



**ACCESS APPEALS COMMISSION**  
**MINUTES**  
**Regular Meeting Wednesday, January 28, 2009**

**1. CALL TO ORDER AND ROLL CALL**

The meeting of the Access Appeals Commission was called to order by President Park at 1:17 P.M.

**COMMISSION MEMBERS PRESENT:**

Mr. Walter Park, President  
Mr. Arnie Lerner, Vice-President  
Ms. Alyce G. Brown  
Ms. Roslyn Baltimore

**CITY REPRESENTATIVES:**

Ms. Elaine Warren, Deputy City Attorney  
Mr. Rick Halloran, Acting Secretary  
Ms. Nancy Curvino, Acting Recording Secretary

**2. REVIEW AND APPROVAL OF MINUTES:**

The minutes from a regular Commission meeting of December 10, 2008 and for a special meeting of December 19, 2008 were reviewed and approved without change.

**3. REVIEW OF COMMUNICATION ITEMS:**

A portion of an email from Mr. Richard Skaff expressing continued displeasure with the Commission's approval of any destination based elevator controls systems was read.

It was noted by President Park that the appointed Court Reporter was absent and that the proceedings were being recorded by both tape and electronic means.

**4. NEW APPEAL: No. 09-01**

**90 New Montgomery Street**

Mr. Byron Kim of Hooks ASD presented a couple of possible amended floor plans; labeled Plan B and Plan 1. Mr. Kim acknowledged that as part of the May 28, 2008 decision for the second floor, the commissioners had expressed their intention that Plan B be implemented on the next permitted floor. Mr. Kim pointed out that due to unforeseen circumstances, Plan B could not be installed as designed due to the necessity of a plumbing chase that would reduce the clear space in front of the water closet.

After much discussion, Commissioner Park made a motion that the appeal be approved with the conditions that both the female and male restrooms comply with what is now referred to as "Plan 1 Revised, per AAC decision, Appeal No. 09-01". Commissioner Park directed the Secretary to obtain and review a new drawing (referenced above) for compliance with the Commissions conditions of approval. Approved drawing is attached to AAC decision 09-01.

**5. NEW APPEAL: No. 08-10****211 Main Street**

Ms. Kathy Finnerty and Mr. Ed Persico, representing Thyssen Krupp Elevator Company, presented arguments in favor of approving this appeal for a destination based elevator control system based upon past approvals of similar systems. The Commissioners, Mr. Persico and Ms. Finnerty discussed and amended a draft of a proposal for approval authored by Commissioner Park. After a line by line discussion of the draft proposal the Commission voted 4 to 0 to approve the appeal. The amended Draft is incorporated as part of the AAC decision 08-10.

**6. COMMISSIONERS' AND STAFFS' QUESTIONS AND COMMENTS:**

There was discussion of holding a site visit at two of the locations where there are destination based controls installed. It was suggested that the commissioners could visit in pairs in order to avoid forming a quorum. It was stated that there could be private visits and then the commission could hold a special meeting at either DBI or City Hall to formulate a final draft.

Commissioner Lerner proposed an alternate solution to the decision for AAC 09-01. After discussion with the Deputy City Attorney, it was determined that the staff could offer the alternative to the appellant and they could ask to rehear the decision if so desired.

**7. PUBLIC COMMENT**

There was a comment by Mr. Jeffrey Le Cox that auditory measurement to be included as part of an industry standard is a matter that should be open to the public. President Park agreed and directed the Secretary to schedule a special meeting at two of these locations as soon as possible.

**8. ADJOURNMENT:**

Commissioner Park moved for adjournment. Meeting was adjourned at 3:21 p.m.

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**Richard Halloran, Senior Building Inspector**  
Department of Building Inspection  
Secretary to the Access Appeals Commission