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**AMENDED NOTICE OF ACTION**

Docket Number **V17 101**

**RE: Barnstable Charter School**, **165 Bearses Way**, **Hyannis**

An application for variance was filed with the Board by Paul J. Moan, P.E. (Applicant) on April 18, 2017.

The applicant has requested variances from the following sections of the 2006 Rules and Regulations of the Board:

Section: Description:

- 25.1 Entrances
- 26.6.2 Doors and doorways
- 3.3.2 Time variance

On May 22, 2017 Paul Moan submitted additional material that had been requested in the original "Notice of Action". The plan submitted, AI-0lp, depicts the location of two (2) new lifts, as well as the existence of an inclined wheel chair lift.

On July 27, 2017 Paul Moan submitted additional material regarding the current installation of an inclined vertical wheel chair lift. The Board reviewed the material on 8/7/2017.

- 2. The submittal was reviewed by the Board on Monday, August 7, 2017
- 3. After reviewing all materials submitted to the Board, the Board voted as follows:

**GRANT:** the variance for Sections 25.1, 26.6.2, 28.12.1, and 39.4 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: the petitioner provide additional information about the existing "Inclined Stair Lift" i.e. year of installation, make and model, how many floor does it serve, photographs of the installation, Inspection Cert.

**GRANT:** the time variance to allow all of the work that is described in Question #6 of the application to be completed in the summer of 2017 on the condition that photographs and a written status report on the completion of the 2017 summer work are provided for the Boards records. (time relief and sections listed above were granted on July 10, 2017)

In addition, the Board voted to accept the accessibility work plan, and request for a time variance. The vote approves the completion date stated in the application as: end of summer 2018, or September 30, 2018 for the accessibility work to be completed.

**GRANT:** the variance to allow the continued use of the inclined wheelchair lift, on the condition that it is maintained.

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.

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

Chairperson, Architectural Access Board

Date: May 16, 2017