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

1000 Washington St., Suite 710 • Boston • MA • 02118

V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab) • Fax: 617-979-5459

**APPLICATION FOR VARIANCE**

Docket: \_\_\_\_\_  
(Staff Only)

**INSTRUCTIONS:**

- 1) Answer all questions on this application to the best of your ability.
  - a. Information on the Variance Process can be found at:  
<https://www.mass.gov/guides/applying-for-an-aab-variance>.
- 2) Attach whatever documents you feel are necessary to meet the standard of impracticability laid out in 521 CMR 4.1. You must show that either:
  - a. Compliance is technologically infeasible, or
  - b. Compliance would result in an excessive and unreasonable cost without any substantial benefit for persons with disabilities.
- 3) Please ensure that attached documents are no larger than 11" x 17".
- 4) Sign the Application.
- 5) If the applicant is not the owner of the building or his or her agent, include a signed letter from the owner granting permission for you to apply for variance.
- 6) Burn copies of the application and all attached documents onto a Compact Disc (CD or DVD only, no flash drives will be accepted).
- 7) Provide full copies of the application and all attached documentation, on both Paper and CD/DVD to the:
  - a. Local Building Department,
  - b. Local Commission on Disability (if applicable in the town where the project is located) (A list of all active Disability Commissions can be found at:  
<https://www.mass.gov/commissions-on-disability>), and
  - c. The Independent Living Center (ILC) for your area.  
(Your ILC can be found at: <http://www.masilc.org/findacenter>.)
- 8) Provide to the Board:
  - a. A completed copy of the application and all attached documents,
  - b. A copy of the CD/DVD,
  - c. The completed, signed, and notarized Service Notice (included as Page 5 of this application).
  - d. A check or money order in the amount of \$50 dollars, made out to the Commonwealth of Massachusetts.

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In accordance with M.G.L., c.22, § 13A, I hereby apply for modification of or substitution for the rules and regulations of the Architectural Access Board as they apply to the building/facility described below on the grounds that literal compliance with the Board's regulations is impracticable in my case.

1. State the name and address of the building/facility:

Robert Saltonstall Gymnasium (RSG), Milton Academy,

142 Centre Street, Milton MA 02186

2. State the name and address of the **owner** of the building/facility:  
Nick Parnell, Milton Academy, 170 Centre Street, Milton MA 02186  
 E-mail: nick\_parnell@milton.edu  
 Telephone: 617-898-1798
3. Describe the facility (i.e. number of floors, type of functions, use, etc.):  
Existing two story building with a mezzanine. Primary function of the building is Group A assembly (gymnasiums, locker rooms, fitness/athletic-focused spaces) with associated classroom (Group E) and office (Group B) spaces.
4. Total square footage of the building: 38,525 SF Per floor: ~17,180 SF  
 a. total square footage of tenant space (if applicable): \_\_\_\_\_
5. Check the work performed or to be performed:  
☐ New Construction ☐ Addition  
☒ Reconstruction/Remodeling/Alteration ☐ Change of Use
6. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):  
The renovation work primarily includes the Lower and Main levels of the building. Classroom space will be renovated and a new classroom will be added. An accessible bathroom and drinking fountains will be added. The ventilation systems in the building will be improved/modified.
7. Are you seeking temporary relief? Yes ☐ No ☒  
 a. If temporary relief is sought, what is the proposed deadline?  
 \_\_\_\_\_
8. State each section of the Architectural Access Board's Regulations (521 CMR) for which a variance is being requested  
**(Please note the Board will NOT consider requests for relief from Section 3, please list the specific items triggered by Section 3 where relief is being sought):**

SECTION NUMBER	LOCATION OR DESCRIPTION
<u>24.5.5</u>	<u>RSG Entry Ramp handrail size</u>
<u>24.5.6</u>	<u>RSG Entry Ramp Handrail Shape</u>
_____	_____
_____	_____

*If requesting relief to 5 or more sections, use the Large Variance Tally Sheet available on the "Forms and Applications" page of the Board's website (<http://www.mass.gov/aab>)*



9. Is the building historically significant? \_\_\_\_yes Xno. If no, go to number 10.

9a. If yes, check one of the following and indicate date of listing:

\_\_\_\_ National Historic Landmark  
\_\_\_\_ Listed individually on the National Register of Historic Places  
\_\_\_\_ Located in registered historic district  
\_\_\_\_ Listed in the State Register of Historic Places  
\_\_\_\_ Eligible for listing

9b. If you checked any of the above **and** your variance request is primarily based upon the historical significance of the building, you *must* complete the ADA Consultation Process of the Massachusetts Historical Commission, 220 Morrissey Boulevard, Boston, MA 02125.

10. For each variance requested, state in detail the reasons why compliance with the Board's regulations is impracticable (*use additional sheets if necessary*), including but not limited to: the necessary cost of the work required to achieve compliance with the regulations (i.e. written cost estimates); and plans justifying the cost of compliance.

See attached Appeal Justification drafted by Howe Engineers

11. Which section of the Board's Jurisdiction (*see Section 3 of the Board's Regulations*) has been triggered?

3.2 \_\_\_\_ 3.3.1a \_\_\_\_ 3.3.1b X 3.3.2 \_\_\_\_ 3.4 \_\_\_\_ Other (List Section) \_\_\_\_

12. List **all** building permits that have been applied for within the past 36 months, include the issue date and the listed value of the work performed:

<u>Permit #</u>	<u>Date of Issuance</u>	<u>Value of Work</u>
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None in past 36 months

(Use additional sheets if necessary.)

13. List the anticipated construction cost for any work not yet permitted:

\$800,000.00

14. Has a certificate of occupancy been issued for the facility? Yes X No \_\_\_\_

If yes, state the date it was issued: Building is currently occupies. Renovation plans have not been submitted for permit at this time.

15. To the best of your knowledge, has a complaint ever been filed on this building relative to accessibility? Yes \_\_\_\_ No X

a. If so, list the AAB docket number of the complaint \_\_\_\_

16. For existing buildings, state the actual assessed valuation of the **BUILDING ONLY**, as recorded in the **Assessor's Office** of the municipality in which the building is located:

\$2,717,000.00

Is the assessment at 100%? Yes

If not, what is the town's current assessment ratio? \_\_\_\_

17. State the phase of design or construction of the facility as of the date of this application:  
Construction Documents

18. State the name and address of the architectural or engineering firm, including the name of the individual architect or engineer responsible for preparing drawings of the facility:  
Architectural Resources Cambridge (Peter Reiss)  
501 Boylston Street, Suite 4101  
Boston, MA 02116  
E-mail: preiss@arcusa.com  
Telephone: 617-547-2200

19. State the name and address of the building inspector responsible for overseeing this project:  
Joseph Prondak  
Town Hall, 525 Canton Ave, Milton, MA 02186  
E-mail: jprondak@townofmilton.org  
Telephone: 617-898-4926

Date: 10/18/2020

  
Signature of owner or authorized agent (required)

**PLEASE PRINT:**

Jeremy A. Mason  
Name

Howe Engineers, Inc.  
Organization (If Applicable)

101 Longwater Circle  
Address

Suite 203  
Address 2 (optional)

<u>Norwell</u>	<u>MA</u>	<u>02061</u>
City/Town	State	Zip Code

jmason@howeengineers.com  
E-mail

781-878-3500  
Telephone



# SERVICE NOTICE

I, Jeremy Mason, as Code Consultant  
(name) (relationship to the applicant)  
for the Petitioner Howe Engineers, Inc. submit a  
(name of the applicant)  
variance application filed with the Massachusetts Architectural Access Board on 12/18/20.  
(date variance submitted)

HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

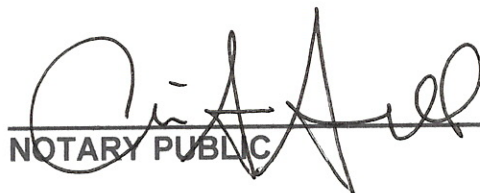
<u>NAME AND ADDRESS OF PERSON OR AGENCY SERVED</u>		<u>METHOD OF SERVICE</u>	<u>DATE OF SERVICE</u>
<b>1</b> Building Department	Joseph Prondak Milton Building Department 525 Canton Avenue Milton, MA 02186 (617) 898-4925	Electronic	12/18/20
<b>2</b> Local Commission on Disability (If Applicable)	Joseph Prondak Milton Building Department 525 Canton Avenue Milton, MA 02186 (617) 898-4925	Electronic	12/18/20
<b>3</b> Independent Living Center	Bill Henning, Executive Director Boston Center for Independent Living 60 Temple Place Boston, MA 02111 (617) 338-6665	Electronic	12/18/20

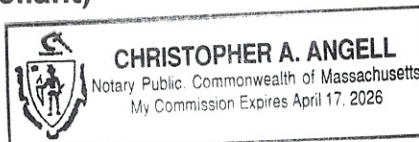
AND CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT THE ABOVE STATEMENTS TO THE BEST OF MY KNOWLEDGE ARE TRUE AND ACCURATE.

  
Signature: Appellant or Petitioner

On the 18 Day of December 2020  
PERSONALLY APPEARED BEFORE ME THE ABOVE NAMED

Jeremy A. Mason  
(Type or Print the Name of the Appellant)

  
NOTARY PUBLIC



April 17, 2026  
MY COMMISSION EXPIRES

## Appeal Justification

December 18, 2020

Subject

Milton Academy  
Robert Saltonstall Gymnasium (RSG) – Main Entrance Ramp

Submitted to:

Massachusetts Department of Public Safety  
Architectural Access Board  
1000 Washington Street,  
Suite 710  
Boston, MA 02118  
p. 617.727.0660

Prepared by:

Howe Engineers  
101 Longwater Circle, Suite 203  
Norwell, MA 02302  
p. 781.878.3551  
Jeremy Mason, PE  
Associate Principal  
jmason@howeengineers.com

Architectural Resources Cambridge  
501 Boylston Street, Suite 4101  
Boston, MA 02116



## Introduction and Overview

The Robert Saltonstall Gymnasium (RSG) is an existing building located at 142 Centre Street on the campus of Milton Academy in Milton, MA. The RSG was constructed in 1942 and the current project involves the Main and Lower Levels of the building. The renovation will include remodeled classroom and office space, as well as improved infrastructure throughout the building including upgraded and additional single-user bathrooms and HVAC systems. The building is provided with multiple entrances dispersed around its perimeter; however this variance application focuses on the main building entry located on the south side of the building given the cost of the work will exceed \$100,000 but be less than 30% of the assessed value (See below).

The total value of this work is expected to exceed \$100,000.00 but be less than 30% of the assessed value of the RSG building. The assessed value of the building is \$2,717,000.00 and the anticipated construction cost will exceed \$100,000.00 but will be less than \$815,000.00 which is 30% of the building's assessed value (\$2,717,000.00). It should be noted that there has been no previous work in the last 36 months to the building. As part of the renovation work, an accessible bathroom, drinking fountain, and entrance will be provided. The building has not undergone other renovation work within the past 36 months however the building is provided with a ramp along the main entry that was constructed in 2013. The following variances are requested:

### **Variance #1: Main Entrance Ramp Handrails:**

- 521 CMR 24.5.5 Handrail Size
- 521 CMR 24.5.6 Handrail Shape



*Figure 1: Robert Saltonstall Gymnasium*



## Variance #1

### Main Entrance Ramp Handrails

#### 521 CMR Sections 24.5.5 and 24.5.6

The main entrance on the south side of the RSG is provided with a ramp to provide vertical access to the First Floor. The ramp measures 55" in width between handrails and has a slope that does not exceed 1:12. The ramp is provided with continuous high/low handrails on both sides. The low handrail is mounted at a height of 19.25" measured from the surface of the ramp to the top of the handrail. The high handrail is mounted at a height of 36.25" measured from the surface of the ramp to the top of the handrail. The handrails are provided with compliant extensions at the top and bottom of the ramp with 12" extensions on the low handrail and 14" extensions on the high handrail. The low handrail is a circular shape with an outer diameter of 1.5".

The purpose of this variance is to address the high handrail, which does not have a shape that is round or oval in cross section and has a size that exceeds 2". 521 CMR Section 24.5.5 requires handrails to have a circular cross section with an outside diameter of 1.25" minimum and 2" maximum. 521 CMR Section 24.5.6 requires the gripping portion of the handrail to be round or oval in cross-section. As seen in the images to the right, the high handrail at the ramp is not round or oval in cross section, and the widest dimension of the gripping surface (measured along the gripping surface) is 2.25" in width. The handrails are smooth, continuous, and provide a semi-round profile, however the profile does not match the specific handrail styles outlined in Section 24.5.6.

As noted above, the remaining portion of the ramp (width, slope, handrail mounting height, handrail extensions, and low handrail shape/size) are compliant with the applicable provisions of 521 CMR.

**Howe Engineers in conjunction with Milton Academy requests a variance to allow the existing high handrail on both sides of the main entrance ramp to remain in place. Replacing the high handrail would result in excessive cost versus the gain of providing a handrail with a compliant shape as the balance of the entrance ramp meets the requirements of 521 CMR. The cost to replace the handrails at the ramp is approximately \$8,550.00 as shown in Appendix B. Further, altering the existing handrails would meaningfully alter the look of 100+ year old buildings which have historic architectural features that would be impacted by new handrails.**



Figure 1: RSG Main Entrance Ramp



Figure 2: High Handrail Profile



Figure 3: High Handrail Dimensions.



## APPENDIX A – BUILDING PLANS

### Milton Academy Robert Saltonstall Gymnasium (RSG)



# Robert Saltonstall Gymnasium (RSG) Existing First Floor Plan





## APPENDIX B – HANDRAIL REPLACEMENT COST ESTIMATE



Milton Academy - RSG Milton, MA 11/2/2020 12:00:00 PM		Estimate Type: Design Development ROM's Project No.: 1319008-RSG Revision: 2 Building Area: 35,724 sf		Skanska USA Building Inc 101 Seaport Boulevard, Suite 200 Boston, MA 02210	
Estimate Detail			Milton RSG ROM Merge 2020-NOV-2		
Description		Qty	Unit Cost	Amount	
000 - Base Bid					
B1010.765 - Structural Miscellaneous Metals				53,150	
C2030.600 - Stair Railings					
10	Stair railings, wall mtd. single line, aluminum - NIC not shown on DD ROM documents	- flights	For east -	-	
11	Stair guardrails, aluminum - NIC not shown on DD ROM documents	- flights	ADA ramp only	-	
12	Exterior dual stair/ramp handrails attached existing guardrails, includes demolition of existing handrail	38.00 lf	225.00	8,550	
C2030.600 - Stair Railings				8,550	