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Docket Number V 18 118

NOTICE OF ACTION

RE: Chestnut Hill Red Brick Walkway, 140 Commonwealth Ave.

1. A request for a variance was filed with the Board by Joseph M. Herlihy  
The applicant has requested variances from the following sections of the

Chestnut Hill  
(Applicant) on April 2, 2018

06 Rules and Regulations of the Board:

<u>Section:</u>	<u>Description:</u>
22.3	Slope of walkway exceeds 5%
22.3.1	Cross slope of walkway exceeds 2%
22.4	Walkway has changes in level greater than 1/4" inch
22.6	Walkway has drainage issues

2. The application was heard by the Board as an incoming case on Monday, May 7, 2018

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

**GRANT:** the variance Sections 22.3, 22.3.1, 22.4 and 22.6 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 in 2019 after the Cushing Hall is demolished and a new a new science building is built in its place, a portion of the non compliant path between Cushing hall and Fulton Hall will be made compliant with 521 CMR. However, the variance being granted is for the portion above this which will remain non compliant. The accessible route between O'Neill Library and Campion Hall will be accessible.

**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: May 15, 2018

cc: Local Disability Commission  
Local Building Inspector  
Independent Living Center

*Jane Hardin T.H.*

Chairperson  
ARCHITECTURAL ACCESS BOARD