



**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)

Docket Number

(Office Use Only)

**APPLICATION FOR VARIANCE**

**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) Sign the certification on Page 8.
- 4) 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.
- 5) Serve copies of the completed application and all attachments via electronic or physical delivery based on the recipient's preference to:
  - 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>.)
- 6) Complete the Service Notice included with the Application and sign it.
- 7) Deliver the completed Application and all attachments to the Board via electronic or physical delivery:
  - a. Electronic:
    - i. Applications should be sent via email to [william.joyce@mass.gov](mailto:william.joyce@mass.gov) & [bradley.souders@mass.gov](mailto:bradley.souders@mass.gov).
    - ii. The email submission must have the subject line: Variance Application - <Address>, <City>
    - iii. The application and all attachments must be in .pdf format
    - iv. The application and all attachments should be included in a single email, except where that email would exceed 15 megabytes in size.
    - v. Please submit the \$50 filing fee via check or money order via mail to the mailing address listed above with either a cover letter or, "Variance - <Address>, <City>" in the memo line.
  - b. Physical
    - i. Applications should be sent to the mailing address listed above and must include:
      1. The completed application and all attachments.
      2. A copy of the application and all attachments on a CD/DVD (Thumb Drives will not be accepted),

3. The completed and signed Service Notice.
  4. A check or money order in the amount of \$50 dollars, made out to the Commonwealth of Massachusetts.
- ii. Please ensure that all documents included are no larger than 11" x 17".
  - iii. Incomplete applications will be returned via regular mail to the applicant with an explanation as why it was unable to be docketed.

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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:

690-694 Broadway  
Somerville, Massachusetts 02143

2. State the name and address of the owner of the building/facility:

Tom Riselli  
690-694 BROADWAY  
SOMERVILLE, MA

E-mail: TJRISSELL@GMAIL.COM

Telephone: 617-504-5625

3. Describe the facility (i.e. number of floors, type of functions, use, etc.):

The existing building is one story, characterized by a series of storefronts along Broadway. The project scope entails the adaptive refit of the two northernmost existing retail spaces into a single cannabis dispensary. The existing retail entries are to remain, repurposed into a separate dispensary entry and exit.

The existing sidewalk serving the existing retail entries is roughly 6 1/2" lower in elevation than the entry door sills at the property line. The elevation change is presently bridged by two small, non-compliant ramps in the door alcoves.

4. Total square footage of the building/facility: 3,736 sq. ft.

Per floor: 3,736 sq. ft.

a. Total square footage of tenant space (if applicable): 3,736 sq. ft.

5. What was the original year of construction for the building/facility: 1920 ?

6. Check the nature of the work performed or to be performed:

- New Construction
- Addition
- Reconstruction/Remodeling/Alteration
- Change of Use

7. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):

The project is an alteration of two existing retail tenant spaces within an existing commercial building into a single cannabis dispensary with a single customer entry. Beyond the joining of the two previous tenant spaces, no alterations to the base building are proposed. Interior partitions will be removed and rebuilt in a new configuration. Finishes and lighting will be removed and replaced, and mechanical systems will be slightly modified. The scope does not include any exterior work except signage.

8. Is the building or facility historically significant?  Yes  No

a. 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 a Registered Historic District \_\_\_\_\_
- Listed in the State Register of Historic Places \_\_\_\_\_
- Eligible for listing \_\_\_\_\_

(In which registry?)

b. 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](#), located at 220 Morrissey Boulevard, Boston, MA 02125.

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

2.6  3.2  3.3.1(a)  3.3.1(b)  3.3.2  3.3.4  3.4

10. 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>
B22-000799	SEPT. 2022	\$ 750,000

(Use additional sheets if necessary.)

11. List the anticipated construction cost for any work not yet permitted or for any relevant work which does not require a permit:

\$ 0.00

12. Has a certificate of occupancy been issued for the facility?  Yes  No

If yes, state the date it was issued: \_\_\_\_\_

13. To the best of your knowledge, has a complaint ever been filed with the AAB on this building or facility relative to accessibility?  Yes  No

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

14. For existing buildings or facilities, state the actual assessed valuation of the **BUILDING/IMPROVEMENTS ONLY**, as recorded in the **Assessor's Office** of the municipality in which the building or facility is located: \$ 1,105,100

Is the assessment at 100%?  Yes  No

If not, what is the town's current assessment ratio? 0%

15. State the phase of design or construction of the facility as of the date of this application:  
Demolition of previous tenant finishes



16.

<b>Request #1</b>	<b>Types of Attachments for this Request:</b>
Section(s) for which you are seeking relief: <u>521 CMR 24</u>	<input checked="" type="checkbox"/> Floor/Site Plans, <input type="checkbox"/> Cost Estimates,
Are you seeking temporary relief <input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="checkbox"/> Photographs, <input type="checkbox"/> Test Drawings,
If yes, when do you propose to be in compliance by: _____?	<input type="checkbox"/> Other(s): _____
Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):	
<p>According to code, ramps cannot run all the way to door thresholds and their maximum inclination is limited. The existing alcove ramps at the retail entries do not comply. To create full compliance would require the removal and reconstruction of approximately 8'-0" (linear) of floor system all along the Broadway-facing exterior wall to lower the entries ±6.5" and install new 1:12 ramps within the tenant space. This would also require the removal and replacement of two basement lally columns, re-working existing heavy-timber beam, gas main relocations, electric meter relocations, electric panel and service relocations, water line relocations. The modifications would cost approximately \$250,000 to execute as well as create hardship in construction delays to have utility services modified at point of entry to the building. Applicant seeks to maintain existing ramps.</p>	
<b>Request #2</b>	<b>Types of Attachments for this Request:</b>
Section(s) for which you are seeking relief: _____	<input type="checkbox"/> Floor/Site Plans, <input type="checkbox"/> Cost Estimates,
Are you seeking temporary relief <input type="radio"/> Yes <input type="radio"/> No	<input type="checkbox"/> Photographs, <input type="checkbox"/> Test Drawings,
If yes, when do you propose to be in compliance by: _____?	<input type="checkbox"/> Other(s): _____
Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):	
<div style="border: 1px solid black; height: 200px;"></div>	

**Request #3**

Section(s) for which you are seeking relief: \_\_\_\_\_

Are you seeking temporary relief     Yes     No

If yes, when do you propose to be in compliance by: \_\_\_\_\_?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

**Types of Attachments for this Request:**

- Floor/Site Plans,  Cost Estimates,
- Photographs,  Test Drawings,
- Other(s): \_\_\_\_\_

**Request #4**

Section(s) for which you are seeking relief: \_\_\_\_\_

Are you seeking temporary relief     Yes     No

If yes, when do you propose to be in compliance by: \_\_\_\_\_?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

**Types of Attachments for this Request:**

- Floor/Site Plans,  Cost Estimates,
- Photographs,  Test Drawings,
- Other(s): \_\_\_\_\_

If you require more than 4 requests, please use the *Additional Request Sheet* and complete the *Large Variance Tally Sheet*, both of which are available on the "Forms and Applications" page of the Board's website (<http://www.mass.gov/aab>).

17. 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:

Sousa Design Architects  
Attn: Dennis Greenwood  
81 Boylston Street, 2nd Floor  
Brookline, Massachusetts

E-mail: dennis@sousadesign.com

Telephone: 617 879-9100

18. State the name and address of the building inspector responsible for overseeing this project:

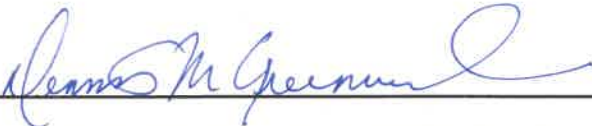
JOSEPH SALAMONE  
1 FRANKY RD  
SOMERVILLE, MA 02145

E-mail: JSALAMONE@SOMERVILLEMA.GOV

Telephone: 617-625-6600 x 5600

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION AND SUPPORTING DOCUMENTATION IS TRUE AND CORRECT

Date: 11/22/22

  
Signature of owner or authorized agent (required)

PLEASE PRINT:

DENNIS M GREENWOOD

Name

SOUSA DESIGN ARCHITECTS

Organization (If Applicable)

81 BOYLSTON ST.

Address

2<sup>ND</sup> FLOOR

Address 2 (optional)

BROOKLINE MA 02445

City/Town

State

Zip Code

DENNIS@SOUSADESIGN.COM

E-mail

617.879.9100

Telephone

# SERVICE NOTICE

I, DENNIS M. GREENWOOD, as ARCHITECT / AUTHORIZED AGENT  
 (Name) (Relationship to the applicant)

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	INSTRUCTIONAL SERVICES DEPT. 1 FRANEY RD SOMERVILLE, MA 02145 ATTN: NICHOLAS ANTANAVICA	EMAIL	11/23/22
<b>2</b> Local Commission on Disability (If Applicable)	COMMISSION FOR PERSONS W/ DISABILITIES BONNIE DENIS CITY HALL MAYOR'S OFFICE 93 HIGHLAND AVE SOMERVILLE, MA 02143	EMAIL	11/23/22
<b>3</b> Independent Living Center	BOSTON CENTER FOR INDEPENDENT LIVING 60 TEMPLE PLACE, 5th floor BOSTON, MA 02111 ATTN: MICHAEL MUEHLE & BILL HEFNING	EMAIL	11/23/22

  
 \_\_\_\_\_  
 Signature

11/23/22  
 \_\_\_\_\_  
 Date



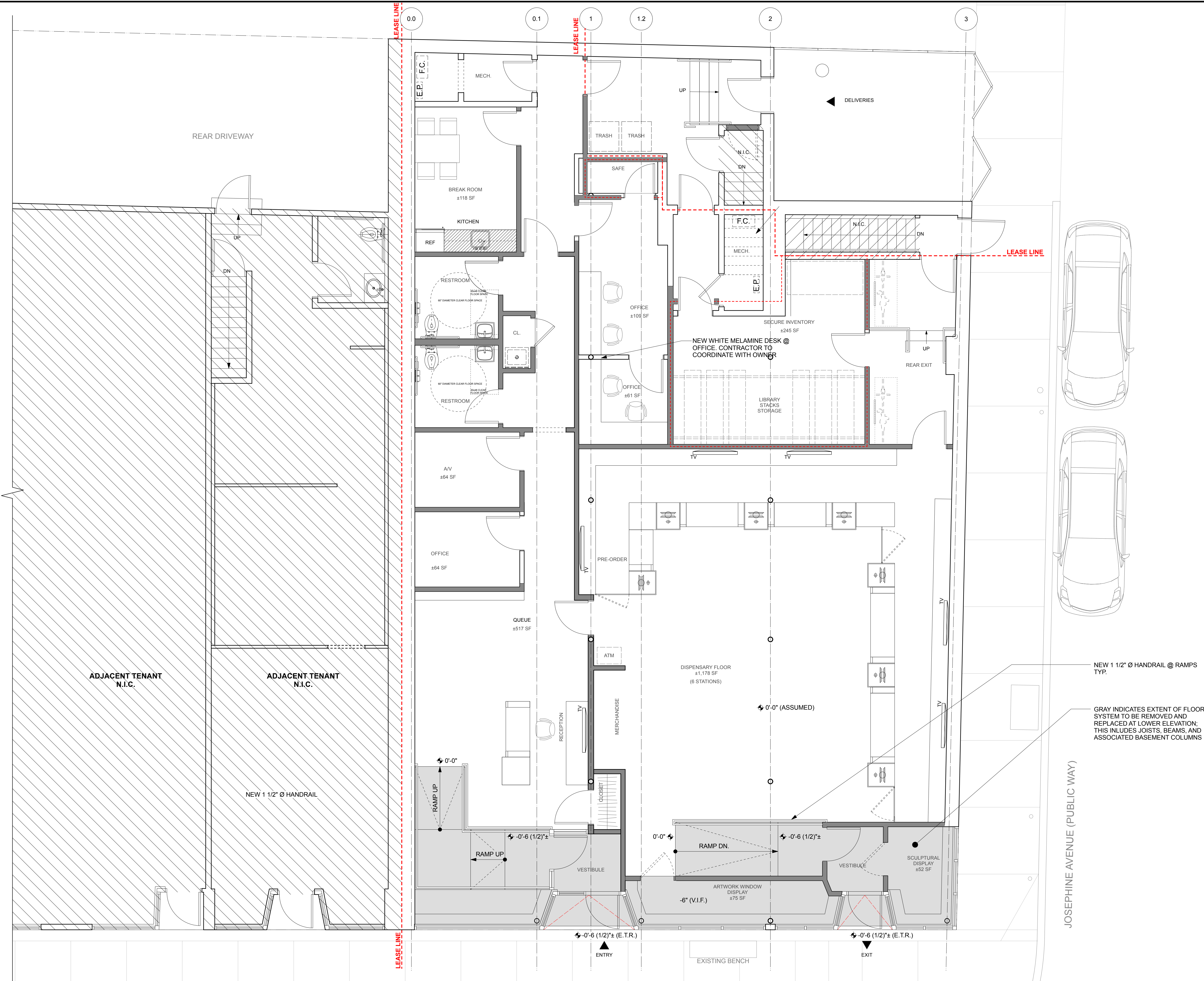


**LEGEND**

- INDICATES EXISTING PARTITION TO REMAIN
- INDICATES NEW FULL WALL CONSTRUCTION
- ▨ INDICATES AREA OF REVISED FLOOR FRAMING FOR ACCESSIBLE ENTRY
- ▩ INDICATES NEW MILLWORK CONSTRUCTION
- \*CONTRACTOR TO COORDINATE WITH MILLWORK SUB BEFORE COMMENCING WITH WORK
- \*FOR FLOOR FINISHES, SEE A-110
- \*FOR PARTITION TYPES SEE PARTITION SCHEDULE, A-700.
- \* FOR RESTROOM DIMENSIONS SEE ENLARGED RESTROOM PLANS, A-140.
- \* FOR DOOR/ WINDOW SCHEDULE SEE A-600
- \* FOR FINISH SCHEDULE SEE A-601

**CONSTRUCTION GENERAL NOTES:**

- \*ALL MEASUREMENTS ARE TO FACE OF FINISH MATERIALS UNLESS OTHERWISE NOTED.
- \*CONTRACTOR TO COORDINATE MILLWORK BEFORE COMMENCING WITH WORK.
- \*CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS. ANY DISCREPANCIES SHALL BE BROUGHT TO ARCHITECT'S ATTENTION PRIOR TO THE START OF CONSTRUCTION.
- \*CONTRACTOR TO PROVIDE SOLID IN WALL BLOCKING AT ALL COUNTER, MILLWORK, VANITY, ACCESSORY AND GRAB BAR LOCATIONS AS REQUIRED.
- NOTE: SEE EXTERIOR ELEVATIONS FOR EXTERIOR FINISHES (A-300)



**ADVESA MA**

690-694 BROADWAY,  
SOMERVILLE, MA 02144

ALL DRAWINGS, SPECIFICATIONS AND ARCHITECTURAL DESIGNS ARE THE PROPERTY OF SOUSA DESIGN ARCHITECTS AND SHALL NOT BE REPRODUCED OR USED ON THIS OR ANY OTHER PROJECT WITHOUT WRITTEN CONSENT FROM THE ARCHITECT.

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS ON SITE PRIOR TO BEGINNING ANY WORK. REPORT ALL DISCREPANCIES IN WRITING TO SOUSA DESIGN ARCHITECTS BEFORE PROCEEDING WITH THE WORK AND SHALL EXCEPT FULL RESPONSIBILITY FOR SAME. DRAWINGS SHALL NOT BE SCALED. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS, AND TO THE SATISFACTION OF THE OWNER AND THE ARCHITECT.

EACH CONTRACTOR SHALL SUBMIT TO SOUSA DESIGN ARCHITECTS FOR APPROVAL: SHOP DRAWINGS, SAMPLES, CUTS OF ALL THE ITEMS OF WORK PRIOR TO THEIR INCLUSION IN THE CONSTRUCTION. ALL ITEMS TO BE INCLUDED SHALL BE APPROVED FOR USE IN THE CITY OF SOMERVILLE AND SHALL HAVE AN ASTM AND UL NUMBER WHEN SUCH ITEMS REQUIRE THIS DESIGNATION. EACH CONTRACTOR SHALL CO-ORDINATE HIS WORK WITH ALL OTHER CONTRACTORS.

THE QUALITY OF WORKMANSHIP AND MATERIALS USED SHALL COMPLY WITH ALL CITY OF SOMERVILLE AND MA STATE BUILDING CODES. DRAWINGS SUBJECT TO APPROVAL BY ALL GOVERNMENTAL AGENCIES HAVING JURISDICTION ALL NEW CONSTRUCTION TO COMPLY WITH APPLICABLE HANDICAPPED ACCESSIBILITY LAWS.

**ISSUED FOR:**  
M.A.A.B. VARIANCE APPLICATION  
November 1st, 2022

**SOUSA design**  
Architects

81 Baylston Street, 2nd Floor  
Somerville, MA 02145  
617.879.9100  
www.sousadesign.com

**Job #** 202118

**Drawn by** Ckd by D.G.

**Date** 11.01.22

**Revisions**

NO.	DESCRIPTION

**FIRST FLOOR FULL COMPLIANCE PLAN**

**A-100**







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THE QUALITY OF WORKMANSHIP AND MATERIALS USED SHALL COMPLY WITH ALL CITY OF SOMERVILLE AND MA STATE BUILDING CODES. DRAWINGS SUBJECT TO APPROVAL BY ALL GOVERNMENTAL AGENCIES HAVING JURISDICTION ALL NEW CONSTRUCTION TO COMPLY WITH APPLICABLE HANDICAPPED ACCESSIBILITY LAWS.

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**EXISTING PHOTOS**

**A-500**



1 VIEW OF PROJECT SITE FROM ACROSS BROADWAY



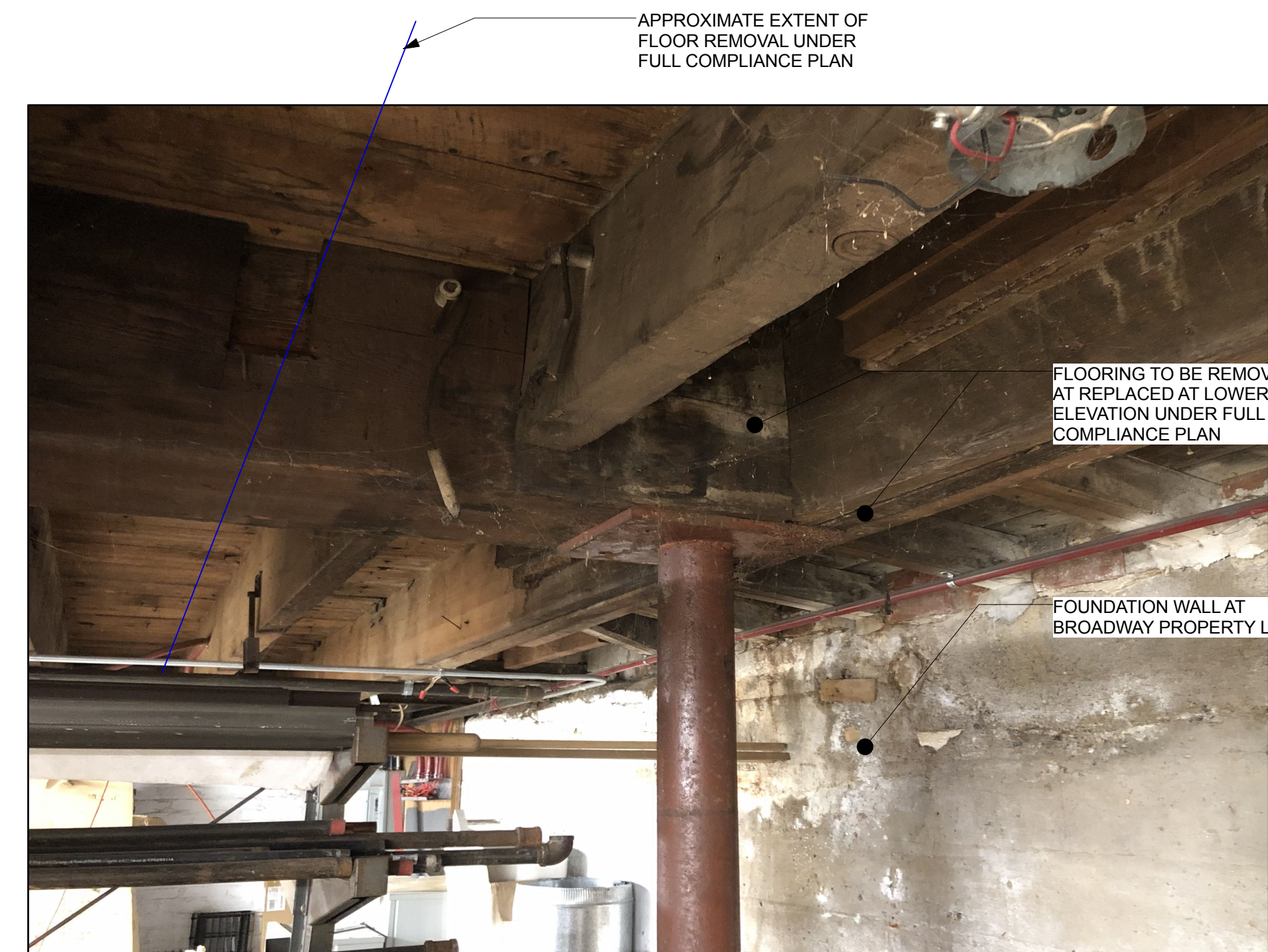
2 VIEW OF PROJECT SITE FROM ACROSS JOSEPHINE AVENUE



3 EXISTING ENTRY RAMP, EXTERIOR



4 EXISTING ENTRY, INTERIOR



5 VIEW FROM BASEMENT AT BROADWAY FOUNDATION WALL SHOWING LALLY COLUMN, PORTION OF HEAVY TIMBER BEAM, FIRE ALARM CONDUIT, AND JOIST SYSTEM SUBJECT TO REMOVAL AND REPLACEMENT UNDER FULL COMPLIANCE PLAN





PARTIAL VIEW OF BASEMENT SHOWING EQUIPMENT THAT WOULD NEED TO BE RELOCATED AS PART OF FULL COMPLIANCE PLAN

1 EXISTING PHOTO OF BASEMENT  
Scale: 1/4" = 1'-0"



ENLARGED PHOTO SHOWING THE METERS, MAINS, AND UTILITY CONNECTIONS TO THE STREET THAT WOULD NEED TO BE RELOCATED AS PART OF FULL COMPLIANCE PLAN

2 EXISTING PHOTO OF BASEMENT  
Scale: 1/4" = 1'-0"



ENLARGED PHOTO SHOWING THE METERS, MAINS, AND UTILITY CONNECTIONS TO THE STREET THAT WOULD NEED TO BE RELOCATED AS PART OF FULL COMPLIANCE PLAN. ADDITIONALLY, A NEW FOOTING WOULD NEED TO BE POURED, THE STRUCTURE SHORED AND SUPPORTED, THE LALLY COLUMN RELOCATED, THE FLOOR FRAMING CUT BACK AND RE-FRAMED

3 EXISTING PHOTO OF BASEMENT  
Scale: 1/4" = 1'-0"



ENLARGED PHOTO SHOWING THE METERS AND ELECTRICAL BUS THAT WOULD NEED TO BE RELOCATED AS PART OF FULL COMPLIANCE PLAN

4 EXISTING PHOTO OF BASEMENT  
Scale: 1/4" = 1'-0"



ENLARGED PHOTO SHOWING ELECTRIC PANEL, FIRE ALARM BUS / CONDUIT AND ELECTRICAL DISTRIBUTION THAT WOULD NEED TO BE RELOCATED AS PART OF FULL COMPLIANCE PLAN

5 EXISTING PHOTO OF BASEMENT  
Scale: 1/4" = 1'-0"



ENLARGED PHOTO SHOWING FIRE ALARM CONDUIT AND ELECTRICAL DISTRIBUTION THAT WOULD NEED TO BE RELOCATED TO LOWER THE FLOOR FRAMING AS PART OF FULL COMPLIANCE PLAN

6 EXISTING PHOTO OF BASEMENT  
Scale: 1/4" = 1'-0"

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