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Docket Number V 18 161

NOTICE OF ACTION

RE: **Lown School for Near Eastern, 415 South Street**

Waltham

1. A request for a variance was filed with the Board by Michael McGarry (Applicant) on May 11, 2018
The applicant has requested variances from the following sections of the 06 Rules and Regulations of the Board:

<u>Section:</u>	<u>Description:</u>
3.3.2	Petitioner seeks a time variance to comply with 521 CMR and Section 3.3.2. The petitioner states that Code Red will be completed a study for full compliance with 521 CMR and will submit plans for compliance and or additional variance requests by mid to late June. They are requesting a 5 year time variance to

2. The application was heard by the Board as an incoming case on Monday, May 21, 2018

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

The Board is unwilling to grant a 5 year time variance at this time. When the Code Red study has been completed and reviewed by the Board, they will consider upon receipt of the study what an appropriate time variance will be.

The Board ordered that the Code Red study be submitted to the Board no later than July 1, 2018

Note: the Board staff has already intervened with the Waltham Building department so that permits can be issued for the start of the new HVAC system over the 2018 summer months.

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 29, 2018

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Chairperson
ARCHITECTURAL ACCESS BOARD