

UPDATE: CASE #22-15

The following has come to light in the last couple days:

- The Commissioner of Inspectional Services has determined that a wheelchair ramp is required for this project based on the Architectural Access Board's CMR 521 noting that anytime one spends greater than 30% of the value of a building on renovation, the ADA requirements kick in. In this case, the values are such that CMR 521 is applicable and a ramp is required.
- The applicants want to get a variance from CMR 521 so as to relieve them from the ramp requirement. For this reason, their intention is to phase the project with the renovation of the three residential units occurring first, followed at a later date by the retail renovation.
- According to the applicant as recently as October 2nd, no tenant nor use of the retail space has yet been identified.
- The Planning Board sees the ramp placement on its plans primarily as a tool to clarify the parking lot configuration should the ramp eventually be necessary (depending on the success of the petitioner's variance from the AAB). Because of the ramp placement, one would not be able to park alongside the building, etc.
- The applicant identifies no particular retail use in the lower level neither on the application, nor on the submitted plans. According to the Commissioner of Inspectional Services, the applicant has indicated that eventually they want to have retail on that ground floor. Therefore, if the applicant wants to amend their application and the Planning Board is so willing, the Board may address this *additional* parking requirement for this site. The standard for retail here is one (1) space per each 200 sq.ft. of gross floor area but no less than two (2) spaces for each business use occupying the premises.
- Should the applicant not want to address this extra parking need, they would have to come back in to get a special permit for the retail use parking for further reduction in spaces on the lot.