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AMENDED NOTICE OF ACTION

Docket Number **V18 282**

RE: Walkway in front of 855, Northern Side of Boylston Street, Boston

An application for variance was filed with the Board by Jacob Maliel (Applicant) on August 23, 2018.

The applicant has requested variances from the following sections of the 2006 Rules and Regulations of the Board:

Section: Description:

22.3 Petitioner seeks relief for the cross slopes along the pedestrian way that exceed 2%. The project documents show that the cross slope from the face of the building at 855 Boylston Street to the edge of the compliant sidewalk are reported to measure 4.8%, 4.9% see plan C2.00.

In addition, the furniture zone area located at the other side of the sidewalk, and leading to the top of the curb indicates slopes that measure 4.8%, 5.6%, to 6.0%. (these requests were continued so that a meeting with the designers and the City of Boston could take place, a meeting was held on 10/17/2018)

2. The submittal was reviewed by the Board on Monday, December 3, 2018
3. After reviewing all materials submitted to the Board, the Board voted as follows:

GRANT: the variance relief for Section 22.3 for the cross slopes located within the furniture zone 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 revised plan dated 10/31/2018 is implemented with the cross slopes as proposed. See attached plan C2.00 dated 10/31/2018 by DYER BROWN.

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.

cc: Local Building Inspector, Local Disability Commission,
Independent Living Center

Chairperson, Architectural Access Board

Date: September 25, 2018