Massachusetts" and all supporting documentation (e.g. plans in 11" x 17" format, photographs, etc.). In addition, the complete package (including plans, photographs and the completed "Service Notice") must be submitted to all parties via compact disc.
- 2) If you are a tenant seeking variance(s), a letter from the owner of the building authorizing you to apply on his or her behalf is required.
- 3) The completed "Service Notice" form provided at the end of this application certifying that a copy of your *complete application* has been received by the Local Building Inspector, Local Disability Commission (if applicable), and Local Independent Living Center for the city/town that the property in question resides in. A list of the local entities can be found by calling the Architectural Access Board Office or the Local City/Town Clerk. For a list of the Local Independent Living Centers you can either call the Architectural Access Board Office or visit the Massachusetts Statewide Independent Living Council website at <http://www.masilic.org/membership/cils>.

1. State the name and address of the owner of the building/facility:

Laine Realty Trust, P.O. Box 122, Wayland, MA 01778

Attn: Werner F. Gossels, Trustee

E-mail: blace2@verizon.net

Telephone: 508-358-7812

2. State the name and address of the building/facility: "Acton Technology Center"
 529 & 531 Main Street, Acton, MA 01720
 1 & 3 Post Office Square Road, Acton, MA 01720

3. Describe the facility (i.e. number of floors, type of functions, use, etc.):
 Masonry structure constructed on a sloped site such that there are entrances on grade on both the street level and ground level of the building. The building was built in stages, with the most recent addition in the mid-1980's. Laine Realty Trust leases individual units within the building to small and medium-sized businesses.

4. Total square footage of the building: ± 70,620 Per floor: _____
 a. total square footage of tenant space (if applicable): ± 7,600

5. Check the work performed or to be performed:
 New Construction Addition
 Reconstruction/Remodeling/Alteration Change of Use

A space within the building is leased to Peter Pippas Karate Center which teaches martial arts classes open to the public.

6. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):
 Repaint handicap van accessible parking spaces on front right hand corner of building adjacent to 529 Main Street entrance to accomodate minor variance from level surface due to topography of the parking lot.

Add flower boxes along a portion of new path so disabled persons do not traverse area with slope pitched up at lower edge of building; remaining path meets code for width and

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

7a. Check appropriate regulations:
 1996 Regulations 2002 Regulations 2006 Regulations

SECTION NUMBER	LOCATION OR DESCRIPTION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

8. Is the building historically significant? yes no. If no, go to number 9.

8a. If yes, check one of the following and indicate date of listing:

- National Historic Landmark
- Listed individually on the National Register of Historic Places
- Located in registered historic district
- Listed in the State Register of Historic Places
- Eligible for listing

8b. If you checked any of the above **and** your variance request is based upon the historical significance of the building, you *must* provide a letter of determination from the Massachusetts Historical Commission, 220 Morrissey Boulevard, Boston, MA 02125.

9. For each variance requested, state in detail the reasons why compliance with the Board's regulations is impracticable (use additional sheets if necessary), including but not limited to: the necessary cost of the work required to achieve compliance with the regulations (i.e. written cost estimates); and plans justifying the cost of compliance.
Parking spaces and new access path have just been re-paved to improve accessibility per code. Additional material would make the discrepancy greater and removing material would make the discrepancy greater and the surface potentially hazardous.

10. Has a building permit been applied for? yes
 Has a building permit been issued? yes
 10a. If a building permit has been issued, what date was it issued? 7/15/13
 10b. If work has been completed, state the date the building permit was issued for said work: _____

11. State the estimated cost of construction as stated on the above building permit:
\$35,000.00
 11a. If a building permit has not been issued, state the anticipated construction cost:

12. Have any other building permits been issued within the past 36 months? no
 12a. If yes, state the dates that permits were issued and the estimated cost of construction for each permit: _____

13. Has a certificate of occupancy been issued for the facility? yes
 If yes, state the date: temporary for Karate Center 8/1/13

14. To the best of your knowledge, has a complaint ever been filed on this building relative to accessibility? _____ yes no

15. State the actual assessed valuation of the **BUILDING ONLY**, as recorded in the Assessor's Office of the municipality in which the building is located: \$2,341,200
 Is the assessment at 100%? yes
 If not, what is the town's current assessment ratio? _____

16. State the phase of design or construction of the facility as of the date of this application: Final Construction Control to be submitted pending AAB of Massachusetts and Acton Council on Disabilities recommendation for variances described in this application.

17. State the name and address of the architectural or engineering firm, including the name of the individual architect or engineer responsible for preparing drawings of the facility:

Louis Bauman Eyster, Architect

232 Whittemore Point Road, South Bridgewater, NH 03222

E-mail: n/a

Telephone: 603-744-9119

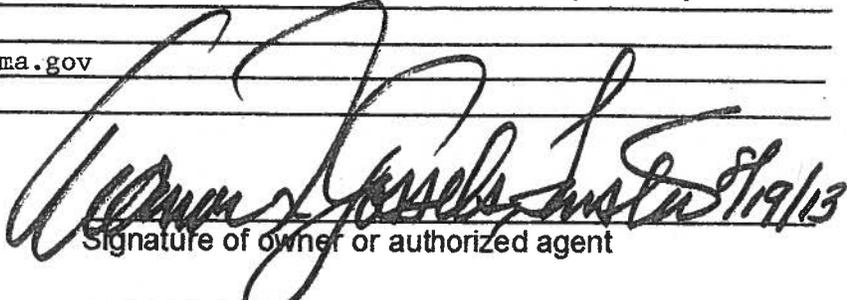
18. State the name and address of the building inspector responsible for overseeing this project:

Mr. Mark Barbadoro, Acton Town Hall , 472 Main Street, Acton, MA 01720

E-mail: mbarbadoro@acton-ma.gov

Telephone: 978-929-6633

Date: 8/19/13

 Signature of owner or authorized agent

PLEASE PRINT:

Werner F. Gossels, Trustee

Name

P.O. Box 122

Address

Wayland MA 01778
City/Town State Zip Code

blace2@verizon.net

E-mail

508-358-7812

Telephone

**ARCHITECTURAL ACCESS BOARD VARIANCE APPLICATION
SERVICE NOTICE**

I, Werner F. Gossels, as Trustee

for the Petitioner Laine Realty Trust submit a

variance application filed with the Massachusetts Architectural Access Board on August 19

20 13.

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

	<u>NAME AND ADDRESS OF PERSON OR AGENCY SERVED</u>	<u>METHOD OF SERVICE</u>	<u>DATE OF SERVICE</u>
1	Metro West Center of Independent Living <i>Rose Quinn</i>	in person	8/19/13
2	Acton Building Department <i>Mona Barron</i>		8/19/13
3	Acton Council on Disabilities <i>Mona Barron</i>		8/19/13

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

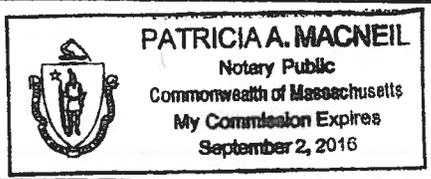
Werner F. Gossels, Trustee 8/19/13
Signature: Appellant or Petitioner

On the 19th Day of August 20 13
PERSONALLY APPEARED BEFORE ME THE ABOVE NAMED

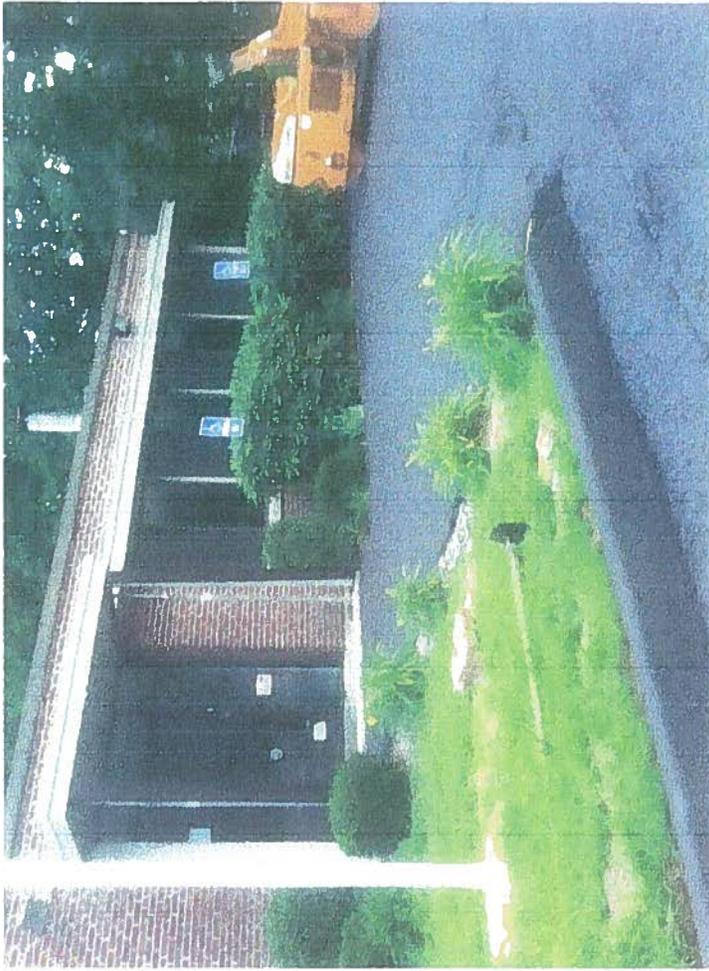
Werner F. Gossels as Trustee of Laine Realty Trust

(Type or Print the Name of the Appellant)

[Handwritten Signature]
NOTARY PUBLIC



MY COMMISSION EXPIRES



Acton Technology Center
Re-paving handicap van accessible parking spaces and
access aisle



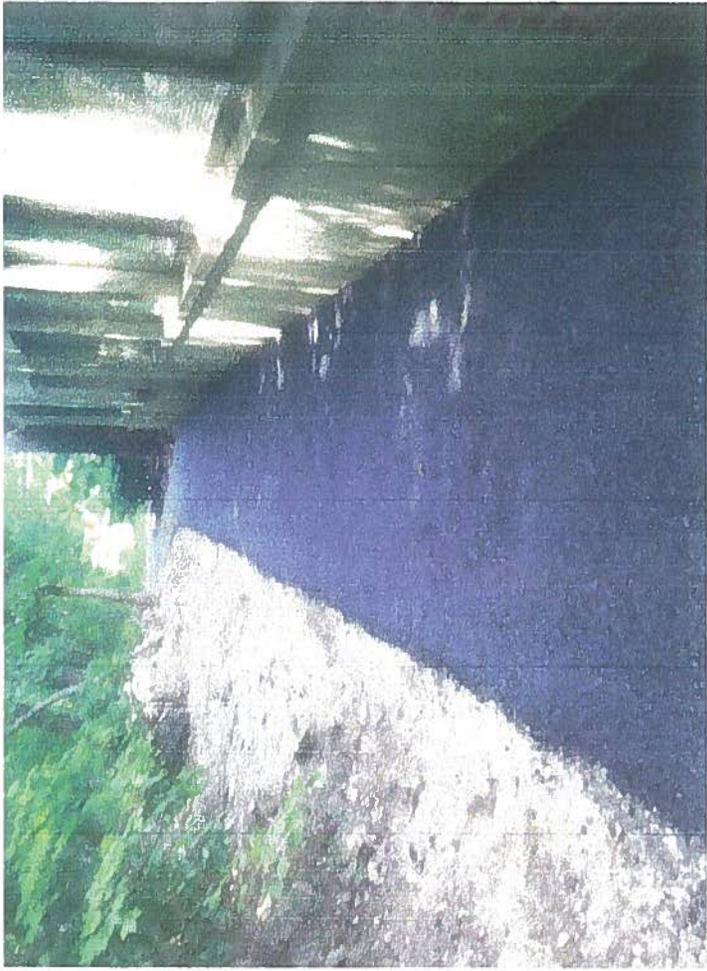
Acton Technology Center
Re-grading handicap van accessible spaces prior to
re-paving.



Acton Technology Center
New accessible pathway re-graded prior to paving



Acton Technology Center
Freshly re-paved handicap-van accessible parking
spaces and access aisle.



Acton Technology Center
New accessible pathway freshly paved.