

CODE ANALYSIS REPORT

CANAL GALLERY

FIRST FLOOR SPACE
380 DWIGHT STREET
HOLYOKE, MA

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INTRODUCTION

The following report is a preliminary analysis of potential code issues relative to the use of spaces in an existing building. We conducted a field visit to review the building, but have not conducted a detailed inspection, nor have we performed any testing, exploratory demolition, or other such research. We are relying on information conveyed to us by building owners, available documentation on the building, and information available to us through City of Holyoke resources.

The code review consists of an analysis of the following codes and regulations relating only to the current or proposed use of the space in question:

- Eighth Edition Building Code – 780 CMR, which consists of the 2009 International Building Code as modified by the Massachusetts Amendments
- 2009 International Existing Building Code as modified by the Massachusetts Amendments
- 2009 International Energy Conservation Code as modified by the Massachusetts Amendments
- Massachusetts Architectural Access Board Regulations – 521 CMR

The Plumbing and Fuel Gas Code, Electrical Code, and Elevator Code were not reviewed for this report.

FIRST FLOOR SPACE AT 380 DWIGHT STREET

The space proposed for analysis in this report is the currently unoccupied portion of the first floor of 380 Dwight Street. This space was formerly used for manufacturing and more currently as event space and gallery space. The balance of the first floor and second floor space and the balance of the spaces above this portion of the first floor were, until recently, being used as working artist rental spaces. The basement area is currently vacant, except for storage.

The owner has proposed possible uses of the spaces as follows:

First Floor Space: The Gilded Brick - Café and Gallery Space

The intent, as conveyed by the owner, is to provide a commercial kitchen so that the café space can serve the gallery space on this floor. This space was, until recently, being used as a make-shift café with a non-commercial kitchen. This space is approximately 3,000 square feet.

Based on the intended use described above, the space would be categorized for Building Code purposes as an Assembly occupancy and, more specifically, A-2. This will be discussed in more detail below.



The building fronts onto Dwight Street and runs parallel to the Second Canal. The building is connected at two points to another building (380 Dwight Street Rear) to the southwest.



Locus Plan

RECOMMENDATIONS

Based on observations made on site and the code analysis performed herein, the following actions should be undertaken:

- Install a functioning fire sprinkler system in the **entire** building in compliance with NFPA 13 and the Massachusetts State Building Code requirements.

Since the current space and some portions of the building are not currently sprinklered, there are limitations as to how the spaces can be used and for what use.

- Hire a historic consultant to investigate options for getting the building listed on the National Register of Historic places.

The building may eligible for individual listing and should be considered a contributing building to a new historic district. If the building could be listed, then historic tax credits and Massachusetts Historic Commission grants may be available to help offset renovation costs. Engage a professional historic consultant to explore these options, as there are additional costs and restrictions created in this process.

If the building could be declared historic, the building official could waive requirements where he or she determines that there is no life safety hazard. This may mean that the seismic upgrade requirements in 307.4 may not be required.

- Engage a licensed architect and a structural engineer to provide an analysis of the existing building, detailed drawings and code analysis for the proposed space.

This is vital, as the occupancy is being changed to Assembly, which is a higher hazard than the current occupancy, which triggers compliance with seismic upgrades, an expensive endeavor.

The architect should develop a strategy for how to meet the requirements of the Massachusetts Architectural Access Board Requirements and reviewed with the Building Official. The accessibility triggers are quite low for this building and there are many non-compliant elements to be rectified, including restrooms, an accessible second means of egress, and other clearance issues.

Provide lighted exit signs at all exits and provide exit signs with arrows to direct occupants through the space to the exits. Due to the large number of arched

masonry openings, it will be difficult to see exits signs if they are only placed at the doors.

Provide emergency lighting. The possible locations of this lighting will need to be studied if new partitions are installed.

Provide a code-compliant second means of egress. The current stair and second door that lead to the yard along the canal are too narrow and the door does not have panic hardware installed. This means of egress also needs to be accessible.

Review the existing masonry envelope of the building. Areas of severe deterioration were noted, which will require masonry rebuilding and repairs. In particular, masonry walls that run parallel to the floor framing should be examined for how they are tied into the existing masonry walls. These connections often rust and break due to water infiltration over the years.

Re-roofing should be performed, as the condition of the existing roofing is marginal. There are structural issues and building envelope issues that will need to be reviewed during the permitting process.

- Once your renovations are complete, obtain a Certificate of Occupancy for the new uses.

FIRST FLOOR SPACE

380 Dwight Street
Holyoke, MA

Existing:

The existing structure is a three story, masonry bearing wall, heavy timber framed structure with approximately 16,464 gross square feet per floor. There is one enclosed stairway on the parking lot side of the building and a fire escape at either end of the building. The building is partially sprinklered.

Planned:

Proposed *repairs* and *alterations* to the first floor and second only are the conversion of existing space to assembly occupancy, including the partitioning of the space to separate the different uses and tenants.

Summary

- Existing building construction date: c. 1895
- Building Code applicable at time of original construction: None.
- Existing building statistics:

Basement	18,514 sf
First Floor	18,514 sf
Second Floor	16,464 sf
Third Floor	16,464 sf
Total	69,956 sf gross

- Existing building Use Group: Factory Group F-2 (Low Hazard) and Storage Group S-2 (Low Hazard)
- Proposed Use Group: Assembly A-2 (Restaurant) and Assembly A-3 (Gallery)

- Existing Hazard Index: 4
- Proposed Hazard Index: 3 (Higher hazard than 4)

- Building Construction: Heavy timber framed, exterior brick bearing walls
- Construction Type: Type IV – Heavy Timber
- Height and Area Limitations based on A-2 and A-3 occupancies:

3 stories and 15,000 sf per floor (without allowable increases for access and fire protection)
4 stories and 56,250 sf per floor (with allowable increases for access and fire protection)

Existing building without sprinkler system does not meet the height and area requirements.

**2009 INTERNATIONAL EXISTING BUILDING CODE
With Massachusetts Amendments**

Chapter I: Scope and Administration

Section	Title	N/A and comments
101	GENERAL	
101.5	Compliance Methods	Subject to Work Area Compliance Method Alteration Level 2
101.5.4.0	Mass amendment – Investigation and Evaluation. Subject to Mass amendment 107.6 to the IBC, a written report is required to be submitted to the Building Official.	Provided herein on a preliminary basis. When final scope of work is defined, should be submitted with permit documents.
101.5.4.1	Mass amendment – IBC Level Seismic Refer to Table 101.5.4.1.0	Not applicable
101.5.4.2 Exceptions	Mass amendment – Exceptions 1102. 50% 2009 IBC prescribed forces when directed to this section by 807.4.3 2a. 50% 2009 IBC prescribed forces when directed to this section by 1003.3.1 and the vertical addition increases the building area by 30% or less. 2b. 75% 2009 IBC prescribed forces when directed to this section by 1003.3.1 and the vertical addition increases the building area between 30% and 50%.	Not applicable
101.9 Exceptions	Mass amendment – Cumulative effects. Cumulative effects must be considered except when all: 1. Structural work does not involve more than 2% of the total tributary area of horizontal framing members of any existing framed floor or roof. 2. Structural work does not alter shear walls above the foundation. 3. Structural work does not alter columns or diagonal braces. 4. Structural work does not create an opening in any framed floor or roof that has an area more than 2% of the framed floor or roof. 5. Structural work does not alter any floor or roof diaphragm and its connections such that in-plane shear resistance is reduced by more than 5%. 6. Structural work does not remove or reconfigure lateral load resisting frames,	Not applicable

	or foundations supporting them.	
101.10	<p>Mass amendment – Masonry walls. Must follow Appendix A1 where any of the following conditions exist:</p> <ol style="list-style-type: none"> 1. Work area > 50% aggregate area 2. Occupancy increase by more than 25% and total occupancy is 100 or more. 3. Occupancy change to a relative hazard category of 1 or 2 per Table 912.5 or educational occupancy K to I2. 4. A Level 2 Alteration to Occupancy Category IV per ASCE 7-05 table I-1. 	<p>Work area less than 50% aggregate area. Change in occupancy category of one. Level 2 Alteration.</p>

Chapter 2: Definitions		
Section	Title	N/A and comments
202	GENERAL DEFINITIONS	
	<p>Alteration. Any construction or renovation to an existing structure other than a <i>repair</i> or <i>addition</i>. Alterations are classified as Level 1, Level 2, and Level 3.</p>	
	<p>Change of occupancy. A change in the purpose or level of activity within a building that involves a change in application of the requirements of this code.</p>	
	<p>Existing building. A building erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.</p>	
	<p>Repair. The restoration to good or sound condition of any part of an <i>existing building</i> for the purpose of its maintenance.</p>	
	<p>Substantial Improvement. For the purpose of determining compliance with the flood provisions of this code, any <i>repair, alteration, addition, or improvement</i> of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure, before the improvement or <i>repair</i> is started. If the structure has sustained <i>substantial damage</i>, any repairs are considered <i>substantial improvement</i> regardless of the actual <i>repair</i> work performed. The term does not, however, include either:</p>	

	<p>1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the <i>code official</i> and that is the minimum necessary to assure safe living conditions, or</p> <p>2. Any <i>alteration</i> of a historic structure, provided that the <i>alteration</i> will not preclude the structure's continued designation as a historic structure.</p>	
	<p>Work area. That portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Work area excludes other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by this code.</p>	<p>Work area calculation:</p> <p>Cafe 3,000 sf</p> <p>3,000 sf/69,956 sf = 4.3% of total area</p>

Chapter 3: Prescriptive Compliance Method		
Section	Title	N/A and comments
301	GENERAL	
301.1	<p>Scope. Controls alteration, repair, addition and change of occupancy</p>	Proposed work is alterations and repairs.
301.2	<p>Building Materials. Existing materials can remain. New materials shall meet current Building Code. Like materials permitted if not hazardous.</p>	Proposed work uses materials compliant with current Building Code.
303	ALTERATIONS	
303.1	<p>General. Existing stairways shall not be required to comply with the Building Code for new construction. Existing stair handrails shall not be required to comply with the Building Code for new construction regarding full extension of handrails.</p>	Existing stairways and handrails do not require alteration.
303.2	Flood hazard area.	Not applicable.
303.3	<p>Existing structural elements carrying gravity loads. Any existing gravity load-carrying structural element for which an <i>alteration</i> causes an increase in design gravity load of more than 5 percent shall be strengthened, supplemented, replaced or otherwise altered as needed to carry the increased gravity load required by</p>	No increase in loads.

	the Building Code for new structures.	
303.4	Mass amendment – Existing structural elements carrying lateral load Does the alteration: <ul style="list-style-type: none"> ▪ increase design lateral loads? Or ▪ create a structural irregularity? Or ▪ decrease the capacity? 	No increase in loads.
303.4.1	Seismic	Not applicable.
304	REPAIRS	
304.1	General.	
304.2	Substantial structural damage to vertical elements of the lateral-force resisting system. (refer to definition of “substantial structural damage” in Chapter 2)	No substantial structural damage observed, however, a detailed review of the building envelope should be performed.
304.3	Substantial structural damage to gravity load-carrying components.	No substantial structural damage observed, however, a detailed review of the building envelope should be performed.
304.4	Less than substantial structural damage. Repairs shall be allowed that restore the building to its pre-damaged state using materials and strengths that existed prior to the damage. New structural members and connections used for this <i>repair</i> shall comply with the detailing provisions of the Building Code for new buildings of similar structure, purpose and location.	If repairs needed.
304.5	Mass amendment – Flood hazard area.	Not applicable.
307	CHANGE OF OCCUPANCY	
307.1	Conformance. No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancy.	Change in use from Factory to Assembly occupancy.
307.2	Certificate of Occupancy. A certificate of occupancy shall be issued where it has been determined that the requirements for the new occupancy classification have been met.	Tenant shall obtain a Certificate of Occupancy due to the change in use.
307.4	Seismic. When a <i>change of occupancy</i> results in a structure being reclassified to a higher occupancy category , the structure shall conform to the seismic requirements for a new structure of the higher occupancy category.	Change in use is a higher occupancy category , so this is applicable.

307.5	Energy. Buildings undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with the <i>International Energy Conservation Code with Massachusetts Amendments</i> .	No increase in fuel or energy demand.
307.8	Mechanical. The code official shall certify that the structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such <i>change of occupancy</i> does not result in any hazard to the public health, safety or welfare.	Review by code official required.
308	HISTORIC BUILDINGS	
308.1	Historic buildings. The provisions of this code relating to the construction, <i>repair, alteration, addition, restoration</i> and movement of structures, and <i>change of occupancy</i> shall not be mandatory for historic buildings where such buildings are judged by the building official to not constitute a distinct life safety hazard.	Not applicable at this point in time.
308.2	Flood hazard areas.	Not applicable.
310	ACCESSIBILITY FOR EXISTING BUILDINGS	
310.1	Scope. Accessibility requirements shall be in accordance with 521 CMR Massachusetts Architectural Access Board Regulations.	See separate analysis below.

Chapter 4: Classification of Work		
Section	Title	N/A and comments
401	GENERAL	
401.2	Work area. The <i>work area</i> , as defined in Chapter 2, shall be identified on the construction documents.	The work area is 4.3% of the overall square footage of the building.
402	REPAIRS	
402.1	Scope. <i>Repairs</i> , as defined in Chapter 2, include the patching or restoration or replacement of damaged materials, elements, equipment or fixtures for the purpose of maintaining such components in good or sound condition with respect to existing loads or performance requirements.	Minor repairs to existing finishes are proposed.
403	ALTERATIONS—LEVEL I	
403.1	Scope.	Minor alterations are proposed, but the

	Level 1 alterations include the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose. Comply with Chapter 6.	work falls into Level 2 Alterations below.
404	ALTERATIONS—LEVEL 2	
404.1	Scope. Level 2 <i>alterations</i> include the reconfiguration of space, the <i>addition</i> or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment.	The existing first floor will require minimal reconfiguration, but the existing systems are being extended. Therefore the requirements of Alterations – Level 2 apply.
405	ALTERATIONS—LEVEL 3	Not applicable.
406	CHANGE OF OCCUPANCY	Comply with Chapter 9.
407	ADDITIONS	Not applicable.
408	HISTORIC BUILDINGS	
408.1	Scope. Historic buildings provisions shall apply to buildings classified as historical as defined in Chapter 2.	Not applicable at this point in time.
409	RELOCATED BUILDINGS	Not applicable.

Chapter 5: Repairs		
Section	Title	N/A and comments
501	GENERAL	
501.1	Scope. Repairs as described in Section 402 shall comply with the requirements of this chapter.	
501.2	Conformance. The work shall not make the building less conforming than it was before the <i>repair</i> was undertaken.	
501.3	Flood hazard areas	Not applicable.
502	BUILDING ELEMENTS AND MATERIALS	
502.1	Existing building materials. Materials already in use in a building in conformance with requirements or approvals in effect at the time of their erection or installation shall be permitted to remain in use unless determined by the <i>code official</i> to render the building or structure unsafe or <i>dangerous</i> as defined in Chapter 2.	No building code in existence at the time of construction (1895). Existing materials to remain.
502.2	New and replacement materials. Except as otherwise required or permitted by this code, materials permitted by the applicable code for new construction shall be	Like materials permitted. No lead based paint or asbestos to be used.

	used. Like materials shall be permitted for repairs and alterations, provided no <i>dangerous</i> or <i>unsafe</i> condition, as defined in Chapter 2, is created. Hazardous materials, such as asbestos and lead-based paint, shall not be used where the code for new construction would not permit their use in buildings of similar occupancy, purpose and location.	
503	FIRE PROTECTION	
503.1	General. Repairs shall be done in a manner that maintains the level of fire protection provided.	Existing sprinkler system in place in limited locations, but note that existing system needs to be extended to cover the entire building to meet NFPA 13.
503.2	Major Alterations. Repairs shall be done in a manner that maintains the level of fire protection provided.	Not applicable.
504	MEANS OF EGRESS	
504.1	General. Repairs shall be done in a manner that maintains the level of protection provided the means of egress.	Existing space has only one compliant means of egress and one non-compliant means of egress.
505	ACCESSIBILITY	
504.1	General. Repairs shall be done in a manner that maintains the level of accessibility.	Existing space is accessible at grade at the front door. See separate analysis below.
506	STRUCTURAL	
506.1	General	
506.2.1	Repairs for less than substantial structural damage. (refer to definition of “substantial structural damage” in Chapter 2)	No substantial structural damage observed, however, a detailed review of the building envelope should be performed.
506.2.2	Repairs for substantial structural damage to vertical elements of the lateral-force-resisting system.	No substantial structural damage observed, however, a detailed review of the building envelope should be performed.
506.2.4	Flood hazard areas.	Not applicable.

Chapter 6: Alterations—Level I		
Section	Title	N/A and comments
601	GENERAL	
601.1	Scope. Level I alterations as described in Section 403 shall comply with the requirements of this chapter.	
601.2	Conformance. <i>An existing building</i> or portion thereof shall	No alterations proposed that would trigger this.

	not be altered such that the building becomes less safe than its existing condition.	
601.3	Flood hazard areas.	Not applicable.
602	BUILDING ELEMENTS AND MATERIALS	
602.1	Interior finishes. All newly installed interior wall and ceiling finishes shall comply with Chapter 8 of the Building Code.	Existing finishes are painted brick, and gypsum wallboard.
602.2	Interior floor finishes. New interior floor finish, including new carpeting used as an interior floor finish material, shall comply with Section 804 of the Building Code.	Existing floor is wood plank flooring. No new flooring finishes proposed.
602.3	Interior trim. All newly installed interior trim materials shall comply with Section 806 of the Building Code.	Limited existing trim is wood. Limited new trim proposed.
603	FIRE PROTECTION	
603.1	General. Alterations shall be done in a manner that maintains the level of fire protection provided.	
603.2	Major Alterations. In addition to the requirement in section 603 automatic sprinkler systems may be required in buildings undergoing major alterations per section 102.2.1.1.	Existing sprinkler system in place, but note that existing system needs to be extended to cover the entire building to meet NFPA 13.
604	MEANS OF EGRESS	
604.1	General. Repairs shall be done in a manner that maintains the level of protection provided for the means of egress.	Existing space has only one enclosed means of egress and two fire escapes.
604.2	Major Alterations. Alterations shall be done in a manner that maintains the level of protection provided for the means of egress, and in accordance with section 102.2.2.1.	Existing space has only one enclosed means of egress and two fire escapes.
605	ACCESSIBILITY	
605.1	General. Accessibility requirements shall be in accordance with 521 CMR.	Existing space is accessible at front door at grade. See separate analysis below.
606	STRUCTURAL	
606.1	General . Where alteration work includes replacement of equipment that is supported by the building or where a reroofing permit is required, the provisions of this section shall apply.	Re-roofing should be performed, so this section is applicable.

606.2	<p>Addition or replacement of roofing or replacement of equipment. Where addition or replacement of roofing or replacement of equipment results in additional dead loads, structural components supporting such reproofing or equipment shall comply with the gravity load requirements of the Building Code.</p>	Re-roofing should be performed, so this section is applicable.
607	ENERGY CONSERVATION	
607.1	<p>Minimum requirements. Level 1 alterations to existing buildings or structures are permitted without requiring the entire building or structure to comply with the energy requirements of the International Energy Conservation. The alterations shall conform to the energy requirements of the International Energy Conservation Code as they relate to new construction only.</p>	Window replacement/repair contemplated. Windows do not need to meet the energy code. See 1102.5 below.

Chapter 7: Alterations—Level 2		
Section	Title	N/A and comments
701	GENERAL	
701.1	<p>Scope. Level 2 alterations as described in Section 403 shall comply with the requirements of this chapter.</p>	
701.2	<p>Alteration Level 1 compliance. In addition to the requirements of this chapter, all work shall comply with the requirements of Chapter 6.</p>	See analysis above.
703	BUILDING ELEMENTS AND MATERIALS	
703.1	<p>Scope. The requirements of this section are limited to work areas in which Level 2 <i>alterations</i> are being performed, and shall apply beyond the <i>work area</i> where specified.</p>	Work areas are 3,000 sf on first floor only.
704	FIRE PROTECTION	
704.1.1	<p>Corridor ratings. Where an approved automatic sprinkler system is installed throughout the story, the required fire-resistance rating for any corridor located on the story shall be permitted to be reduced in accordance with the <i>International Building Code</i>. In order to be considered for a corridor rating reduction, such system shall provide coverage for the</p>	Corridor ratings can be reduced to 0 hours if there is an approved NFPA 13sprinkler system in place. See 1105.4 below.

	stairwell landings serving the floor and the intermediate landings immediately below.	
704.4	<p>Fire alarm and detection. An approved fire alarm system shall be installed in accordance with Sections 704.4.1 through 704.4.3. Where automatic sprinkler protection is provided in accordance with Section 704.2 and is connected to the building fire alarm system, automatic heat detectors shall not be required. An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances, and equipment shall be approved. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms, where products of combustion are present during normal operation in sufficient quantity to actuate a smoke detector.</p>	Existing fire alarm system should be reviewed relative to compliance with these requirements.
705	MEANS OF EGRESS	
705.1	<p>Scope. The requirements of this section shall be limited to work areas that include exits or corridors shared by more than one tenant within the <i>work area</i> in which Level 2 alterations are being performed, and where specified they shall apply throughout the floor on which the work areas are located or otherwise beyond the <i>work area</i>.</p>	
705.2	<p>General. For means of egress capacity refer to section 102.2.2.1.</p>	Means of egress capacity is may not be sufficient to handle the proposed occupancy, as the second means of egress is too narrow. Additional egress stairs need to be added.
706	ACCESSIBILITY	
706.1	<p>General. Accessibility requirements shall be in accordance with 521 CMR.</p>	Existing space is accessible. See separate analysis below.
707	STRUCTURAL	

707.5	<p>Existing structural elements resisting lateral loads. Any existing lateral load-resisting structural element whose demand-capacity ratio with the <i>alteration</i> considered is more than 10 percent greater than its demand-capacity ratio with the <i>alteration</i> ignored shall comply with the structural requirements specified in Section 807.4. For purposes of calculating demand-capacity ratios, the demand shall consider applicable load combinations with design lateral loads or forces in accordance with Sections 1609 and 1613 of the <i>International Building Code</i>. For purposes of this section, comparisons of demand-capacity ratios and calculation of design lateral loads, forces and capacities shall account for the cumulative effects of <i>additions</i> and alterations since original construction.</p>	No increases in loads proposed.
707.6	<p>Voluntary improvement of the seismic force-resisting system. Alterations to existing structural elements or additions of new structural elements that are not otherwise required by this chapter and are initiated for the purpose of improving the performance of the seismic force-resisting system of an existing structure or the performance of seismic bracing or anchorage of existing nonstructural elements shall be permitted, provided that an engineering analysis is submitted.</p>	A structural engineer will be required to do this analysis and prepare this report.
711	ENERGY CONSERVATION	
711.1	<p>Minimum Requirements. Level 2 alterations to existing buildings or structures are permitted without requiring the entire building or structure to comply with the energy requirements of the International Energy Conservation. The alterations shall conform to the energy requirements of the International Energy Conservation Code as they relate to new construction only.</p>	Window replacement/repair contemplated. Windows do not need to meet the energy code. See 1102.5 below.

Chapter 8: Alterations—Level 3		
Section	Title	N/A and comments
801	GENERAL	Not applicable.

Chapter 9: Change of Occupancy		
Section	Title	N/A and comments
901	GENERAL	
901.1	<p>Scope. The provisions of this chapter shall apply where a <i>change of occupancy</i> occurs, as defined in Section 202. Including:</p> <p>1. Where the occupancy classification is not changed, or 2. Where there is a change in <i>occupancy classification</i> or the occupancy group designation changes.</p>	Change in occupancy classification .
901.3	<p>Change in occupancy with change of occupancy classification. A change in occupancy, as defined in Section 202, with no <i>change of occupancy</i> classification shall not be made to any structure that will subject the structure to any special provisions of the applicable <i>Codes</i>, including the provisions of Sections 902 through 911, without the approval of the <i>code official</i>. A certificate of occupancy shall be issued where it has been determined that the requirements for the change in occupancy have been met.</p>	Change in occupancy classification from Factory to Assembly.
901.2.1	<p>Repair and alteration with no change of occupancy classification. <i>Any repair or alteration</i> work undertaken in connection with a <i>change of occupancy</i> that does not involve a <i>change of occupancy</i> classification shall conform to the applicable requirements for the work as classified in Chapter 4 and to the requirements of Sections 902 through 911.</p>	Change in occupancy classification from Factory to Assembly.
901.4	<p>Certificate of occupancy required. A certificate of occupancy shall be issued where a <i>change of occupancy</i> occurs that results in a different occupancy classification as determined by the Building Code.</p>	New Certificate of Occupancy is required.
903	BUILDING ELEMENTS AND MATERIALS	
903.1	<p>General. Building elements and materials in portions of buildings undergoing a <i>change of occupancy classification</i> shall comply with Section 912.</p>	Change in occupancy classification from Factory to Assembly.
907	STRUCTURAL	

907.1	<p>Gravity loads. Buildings or portions thereof subject to a <i>change of occupancy</i> where such change in the nature of occupancy results in higher uniform or concentrated loads based on Tables 1607.1 and 1607.6 of the <i>International Building Code</i> shall comply with the gravity load provisions of the Building Code.</p>	<p>Former occupancy – Manufacturing: 125 to 250 psf uniform load, 2,000 to 3,000 pounds concentrated load. Proposed occupancy – Gallery and Restaurant: 100 psf, uniform load, no concentrated load. Therefore, no increase in uniform or concentrated loads for change in use.</p>
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Chapter 10: Additions		
Section	Title	N/A and comments
1001	GENERAL	Not applicable.

Chapter 11: Historic Buildings		
Section	Title	N/A and comments
1101	GENERAL	
1101.1	<p>Scope. It is the intent of this chapter to provide means for the preservation of historic buildings. Historical buildings shall comply with the provisions of this chapter relating to their <i>repair, alteration, relocation and change of occupancy.</i></p>	Not applicable at this point in time.

Chapter 12: Relocated or Moved Buildings		
Section	Title	N/A and comments
1201	GENERAL	Not applicable.

Chapter 13: Performance Compliance Method		
Section	Title	N/A and comments
1301	GENERAL	Not applicable.

MASSACHUSETTS ARCHITECTURAL ACCESS BOARD REGULATIONS

Chapter 3: Jurisdiction

Section	Title	N/A and comments
3.1	SCOPE	
	All work performed on <i>public buildings or facilities</i> (see 521 CMR 5.00: DEFINITIONS), including <i>construction, reconstruction, alterations, remodeling, additions, and changes of use</i> shall conform to 521 CMR.	This is a <i>public building or facility</i> , therefore 521 CMR applies.
3.3	EXISTING BUILDINGS	
	All <i>additions to, reconstruction, remodeling, and alterations or repairs</i> of existing <i>public buildings or facilities</i> , which require a building permit or which are so defined by a state or local inspector, shall be governed by all applicable subsections in 521 CMR 3.00: JURISDICTION .	521 CMR applies to <i>repairs and alterations</i> .
3.3.1	<p>If the work being performed amounts to less than 30% of the <i>full and fair cash value</i> of the <i>building</i> and</p> <p>a. if the work costs less than \$100,000, then only the work being performed is required to comply with 521 CMR or</p> <p>b. if the work costs \$100,000 or more, then the work being performed is required to comply with 521 CMR. In addition, an <i>accessible public entrance</i> and an <i>accessible toilet room, telephone, drinking fountain</i> (if toilets, telephones and drinking fountains are provided) shall also be provided in compliance with 521 CMR.</p>	<p>The proposed work for this building will cost more than \$100,000, therefore compliance with 521 CMR is required. Also, since cumulatively, over the space of three years, more than 30% of the value of the building has been and will be spent, full compliance will be triggered.</p> <p>This issue needs to be carefully reviewed with the Building Official.</p> <p>Assessed value of building only is \$190,400, therefore 30% of this amount is only \$57,120 to be spent over the entire building over a three year period.</p>
3.3.1	<p>Exceptions: Whether performed alone or in combination with each other, the following types of <i>alterations</i> are not subject to 521 CMR 3.3.1, unless the cost of the work exceeds \$500,000 or unless work is being performed on the entrance or toilet. (When performing exempted work, a memo stating the exempted work and its costs must be filed with the permit application or a separate building permit must be obtained.)</p> <p>a. Curb Cuts: The construction of <i>curb cuts</i> shall comply with 521 CMR 21.00: CURB CUTS.</p>	This calculation needs to be carefully reviewed with the Building Official.

	<p>b. <i>Alteration</i> work which is limited solely to electrical mechanical, or plumbing systems; to abatement of hazardous materials; or retrofit of automatic sprinklers and does not involve the <i>alteration</i> of any <i>elements</i> or <i>spaces</i> required to be <i>accessible</i> under 52I CMR. Where electrical outlets and controls are altered, they must comply with 52I CMR.</p> <p>c. Roof repair or replacement, window repair or replacement, repointing and masonry repair work.</p> <p>d. Work relating to septic system repairs, (including Title V, 310 CMR 15.00, improvements) site utilities and landscaping.</p>	<p>Proposed work to the existing sprinkler system and the electrical wiring upgrades fall into this exempt category, therefore the cost of this work does not factor into the overall 30% of <i>full and fair value</i> trigger.</p>
3.3.3	<p>Alterations by a tenant do not trigger the requirements of 52I CMR 3.3.1b and 3.3.2 for other tenants. However, <i>alterations, reconstruction, remodeling, repairs, construction, and changes in use</i> falling within 52I CMR 3.3.1b and 3.3.2, will trigger compliance with 52I CMR in areas of <i>public use</i>, for the owner of the <i>building</i>.</p>	
3.9	HISTORIC BUILDINGS	
	<p>An historic <i>building</i> or <i>facility</i> that is listed or is eligible for listing in the National or State Register of Historic Places or is designated as historic under appropriate state or local laws may be granted a <i>variance</i> by the <i>Board</i> to allow alternate accessibility. If a variance is requested on the basis of historical significance, then consultation with the Massachusetts Historical Commission is required in order to determine whether a building or facility is eligible for listing or listed in the National or State Register of Historic Places. The Massachusetts Historical Commission may request a copy of the proposed variance request and supporting documentation to substantiate the variance request and its effect on historic resources. A written statement from the Massachusetts Historical Commission is required with the application for variance.</p>	<p>Not applicable at this point in time.</p>

The property as a whole at 380 Dwight Street is currently assessed as follows:

Building value	\$190,400
Land value	39,600
Total value	\$230,000

The building value as established by the assessor's office equals the *full and fair cash value* of the building. As this building is not valued very high, the triggers for full compliance with accessibility are quite low. This will need to be carefully monitored into the future. Given the low values of real estate, it may be possible to obtain variances from the Architectural Access Board going forward, although there is no guarantee of success.