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Docket Number V 17 222

**NOTICE OF ACTION**

**RE: Toscana Dormitory, 19 Arrowhead Drive**

**Nantucket**

1. A request for a variance was filed with the Board by John M. Hayford (Applicant) on August 7, 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>
28.1f	Petitioner seeks relief from having to provide an elevator, or other vertical conveyances such as a LULA or vertical wheelchair lift to the basement level and the 2nd floor. The petitioner states that the 1st floor will provide access for persons with disabilities, Group 2B, bedroom, toilet room and kitchen are required to be provided at the 1st floor of the building.

2. The application was heard by the Board as an incoming case on Monday, September 7, 2017

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

**GRANT:** the variance to Section 28.1 **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 the first floor meets the requirements of 521 CMR including the Group 2B requirements found in Sections 44, 45, and 47.

**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: September 12, 2017

cc: Local Disability Commission  
Local Building Inspector  
Independent Living Center

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