



CHARLES D. BAKER  
GOVERNOR

JOHN C. CHAPMAN  
UNDERSECRETARY OF  
CONSUMER AFFAIRS AND  
BUSINESS REGULATION

KARYN E. POLITO  
LIEUTENANT GOVERNOR

Commonwealth of Massachusetts  
Division of Professional Licensure  
Office of Public Safety and Inspections  
Architectural Access Board

CHARLES BORSTEL  
COMMISSIONER, DIVISION OF  
PROFESSIONAL LICENSURE

JAY ASH  
SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

THOMAS HOPKINS  
EXECUTIVE DIRECTOR

1 Ashburton Place, Rm 1310 Boston Massachusetts 02108  
V: 617-727-0660 www.mass.gov/aab Fax: 617-727-0665

Docket Number V 17 211

**NOTICE OF ACTION**

**RE: 7 Story Multi-family, 334 Harvard Street**

**Cambridge, MA**

1. A request for a variance was filed with the Board by Norton S. Remmer (Applicant) on  
The applicant has requested variances from the following sections of the 06 Rules and Regulations of the Board:

<u>Section:</u>	<u>Description:</u>
28.7	Petitioner seeks relief for the dimensional measurements of the buildings existing elevator. The existing cab measures 46" x 72". 521 CMR exception 28.7 allows a minimum cab size of 48" x 48" inches measured wall to wall, and wall to door. The existing cab size is 2" inches short on one dimension.
28.12.1	Petitioner seeks a variance to allow the use of a vertical wheelchair lift to provide access for persons with disabilities to gain access to the proposed roof deck gardens. The vertical wheelchair lift will be installed in full compliance with 521 CMR Section 28.12.2 et al.

2. The application was heard by the Board as an incoming case on Monday, August 21, 2017

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

**GRANT:** the variances to Sections 28.7 and 28.12.1 **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:

1. the existing elevator controls etc. comply with 521 CMR Section 28 et al.
2. the vertical wheel chair lift complies with 521 CMR Section 28.12.2 et al.

**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: August 24, 2017

cc: Local Disability Commission  
Local Building Inspector  
Independent Living Center

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