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Architectural Access Board

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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 17 236

NOTICE OF ACTION

RE: MacKimmie House, Patterson Hse, 230 & 204 Sunset Avenue

Amherst

1. A request for a variance was filed with the Board by James P. Sturgis (Applicant) on August 25, 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>
24.10	Petitioner seeks relief for the curved ramps that have been constructed.
24.5.2	Petitioner seeks relief from having to provide the lower hand rail on the ramp railings systems. This handrail is required to serve individuals who utilize manual wheelchair.

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 24.10 to allow the use of curved ramps **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.

DENY: the variance to Section 24.5.2 **as proposed** in the application submitted, for the reason that impracticability (see definitions of impracticability in Section 5 of 521 CMR) has **not** been proven in this case.

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