



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

JAY ASH
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional Licensure
Office of Public Safety and Inspections
Architectural Access Board

1 Ashburton Place, Rm 1310 Boston Massachusetts 02108
V: 617-727-0660 www.mass.gov/aab Fax: 617-727-0665

JOHN C. CHAPMAN
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

THOMAS HOPKINS
EXECUTIVE DIRECTOR

AMENDED NOTICE OF ACTION

Docket Number **V18 038**

RE: Lowell Justice Center, 370 Jackson Street, Lowell

An application for variance was filed with the Board by Jeff Garriga (Applicant) on February 12, 2018. The applicant has requested variances from the following sections of the 2006 Rules and Regulations of the Board:

Section: Description:

30.7 On October 23, 2018, Jeff Garriga of Finegold Alexander Architects submitted an amendment request for case docket # V18 - 038. The petitioner proposes to comply with the American with Disabilities Act (ADA) Section 604.3.1 which allows 56" inches from the rear wall. The variance is for six (6) detention cells located on the "A" side of the building (in total at the end of the adjacent all accessible "basement floor" cells on the "C" side of the building (six cells total) as well as all accessible "central" cells on the basement level (four cells total) will comply with 521 CMR.

- 2. The submittal was reviewed by the Board on Monday, October 29, 2018
- 3. After reviewing all materials submitted to the Board, the Board voted as follows:

GRANT: the variance to Section 30.7 **as proposed** in the amendment 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 a written assignment policy is provided to the Board on how persons with disabilities are prioritized to be held in an accessible cell.

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

Walter White r.d.

Chairperson, Architectural Access Board

Date: March 21, 2018