

# ARCHITECTURAL ACCESS BOARD- HEARING PACKET

Name	<b>Passenger Drop Zone</b>	Docket #	V 25 - 139
Address	<b>330 Homer Street</b>	Docket #	C -
City	<b>Newton</b>	Hearing	1/12/2026
Bldg Type		Time of hearing	<b>2:00 PM</b>
Complaint's Name		Plans on file?	

Complaint ?	Variance ?	Request for continuance?
Jurisdiction:	3.3.1.b.	if the work costs \$100,000 or more, then the work being performed is required to comply with 521 CMR. In addition, an accessible public entrance and an accessible toilet room, telephone, drinking fountain (if toilets, telephones and drinking fountains are provided) shall also be

Building Permits: Anticipated construction cost: \$395,000

Assessed Value:

**Exhibit: 1**

V25-139

AAB 1-25

## 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%).

22.3.1: Nowhere shall the cross slope of walkways exceed one-in-50 (1:50) (2%). (Refer to 521 CMR 2.4.4d.)

On July 30, 2025 the Board received an application for variance for the above referenced address and on August 25, 2025 the Board voted to Continue for more information. (See AAB 9-25)

On August 28, 2025 the Board received additional information from the petitioner and on September 8, 2025 the Board voted to Schedule a hearing. (See AAB 2-8 )

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**330 Homer Street, Newton**

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

**Date** Wed 9/10/2025 1:55 PM

**Bcc** Melissa Panza <mpanza@newtonma.gov>; Michael Muehe <Mmuehe@bostoncil.org>;  
dfinamore@newtonma.gov <dfinamore@newtonma.gov>; Sharon Cullins <scullins@newtonma.gov>

 2 attachments (1 MB)

(V25-139) - First Amended Notice of Action.pdf; Notice of Hearing.pdf;

Good afternoon,

Please find attached the Notice or Decisions for the above referenced case.

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 25 139**

**RE: Passenger Drop Zone , 330 Homer Street, Newton**

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 **2:00 PM**. Remote meeting information will be sent out prior to the hearing date.

This hearing is upon an application for variance filed by: Alfredo Vargas, PE for modification of or substitution of the following Rules and Regulations: 21.3, 22.3.1. 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



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
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AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**FIRST AMENDED NOTICE OF ACTION**

Docket Number V 25 139

**RE: Passenger Drop Zone , 330 Homer Street , Newton**

On August 28, 2025 the Architectural Access Board received an additional submission from Petitioner. The additional documents were reviewed by the Board on September 8, 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	22.3.1	<b>SCHEDULE</b> a hearing for this request. See attached Notice of Hearing.

**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 9, 2025

cc: Local Disability Commission  
Local Building Inspector  
Independent Living Center

*Dawn Guarnello WT*  
Chairperson  
ARCHITECTURAL ACCESS BOARD

**AAB 4**



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
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SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
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**FIRST AMENDED NOTICE OF ACTION**

Docket Number V 25 139

**RE: Passenger Drop Zone , 330 Homer Street , Newton**

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Date: September 9, 2025

cc: Local Disability Commission  
Local Building Inspector  
Independent Living Center

*Dawn Guarnello WT*  
Chairperson  
ARCHITECTURAL ACCESS BOARD

**AAB 5**

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**Re: Passenger Drop off Zone, 330 Homer Street, Newton**

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**From** Melissa Panza <mpanza@newtonma.gov>

**Date** Thu 8/28/2025 8:14 AM

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

 1 attachment (5 MB)

IMG\_0365.jpeg;

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,

Thank you for the notice. As of now the construction has been completed. The notice is asking for clarification.

1. The now constructed running slope of the curb ramp is 17.8%.
2. The now constructed cross slope of the walkway varies with an average of 3.4%.

Please see attached photo.

Thank you,  
Melissa Panza  
Assistant Design Engineer  
City of Newton  
1000 Commonwealth Ave  
Newton, MA 02459  
Phone: 617-796-1022

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

**Sent:** Wednesday, August 27, 2025 2:11 PM

**Subject:** Passenger Drop off Zone, 330 Homer Street, Newton

[**DO NOT OPEN** links/attachments unless you are sure the content is safe. ]

Good afternoon,

Please find attached the Notice or Decision for the above referenced case.

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

When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.









MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
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UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**NOTICE OF ACTION**

Docket Number **V 25 139**

**RE: Passenger Drop Zone , 330 Homer Street , Newton**

On July 30, 2025 the Architectural Access Board received an application submitted by Alfredo Vargas, PE .  
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>CONTINUED</b> to request Petitioner provide the Board with: clarify whether the proposed slope is 10.1% or 17%, as the Board considers any running slope above 15% to be a potentially serious safety hazard
2	22.3.1	<b>CONTINUED</b> to request Petitioner provide the Board with: continue for updated drawings showing the proposed cross-slope of the walkway

**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 9**

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**Re: Variance Application-Homer St, Newton, MA**

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**From** Melissa Panza <mpanza@newtonma.gov>

**Date** Wed 7/30/2025 1:47 PM

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

**Cc** Anthony Ciccariello <aciccariello@newtonma.gov>; Sharon Cullins <scullins@newtonma.gov>; Jini Fairley <jfairley@newtonma.gov>; Michael Muehe <Mmuehe@bostoncil.org>

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.

Hi Molly,  
Yes you are correct.

Thank you,

Melissa Panza  
Assistant Design Engineer  
City of Newton  
1000 Commonwealth Ave  
Newton, MA 02459  
Phone: 617-796-1022

---

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

**Sent:** Wednesday, July 30, 2025 1:36 PM

**To:** Melissa Panza <mpanza@newtonma.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>

**Cc:** Anthony Ciccariello <aciccariello@newtonma.gov>; Sharon Cullins <scullins@newtonma.gov>; Jini Fairley <jfairley@newtonma.gov>; Michael Muehe <Mmuehe@bostoncil.org>

**Subject:** Re: Variance Application-Homer St, Newton, MA

[**DO NOT OPEN** links/attachments unless you are sure the content is safe. ]

Hi Melissa,

Thank you- just to confirm the variance application has two requests for relief 1 from 21.3 and the second from 22.3.1- is that accurate? Just want to make sure I document it correctly.

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:** Melissa Panza <mpanza@newtonma.gov>

**Sent:** Wednesday, July 30, 2025 12:00 PM

**To:** Joyce, William (DPL) <William.Joyce@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

**Cc:** Anthony Ciccariello <aciccariello@newtonma.gov>; Jini Fairley <jfairley@newtonma.gov>; Michael Muehe <Mmuehe@bostoncil.org>

**Subject:** Variance Application-Homer St, Newton, MA

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.

Mr. Joyce and Ms. Griffin,

Attached you will find the variance application along with supporting documents.

Please let me know if you have any questions.

Thank you,

Melissa Panza

Assistant Design Engineer

City of Newton

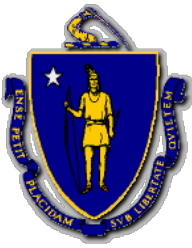
1000 Commonwealth Ave

Newton, MA 02459

Phone: 617-796-1022

When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.

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

1 Federal St., Suite 0600 • Boston • MA • 02110-2012  
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:

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

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E-mail: 

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Telephone: 

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

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4. Total square footage of the building/facility: \_\_\_\_\_

Per floor: \_\_\_\_\_

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

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

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):

[illegible]

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

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☐ Listed individually on the National Register of Historic Places

3

☐ Located in a Registered Historic District

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☐ Listed in the State Register of Historic Places

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☐ Eligible for listing

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(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:

\_\_\_\_\_

**Please list specific technical sections, not 521 CMR 3.****Request #1**

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):

Types of Attachments for this Request:

☐ Floor/Site Plans, ☐ Cost Estimates,☐ Photographs, ☐ Test Drawings,☐ Other(s): \_\_\_\_\_**Request #2**

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):

Types of Attachments for this Request:

☐ 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):

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):

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:

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E-mail: \_\_\_\_\_

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

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

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E-mail: \_\_\_\_\_

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

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

Date: 7/30/2025

  
Signature of owner or authorized agent (required)

PLEASE PRINT:

Alfredo Vargas, PE

Name

City of Newton

Organization (If Applicable)

1000 Commonwealth Ave

Address

Address 2 (optional)

Newton, MA 02459

City/Town

State

Zip Code

avargas@newtonma.gov

E-mail

617-796-1025

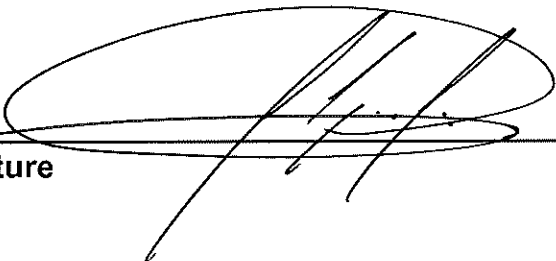
Telephone

# SERVICE NOTICE

I, Alfredo Vargas, PE, as Owners Representative  
(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	Anthony Ciccariello, Commissioner of Inspectional Services, City of Newton, MA 02459	Electronic	7/30/25
<b>2</b> Local Commission on Disability (If Applicable)	Jini Fairley, ADA Coordinator, 1000 Commonwealth Ave, Newton, MA 02459	Electronic	7/30/25
<b>3</b> Independent Living Center	Michael Muehe, Access Analyst Boston Center for Independent Living (BCIL)	Electronic	7/30/25

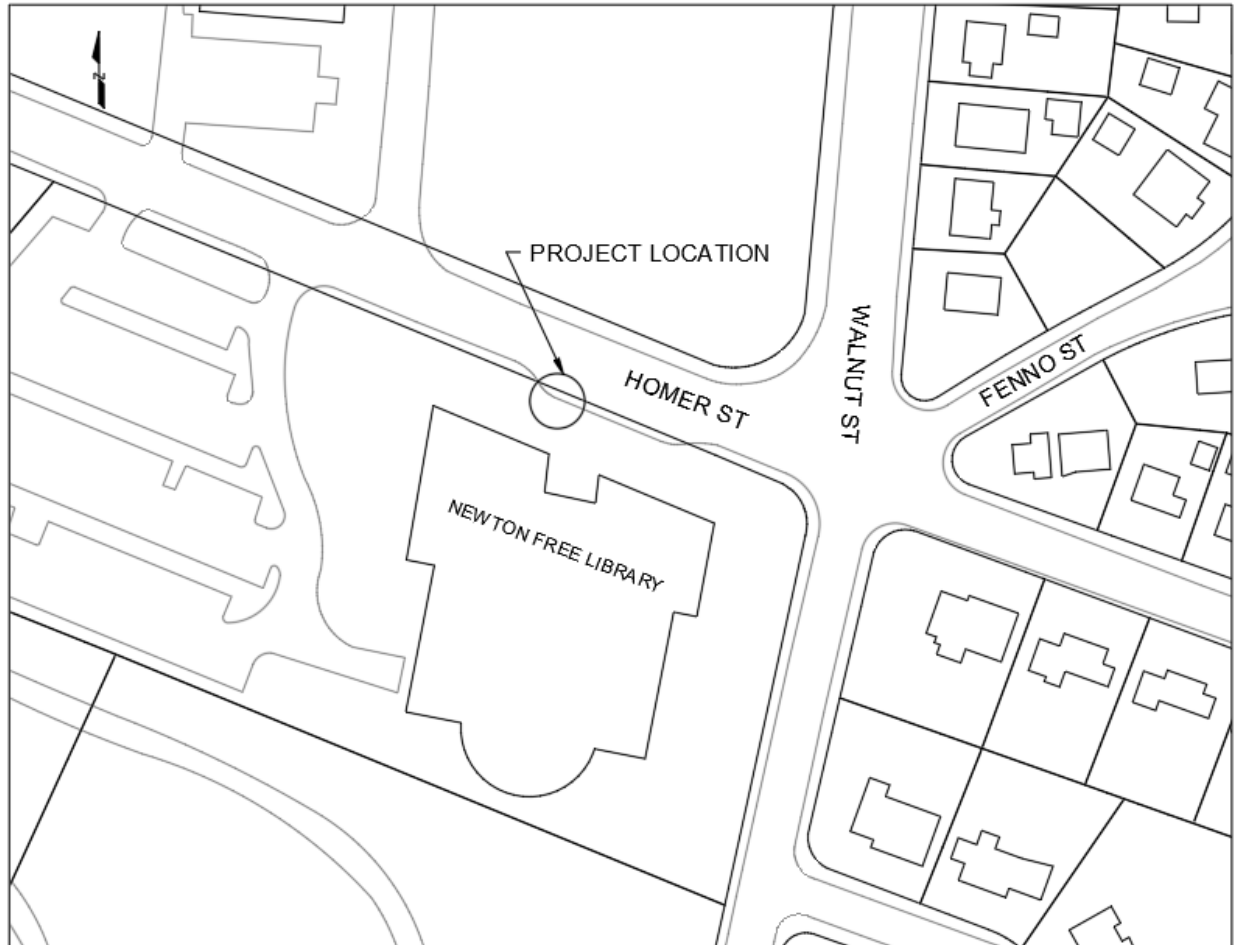
  
Signature

7/30/2025  
Date



### Variance Request Narrative:

This project consists of reconstructing a curb ramp and sidewalk in front of the Newton Free Library on Homer St. The scope of work includes a cement concrete curb ramp, cement concrete sidewalk, removing and resetting granite curbing, pavement markings and signage.



Locus Map

### Existing Conditions:

This location is abutting the travel way on Homer St eastbound and functions as a pull off mostly for live parking in front of the Newton Free Library, with the acceptance of one accessible parking space. The existing curb ramp has an opening of 4' wide, no detectable warning panel, no level landing area and a front to back slope of almost 11%. The sidewalk to the east of the ramp is 7.5' wide, in fair condition and has an existing average cross slope of 5-6%, some gaps at the joints and temporary repairs made with asphalt. At the back of the sidewalk, within the property of the library, is a large brick plaza.



Existing Curb Ramp



Existing Drop Off Area, Curb Ramp and Sidewalk Looking East



Existing Roadway Looking West

Variance Request:

The curb ramp and adjacent sidewalk needs to be improved in conjunction with the mill and overlay of the roadway. I would like to request a variance for the curb ramp to exceed the maximum allowed slope of 8.33%, as stated in 521 CMR 21.3. Due to the brick plaza in front of the library, we must maintain the elevation at the back of the proposed level landing. Due to the existing roadway topography, which must be maintained for drainage reasons, we must maintain the existing elevation at the bottom of the ramp. The improvements to the reconstructed curb ramp are creating a level landing area, a larger opening of 5' and adding a detectible warning panel. Please see the attached concept plan.

The second request would be for the cross slope of the sidewalk in the drop off area, within the limits of the brick plaza only. The curb will be reset and raised as much as possible to lessen the slope but will still exceed the allowed slope of 2%, as stated in 521 CMR 22.3.1. The condition of the cement concrete sidewalk will be greatly improved, and the cross slope will be less steep. Please see the attached concept plan.

WALNUT STREET

CITY OF NEWTON  
MASSACHUSETTS  
EXISTING CONDITIONS  
FOR THE  
PEDESTRIAN IMPROVEMENTS  
AT  
HOMER ST LIBRARY DROP OFF AREA  
PAGE 1 OF 1  
AARON J. VIRGA, P.E.  
DATE: 7/24/2023



HOMER STREET

NEWTON FREE LIBRARY

N/4 CT. OF NEWTON

OPEN LINE

CB  
RIM=93.64'

SMH  
RIM=94.43'

EXISTING CEMENT CONCRETE SIDEWALK

EXISTING CURB RAMP

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733054.301'  
94.403'

CITY OF NEWTON  
MASSACHUSETTS

AAB 24

DESIGNED BY: J. PANZA  
SURVEYED BY:  
BASE MAP DRAFTED BY:  
CHECKED BY:  
APPROVED BY:

