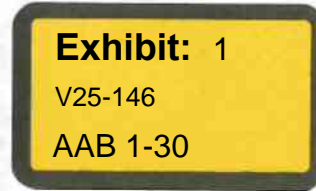


# ARCHITECTURAL ACCESS BOARD- HEARING PACKET

Name	<b>Curb Ramps</b>	Docket #	V 25 - 146
Address	<b>Neponset Avenue and Popes Hill</b>	Docket #	C -
City	<b>Boston</b>	Hearing	1/12/2026
Bldg Type		Time of hearing	<b>11:00 AM</b>
Complaint's Name		Plans on file?	
Complaint ?	Variance ?	Request for continuance?	
Jurisdiction:	3.3.1.a. if the work costs less than \$100,000, then only the work being performed is required to comply with 521 CMR		

Building  
Permits:

Assessed  
Value:



## Variances to be addressed:

Petitioner seeks relief from 21.3: The least possible slope should be used for any ramp. The maximum slope shall be one-in-12 (1:12) (8.3%).

On August 8, 2025 the Board received an application for variance for the above referenced address and at the August 25, 2025 meeting the Board voted to Schedule a hearing for this request and also to grant relief to 21.4. (See AAB 17-30 )

On September 3, 2025 the Board received an amended application for variance and at the September 22, 2025 meeting the Board voted to grant relief to 22.3.1 and keep the hearing for the request for relief from 21.3. (See AAB 2-16 )



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

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

1 Federal St., 6th Floor  
Boston, Massachusetts 02118

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**FIRST AMENDED NOTICE OF ACTION**

Docket Number V 25 146

**RE: Curb Ramps , Neponset Avenue and Popes Hill , Boston**

On September 3, 2025 the Architectural Access Board received an additional submission from Petitioner. The additional documents were reviewed by the Board on September 22, 2025. At that meeting, the Board voted as follows:

<u>#</u>	<u>Section</u>	<u>Result</u>
1	22.3.1	<b>GRANTED</b> as proposed.

**PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.**

*Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.*

Date: September 26, 2025

cc: Local Disability Commission  
Local Building Inspector  
Independent Living Center

*Dawn Guarnello WT*  
Chairperson  
ARCHITECTURAL ACCESS BOARD

**AAB 2**

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**Neponset Avenue and Popes Hill Street, Boston**

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**From** Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

**Date** Wed 9/10/2025 1:52 PM

**Bcc** Logan, Yasmeen <yasmeen.logan@stantec.com>; Dolores Carbona (dolores.carbona@boston.gov) <dolores.carbona@boston.gov>; Mayors Office on Disability <ada@boston.gov>; wireland83@gmail.com <wireland83@gmail.com>; disability@boston.gov <disability@boston.gov>; Michael Muehe <Mmuehe@bostoncil.org>; david.johnson <david.johnson@boston.gov>; Brigid.kenny@boston.gov <Brigid.kenny@boston.gov>

 2 attachments (1 MB)

.Notice of Hearing.pdf; (V25-146) - Notice of Action.pdf;

Good afternoon,

Please find attached the Notice or Decisions for the above referenced case. Please note this notice was delayed as we needed the 2026 meeting dates approved before I could schedule hearings next year.

If you require a paper copy of a Notice or Decision, you may contact me to request one but be aware that the delivery of physical copies may be delayed.

If you wish to appeal the decision made in this case, you can fill out and send in an Adjudicatory Hearing Request form available [here](#).

If you have any questions, please do not hesitate to get in touch with the Board's staff.

Thank you,  
Molly

**Molly Griffin**  
Program Coordinator  
She/Her/Hers  
Architectural Access Board  
Office of Public Safety and Inspections  
Division of Occupational Licensure  
1 Federal Street, 6<sup>th</sup> Floor  
Boston, MA 02110-2012  
[www.mass.gov/AAB](http://www.mass.gov/AAB)  
617-727-0660



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

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

1 Federal St., 6th Floor  
Boston, Massachusetts 02118

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**VARIANCE HEARING**

Docket Number **V 25 146**

**RE: Curb Ramps, Neponset Avenue and, Boston**

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **January 12, 2026** at **11:00 AM**. Remote meeting information will be sent out prior to the hearing date.

This hearing is upon an application for variance filed by: Dolores Carbona for modification of or substitution of the following Rules and Regulations: 21.3  
A copy of the request is available for public inspection during regular business hours.

You should be aware that the burden of proof is upon the applicant requesting a variance to prove that compliance is either: 1. technologically infeasible or; 2. the cost of compliance is excessive without substantial benefit to a person with a disability.

This hearing will be conducted in accordance with the procedures set forth in M.G.L., c. 30A, and 801 CMR 1.02, the Informal/Fair Hearings Rules. At the hearing, each party may be represented by counsel, may present evidence and may cross examine opposing witnesses.

**PLEASE NOTE:** Requests for the continuance of a hearing must be received no later than fourteen (14) days prior to the scheduled hearing date. Continuances are granted at the Board's discretion only.

ARCHITECTURAL ACCESS BOARD

Chairperson

Date: September 10, 2025

cc: Local Building Inspector  
Independent Living Center  
Local Disability Commission

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**Re: Variance Application Notice for Neponset Ave and Popes Hill St**


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**From** Yasmeen Logan <yasmeen.logan@boston.gov>

**Date** Wed 9/3/2025 11:15 AM

**To** Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

**Cc** Dolores Carbona <dolores.carbona@boston.gov>; Mayors Office on Disability <ada@boston.gov>; Michael Muehe <Mmuehe@bostoncil.org>; sean.lydon <sean.lydon@boston.gov>

 1 attachment (2 MB)

Curb Cuts at Neponset Ave and Popes Hill St\_Amended\_2.pdf;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

We needed to amend the application for this intersection to include R3. Please see attached.

Yasmeen Logan

On Mon, Aug 11, 2025 at 4:04 PM Griffin, Molly (DPL) <[Molly.Griffin@mass.gov](mailto:Molly.Griffin@mass.gov)> wrote:

No problem, just wanted to make sure I had the right applications.

Thanks!

Molly

**Molly Griffin**

Program Coordinator

She/Her/Hers

Architectural Access Board

Office of Public Safety and Inspections

Division of Occupational Licensure

1 Federal Street, 6<sup>th</sup> Floor

Boston, MA 02110-2012

[www.mass.gov/AAB](http://www.mass.gov/AAB)

617-727-0660

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**From:** Dolores Carbona <[dolores.carbona@boston.gov](mailto:dolores.carbona@boston.gov)>

**Sent:** Monday, August 11, 2025 3:30 PM

**To:** Griffin, Molly (DPL) <[Molly.Griffin@mass.gov](mailto:Molly.Griffin@mass.gov)>

**Cc:** Yasmeen Logan <[yasmeen.logan@boston.gov](mailto:yasmeen.logan@boston.gov)>; Mayors Office on Disability <[ada@boston.gov](mailto:ada@boston.gov)>; Michael

Muehe <[Mmuehe@bostoncil.org](mailto:Mmuehe@bostoncil.org)>; sean.lydon <[sean.lydon@boston.gov](mailto:sean.lydon@boston.gov)>

**Subject:** Re: Variance Application Notice for Neponset Ave and Popes Hill St

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Sorry Molly, I didn't mean to send the same application twice!

On Mon, Aug 11, 2025 at 3:05 PM Griffin, Molly (DPL) <[Molly.Griffin@mass.gov](mailto:Molly.Griffin@mass.gov)> wrote:

Hi Dolores,

Confirming receipt, but I received an identical application on Friday- is this meant to be different?

Thank you,  
Molly

**Molly Griffin**

Program Coordinator

She/Her/Hers

Architectural Access Board

Office of Public Safety and Inspections

Division of Occupational Licensure

1 Federal Street, 6<sup>th</sup> Floor

Boston, MA 02110-2012

[www.mass.gov/AAB](http://www.mass.gov/AAB)

617-727-0660

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**From:** Dolores Carbona <[dolores.carbona@boston.gov](mailto:dolores.carbona@boston.gov)>

**Sent:** Monday, August 11, 2025 9:56 AM

**To:** Griffin, Molly (DPL) <[Molly.Griffin@mass.gov](mailto:Molly.Griffin@mass.gov)>; Yasmeen Logan <[yasmeen.logan@boston.gov](mailto:yasmeen.logan@boston.gov)>; Mayors Office on Disability <[ada@boston.gov](mailto:ada@boston.gov)>; Michael Muehe <[Mmuehe@bostoncil.org](mailto:Mmuehe@bostoncil.org)>; sean.lydon <[sean.lydon@boston.gov](mailto:sean.lydon@boston.gov)>

**Subject:** Fwd: Variance Application Notice for Neponset Ave and Popes Hill St

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Please see the variance application attached.

Best,



COB\_B\_Blue\_square-01.png **Dolores Carbona** (she/her)  
Senior ADA Manager  
617-201-5803

--



COB\_B\_Blue\_square-01.png

**Dolores Carbona** (*she/her*)

Senior ADA Manager

617-201-5803

Department of Public Works



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

1 Federal St., Suite 600 • Boston • MA • 02110  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab)

Docket Number

(Office Use Only)

**AMENDED 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 6.
- 4) 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>.)
- 5) Complete the Service Notice included with the Application and sign it.
- 6) 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) & [molly.griffin@mass.gov](mailto:molly.griffin@mass.gov).
    - ii. The email submission must have the subject line: Variance Amendment - <Docket Number>
    - 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.
  - 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.
    - 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:

Ramp 3 at Neponset Ave and Popes Hill St

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2. What is the docket number of the existing variance V 25 - 146

3. Briefly describe the extent and nature of the new work performed or to be performed since your original application (use additional sheets if necessary):

The amended application adds Ramp 3 to the application. Ramp 3 (R3 noted in the design plans) has been redesigned due to unforeseen circumstances found in the field. It was discovered that the grades of the gutter slope were lower than surveyed at the catch basin, which requires us to provide a steeper cross slope. In total, a variance will be applied to R1 for excessive running slopes, R2 will need a variance for excessive transition slopes, and R3 will need a variance for the cross slopes.

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4. a. Has the Board's Jurisdiction changed since your original application: Yes ☐ No ☒

b. If Yes, which section of the Board's Jurisdiction (see *Section 3 of the Board's Regulations*) has now been triggered?

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

5. List **all** building permits that have been applied for since the date of your original application or last amendment, include the issue date and the listed value of the work performed:

**Permit #**

**Date of Issuance**

**Value of Work**

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*(Use additional sheets if necessary.)*

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

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

\_\_\_\_\_

Is the assessment at 100%? \_\_\_\_\_

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

8. State the phase of design or construction of the facility as of the date of this application:

Construction

9.

Request #1

Section(s) for which you are seeking relief: 21.3

Are you seeking temporary relief ☐ Yes ☒ No

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

Types of Attachments for this Request:  
[x] Floor/Site Plans, [ ] Cost Estimates,  
[ ] Photographs, [ ] Test Drawings,  
[ ] 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):

The existing sidewalk running slope is 11.5%, and the project proposes to increase it to 16% to accommodate a level landing for the depressed corner design. The back of the sidewalk is limited to 6.5 feet due to an existing stair to an entryway; extending the high side transition any further would lower the grade at the bottom of the stair, which is not desirable. The lower end is constrained by a signal post base with less than 2 inches of foundation exposed at the sidewalk surface. Raising the landing elevation further would require resetting the signal post, base, and foundation, which is outside of the project scope. Reducing the slope would also worsen the already steep downhill grade on the opposite side of the pedestrian ramp along Popes Hill Street, which currently exceeds 20% over a 15-foot stretch. Given these constraints, the proposed design represents a balanced approach—minimizing the required increase in roadway grade while maintaining the existing sidewalk slope as closely as possible. This ramp was intended to be designed as Blended Transitions in accordance with PROWAG. Due to existing roadway conditions with running slopes exceeding 5% in all directions at each corner, installing separate directional curb ramps is not feasible without substantial reconstruction of the intersection and roadway approaches. Blended Transition ramps at the corners provide the most practical and feasible solution for accommodating the natural topography while providing compliant slopes and maintaining proper push button height and reach without needing to relocate or reconstruct signal equipment.

Request #2

Section(s) for which you are seeking relief: 21.4

Are you seeking temporary relief ☐ Yes ☒ No

Types of Attachments for this Request:  
[ ] Floor/Site Plans, [ ] Cost Estimates,  
[ ] Photographs, [ ] Test Drawings,  
[ ] Other(s): \_\_\_\_\_

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):

The roadway cross slopes at the bottom of the curb ramp range from 6.4% to 7.5%, which exceeds the maximum 5%. However, while the roadway is not superelevated, it currently has an existing cross slope (over 9%) that is steeper than what is proposed. The proposed design reduces the grade within the pedestrian route and is considered as an improvement over current condition. In addition, pedestrian curb ramp #2 is designed as a Blended Transition with a ramp running slope of 5% or less. This results in a change in grade of less than 12.5%, which complies with PROWAG Section R304.5.2(A), requiring that the grade break between the ramp and the street not to exceed 13.3%. This ramp was intended to be designed as Blended Transitions in accordance with PROWAG. Due to existing roadway conditions with running slopes exceeding 5% in all directions at each corner, installing separate directional curb ramps is not feasible without substantial reconstruction of the intersection and roadway approaches. Blended Transition ramps at the corners provide the most practical and feasible solution for accommodating the natural topography while providing compliant slopes and maintaining proper push button height and reach without needing to relocate or reconstruct signal equipment.

<p><b>Request #3</b></p> <p>Section(s) for which you are seeking relief: <u>21.3</u></p> <p>Are you seeking temporary relief     <input type="radio"/> Yes     <input checked="" type="radio"/> No</p> <p>If yes, when do you propose to be in compliance by: _____</p> <p>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> <p><u>For R3, the slope in this area (highlighted in red) will exceed 2% cross slope due grades of the utilities while maintaining</u></p> <p><u>a maximum curb reveal of 9". In the field we discovered grades of the gutter were lower than surveyed at the catch</u></p> <p><u>basin which requires us to provide a steeper cross slope. The area will be bounded by Vertical Obstructions (A utility</u></p> <p><u>cabinet on one end and a Signal post on another. The sidewalk outside this area to the backline will have an</u></p> <p><u>accessible slope less than 2%, until we provide a warp panel to meet the existing non-compliant cross slope</u></p> <p><u>sidewalk. This is also somewhat due to us having to meet the existing non-compliant sidewalk cross slope at the</u></p> <p><u>limit of our work.</u></p>	<p>Types of Attachments for this Request:</p> <p><input type="checkbox"/> Floor/Site Plans, <input type="checkbox"/> Cost Estimates,</p> <p><input type="checkbox"/> Photographs, <input type="checkbox"/> Test Drawings,</p> <p><input type="checkbox"/> Other(s): _____</p>
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<p><b>Request #4</b></p> <p>Section(s) for which you are seeking relief: _____</p> <p>Are you seeking temporary relief     <input type="radio"/> Yes     <input type="radio"/> No</p> <p>If yes, when do you propose to be in compliance by: _____</p> <p>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> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Types of Attachments for this Request:</p> <p><input type="checkbox"/> Floor/Site Plans, <input type="checkbox"/> Cost Estimates,</p> <p><input type="checkbox"/> Photographs, <input type="checkbox"/> Test Drawings,</p> <p><input type="checkbox"/> Other(s): _____</p>
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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>).

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

Date: 8/29/2025

Dolores Carbona

Signature of owner or authorized agent (required)

PLEASE PRINT:

Dolores Carbona

Name

Organization (If Applicable)

1 City Hall Plaza

Address

Address 2 (optional)

Boston

MA

02203

City/Town

State

Zip Code

dolores.carbona@boston.gov

E-mail

Telephone

# SERVICE NOTICE

I, Dolores Carbona, as Agent  
(Name) (Relationship to the applicant)

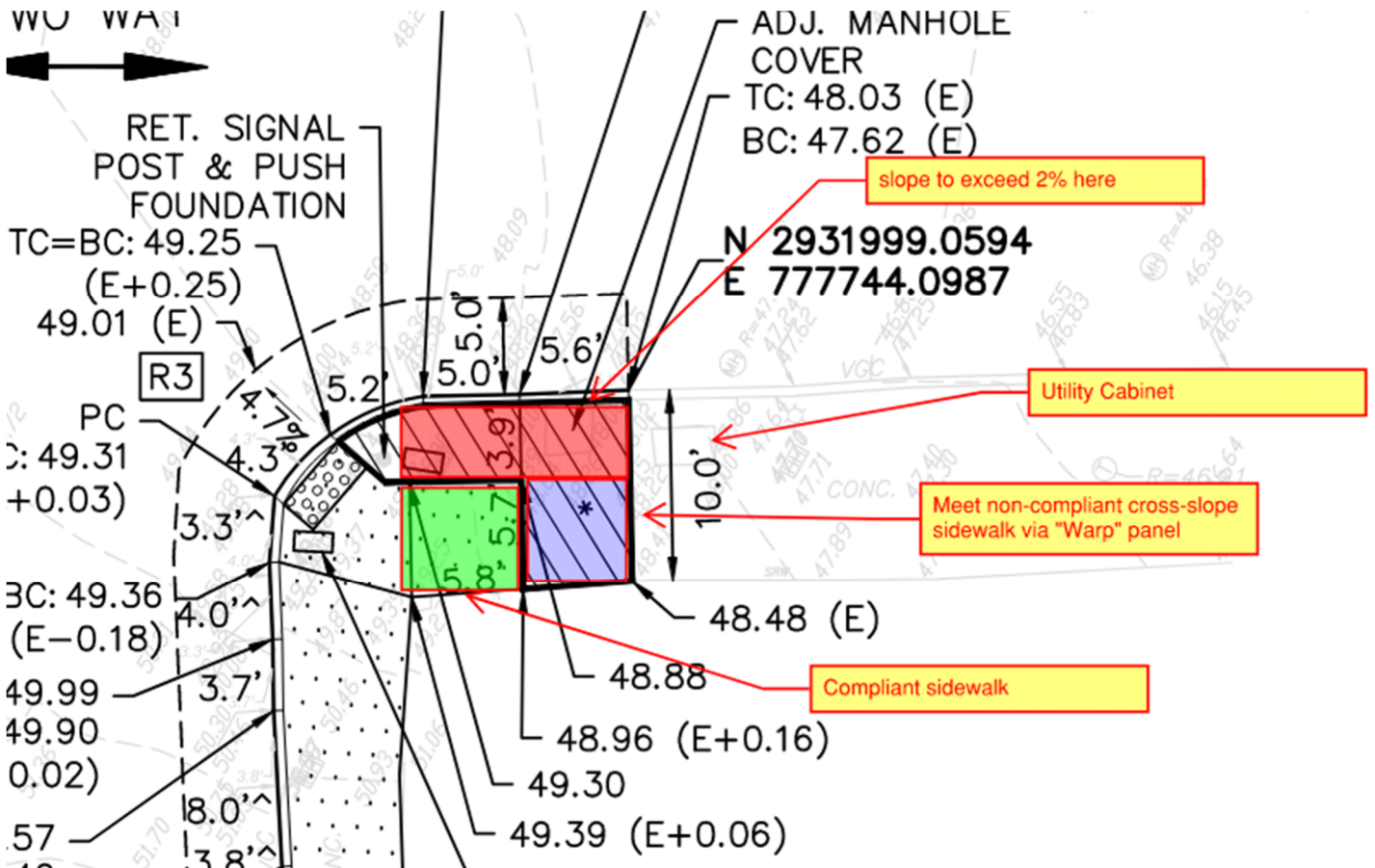
HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

<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	Sean Lydon City of Boston Inspectional Services 1010 Massachusetts Avenue, 5 <sup>th</sup> Floor 02118	Email: sean.lydon@boston.gov	09/02/2025
<b>2</b> Local Commission on Disability (If Applicable)	Kristen McCosh Mayor's Commission for Persons with Disabilities 1 City Hall Square, Room 967, Boston, MA 02201	Email: ada@boston.gov	09/02/2025
<b>3</b> Independent Living Center	Michael Muehe Boston Center for Independent Living 332 Jamaicaway #101, Boston, MA 02130	Email: mmuehe@bostoncil.org	09/02/2025

Dolores Carbona  
Signature

09/02/2025  
Date

## R3 – Explanation Diagram







MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

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

1 Federal St., 6th Floor  
Boston, Massachusetts 02118

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**NOTICE OF ACTION**

Docket Number **V 25 146**

**RE: Curb Ramps , Neponset Avenue and Popes Hill , Boston**

On August 8, 2025 the Architectural Access Board received an application submitted by Dolores Carbona .  
This application and all attached documentation were reviewed by the Board on August 25, 2025 .  
At that meeting, the Board voted as follows:

<u>#</u>	<u>Section</u>	<u>Result</u>
1	21.3	<b>SCHEDULE</b> a hearing for this request. See attached Notice of Hearing.
2	21.4	<b>GRANTED</b> as proposed.

**PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.**

*Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.*

Date: August 27, 2025

cc: Local Disability Commission  
Local Building Inspector  
Independent Living Center

*Palmaria Mendez WS*

Chairperson  
ARCHITECTURAL ACCESS BOARD **AAB 17**



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

1 Federal St., Suite 600 • Boston • MA • 02110  
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) & [molly.griffin@mass.gov](mailto:molly.griffin@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:

Ramp 1 and Ramp 2 at Neponset Ave and Popes Hill St

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

City of Boston Public Works Department

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1 City Hall Square #714, Boston, MA 02201 ATTN: Dolores Carbona

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E-mail: dolores.carbona@boston.gov

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Telephone: \_\_\_\_\_

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

The curb cut located at the intersection of Neponset Avenue and Popes Hill Street and S Munroe Terrace. This ramp is on the north side of this intersection.

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4. Total square footage of the building/facility: NA

Per floor: NA

a. Total square footage of tenant space (if applicable): NA

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

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 curb cut noted in this application are a part of a maintenance project to pave Neponset Ave. It will include building curb ramps.

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 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>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(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:

\_\_\_\_\_

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: \_\_\_\_\_

Is the assessment at 100%? ☐ Yes ☒ No

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

15. State the phase of design or construction of the facility as of the date of this application:

Design \_\_\_\_\_

Request #1

Section(s) for which you are seeking relief: 21.3Are you seeking temporary relief: ☐ Yes ☒ No

Types of Attachments for this Request:  
 [x] Floor/Site Plans, [ ] Cost Estimates,  
 [ ] Photographs, [ ] Test Drawings,  
 [ ] Other(s): \_\_\_\_\_

If yes, what date 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):

The existing sidewalk running slope is 11.5%, and the project proposes to increase it to 16% to accommodate a level landing for the depressed corner design. The back of the sidewalk is limited to 6.5 feet due to an existing stair to an entryway; extending the high side transition any further would lower the grade at the bottom of the stair, which is not desirable. The lower end is constrained by a signal post base with less than 2 inches of foundation exposed at the sidewalk surface. Raising the landing elevation further would require resetting the signal post, base, and foundation, which is outside of the project scope. Reducing the slope would also worsen the already steep downhill grade on the opposite side of the pedestrian ramp along Popes Hill Street, which currently exceeds 20%. The transition of this ramp was made to be 6 feet as in the field it was determined that the cross would become compliant and the running slope would remain the same at 20%. Given these constraints, the proposed design represents a balanced approach—minimizing the required increase in roadway grade while maintaining the existing sidewalk slope as closely as possible. This ramp was intended to be designed as Blended Transitions in accordance with PROWAG. Due to existing roadway conditions with running slopes exceeding 5% in all directions at each corner, installing separate directional curb ramps is not feasible without substantial reconstruction of the intersection and roadway approaches. Blended Transition ramps at the corners provide the most practical and feasible solution for accommodating the natural topography while providing compliant slopes and maintaining proper push button height and reach without needing to relocate or reconstruct signal equipment.

Request #2

Section(s) for which you are seeking relief: 21.4

Are you seeking temporary relief: ☐ Yes ☒ No

If yes, what date 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):

The roadway cross slopes at the bottom of the curb ramp range from 6.4% to 7.5%, which exceeds  
the maximum 5%. However, while the roadway is not superelevated, it currently has an existing  
cross slope (over 9%) that is steeper than what is proposed. The proposed design reduces the  
grade within the pedestrian route and is considered as an improvement over current condition. In  
addition, pedestrian curb ramp #2 is designed as a Blended Transition with a ramp running slope of  
5% or less. This results in a change in grade of less than 12.5%, which complies with PROWAG  
Section R304.5.2(A), requiring that the grade break between the ramp and the street not to exceed  
13.3%. This ramp was intended to be designed as Blended Transitions in accordance with  
PROWAG. Due to existing roadway conditions with running slopes exceeding 5% in all directions at  
each corner, installing separate directional curb ramps is not feasible without substantial  
reconstruction of the intersection and roadway approaches. Blended Transition ramps at the corners  
provide the most practical and feasible solution for accommodating the natural topography while  
providing compliant slopes and maintaining proper push button height and reach without needing to  
relocate or reconstruct signal equipment.

Types of Attachments for this Request:  
[x] Floor/Site Plans, [ ] Cost Estimates,  
[ ] Photographs, [ ] Test Drawings,  
[ ] Other(s): \_\_\_\_\_

Request #3

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

Are you seeking temporary relief: ☐ Yes ☐ No

If yes, what date 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):

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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, what date 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):

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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:

City of Boston Public Works Department

E-mail: thomas.gex@boston.gov

Telephone: \_\_\_\_\_

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

City of Boston Public Works Department

1 City Hall Square #714, Boston, MA 02201 ATTN: Thomas Gex

E-mail: thomas.gex@boston.gov

Telephone: \_\_\_\_\_

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

Date: 06/23/2025

\_\_\_\_\_  
**Signature of owner or authorized agent (required)**

**PLEASE PRINT:**

Dolores Carbona

Name

\_\_\_\_\_  
Organization (If Applicable)

1 City Hall Plaza

Address

\_\_\_\_\_  
Address 2 (optional)

Boston MA 02203

City/Town State Zip Code

dolores.carbona@boston.gov

E-mail

\_\_\_\_\_  
Telephone

# SERVICE NOTICE

I, \_\_\_\_\_, as \_\_\_\_\_  
(Name) (Relationship to the applicant)

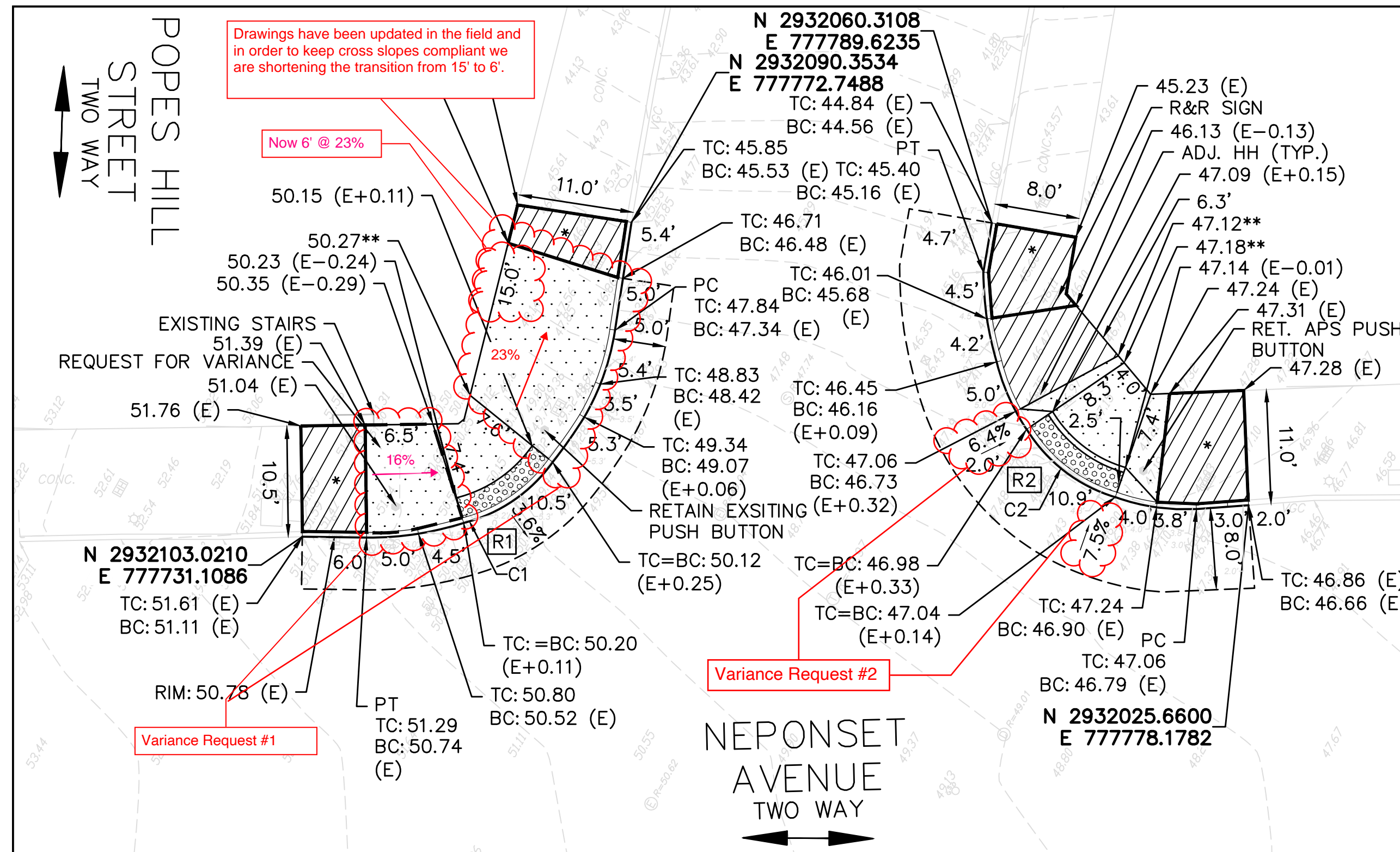
HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

<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	Sean Lydon City of Boston Inspectional Services 1010 Massachusetts Avenue, 5 <sup>th</sup> Floor 02118	Email: sean.lydon@boston.gov	06/23/2025
<b>2</b> Local Commission on Disability (If Applicable)	Kristen McCosh Mayor's Commision for Persons with Disabilities 1 City Hall Square, Room 967, Boston, MA 02201	Email: ada@boston.gov	06/23/2025
<b>3</b> Independent Living Center	Michael Muehe Boston Center for Independent Living 332 Jamaicaaway #101, Boston, MA 02130	Email: mmuehe@bostoncil.org	06/23/2025

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date





PROP. PEDESTRIAN RAMP #1, & #2  
RAMP ID #6693.1 (R1), #8053.1 (R2)

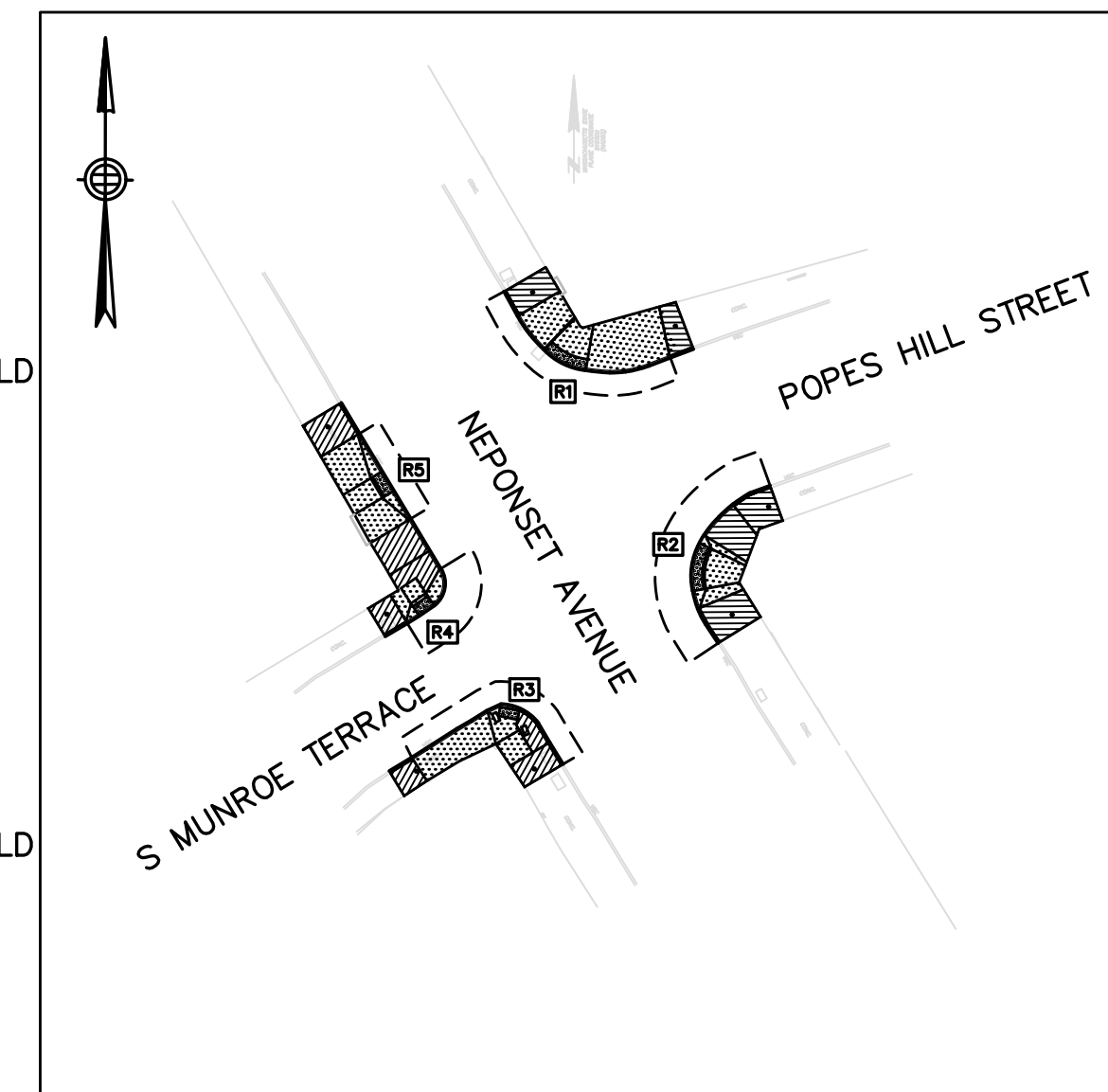
RESET EX. 5.4' STR. AS EDGESTONE

FOR RAMP #1 (R1)  
RESET EX. 5.0' STR. AS SLOPESTONE  
RESET EX. 5.4', 3.5', & 5.3' CIRC. AS SLOPESTONE  
DISCARD EX. 5.3' & 5.2' CIRC.  
ORDER NEW 3.0' STR. AS RETURN STONE  
CONSTRUCT 10.5' CIRC. (15' R) CEM. CONC. AS THRESHOLD

RESET EX. 4.5', & 5.0' CIRC. AS SLOPESTONE  
RESET EX. 6.0' STR. GM AS EDGESTONE

FOR RAMP #2 (R2)  
RESET EX. 3.0' STR. AS EDGESTONE  
RESET EX. 3.8' CIRC. AS EDGESTONE  
RESET EX. 4.0' CIRC. AS SLOPESTONE  
DISCARD EX. 3.8 & 3.9' CIRC.  
CUT EX. 4.1' CIRC. AS 2.0', & 2.1 CIRC.  
DISCARD CUT 2.1' CIRC.  
CONSTRUCT 10.9' CIRC. (15' R) CEM. CONC. AS THRESHOLD  
RESET CUT. 2.0' CIRC. AS SLOPESTONE  
RESET EX. 5.0', & 4.2' CIRC. AS EDGESTONE

RESET EX. 4.5' CIRC. AS EDGESTONE  
RESET EX. 4.7' STR. AS EDGESTONE



LOCUS MAP  
DORCHESTER  
SCALE: 1" = 40'

## GENERAL NOTES

- THE LENGTHS OF NEW AND EXISTING STRAIGHT AND CIRCULAR EDGESTONE USED TO CONSTRUCT PROPOSED PEDESTRIAN RAMPS ARE LISTED IN A CLOCKWISE MANNER.
- A DETECTABLE WARNING PANEL SHALL BE INSTALLED IN ALL PROPOSED PEDESTRIAN RAMPS. THE COLOR SHALL BE PALE YELLOW, CONFORMING TO FEDERAL NO. 23594. FURNISHING AND INSTALLING THE DETECTABLE WARNING PANELS SHALL BE CONSIDERED INCIDENTAL TO ITEM 701.2, CEMENT CONCRETE PEDESTRIAN RAMP. REFER TO ITEM 701.2, CEMENT CONCRETE PEDESTRIAN RAMP, IN THE ADDITIONAL SPECIAL PROVISIONS SECTION FOR SPECIFICATIONS AND DETAILS.
- DETECTABLE WARNING PANEL MATERIAL SHALL BE CAST IRON AND MAY HAVE A 2" MAX. GAP BETWEEN THE EDGE OF THE WARNING PANEL AND THE EDGE OF THE PEDESTRIAN RAMP.
- REPLACE ALL METAL LIGHTING PULLBOX FRAMES & COVERS AND METAL TRAFFIC HANDHOLE FRAMES & COVERS WITHIN THE LIMIT OF SIDEWALK CONSTRUCTION WITH COMPOSITE COVER, UNLESS OTHERWISE NOTED.
- ALL CITY OWNED COVER WITHIN THE LIMIT OF PAVING SHALL BE ADJUSTED TO GRADE BY THE CONTRACTOR (BWSC, BTD, BOSTON STREET LIGHTING, ETC.).
- ALL PRIVATE UTILITIES WITHIN THE PAVING LIMIT SHALL BE ADJUSTED TO GRADE BY THE RESPECTIVE UTILITY COMPANIES UNLESS OTHERWISE NOTED.
- PARGING OF EXISTING STONE/CONCRETE WALLS AT BACK OF SIDEWALK SHALL BE PERFORMED AS NEEDED.

## SURFACE MATERIAL LEGEND

	NEW GRANITE EDGESTONE
	RESET GRANITE EDGESTONE
	CEMENT CONCRETE PEDESTRIAN RAMP WITH DETECTABLE WARNING PANEL
	6" CEMENT CONCRETE SIDEWALK OR DRIVEWAY

## LEGEND

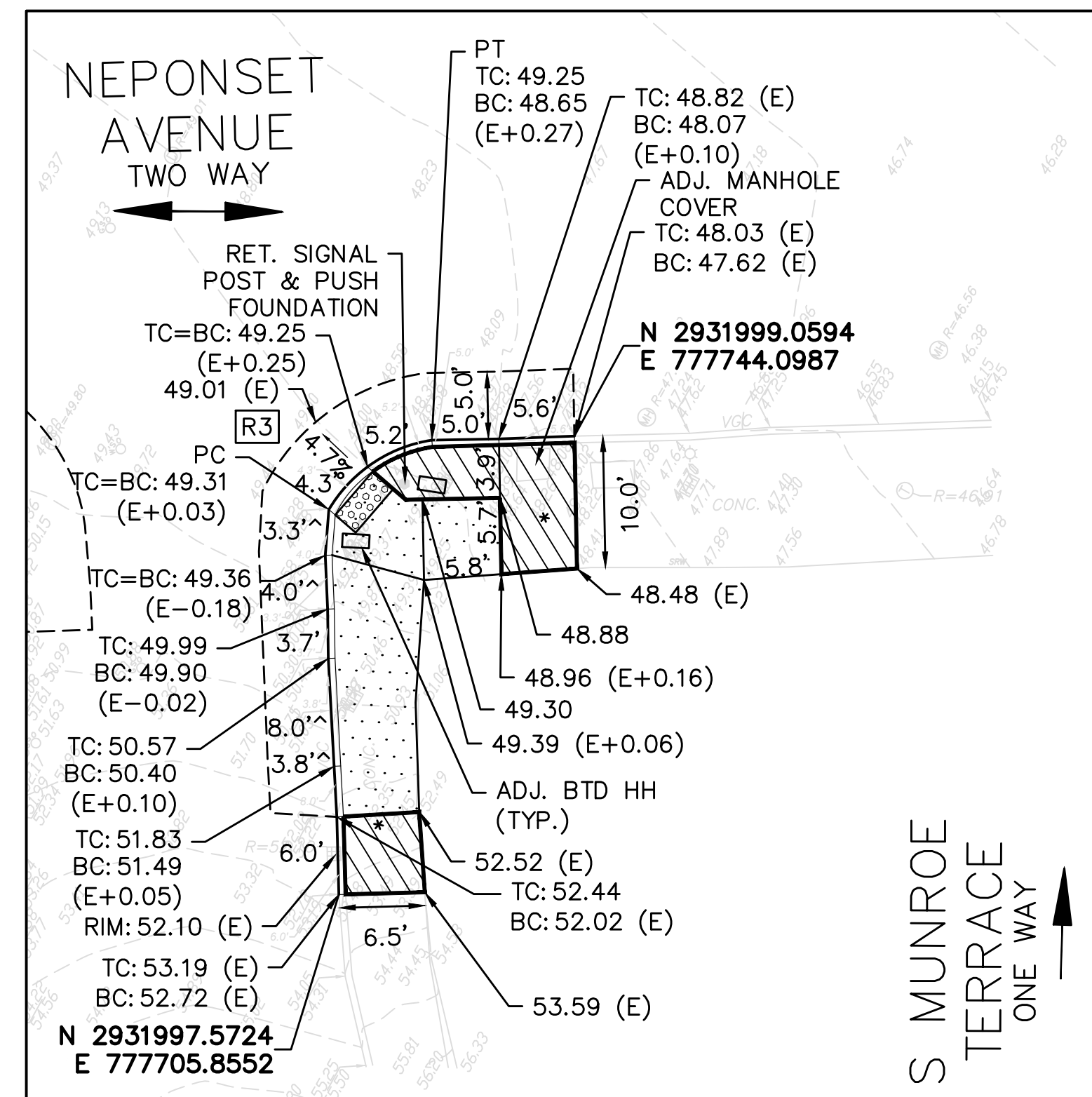
TC	TOP OF CURB
BC	BOTTOM OF CURB
(E±)	EXIST. ELEVATION DIFFERENCE (FEET)
LL	LEVEL LANDING
HP	HIGH POINT
LP	LOW POINT
*	WARP AREA
---	LIMITS OF WARP AREA
---	LIMITS OF VARIANCE

RESET EX. 6.0' STR. AS EDGESTONE

FOR RAMP #3 (R3)  
RESET EX. 3.8' STR. AS SLOPESTONE  
RESET EX. 8.0' STR. AS SLOPESTONE  
RESET EX. 3.7' STR. AS SLOPESTONE  
RESET EX. 4.0' STR. AS SLOPESTONE  
RESET EX. 3.3' STR. AS THRESHOLD  
RESET EX. 4.3' CIRC. AS THRESHOLD

RESET EX. 5.2' CIRC. AS EDGESTONE  
RESET EX. 5.0' STR. AS EDGESTONE  
RESET EX. 5.6' STR. GM. AS EDGESTONE

^ CURB STONE SET ON DIFFERENT LOCATION FROM EXISTING CONDITIONS.



PROP. PEDESTRIAN RAMP #3  
RAMP ID #8053.2 (R3)

RESET EX. 7.9' STR. AS EDGESTONE

FOR RAMP #5 (R5)  
RESET EX. 4.2' STR. AS SLOPESTONE  
RESET EX. 5.5' STR. AS SLOPESTONE  
RESET EX. 5.0' STR. AS THRESHOLD  
RESET EX. 7.2' STR. AS SLOPESTONE

RESET EX. 5.7' STR. GM AS EDGESTONE  
RESET EX. 2.5', & 4.6' STR AS EDGESTONE

FOR RAMP #4 (R4)  
RESET EX. 6.3', & 2.7' CIRC. AS SLOPESTONE  
RESET EX. 4.0' STR. AS THRESHOLD  
RESET EX. 3.0' STR. AS SLOPESTONE

RESET EX. 5.6' STR. GM AS EDGESTONE

^ CURB STONE SET ON DIFFERENT LOCATION FROM EXISTING CONDITIONS.

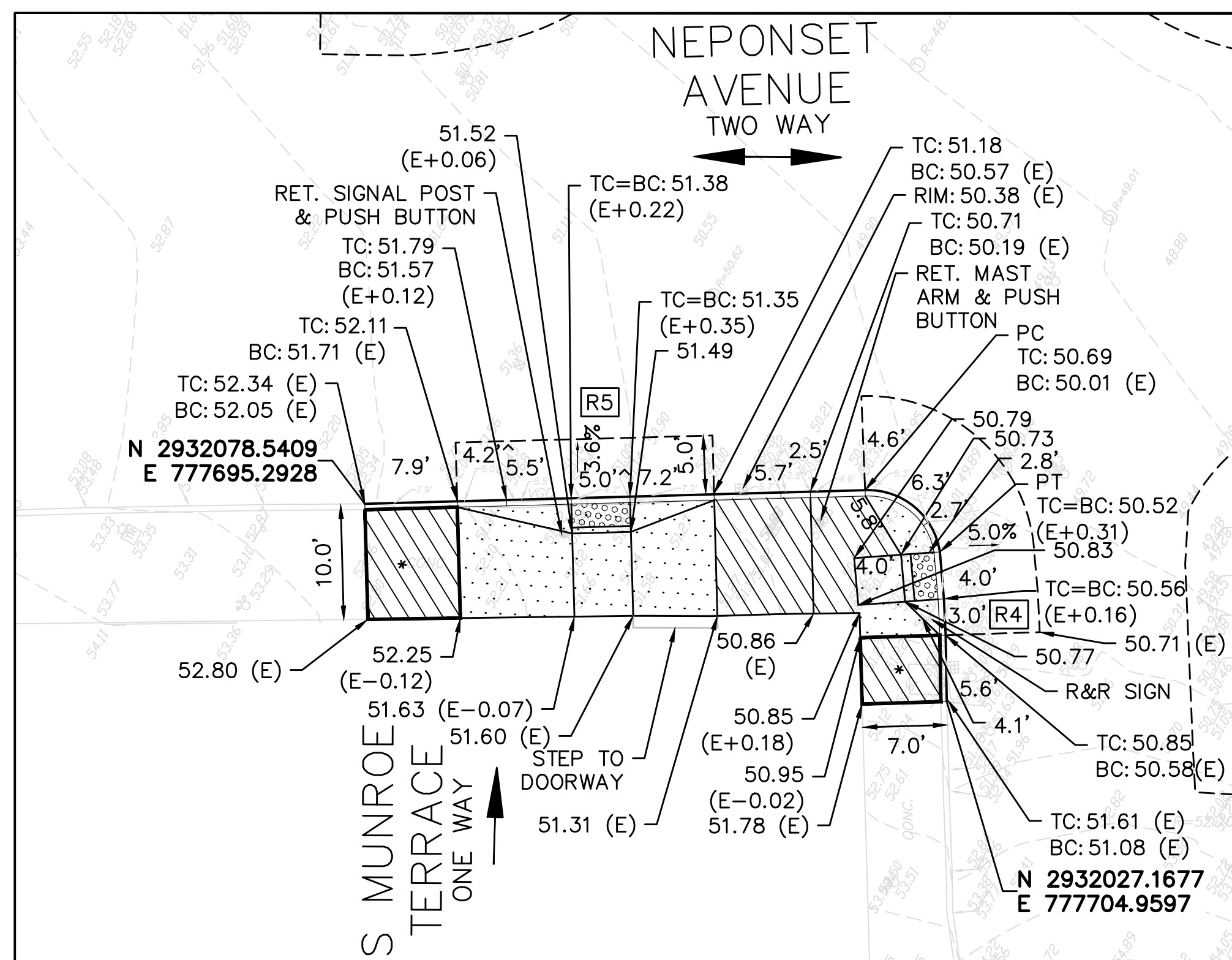
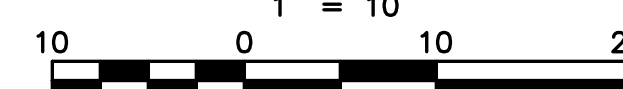
## NOTE:

- CROSSWALKS AND PAVEMENT MARKINGS TO BE UPDATED TO ACCOMMODATE NEW PED RAMP LOCATIONS.
- BTD TO INSTALL NEW LOOP DETECTORS THAT ARE DAMAGED DURING ROADWAY PAVING AND THE INSTALLATION OF SIDEWALKS AND CURB RAMPS.
- \*\* EXISTING ELEVATION NOT WITHIN SURVEY LIMIT.

## CURVE TABLE

NUMBER	RADIUS	LENGTH	TANGENT	DELTA	BEGIN CURVE	END CURVE
C1	15.00'	10.52'	5.49'	40°10'31"	N: 2932090.2135 E: 777739.8312	N: 2932085.6631 E: 777749.0757
C2	15.00'	10.91'	5.71'	41°40'39"	N: 2932047.7161 E: 777774.0829	N: 2932037.1496 E: 777772.5845

SCALE:  
1" = 10'



PROP. PEDESTRIAN RAMP #4, & #5  
RAMP ID #6693.2 (R4), #6693.3 (R5)

INTERSECTION ID #6693 & 8053 SHEET 1 OF 2

SURVEY BY	FELDMAN GEOSPATIAL
DRAWN BY	H. SANTIAGO
CHECKED BY	K. YUAN
APPROVED BY	Z. WASSMOUTH

CITY OF BOSTON PUBLIC WORKS DEPARTMENT  
ENGINEERING DIVISION  
SIDEWALK RECONSTRUCTION

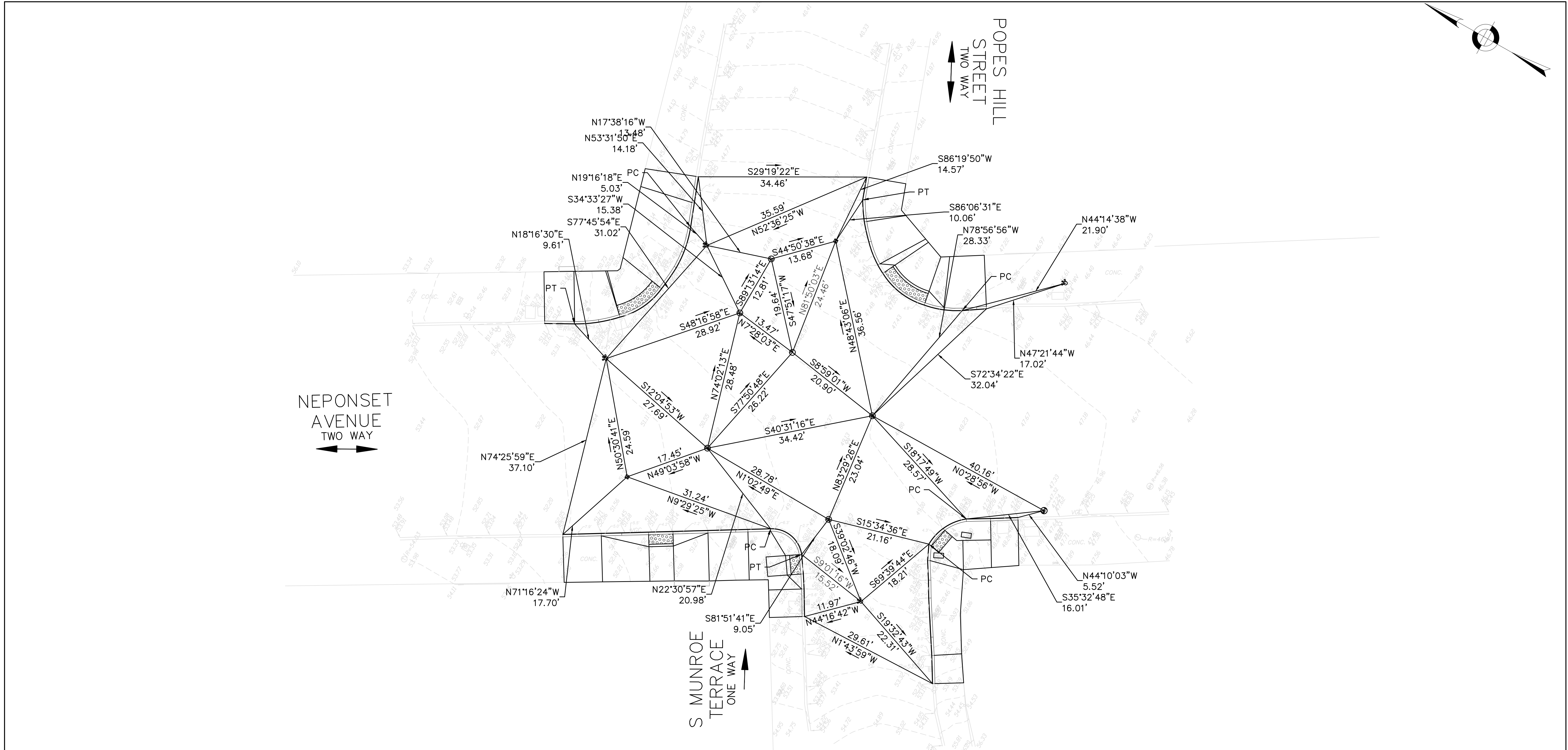
**NEPONSET AVENUE AT POPES HILL STREET & S MUNROE TERRACE**

**PEDESTRIAN RAMP DETAILS**  
DORCHESTER

SCALE: 1" = 10'  
DISTRICT: 7

AREA: 3  
DATE: MAY 29, 2025



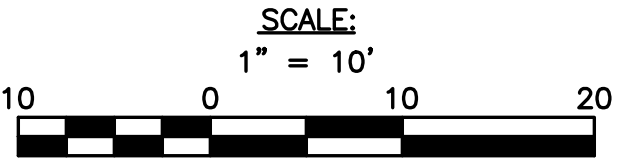


SCALE: 1" = 10'

CONSTRUCTION TIES

INTERSECTION ID #6693 & 8053 SHEET 2 OF 2

SURVEY BY	FELDMAN GEOSPATIAL
DRAWN BY	H. SANTIAGO
CHECKED BY	K. YUAN
APPROVED BY	Z. WASSMOUTH



CITY OF BOSTON PUBLIC WORKS DEPARTMENT  
ENGINEERING DIVISION  
SIDEWALK RECONSTRUCTION

**NEPONSET AVENUE AT POPES HILL  
STREET & S MUNROE TERRACE**

**PEDESTRIAN RAMP DETAILS**  
DORCHESTER

SCALE: 1" = 10'  
DISTRICT: 7

AREA: 3  
DATE: MAY 29, 2025

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**Fwd: Variance Application Notification**

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**From** Dolores Carbona <dolores.carbona@boston.gov>

**Date** Fri 8/8/2025 11:42 AM

**To** Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Yasmeen Logan <yasmeen.logan@boston.gov>

 1 attachment (1 MB)

Curb Cuts at Neponset Ave and Popes Hill St.pdf;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Please see the attached variance application. This will be submitted formally promptly.

Best,  
Dolores Carbona

--



**Dolores Carbona** (*she/her*)

Senior ADA Manager

617-201-5803

Department of Public Works