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Docket Number V 17 065

**NOTICE OF ACTION**

**RE: Up-Island Market, 469 State Road**

**West Tisbury**

1. A request for a variance was filed with the Board by Rob Meyers (Applicant) on March 23, 2017  
The applicant has requested variances from the following sections of the 06 Rules and Regulations of the Board:

<u>Section:</u>	<u>Description:</u>
23.4.3	Petitioner seeks a variance for the cross slope of HP parking spaces and access aisles, that are proposed to be relocated due to the placement of concrete piers supporting two solo canopy's. The HP parking will be moved from the side of the building to the front. Both locations have slopes design to move storm water away from the building. In addition, the petitioner offers a third handicapped space where the side of the building HP parking only provided two. The reported slope cross slope measures no more than 4%.

2. The application was heard by the Board as an incoming case on Monday, April 10, 2017

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

**GRANT:** the variance to Section 23.4.3 and 23.4.6d **as proposed** in the application submitted, for the reason that impracticability (see definitions of impracticability in Section 5 of 521 CMR) has been proven in this case and on the condition that photographs of the completed HP parking are provided to the Board for its files.

The Board further voted that the work be completed within 30 day of the receipt of this "Notice of Action".

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

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

Date: April 12, 2017

cc: Local Disability Commission  
Local Building Inspector  
Independent Living Center

*Walter White T.H.*  
Chairperson  
ARCHITECTURAL ACCESS BOARD