

**Town of Harvard
Self-Evaluation and Transition Plan
December 2022**



Prepared by:

Center for Living & Working, Inc.

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18 Chestnut Street – Suite 540, Worcester, MA 01608

and

James M. Mazik, AICP - Consulting Services

188 Lower Westfield Road, Holyoke, MA 01040

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Disclaimer: This Self-Evaluation and Transition Plan is a “planning” document which is intended to identify areas of non compliance under the Federal Americans with Disabilities Act as it pertains to the provision of services, programs, and activities. In doing so, this Plan provides an evaluation of policies and procedures and provides recommendations and sample documents for compliance. This Plan also includes a facilities assessment to identify non-conforming building and site conditions including a description and applicable regulatory standards for compliance. This is not an engineering or architectural assessment nor does it provide engineering or design solutions. Construction solutions need to be designed by a qualified engineering or architectural professional in order to ensure compliance under the MAAB 521 CMR requirements and the 2010 ADA Standards for Accessible Design.

TOWN OF HARVARD – SELF-EVALUATION AND TRANSITION PLAN

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I. INTRODUCTION

The Center for Living & Working, Inc. in partnership with James M. Mazik, AICP – Consulting Services has prepared this Self-evaluation and Transition Plan (“Accessibility Plan” hereafter) on behalf of the Town of Harvard to determine its level of compliance under the Americans with Disability Act (ADA) of 1991, as amended in 2008 and 2010.

The ADA is a civil rights law. Under the ADA, civil rights are guaranteed to individuals who experience discrimination because they; 1) have a physical or mental impairment that substantially limits a major life activity, 2) have a record of such an impairment, and 3) are regarded as having such an impairment. The ADA provides civil rights protections to those with disabilities in a manner similar to that provided to individuals on the basis of race, color, sex, natural origin, age, and religion. The law is intended to ensure that those with a disability cannot be excluded from participating in, or denied the benefits of programs, services and activities offered by state and local governments because of that disability.

Under Title II of the ADA, as amended, requires local municipalities to conduct a Self-Evaluation of programs and services as well as an evaluation of all facilities to document physical barriers to access as part of the requirements for developing a Transition Plan.

In Massachusetts, public buildings and facilities must adhere to Section 521 of the Code of Massachusetts Regulations, “521 CMR: Architectural Access Board”, a specialized section of the State Building Code as governed by the Massachusetts Architectural Access Board (M.G.L. c.22, S13A).

This ADA Self-evaluation and Transition Plan (“Accessibility Plan” hereafter) includes model policies and procedures for adoption by the Town as well as barrier removal solutions for the Town’s public buildings and facilities. The assessment of physical barriers and subsequent recommendations are based on the current 2010 ADA Standards for Accessible Design (2010 ADA Standards) and MA State Building Code 521 C.M.R., the higher standard to prevail. Although there are exceptions and variations (described below), this Accessibility Plan and its recommendations are based on compliance with the current Federal and State standards and the measures required to do so.

II. AMERICANS WITH DISABILITIES ACT

Background

On July 26, 1990 President George H. W. Bush signed the Americans with Disabilities Act, a federal civil rights law that prohibits the exclusion of people with disabilities from the right of equal opportunity. Much of the ADA legislation was built upon legislation that had already been in place for a number of years including the Civil Rights act of 1964 and the Rehabilitation Act of 1973 which regulates employment practices in the federal government and by federal contractors, establishes architectural and transportation accessibility standards and guarantees equal access to entities that receive federal funds.

The ADA is a civil rights law. Under the ADA, civil rights are guaranteed to individuals who experience discrimination because they; 1) have a physical or mental impairment that substantially limits a major life activity, 2) have a record of such an impairment, and 3) are regarded as having such an impairment. Interpretation of the law and its enforcement was intended to be carried out on a case-by-case basis through the nation's legal system. Specific complaints of individuals may be filed with a number of different federal agencies including the Equal Employment Opportunity Commission (Title I), the United States Department of Justice (Titles II and III), the United States Department of Transportation (Titles II and III), and the Federal Communications Commission (Title IV).

The ADA is divided into five titles or sections. These are:

Title I: Employment

Title II: State and Local Government and Public Transportation

Title III: Public Accommodations and Services Operated by Private Entities

Title IV: Telecommunications

Title V: Miscellaneous Provisions

The Town of Harvard is bound specifically by Titles I and II.

There is a basic process for complying with the Americans with Disabilities Act:

- Learning about the requirements of the ADA and how it applies to a facility or program;
- Conducting a survey to identify barriers;
- Establishing a list of potential modifications for barrier removal, including changes to policies, facilities and cost estimates;
- Removing existing barriers.

The ADA prohibits discrimination on the basis of disability in all services, programs, and activities provided by small local governments (i.e. cities and towns). Thus, people with disabilities must have an equal opportunity to participate in and benefit from a town's services, programs and activities. To accomplish this, the ADA sets requirements for town facilities, new construction and alterations, communication with the public and policies and procedures governing town programs, services, and activities.

All municipalities must perform a self-evaluation of its policies, practices, programs, procedures, services, etc. (including communication) to determine compliance under the ADA. Municipalities must make reasonable modifications to these policies, programs, services, etc. to avoid discrimination against

individuals with disabilities unless such modification would result in a fundamental alteration in the nature of that program or service.

Although the ADA only requires local governments with 50 or more employees to take additional, specific measures, it is strongly encouraged that even smaller towns with less than 50 employees follow the same process to ensure overall compliance with the ADA. These additional measures include 1) the designation of an individual to coordinate ADA compliance, 2) the development of a transition plan, and 3) the development of an ADA grievance procedure.

The 2008 Amendments to the ADA broadened the definition of "disability", thereby extending the ADA's protections to a greater number of people. The 2008 Amendments provided examples which limit "major life activities" including, but not limited to, "caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working" as well as the operation of several specified major bodily functions. The Amendments also stated that when determining whether one qualifies as disabled, one cannot take into account the mitigating effects of assistive devices, auxiliary aids, accommodations, medical therapies, and supplies. In order to be protected under the ADA, an individual with a disability must also be qualified to perform the essential functions of a job with or without a reasonable accommodation. In 2010, the Department of Justice has revised regulations for Titles II and III of the ADA of 1990. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design. On March 15, 2012, compliance with the 2010 Standards was required for new construction and alterations under Titles II and III. March 15, 2012, is also the compliance date for using the 2010 Standards for program accessibility and barrier removal. The 1991 ADA Standards for Accessible Design could be used for new construction and alterations under Titles II and III until March 14, 2012.

Title I

Equal Employment Opportunity

The ADA guarantees equal employment opportunities to people with disabilities who are qualified for a job. The ADA specifically prohibits discrimination in all activities relating to employment. This includes hiring, termination, compensation, recruitment, tenure, job training, advancement and promotion, layoff, fringe benefits, and any other employment-related benefits or activities. Employers, including municipal governments, should carefully review their employment policies and procedures to eliminate discriminatory practices. In many cases, discrimination is unintentional, due to a lack of knowledge and awareness of the employer. The ADA covers all aspects of "employment" including the application and interview process, hiring, promotion, termination, compensation and benefits, and training.

Reasonable Accommodations

Qualified applicants for employment are entitled to "reasonable accommodation" during the hiring process and as part of his/her employment. The term reasonable accommodation can mean many different things depending on the circumstance and what is "reasonable" under that circumstance. It may mean modifying an existing facility so that a person with a disability can perform his/her job (i.e. replace a door handle with a lever, lower a counter top, etc.), changing the way things are customarily done (office policy, work hours, etc.) or restructuring a job. It is the responsibility of the employer to provide a reasonable accommodation unless it would impose an "undue hardship" on the employer or detract from the essential functions of a position. Once the proposed accommodation becomes too difficult or expensive, it can be deemed as no longer reasonable and therefore, not required. *Caution:* What is unreasonable for an employer of six persons, may be deemed reasonable for an employer of

twenty-five persons. Legal counsel should always be consulted when a reasonable accommodation is being considered to ensure compliance with law.

Title II

Program Accessibility

Title II is divided into two parts. Subtitle A covers all programs, services, and activities of state and local government. Subtitle B contains requirements for public transportation systems such as regional transit authorities. If the town provides senior or other local bus or van transportation services, then compliance with applicable provisions of Title II for wheelchair users or individuals with ambulatory limitations may be required. The following applies to Subtitle A of Title II.

The ADA guarantees people with disabilities equal opportunity to participate in all programs, services, and activities of state and local government. Accessibility standards must be followed for new construction as well as accommodations. These standards are based on the ADA Accessibility Guidelines (ADAAG) as developed by the U.S. Access Board provide guidance to the ADA Standards for Accessible Design as enforced by the U.S. Department of Justice (DOJ), U.S. Department of Transportation (DOT), and the federal courts and apply nationwide.

The ADAAG involves a distinction between public or common use area and employee work areas. Public/common use areas must be fully accessible. Employee work areas may be addressed through Title I and "reasonable accommodations" made when the need arises. A higher level of expectation is anticipated for governmental entities than that of the private sector. Regardless of receipt of federal aid, all local governments and their boards, departments, commissions and districts are subject to the provisions of the ADA. Access to services is a critical aspect and basic premise of the ADA. Governmental sponsored programs, services and activities must be available to all, regardless of disability. If structural changes to buildings are required, a transition plan is also usually required. New construction and/or additions to local governmental buildings must be fully compliant and accessible to those with disabilities. Alterations to space used by the public as well as employee work areas must also be ADA compliant unless it is "technically infeasible" to do so (i.e. involves structural, physical, or site constraints). If technically infeasible, the alteration must comply "to the maximum extent feasible". Existing buildings require that the services or programs offered in that facility are readily accessible.

When programs, services, or activities are located in facilities that existed prior to January 26, 1992, the effective date of Title II of the ADA, towns must make sure that they are also available to persons with disabilities. If however, it requires that these programs, services, or activities be substantially altered to provide access or results in undue financial or administrative burden, then reasonable alternatives or accommodations may be allowed. When a service, program, or activity is located in a building that is not accessible, Title II of the ADA allows a "small" local government to achieve program accessibility in several ways. This can include:

- relocating the program, service, or activity to an accessible facility; or
- providing the program, service, or activity in another manner that meets ADA requirements;
or
- undertaking modifications to the building or facility itself to provide accessibility.

Thus, to achieve program accessibility, a small town need not make every existing facility accessible. It can relocate some programs to accessible facilities and modify other facilities, avoiding expensive physical modifications of all town facilities.

Effective Communication

Local governments must ensure effective communication with individuals with disabilities. Where necessary to ensure that communications with individuals with hearing, vision, or speech impairments are as effective as communications with others, municipal governments must provide appropriate auxiliary aids.

The type of auxiliary aid or service necessary to ensure effective communication will vary according to the type of communication involved and the needs of the individual. "Auxiliary aids" include such services or devices as sign language interpreters, assistive listening headsets, television captioning and decoders, telecommunications devices for deaf persons (TDD's), videotext displays, readers, taped texts, Brailled materials, computer disks, audio recordings, and large print materials. In addition, telephone emergency services, including 911 services, must provide direct access to individuals with speech or hearing impairments.

Municipal governments are not required to provide auxiliary aids or take any actions that would result in a fundamental alteration in the nature of a service, program, or activity or that will result in undue financial and administrative burdens. However, alternative auxiliary aids that do not result in a fundamental alteration or undue burden must be provided. For example, it is not necessary to provide sign language interpreters for all interactions with persons who are deaf or hard of hearing. Daily interaction may suffice through written notes or similar exchanges. However, public meetings, interrogations by local police officers, or similar technical interactions will most likely require interpreters or assistive listening systems. It is required that alternative auxiliary aids be available that do not result in financial or administrative burdens yet meet the needs of the disabled individual.

Title III

Title III of the Americans with Disabilities Act requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. It is intended that all individuals have the opportunity to benefit from businesses and services of a place of public accommodation. The regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable. Public accommodations that must meet the barrier removal requirement include a broad range of establishments (both for- and non-profit) such as inns, hotels, motels, restaurants, bars, theaters, concert halls, stadiums, museums, auditoriums, retail stores, grocery stores, bakeries, laundromats, banks, barber and beauty shops, gas stations, professional offices, medical offices, private schools, health spas, bowling alleys and other places that serve the public. Private entities that own, lease, lease out, or operate places of public accommodation in existing buildings are responsible for complying with the barrier removal requirement. Private clubs and religious organizations, including places of worship, are exempt from the ADA public accommodation requirements.

Transportation services provided by the Council on Aging would also be bound by Title III.

Title IV

Title IV requires common carriers engaged in interstate communications by wire or radio to provide telecommunications relay services for both hearing- and speech-impaired individuals. Regulations developed to implement this provision require that these services operate 24 hours a day. It is the intention to give those persons with hearing and speech impairments the opportunity to communicate with any other individual. This is to be achieved in a manner such that the users are not paying greater rates than those for equivalent services used by persons without hearing or speech impairments. In addition, any televised public service announcements provided or funded in whole or in part by any

federal agency or instrument of the federal government must include closed captioning of the verbal content of such announcement.

Title V

Title V consists of various miscellaneous provisions of the ADA including a requirement for the development of technical assistance manuals by the appropriate regulatory federal agency, a report on the ADA and wilderness areas, a description of the responsibility of the United States Congress, religious organizations, and enforcement and dispute resolution.

Definition of Commonly Used Terms

Disability - a physical or mental impairment that substantially limits a major life activity, such as walking, seeing, hearing, learning, breathing, caring for oneself, or working. To be protected under the ADA, a person must have, have a record of, or be regarded as having a record of, a substantial impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning or working. Individuals who have successfully completed or are currently enrolled in a drug or alcohol rehabilitation program are also considered to be disabled. The ADA protects three classes of people with disabilities:

- those who have a disability, and
- those who have a record of having a disability, and
- those who are regarded as having a disability, whether or not they actually have one.

Qualified Individual with a Disability - an employee or job applicant who meets legitimate skill, experience, education, or other requirements of an employment position that he or she holds or seeks. The person must also be able to perform the "essential" (as opposed to marginal or incidental) functions of the position either with or without reasonable accommodation. Job requirements that screen out or tend to screen out people with disabilities are legitimate only if they are job-related and consistent with business necessity.

Reasonable Accommodation - any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, reasonable accommodations may include: acquiring or modifying equipment or devices, job restructuring, modifying work hours, making the workplace structurally accessible to individuals with disabilities, reassigning an employee with a disability to an equivalent position as soon as one becomes vacant, providing qualified readers for the blind or interpreters for the deaf, and/or appropriately adjusting or modifying examinations, training materials, or policies.

Essential Functions – the basic job duties that an employee must perform, with or without reasonable accommodation.

Readily Achievable - the removal of physical barriers which are easily accomplishable without much difficulty or expense. The "readily achievable" requirement is based on the size and resources available. For example, a larger business with more resources is expected to take a more active role in removing barriers than smaller businesses. The ADA also recognizes that economic conditions vary. When a business has resources to remove barriers, it is expected to do so; but when profits are down, barrier removal may be reduced or delayed. Barrier removal is an ongoing obligation, thus physical barriers must be removed as resources become available in the future.

Undue Hardship - an action or accommodation that requires significant difficulty or expense for an entity. Criteria for making such a determination include the nature and cost of the accommodation, the financial resources of the employer, or the impact of such accommodations on the financial resources of the employer.

Programmatic Access –Programmatic access requires that a public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.

Program Accessibility

Under Title II of the ADA, the Town of Harvard must ensure that when “viewed in entirety”; all programs, services, and activities that are offered must be equally available to persons with disabilities. The Town is not necessarily required to remove architectural barriers from a building or site, but rather, must make sure that its programs are accessible. Non-structural methods to achieve program accessibility include:

- relocating a program or service to an accessible location in the existing building or facility, or
- relocation of a program or service to a different building or facility, or
- providing short-term or intermediate modifications to ensure program access until a permanent or structural solution is achieved (Example – creating an accessible meeting space on the first floor of a building such that staff providing services on a second or third floor can meet with persons in the accessible first floor space).

III. OTHER FEDERAL ACCESSIBILITY REGULATIONS

Architectural Barriers Act (ABA) - 1968

The Architectural Barriers Act requires access to facilities designed, built or altered with Federal funds or leased by Federal agencies. The law covers a wide range of facilities, including post offices, social security offices, prisons, and national parks. It also applies to non-government facilities that have received Federal funding, such as certain schools, public housing, and mass transit systems. Passed in 1968, the ABA is the first measure by Congress to ensure access to the built environment. Facilities that predate the law generally are not covered, but alterations or leases undertaken after the law took effect can trigger coverage. Building construction changes made under this law, must meet the Uniform Federal Accessibility Standards (UFAS). Special provisions are included in the UFAS for historic buildings that would be threatened or destroyed by meeting full accessibility requirements

The Rehabilitation Act – 1973

The Rehabilitation Act requires recipients of federal financial assistance to make their programs and activities accessible to everyone. Recipients are allowed to make their properties accessible by altering buildings, by moving programs and activities to accessible spaces, or by making other accommodations. It also protects the rights of Federal employees with disabilities. The law also requires electronic and information technology procured by Federal agencies to be accessible according to certain established standards.

Section 504 of the Rehabilitation Act and ADA. Both the ADA and Section 504 ensure that people with disabilities are not discriminated because of their disability.

The ADA was modeled after Section 504 and adds to the strength of Section 504 by extending it to private institutions, workplaces and other institutions that were not originally covered under Section 504.

Section 504 only applies to entities that receive financial assistance. The ADA applies to entities which receive funds from federal, state, or privately owned establishments and businesses. In effect, the ADA extends a legal mandate of Section 504 beyond the recipients of the funds from the federal government.

According to Section 504, a person with disability is one who has (1) a physical or mental impairment that substantially limits major life functions (2) a history of impairment (3) or if s/he is regarded as having an impairment. However, ADA also covers HIV and contagious and non-contagious diseases.

Both the ADA and section 504 are civil rights statutes. The Office for Civil Rights of the United States Department of Education is responsible for enforcing Section 504. The United States Department of Justice enforces the Americans with Disabilities Act.

Unlike Section 504, the ADA does not have any direct responsibility for providing free and appropriate public education. The ADA does not come up with any specific evaluation or placement procedures, whereas Section 504 requires a notice and consent for an evaluation process.

Section 508 of the Rehabilitation Act and ADA. Section 508 of the Rehabilitation Act, as amended by the Workforce Investment Act of 1998, requires federal agencies to develop, procure, maintain and use information and communications technology (ICT) that is accessible to people with disabilities - regardless of whether or not they work for the federal government. The US Access Board established the Section 508 standards that implement the law and provides the requirements for accessibility.

Section 508 requires federal agencies to make their ICT such as technology, online training and websites accessible for everyone. This means that federal employees with disabilities are able to do their work on the accessible computers, phones and equipment in their offices, take online training or access the agency's internal website to locate needed information. Section 508 also means that a person with a disability applying for a job with the federal government or a person who is using an agency's website to get information about a program, or completing an online form has access to the same accessible information and resources available to anyone.

Information and Communications Technology (ICT) is any equipment or system that is used to create, convert, duplicate or access information and data. Examples of ICT include, but are not limited to:

Telephones, smart phones and mobile devices

- Televisions, DVD players and videotaped productions
- Internet and Intranet websites
- PDF documents
- Content on DVDs and CDs
- Online training
- Webinars and teleconferencing
- Technical support call centers
- Remote access websites and tools
- Tablet, laptop and desktop computers
- Software and operating systems
- User guides for software and tools
- Copiers, printers and fax machines

Voting Accessibility for the Elderly and Handicapped Act - 1984

The Voting Accessibility for the Elderly and Handicapped Act of 1984 generally requires polling places across the United States to be physically accessible to people with disabilities for federal elections. Where no accessible location is available to serve as a polling place, a political subdivision must provide an alternate means of casting a ballot on the day of the election. This law also requires states to make registration and voting aids available for disabled and elderly voters, including information by telecommunications devices for the deaf (TDDs), which are also known as teletypewriters (TTYs).

Air Carrier Access Act - 1986

The Air Carrier Access Act of 1986 prohibits discriminatory treatment of people with disabilities in air travel. The law applies to both domestic and foreign air centers. Regulations issued by the Department of Transportation under this Act cover a range of issues, including boarding assistance and access features in newly built aircraft.

Fair Housing Act - 1988

The Fair Housing Act, as amended in 1988, prohibits discrimination in housing on the basis of disability, as well as race, color, gender, and religion. It covers housing in the public and private sectors and bans discrimination in any aspect of selling or renting housing. Under the law, new multifamily housing must be able to be adapted for accessibility according to established guidelines. The law also requires reasonable exceptions to housing policies and operations so that people with disabilities are afforded equal housing opportunities.

Individuals with Disabilities Education Act - 1990

The Individuals with Disabilities Education Act (IDEA) is a law that ensures students with a disability to be provided with Free Appropriate Public Education (FAPE) that is tailored to their individual needs. IDEA was previously known as the Education for all Handicapped Children Act (EHA) from 1975 to 1990. In 1990 Congress reauthorized EHA and changed the title to IDEA. Overall, the goal of IDEA is to provide children with disabilities the same opportunity for education as those students who do not have a disability.

IDEA is composed of four parts, the main two being part A and part B. Part A covers the general provisions of the law; Part B covers assistance for education of all children with disabilities; Part C covers infants and toddlers with disabilities, including children from birth to age three; and Part D consists of the national support programs administered at the federal level. Each part of the law has remained largely the same since the original enactment in 1975.

In practice, IDEA is composed of six main elements that illuminate its main points. These six elements are: Individualized Education Program (IEP); Free and Appropriate Public Education (FAPE); Least Restrictive Environment (LRE); Appropriate Evaluation; Parent and Teacher Participation; and Procedural Safeguards. To go along with those six main elements, there are also a few other important components that tie into IDEA: Confidentiality of Information, Transition Services, and Discipline. Throughout the years of IDEA's being reauthorized, these components have become key concepts when learning about IDEA.

Congress reauthorized the IDEA in 2004 and most recently amended the IDEA through the Every Student Succeeds Act, in December 2015. In this Act, Congress states: *"Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities"*.

Telecommunications Act - 1996

The Telecommunications Act of 1996 requires telecommunications products and services to be accessible according to guidelines developed by the Access Board. It covers a broad range of products, including telephones, cellular phones, pagers, and fax machines. The Federal Communications Commission (FCC) enforces requirements of the law.

Help America Vote Act – 2002

Each polling place must have at least one accessible voting machine by January 1, 2006 under the Help America Vote Act. The act (Public Law 107-252), which was signed by President Bush on October 29, 2002 also requires each piece of voting equipment bought with federal money on or after January 1, 2007 to be accessible.

ADA and The Rehabilitation Act Enforcement and Compliance

Private parties may file lawsuits to enforce their rights under Title II of the ADA. The remedies available are the same as under Section 504 of the Rehabilitation Act. There are eight administrative agencies designated to handle complaints filed under Title II. These are:

Department of Agriculture
Department of Education
Department of Health and Human Services
Department of Housing and Urban Development
Department of Interior
Department of Justice
Department of Labor
Department of Transportation

Individuals may file a complaint with the appropriate administrative agency or with any federal agency that provides financial assistance to the program in question. Complaints may also be filed with the Department of Justice who will refer the complaint to the appropriate agency.

The address for the Department of Justice is—

Disability Rights Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Complaints should be in writing, signed by the complainant or an authorized representative, and should contain the complainant's name, address, and describe the public entities discriminatory action.

The Massachusetts Commission on Disability has also taken a more active role in recent years in enforcing both MA 521 CMR and the Americans with Disabilities Act. Complaints may also be filed with the Commission on Disability who will investigate and determine the appropriate action.

The address and contact information for the Commission on Disability is:

Massachusetts Office on Disability
One Ashburton Place-Room 1305
Boston, MA 02108
Telephone No.: 617.727.7440
Fax No.: 617.727.0965
Website: <https://www.mass.gov/orgs/massachusetts-office-on-disability>

For technical assistance, the following can be contacted:

Institute of Human Centered Design at <https://www.humancentereddesign.org>
New England ADA Center at <https://www.newenglandada.org>
Center for Living & Working, Inc. at <https://www.centerlw.org>

IV. 521 CODE OF MASSACHUSETTS REGULATIONS ARCHITECTURAL ACCESS BOARD (MGL C. 22, S. 13a)

Section 521 of the Code of Massachusetts Regulations, "521 CMR: Architectural Access Board" is a specialized section of the State Building Code which provides the actual construction standards and specifications which must be adhered to for work performed on "public" buildings (see definition of public building in 521 CMR) in the Commonwealth of Massachusetts. The purpose of 521 CMR is to make public buildings and facilities accessible to, functional for, and safe for use by persons with disabilities. It is the intent of 521 CMR to provide persons with disabilities full, free and safe use of all buildings and facilities so that all such persons may have the educational, living and recreational opportunities necessary to be as self-sufficient as possible and to assume full responsibilities as citizens.

The Massachusetts Architectural Access Board (MAAB) is a regulatory agency whose mandate, as established under M.G.L. c.22 S13A, is to develop and enforce regulations pertaining to public access. The MAAB also decides on variance requests, issues advisory opinions, and makes decisions on complaints. Local building inspectors are responsible for enforcement of the provisions of 521 CMR.

Jurisdiction of 521 CMR

All additions to, reconstruction, remodeling, and alterations or repairs of existing public buildings, which require a building permit or which are so defined by a state or local inspector, shall be governed by those applicable sections of 521 CMR.

If the work being performed amounts to less than 30% of the full and fair cash value of the building and

- a) the work costs less than \$100,000, then only the work being performed is required to comply with 521 CMR; or
- b) the work costs \$100,000 or more, then the work being performed is required to comply and an accessible entrance, toilet, telephone and drinking fountain (if toilets, telephones and drinking fountains are provided) are also required.

If the work performed amounts to 30% or more of the full and fair cash value of the building, the entire building is required to comply with 521 CMR. Where the cost of constructing an addition to a building amounts to 30% or more of the full and fair cash value of the existing building, both the addition and the existing building must be fully accessible.

A historic building or facility 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 bylaws may be granted a variance by the MAAB to allow alternate accessibility.

The MAAB Regulations also address various circumstances involving change in use, work performed over a period of time, multiple uses of one building, outdoor facilities, temporary structures, security structures and non-occupiable spaces. For more information on these areas, the administrative process (variances, complaints, hearings) as well as specific architectural requirements, reference to 521 CMR should be made.

V. ALTERATIONS TO HISTORIC PROPERTIES

ADA 2010 Standards

There are exceptions for *alterations* to qualified historic buildings and facilities for *accessible* routes (206.2.1 Exception 1 and 206.2.3 Exception 7); entrances (206.4 Exception 2); and toilet facilities (213.2 Exception 2). When an entity believes that compliance with the requirements for any of these elements would threaten or destroy the historic significance of the building or facility, the entity should consult with the State Historic Preservation Officer. If the State Historic Preservation Officer agrees that compliance with the requirements for a specific element would threaten or destroy the historic significance of the building or facility, use of the exception is permitted.

Public entities have an additional obligation to achieve program *accessibility* under the Department of Justice ADA regulations (See 28 CFR 35.150). These regulations require public entities that operate historic preservation programs to give priority to methods that provide physical access to individuals with disabilities. If *alterations* to a qualified historic building or facility to achieve program *accessibility* would threaten or destroy the historic significance of the building or facility, fundamentally alter the program, or result in undue financial or administrative burdens, the Department of Justice ADA regulations allow alternative methods to be used to achieve program *accessibility*. In the case of historic preservation programs, such as an historic house museum, alternative methods include using audio-visual materials to depict portions of the house that cannot otherwise be made *accessible*. In the case of other qualified historic properties, such as an historic government office building, alternative methods include relocating programs and services to *accessible* locations. The Department of Justice ADA regulations also allow public entities to use alternative methods when altering qualified historic buildings or facilities in the rare situations where the State Historic Preservation Officer determines that it is not feasible to provide physical access using the exceptions permitted in Section 202.5 without threatening or destroying the historic significance of the building or facility. See 28 CFR 35.151(d).

Massachusetts 521 CMR

A historic building or facility 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 variance by the Architectural Access Board 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 a variance.

VI. ELECTRIC VEHICLE (EV) CHARGING STATIONS

Although neither 521 CMR nor the 2010 ADA Standards specifically address EV charging stations, the Massachusetts Architectural Access Board (AAB) has issued an advisory opinion on this matter and the U.S. Department of Energy (DOE) has issued guidance on complying with ADA requirements as it pertains to EV charging station installation. *Please note that AAB and Federal guidance pertaining to clear widths and reach range vary according to the respective regulation or standard. The stricter of the two would apply.*

Massachusetts Architectural Access Board

The AAB's advisory opinion was in response to the number of "accessible" EV chargers required at public places of assembly as specified in 521 CMR 14.1. The AAB noted that although EV charging stations do not have to be reserved for persons with disabilities, stations should comply with 521 CMR 6.00 (Space Allowance and Reach Range), 521 CMR 20.00 (Accessible Route), and 521 CMR 39.00 (Controls). The AAB also noted that strict enforcement of its regulations with respect to EV charging stations may result in excessive and unreasonable costs without substantial benefit to persons with disabilities. Therefore, variance requests would not only be considered, but in fact, encouraged. However, the AAB noted that in considering such requests, reduced compliance would be more in terms of requiring only 5%, but not less than one (1) EV charging station to be accessible. The AAB further noted that all variance requests would be viewed upon on a case-by-case basis.

U.S. Department of Energy

In formally issued guidance, the DOE notes that although the ADA does not provide design standards for EV charging stations, several industry studies and EV planning guides do. In addition, several plans developed under the DOE's Clean Cities EV Community Readiness projects describe best practices for installing ADA compliant charging stations. When designing EV charging stations, accessibility considerations should include ease of use, adequate space for exiting and entering the vehicle, unobstructed access to the charging station, free movement around the charging station and connection point to the vehicle, as well as clear paths and close proximity to any building entrances. Specific guidance and recommendations are as follows:

Parking Stall	Minimum 10 feet (car) to 13 feet (van) wide
Accessible Route Width	Minimum 3 feet' wide on both sides of the vehicle space that connects To the charging station (4 feet under 521 CMR) as well as in front of the charging station (2.5 feet x 4 feet under 521 CMR)
Slopes	No more than 2% in all directions
Reach Range	No more than 4 feet above ground level
Controls	Operable with one hand and not requiring grasping, pinching, or twisting of the wrist and no more than 5 lbs. of operating force
Other Considerations	Provide bollards or curb stops to prevent vehicle obstruction of the accessible clear space in front of the charging station

VII. EMERGENCY PREPAREDNESS

Ensuring that local government emergency preparedness and response programs are accessible to people with disabilities is a critical component and requirement of the Americans with Disabilities Act.

The municipality's designated staff or department responsible for emergency planning or response activities, should involve people with disabilities in identifying needs and evaluating effective emergency management practices. Issues that have the greatest impact on people with disabilities include:

- notification
- evacuation
- emergency transportation
- sheltering
- access to medications, refrigeration, and back-up power
- access to their mobility devices or service animals while in transit or at shelters; and,
- access to information.

Notification

In planning for emergency services, the municipality should consider the needs of people who use mobility aids such as wheelchairs, scooters, walkers, canes or crutches, or people who have limited stamina. Plans also need to include people who use oxygen or respirators, people who are blind or who have low vision, people who are deaf or hard of hearing, people who have a cognitive disability, people with mental illness, and those with other types of disabilities. Many traditional emergency notification methods are not accessible to or usable by people with disabilities. People who are deaf or hard of hearing cannot hear radio, television, sirens, or other audible alerts. Those who are blind or who have low vision may not be aware of visual cues, such as flashing lights. Warning methods should be developed to ensure that all citizens will have the information necessary to make sound decisions and take appropriate, responsible action. Often, using a combination of methods will be more effective than relying on one method alone. For instance, combining visual and audible alerts will reach a greater audience than either method would by itself.

Provide ways to inform people who are deaf or hard of hearing of an impending disaster if the municipality uses emergency warning systems such as sirens or other audible alerts. When the electric power supply is affected, it may be necessary to use several forms of notification. These might include the use of telephone calls, auto-dialed TTY (teletypewriter) messages, text messaging, E-mails, and even direct door-to-door contact with pre-registered individuals. Also, the municipality should consider using open-captioning on local TV stations in addition to incorporating other innovative uses of technology into such procedures, as well as lower-tech options such as dispatching qualified sign language interpreters to assist in broadcasting emergency information provided to the media

Evacuation

Individuals with disabilities will face a variety of challenges in evacuating, depending on the nature of the emergency. People with a mobility disability may need assistance leaving a building without a working elevator. Individuals who are blind or who have limited vision may no longer be able to independently use traditional orientation and navigation methods. An individual who is deaf may be trapped somewhere unable to communicate with anyone because the only communication device relies

on voice. Procedures should be in place to ensure that people with disabilities can evacuate the physical area in a variety of conditions and with or without assistance. The municipality should adopt policies to ensure that its community evacuation plans enable people with disabilities, including those who have mobility, vision, hearing, or cognitive disabilities, mental illness, or other disabilities, to safely self-evacuate or to be evacuated by others. Some communities are instituting voluntary, confidential registries of persons with disabilities who may need individualized evacuation assistance or notification. If this municipality opts to maintain such a registry, have procedures in place to ensure its voluntariness, guarantee confidentiality controls, and develop a process to update the registry. Also consider how best to publicize its availability. Whether or not a registry is used, the plan should address accessible transportation needs for people who use wheelchairs, scooters, or other mobility aids as well as people who are blind or who have low vision.

The municipality should also identify accessible modes of transportation that may be available to help evacuate people with disabilities during an emergency. For instance, some communities have used lift-equipped school or transit buses to evacuate people who use wheelchairs during floods. Both public and private transportation may be disrupted due to overcrowding, because of blocked streets and sidewalks, or because the system is not functioning at all. The movement of people during an evacuation is critical, but many people with disabilities cannot use traditional, inaccessible transportation.

Sheltering

The municipality should survey its shelters for barriers to access for persons with disabilities. For instance, if a particular high school gymnasium is being considered as part of a sheltering plan, early in the process the municipality should examine its parking, the path to the gymnasium, and the toilets serving the gymnasium to make sure they are accessible to people with disabilities. When disasters occur, people are often provided safe refuge in temporary shelters. Some may be located in schools, office buildings, tents, or other areas. Historically, great attention has been paid to ensuring that those shelters are well stocked with basic necessities such as food, water, and blankets. However, many of these shelters have not been accessible to people with disabilities. Individuals using a wheelchair or scooter have often been able somehow to get to the shelter, only to find no accessible entrance, accessible toilet, or accessible shelter area. Until all emergency shelters have accessible parking, exterior routes, entrances, interior routes to the shelter area, and toilet rooms serving the shelter area; the municipality should identify and widely publicize to the public, including persons with disabilities and the organizations that serve them, the locations of the most accessible emergency shelters.

Shelter staff and volunteers are often trained in first aid or other areas critical to the delivery of emergency services, but many have little, if any, familiarity with the needs of people with disabilities. In some instances, people with disabilities have been turned away from shelters because of volunteers' lack of confidence regarding the shelter's ability to meet their needs. Generally, people with disabilities may not be segregated or told to go to "special" shelters designated for their use. They should ordinarily be allowed to attend the same shelters as their neighbors and coworkers.

Consider inviting representatives of group homes and other people with disabilities to meet with the municipality as part of its routine shelter planning. Discuss with them which shelters they would be more likely to use in the event of an emergency and what, if any, disability-related concerns they may have while sheltering. Develop site-specific instructions for volunteers and staff to address these concerns.

Access to Medications, Refrigeration, and Back-up Power

Individuals whose disabilities require medications, such as certain types of insulin that require constant refrigeration, may find that many shelters do not provide refrigerators or ice-packed coolers. Individuals who use life support systems and other devices rely on electricity to function and stay alive and, in many cases, may not have access to a generator or other source of electricity within a shelter. Ensure that a reasonable number of emergency shelters have back-up generators and a way to keep medications refrigerated (such as a refrigerator or a cooler with ice). These shelters should be made available on a priority basis to people whose disabilities require access to electricity and refrigeration, for example, for using life-sustaining medical devices, providing power to motorized wheelchairs, and preserving certain medications, such as insulin, that require refrigeration. The public should be routinely notified about the location of these shelters. In addition, if the municipality chooses to maintain a confidential registry of individuals needing transportation assistance, this registry could also record those who would be in need of particular medications. This will facilitate planning priorities.

Access to Mobility Devices or Service Animals While in Transit or at Shelters

Many shelters have a “no pets” policy and some mistakenly apply this policy to exclude service animals such as guide dogs for people who are blind, hearing dogs for people who are deaf, or dogs that pull wheelchairs or retrieve dropped objects. When people with disabilities who use service animals are told that their animals cannot enter the shelter, they are forced to choose between safety and abandoning a highly trained animal that accompanies them everywhere and allows them to function independently. Adopt procedures to ensure that people with disabilities who use service animals are not separated from their service animals when sheltering during an emergency, even if pets are normally prohibited in shelters. While a municipality cannot unnecessarily segregate persons who use service animals from others, the municipality may consider the potential presence of persons who, for safety or health reasons, should not be with certain types of animals.

Access to Information

People who are deaf or hard of hearing may not have access to audible information routinely made available to people in the temporary shelters. Individuals who are blind or who have low vision will not be able to use printed notices, advisories, or other written information. Adopt procedures to provide accessible communication for people who are deaf or hard of hearing and for people with severe speech disabilities. Train staff on the basic procedures for providing accessible communication, including exchanging notes or posting written announcements to go with spoken announcements. Train staff to read printed information, upon request, to persons who are blind or who have low vision.

Leaving the Shelter and Returning Home

The needs of individuals with disabilities should be considered as well when they leave a shelter or are otherwise allowed to return to their home. If a ramp has been destroyed, an individual with a mobility impairment will be unable to get into and out of the house. In case temporary housing is needed past the stay at the shelter, the municipality’s emergency response plan could identify available physically accessible short-term housing, as well as housing with appropriate communication devices, such as TTY’s, to ensure individuals with communication disabilities can communicate with family, friends, and medical professionals. Identify temporary accessible housing (such as accessible hotel rooms within the community or in nearby communities) that could be used if people with disabilities cannot immediately return home after a disaster if, for instance, necessary accessible features such as ramps or electrical systems have been damaged.

VIII. ADA SERVICE ANIMALS

Beginning on March 15, 2011, only dogs are recognized as service animals under Titles II and III of the ADA. A service animal is a dog that is individually trained to do work or perform tasks for a person with a disability. Generally, Title II and Title III entities must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go.

Definition of Service Animal

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability.

Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. Emotional support animals, comfort animals, and therapy dogs are not service animals under Title II and Title III of the ADA. Other species of animals, whether wild or domestic, trained or untrained, are not considered service animals either. Emotional support animals are different than service animals as they are trained to follow basic commands, but unlike service animals, are not trained for a specific task to assist a person with a disability. It does not matter if a person has a note from a doctor that states that the person has a disability and needs to have the animal for emotional support. A doctor's letter does not turn an animal into a service animal. People with emotional support animals might not have any physical disabilities or outward signs of why they need an emotional support animal. As emotional support animals are not covered by the ADA, they are not allowed in public places such as restaurants and stores.

This definition does not affect or limit the broader definition of "assistance animal" under the Fair Housing Act or the broader definition of "service animal" under the Air Carrier Access Act. Some State and local laws also define service animal more broadly than the ADA does. Information about such laws can be obtained from the MA State Attorney General's Office.

Where Service Animals Are Allowed

Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is allowed to go. For example, in a hospital it usually would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.

Service Animals Must Be Under Control

A service animal must be under the control of its handler. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.
- Establishments that sell or prepare food must generally allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.
- If a business such as a hotel normally charges guests for damage that they cause, a customer with a disability may also be charged for damage caused by himself or his service animal.
- Staff are not required to provide care for or supervision of a service animal.

Miniature Horses

In addition to the provisions about service dogs, the Federal Department of Justice's ADA regulations have a separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) Entities covered by the ADA must modify their policies to permit miniature horses where reasonable. The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

IX. ADA COMPLIANT PORTABLE TOILETS

If the Town provides portable toilets for short-term events or for seasonal use, then they must be “ADA Compliant”. **An important distinction to note is that “ADA Compliant” is not synonymous with “Wheelchair Accessible.”** Wheelchair Accessible usually indicates a ramped or ground level entrance with a wide enough door for a wheelchair to gain entry. Clearances; setbacks; and dispenser, grab bar, and water closet heights do not necessarily meet ADA or 521 CMR Standards. “ADA Compliant”, however, generally means reinforced construction; ramped or ground level and wheelchair accessible entrance; spring loaded magnetic door that closes automatically; reinforced grab bars; dispensers, grab bars, and the water closet at the proper height and near, far and front setbacks; compliant door hardware; and enough interior space for a wheelchair to make a 360 degree turn that all fully comply with the 2010 ADA Standards and/or 521 CMR, whichever is more stringent. Illustrative examples of an “ADA Compliant” portable toilet are shown below.

Representative Examples of an ADA Compliant Portable Toilet



X. EMERGENCY EYEWASH STATIONS

Emergency eyewash and shower equipment are often located in school science classrooms, public works and highway garages, police stations, and fire stations. These facilities should be designed to meet both the Americans with Disabilities Act (ADA) and the American National Standards Institute requirements.

These stations typically have shower pull rings that are not within reach of someone using a wheelchair and eyewash stations that are too high and lack knee clearance.

All emergency equipment must comply with ADA requirements as follow:

- Emergency showers and eyewashes should be mounted for fold-up so they are completely out of the way when not in use. For example, swing-down, sink-mounted eyewashes should be placed at the back or side of the lab sink so that the sink can be used for other operations; however, the spray should automatically start when the head is swung down into position over the sink drain.
- Signage for emergency equipment must be highly visible, even when not in use, so that it can be easily located by the disabled person.
- Sinks and counters should be 34 inches above the floor. This allows the spray outlets of the eyewash to be about 39 inches above the floor. Newer models can even be attached to swing down below the 36-inch sink height, making them easier to reach.
- The activation handles for lowering the eyewash and turning on the shower should not require more than five pounds of force to operate.
- Safety showers that meet ADA requirements must have the pull rod at or below 48 inches. This would accommodate any person using a wheelchair. The center-line of the showerhead should be 37 inches from the wall.
- When a shower/eyewash station is a combination unit, the eyewash should be about 14 inches from the wall to the center-line of the eyewash.
- ADA guidelines state that at least one out of five eyewash or shower stations in a specific area, or at least one, must meet ADA requirements.

Photographic examples of compliant emergency eyewash stations are provided below.



XI. ACCESSIBLE ROUTES AND PLAYGROUND SURFACE MATERIALS

ACCESSIBLE ROUTES OF TRAVEL

Walkways and sidewalks must be firm, stable, and slip resistant with cross slopes of no more than 2.0% and running slopes of no more than 5.0%. Transitions and surface changes must be flush or free of changes in level greater than ¼" or between ¼" and ½" if beveled. Typical surface treatments include asphalt, concrete, stone dust, and stabilized stone dust (stone dust blended with a binding agent or polymer). A new product for use in recreation areas involves compacted shredded bark/wood chips mixed with a polymer stabilizing adhesive product.

Asphalt

Estimated cost per square foot (2022): Up to \$10.00.

- Pros:
- 1) Durable
 - 2) Relatively inexpensive
 - 3) Requires little maintenance
 - 4) Does not readily deteriorate and has a longer live span

- Cons:
- 1) Is not permeable
 - 2) Subject to heaving and grass/weed infiltration in cracks
 - 3) Added cost due to site preparation requirements
 - 4) Requires periodic crack-filling and re-sealing/re-coating



Concrete

Estimated cost per square foot (2022): Up to \$25.00.

- Pros:
- 1) Durable
 - 2) Requires little maintenance
 - 3) Does not readily deteriorate and has a longer live span

- Cons:
- 1) Is not permeable
 - 2) Subject to cracking, edge deterioration, and some heaving

- 3) Is more expensive due to site preparation and construction
- 4) Requires more expensive repair varying from grinding to complete concrete pad replacement



Stone Dust

Estimated cost per square foot (2022): Up to \$5.00.

- Pros:
- 1) Inexpensive and can be installed by municipal work force
 - 2) Permeable
- Cons:
- 1) Requires regular maintenance including the addition of material, compaction, re-grading, and weed removal
 - 2) Subject to deterioration and wash-outs especially on sloped areas
 - 3) If not installed properly and/or regularly maintained, can be problematic for wheelchair users as well as those with arm crutches due to degradation of the surface stability and firmness



Stabilized Stone Dust

Estimated cost per square foot (2022): \$7.00 to \$10.00.

- Pros:
- 1) Relatively inexpensive

- 2) Permeable
- 3) More durable than regular stone dust
- 4) Doesn't heave, weed resistant

- Cons:
- 1) Costs more than regular stone dust
 - 2) Requires metal or wood edging to preserve the integrity of the walkway and limit side erosion
 - 3) May require periodic touch up and restoration



Compacted Wood Chips/Bark Mixed with an Emulsion

Estimated cost per square foot (2022): \$7.00 to \$10.00.

- Pros:
- 1) Relatively inexpensive
 - 2) Permeable
 - 3) More durable than regular stone dust
 - 4) Doesn't heave, weed resistant
 - 5) Works on sloping surfaces

- Cons:
- 1) Costs more than regular stone dust
 - 2) Requires metal or wood edging to preserve the integrity of the walkway and limit side erosion
 - 3) May require periodic touch up and restoration



Note: Upon application the initial color of the surface is yellow, but then weathers over time to silvery gray.

PLAYGROUND SURFACE MATERIALS

There are two general options for ADA compliant playground surfaces for the fall zone area and areas other than the accessible route of travel – loose fill materials or synthetic materials. The selection of materials should be based on factors such as height of equipment to the ground fall area, age of users, dispersion of equipment, typical weather conditions, maintenance costs, installation costs, equipment life expectancy, and environmental concerns.

LOOSE FILL

All loose fill surfacing requires daily raking to maintain the required depth of the material to ensure the safety of children. Replenishment is also required as loose fill gets packed down or kicked away. Often this type of maintenance does not take place, creating unsafe playgrounds. In addition, loose fill is often tracked into buildings requiring additional maintenance indoors. Following are the most common types of loose fill:

Pea Gravel, Sand, Regular Wood Chips, and Shredded Rubber/Engineered Wood Fiber

These materials do meet compliance standards for impact attenuating surfaces (fall zone material), but they do not meet the standard for propulsion and turning requirements in the ASTM standards and are not recognized as ADA-approved materials. Other surfacing materials can be used to create paths to the entry point of the play equipment and render playgrounds compliant (See Accessible Routes of Travel above).

Pea Gravel

Pros: Pea gravel is inexpensive and easy to maintain. It also allows for good drainage and does not attract animals.

Cons: It can be a hazard if it is thrown by persons in the playground. Some daycare providers have reported that pea gravel fits well in a nostril or an ear, which can result in an unwanted visit to the doctor or emergency room. It also creates a problem for maintenance of the grass and surfaces surrounding the playground. Lawn mowers can throw the gravel significant distances. The material cannot be used if the fall height within the playground is greater than 5 feet.



Sand

Pros: Sand is a very easy product to maintain through simple raking and leveling. . It is also a preferred material to play in by children.

Cons: Cats often use the sand as a litter box which creates a serious health code concern. Broken glass and other debris can also become buried in sand, invisible to the eye, resulting in potential future injuries. Furthermore, in freezing conditions, sand can become as hard as concrete and can only be used after the sun warms the surface or the material is loosened manually. Sand cannot be used if the fall height within the playground is greater than 4 feet.



Regular Wood Chips (not engineered wood fiber)

Pros: This material is inexpensive, readily available, and easily moveable. It is typically also a good fall attenuating surface material. If properly maintained, wood chips can be used as a fall zone for play structures with a fall height up to 10 feet.

Cons: Regular wood chips require constant maintenance. They must be turned over occasionally to prevent decomposing and do not have good drainage qualities. Typically, a significant amount of the material, 25% or more, must be replaced annually.



Shredded Rubber and Engineered Wood Fiber

Pros: These products are ADA-approved for impact attenuation and are relatively cost efficient. Shredded Rubber and Engineered Wood Fiber can be used for play structures with a fall height up to 10 feet.

Cons: These materials have the potential to “off-gas” in high temperatures. They are also difficult to keep in the play areas, out of the grass, and out of children’s clothes.



FULLY ACCESSIBLE SURFACES

Pour-in-Place, Rubber Mats/Tiles

Pros: These artificial surface materials meet ADA standards and are deemed universally accessible for children with disabilities. The most significant benefit of these surfaces, other than accessibility, is that daily maintenance is usually not required to ensure that safety is maintained. Generally, relatively little effort is required to keep the surfacing materials safe and usable, in normal use zones. While products differ in quality and density, the average pour in place product can provide an ASTM safety rating for fall heights up to 12 feet.

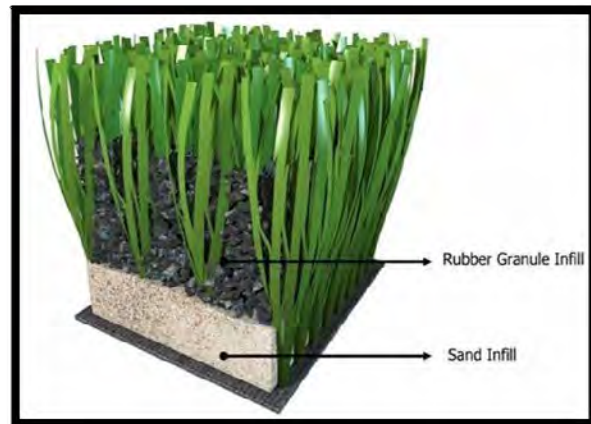
Cons: Over time tile edges may “curl”, creating a tripping hazard. Expansion between tiles also allows debris to accumulate, and the surface of the pour-in-place materials can freeze and separate. Consequently, it is difficult to patch the surface for an extended period of time. The biggest problem with these surfaces is the cost, which is significantly more than other acceptable options. In addition, severe and varying weather conditions may reduce the average life expectancy for the pour-in-place materials.



Artificial Grass with Rubber in-Fill

Pros: A properly and independently certified turf should also have a soft, consistent surface that is ADA accessible for easy wheelchair access. Since the grass won't displace like loose fill, such as sand, rubber chips, or wood chips, the safety rating is easy to maintain, even under play equipment. Artificial grass installed over a proper base can provide an ASTM safety rating for fall heights up to 12 feet.

Cons: Although artificial grass with a rubber infill is significantly more expensive than the cost of loose fill material, it is typically less expensive than pour-in-place surfaces.



Summary

All surfacing materials have advantages and disadvantages. The purchaser and the installer must ultimately assess the safety factors that will influence or the type or types of playground surfaces to be used. Among those factors are the location of the playground; drainage potential; average grade of the surrounding area; cost of installation and maintenance; life expectancy of the surface and infill materials; accessible routes to the playground; normal temperature and weather conditions; security for the playground; amount of use; age of the users; height of equipment; and amount and dispersion of accessible components. To provide a safe and accessible playground that is consistent with accessibility requirements, all of these factors should be reviewed. While expense is a primary concern for the entity or jurisdiction that is investing in a new or renovated playground, it should not be the only limiting factor, with safety, accessibility, and user integration to be equally considered.

XII. ADA SELF-EVALUATION

All municipalities must perform a self-evaluation of its policies, practices, programs, procedures, services, etc. (including communication) to determine compliance under the ADA. Municipalities must make reasonable modifications to these policies, programs, services, etc. to avoid discrimination against individuals with disabilities unless such modification would result in a fundamental alteration in the nature of that program or service.

Although the ADA only requires local governments with 50 or more employees to take additional, specific measures, it is strongly encouraged that even smaller municipalities with less than 50 employees follow the same process to ensure overall compliance with the ADA. These additional measures include 1) the designation of an individual to coordinate ADA compliance, 2) the development of a transition plan, and 3) the development of an ADA grievance procedure.

All local governmental entities were required to complete a self-evaluation of their facilities, programs, policies, and practices by January 26, 1993. The self-evaluation identifies and corrects those policies and practices that are inconsistent with Title II's requirements. Self-evaluations should consider all of a municipality's programs, activities, and services, as well as the policies and practices that it has put in place to implement its various programs and services. Remedial measures necessary to bring the programs, policies, and services into compliance with Title II should be specified - including, but not limited to 1) relocation of programs to accessible facilities; 2) offering programs in an alternative accessible manner; 3) structural changes to provide program access; 4) policy modifications to ensure nondiscrimination; and 5) auxiliary aids needed to provide effective communication.

Under Title II of the ADA, a municipality is required to:

1. Designate a responsible employee as ADA Coordinator.
2. Adopt and distribute a Public Notice on the municipality's ADA policies and procedures.
3. Adopt, distribute and/or post an ADA Grievance Procedure.
4. Modify, maintain, and update policies, procedures, and practices, including job descriptions and hiring practices, as required.
5. Provide Reasonable Accommodations to qualified individuals with disabilities.
6. Maintain and upkeep accessible features.
7. Provide auxiliary aids and services to ensure effective communications to those with disabilities.

It is also recommended under the provisions of MGL C40 s8J that towns establish a 5-to-13-member Commission on Disability. This can be achieved through acceptance of *"the provisions of Massachusetts General Laws Chapter 40, Section 8J relative to the establishment of the municipal Commission on Disability"*.

A self-evaluation was conducted of those municipal departments that offer programs or provide services to the general public. A memo and accompanying survey form (**See Appendix A**) was sent to all departments, boards, commissions and individuals who were identified as either providing a service or program to area residents.

Information from each survey response, along with supplemental department information was used to develop the self-evaluation. Together with the structural assessment and policy recommendations, an accessibility compliance plan for the Town of Harvard is achieved.

Commission on Disability (MGL C40 s8J)

Massachusetts General Law Chapter 40 Section 8J gives municipalities the authority to establish commissions.

The function of a disabilities commission is to:

- Advise and assist municipal officials in ensuring compliance with federal and state disability laws;
- Review policies and activities of municipal departments and boards as they affect persons with disabilities;
- Provide information, referral, advocacy and technical assistance to individuals, businesses and organizations in all matters pertaining to disability;
- Coordinate the activities of other local groups organized to meet the needs of persons with disabilities.

Commissions consist of no less than five and no more than nine members chosen by the Board of Selectman or Town Manager (in a town) and the Mayor or City Manager (in a city). The majority must be persons with disabilities and one may be a member of the immediate family of a person with a disability. In addition, one member must be an elected or appointed municipal official.

Harvard Self-evaluation

Commissions on Disability (COD) are established by vote of Town Meeting to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities or in the community. MGL Chapter 40 Section 8J gives municipalities the authority to establish a Commission on Disability.

The Town of Harvard does have a recently adopted Commission on Disability although the exact date is unknown. The COD webpage on the Town of Harvard's website lists the following members:

- Co-chair Davida J. Bagatelle
- Co-chair Toni Spacciapoli
- Member Susan A. Tokay

Email correspondence from Davida Bagatelle to the ADA Plan consultants along with the COD meeting minutes of 9/14/2022 stated that Susan A. Tokay resigned her position on September 1, 2022, leaving only two remaining COD members.

Recommendation

Overall, the Commission on Disabilities' website is thorough and provides important information including the listing of websites and contact information for disability related information as well as access to Harvard ADA Plan related documents. However, these documents such as the current membership of the COD and who the ADA Coordinator should be updated.

In addition, the Town should actively seek additional members to serve on the Commission on Disability. It is currently unknown whether the Town adopted Chapter 40 Section 22G to collect parking fines generated by people who illegally park in accessible parking spaces. If this has not been done, then it is recommended that the Town consider such action.

ADA Coordinator (ADA Title II - 28 CFR Part 35.107 (a))

The role of the ADA Coordinator is extensive and includes:

- ensuring overall compliance with the ADA
- notification and outreach
- addressing grievances as filed under the town's established grievance policy.
- ensuring timely implementation of the town's transition plan
- on-going assessment of programs and services
- serving as a technical advisor and resource on accessibility matters.

In order for a municipality to successfully comply with the intent of the ADA, it is critical that its ADA Coordinator take a pro-active role in performing his or her role. It is not adequate for an ADA Coordinator to serve only as a decision-making authority under the town's ADA grievance procedure. The ADA Coordinator must monitor daily and long-term compliance with the town's ADA policies, procedures, and plans. This includes ADA compliance and assurance pertaining to postings, employment practices, education, dissemination of literature to the public and private businesses, daily activities and practices of town government, insuring that facilities are properly maintained, serving as a town-wide resource on accessibility matters and issues, and staying current on changes in state and federal law, regulations, programs, policies, interpretations, and decisions which affect persons with disabilities.

Harvard Self-evaluation

According to the documents currently available on the Commission on Disabilities' webpage, *"the Town will name a Coordinator responsible for overseeing all ADA related compliance activities, for ensuring that continued self-evaluation and plan development are done on a regular basis and for receiving and resolving grievances"*.

The Mass Office on Disabilities Municipal ADA Coordinators Listing Updated September 17, 2019 lists Assistant Town Administrator Marie Sobalvarro as Harvard's ADA Coordinator.

However, the September 14, 2022 COD meeting minutes indicates that an email was received informing that the current Town Administrator Tim Bragan will be the ADA Coordinator.

Recommendation

It should be clearly noted who the ADA Coordinator is and post on the Town Hall bulletin boards. In addition, an ADA Coordinator position should be created in the Departments section of the Town's website and a separate tab in created in the COD webpage to link to the ADA Coordinator listing. The Town's ADA Grievance Procedure should also specifically identify who the ADA Coordinator is either by title/position or by name and title.

Public Notice (ADA Title II - 35 CFR Part 35.106)

Title II of the ADA requires that public entities notify participants of its non-discrimination policies. Similarly, there should also be notification of non-discrimination policies relative to persons with disabilities in brochures and other materials provided to the public and on a town's website. All Notices should also include the ADA Coordinator's name and contact information.

Harvard Self-evaluation

A municipality must provide notice to the public about its ADA obligations and about accessible facilities and services in the town. The notice must inform the public about the ADA's nondiscrimination requirements. It may also describe how the public or employees may contact specific town officials about problems with accessibility and the need for effective communication. The information must be accessible to the public, including people who have disabilities that affect communication, such as blindness, low vision, deafness, and hearing loss.

Although no specific method is required to reach the public, notice can be provided in more than one format and by using more than one type of media, such as the Town's website, print, radio, or television.

According to the "*Harvard COD Documents and Guidelines*" on the Harvard Commission on Disability webpage, the Town has adopted a Public Notice based on adherence to the Americans with Disabilities Act. Public notification language is as follows:

"The Town of Harvard does not discriminate on the basis of disability and is committed to the full participation of persons with disabilities in all programs, services, and activities and in our workforce."

The person named below (ADA Coordinator) is responsible for coordinating the Town's compliance with the Americans with Disabilities Act. Inquiries, complaints, requests for communication aids, and other accommodations and assistance should be directed to (the ADA Coordinator).

Copies of the notice are available in large print, audiotape, Braille, and on computer disk. The Town's ADA grievance procedure, self-evaluation, and policies and procedures are also available on request."

According to the limited response from the Self-Evaluation survey form to the question "*Are staff aware it may be necessary to modify program policies or practices to enable people with disabilities to participate in and benefit from the programs?*", the answer was "Yes".

Recommendation

Post the ADA Public Notice document on the Town Hall bulletin boards and make it available in large print, audiotape, Braille, and on computer disk as stated in the Commission on Disabilities webpage. In addition, a sample more expansive Public Notice for consideration is provided as Appendix B.

ADA Grievance Procedure (ADA Title II - 35 CFR Part 35.107 (b))

The ADA Title II regulations require that all municipalities with 50 or more employees (regional school systems must prorate the number of employees for each member community) adopt and publish grievance procedures. The purpose is to encourage local resolution of complaints concerning employment, services, programs and activities. It is important to note that complainants are not required to exhaust the municipality's procedures before filing a federal complaint or taking court action.

The regulations do not stipulate time frames or procedures for the grievance procedure, however, the following are recommended:

- A detailed description of the procedures for submitting a complaint;
- A two-step review process which allows for appeal;
- Reasonable timeframes for review and resolution of the complaint;
- Good record keeping for all complaints submitted and documentation of steps taken toward resolution.

Harvard Self-evaluation

The Town of Harvard has what appears to be a draft ADA Grievance Procedure located in the Commission on Disabilities' webpage under COD Documents and Guidelines. This draft Grievance Procedure has not identified who the ADA Coordinator is who plays a major part in this process.

Recommendation

The Grievance Procedure should identify by position/title or by name and title who the ADA Coordinator is following the Sample Grievance Procedure provided as Appendix C.

The Grievance Procedure should be posted in town hall and made available to all staff, departments, committees, and boards. It should also be posted on the COD's webpage and on a webpage for the ADA Coordinator.

Policies/Procedures/Practices (ADA Title II - 35 CFR Part 35.130 (b)(7))

A municipality should have formal separate policies and procedures pertaining to the ADA and program accessibility, grievances, communications, equal opportunity and non-discrimination except when it comes to employment opportunities.

Harvard Self-evaluation

A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

With the exception of Equal Opportunity posters regarding employment, including those with disabilities posted in Town Hall, the Town of Harvard does not appear to have any formal reasonable accommodation or modification of programs or services policies in place. In addition, there are no policies available on the Town's website.

Although there are no formal reasonable modifications in policies, practices and procedures in place; interviews with staff members while conducting site accessibility survey visits indicate that department heads, committee/commission chairs, staff, and elected officials are willing to assist residents or visitors if they request it.

Recommendation

It is recommended that the City adopt a Reasonable Accommodation Policy (discussed further below) and incorporate non-discrimination language, essential function requirements, and physical requirements in employment postings and job descriptions.

It is further recommended that the Town adopt a Reasonable Accommodation Policy (discussed further below) and incorporate non-discrimination language, essential function requirements, and physical requirements in employment postings and job descriptions.

Reasonable Accommodations (ADA Title II - 35 CFR Part 35.140 (a))

Under the ADA, a person is considered a qualified individual with a disability if s/he can perform essential functions of the job with or without a reasonable accommodation. Although the ADA does not require an employer to have job descriptions, they can be used as evidence of the essential functions of the job. Job descriptions should be up-to-date and should differentiate between the essential and the marginal duties of the position.

Harvard Self-evaluation

Based on what was available for review, most job descriptions included language on the work environmental conditions and physical requirements. It should also be noted that if a medical examination is required, it must be required of all entering employees of the same position. Medical examinations are prohibited until after a job offer has been made to the applicant. Employment can be conditioned on the results of the applicant's post-offer medical examination. Following are more specific comments and findings:

Town Employment Application Ad

The following statement appears at the bottom of online job ads in the Town of Harvard's website: *"Positions open until filled; AA/EEOE"*.

Job Descriptions

Five out of nine job descriptions and summaries had the following verbiage under Physical

Requirements: *“Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.”*

Only one out of nine job descriptions and summaries had discriminatory language. The Library Assistant/Circulation job description has the following verbiage under physical requirements: *“Regularly required to walk, stand, sit, talk, and hear; operate objects, tools, or controls; pick up paper, files and other common office objects”*. A job like this can be performed without the need to stand and/or walk. In addition, picking up or moving heavy objects can be accomplished through a reasonable accommodation.

Recommendations

Use job descriptions instead of job summaries because they provide more detail such as physical requirements, minimum requirements to perform the job, and work environment.

Job Descriptions

Job descriptions should use clear, concise, non-technical language. In defining essential functions, the description should focus on the outcome and not the process to achieve that outcome. For example, if a position requires lifting supplies onto a truck, the description should read, “the ability to lift supplies weighing up to 35 lbs. to a height of 4 feet and into a truck bed” and not “the ability to manually lift supplies weighing 35 lbs.” It is also better to use words that describe the job requirements as opposed to words that focus on specific abilities (i.e. – hearing, speaking, walking). The following table provides preferred wording that does not restrict the physical requirements of positions.

Physical Requirements Suggested Wording

Stand or sit	Stationary position
Walk	Move, traverse.
Use hands and fingers	Operate, use.
Climb Stairs or ladders	Ascend, descend
See	Detect, determine, identify. recognize, observe.
Taste/smell	Detect, distinguish, determine.
Carry/lift	Move, transport, position.

Under Title II of the ADA, reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the job. A sample Reasonable Accommodation Policy and Request Form for adoption by the Select Board is provided as Appendix D and E.

Maintenance (ADA Title II – 28 CFR Part 35.133 (a))

A municipality must maintain in operable working condition those features that are necessary to provide access to services, programs, and activities. This includes door closers, sidewalks, parking space signage and striping, and ramps, among many other things. Isolated or temporary interruptions in service or access are permitted for maintenance or repairs. However, this is deemed as short-term and not of a semi-permanent or seasonal nature.

When weather conditions such as snow and ice limit or prevent access to services, programs, and activities to or within a facility, access must be maintained to ensure that those programs are accessible. Maintenance of accessible features includes the removal of snow from accessible parking spaces; curb ramps, accessible routes of travel, and entrances. Although temporary interruptions in services due to bad weather are expected, alternate services must be provided if snow and ice cannot be cleared in a timely manner. Snow removal and removal of other obstructions within the accessible route of travel must be done to a minimum width of 36". Similarly, if an automatic door opener, elevator, lift or similar accessible-related device is not working properly and is denying access, repairs must be made in a timely manner. In the interim, alternative services must be provided.

Harvard Self-evaluation

During the facility assessments, a number of observations were made in direct violation of Title II. This included such items as:

- Items placed in front of dispensers, operational buttons, or defibrillators restricting access or reducing clear width.
- Interior and exterior doors with excessive operating forces and closing speeds.
- Missing elements such as tactile designation signage.
- Bathroom stall doors that no longer operate as self-closing.
- Missing protective equipment or insulation on sink plumbing.
- Accumulation of debris at the base of curb ramps.
- In the schools, several classroom accessible sinks have items stored in the knee clearance area under the sink restricting wheelchair use.
- In the schools, items placed in the accessible bathroom stalls or single user rooms restrict and/or reduce the minimum required clear widths.
- In the town hall, items stored in front of the lift operational buttons block the accessible route to the buttons and restrict the reach. In addition, at the time of assessment, the lift door did not always self-close and the lack of an internal pull device to close the door did not allow for closure to engage lift operation.

Recommendation

It is recommended that facilities are inspected regularly to ensure compliance with program accessibility and to initiate repairs and related actions as required.

Effective Communication, Auxiliary Aids and Services (ADA Title II – 28 CFR Part 35.160)

Local governments must ensure effective communication with individuals with disabilities. To ensure that communication with individuals who have hearing, vision or speech impairments, municipal governments must provide appropriate auxiliary aids. The type of auxiliary aids or services necessary to ensure effective communication will vary according to the type of communication involved and the needs of the individual. Auxiliary aids include such services or devices as sign language interpreters, assistive listening headsets, television captioning and decoders, telecommunications devices for people who are deaf such as TDD's or video phones, use of 711 telephone interpreter service, readers, Brailled materials, documents on electronic format, audio recordings and large print materials. In addition,

telephone emergency services including 911 must provide direct access to individuals with speech and hearing impairments.

Municipal governments are not required to provide auxiliary aids or take any actions that would result in a fundamental alteration in the nature of a service, program, or activity or that will result in undue financial and administrative burdens. However, alternative auxiliary aids that do not result in a fundamental alteration or undue burden must be provided. For example, it is not necessary to provide sign language interpreters for all interactions with persons who are deaf or hard of hearing. Daily interaction may suffice through written notes or similar exchanges. However, public meetings, interrogations by local police officers, or similar technical interactions will most likely require interpreters or assistive listening systems. It is required that alternative auxiliary aids be available that do not result in financial or administrative burdens yet meet the needs of the individual with a disability.

Harvard Self-evaluation

Based on what was submitted in response to the ADA Self-Evaluation survey as well as viewing policies and available materials on the Town's website, it is not clear as to what degree the Town complies with this provision. It does not appear that information of this type is available as part of regular meeting notices and postings and who to contact to arrange to provide accommodations.

Auxiliary Aids

The Town must ensure that accessibility and accommodations language appear on all meeting notices including contact information and the advance timeframe required to arrange for disability related and accommodations requests. In addition, it does not appear that the town has auxiliary aids such as TTY's, TDD's, or assistive listening systems.

The ADA Self-evaluation survey form question "Briefly describe general office/service communications. Specifically, how is information disseminated and communicated? Are there assistive devices or auxiliary aids (i.e.. TTY, TDD, sign language interpreter) which are used or available" was responded to solely by the Police Department as follows:

"We receive our dispatch services through Nashoba Valley Regional Dispatch Center. Nashoba employs all the required communications equipment TTY/TDD for 911 operations. We currently have no other equipment to assist us with hearing impaired persons. This could be a problem if we had to arrest and process someone with these disabilities. We have no sign language interpreter service either, something we can look at as well."

An Assistive Listening System has been purchased by the library for use in Volunteers Hall, but is not yet operational. Once the system is fully operational, signs informing persons of the availability of the assistive listening system should be posted in a conspicuous location in Volunteers Hall. Signage must comply with S.216.10 and S.703 of the ADAAG and must include the International Symbol of Accessibility for Hearing Loss. Information on the availability of the equipment should also be posted on the library's website and on notices of events occurring in the Hall. Multiple staff should also be trained in the operation of the ALS device.

The Harvard Public Library has the following auxiliary aids for library patrons:

- Part of CW Mars
- Talking books available from Perkins School for the Blind through the Worcester Public Library
- Page magnifying device but currently needs to be repaired
- Magnifying glasses
- Headphones for use with the computers
- Large Print books
- Books on audio such as CDs
- Sensory placement activities for children on the Spectrum.

Recommendation

Except for the public library, if the Town of Harvard does not have a portable Assisted Listening System, then one should be considered for purchase and used as deemed appropriate for all town services and programs.

It is also recommended that the Town add the following to its meeting agendas: *“If you need auxiliary aids and services for effective communication (such as sign a language interpreter, an assistive listening device or print material in digital format) or reasonable modification in programs, services, or activities, contact the ADA Coordinator as soon as possible preferably [xx] days before the activity or event.”*

Virtual Meetings

In June 2020, the Massachusetts Office on Disability offered a guidance memo on “Accessible and Inclusive Virtual Trainings”. The memo reinforces the basic requirement that programs, services, and activities of government, including in person and virtual meetings/presentations, must be conducted in a way that provides equivalent access unless to do so presents a fundamental alteration. Providing reasonable accommodations and effective communication are critical components to achieving equal access. The following summarizes some of the highlights and key components of this memo.

Effective Communication. Effective Communication ensures that people with vision, hearing, or speech disabilities can communicate, receive, and convey information in a manner that is accessible to them. Entities must furnish auxiliary aids when needed to communicate effectively with people who have language-based disabilities. Examples of auxiliary aids for meetings/presentations may include accessible electronic documents that can be read with assistive technology, large print documents, American Sign Language (ASL) interpreters, and Communication Access Real-time Translation (CART) services. The entity that is hosting the event is responsible for providing ASL and CART along with other needed accessibility features.

Selecting a Platform. After determining which platforms meet an entity’s operational needs, the entity should consider selecting the platform that provides the highest level of accessibility. Consult with vendors and review their accessibility statements which offer insight into how various users with disabilities would interact with the platform. Find out how the system would work with CART, an ASL interpreter, or closed captioning or if a screen reader or strictly keyboard user could access features such as screenshare,

chat, and video recording. If an entity has identified a platform that meets its operational objectives but has inaccessible features the entity should determine which barriers are likely to prevent access and whether those features are critical. If the identified barriers are not critical then the entity should avoid using those features during the meeting/presentation. For those components deemed to be critical but not accessible, the entity should explore alternative ways that a participant with a disability can effectively participate in the meeting/presentation.

Presentation Materials. To the extent possible, ensure that all presentation materials are accessible to and usable for people with disabilities including those using screen readers and other assistive technologies and those requiring large print. Since users of screen readers cannot read documents through a screen share and those using magnification may find that screen share video may be distorted with increased magnification, providing these materials in advance would allow these participants to better follow the discussion in real time. Information and communication technology must be usable by people with disabilities. How-to guidance as well as references to relevant laws, regulations, and standards to help comply with this requirement can be found through the following link:

<https://wiki.state.ma.us/display/assistivetechgroup/IT+Accessibility+home>.

Additionally, the Texas Governor's Committee on People with Disabilities has created learning modules on making Microsoft Office documents accessible to people with disabilities. Access to these modules can be found through the following link:

<https://gov.texas.gov/organization/disabilities/accessibledocs>.

Plan Ahead. Secure ASL interpreters and CART services in advance of the date of the meeting/presentation. These important communication services can easily be offered on a digital platform. The Massachusetts Commission for the Deaf and Hard of Hearing provides interpreting services and the information below will help you to schedule an interpreter:

- Request ASL Interpreting or CART
 - a. Online: <https://www.mcdhh.net/request/Choose> ASL Interpreting or CART under Service Information
 - b. Phone: 617-740-1600 VOICE and 617-740-1700 TTY
- Additional information on how to request an interpreter is available at <https://www.mass.gov/how-to/request-an-interpreter>.

Keep in mind that depending on the nature of the meeting, these services might be required regardless of whether an individual has specifically requested it (e.g. public meetings where there is no registration or invitee list). In instances where participants have been invited in advance, the invitation should include a directive to notify the entity holding the meeting/presentation to identify whether they require ASL or CART to participate. This can be included in the reasonable accommodation statement provided in the meeting notice or agenda.

Best Practices

- Do a trial run. If you have already identified employees who need to use accessible features of a platform, ask them to test it with you.
- Determine which features will be used in the meeting/presentation and include details about how to use those features on the meeting/presentation invitation or reminder. For example, provide a list of commonly used shortcut keys that can be used on the platform or any specific instructions that pertain to users of assistive technology.
- When sending a meeting reminder, include the link to CART so the user can access the meeting link and the link to the CART platform in one place.
- Send out accessible meeting materials in advance.
- Become familiar with the features of the platform, including the accessible features and share them with participants. This could include providing a link to CART in the chat window, offering a brief overview of how to interact with the platform at the beginning of the meeting/presentation, and providing these types of verbal instructions for the duration as features are being utilized.
- Utilize closed captioning features when and if available.
- If the meeting/presentation will be recorded, advise attendees at the start. Inform the CART reporter in advance if you want a copy of the transcription.
- When using ASL make sure that the video remains prominently visible onscreen throughout the meeting/presentation. Depending on the platform, this may require asking participants to turn off their video to ensure that the interpreter can be seen or possibly be displayed more prominently.
- If audio quality is an issue, consider requesting that participants turn off the video feature if it is not essential to participation.
- When using screenshare or presenting materials on screen, provide a verbal explanation of what is being displayed so that those participating by phone or those who are unable to see the document or review the materials with assistive technology will be better able to follow along.
- If you are planning on using a video as part of your training or presentation curriculum then it should have audio description or the visual aspects of the video should be described before or in between the dialogue of the video by a person on the training team.

Website Accessibility (Web Content Accessibility Guidelines 2.0 AA or Section 508 Standards). Title II of the Americans with Disabilities Act requires that local governments ensure that, when viewed in their entirety, the programs, services, and activities offered are equally available to people with disabilities.

Websites of local governments are considered to be a “program” and should be accessible to the standards of the Web Content Accessibility Guidelines 2.0 AA or Section 508 Standards.

Many people with disabilities use assistive technology that enables them to use computers. Some assistive technology involves separate computer programs or devices such as screen readers, text enlargement software, and computer programs that enable people to control the computer with their voice. Other assistive technology is built into computer operating systems. For example, basic accessibility features in computer operating systems enable some people with low vision to see computer displays by simply adjusting color schemes, contrast settings, and font sizes. Operating systems enable people with limited manual dexterity to move the mouse pointer using key strokes instead of a standard mouse.

Poorly designed websites can create unnecessary barriers for people with disabilities. The following are common problems and solutions in website accessibility.

a) Images Without Text Equivalents. Persons with low vision often use screen readers and refreshable Braille displays to access information on a webpage. These technologies read text, however, they cannot translate “images” into speech or Braille. Images include photographs, charts, color-coded information or other graphic elements on a webpage. The solution to this problem would be to add a line of HTML code to provide text for each image and graphic so that the user can understand what the image is.

b) Documents Are Not Posted in an Accessible Format. Municipalities will often post documents on their websites using Portable Document Format (PDF). However, PDF documents, or those in other image based formats, are often not accessible to blind people who use screen readers and people with low vision who use text enlargement programs or different color and font settings to read computer displays. The solution would be to always provide documents in an alternative text-based format, such as HTML or RTF (Rich Text Format), in addition to PDF. Text-based formats are the most compatible with assistive technologies.

c) Specifying Colors and Font Sizes. Websites are often designed in a manner such that everything is exactly the same color, size and layout. However, because of one’s disability, a person with low vision does not see web pages the same as other people. Some see only small portions of a computer display at one time. Others cannot see text or images that are too small. Still others can only see website content if it appears in specific colors. For these reasons, many people with low vision use specific color and font settings when they access the Internet – settings that are often very different from those most people use. For example, many people with low vision need to use high contrast settings, such as bold white or yellow letters on a black background. Others need just the opposite – bold black text on a white or yellow background. And, many must use softer, more subtle color combinations. Users need to be able to manipulate color and font settings in their web browsers and operating systems in order to make pages readable. Some web pages, however, are designed so that changing the color and font settings is impossible. The solution is to design websites so they can be viewed with the color and font sizes set in users’ web browsers and operating systems. Users with low vision must be able to specify the text and background colors as well as the font sizes needed to see webpage content.

d) Videos and Other Multimedia Lack Accessible Features. Due to increasing bandwidth and connection speeds, videos and other multimedia are becoming more common on the websites of local governments. Today, some government entities use their websites to post training videos for their

employees, feature automated slide shows of recent public events, and offer video tours of local attractions. These and other types of multimedia can present two distinct problems for people with different disabilities. People who are deaf or hard of hearing can generally see the information presented on web pages. However, a deaf person or someone who is hard of hearing may not be able to hear the audio track of a video. On the other hand, persons who are blind or have low vision are frequently unable to see the video images but can hear the audio track. The solution is to incorporate features that make them accessible to everyone. Provide audio descriptions of images (including changes in setting, gestures, and other details) to make videos accessible to people who are blind or have low vision. Provide text captions synchronized with the video images to make videos and audio tracks accessible to people who are deaf or hard of hearing.

e) Other Considerations When Developing Websites Include:

- include a “skip navigation” link at the top of web pages that allows people who use screen readers to ignore navigation links and skip directly to webpage content;
- minimize blinking, flashing, or other distracting features;
- if they must be included, ensure that moving, blinking, or auto-updating objects or pages may be paused or stopped;
- design online forms to include descriptive HTML tags that provide persons with disabilities the information they need to complete and submit the forms;
- include visual notification and transcripts if sounds automatically play;
- provide a second, static copy of pages that are auto-refreshing or that require a timed-response;
- use titles, context, and other heading structures to help users navigate complex pages or elements (such as web pages that use frames).

f) Resources and Additional Information on Website Accessibility. Additional information and guidance on website accessibility can be found on the following:

- www.w3.org/WAI/fundamentals/accessibility-intro/
- <https://webaim.org>
- www.ada.gov/pcatoolkit/chap5toolkit.htm
- www.webaccessibility.com

In addition, assistance can be obtained by contacting the MA Commission for the Blind in writing or by email, telephone, or fax as noted below:

Massachusetts Commission for the Blind
Technology for the Blind Program
John Oliveira, Deputy Commissioner
600 Washington Street –3rdFloorBoston, MA 02111
www.mass.gov/mcbJohn.Oliveira@state.ma.us
617-626-7509 Voice 617-422-0419 Fax

Harvard Self-evaluation

A visually impaired individual using the JAWS 2022 Screen Reading software (see Note below) was able to easily navigate the Town of Harvard's website, including the individual departments and committee/commission web pages.

Note: JAWS ("Job Access With Speech") is a computer screen reader program for Microsoft Windows that allows blind and visually impaired users to read the screen either with a text-to-speech output or by a refreshable Braille display. JAWS is produced by the Blind and Low Vision Group of Freedom Scientific.

The Town of Harvard uses Government Websites by CivicPlus®, a software platform built for modern local governments allowing one to work seamlessly and securely, leveraging existing data and reducing information silos so a person can collaborate efficiently. It also features an online help center in the event the Town has problems with its website including accessibility requirements. CivicPlus uses the firm "AudioEye" as its ADA web accessibility provider in order to determine compliance with the Success Criteria of the Web Content Accessibility Guidelines (WCAG) 2.0 and ADA related requirements.

Best practices to ensure that the Town's website maintains its accessibility for people with various levels of visual impairments such as low vision or the need for using a screen reader include:

1. Establish, implement, and post online a policy that web pages will be accessible and create a process for implementation.
2. Ensure that all new and modified web pages and content are accessible.
 - Check the HTML of all web pages. Make sure that accessible coding is used.
 - Make sure that the website is designed so it can be displayed using the color and font settings of each visitor's browser and operating system.
 - If images are used, including photos, graphics, scanned images, or image maps, make sure to include a text equivalent, by adding "alt" tags or long descriptions, for each.
 - When online forms and tables are used, make those elements accessible by labeling each control (including buttons, check boxes, drop-down menus, and text fields) with a descriptive HTML tag.
 - When posting documents on the website, always provide them in HTML or a text-based format (even if you are also providing them in another format, such as PDF).

Emergency Preparedness, Evacuation Plans, and Emergency Shelters (ADA Title II)

The Department of Justice views emergency preparedness plans as key components of a municipality's responsibility to accessibility compliance. These plans and facilities should be adapted to address the needs of those with a disability and/or who require reasonable accommodation.

Harvard Self-evaluation

The Town of Harvard has a Community Emergency Response Team (CERT). The Federal Emergency Management Agency, using the model created by the Los Angeles City Fire Department, began promoting nationwide use of the Community Emergency Response Team (CERT) concept in 1994. Since then, CERTs have been established in hundreds of communities. CERT training promotes a partnering effort between emergency services and the people that they serve.

The goal is for emergency personnel to train members of the neighborhoods, community organizations, or workplaces in basic response skills. CERT members are then integrated into the emergency response capability for their area.

If a disastrous event overwhelms or delays the community's professional response, CERT members can assist others by applying the basic response and organizational skills that they learned during training. These skills can help save and sustain lives following a disaster until help arrives. CERT skills also apply to daily emergencies.

CERT members maintain and refine their skills by participating in exercises and activities. They can attend supplemental training opportunities offered by the sponsoring agency and others that further their skills base. Finally, CERT members can volunteer for projects that improve community emergency preparedness.

CERT information can be found on the Fire Department's webpage under Town Departments on The Town of Harvard's website.

The Harvard Fire Department also participates in the Commonwealth of Massachusetts Executive Office of Public Safety's Student Awareness of Fire Education (S.A.F.E.) Program. S.A.F.E. provides resources to local fire departments to conduct fire and life safety education programs in grades K-12. The mission is to enable students to recognize the dangers of fire and more specifically the fire hazards tobacco products pose.

The Harvard Police Department has Emergency Contact Information Forms for both residents and businesses available to be filled out and submitted to the Police Department's database for emergencies.

Recommendation

It is recommended that the guidance provided in Chapter VII of this document be followed when developing an Emergency Management Plan and more specifically that notification and assistance to persons with disabilities be included within the plan.

Polling Places

Under the ADA, Help America Vote Act, Voting Accessibility for the Elderly and Handicapped Act, and Massachusetts General Laws, polling places are required to be accessible to persons with disabilities. This includes site access, parking, entrances, interior access, and voting equipment. In addition, registration and voting aids for the disabled and elderly are required, including information by alternative accessible means.

The Elections Division of the Secretary of the Commonwealth of Massachusetts (Elections Division) office works with each municipal clerk to ensure polling places are accessible by meeting state (and federal) regulations.

All polling locations in Massachusetts are required to be accessible and must provide access on a permanent or temporary basis on Election Day. Voting assistance and absentee voting offer options that persons with disabilities may use to vote, but are not considered substitutes to actual accessibility to the voting location.

Both federal law and state requirements mandate that voting systems be equipped for voters with disabilities allowing such voters to have the same opportunity to vote privately and independently. It is required that every precinct must have at least one accessible voting machine available.

According to the Elections Division, there is at least one accessible marking unit in every polling place in Massachusetts. The *"AutoMARK Voter Assist Terminals"* are marking devices that use audio cue capacity for visually impaired voters. The *AutoMARK* also has a feature that will greatly magnify the ballot or display the ballot high-contrast for voters that have limited visual impairment. The *AutoMARK* can also produce an oral report to the voter as the choices selected prior to the voter printing the ballot.

Harvard Self-evaluation

According to the Town Clerk, voting takes place at the Bromfield School Cafeteria. Voters enter and exit the cafeteria using the Cafeteria doorway(s). The Town Clerk also states that the AutoMARK Voter Assist Terminal screen on this device faces away from the view of the voting public which ensures complete privacy and independence. The AutoMARK Voter Assist Terminal is an electronic ballot marker designed for use by people who are unable to manually mark an optical scan ballot due to physical impairments or visual impairments. This voter assist terminal is available at both early and election day voting. Early voting takes place at the upper level of the Town Hall.

The Town Clerk stated that some Town residents expressed concerns regarding access to the cafeteria entrance(s) at the Bromfield School. One of the ADA consultants went back to the Bromfield School and surveyed the accessible route to the cafeteria entrances(s) and did not find any issues. Not knowing exactly what the residents concerns were the following should be considered when voting occurs at the school:

- Allow for temporary accessible parking in the horseshoe bus stop area to shorten the distance to the cafeteria entrance(s). The current accessible parking is a fair distance away from the cafeteria entrances that can be problematic for people with mobility issues.
- If the cafeteria entrance door(s) are not in a fixed open position, have a staff person close by to assist residents with the doors due to the operating force and closing speed.
- Provide directional signage to the voting location and state the availability of accessible (handicap) parking as well.

As the Bromfield School auditorium is used for Annual Town Meetings, similar consideration should be given during town meetings.

XIII. ADA TRANSITION PLAN

In accordance with the ADA Standards and MA 521 CMR, an assessment of the City of Harvard's public facilities inclusive of public buildings, active and passive recreation facilities, and schools was conducted to identify physical barriers to programs and services. This assessment or "transition plan" includes the following elements, which fulfill the requirements for the preparation of a transition plan:

- identification of physical obstacles in the building or facility that limit the accessibility of its programs or activities to persons with disabilities, and
- 2010 ADAAG and MAAB 521 CMR citation, and
- a description of methods or type of action to be taken to eliminate identified obstacles, and
- priority of removal of barrier, and
- feasibility of removal of barrier, and
- establishment of a recommended completion date to achieve accessibility, and
- general cost parameters for each action to be taken, and
- responsible party for implementation.

Limitations of the Transition Plan and Compliance

The primary obligation under Title II of the ADA is to ensure that programs and services are equally available to persons with disabilities. Municipalities are required to adhere to the 2010 Standards for Accessible Design in new construction and alterations. Programs must be relocated or access provided in inaccessible existing facilities as of the effective date of the ADA or January 26, 1992. When existing facilities comply with the 1991 Standards, there is no requirement to update to the current 2010 Standards. However, if conditions in existing facilities do not adhere to the original Standards, then the 2010 Standards must be followed.

ADA Safe Harbor: Elements in facilities built or altered before March 15, 2012 that comply with the 1991 ADA Standards for Accessible Design (1991 Standards) are not required to be modified to specifications in the 2010 Standards. For example, the 1991 Standards allow the maximum side reach of a control or dispenser to be 54 inches. The 2010 Standards lowered that side reach range to 48 inches maximum. If a control or dispenser was installed prior to March 15, 2012 with its highest operating part at 54 inches, that control or dispenser does not need to be lowered to 48 inches. Since the dispenser complies with the 1991 Standards, that Standard provides a "safe harbor".

Tolerances: Both the 2010 ADA Standards and 521 CMR allow for "tolerances as follows:

2010 ADA Standards

All dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points.

521 CMR

- Dimensions between zero and two inches, (0" and 2") inclusive, shall have a maximum tolerance of plus or minus one-eighth inch (1/8").
- Dimensions more than two inches and less than 36 inches (>2" and <36") shall have a maximum tolerance of plus or minus one-half inch (1/2").

- Dimensions 36 inches or greater (36" or >) shall have a maximum tolerance of plus or minus one inch (1")
- Slopes may not exceed maximums. Slopes shall be measured in two-foot increments. Tolerances do not apply to minimums or maximums.

For the purposes of this plan, unless specifically noted, facility assessments are based on the 2010 ADA Standards and 521 CMR (Massachusetts Architectural Access Board MGL. C. 22 s13A), whichever is more stringent.

The plan does not address what is accessible, but rather obstructions to mobility. Fieldwork was performed in the Spring of 2021. Although general recommendations are made as corrective actions to eliminate identified obstacles, it is expected that the town will be solely responsible for designing the specific construction solution in accordance with 521 CMR: Architectural Access Board Regulations or the 2010 ADA Standards for Accessible Design, whichever is appropriate.

As part of the transition plan assessment, deficiencies or limitations to access were identified at each location. The actions noted in this plan to be taken in removing obstacles to mobility are descriptive and are not intended to be construction specifications. The specific construction action can vary substantially depending on desirability and type of materials. In addition, historically significant properties can result in additional cost due to more architecturally sensitive construction alternatives (historic properties discussed elsewhere in this Plan). As a result, the costs can vary accordingly. The party responsible for implementing the identified action will be responsible for working with the town's building inspector and a design professional, if necessary, so as to ensure compliance with 521 CMR and/or the ADA Standards. Where appropriate, due to historic considerations, building configuration, or extent of use, a combination of programmatic solutions and construction alternatives are provided. Such measures are in full compliance with Title II of the ADA. In circumstances where there are differences in the compliance requirements between 521 CMR and the ADAAG, the stricter or more encompassing standard shall apply.

The Department of Justice issued 1991 Standards for Accessible Design to address physical barriers to facilities and transportation. There were technical amendments to these standards in 1994 followed by more substantive amendments in 2010 (2010 ADA Standards for Accessible Design). These 2010 Standards revised policy requirements for certain areas such as service animals. The 2010 Standards also addressed certain physical components including assembly seating, the establishment of construction tolerances for certain items and formalized standards for docks, fields, pools, and other recreational facilities.

As is the circumstance with 521 CMR of the Massachusetts State Building Code, under the Federal ADA, construction modifications for accessibility compliance is not required unless triggered by renovation and/or new construction. Municipalities must still ensure that individuals are not excluded from programs and services because buildings or facilities are inaccessible. This can be accomplished through relocating a program or service to an accessible location or other means of reasonable accommodation. For the purposes of this Transition Plan, the higher standard of compliance will be used for the purpose

of identifying obstacles and determining cost, however, descriptive alternatives will also be provided in the narrative.

Use of the Transition Plan

This plan is intended to be a working document. If a barrier was overlooked it can easily be added to the plan. Programs and services can be modified and adapted over time as needed. Similarly, policies and procedures can be modified and adopted to reflect current legislative requirements. Actual construction methods to arrive at a solution for an identified problem may vary depending on final plans and specifications. The town should use this plan as a guide for compliance and modify it as needed without altering its initial intent and efforts of compliance. In addition, the inventory of barriers can be used in concert with the town's capital budget process to assist in the determination of how and when to proceed with the many suggested improvements.

The plan provides a description of the obstacle which limits mobility or access, 2010 ADA Standards citation reference, MA 521 CMR citation reference, the type of action required to be taken for compliance, the priority for the action, the feasibility of undertaking the action, the timeframe for completion, a representative photo, and a general parameter of cost.

Priority(P)

Each architectural barrier has also been ranked according to the priority of removal based upon the type of access that is affected. The priority rankings (#1 being the highest priority and #4 being the lesser priority) are determined by the ADA and are defined as follows:

<u>Priority</u>	<u>Description</u>
1	Accessible approach and entrance
2	Access to goods and services
3	Access to public toilet rooms
4	Access to other items (ie – water fountains, public telephones, etc.)

Feasibility(F)

Each architectural barrier has been ranked according to the feasibility of removing that particular barrier. The feasibility rankings are somewhat subjective and are based on a perceived degree of difficulty or skill level required to remove an architectural barrier. These rankings are as follows:

<u>Ranking</u>	<u>Description</u>
1	Can be easily undertaken (i.e. move furniture, put sign on a wall)
2	Can be undertaken by maintenance staff, DPW, etc. (i.e. install post and sign, move dispensers, adjust door closer, change door hardware)
3	Minor modifications which require skilled or specialized work (build ramp, alarm installation, sink/toilet installation, etc.)
4	Major modifications which require skilled or specialized work (structural changes, building additions, elevators/lifts, etc.)

Time-frame(TF)

A recommended time-frame for removing the architectural barrier is provided as follows:

<u>Time-frame</u>	<u>Description</u>
I	Immediate Term (2023-2024)
N	Near Term (2025-2028)
L	Long Term (2029-2032)

Costs

Cost estimates are based on recent projects of similar nature, unit quantity pricing (where appropriate), and R.S. Means Company, Inc. ADA Compliance Pricing Guide 2nd Edition and updated for current pricing. Cost estimates are also based on the type and complexity of work. It is being assumed that simple changes (Feasibility ranking of 1 or 2) will be made through the use of town personnel (custodial, DPW, etc.). More complex construction or those projects requiring specialized skills (Feasibility ranking of 3 or 4), would involve private contractors and include labor, overhead, and profit.

List of Buildings and Facilities

Municipal Buildings: Town Hall, Harvard Library, Senior Center/Hildredth House, Main Fire Station, Fire Department Substations, Public Safety Building (Police – Ambulance), Highway Garage, Transfer Station and Recycling Center, Hildredth Elementary School, The Bromfield School.

Active and Passive Recreation Areas: Ann Lees Field, Bare Hill Pond Beach, Charlie Waite Field, Harvard Park, Recreational Trail at Harvard Park, Ryan Lands Field 1 and 2, Upper and Lower Depot Fields, Town Common, Library Field, Library Field at TBS, Bromfield Basketball and Tennis Courts, Pond Road Field, Hildredth Elementary School Outdoor Classroom, Hildredth Elementary School Playground.

Abbreviations

a.f.f.	above finish floor	c.f.s	clear floor space
s/b	should be	r.s	running slope
>	greater than	c.s.	cross slope
<	less than	o.c.	on center

XIV. MUNICIPAL BUILDING ASSESSMENTS

TOWN HALL

HARVARD LIBRARY

SENIOR CENTER/HILDREDTH HOUSE

MAIN FIRE STATION

FIRE DEPARTMENT SUBSTATIONS

PUBLIC SAFETY BUILDING (POLICE – AMBULANCE)

HIGHWAY GARAGE

TRANSFER STATION AND RECYCLING CENTER

HILDREDTH ELEMENTARY SCHOOL

THE BROMFIELD SCHOOL

HARVARD TOWN HALL

Description of Facility and Programs: The Harvard Town Hall is a 3-story (including attic) wooden frame structure that was constructed circa 1800 and which has had substantial renovations in 2004 and 2016-2017. The first level contains municipal offices with the second level consisting of a large meeting room, a small meeting room, and bathrooms. The third or attic level is not open to the public.



Responsible Party: Select Board.

General Description or Obstacle Which Limits Mobility or Access: The Harvard Town Hall is substantially accessible compliant but has some areas of non-compliance.

Parking

The accessible parking space access aisle has cross slopes that vary up to 3.5%, which exceeds the maximum allowed of 2.0%.

Exterior

The stair railings at the stairs connecting the upper parking are not round or oval in shape, do not fully extend to the bottom of the stairs, and lack bottom extensions.

The “town business” drop box opening is 61¼” a.f.f., which is 13¼” too high.

Level One and Level 2 Interior

Doors. A number of doors lack signage with some also having non-compliant knob-style hardware. Some interior doors have glass panes that are 1" too high under the 2010 ADA Standards, but would be within the allowed 1" industry standard tolerance for dimensions over 36", so no other action is required. Interior doors with closers have excessive operating forces and too fast closing speeds.

Stairs. The main stairs connecting the first and second levels have interior historic railings that are 6" too low, not continuous, and lack bottom extensions. The exterior railings are wholly compliant. According to town personnel, a historic variance was granted to retain the existing interior historic railings during the 2016-2017 renovation. No further action is required.

Protruding Object. The interior of the "town business" drop box protrudes 7" at a height of 49½" a.f.f. on the accessible route of travel from the lift area to the front lobby area.

Accessible Lift. Items stored in front of the lift operational buttons block the accessible route to the buttons and restrict the reach. At the time of assessment, the lift door did not always self-close and the lack of an internal pull device to close the door did not allow for closure to engage lift operation.

Thresholds. The Level 2 doorway threshold to the Main Hall has changes in level surface of ½" to 1½", which exceeds the maximum allowed.

Tables and Seating. The Main Hall meeting room table has only 26¼" knee clearance. The Volunteers Room table has only 24¾" knee clearance.

Tripping Hazards. The Main Hall rug is not secured. Wires on the floor are not enclosed and loose. Both the rugs and wires serve as tripping hazards.

Drinking Fountain. The Level 2 drinking fountain is "low" only.

Controls. Thermostat controls on the first and second level are 7" to 15" too high under the 2010 ADA Standards. The ability to manipulate these controls is restricted to specific staff who have access and also have the ability to reach the controls. Unless this changes, further modifications are not required unless necessitated as a result of a reasonable accommodation request.

Bathrooms. The Level 1 and Level 2 bathrooms have a number of areas of non-compliance including water closet clear widths or setbacks that are too narrow, water closet flush controls that are on the wrong side, a grab bar that is too far from the interior corner, toilet paper dispensers that are too close to the front of the water closet, a stall door that is not self-closing, and a stall door coat hook that is too high. *Note: At the time of assessment, the towel dispenser in the Level 1 Men's Bathroom was empty and paper towels were placed on top of the dispenser and not within reach range. Items available for use (towels, soap, etc.) must always be within accessible reach range.*

Assistive Listening System

It does not appear that the town has an assistive listening system (ALS) for persons who are hard of hearing as no signage was present in the Level 2 Main Hall meeting room. It is recommended that an assistive listening system for shared use in other municipal locations be provided. Depending on the type of system purchased and the number of users, costs could vary from \$3,500 to \$5,500 (or more). Information on the availability of the equipment should be posted on the town's website and in the Level 2 Main Hall. Staff should also be trained on operation of the ALS device.

Town Hall Accessibility Assessment

General Description of Obstacle	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Parking</u> The accessible parking space access aisle has cross slopes that vary up to 3.5%, which exceeds the maximum allowed of 2.0%.	502.4	23.4	Resurface the access aisle such that the running and cross slopes do not exceed 2.0%.	1	3	N	Up to \$750
<u>Exterior Stairs to Upper Parking</u> The stair railings at the stairs connecting the upper parking are not round or oval in shape, do not fully extend to the bottom of the stairs, and lack bottom extensions. <i>See Photo Town Hall 1.</i>	505	27	Replace the railings so that they are continuous stair railings on both sides of the stairs. Railings s/b between 34" – 38" a.f.f. to the top of the railing, circular or oval in x-section, 1½"–2" in outside diameter, and with extensions at the top (12" parallel to the ground) and bottom as feasible (slope distance one tread then 12" parallel to the ground).	1	3	N	Up to \$1,000
<u>Town Business Drop Box</u> The drop box located near the main entrance is 61¼" a.f.f., which is 13¼" too high under the 2010 ADA Standards. <i>See Photo Town Hall 2.</i>	308.2 308.3	6.5 6.6	Modify the existing drop box or provide an additional drop box such that the drop heights are no more than 48" a.f.f.	4	2	N	\$100 to \$500
<u>Door Hardware</u> The following interior doors have non-compliant knob style hardware: <u>First Floor</u> - Storage doors (2) under stairs - Door next to lift <u>Second Floor</u> - Storage doors (2) at top of stairs - Door to Main Hall - Storage room next to mezzanine stairs <i>See Photo Town Hall 3.</i>	404.2	26.11	As the storage doors and door next to the lift are not open to the public and is for staff use only, hardware replacement would only be required as a reasonable accommodation request. As the door to the Second Floor Main Hall is open to the public and signage requests that the door be closed, lever hardware is required. <i>Note: Depending on the door and type/quality of hardware, lever hardware may vary from \$75 to \$275 per unit. The estimate provided is at the mid-range (\$150) for the interior doors.</i>	2	2	I	\$150+
<u>Door Signage</u> The following interior doors lack tactile designation signage: <u>First Floor</u> - Storage doors (2) under stairs - Door next to lift	703	41.1	Install accessible compliant signage on the latch side of each door (where allowable) with appropriate finish and contrast and character height and proportions, raised and brailled characters should also be included. Under 521 CMR, signage s/b 60" a.f.f. to the centerline of the sign. Tactile characters on signs s/b 48" min. a.f.f. from baseline of lowest character and 60" max. a.f.f. to	2	2	I	\$280 to \$1,000

- Door to Town Clerk's Office from lobby - Town Administrator's Office <u>Second Floor</u> - Storage room next to mezzanine stairs - Door to attic from Volunteer's Room - Egress door to ground level See Photo Town Hall 3.			baseline of highest character. Characters must meet the ADA Standards for character height, finish and contrast, accompanied by Grade 2 Braille (703 ADA Standards).				
Doors with Closers Interior doors with closers (including bathrooms) do not fully comply with the maximum allowed operating force for an interior door (5 lbs.) and the minimum closing speed requirement of 6 seconds. Operating forces vary up to 17 lbs. and closing speeds are as quick as 4 to 5 seconds.	404.2.8 404.2.9	26.8 26.9	Adjust door closers such that the push/pull force does not exceed 5 lbs. for an interior door with door closing speeds of at least 6 seconds.	2	2	I	\$0
Protruding Objects Town business drop box on approach from the lift (7" protrusion at a height of 49½"). Protruding objects extend more than 4" into the accessible route of travel between a height of 27" and 80" a.f.f. or have vertical headroom clearance reduced to less than 80". See Photo Town Hall 4.	307.2	20.6.1	Place a fixed object under the box or erect a small wing wall for cane detection.	2	2	I	\$0 to \$25
Accessible Lift Items stored in front of the lift operational buttons block the accessible route to the buttons and restrict the reach. At the time of assessment, the lift door did not always self-close and the lack of an internal pull device to close the door did not allow for closure to engage lift operation. See Photo Town Hall 5.	403 308.2 308.3 410 404.2.7	22 6.5 6.6 28.12 26.11	Remove the current items stored in front of the operational buttons for the lift and ensure that items are not stored there in the future. Have the lift inspected and adjusted to ensure that the door regularly self-closes. Install an interior pull device to ensure that the door can be fully closed from the interior using a closed fist or loose grip.	2 2	2 2	I I	\$0 Up to \$75
Drinking Fountain The Second Floor Drinking Fountain is "low" only. See Photo Town Hall 6.	211	36	Install an adjacent "high" fountain as follows: protruding objects compliance of no > 4" protrusion between 27" and 80" a.f.f. (307); the spout height s/b 38" min a.f.f. to 43" max a.f.f. for "high". The controls s/b operable w/one fist; no > 5 lbs force (309.4).	2	3	N	Up to \$2,000+
Door Thresholds The doorway threshold at the entrance to Second Level Main Hall has an unbeveled threshold height of ½" on the Main Hall side and up to 1½" on the lobby/foyer side. See Photo Town Hall 7.	404.2	26.10	Modify thresholds so that the maximum 1:2 beveled change in level surface is no more than ½".	2	2	N	Up to \$200

<u>Desk/Table Knee Clearance</u> The following desks/tables do not provide the minimum required 27" of knee clearance: - Level 2 Main Hall meeting table (26¼" knee clearance) - Level 2 Volunteer's Room meeting table (24¾" knee clearance)	226.1 306.2 306.3	35	Block the tables to achieve 27" of knee clearance. If blocking not feasible, replace as necessary with tables that have 27" knee clearance.	2	2	I	\$0 to \$250
<u>Tripping Hazards</u> The Level 2 Main Hall has rugs that are unsecured and numerous wires on the floor.	301 302 303	29.1 29.2 29.3	Remove or secure the rugs/carpets. All wires should be enclosed with protective strips that are no more than ½" high with a maximum 1:2 bevel.	4	2	I	Up to \$250
<u>Bathrooms</u> <u>Level 1 Men's and Women's Bathrooms</u> The water closets are 1¼" (Men's BR) and ¾" (Women's BR) too close to the near wall.	604.2	30.7.2	Modify the water closets so they are 18" o.c. from the near wall.	3	3	N	Up to \$1,500
<u>Level 1 Women's, Level 2 Men's and Level 2 Women's Bathrooms</u> The flush control of the water closets are on the wrong side.	604.6	30.7.5	Replace the water tanks or the water closets in entirety so that the flush controls are on the wide or open side.	3	3	N	\$250 to \$700
The toilet paper dispensers are 3" to 6" too close to the front of the water closets.	604.7	30.7.6	Relocate the toilet paper dispensers so they are 7" minimum and 9" maximum in front of the water closet measured to the centerline of the dispenser.	3	2	I	\$0
<u>Level 1 Women's Only</u> The side grab is 13" from the interior corner, which is 1" too far.	604.5	30.8.1	Relocate the grab bar so that it is no more than 12" from the interior corner.	3	2	I	\$0
<u>Level 2 Women's Bathroom</u> The stall door is not self-closing.	604.8.1	30.6.1	Adjust/modify the hinges such that the door is fully self-closing.	3	2	I	\$0
The coat hook is 54" a.f.f., which is 6" too high under the 2010 ADA Standards.	603.4 308.2 308.3	30.6.1	Lower the coat hook to a height of no more than 48" a.f.f.	3	2	I	\$0

Total \$8,400+

Town Hall Accessibility Assessment Photos

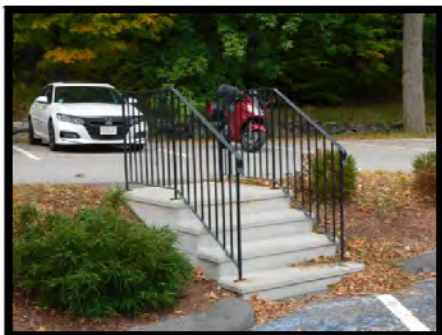


Photo Town Hall 1

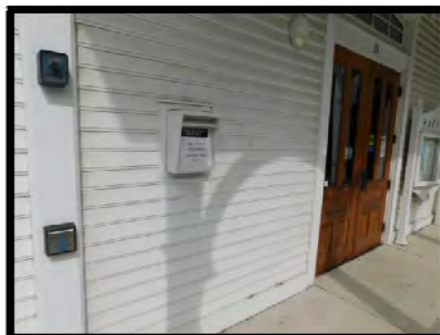


Photo Town Hall 2



Photo Town Hall 3

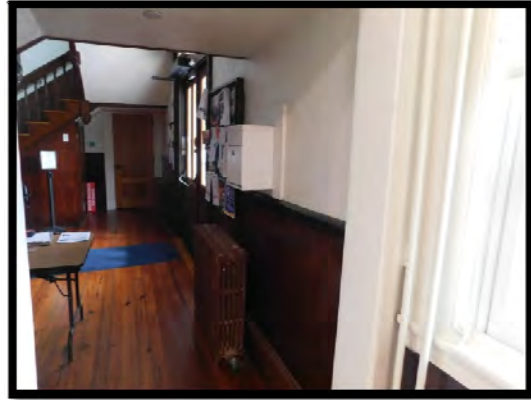


Photo Town Hall 4

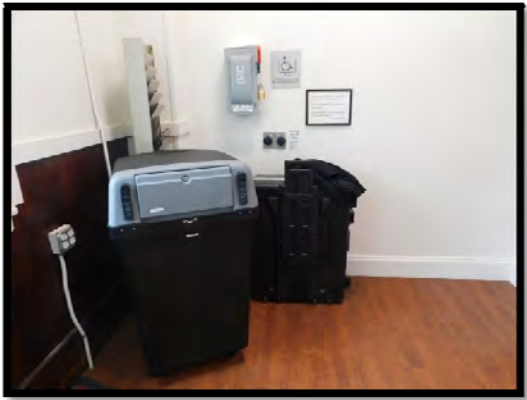


Photo Town Hall 5



Photo Town Hall 6



Photo Town Hall 7



Photo Town Hall 8

HARVARD PUBLIC LIBRARY

Function and Description of Facility and Programs: The Harvard Public Library is housed in the original Bromfield School which was constructed in 1877-1878 and served as a school until 2003. Through a combination of state grant funds and local public and private funding, the former school was renovated and expanded to serve as the town's library, opening its doors as such in 2007. The multi-level masonry building houses a children's area, young adult section, adult section, a large meeting room, smaller meeting spaces, and offices. Internal access between levels can be achieved via stairs and an elevator. The library is governed by a six-member Board of Library Trustees and managed by a Library Director.



Responsible Party: Board of Library Trustees.

General Description or Obstacle Which Limits Mobility or Access:

Front Stairs

The stairs to the original main entrance of the building serve as an emergency egress only. The railings do not extend the slope distance of one tread then 12" parallel to the ground. This former main entrance also lacks directional signage to the current main and accessible entrance.

Library Interior

Interior and exterior doors with closers have excessive operating forces and close too fast. Interior doors have tactile designation signage that is too high with some doors lacking signage. The accessible bathroom signage does not include the Universal Symbol of Accessibility. There is no accessible route of travel to the "stage" in Volunteers Hall. Computer card catalogues lack knee clearance. Some of the book/magazine stacks lack the minimum required 36" clear width. A rug in the Trustee's Meeting Room is unsecured and serves as a tripping hazard. The Staff Room has a microwave oven on a shelf that is not within reach range for a wheelchair user. In addition, items stored under the sink eliminates knee depth.

Library Bathrooms

There are a total of eight (8) bathrooms dispersed amongst the various levels. Although substantially compliant, there are some areas of non-compliance including toilet paper dispensers that are too close to the front of the water closet, coat hooks that are too high, water closets that are too close to the rear wall, sink piping that is not fully wrapped or guarded, and water closet minimum required front clear widths that are not met.

Assistive Listening System

An Assistive Listening System has been purchased by the library for use in Volunteers Hall, but is not yet operational. Once the system is fully operational, signs informing persons of the availability of the assistive listening system should be posted in a conspicuous location in Volunteers Hall. Signage must comply with S.216.10 and S.703 of the ADAAG and must include the International Symbol of Accessibility for Hearing Loss. Information on the availability of the equipment should also be posted on the library's website and on notices of events occurring in the Hall. Multiple staff should also be trained on operation of the ALS device.

Harvard Public Library Accessibility Assessment

<u>General Description of Obstacle</u>	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Directional Signage</u> Outside directional signage at the front of the building directing patrons to the accessible entrance is not provided.	216	41.1.3	Provide directional signage noting the accessible side/rear entrance.	1	2	I	\$100
<u>Front Entrance/Egress Stair Railings</u> The railings extend the only the slope distance of one tread at the base of the stairs and not the slope distance of one tread then 12" parallel to the ground. See Photo Library 1.	505.10	27.4.3	Option #1: Modify the stair railings so the bottom railings are the slope distance of one tread then 12" parallel to the ground. Option #2: Due to the historic nature of the building and because the door and stairs are solely emergency egress, seek a variance to retain the existing railings.	1 1	3 1	N I	Up to \$350 \$0
<u>Door Operating Forces and Closing Speeds</u> Exterior and interior doors with closers do not comply with the minimum closing speed requirement of 6 seconds or the maximum operating force of 15 lbs. for an exterior door and 5 lbs. for an interior door.	404.2.8 404.2.9	26.9 26.8	Adjust the door closers such that the closing speed is at least 6 seconds and the operating force does not exceed 15 lbs. for exterior door and 5 lbs. for the interior doors.	1	2	I	\$0
<u>Signage</u> Tactile room designation signage throughout the building, including the bathrooms, are at the incorrect height and vary from 61½" to 64" o.c. a.f.f. The following rooms/doors lack tactile designation signage: - Level 2 Door to Volunteers Hall - Level 2 Volunteers Hall door to kitchenette - Level 2 Volunteers Hall	703	41.1	Relocate and/or install accessible compliant signage on the latch side of each door (where allowable) with appropriate finish and contrast and character height and proportions, raised and brailled characters should also be included. Under 521 CMR, signage s/b 60" a.f.f. to the centerline of the sign. Tactile characters on signs s/b 48" min. a.f.f.. from baseline of lowest character and 60" max. a.f.f. to baseline of highest character. Characters must meet the ADA Standards for character height, finish and contrast, accompanied by Grade 2 Braille (703 ADA Standards).	2, 3	2	I	Up to \$2,225+

kitchenette storage rooms (2) • Level 2 janitor's closet near elevator • Level 1R storage door by stairs • Level 1R door to reading room by elevator • Level 1R door to reading room by stairs • Level 1R egress/former front entrance near Trustee's Meeting Room • Level 1R egress door in Trustee's Meeting Room • Level 1R double doors to Trustee's Meeting Room • Level 1R Trustee's Meeting Room storage • Level 1 storage/machine room next to elevator • Level 1 emergency exit • Level 1 Study Rooms A and B • Ground Level door to curbside pick-up • Ground Level door to elevator • Ground Level lobby storage • Ground Level lobby book pick-up • Ground Level Harris Room • Ground Level Harris Room humidity room door • Ground Level hallway • Ground Level staff room storage • Ground Level Children's Room glass door • Ground Level story room (2) • Ground Level story room closets (2) See Photos Library 2 and 3. The following rooms/doors have tactile designation signage that is not located on the latch side of the door: • Level 1R Director's Office • Ground Level Staff Room			Provide signage for the accessible bathrooms that includes the Universal Symbol of Accessibility.				
<u>Level 2 Volunteer's Hall Stage</u> There is no accessible route to the stage from the assembly area (6" abrupt surface change). See Photo Library 4.	206	20.00 14.6	Option #1: Restrict access to and further use of the stage. Option #2: Provide a permanent or removable ramp to achieve access to the stage from the assembly area.	2 2	1 3	I N	\$0 Up to \$2,500+
<u>Level 1R Trustee's Meeting Room</u> A loose carpet in front of the double glass doors is not fully secured and serves as a tripping hazard.	302.2	29.3	Secure the rug to the floor or remove the carpet.	4	2	I	\$0
<u>Book Stack and Accessible Route Clear Widths</u> Level 1R. The clear width at the	403.5	12.2	Move the stacks, cabinets, and/or bookcases to achieve	2	2	I	\$0

magazine stacks have clear widths that vary from 32" to 35". Level 1. The clear width at the Biography/Non-Fiction stacks near the study room have a clear width of only 34". Ground Level. The stacks across from the Story Room have only 32" to 34" clear widths on the outside and only 33" clear width on the interior (magazine holders). See Photos Library 5 and 6.		20.3	the required minimum 36" clear width. The Ground Level stacks across from the Story Room can be pushed together to eliminate the pass-through between the stacks and achieve the exterior 36" minimum clear width.				
Computer Card Catalogue Stations The computer catalogues at the following locations do not provide knee clearance: - Level 1R - Level 1 Young Adult - Children's Room In addition, the Level 1 Young Adult computer catalogue desk top is 36" a.f.f., which is 2" too high. See Photos Library 7 and 8.	226 306.3	12.2.5	Ensure that at each separate location, at least one computer catalogue station is located on a desk or table that provides a minimum of 27" knee clearance, 30" clear width, and 19" knee depth. The height of the table top should not exceed 34".	2	2	I	\$0 to \$250
Ground Level Staff Room The staff room has a microwave that is 19" too high under the 2010 ADA Standards. Items stored under the accessible sink eliminate knee depth.	308.2 308.3 306	6.5 6.6 32.7	As may be required as a reasonable accommodation request, relocate the microwave to the counter. As may be required as a reasonable accommodation request, remove all items stored under the sink.	2 2	1 1	N N	\$0 \$0
Ground Level Story Room The sink piping is not wrapped, guarded, or insulated.	606.5	32.7	Wrap, guard, or insulate the piping.	2	2	I	\$75
Bathrooms <u>L2 Men's, L2 Women's, Ground Men's, Ground Women's, Ground Staff, Ground Children's</u> The coat hooks are 6" to 7" too high under the 2010 ADA Standards. <u>L2 Women's, L1 Unisex, Ground Men's, Ground Women's, Ground Staff, Ground Children's</u> The toilet paper dispensers are 1" to 7" too close to the front of the water closet. <u>L2 Women's and Ground Level Children's</u> The sink piping, including the shut-off valves, is not fully wrapped.	308.2 308.3 604.7 606.5	6.5 6.6 30.7.6 30.9.5	Lower the coat hooks to a height of no more than 48" a.f.f. Relocate the toilet paper dispensers so they are 7" minimum and 9" maximum in front of the water closet measured to the centerline of the dispenser. As these dispensers have 2 rolls placed horizontally, one roll would need to be 7" to 9" o.c. Fully wrap, guard, or insulate the piping.	3 3 3	2 2 2	I I I	\$0 \$0 \$100

<u>Level 1R Trustee's/Director, Ground Men's, Ground Women's</u> The clear widths at the front of the water closets is reduced to 38½" to 40" due to the 8" wide wall mounted metal waste baskets.	604.3	30.7.2	Replace the existing wastebaskets with ones that are 4½" wide such that the minimum required 42" front water closet clear wide is achieved.	3	2	1	Up to \$450+
<u>L2 Men's</u> The water closet is 17¼" o.c. from the near wall, which is ¾" too close. See Photos Library 9 and 10.	604.2	30.7.2	Due to the cost to move the water closet ¾" vs. the benefit gained, seek a variance to retain the existing water closet location.	3	1	1	\$0

Total up to \$6,050+

Harvard Public Library Accessibility Assessment Photos



Photo Library 1

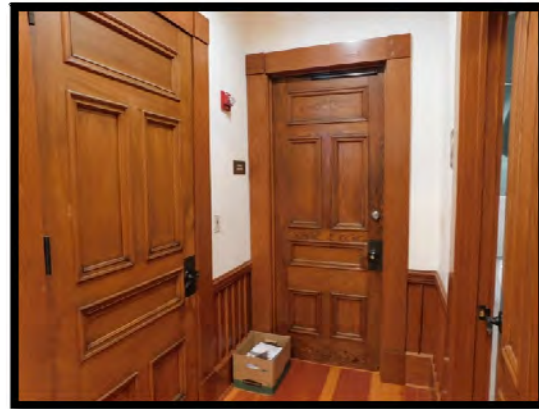


Photo Library 2

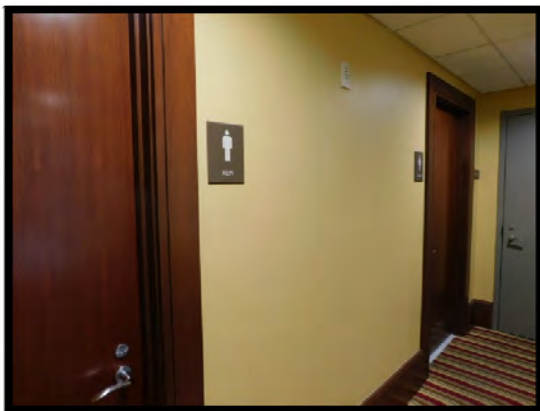


Photo Library 3

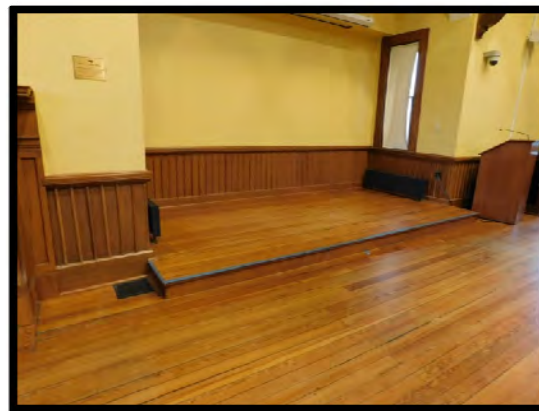


Photo Library 4



Photo Library 5



Photo Library 6



Photo Library 7



Photo Library 8

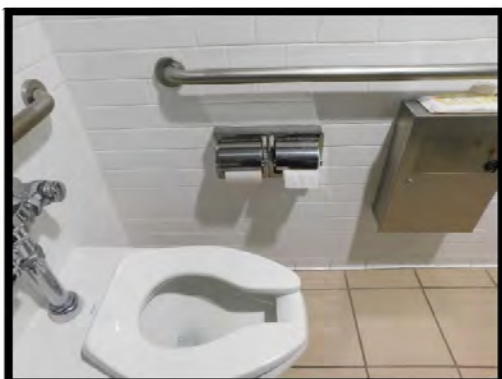


Photo Library 9

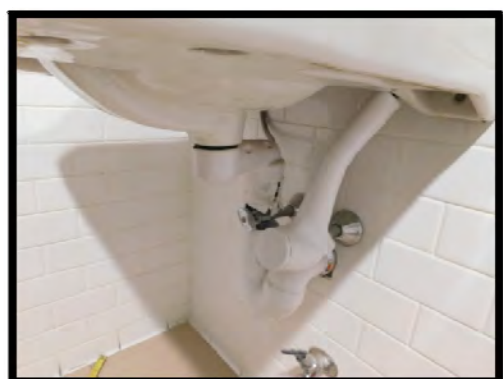


Photo Library 10

HILDREDTH HOUSE

Function and Description of Facility and Programs: As of the time of assessment (October 2022), the Hildredth House still served as home of the Council on Aging and Senior Center. A commercial building on Lancaster Road was purchased and is under renovation to serve as the new location of the Senior Center in early 2023. It is anticipated that planning, conservation, and inspectional services (health, building) will be relocated from Town Hall to the Hildredth House.

Hildredth House is a two-story wooden frame structure that was built circa 1900 with renovations occurring in 2003/2004 and 2016/2017. The main level of the building consists of a meeting/dining room, an activities room, a kitchen, an accessible bathroom, and storage closets. The second level of the building consists of a computer room, a parlor/game room, a copy room, and 2 offices. Access between levels is by both stairs and a vertical lift.

The Senior Center/COA serves Harvard residents and coordinates and operates senior-oriented social and recreational programs, educational programs, counseling, referrals, and health and wellness programs.



Responsible Party: Council on Aging/Select Board.

General Description or Obstacle Which Limits Mobility or Access:

Exterior

Picnic Table. A picnic table is not on an accessible route of travel, lacks adequate knee clearance, and has insufficient knee depth.

Front Stairs and Railings. The main front stair railings do not fully extend 12" at the top and do not extend the slope distance of one tread then 12" parallel to the ground at the bottom. The side front stair railings do not extend the slope distance of one tread then 12" parallel to the ground at the bottom.

Egress Stairs. The egress stairs off the kitchen lack railings. The egress stairs near the accessible bathroom have railings on one side only, are not round or oval in shape, and lack bottom extensions.

Porch Accessible Route of Travel. Stored items on the outside porch restrict the clear width of only 29" at one location, which is less than the minimum required 36".

Interior - General

Doors. Interior doors lack tactile designation signage and non-compliant knob style hardware. Doorway thresholds in the Main Level dining/meeting room exceed the maximum height.

Floor Grates. Floor grates have excessive openings. Temperature controls and light switches exceed the maximum reach range under the 2010 ADA Standards.

Defibrillator. A main level defibrillator is not within reach range and has only 22" of clear width to access.

Protruding Objects. The Level 2 stair railing extension serves as a protruding object as it protrudes 12½" into the accessible route of travel at a height of 36" a.f.f., which exceeds the handrail exception of 4½".

Tables and Seating. Tables in the Main Level meeting/dining room and Level 2 parlor/game room lack sufficient knee clearance.

Controls. Thermostat controls and light switches are 3" to 12" too high under the 2010 ADA Standards.

Vertical Lift

The vertical lift lacks an interior pull device. Should the self-closing mechanism of the lift fail to operate or fail to fully self-close, there is no means to close the door from inside the lift.

Interior Stairs

Main. The main stairs connecting the first and second levels have interior historic railings that are 4" to 5" too low, not continuous, and lack top and bottom extensions. The exterior railings are wholly compliant except for the top extension as a protruding object (see above). According to personnel, an historic variance was granted to retain the existing interior historic railings during the 2016-2017 renovation. No further action is required.

Rear Stairs at Kitchen to Level 2. The stairs have railings on one side only which are 3" to 4" too low and lack top and bottom extensions. The stair treads vary from 7½" to 8" in height and have varying widths. These stairs are restricted for use by staff only. Modifications to the stairs and railings would only be required as a result of a reasonable accommodation request if deemed feasible and cost reasonable. No further action is required at the present time.

Stairs to the Attic. The stair treads are not uniform. The stair railings are located on the interior side only and are historic with non-compliant heights and extensions and are not fully continuous. These stairs are restricted for use by staff only. Modifications to the stairs and railings would only be required as a result of a reasonable accommodation request if deemed feasible and cost reasonable. No further action is required at the present time.

Main Level Accessible Bathroom

The closing speed of the door is too fast and does not fully close. The coat hook is 17" too high. The towel dispenser is 6" too high. The water closet flush control is on the wrong side. The water closet is 1" too close to the near wall. The toilet paper dispenser is 3" too close to the front of the water closet.

Second Level Accessible Bathroom

The water closet flush control is on the wrong side. The toilet paper dispenser is 7" too low and 3" too close to the front of the water closet.

Kitchen

The towel dispenser is too high. The stove has controls on the back and not on the front of the stove. The public is restricted from using the kitchen. Food is prepared off-site and brought to the center for distribution by staff. Lowering of the towel dispenser and providing a stove with controls on the front would only be necessitated by an employee reasonable accommodation request.

Hildredth House Accessibility Assessment

<u>General Description of Obstacle</u>	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Exterior - General</u>							
The picnic table located on the side of the building is not on an accessible route of travel and lacks compliant knee clearance and knee depth.	403 221 902.3 306.2 306.3	22 14.4 19.6 19.5.2	Provide an accessible picnic table on-site with the accessible portion overlapping an existing segment of asphalt, which is also on a level surface (2.0% slope or less). The accessible picnic table must have a minimum of 30" clear width, 27" knee height, and 19" knee depth.	2	1	N	\$750
The accessible route of travel on the porch is reduced to only 29" in one area due to stored items.	403.5	22.2	Remove the items so that a minimum 36" clear width is provided.	2	2	I	\$0
<u>Exterior – Stairs and Railings</u>							
<u>Front Stairs and Railings</u>							
The main front stair railings do not fully extend 12" at the top and do not extend the slope distance of one tread then 12" parallel to the ground at the bottom. The side front stair railings do not extend the slope distance of one tread then 12" parallel to the ground at the bottom.	504 505	27	Railings must be provided on both sides of stairs that are between 34" – 38" a.f.f. to the top of the railing, circular or oval in x-section, 1½" – 2" in outside diameter, and with extensions at the top (12" parallel to the ground) and bottom (slope distance one tread then 12" parallel to the ground).	1, 4	2,3	N	Up to \$2,000+
<u>Egress Stairs</u>							
The egress stairs off the kitchen lack railings. The egress stairs near the							

accessible bathroom have railings on one side only, are not round or oval in shape, and lack bottom extensions. See Photos Hildredth 1 and 2.							
Door Hardware The following interior doors have non-compliant knob style hardware: <u>First Floor</u> - Storage doors (2) near kitchen - Door to basement - Egress door by accessible bathroom <u>Second Floor</u> - Computer room closet - Parlor/game room closet - Director's office closet See Photo Hildredth 3.	404.2	26.11	As the storage doors, closet doors, and door to the basement are not open to the public and is for staff use only, hardware replacement would only be required as a reasonable accommodation request. As the egress door near the accessible bathroom is open to the public, lever hardware is required. <i>Note: Depending on the door and type/quality of hardware, lever hardware may vary from \$75 to \$275 per unit. The estimate provided is at the mid-range (\$150) for the interior doors.</i>	2	2	I	\$150+
Door Signage Tactile designation signage is not provided at the following locations: <u>First Floor</u> - Door from kitchen to rear stairs - Storage doors (2) near kitchen - Door to basement - Egress door by accessible bathroom - Door to activity room from dining/meeting room <u>Second Floor</u> - Computer room closet - Parlor/game room closet - Director's office closet - Copy room - Stairs to attic (located in stairwell, not at doorway) See Photo Hildredth 3.	703	41.1	Install accessible compliant designation signage on the latch side of each door (where allowable) with appropriate finish and contrast and character height and proportions, raised and Brailled characters should also be included. Tactile characters on signs s/b 48" min. a.f.f. from the baseline of the lowest character and 60" max. a.f.f. to the baseline of the highest character. Under 521 CMR, signage s/b 60" a.f.f. to the centerline of the sign. Characters must meet the ADA Standards for character height, finish and contrast, accompanied by Grade 2 Braille (703 ADA Standards).	2	2	I	Up to \$825
Floor Grates Floor grates within the accessible route of travel have varied openings of 1" x ½" and 2½" x 1". Grate openings cannot exceed ½" and must be perpendicular to the route of travel. Grates are found in the following areas: <u>First Floor</u> - Meeting room/dining room - Activity room - Accessible bathroom <u>Second Floor</u> - Hallway See Photo Hildredth 4.	302.3	25.4	Replace or modify grates to comply with maximum ½" opening requirement.	4	2,3	N	Up to \$1,000+

Door Thresholds The doorway thresholds from the meeting/dining room to the kitchen and meeting/dining room to the activity room are ½" to ¾" high.	404.2	26.10	Modify thresholds so that the maximum 1:2 beveled change in level surface is no more than ½".	2	2	N	Up to \$400+
Desk/Table Knee Clearance The following desks/tables do not provide the minimum required 27" of knee clearance: - First floor activity room tables (only 25½" knee clearance) - Second floor parlor/game room (2 tables with only 25½" knee clearance)	226.1 306.2 306.3	35	Provide at least one table in each area that has at least 27" knee clearance, 19" knee depth, and 30" clear width..	2	2	I	\$0 to \$250
First Floor Defibrillator There is only 22" of clear width to the defibrillator in the activity room due to its location between a wall and piano. In addition, the defibrillator is 51" o.c., which is 3" too high under the 2010 ADA Standards. See Photo Hildredth 5.	403.5 308.2 308.3	20.3 6.5 6.6	Relocate the defibrillator to an area where there is a minimum of 36" of clear width and also does not serve as a protruding object (<i>Note: Protruding objects extend more than 4" into the accessible route of travel between a height of 27" and 80" a.f.f. or have vertical headroom clearance reduced to less than 80).</i> Lower the defibrillator to a height of no more than 48" a.f.f.	4 4	2 2	I I	\$0 \$0
Protruding Objects The second floor stair railing extension serves as a protruding object as it protrudes 12½" into the accessible route of travel at a height of 36" a.f.f., which exceeds the handrail exception of 4½". See Photo Hildredth 6.	307.2	20.6.1	Erect a vertical pole from the floor to the bottom of the extension to provide for cane detection.	2	3	N	Up to \$250+
Reach Range Thermostat controls and light switches are 3" to 12" too high under the 2010 ADA Standards.	308.2 308.3	6.5 6.6	As feasible, lower the controls and switches to a height of no more than 48" a.f.f.	4	3	L	Up to \$1,000
Accessible Lift There is no internal pull device to close the door if the door does not fully close.	410 404.2.7	28.12 26.11	Install an interior pull device to ensure that the door can be fully closed from the interior using a closed fist or loose grip.	2	2	I	Up to \$75
Accessible Bathrooms Level 1 and 2 Accessible Bathrooms The toilet paper dispensers are 3" to 4" too close to the front of the water closet. In addition, the Level 2 dispenser is only 17" a.f.f. o.c, which is 7" too low. The flush controls are on the wrong side of the water closet.	604.7 604.6	30.7.6 30.7.5	Relocate the toilet paper dispensers so they are 7" minimum and 9" maximum in front of the water closet measured to the centerline of the dispenser. Raise the Level 2 dispenser so that it is a minimum of 24" a.f.f. o.c. A new dispenser may be required to meet the minimum required 1½" clearance from the grab bar. Replace the water closet tank or the entire water closet so that the flush control is on the open or approach side.	3 3	2 3	I I	\$0 \$250 to \$700+

<u>Level 1 Accessible Bathroom</u>							
The door closes too fast (3 seconds) and does not fully close	404.2.8	26.9	Modify the door and door closer so that it takes at least 6 seconds to close and also fully closes.	3	2	I	\$0
The towel dispenser is 6" too high.	308	30.12	Lower the dispenser to a height of no more than 42" a.f.f.	3	2	I	\$0
The coat hook is 17" too high.	308	30.6 6.5 6.6	Lower the coat hook to a height of no more than 48" a.f.f.	3	2	I	\$0
The water closet is 17" o.c. from the near wall, which is 1" too close. See Photos Hildredth 7 and 8.	604.2	30.7.2	Relocate the water closet so that it is 18" o.c. from the near wall.	3	3	N	Up to \$750+

Total up to \$8,150+

Hildredth House Accessibility Assessment Photos



Photo Hildredth 1



Photo Hildredth 2

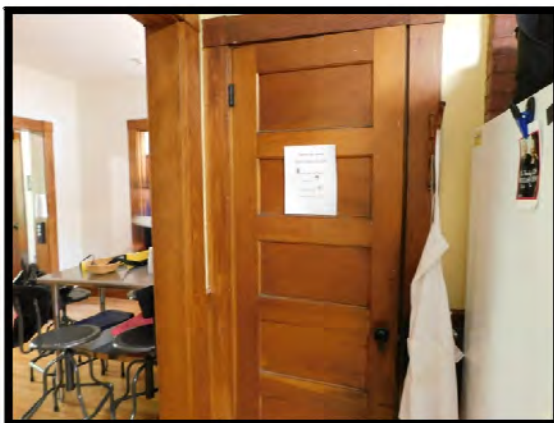


Photo Hildredth 3

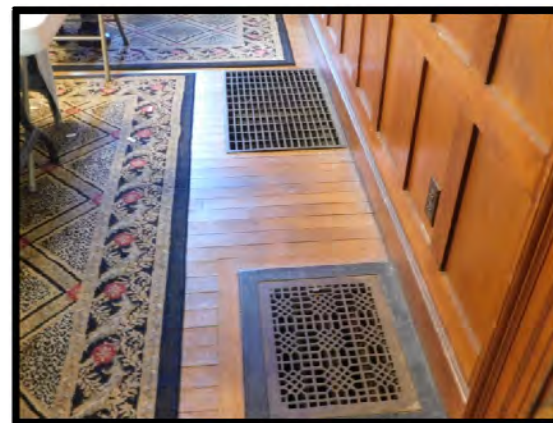


Photo Hildredth 4



Photo Hildredth 5



Photo Hildredth 6

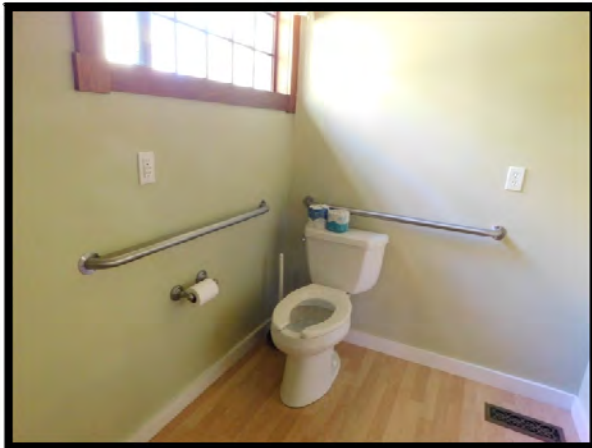


Photo Hildredth 7



Photo Hildredth 8

HARVARD MAIN FIRE STATION AND HEADQUARTERS

Description of Facility and Programs: The Harvard Fire Department consists of a Fire Chief, a Deputy Chief, 4 Lieutenants, 15 Firefighters, and 7 Engineer/Firefighters. The Main Fire Station and Headquarters is located on Ayer Road behind Town Hall. In addition to fire suppression, emergency response, permitting, inspections, and education, the Department also provides Emergency Management services. The Main Fire Station consists of an apparatus bay, 2 offices, a meeting room with a kitchen, a bunk room, and storage/mechanical rooms.



Responsible Party: Select Board.

General Description or Obstacle Which Limits Mobility or Access:

General

There is no designated accessible parking. There is heaving and missing/deteriorated asphalt on the accessible route to the main entrance. In addition, there is a 1" beveled threshold at the entrance door. Interior doors have knob-style hardware, lack tactile designation signage, and have excessive operating forces and too fast closing speeds.

Meeting/Break Room

The sink is 2½" too high and lacks knee clearance. The stove has controls on the back and not the front of the stove. The cabinet drawer hardware is hard to operate with a closed fist. The galley-style kitchen does not provide adequate wheelchair maneuverability. The meeting table has only 25" of knee clearance and has insufficient toe depth.

Accessible Bathroom

The sink piping is not wrapped. Both the soap dispenser and the mirror are too high. The rear grab bar is 3" too far from the interior corner. The water closet is 6½" too far from the near wall and 6" too close to the far wall (only 18" with cart stored next to the toilet). The water closet flush control is on the near side and not the approach or wide side.

Fire Personnel Bunk Room and Shower/Bathroom

These areas have a number of areas of non-compliance including inadequate clear widths; a shower that has a 4" abrupt change in level surface to access and with no accessible components (currently used for storage); a mirror that is too high; sink piping that is not fully wrapped; a toilet paper dispenser that is mounted improperly; a water closet with insufficient clear widths; a stall door that opens in and lacks door pulls; and the lack of grab bars, among other areas of non-compliance. The bunk room is used for both storage as well as sleeping quarters. As a result of stored items, there is insufficient clear width in the bunk room. This area is off limits to the general public in entirety and is limited to firefighter personnel who must meet strict physical requirements to perform the essential functions of their job. Unless there is a change in policy in facility use or conditions of employment, no further action is required at the present time other than to provide proper tactile designation signage and door hardware at the bunk room and employee bathroom doors. Further modifications may be required if the current practices and policies change and current non-public interior spaces are open to the general public or as a result of a reasonable accommodation request.

Main Fire Station Accessibility Assessment

General Description of Obstacle	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Parking</u> There is no striped designated accessible parking space inclusive of access aisle. The designated accessible parking space must also be van accessible.	502 703.7.2	23	Stripe and designate a van accessible parking space with van accessible signage at a width of either 11' with a 5' access aisle or 8' parking space with an 8' access aisle (2010 ADA Standards). Signage must be set such that the signage height should be a minimum of 60" high at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR) and located no more than 10' in front of the space.	1	2	I	Up to \$250
<u>Accessible Route to Entrance</u> The accessible route from the rear/side parking to the main entrance has an abrupt change in level surface of 1½" as well as severe deterioration at the asphalt/concrete transition near the entrance. The main entrance has a 1" high beveled threshold, which exceeds that allowed. See Photo Fire 1.	403.4 404.2	21.4 26.10	Modify the accessible route to the building through asphalt patch, concrete, or reclamation so that there are not any abrupt changes in level surface of more than ¼" or have a change in level surface of ¼" to ½" with a no more than 1:2 bevel. Modify the threshold so that the maximum 1:2 beveled change in level surface is no more than ½".	1 1	2 2	I I	Up to \$250 Up to \$200
<u>Exterior and Interior Doors</u> The exterior and interior doors (with closers) do not fully comply with the maximum allowed operating force for an exterior door (15 lbs.) and interior door (5 lbs.) and the minimum closing speed requirement of 6 seconds under 521 CMR.	404.2.8 404.2.9	26.8 26.9	Adjust door closers such that the push/pull force does not exceed 15 lbs for an exterior door and 5 lbs. for an interior door with door closing speeds of at least 6 seconds.	1, 2, 3	2	I	\$0
<u>Door Signage</u> The following doors lack tactile designation signage: - Meeting/Break Room - Lieutenant's Office - Accessible Bathroom	703	41.1	Install accessible compliant signage on the latch side of each door with appropriate finish and contrast and character height and proportions, raised and brailled characters should also be included. Under 521 CMR, signage s/b 60" a.f.f to the centerline of the sign. Tactile	2	2	I	Up to \$900+

• Closet in Accessible Bathroom • Non-accessible Bathroom • Hallway to Chief's Office • Chief's Office • Employee Bathroom near Chief's Office/Bunk Room • Bunk Room • Storage/Mechanical Rooms (3) See Photo Fire 2.			characters on signs s/b 48" min. a.f.f.. from baseline of lowest character and 60" max. a.f.f. to baseline of highest character. Characters must meet the ADA Standards for character height, finish and contrast, accompanied by Grade 2 Braille (703 ADA Standards). The accessible bathroom must also include the universal symbol of accessibility.				
Door Hardware The following doors have non-compliant knob style hardware: • Meeting/Break Room • Lieutenant's Office • Accessible Bathroom • Closet in Accessible Bathroom • Non-accessible Bathroom • Hallway to Chief's Office • Chief's Office • Storage/Mechanical Rooms (3) See Photo Fire 2.	404.2	26.11	Install lever-style or similar accessible compliant hardware on the doors. <i>Note: Depending on the door and type/quality of hardware, lever hardware may vary from \$75 to \$275 per unit. The estimate provided is at the mid-range (\$125) for the interior doors.</i>	2	2	I	Up to \$1,250+
Meeting/Break Room Kitchen The kitchen counter/sink is 2½" too high and lacks knee and toe clearance. The stove has controls on the back of the stove and not on the front. The cabinet drawer hardware is difficult to use with a closed fist. There is inadequate turning and maneuvering clearance at the sink. A minimum 60" turning circle or 60" x 36" T-turn is required in front of the sink. See Photo Fire 3.	804.3.2 306.3 804.6.5 804 309.4 804	32.2 32.6 32.7 32.8 32.5 32.7 6.3	<u>Option #1 (If kitchen also available for general/public use at meetings held in room):</u> Modify the counter and sink so that the counter/sink is no more than 34" a.f.f. and there is a minimum of 27" knee clearance at the sink with guarded, wrapped, or insulated piping. As necessary through a reasonable accommodation or when the unit needs replacing, provide a stove with the controls on the front panel. Replace the hardware with hardware that can be easily opened with a closed fist or loose grip. Due to the space requirements and cost for expansion, seek a variance to retain the existing kitchen and sink configuration. <u>Option #2:</u> Restrict use of the kitchen to Fire Department personnel. Modifications would only be required as feasible as a result of a reasonable accommodation request.	4 4 4 4 4	3 1,2 2 1 1	L L L L I	Up to \$1,250+ Up to \$750+ Up to \$150 \$0 \$0
Meeting/Break Room Table The meeting table has only 25" of knee clearance and restricted knee depth due to the position of the table legs. See Photo Fire 4.	226.1 306.3	35	Make available a folding type table for use when needed that has a minimum of 30" clear width, 27" knee clearance, and 19" knee depth.	4	1	I	Up to \$100

Accessible Bathroom The sink piping is not wrapped, guarded, or insulated. The soap dispenser is 5" too high. The mirror is 7 ¼" too high. The rear grab bar is 6" too far from the interior corner. The water closet flush control is on the near side and not the approach or wide side. The water closet is 6½" too far from the near and 6" too close to the far wall. <i>Note: A cart placed on the wide side further restricts the clearance to only 18".</i> See Photos Fire 5 and 6.	606.5	30.9.5	Wrap, guard, or insulate the piping.	3	2	I	\$75
	308	30.12	Lower the dispenser to a height of no more than 42" a.f.f.	3	2	I	\$0
	603.3	30.11	Lower the mirror to no more than 40" a.f.f. to the bottom of the reflecting surface.	3	2	I	\$0
	604.5	30.8.1	Relocate the rear grab bar so that it is no more than 6" from the interior corner.	3	2	I	\$0
	604.6	30.7.5	Replace the water tank or the water closet in entirety such that the flush control is on the wide or approach side.	3	2,3	N	\$125 to \$350+
	604.2	30.7.2	Relocate the water closet so that it is 18" o.c. from the near wall and 42" o.c. from the far wall. Remove all items from the wide side of the water closet.	3	3	N	Up to \$1,500+

Up to \$7,025+

Fire Station Accessibility Assessment Photos



Photo Fire 1

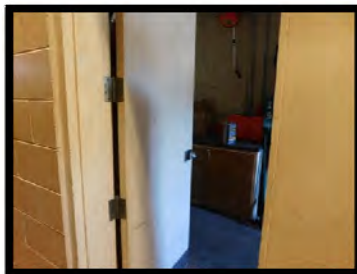


Photo Fire 2



Photo Fire 3



Photo Fire 4

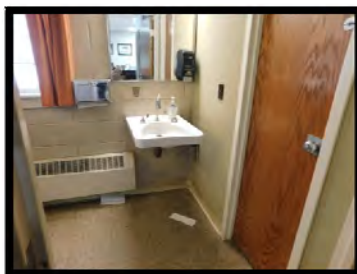


Photo Fire 5

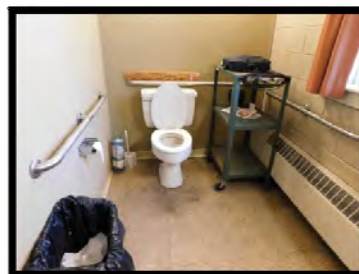


Photo Fire 6

FIRE DEPARTMENT SUBSTATIONS

Description of Facility and Programs:

The substation behind Town Hall on Ayer Road is a wooden framed structure that is closed to the public and used solely for storage which includes Fire Department apparatus and equipment as well as serving as the Town Vault.

The substation on Still River Road is a masonry building that is closed to the public and is used solely for storage of miscellaneous items and equipment as well as Fire Department vehicles.



Ayer Road Substation



Still River Road Substation

Responsible Party: Select Board.

General Description or Obstacle Which Limits Mobility or Access:

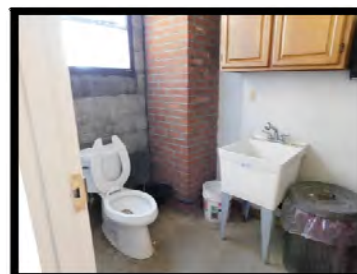
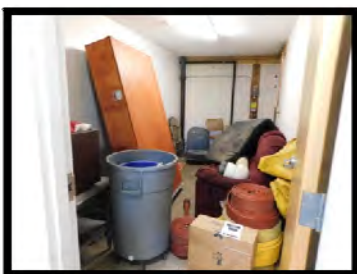
Exterior Conditions

Ayer Road Substation. There is no designated accessible parking. There is a 9" abrupt change at the entrance threshold.

Still River Road Substation. There is no designated accessible parking. There is only 29" clear width at the doorway entrance.

Interior Conditions

Still River Road Substation. The storage room, boiler room, and bathroom lack tactile designation signage. The boiler room door has non-compliant knob style hardware. The bathroom is wholly non-compliant as it has insufficient clear width at the water closet; lacks grab bars; has a sink that lacks knee clearance, has insufficient clear width, and is too deep; among other areas of non-compliance.



Current Use to Remain

If the use of the buildings continue solely as storage and remain fully closed to the public, then access would be limited to firefighter personnel who must meet strict physical requirements to perform the essential functions of their job. Therefore if this is the only use, modifications would only be required due to a reasonable accommodation request, including access to the Town Vault at the Ayer Road substation.

Full Building Use

If the use of the buildings were to change including public use and access, then modifications to address those areas of non-compliance under both 521 CMR and the 2010 ADA Standards would be required.

HARVARD PUBLIC SAFETY BUILDING (POLICE – AMBULANCE)

Description of Facility and Programs: The Harvard Public Safety Building was completed in 2002 and houses the Police Department and the Harvard Ambulance Service. The building is a one-story wood frame structure with a fully finished walk-out basement. In addition to the Chief of Police, the department consists of two (2) Sergeants, one (1) Detective, five (5) Full-Time Officers, three (3) Reserve Officers, two (2) Administrative Staff, and one (1) Assistance Dog.



Responsible Party: Select Board.

General Description or Obstacle Which Limits Mobility or Access: The Public Safety Building is substantially accessible compliant but has some areas of non-compliance.

Exterior

There is up to 1" abrupt changes in level surface on the accessible route of travel from the parking area to the building at the asphalt to granite/concrete transition and at the top of the sloped concrete pad. There are also areas of deterioration. The concrete curb ramp approach to the building has a running slope of up to 9.0%.

General Interior

Exterior and interior doors with closers have excessive opening forces and close too fast. The defibrillator in the foyer area is not within reach range. A number of doors lack tactile designation signage or has the signage on the wrong side of the door. Drinking fountains (2) are "low" only. The door on the accessible route of travel to the administrative area from the lobby has a glass pane that is 12½" too high under the 2010 ADA Standards. The elevator jambs on the main level lack a "tactile star".

Holding Cell

The holding cell sink and water closet “push buttons” to operate require 10 to 12 lbs. of force to engage. In addition, the metered faucet stays open for only 6 seconds. A wall-mounted phone for use by detainees is too high. However, according to police personnel, a cell phone is made available to make outside calls as may be required, therefore no further action is required.

Lobby Accessible Bathrooms

The accessible Men’s Bathroom and Women’s Bathroom in the lobby both have towel dispensers that are too high. The Men’s Bathroom has a door that sticks to open which requires using more than 5 lbs. of operating force to open and close.

Records Office

The Records Office is missing insulation or a guard for the sink piping. In addition, items are stored under the sink restricting knee depth. The towel dispenser is 8” too high and the microwave is 15” too high under the 2010 ADA Standards.

The bathroom has 3 coat hooks that are all 24” too high. Dispensers (soap, towel, cup) are all up to 17” too high. The phone is 6” too high and partially located over the grab bars. A chair placed to the side of the water closet and a coat rack located in front of the water closet restrict the minimum required clear widths.

Non-Public and Restricted Access Areas

Ambulance Area

Training Room. The sink is missing a protective guard for the piping. The phone is 9” too high and the microwave is 13” too high under the 2010 ADA Standards. Closet and exit doors lack tactile designation signage.

Ambulance Bay. The bathroom is wholly non-accessible compliant.

Police Areas

Prison Processing. The sink lacks a guard or insulation for the piping. Both the towel dispenser and phone are too high. The door to the sallyport, storage closet, and mechanical room lack tactile designation signage.

Police Break Room/Kitchen Area. The stove has controls on the back and not the front of the stove. Both the microwave and the towel dispenser are too high. The piping under the sink is not wrapped, guarded, or insulated.

Locker Rooms. The Men’s and Women’s Locker Rooms have towel dispensers, telephones, and coat hooks that are too high. The accessible water closets have stall doors that are not self-closing and which lack interior pull devices. The shower stall benches are too narrow under ADA Standards. In addition, the Men’s Locker Room urinal is ¾” too high and the toilet paper dispenser is 1” too far from the front of the water closet.

These areas are secured with access solely restricted to Ambulance and Police personnel, who must meet strict physical requirements to perform the essential job functions. As no public access is allowed to these areas, no further action or modifications are required. Modifications

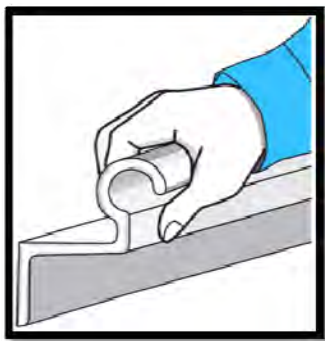
would only be necessary if these areas were made open to the public or as an employee reasonable accommodation request.

Advisory on Holding Cells

Under Section 232.2 of the 2010 ADAAG alterations to cells shall not be required to comply except to the extent determined by the Attorney General (federal). **Advisory 232.2:** General Holding Cells and General Housing Cells Exception. Although these requirements do not specify that cells be accessible as a consequence of an alteration, Title II of the ADA requires that each service, program, or activity conducted by a public entity, when viewed in its entirety, be readily accessible to and usable by individuals with disabilities. This requirement must be met unless doing so would fundamentally alter the nature of a service, program, or activity or would result in undue financial and administrative burdens.

Inmates in local correctional facilities may have mobility disabilities and need to be housed in accessible cells. Federal laws protect people with disabilities from discrimination by State and local governments, including entities that own or operate correctional facilities. All such entities are covered by the Americans with Disabilities Act of 1990 (ADA), and those that receive Federal funds are also covered by section 504 of the Rehabilitation Act. These laws prohibit discrimination against persons with disabilities, including inmates who use wheelchairs, scooters, walkers, or other mobility devices. All aspects of law enforcement and correctional services are covered by these laws - including facilities, employment, transportation, and other activities, programs, and services.

Both the 2010 ADA Standards (S. 604.5 Exception #3) 521 CMR (S. 15.8) provide exceptions for the requirement of grab bars in cells that are specifically designed without protrusions for purposes of suicide prevention. However, in recent years grab bars have been designed so they do not increase suicide risk. As shown, there are several ways for grab bars to be designed with adequate gripping surfaces, while ensuring that nothing can be tied onto them (see below). Consideration should be given, but not required, to install suicide proof grab bars in the accessible cell.



Public Safety Building Accessibility Assessment

General Description of Obstacle	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Accessible Route of Travel to the Front Entrance</u> There is an unbeveled abrupt change in elevation of 1" at the transition of concrete/granite and asphalt at the beginning of the walkway to the building from the parking area. The top of the initial sloped concrete pad has an unbeveled abrupt change in level surface at the top of the pad. There are also areas of deterioration at the pad base. The running slope of the curb ramp to the entrance landing has a running slope of up to 9.0%, which exceeds the maximum of 8.3% for a curb ramp main slope. See Photos Public Safety 1 and 2.	403 405	22 21.3	Reconstruct the accessible route to the building so that the main slope of the curb ramp does not exceed 8.3%. Eliminate the abrupt changes in level surface via grinding of the concrete and asphalt and repairing or replacing the concrete.	1	3	N	Up to \$750
<u>Doors with Closers</u> Exterior and interior doors with closers do not fully comply with the maximum allowed operating force for an exterior door (15 lbs.) and interior door (5 lbs.) and the minimum closing speed requirement of 6 seconds. Operating forces vary up to 30 lbs. and closing speeds are as quick as 3 to 4 seconds.	404.2.8 404.2.9	26.8 26.9	Adjust door closers such that the push/pull force does not exceed 15 lbs for an exterior door and 5 lbs. for an interior door with door closing speeds of at least 6 seconds.	1, 2	2	I	\$0
<u>Door Signage</u> Tactile designation signage is not provided at the following locations: - Lobby door to Police Administrative Area In addition: - Harvard Ambulance door from Lobby not on latch side - Police Communications not on latch side (s/b labeled "Records") See Photo Public Safety 3.	703	41.1	Install and/or relocate accessible compliant signage so they are on the latch side of each door (where allowable) with appropriate finish and contrast and character height and proportions, raised and brailled characters should also be included. Under 521 CMR, signage s/b 60" a.f.f to the centerline of the sign. Tactile characters on signs s/b 48" min. a.f.f.. from baseline of lowest character and 60" max. a.f.f. to baseline of highest character. Characters must meet the ADA Standards for character height, finish and contrast, accompanied by Grade 2 Braille (703 ADA Standards).	2	2	I	\$150
<u>Doors with Glass Panes</u> The door from the lobby area to the Police Administration area has a glass pane at a height of 55½" a.f.f. which exceeds the maximum allowed of 43" a.f.f. under the 2010 ADA Standards. See Photo Public Safety 3.	404.2.11	NA	Doors, gates, and side lights adjacent to doors or gates, containing panels that permit viewing through the panels shall have the bottom of at least one panel located 43 inches maximum a.f.f. Rather than modify the door to lower the viewing area to comply with the maximum height restriction, the pane can be blocked or frosted.	4	2	N	\$15
<u>Drinking Fountains</u> The drinking fountains on the main and lower levels are a "low" fountain.	211 602 309	36	At the time of assessment, the drinking fountains were not in service. Discontinue and remove the drinking fountains.	4	3	N	Up to \$500+

<u>First Floor Defibrillator</u> The foyer defibrillator is 63½" o.c., which is 15½" too high under the 2010 ADA Standards.	308.2 308.3	6.5 6.6	Lower the defibrillator to a height of no more than 48" a.f.f.	4	2	I	\$0
<u>Holding Cell</u> The holding cell sink and water closet push button controls have operating forces of 10 to 12 lbs. The sink faucet stays open for only 6 seconds.	807 604 606 309 606.4	15 30.13 39.5 30.9.6	Modify/adjust the controls so the operating forces do not exceed 5 lbs. Modify/adjust the controls so the water stays on for at least 10 seconds.	4 4	2 2	I I	\$0 \$0
<u>Records Office Kitchenette</u> The sink has piping that is not wrapped, guarded, or insulated. The towel dispenser is 8" too high and the microwave is 15" too high.	804.3.3 606.5 308.2 308.3	32.7.4 6.5 6.6	Wrap, guard, or insulate the piping. Lower the dispenser to a height of no more than 48" a.f.f. Relocate the microwave to within accessible reach range.	3 3	2 2	I I	\$75 \$0
<u>Records Office Bathroom</u> The coat hooks (3) are 24" too high. The soap, towel, and cup dispensers are up to 17" too high. The phone is 6" too high and is located partially over the rear grab bar. A chair placed to the side of the water closet and a coat rack located in front of the water closet restrict the clear widths to less than required. See Photo Public Safety 4.	308.2 308.3 308.2 308.3 604.2 604.3	30.6.1 6.5 6.6 30.12 6.5 6.6 30.8.5 30.7.2	Lower one coat hook to a height of no more than 48" a.f.f. Lower the dispensers to a height of no more than 42" a.f.f. Relocate the phone so that it is not over the grab bars at a height of no more than 48" a.f.f. Remove the chair and coat rack to achieve the minimum required 42" near wall and front water closet clearance.	3 3 3 3	2 2 2 2	I I N I	\$0 \$0 \$150 \$0
<u>Elevator</u> The elevator jambs on the main level lack a tactile star.	407.2.3	28.5	Provide a tactile star on both jambs of the elevator at the main entrance level.	2	2	I	\$50
<u>Lobby Men's and Women's Bathrooms</u> The towel dispensers in both bathrooms are up to 4 ½" too high. The Men's Bathroom has a door that sticks to open which requires using more than 5 lbs. of operating force to open and close.	308 404.2.9	30.12 26.8	Lower the towel dispenser to no more than 42" a.f.f. "Plane" the side of the door to eliminate the "sticking" such that the door opens with an operating force or 5 lbs. or less.	3 3	2 2	I I	\$0 \$0

Up to \$1,690+

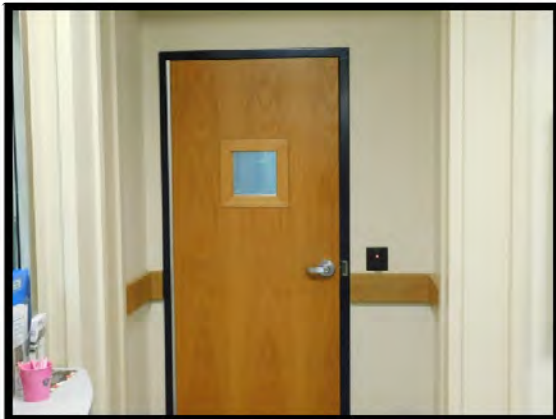
Public Safety Accessibility Assessment Photos



See Photo Public Safety 1



See Photo Public Safety 2



See Photo Public Safety 3



See Photo Public Safety 4

HIGHWAY DEPARTMENT BUILDING

Description of Facility and Programs: The Highway Division of the Department of Public Works is responsible for town owned properties; maintenance and repair of streets and roads, including repaving, drainage, snow and ice removal, sanding, line striping, roadside and right-of-way brush clearing and tree removal; catch basin cleaning; mowing and maintenance of town properties; and maintenance of town vehicles. The building consists of a small front office, a locker area, a break room, a main vehicle bay, a mechanic's bay, a mezzanine storage area, and bathrooms. The mechanic's bay, main vehicle bay, locker area, break room, and mezzanine storage area are not open to the public. However, it is necessary to go through the locker area and main vehicle bay to access the "accessible" bathroom.



Responsible Party: Select Board.

General Description or Obstacle Which Limits Mobility or Access:

Parking and Main Entrance

There is no designated accessible parking. The main entrance doors (screen and main) have knob style hardware. The screen door closing speed is too fast. There is a 2" abrupt change in level surface at the doorway threshold.

Interior - General

Interior doors have non-compliant knob style hardware and lack tactile designation signage. Office light switches and temperature controls are not within reach range. As the office is occupied solely by the DPW Director, who must meet certain physical requirements to meet the essential functions of the position, the requirement to lower the switches and temperature controls would only be necessitated by a reasonable accommodation request.

Interior – Accessible Route of Travel

The “ramp” from the office area to the main bay which houses the unisex accessible bathroom has a running slope of up to 19.2% and lacks railings. There is also a 7” abrupt change in level surface at the entry to the main bay from the office area.

Unisex Accessible Bathroom

The only existing accessible route of travel to the unisex accessible bathroom in the main bay is from an outside doorway. Thus, an individual with a mobility limiting disability conducting business in the Highway Department Office, would need to go outside the main entrance door and use the door to the main bay to access the bathroom. This door has an excessive operating force and closes too fast. In addition, both a wall-mounted fire box and a time clock serve as protruding objects along the accessible route to the bathroom. The upper segment of the ramp to the bathroom has a running slope of up to 8.5% and lacks railings.

The bathroom door lacks tactile designation signage, has an excessive operating force, and closes too fast. Although there is a shower in the bathroom, it is not accessible as it lacks grab bars, accessible hardware, and seating. The shower is not for public use and is currently used primarily for storage. If this use continues, then no further action is required. The bathroom has sink piping that is not wrapped; soap and towel dispensers that are too high; a mirror that is too high; a stall door that is not self-closing, lacks an interior pull device, and lacks a coat hook; a toilet paper dispenser that is located over the grab bars; and a water closet with the flush control on the wrong side and which lacks adequate front clearance.

Restricted and Non-Public Areas

The main and mechanic bays, mezzanine stairs and storage area, locker area, break room, and employee bathroom are not open to the public. As noted above, the sole exception is the accessible bathroom, which is located in the main bay area and therefore, an accessible route of travel to the bathroom is required as well as compliant door hardware and tactile designation signage along that accessible route.

The stairs to the mezzanine storage area has open risers, a railing which is too low, and which lacks bottom extensions.

The main and mechanic bays have 5 doors with no tactile designation signage, including three doors with non-compliant knob hardware. Doors have excessive operating forces and closing speeds. The exterior entrance to the mechanics bay (closed to the public) has a 1½” abrupt change in level surface at the threshold.

The employee bathroom has a 7” abrupt change in level surface at the entrance, lacks tactile designation signage, and has a door with an excessive operating force and too fast closing speed. The soap dispenser is 5” too high; the towel dispenser is 16” too high; the mirror is 9½” too high; the sink piping is not wrapped; the urinal is 6” too high; there is only 24” of clear width to the water closet; the stall coat hook is too high; there are no grab bars; and there is insufficient clearance on the near side, far side, and front of the water closet.

The employee break room has a 7” abrupt change in level surface at the entrance and lacks tactile designation signage. The sink is 2” too high and lacks knee clearance, the towel dispenser and phone are 8” to 12” too high, and the stove has controls on the back and not at the front of the stove.

As these areas are not intended for public use and are limited solely to highway personnel who must meet strict physical requirements to perform the essential functions of their job, no further action is required at the present time other than to provide proper tactile designation signage at the employee break room and employee bathroom. Further modifications may be required if the current practices and policies change and current non-public interior spaces are open to the general public or as a result of a reasonable accommodation request.

Highway Department Building Accessibility Assessment

<u>General Description of Obstacle</u>	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Parking</u> There is no striped designated accessible parking space inclusive of access aisle. The designated accessible parking space must also be van accessible.	502 703.7.2	23	Stripe and designate a van accessible parking space with van accessible signage at a width of either 11' with a 5' access aisle or 8' parking space with an 8' access aisle (2010 ADA Standards). Signage must be set such that the signage height should be a minimum of 60" high at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR) and located no more than 10' in front of the space.	1	2	I	Up to \$250
<u>Main Entrance Threshold</u> The main entrance has a 2" unbeveled abrupt change in level surface at the threshold. See Photo Highway 1.	404.2	26.10	Modify the threshold so that there is a maximum ¼" unbeveled threshold or a maximum ½" beveled threshold with a no more than 1:2 slope.	1	2	I	Up to \$150+
<u>Door Operating Forces and Closing Speeds</u> Exterior and interior doors with closers (including the accessible bathroom) do not comply with the minimum closing speed requirement of 6 seconds or the maximum operating force of 5 lbs. for an interior door and 15 lbs. for an exterior door. The following doors are in non-compliance as follows: • Main entrance screen door (only 2 seconds closing) • Exterior door to main bay/accessible bathroom (16 lbs. operating force, 4 to 5 seconds closing speed) • Unisex accessible bathroom (17 lbs. operating force, 3 to 4 seconds closing speed)	404.2.8 404.2.9	26.9 26.8	Adjust the door closers such that the closing speed is at least 6 seconds and the operating force does not exceed 15 lbs. for the exterior doors and 5 lbs. for the interior door.	1	2	I	\$0
<u>Door Signage</u> Tactile designation signage is not provided at the following interior doors. • Door from Main Office to Locker Area • Door to Mechanic's Bay • Door to Main Bay • Door to Employee Bathroom • Doorway to Employee Break Room	703	41.1	Install accessible compliant signage on the latch side of the door with appropriate finish and contrast and character height and proportions, raised and brailled characters should also be included. Under 521 CMR, signage s/b 60" a.f.f. to the centerline of the sign. Tactile characters on signs s/b 48" min. a.f.f. from baseline of lowest character and 60" max. a.f.f. to baseline of highest character. Characters must meet the ADA Standards for character height, finish and contrast, accompanied by Grade 2 Braille (703 ADA Standards).	2	2	I	Up to \$1,000

Door to Unisex Accessible Bathroom See Photos Highway 2 and 3.			The unisex accessible bathroom tactile designation signage should also include the Universal Symbol of Accessibility.				
Door Hardware The following doors have non-compliant knob-style hardware: - Main entrance screen door - Main entrance door - Door to locker area See Photo Highway 4.	404.2	26.11	Install lever-style or similar accessible compliant hardware on the door. <i>Note: Depending on the door and type/quality of hardware, lever hardware may vary from \$75 to \$275 per unit. The estimate provided is based on the low range of \$75.</i>	1, 2	2	I	\$225
Accessible Routes of Travel <u>Ramp to Main Bay from Office</u> The ramp to the Main Bay from the Office Area has a running slope of up to 19.2% and lacks railings. See Photo Highway 5.	405	24	Reconstruct the accessible route of travel from the Office area to Main Bay and Unisex Accessible Bathroom. Options include lowering the floor level beyond the ramp to the Main Bay which would also eliminate the need for a ramp. Lowering the floor level would also eliminate the 7" abrupt change in level surface from the Main Bay to the Office Area/Ramp (see below).	2	4	N	TBD
<u>Abrupt Change in Level Surface from Office to Main Bay</u> There is a 7" abrupt change in level surface from the Main Bay to the Office Area/Ramp. See Photo Highway 6.	403 404	22.4 26.10	See above.	2	4	N	TBD
<u>Protruding Objects</u> A fire box and time clock mounted on the wall on the accessible route from the exterior Main Bay door to the Unisex Accessible Bathroom are protruding objects. The fire box has a 6" protrusion at a height of 54" a.f.f. The time clock has a 6½" protrusion at a height of 51" a.f.f. See Photo Highway 7.	307.2	20.6.1	Protruding objects extend more than 4" into the accessible route of travel between a height of 27" and 80" a.f.f. or have vertical headroom clearance reduced to less than 80". Place a fixed object under or erect small wing walls on both sides of the fire box and time clock for cane detection.	2	2	I	Up to \$50
<u>Ramp to Unisex Accessible Bathroom</u> The ramp to the accessible bathroom has an upper segment with a running slope up to 8.5% and lacks railings.	405	24	Due to the excessive cost to bring the ramp into compliance, based on the benefit gained, seek a variance to retain the existing short segment of ramp which is in excess of 8.3%. Install railings so that they are paired at 34" to 38" a.f.f. (top railing) and 18" to 20" a.f.f. (bottom railing), have an outside diameter of 1½" to 2", and have 12" extensions beyond the base of the ramp parallel to the ground.	3	1,2	I	Up to \$7,500+
Unisex Accessible Bathroom The sink piping is not wrapped, guarded, or insulated. The towel dispenser is 8" too high and the soap dispenser is 4" too high. The mirror is 2" too high. The stall door lacks an interior pull device.	606.5 308.2 308.3 603.3 604.8.1	30.9.5 30.12 30.11 30.6.1	Insulate, wrap, or guard the piping. Lower the dispensers to a height of no more than 42" a.f.f. Lower the mirror so that it is no more than 40" to the bottom of the reflecting surface. Install an interior pull device.	3 3 3 3	2 2 2 2	I I I I	\$75 \$0 \$0 \$15

The stall door lacks a coat hook.	308	30.6.1	Install a coat hook at a height of no more than 48" a.f.f.	3	2	I	\$10
The stall door is not self-closing.	604.8.1	30.6.1	Modify/adjust the stall door hinge so that it is self-closing.	3	2	I	\$0
The water closet is 15" too close to the stall door.	604.3	30.7.2	Remove the stall panels and stall door to achieve the minimum required front water closet clearance and convert the bathroom to a single user stall.	3	2	I	\$0
The water closet flush control is on the wrong side.	604.6	30.7.5	Replace the water tank or the water closet in entirety such that the flush control is on the wide or approach side.	3	3	N	\$125 to \$350
The toilet paper dispenser is located over the grab bars.	604.7	30.8.5 30.7.6	Relocate the toilet paper dispenser so it is 7" minimum and 9" maximum in front of the water closet measured to the centerline of the dispenser and at least 24" o.c. a.f.f.	3	2	I	\$0
See Photo Highway 8.							

Total up to \$9,625+

Highway Department Building Accessibility Assessment Photos



Photo Highway 1



Photo Highway 2



Photo Highway 3



Photo Highway 4

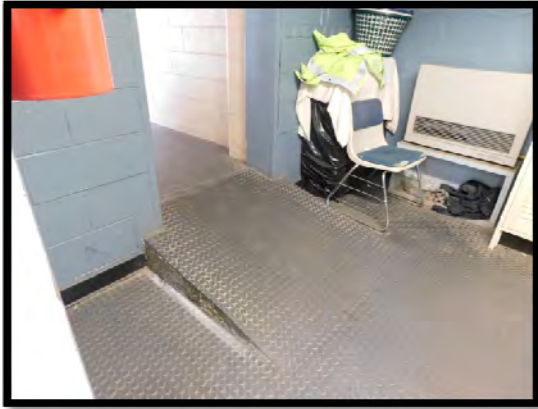


Photo Highway 5

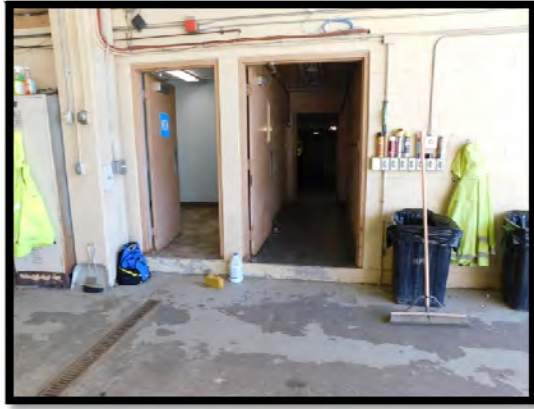


Photo Highway 6



Photo Highway 7

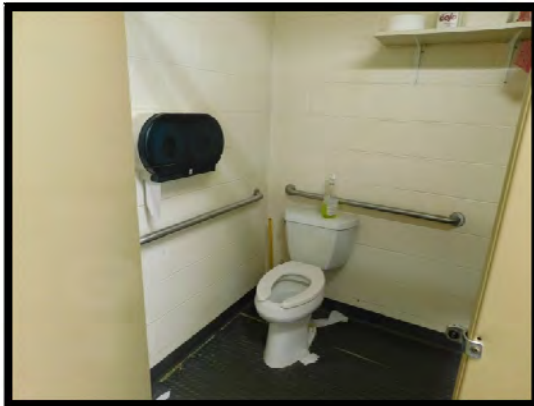


Photo Highway 8

THE JOHN GRAY TRANSFER STATION AND RECYCLING CENTER

Function and Description of Facility and Programs: The John Gray Transfer Station and Recycling Center transfer station is open to the public 2 days per week for a total of 10 hours. The facility consists of an employee building, a swap/thrift shed, a waste oil collection building, a glass/bottle/can recycling shed, a glass drop container, a mixed paper drop container, a fluorescent light/mercury drop shed, 4 clothing drop boxes, 2 book drop boxes, and a trash compactor area.



Responsible Party: Board of Health, Select Board.

General Description or Obstacle Which Limits Mobility or Access:

General Areas of Public Use and Access

Although there is a designated accessible parking space, there is no signage, and the “access aisle” appears to be part of the vehicle travel route to the drop bins. **See Photo Transfer 1.**

The stairs to the glass drop bins have 3½” x 1” rectangular railings with no extensions at the top and bottom. **See Photo Transfer 2.**

The book drop donation bins (2) are at a height which exceeds acceptable reach standards under ADA by 15”. The clothing drop donation bins (4) are at a height which exceeds acceptable reach standards under ADA by 5”. In addition, there is no accessible route of travel to the clothing drop donation bins as the surface is gravel and loose stone. **See Photos Transfer 3 and 4.**

The fluorescent light/mercury drop shed has a 7” abrupt change in level surface to enter the building, has door hardware that requires pinching and twisting of the wrist, and is not on an accessible route of travel as there is roughly 3 feet of gravel and loose stone from the asphalt to the shed. **See Photo Transfer 5.**

There is no signage at the facility informing users how to obtain assistance if needed. It is recommended that uniform signage be provided throughout the facility for those in need of assistance including those with mobility limiting disabilities. The signs should also explain “how” an attendant can be contacted for such assistance to put items in bins or containers. This information should also be posted on the town’s website.

Employee Only Areas

The employee only building is not accessible compliant. The building is not on an accessible route of travel as it can only be accessed via stairs and has railings that are rectangular in shape and not round or

oval, are 2" too low, and lack bottom extensions. The door to the building has non-compliant knob style hardware.

As transfer station employees must meet certain physical standards to be able to lift and assist transfer station patrons, modifications to the building and stair railings would only be required as a result of a reasonable accommodation request. [See Photo Transfer 6.](#)

Recommendations

1. Stripe an 8' wide access aisle to the left (opposite side of travel route) side of the designated accessible parking space. Provide signage at a height of a minimum of 60" at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR) and located no more than 10' in front of the space. Estimated Cost: Up to \$100.
2. Modify the glass drop stair railings on both sides as follows: Modify or replace the railings so that they are continuous stair railings on both sides of the stairs. Railings s/b between 34" – 38" a.f.f. to the top of the railing, circular or oval in x-section, 1¼" – 2" in outside diameter, and with extensions at the top (12" parallel to the ground) and bottom as feasible (slope distance one tread then 12" parallel to the ground). Estimated Cost: Up to \$750.
3. As feasible, provide bins within reach range. Move one of the clothing drop donation bins to the edge of the asphalt. Estimated Cost: \$0.
4. Provide a small bin within reach range (15" to 48" a.f.f.) at the edge of the asphalt near the fluorescent light/mercury drop shed for mobility limited individuals to deposit drop items. Employees can transfer the items into the shed at the time of closing. Estimated Cost: \$20.
5. Implement a formal policy providing assistance to those in need including those with mobility limiting disabilities. This should include signage at the facility detailing how one can obtain assistance and also posted on the town's website. Estimated Cost: \$100.

Transfer Station Accessibility Assessment Photos



Photo Transfer 1



Photo Transfer 2



Photo Transfer 3



Photo Transfer 4

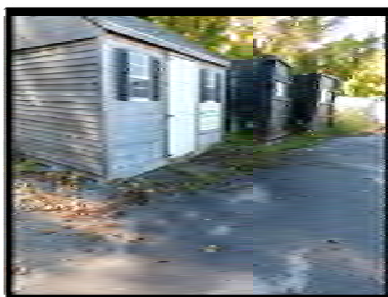


Photo Transfer 5



Photo Transfer 6

HILDREDTH ELEMENTARY SCHOOL

Description of Facility: Hildredth Elementary School is a two-story masonry and steel structure housing approximately 415 students from Pre-K to Grade 5. The school was substantially completed in 2021.



2010 ADA Standards and 521 CMR Standards for Children: Both the 2010 ADA Standards and 521 CMR have advisories and/or varied standards for some items and elements for children according to age (2010 ADA Standards) or grade level (521 CMR). In some cases, there is limited room for interpretation but the guidance is in place as to what is applicable per different range of grade levels or age groups. ADA differentiates according to age level, with those being Ages 3 and 4, Ages 5 through 8, and Ages 9 through 12. 521 CMR differentiates according to grade level, with those being Pre-kindergarten, Kindergarten through 3rd Grade, and 4th Grade through 6th Grade. Grades 7 through 12 would follow the regular ADA or 521 CMR Standards as applied to adults. For the purposes of this assessment, the following standards were applied to the student and adult areas at the Hildredth Elementary School:

	<u>2010 ADA Standards</u>	<u>521 CMR Standards</u>
Pre-k only Classrooms	Ages 3 – 4	Pre-k
K only Classrooms	Ages 5 – 8	K - 3
1 – 3 Classrooms	Ages 5 – 8	K - 3
4 – 5 Classrooms	Ages 9 – 12	4 - 6
Common Areas	Ages 9 – 12	4 – 6
Nurse Bathroom	Ages 9 – 12	4 – 6
Hallway Common Bathroom	Ages 9 – 12	4 – 6
Level 2 Single User Bathroom	Ages 9 – 12	4 – 6
Adult Only/Staff Areas	Adult	Adult

General Description or Obstacle Which Limits Mobility or Access:

Designated Accessible Parking

Pond Road. Signage for the two designated accessible parking spaces is too high. Neither space is designated as van accessible. The curb ramp is obstructed due to an accumulation of debris and sand.

Main Entrance. Signage for the three designated accessible parking spaces is too high. Due to the 3" to 4" drop off in front of the accessible parking, curb stops at the front of each accessible space is recommended.

Accessible EV Charging Station

Signage for the designated accessible space is too high. The charging connectors (55" a.f.f.) and the card reader/controls (64" a.f.f.) are too high and not within reach range. There is a 30" non-accessible gap from asphalt to the EV charging device. The combination of these two issues render the designated accessible station as non-usable or extremely difficult to use. Additional guidance on EV Charging Stations is provided in Chapter VI of this Plan.

Exterior

The drop boxes at the main entrance are up to 14" too high. The exterior high-low drinking fountain on the side of the building near the playground has insufficient clear width and lacks a firm, stable, and slip resistant ground surface under the fountain.

Interior Common Areas and General

Interior and exterior doors with closers have operating forces and closing speeds which exceed that allowed. Tactile designation signage is too low with some doors lacking signage. Accessible bathroom signage lacks the universal symbol of accessibility. Some of the hallway "low" drinking fountains lack sufficient knee clearance. Wall-mounted clocks in the gym have cages which serve as protruding objects. A defibrillator near the cafeteria is too high and not within reach range. The counter at the Superintendent's Office is 7¼" too high. A minimum 36" clear width between book stacks in the library is not maintained.

Classrooms

Typically the desks and tables throughout the school did meet knee clearance and table/desk top height requirements, but in those instances where they did not, tables/desks could be adjusted and raised as needed or adjustable/compliant desks could be brought into a classroom to address an accommodation.

Classrooms have unsecured rugs that serve as a tripping hazard. Dispensers, coat hooks, and other items intended for student use are not within reach range. Water bubblers in sinks are set back too far from the front edge, have too high of a spout height, have water flow heights that are too low, and some require excessive force to operate.

A number of classroom accessible sinks have items stored in the knee clearance area under the sink restricting wheelchair use. All items should be removed from beneath the accessible sinks.

Bathrooms

Staff Bathrooms. Toilet paper dispensers are too low, side and rear grab bars are mounted too high, some coat hooks and dispensers are too high, and some water closet clear widths are reduced due to stored items next to the water closet.

Student Hallway and Nurse Bathrooms (assume grades 4 – 6 standards). Hallway shared sink piping is not wrapped; stall doors open in and not out, lack exterior pull devices, lack coat hooks or are too high; toilet paper dispensers are too low or too far from the water closet; one of the water closets is too low; and some of the dispensers are located over the grabs or restrict clear width.

Pre-K Classroom Bathrooms. Some dispensers are fully or partially located over the grab bars; toilet paper dispensers are located too high, too low, and/or too far from the water closet; grab bars are too high; some water closet clear widths are restricted or reduced; and some water closets are too high.

Kindergarten Classroom Bathrooms. Some dispensers are fully or partially located over the grab bars; some dispensers are too high, toilet paper dispensers are located too low and/or too far from the water closet; grab bars are too high; and some water closet clear widths are restricted.

Kitchen Area

The kitchen area itself has numerous elements of non-compliance (reach ranges, knee clearances, clear widths, etc.) but most of the activities undertaken require personnel who must meet certain physical requirements to meet the essential functions of their job.

At a minimum, minor bathroom modifications pertaining to toilet paper dispenser height, water closet clear widths, and grab bar heights could be addressed as necessitated. No further action is required at the present time unless modifications are required as dictated by a request for a reasonable accommodation.

Classroom Sinks and Classroom Sinks with Bubblers

Typically school classrooms and especially Pre-k and Kindergarten classrooms, have sinks and/or sinks with bubblers (a.k.a. drinking fountains) in the classroom to allow children to wash their hands or to get a drink of water without leaving the classroom.

2010 ADA Standards

The 2010 ADA Standards addresses this as follows:

- Drinking fountains shall comply with Sections 307 (protruding objects) and 602 (drinking fountains).
- Clear floor space must adhere to Section 305 (generally 30" wide and a forward approach) with knee and toe clearance adhering to Section 306 (generally 9" a.f.f. toe clearance and 27" a.f.f. knee clearance). Section 606.2 allows a knee clearance of a minimum of 24" a.f.f. at lavatories and sinks used primarily by children ages 6 through 12 where the rim or counter surface is 31" maximum a.f.f.

Exception: A parallel approach complying with Section 305 is permitted for children's use (5 years and younger per Section 606.2) where the spout is 30" maximum a.f.f. and is 3½" maximum from the front edge.

- The spout outlet cannot exceed 36 inches a.f.f. (Section 602.4) and cannot be more than 5" from the front edge (Section 602.5).

- The spout shall provide a flow of water 4 inches high minimum with the angle of the water stream measured horizontally to the front face of the unit. For spouts located less than 3 inches from the front edge, the angle shall be 30 degrees maximum. For spouts located between 3 and 5 inches from the front edge, the angle shall be 15 degrees maximum (Section 602.6).
- Controls shall comply with Operable Parts (Section 309.4) such that they are operable with one hand and do not require tight grasping, pinching, or twisting of the wrist. The operating force cannot exceed 5 lbs.

521 Code of Massachusetts Regulations

The 521 Code of Massachusetts Regulations addresses this as follows:

- a) Section 12 specifically addresses sinks in classrooms under Section 12.4. Classroom countertops and sinks shall comply with 521 CMR 12.2.2 b, 12.2.2 c, and 12.2.2 d. These subsections require adherence to clear floor space (30" wide), knee clearance (30" wide, 27" high, 19" deep), and height (28" to 34" a.f.f.). In addition, Section 12.5 requires that drinking fountains in classrooms adhere to the requirements of Section 36.00 drinking fountains.
- b) Section 36.2 requires minimum clearances of 27" a.f.f. (knee), 30" (width), and 17" to 19" (depth). In addition, there must be a minimum of 30" wide clear width at the approach to the drinking fountain.
- c) Drinking fountain spouts must adhere to Section 36.3 which requires spouts to be located at the front of the unit with the water flow in a trajectory that is parallel or nearly parallel to the front of the unit. The spout shall provide a flow of water at least 4 inches high and the spout height be no more than 36" a.f.f. For a "square" bowl, the requirements are for the spout to be at the front of the bubbler (sink) and have a parallel water flow trajectory. A round or oval bowl should have the spout positioned such that the flow of water is within 3 inches from the front edge.
- d) Controls shall be operable with one hand and not require tight grasping, pinching, or twisting of the wrist. The operating force cannot exceed 5 lbs. (Section 36.5).

Assessment and Comment

As noted above, there are both similarities and differences between the 2010 ADA Standards and 521 CMR. Two of the larger variations are the exception allowed under the ADA Standards for a parallel approach to the sink/bubbler for children 5 years of age and younger and what would also appear to be a farther allowed spout setback from the front edge. As both 521 CMR and the 2010 ADA Standards apply, the stricter of the two standards must be adhered to.

Based on an assessment of the Pre-k and Kindergarten classrooms, it does not appear that the classroom sinks and bubblers are in full compliance. Knee height clearances and sink/counter heights meet both the 2010 ADA and 521 CMR Standards. The "bubbler/drinking fountain" spout locations are 6" to 7" from the outside edge with water flows more than 3" from the outside edge, both which exceed that allowed under the 2010 ADA Standards and 521 CMR. The spout heights are also 38" a.f.f., which is 2" too high for a "low" fountain under 521 CMR. Some bubbler controls exceeded the maximum 5 lbs.

of operating force. Some bubblers did not achieve a minimum flow of water of at least 4 inches high.

Drinking fountain spouts should be adjusted and re-aligned to meet the front edge and water flow requirements and the controls adjusted to require no more than 5 lbs. to operate and achieve a minimum water flow of at least 4 inches in height.

Hildredth Elementary School Accessibility Assessment

General Description of Obstacle	2010 ADAAG	MAAB 521 CMR	Type of Action to be Taken	P	F	TF	Cost Estimate
Parking Pond Road. Signage for the two designated accessible parking spaces is 8" too high. Neither space is designated as van accessible. The curb ramp is obstructed due to an accumulation of debris and sand. Main Entrance. Signage for the three designated accessible parking spaces is 10" to 13" too high. Due to the 3" to 4" drop off in front of the accessible parking, curb stops at the front of each accessible space is recommended. See Photos HES 1, 2, and 3.	502.6 303	23.6 21.4 21.5	Signage must be set such that the signage height should be a minimum of 60" high at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR). As both spaces comply with van requirements, van accessible signage s/b provided. The base of the curb ramp at the Pond Road parking must be regularly inspected and maintained to ensure that it is free from debris. Install curb ramps at the front of the accessible parking spaces at the parking near the main entrance.	1	2	I	Up to \$250
EV Charging Stations The payment slot and related controls are 16" too high and the charging device is 7" too high. In addition, the forward reach range of 30" exceeds that allowed. See Photo HES 4.	308.2 308.3	6.5 6.6	Replace and/or modify the EV Charger device such that all required operations are within the maximum reach range height of 48" a.f.f. and an unobstructed and direct reach no more than 20".	2	3	I	TBD
Exterior High-Low Drinking Fountain near Playground There is insufficient clear width at the fountain due to the limited width of the concrete pad and the adjacent building support beam. There is insufficient knee depth below the "low" fountain due to the limits of the concrete pad, which does not go beneath the fountain. See Photo HES 5.	306.3	36.2	Modify/extend the concrete such that a minimum 36" clear width approach to the fountain is provided as well as a minimum of 17" to 19" of knee depth.	2	2	I	Up to \$200
Exterior Drop Boxes The drop boxes located on the side of the building at the main entrance are 62" a.f.f., which are 14" too high under the 2010 ADA Standards.	308.2 308.3	6.5 6.6	Lower the drop boxes so that they are at a height of no more than 48" a.f.f.	4	2	I	\$0

<u>Exterior and Interior Doors</u> Exterior and interior doors with closers (including bathrooms) do not fully comply with the maximum allowed operating force for an exterior door (15 lbs.), interior door (5 lbs.) and minimum closing speed requirement of 6 seconds under 521 CMR. Assessments for interior doors ranged from 2 to 4 seconds closing speed and up to 17 lbs. operating force.	404.2.8 404.2.9	26.8 26.9	Adjust door closers such that the push/pull force does not exceed 15 lbs for an exterior door and 5 lbs. for an interior door with door closing speeds of at least 6 seconds.	1, 3	2	I	\$0
<u>Door Signage</u> Tactile designation signage is mounted too low. Signage height varies at 51" to 52" o.c. a.f.f. Bathroom signage is mounted at 54" o.c. a.f.f. and lacks the universal symbol of accessibility. Tactile designation signage is lacking at the following locations: • Door to Admin from hallway near #109 • Door to Supt Area from #107 hallway • Room #A112 to #A111 • Sound system door on stage • Door to stage • #170 storage • Door near #183 See Photos HES 6 and 7.	703	41.1	Install and/or relocate accessible compliant designation signage on the latch side of each door (where allowable) with appropriate finish and contrast and character height and proportions, raised and brailled characters should also be included. Tactile characters on signs s/b 48" min. a.f.f.. from baseline of lowest character and 60" max. a.f.f. to baseline of highest character. Under 521 CMR, signage s/b 60" a.f.f. to the centerline of the sign. Characters must meet the ADA Standards for character height, finish and contrast, accompanied by Grade 2 Braille (703 ADA Standards). Bathroom signage must include the universal symbol of accessibility for all accessible bathrooms.	2, 3	2	I	Up to \$200
<u>Office Counters</u> The Superintendent's Office counter is 43 3/4" a.f.f., which is 7 1/4" too high.	904.4	7.2	Construct a 36" long by no more than 36" high a.f.f. counter, with a minimum of 27" of knee clearance.	2	2	N	Up to \$250
<u>Protruding Objects</u> The following are protruding objects: • Wall mounted gym clocks (2) have protective cages that create a 5" protrusion at a height of 69 1/4" a.f.f. • The "high" drinking fountain across from Room #156 is a 18 1/2" protrusion at a height of 37" a.f.f • The "high" drinking fountain near Room #187 is a 18" protrusion at a height of 38 1/2" a.f.f. • The "high" drinking fountain near Room #265 is a 18 1/4" protrusion at a height of 39" a.f.f. • The "high" drinking	307.2	20.6.1	Replace the gym clock cages with ones that protrude 4" or less. Erect wing walls before the "high" drinking fountains for cane detection.	4	2	I	Up to \$425

fountain near the Level 2 bathrooms is a 18" protrusion at a height of 38" a.f.f. Protruding objects extend more than 4" into the accessible route of travel between a height of 27" and 80" a.f.f. or have vertical headroom clearance reduced to less than 80". See Photo NES 8.							
Drinking Fountain The gym drinking fountain has a "low" drinking fountain that provides only 24" of knee clearance. The drinking fountain across from Room #156 has a "low" drinking fountain that provides only 25" of knee clearance. The drinking fountain near the Level 2 bathrooms has a "low" drinking fountain that provides only 25" of knee clearance. The drinking fountain across from classroom #201 has a "low" drinking fountain that provides only 26" of knee clearance.	306.3	36.2.1	Option #1: Seek a variance as a "children's drinking fountain" to allow for the reduced knee clearance. Option #2: Modify the "low" drinking fountains such that a minimum of 27" of knee clearance is provided.	2	1,3	N	TBD
Reach Range The defibrillator near the cafeteria is 56" a.f.f., which is 8" too high. Grade 1 classrooms #193, #190, and #177 coat hooks (24 in each classroom) are 51" a.f.f., which are 11" too high for the age and grade level served. Kindergarten classrooms #178, #180, #186, and #184 coat hooks (24 in each classroom) are 51" a.f.f., which are 11" too high for the age and grade level served. Pre-kindergarten classrooms #181 and #183 coat hooks (16 to 24 each classroom) are 50" to 51" a.f.f., which are 14" to 15" too high for the age and grade level served. Project Areas #269, #263, #253, and #257 (Grades 2 and 3) have 48 cubicles in each project area with coat hooks at a height of 48" a.f.f. in each cubicle. The coat hooks are 8" are too high for the age and grade level served. Classroom accessible sinks have soap and towel dispensers that vary from	308.2 308.3 308.1 308.1 308.1 308.1	6.5 6.6 6.5 6.6 6.5 6.6 6.5 6.6 6.5 6.6	Lower the defibrillator to a height of no more than 48" a.f.f. Lower a minimum of 5% of the coat hooks (1 to 2) in each classroom to a height of no more than 40" a.f.f. Lower a minimum of 5% of the coat hooks (1 to 2) in each classroom to a height of no more than 40" a.f.f. Lower a minimum of 5% of the coat hooks (1 to 2) in each classroom to a height of no more than 36" a.f.f. Lower a minimum of 5% of the coat hooks (2 to 3) in each project area to a height of no more than 40" a.f.f. Kindergarten through Grade 3 classroom dispensers should be lowered to a height of no more than 40" a.f.f.	2 2 2 2 2	2 2 2 2 2	I I I I I	\$0 \$0 \$0 \$0 \$0

42" to 50" a.f.f. which exceeds the reach range for the age and grade level served.			Grades 4 and 5 classroom dispensers should be lowered to a height of no more than 44" a.f.f.				
<u>Book Stack and Accessible Route Clear Widths (Library Area)</u> The clear widths between stacks vary in locations from 16" to 26".	403.5	12.2 20.3	As feasible, rearrange furniture and stacks to achieve the required minimum 36" clear width.	2	1,2	I	\$0
<u>Classrooms (General)</u> <u>Carpets/Rugs</u> Most classrooms have rugs/carpets that are not fully secured and serve as a tripping hazard	302.2	29.3	Remove or secure the rugs/carpets.	4	2	I	\$0
<u>Sinks</u> A number of classrooms have items stored under the accessible sinks restricting knee and toe depth.	306 606.2	12.4	Remove items beneath the sinks.	2	2	I	\$0
<u>Sink Bubblers/Drinking Fountains</u> Spouts are located 6" from the front edge. The water flow is also greater than 3" from the front edge. The spout heights are 38" a.f.f., which is 2" too high. Some bubblers have operating forces in excess of 5 lbs. and do not have a water flow that is at least 4" high. See Photos NES 9.	602.3 602.4 602.5 602.6 309.4	36.3 36.4 36.5	The spouts need to be modified or replaced such that they are at a height of no more than 36" a.f.f.; are located no more than 5" from the front edge with a water flow within 3" of the front edge; have a water flow that is at least 4" high; and have controls that take no more than 5 lbs. of force to operate.	2	3	N	TBD
<u>Adult/Staff Bathrooms</u> <u>Supt. Office, Staff Near #167, Level 2</u> <u>Staff Near Student Bathrooms, Level 2</u> <u>Staff across from Room #218.</u>							
The side and rear grab bars are ½" to 1½" too high.	609.4	30.8.2	Grab bars must be lowered so they are 33" to 36" a.f.f. to the top of the gripping surface. <i>Note: There are no tolerances for a range of dimensions.</i>	3	2	I	\$0
<u>Admin/Principal Only</u> The rear grab bar is ¼" too high.	609.4	30.8.2	Grab bars must be lowered so they are 33" to 36" a.f.f. to the top of the gripping surface. <i>Note: There are no tolerances for a range of dimensions.</i>	3	2	I	\$0
The water closet far side clear width is reduced to less than 42" due to a cabinet.	604.2	30.7.2	Remove the cabinet.	3	1	I	\$0
The coat hook 15" is too high.	308.2 308.3	30.6.1	Lower the coat hook to no more than 48" a.f.f.	3	2	I	\$0
<u>Pre-Kindergarten Bathrooms</u> <u>Classroom #183 and Classroom #181</u>							
The toilet paper dispensers are 2" to 4" too far from the front of the water closets.	604.9	30.14	Relocate the toilet paper dispensers so they are 7" minimum and 9" maximum in front of the water closet measured to the centerline of the dispenser.	3	2	I	\$0
The side and rear grab bars are 5/8" to 6" too high.	604.9	30.15	Lower the grab bars so they are 18" to 20" a.f.f. to the top of the gripping surface.	3	2	I	\$0
There is only 25" of clear width in front of the water closet in #183 due to a cart and only 19½" in #181 due to a cabinet. There is only 36" of clear	604.3	30.14	Remove the cart and cabinet. Seek a variance for #181 to maintain the 36" clear width in front of the water closet, which is less than the required 42".	3	2,1	I	\$0

width in #181 from the water closet to the wall.							
Classroom #183 Only The towel dispenser is partially located over the grab bars.	609.3	30.8.5	Relocate the towel dispenser so that it is not over the grab bars.	3	2	I	\$0
The toilet paper dispenser is 11" too high and located over the grab bars.	604.9	30.14	Relocate the toilet paper dispenser so that it is 14" o.c. a.f.f., not over the grab bars, and 7" to 9" o.c. in front of the water closet.	3	2	I	\$0
Classroom #181 Only The water closet rim is 2½" too high.	604.9	30.14	Replace the water closet with one that has a rim height of 11½" to 12" a.f.f.	3	3	N	\$500 to \$750
The water closet is 3" too far from the near wall.	604.9	30.14	Relocate the water closet so that it is 11" to 12" o.c. from the near wall.	3	3	N	Up to \$1,000
See Photo NES 10.							
Kindergarten Bathrooms Classroom #165, #186, #184 and #180 The side and rear grab bars are 1" to 1½" too high.	604.9	30.15	Lower the grab bars so they are 20" to 25" a.f.f. to the top of the gripping surface.	3	2	I	\$0
Classroom #165 and Classroom #186 The toilet paper dispensers are 2" to 3" too far from the front of the water closets.	604.9	30.14	Relocate the toilet paper dispensers so they are 7" minimum and 9" maximum in front of the water closet measured to the centerline of the dispenser.	3	2	I	\$0
Classrooms #184, #180, and #186 There is only 21" of clear width in front of the water closet in #184 due to a cabinet, only 24" in #180 due to buckets, and only 18" in #186 due to storage. There is only 36" to 38" of clear width in #184, #180, and #186 from the water closets to the wall.	604.3	30.14	Remove the cabinet and buckets. Seek a variance for #180, #184, #186 to maintain the 36" to 38" clear width in front of the water closets, which is less than the required 42".	3	2,1	I	\$0
Classroom #186 Only The soap and towel dispensers are 5" to 7" too high.	308	30.19 30.20	Lower the dispensers to a height of no more than 40" a.f.f.	3	2	I	\$0
The sink piping is not wrapped.	606.5	30.9.5	Wrap, guard, or insulate the piping.	3	2	I	\$75
See Photo NES 11.							
Hallway and Nurse Bathrooms (Assume Grade 4 – 5 Standards) Level 1 and Level 2 Hallway Shared sink piping of the Boy's and Girl's bathrooms is not wrapped, guarded, or insulated.	606.5	30.9.5	Wrap, guard, or insulate the piping.	3	2	I	\$500
The Boy's and Girl's accessible stalls open in not out, lack exterior pull devices, and lack coat hooks or the coat hook is too high.	404.2 604.8 308	30.6.1 30.19 30.20	Reverse the stall doors so that they open out and not in. Install exterior pull devices. Install coat hooks in the Level 1 and Level 2 Boy's stalls and Level 2 Girl's stall. Lower the Level 1 Girl's stall coat hook to no more than 44" a.f.f.	3	2	I	\$150
Level 2 Girl's The water closet is ½" too close to the near wall.	604.9	30.14	Modify the water closet so that it is between 15" to 18" o.c. from the near wall.	3	3	N	Up to \$500
Nurse's Student Bathroom The towel dispenser reduces the clear width at the sink to only 20".	305.3	30.9.1	Relocate the towel dispenser to achieve the minimum required 30" clear width.	3	2	I	\$0

The soap dispenser is located over the grab bars.	609.3	30.8.5	Relocate the soap dispenser so that it is not over the grab bars.	3	2	1	\$0
<u>Level 2 Single User Bathroom</u> The soap dispenser is partially located over the grab bars.	609.3	30.8.5	Relocate the soap dispenser so that it is not over the grab bars.	3	2	1	\$0
The toilet paper dispenser is 2" too far from the front of the water closet. See Photos NES 12.	604.9.6	-	Relocate the toilet paper dispenser so it is 7" minimum and 9" maximum in front of the water closet measured to the centerline of the dispenser.	3	2	1	\$0

TBD - Up to \$4,300+

Hildredth Elementary School Accessibility Assessment Photos



Photo HES 1



Photo HES 2



Photo HES 3



Photo HES 4

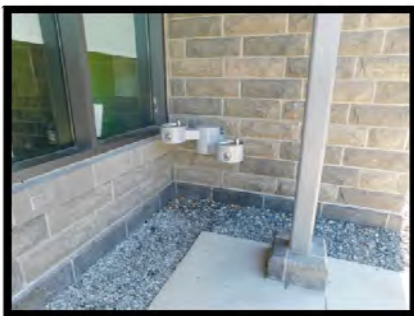


Photo HES 5

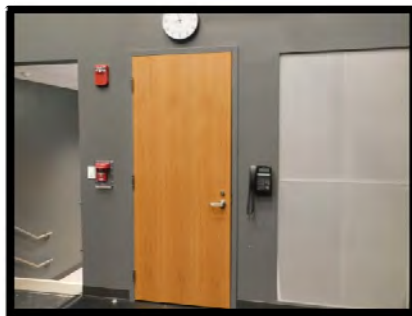


Photo HES 6

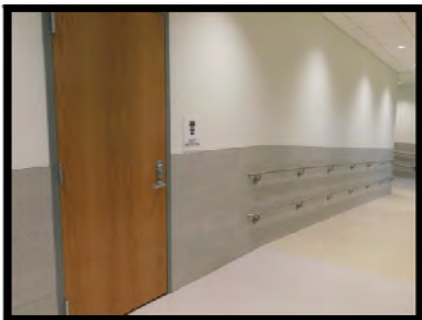


Photo HES 7

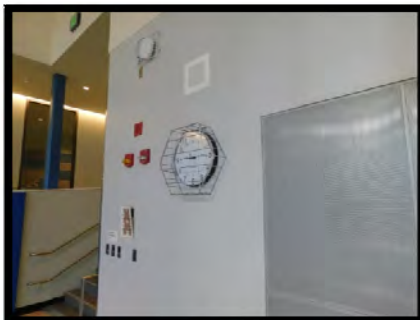


Photo HES 8



Photo HES 9



Photo HES 10

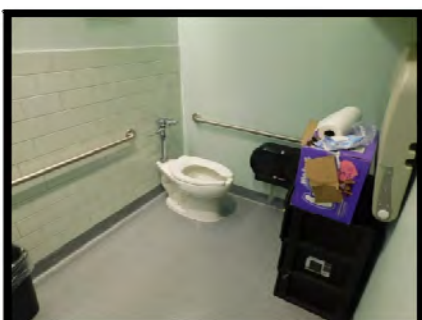


Photo HES 11

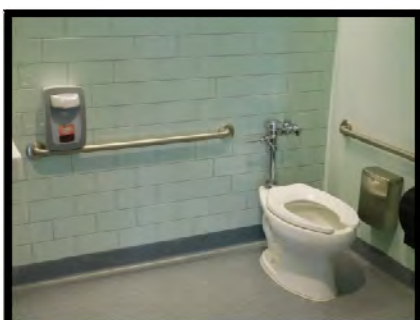


Photo HES 12

THE BROMFIELD SCHOOL

Description of Facility: The Bromfield School was founded by Margaret Bromfield Blanchard in 1878 at what is now the Harvard Public Library. Today the school is located in a multi-level masonry building located adjacent to the library and houses roughly 700 students from grades 6 – 12. The original building was constructed in 1962 with additional classroom space and a library constructed in 2001 – 2003 for a facility size of approximately 98,000 square feet.



Responsible Party: School Department.

2010 ADA Standards and 521 CMR Standards for Children: ADA differentiates according to age level whereas 521 CMR differentiates according to grade level. In both cases, adult standards apply to all areas of the building as they are the predominate users (grades 7 – 12 and adult).

General Description or Obstacle Which Limits Mobility or Access:

Designated Accessible Parking

Main Entrance. One of the 5 designated accessible spaces is missing signage. The signage for the remaining 4 spaces is up to 18" too high. Although none of the spaces are designated as van accessible, the 2 spaces closest to the building and the shared access aisle meet van accessible width requirements.

Parking Near Entrance/Egress #10. The 2 designated accessible spaces have only one sign, lack an access aisle, and neither space is designated as van accessible.

Exterior Accessible Routes of Travel

Curb Ramps and Crosswalks. The 6 curb ramps and 3 crosswalks at the front of the building lack detectable warning strips. The curb ramp at the crosswalk from the accessible parking near entrance/egress #10 lacks a detectable warning strip.

Exterior Ramps

Ramp to Cronin Auditorium. The concrete ramp has severe deterioration in at least 4 locations resulting in up to 1" abrupt changes in level surface, unstable surfaces, and reduced clear widths of 6" to 24" in 2 locations. The upper and lower ramp railings throughout the entirety of the ramp vary in height in segments from 15½" a.f.f. to 17½" a.f.f. for the lower railing and from 30½" a.f.f. to 33½" a.f.f. for the upper railing. Under both the 2010 ADA Standards and 521 CMR, lower ramp railings must be 18" a.f.f. to 20" a.f.f. and upper railings must be 34" a.f.f. to 38" a.f.f. to the top of the gripping surface. There are no tolerances allowed for a range of dimensions.

Ramp to Egress/Exit Doors #10 and #11. The asphalt ramp has heaving and abrupt changes in level surface near the top of the ramp. Vegetative overgrowth along both sides of the ramp protrudes into the accessible route of travel. Segments of the lower railing near the top of the ramp are only 17½" a.f.f. to the top of the gripping surface, which is too low. The segment of the ramp after the level landing is 38 feet long, which exceeds the maximum allowed for a ramp run by 8 feet.

Exterior Stairs

The stairs at Exit/Egress Doors #13 and #10 have areas of deterioration creating uneven and unstable surfaces.

The Egress Stairs at Doors #8 and #18 have non-compliant open risers, risers that are too high, and railings that lack bottom extensions. In addition the stairs at Door #18 has a railing on only one side of the stairs.

Exterior Picnic Tables

The 3 picnic tables near the front entrance lack sufficient knee depth.

Portable Toilets

Both the portable toilet near the front parking lot and near the basketball and tennis courts are not accessible portable toilets and are not on accessible routes of travel. *Note: According to school staff, the front portable toilet is not under the jurisdiction of the school and was brought in solely for a charitable athletic event sponsored and conducted by others.*

Interior Common Areas and General

Interior and exterior doors with closers have operating forces which exceed that allowed and closing speeds that are too fast. Tactile designation signage is too low or too high with some doors lacking signage or have the signage mounted on the wrong side of the door or on the door. Some of the accessible bathroom signage lacks the universal symbol of accessibility. Doors with glass panes exceed the maximum height under the 2010 ADA Standards. A number of dispensers, sanitizers, coat hooks, and similar items are not within reach range. Items such as wall mounted clocks, dispensers, shelves, and stair bottom extensions serve as protruding objects. In addition, the area below the lower level stairs at the maintenance storage room has reduced headroom below the stairs. Student hallway lockers were locked at the time of assessment, but random checks were done on 2 lockers which were made available to view. It appears that none of the student hallway lockers have shelving or coat hooks

that are within reach range. Some of the classrooms had desks placed in the hallway on the latch side of the door restricting the minimum required 18" clearance on the pull side of the door. Some of the classrooms had unsecured rugs. The stair railings for the stairs at the route of travel to the CATV have a railing on one side only, are too low and lack top and bottom extensions. Some drinking fountains serve as protruding objects, and/or do not have the minimum required 4" height water flow.

Science Classrooms

Student and teacher accessible sinks are missing protective guards for the sink piping. A number of accessible sinks had items stored under the sink restricting knee and toe depth. Some of the emergency shower pulls were not within reach range.

Tables and Seating

Typically the desks and tables in classrooms did meet knee clearance and table/desk top height requirements, but in those instances where they did not the tables/desks could be adjusted and raised as needed or adjustable/compliant desks could be brought into a classroom to address an accommodation. Some science desks/tables had a height of 36" a.f.f. to the top of the table, which is 2" too high. Four tables in the library near the check-out provided only 24 ½" of knee clearance. Booth style seating in the library provided only 11" of knee depth.

Interior Ramp to Cronin Auditorium/Gym

The lower ramp railing heights vary in locations from 20¼" to 20½" a.f.f., which is ¼" to ½" too high. The upper ramp railing heights vary in locations from 33½" to 33¾" a.f.f., which is ¼" to ½" too low. Lower ramp railings s/b 18" to 20" a.f.f. to the top of the gripping surface and upper ramp railings 34" to 38" a.f.f. *Note: There are no tolerances allowed for a range of dimensions.* In addition, all 3 ramp run segments are 32 feet long, which exceeds the maximum allowed ramp run of 30 feet.

Music/Drama and Band Rooms

There is no accessible route of travel between the lower and upper levels of the music/drama and band rooms. There is no accessible route of travel to the music/drama teacher's office. The lockers in the band room are not operable with a closed fist.

Auditorium

The 697 capacity auditorium does not provide any designated wheelchair spaces or aisle seats with removable or folding armrests. The only potential available seating is at the mid segment level area of the auditorium and directly in front of the stage.

Based on seating capacity, an accommodation for a minimum of 8 wheelchairs dispersed throughout the place of assembly with adjacent companion seating should be provided. In addition, a minimum of 1% of the fixed seating must be aisle seats with no armrests on the aisle side or have removable or folding armrests (521 CMR) or 5% of the aisle seats (2010 ADA Standards) having the same armrest features. These seats must be identified by a sign or marker. In addition, signage must be posted notifying patrons of the availability of such seating.

The stairs to the stage have a railing on one side only, is not round or oval in shape, lacks a top and bottom extension, and is too low for the lower railing segment. The control booth is not on an accessible route of travel as stairs are the only means to gain entry. The lower stairs to the upper area seating and control booth have railings that 1" to 2" too low.

There also does not appear to be the availability of an assistive listening system (ALS) as there is no signage in the assembly area notifying patrons of an ALS. Based on the number of seats, an ALS with a minimum of 28 receivers is required, of which at least 7 being hearing aid compatible.

Girl's Locker Room

The shelf on the wall is 40" a.f.f. with a 7" protrusion. The mirror above the shelf is 12¾" too high. The locker room benches are too narrow, lack back support, and do not have sufficient clear width on the side of the benches. The accessible shower grab bar is 1" too high. Unlike the non-accessible showers which have hardware for privacy showers, the accessible shower does not provide any means for privacy.

The girl's PE office bathroom has a shower that lacks grab bars, dispensers and a coat hook that are too high, a toilet paper dispenser that is too far from the front of the water closet, and grab bars that are too high. The office and bathroom are used solely for storage. If this bathroom is put back into use, then as a reasonable accommodation request, the dispensers would need to be lowered to 42" a.f.f., the coat hook lowered to 48" a.f.f., the grab bars lowered to a height of 33" to 36" a.f.f. to the top of the gripping surface, and the toilet paper dispenser relocated to 7" to 9" o.c. in front of the water closet. In addition, items would need to be removed to achieve accessible route and water closet clear width requirements. No further action is required at the present time.

Boy's Locker Room

The boy's locker room was under renovation at the time of assessments with areas not available for viewing and/or not completed. Site visits were conducted in August and October 2022. Based on what was observed, the following areas are of concern, unless work remains to be undertaken.

- Locker benches were not in place. If benches are installed, the bench seats must be a minimum of 42" long and 20" to 24" deep with back support or affixed to a wall. The back support s/b 42" long minimum from a point 2" above the seat surface to a point 18" above the seat surface. There must be at least a 36" wide accessible route around the lockers. See 521 CMR S. 903 and 521 CMR S. 19.4.
- The accessible shower lacked grab bars and a folding seat. See 521 CMR S. 31.7.
- The apparent accessible water closet stall has a stall door that opens in, is not fully self-closing, and lacks a coat hook. The stall lacked a water closet, toilet paper dispenser, grab bars. The bathroom lacked a sink, mirror, urinal, and dispenser. The finished stall and bathroom as a whole must fully comply with 521 CMR S. 30 and S. 603, 604, 606, and 609 of the 2010 ADA Standards.

The boy's PE office bathroom is similar to the girl's PE office bathroom above and is limited solely to staff and is not for public use. No further action is required at the present time unless necessitated as a result of a reasonable accommodation request.

Staff and Student Bathrooms

The bathrooms have varying levels of non-compliance including coat hooks, dispensers, and grab bars that are too high. In some bathrooms, grab bars were missing, were at the incorrect length, were too high, were located too far from the interior corner, and/or had dispensers mounted over the grab bar. Some dispensers served as protruding objects. Sinks had piping that was not insulated and metered faucets that did not stay open long enough.

Bathroom stall doors were not self-closing, opened in and not out, lacked coat hooks or had coat hooks that were too high, and lacked interior and/or exterior pull devices.

Isolated incidents of a water closet being too low or too high, too close to the near wall, and/or having reduced far wall and front water closet clear width occurred. Some water closets also had the flush control located on the wrong side. Some toilet paper dispensers were located too close or too far the front of the water closet.

Kitchen

The kitchen area itself (including the bathroom) has numerous elements of non-compliance (dispenser reach range, sink knee clearance and depth, etc.) but most of the activities undertaken require personnel who must meet certain physical requirements to perform the essential functions of their position. Therefore, with no further action is required at the present time unless dictated by a request for a reasonable accommodation.

The Bromfield School Accessibility Assessment

General Description of Obstacle	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Designated Accessible Parking</u> <u>Main Entrance</u> One of the 5 designated accessible spaces is missing signage. The signage for the remaining 4 spaces is up to 18" too high. Although none of the spaces are designated as van accessible, the 2 spaces closest to the building and the shared access aisle meet van accessible width requirements.	502.2 208.2.4	23.4.7 23.6	Provide accessible parking signage for the space without signage. Signage for all spaces should be a minimum of 60" a.f.f. to the bottom of the sign and no more than 96" a.f.f. to the top of the sign. Van accessible signage should be provided for the 2 spaces with the shared access aisle closest to the building.	1	2	I	\$100
<u>Side Parking to Entrance #10</u> The 2 designated accessible spaces have only one sign, lack an access aisle, and neither space is designated as van accessible. See Photos Bromfield 1 and 2.	502.2 208.2.4	23.4.7 23.6	Modify and restripe the parking area to provide 2 eight foot wide spaces with a shared 8 foot wide access aisle. Signage for all spaces should be a minimum of 60" a.f.f. to the bottom of the sign and no more than 96" a.f.f. to the top of the sign. It is also <u>recommended</u> that van accessible signage should be provided for the 2 spaces once restriped as 8' wide with a shared 8' wide access aisle.	1	2	I	\$200
<u>Exterior Accessible Routes of Travel</u> The 6 curb ramps and 3 crosswalks at the front of the building lack detectable warning strips. The curb ramp at the crosswalk from the accessible parking near entrance/egress #10 lacks a detectable warning strip.	705	21.11	Install adhesive detectable warning strips with truncated domes at the front and side curb ramps.	1	3	N	Up to \$2,450
<u>Exterior Ramps</u> <u>Ramp to Cronin Auditorium</u> The concrete ramp has severe deterioration in at least 4 locations resulting in up to 1" abrupt changes in level surface, unstable surfaces, and reduced clear widths of 6" to 24" in 2	403.4 303 405.5 405.8 505.4	22.4.1 24.3 24.5	Repair the concrete ramp to eliminate the abrupt changes in level surface and reduced clear width due to deterioration. Modify the railings as feasible to comply with the lower ramp railing height of 18" a.f.f. to 20" a.f.f. and the upper railing height of 34" a.f.f. to 38" a.f.f.	1	3	N	TBD

locations. The upper and lower ramp railings throughout the entirety of the ramp vary in height in segments from 15½" a.f.f. to 17½" a.f.f. for the lower railing and from 30½" a.f.f. to 33½" a.f.f. for the upper railing.			to the top of the gripping surface. <i>Note: There are no tolerances allowed for a range of dimensions.</i>				
<u>Ramp to Egress/Exit Doors #10 and #11</u> The asphalt ramp has heaving and abrupt changes in level surface near the top of the ramp. Vegetative overgrowth along both sides of the ramp protrudes into the accessible route of travel. Segments of the lower railing near the top of the ramp are only 17½" a.f.f. to the top of the gripping surface, which is too low. The segment of the ramp after the level landing is 38 feet long, which exceeds the maximum allowed for a ramp run by 8 feet. See Photos Bromfield 3 and 4.	403.4 303 405.5 405.8 505.4 405.6	22.4.1 24.3 24.5 24.4	Repave the asphalt ramp to eliminate the abrupt changes in level surface and to comply with the maximum ramp running slope requirement between level landings of 30 feet. Modify the railings or increase the asphalt height to comply with the lower ramp railing height of 18" a.f.f. to 20" a.f.f. Remove the vegetation to maintain a minimum of 4 feet of clear width.	1	3	N	Up to \$2,500
<u>Exterior Stairs</u> <u>Doors #10 and #13</u> The stairs at Doors #10 and #13 have areas of deterioration creating uneven and unstable surfaces. <u>Doors #8 and #18</u> The stairs at Doors #8 and #18 have non-compliant open risers; risers that are 8" high, which exceeds the maximum of 7" under the 2010 ADA Standards; and railings that lack bottom extensions. In addition the stairs at Door #18 has a railing on only one side of the stairs. See Photo Bromfield 5.	504 504.2 504.3 505.10 505.2	27 27.2 27.4.3 27.4.1	Modify/repair the stairs such that the surface is stable. Modify or replace the stairs such that the risers are not "open" and are a maximum of 7" high. Provide bottom railing extensions at both locations and an additional railing at Door #18.	1 1	2 3	I N	\$150 Up to \$5,000+
<u>Picnic Tables</u> None of the picnic tables at the front of the building (3) are accessible as they provide only 15½" of knee depth.	226.1 902	19	At least 5% or at least one table must be accessible. Provide an additional picnic table which provides the required 27" knee height, 30" clear width, and 19" knee depth.	2	2	I	\$750
<u>Portable Toilets</u> The portable toilets near the front parking lot and near the basketball and tennis courts are accessible portable toilets and are not on an accessible route of travel.	308.2 308.3 604.7 309.4 604.4 604.	30.12 30.7.6 30.8.5 30.7.2 26.9	Replace the existing portable toilets with an "ADA Compliant" toilet such that soap/towel dispensers are no more than 42" a.f.f.; the toilet paper dispenser s/b a minimum of 24" a.f.f. and s/b 7" min. to 9" max. in front of the water closet measured to the centerline of the dispenser; the height of the water closet s/b 17" to 19" a.f.f. to the top of the seat; the water closet s/b 18" from the nearest sidewall, at least 42" from the farthest sidewall, and 42" from the front of the water closet to the nearest wall or fixture; and a door closing speed that is at least 6 seconds. The accessible portable toilet must be placed on a level surface (less than 2.0% slope) and on an accessible route of travel. <i>Note: According to school staff, the front portable toilet is not under the jurisdiction of the school and was</i>	3	2	I	TBD

			<i>brought in solely for a charitable athletic event sponsored and conducted by others. If this is the circumstance, then the portable toilet should be removed and not necessarily replaced and relocated with an accessible one.</i>				
<u>Exterior and Interior Doors</u> Exterior and interior doors with closers (including bathrooms) do not fully comply with the maximum allowed operating force for an exterior door (15 lbs.), interior door (5 lbs.) and minimum closing speed requirement of 6 seconds under 521 CMR. Assessments ranged from 3 to 5 seconds closing speed and up to 18 lbs. operating force.	404.2.8 404.2.9	26.8 26.9	Adjust door closers such that the push/pull force does not exceed 15 lbs for an exterior door and 5 lbs. for an interior door with door closing speeds of at least 6 seconds.	1, 3	2	I	\$0
<u>Door Signage</u> With only a few exceptions (#290's classrooms and stairwell signage), the tactile designation signage is mounted too high or too low. Signage height varies at 58" to 59" o.c. a.f.f. and 61" to 65" o.c. a.f.f. <u>In addition, the following areas of non-compliance were found:</u> Tactile designation signage is located on the door and not the latch side: #202, 224, 223, 225, 256, 341, 343, 345, 356, auditorium control booth. Tactile designation signage is located on the hinge side of the door and not the latch side: #203, 230, Men's BR #248, #335 prep. Tactile designation signage is lacking at the following locations: - Door to hallway main office to BR's #208 and #209, stairs near #248 to CATV, #248 science closet, storage in Women's BR #248, interior nurse's office lower level machine room, cafeteria/kitchen (3), Staff BR at cafeteria (left side), Staff BR at cafeteria (right side), #340 from #320 area, door from hallway to #320 area, Staff BR near exit #23, main level Boy's BR near cafeteria, main level Girl's BR near cafeteria, fitness room closet, interior double doors to band, door to stairs by #180, main level IT/Data storage by drinking fountain, custodial #278, #287 from stairwell, door across from	703	41.1	Install and/or relocate accessible compliant designation signage on the latch side of each door (where allowable) with appropriate finish and contrast and character height and proportions, raised and brailled characters should also be included. Tactile characters on signs s/b 48" min. a.f.f.. from baseline of lowest character and 60" max. a.f.f. to baseline of highest character. Under 521 CMR, signage s/b 60" a.f.f. to the centerline of the sign. Characters must meet the ADA Standards for character height, finish and contrast, accompanied by Grade 2 Braille (703 ADA Standards). Remove any items blocking signage. Bathroom signage must include the universal symbol of accessibility for all accessible bathrooms.	2, 3	2	I	Up to \$1,350

Girl's/Boy's BR's at cafeteria, music room (4 doors) #279 prep room, storage/mechanical across from gym next to drinking fountain, fitness room, 2nd door to #393 in library, #285/#287 prep room (2) from classrooms, #286 from hallway, Girl's locker room BR, main level Men's BR by stair #9. Tactile designation signage is blocked by an object or paper at the following location: - Staff Bathroom near #338 The following accessible bathrooms have signage which does not include the Universal Symbol of Accessibility: - Main office (#201), Nurse's bathroom, lower level Staff BR next to drinking fountain, lower level Staff BR across from the drinking fountain. See Photos Bromfield 6, 7, 8, 9, and 10.							
Doors with Glass Panes The following hallway, office, and classroom doors have glass panes that are up to 46" a.f.f.: #201, 204, 205, hallway doors (4) at #201, hallway doors at #208, 248, interior nurse's office, 101 (2), cafeteria (2), gym #380 (4), door from hallway to #320 area, 2nd level hallway doors by stairs #3, #348, 2nd level hallway doors by stairs #5, main level blue hallway doors from #261 - #283, main level hallway double doors at stairs #9, hallway double doors at #283 - #284, double doors to #355, #381, interior double doors to band, #371B, lower level hallway doors (2), #170, #390, #391, #393, exit doors #14 and #15, hallway door at stairs #10.	404.2.11	NA	Doors, gates, and side lights adjacent to doors or gates, containing panels that permit viewing through the panels shall have the bottom of at least one panel located 43 inches maximum a.f.f. <i>Note: This does not apply to doors with adjacent side lights that are below 43" to allow for viewing.</i> Frost or block the glass panes.	4	2	N	\$0
Protruding Objects Protruding objects extend more than 4" into the accessible route of travel between a height of 27" and 80" a.f.f. or have vertical headroom clearance reduced to less than 80". The following are protruding objects:	307.2	20.6.1	Raise the exit sign in #101, hallway fire extinguisher sign, or relocate. Place fixed objects under the electrical box in #101, main level AED, sanitizers near bathrooms, #201 office clock, nurse's office hand sanitizer, girl's locker room towel	2	2	I	Up to \$600

• Exit sign in #101 near doorway (78¼" a.f.f.) • Electrical box in #101 (6 ¾" protrusion at 27¼" a.f.f.) • Sanitizers (2) near bathrooms at cafeteria (5¼" protrusion at 50¼" a.f.f. and 5¼" protrusion at 49½" a.f.f.) • Main level AED near bathrooms at the top of the ramp (6" protrusion at 49¼" a.f.f.) • #201 main office clock (4¼" protrusion at 31½" a.f.f.) • Hallway fire extinguisher sign near #230 (8¼" protrusion at 74½" a.f.f.) • Nurse's office hand sanitizer (6" protrusion at 50¼" a.f.f.) • Stair #9 outside bottom railing extension (6" protrusion at 33" a.f.f.) • Staircase by lower level storage (headroom reduced from 80" to 60" a.f.f.) • Girl's locker room shelf (7" protrusion at 40" a.f.f.) • Girl's locker room towel dispenser (8" protrusion at 52" a.f.f.) • Stair #3 middle top/bottom extensions (11¼" protrusion at 34¼" a.f.f.) • Stairs by ramp from main level to lower level (9¼" and 21" protrusions at 32¼" a.f.f.) • Stairs near fitness center top and bottom extensions (6" protrusion at 32" a.f.f.) • 3 cafeteria napkin dispensers (7" protrusion at 45½" to 48" a.f.f.) • Cafeteria sanitizing wipes (9½" protrusion at 34½" a.f.f.) • Cafeteria "high – low" drinking fountain (18" protrusions at 28½" and 33½" a.f.f.) • Boy's bathroom near cafeteria air dryer (6" protrusion at 45" a.f.f.) • Girl's lower level bathroom sanitary napkin dispenser (6 ½" protrusion at 43" a.f.f.)			dispenser, girl's lower level bathroom sanitary napkin dispenser, and the cafeteria napkin dispensers and sanitizing wipes or relocate the items so that they are not on an accessible route of travel. As the air dryer in the boy's bathroom was not in service, either place a fixed object below or remove. Erect a vertical pole from the floor to the bottom of the stair railing extensions for cane detection. Erect wing walls on both sides of the shelf in the girl's locker room and on both sides of the cafeteria drinking fountain. Erect a barrier at the lower level staircase near the storage room due to the reduced head room.				
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See Photos Bromfield 11, 12, 13, and 14.

<u>Reach Range</u> The following exceed the maximum reach range height for an adult under the 2010 ADA Standards: <u>Main Level</u> • Sanitizers near bathrooms at cafeteria (50½" and 49½" a.f.f.) • Defibrillator near bathrooms (57½" a.f.f.) • Main Office sanitizer (50½" a.f.f.) • Defibrillator across from the Main Office (61" a.f.f.) • Guidance Suite coat hooks (4 at 71" a.f.f.) • Classroom #230 towel dispenser 53" a.f.f. over 24" wide table • Classroom #248 emergency shower pull (54¼" a.f.f.) • Nurses' Office hand sanitizer (50¼" a.f.f.) • Staff Lounge #252 towel dispenser (49½" a.f.f.) • Room #254 soap dispenser (55½" a.f.f.), towel dispenser (51" a.f.f.) • Soap dispenser near library and stairs #9 (51" a.f.f.) • Classroom #269 soap dispenser (49" a.f.f. over 22" obstruction) • Classroom #279 towel dispenser (50" a.f.f.) • Classroom #265 towel dispenser (65¼" a.f.f.) • Classroom #275 soap dispenser (54" a.f.f.) • Classroom #281 pencil sharpener (60" a.f.f.) • Classroom #277 soap dispenser (52" a.f.f.) • Boy's bathroom near cafeteria air dryer (45" a.f.f.) • <u>Lower Level</u> • Hallway sanitizer near Room #171 (51¼" a.f.f.) • Classroom #171 hand sanitizer (47" a.f.f. over a 24" obstruction) • Classroom #199 soap dispenser (56" a.f.f.), towel dispenser (50" a.f.f.) • Classroom #198 soap dispenser (49 ½" a.f.f.), pencil sharpener (51" a.f.f.), towel dispenser (51" a.f.f.) • Classroom #196 soap	308.2 308.3	6.5 6.6	The maximum reach range is 48" a.f.f. under the 2010 Standards. Items (dispensers, coat hooks, sanitizers, defibrillators, pencil sharpeners, emergency shower pulls, etc.) need to be lowered to a height of no more than 48" a.f.f. at the operating mechanisms and not located over an obstruction. For obstructed reaches of 20" to 25" in width, the maximum forward reach is 44". For obstructed reaches of up to 24" in width, the maximum side reach is 46". As the air dryer in the boy's bathroom was not in service, remove the air dryer. At least 5% of the lockers must have shelving and coat hooks no higher than 48" a.f.f. As required upon request, lower shelving and coats to be within reach range.	2, 4	2	I	\$0
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dispenser (56" a.f.f.) <u>2nd Level</u> - Classrooms #334 and 336 emergency shower pulls (both 53½" a.f.f.) - Classroom #336 towel dispenser (50" a.f.f.) <u>Hallway Lockers</u> The hallway lockers throughout the building are similar. At the time of assessment, all lockers were locked, however, access was allowed to view one locker. The locker shelves are 19" too high and the coat hooks are 16" too high. Main Level Stoves - Room #252 (staff lounge) has 2 stoves, both which have controls on the back of the stove and not the front. See Photos Bromfield 15 and 16.	804.6.5	32.8	As required Modify the oven so the controls are at a height of no more than 48" a.f.f. As necessary through a reasonable accommodation or when the unit needs replacing, provide a stove with the controls on the front panel.	4	2	L	Up to \$1,000
<u>Interior Stairs and Stair Railings</u> The stair railings for the stairs at the route of travel to the CATV have a railing on one side only, are too low and lack top and bottom extensions. The stair railings of the stairs to the CATV area lack top and bottom extensions and are only 31" a.f.f., which is 3" too low. The stair railings to the upper level have a railing on one side only for the lower segment with all railings lacking top and bottom extensions. See Photo Bromfield 17.	505	27.4	Modify and/or install railings as follows: Railings s/b continuous on both sides of the stairs at a height of 34" – 38" to the top of the handrails, with extensions at the top 12" parallel to the floor and the slope distance of one tread then 12" parallel to the floor at the bottom.	2	2	N	Up to \$750+
<u>Door Maneuverability</u> The following doors have less than the required 18" of maneuvering clearance on the latch pull side of the door due to desks placed at the doorway: Classrooms #261, 281, 295, 294, 291	404.2.4	26.6	There should be a minimum of 18" clearance on the latch pull side of the door for maneuverability. Remove the desks.	2	1	I	\$0
<u>Unsecured Rugs</u> A number of the classrooms had rugs/carpets which are unsecured and serve as a tripping hazard.	302	29.3	Secure mat and edges or remove when not in use.	2	1	I	\$0
<u>Drinking Fountains</u> The following drinking fountains do not provide the minimum required 4" high water flow and/or is not continuous: - Lower level "low" drinking fountain - Main level "high" drinking fountain near cafeteria	602.6	36.3	Adjust the drinking fountain operating/flow mechanism such that the water flow is continuous and is at least 4" high.	2	2	I	\$0

Main level (Grade 6) “high” drinking fountain near bathrooms							
Tables and Seating <u>Library</u> Four tables by the check-out counter have only 24½” of knee clearance, which is 2½” too low. Four booth-style seating have only 11” of knee depth. <u>Room #279 (Science and Physics)</u> Twelve tables in the classroom are all 36” to the top of the table, which is 2” too high.	226.1 902.3	35.1 35.6	If feasible, block or raise one of the tables by the check-out counter by 2½” such that the knee clearance is at least 27” a.f.f. If not feasible, provide a table at the check-out counter which has at least 27” of knee clearance. Modify one of the booths such that at least 19” of knee depth is provided. Modify one of the tables such that the table height is between 28” to 34” a.f.f. to the top of the table.	2	2	I	\$0 to TBD
Classroom and Office Sinks The following classroom sinks are missing protective guards or lack insulation for the piping: - Room #336 teacher’s sink, - Room #334 teacher’s sink, - Room #334 student sink, - Room #199 student sink, - Room #198 student sink, - Room #196 student sink, - Room #248 sink, Room #254 sink The following classrooms have sinks that are too high and/or lack knee clearance or knee depth: - Pottery room #170 (2 sinks w/only 20” of knee clearance), Science classroom #279 (36” high counter and no knee clearance), Science prep room #285/#287 (36” high counter and no knee clearance), Classroom #275 (36” high counter and no knee clearance), Classroom #254 (36” high counter and non-compliant knee depth), The following classrooms have sink faucets that require pinching and twisting of the wrist: - Classroom #279 and #285/#287 science prep room A number of the accessible sinks have items stored under the sink restricting or eliminating knee and toe depth. In addition, a desk in the nurse’s office reduces the clear width to the sink to only 25”, which is 11” too narrow. See Photos Bromfield 18, 19, and 20.	606 309 403.5	12.4 12.2 39 20.3	Replace the missing sink guards and/or pipe insulation. Modify sinks that are too high and/or lack sufficient knee depth or knee clearance such that the sinks are no more than 34” a.f.f. to the top, have a minimum of 27” of knee clearance, and 9” of toe depth. Replace non-compliant faucets that require pinching and twisting of the wrist with lever style faucets. Remove items under the accessible sinks and items which restrict the accessible route of travel.	2	2	N	Up to \$8,500+

Ramp to Cronin Auditorium and Gym The lower ramp railing heights vary in locations from 20¼" to 20½" a.f.f., which is ¼" to ½" too high. The upper ramp railing heights vary in locations from 33½" to 33¾" a.f.f., which is ¼" to ½" too low. Lower ramp railings s/b 18" to 20" a.f.f. to the top of the gripping surface and upper ramp railings 34" to 38" a.f.f. <i>Note: There are no tolerances allowed for a range of dimensions.</i> In addition, all 3 ramp run segments are 32 feet long, which exceeds the maximum allowed ramp run of 30 feet.	505.4	24.5	As feasible, modify the bottom ramp railings so they are 18" to 20" a.f.f. to the top of the gripping surfaces and the top ramp railings so they are 34" to 38" a.f.f. to the top of the gripping surfaces. Due to the cost to replace or modify the ramps to not exceed the maximum run of 30 feet versus the benefit gained, seek a variance to retain the existing ramps.	2	2	N	TBD
	405.6	24.4		2	1	I	\$0
Music/Drama and Band Rooms Room #355 (Chorus/Drama): There is no accessible route of travel to the performance/practice area and to the office. There are 4 levels with a 6" rise per level to the performance/practice area and 2 levels with a 6" rise to the office. Room #370 (Band): There is no accessible route of travel to the performance/practice area. There are 3 levels with a 9" rise per level. The instrument cages are difficult to operate with a closed fist or loose grip. See Photos Bromfield 21 and 22.	206	20	Reconstruct and reconfigure the Chorus/Drama and Band Rooms to provide ramped or mechanical (a permanent or portable vertical platform lift) between levels.	2	3,4	L	TBD
	309.4	39.5	Modify one cage of each type such that the cage is easy to open and use with a loose grip or closed fist.	2	2	N	\$100+
Auditorium There are no wheelchair designated spaces. Under S.221.2.1.1 (ADA) and S.14.2 (521 CMR), the roughly 697seat auditorium requires 8 wheelchair designated spaces. Companion seats must be provided adjacent to each designated wheelchair space. The only potentially available location for wheelchairs is in the mid section of the auditorium. There are no aisle seats without armrests or which have armrests that are removable or folding.	221.1 221.2 802	14.2 14.4 14.3	Provide a minimum of 8 wheelchair designated spaces (221.2.1.1; 14.2) in more than one location and integrated into the seating plan (221.2.2; 14.4) and that lines of sight and dispersion are substantially equivalent to, or better than, the choices of seating locations and viewing angles available to all other spectators (221.2.3, 802.2; 14.4). Wheelchair spaces (802.1; 14.3) must be 36" wide and 60" deep, level (no > 2% slope) and on a stable, firm, slip resistant surface. <i>(Note: The 2010 ADA Standards allows for a 48" deep space for a front or rear approach and a 33" wide space if adjacent to another wheelchair space).</i> At least one companion seat (802.3, 14.4.3) must be provided next to each wheelchair designated space. Companion seats must be comparable to the seats for the general public and must have signage installed indicating that the seats are reserved as companion seating for the accessible seating area. Companion seats shall be permitted to be moveable.	2	3	N	TBD
	221.4	14.2.1	Provide a minimum of 7 armless aisle seats dispersed throughout the auditorium. Each armless or folding armrest seat must be identified by a sign or marker. The location of each armless or folding armrest seat must be posted near the entrance of the auditorium.	2	3	N	TBD

The auditorium does not appear to have an assistive listening system (ALS) as no signage or recognition of one appears to be in place.	703.7.2	14.5 41.10	If audio amplification is provided, then an ASL must be provided. Based on the seating in the auditorium, a total of 28 receivers are required, 7 of which must be hearing-aid compatible. In addition, signage must be provided to notify patrons of the availability of a listening system. Such signage must include the International Symbol of Access for Hearing Loss (703.7.2.4; 14.5.4, 41.10).	2	3	N	Up to \$10,000
The stairs from the assembly area to the stage lack railings on both sides of the stairs. The single railing lacks top and bottom extensions, are not round or oval in shape, and are up to 4" too low. The stairs are not uniform in tread depth and the nosings are not sloped or curved.	505.2 505.10 505.7 505.4 504.2	27.4.1 27.4.3 27.4.5 27.4.2 27.2	Modify the railings so they are continuous on both sides, are round or oval in shape, are at a height of 34" to 38" a.f.f. to the top of the gripping surface, and lack top and bottom extensions. Extensions s/b 12" parallel to the floor at the top and then the slope distance of one tread then 12" parallel to the floor at the bottom. The stair treads need to be modified to be uniform in depth with curved nosings.	2	3	N	Up to \$3,500+
The stairs to the upper seating and control booth have railings which are up to 2" too low in locations.	505.4	27.4.2	Modify the railings so they are at a height of 34" to 38" a.f.f. to the top of the gripping surface.	2	3	N	Up to \$2,000+
There is no accessible route of travel to the control booth. See Photos Bromfield 23 and 24.	403	22	Create a vertical accessible route of travel to the control booth.	2	4	L	TBD
<u>Girl's Locker Room</u>							
The mirror above the shelf is 12½" too high.	603.3	30.11	Lower or relocate the mirror so that it is no more than 40" a.f.f. to the bottom of the reflecting surface.	2	2	I	\$0
The locker room benches are too narrow, lack back support, and do not have sufficient clear width on the side of the benches.	903	19.4	The bench seat must be a minimum of 42" long and 20" to 24" deep with back support or affixed to a wall. The back support s/b 42" long minimum from a point 2" above the seat surface to a point 18" above the seat surface. There must be at least a 36" wide accessible route around the lockers. Replace at least one bench to provide the required width, back support, and clear width.	2	2	N	Up to \$1,000+
The accessible shower grab bar is 1" too high. Unlike the non-accessible showers which have hardware for privacy showers, the accessible shower does not provide any means for privacy. See Photos Bromfield 25 and 26.	608	31		2	2	I	\$150
<u>Boy's Locker Rooms</u>							
See Narrative above.							
<u>Bathrooms</u>							
The following bathrooms have coat hooks that are 4½" to 21½" too high or which lack a stall door coat hook: - Main Level Men's Bathroom near #248 (no coat hook) - Main Level Staff Bathrooms (2) near cafeteria - Level 2 Accessible Staff Bathroom near #338	308	30.6.1 6.5 6.6	Lower the existing coat hooks and/or provide a coat hook where required at a height of no more than 48" a.f.f.	3	2	I	\$40

• Main Level Boy's Bathroom near cafeteria (no coat hook) • Main Level Girl's Bathroom near cafeteria (no coat hook) • Main Level Girl's Locker Room Bathroom • Lower Level Girl's Bathroom • Lower Level Boy's Bathroom (no coat hook) • Lower Level Women's Bathroom by stair #9 • Lower Level Men's Bathroom by stair #9 • Lower Level Girl's Bathroom across from #267 • Lower Level Boy's Bathroom across from #287 The following bathrooms have toilet paper dispensers that are too close to or too far from the front of the water closet: • Main Level Girl's Locker Room Bathroom (3" o.c.) • Lower Level Staff Bathroom opposite the drinking fountain side (3" o.c.) • Lower Level Boy's Bathroom (4" o.c.) • Lower Level Women's Bathroom by stair #9 (5½" o.c.) • Lower Level Men's Bathroom by stair #9 (4" o.c.) • Lower Level Girl's Bathroom across from #267 (13" o.c.) • Level 2 Girl's Bathroom (4" o.c.) • Level 2 Boy's Bathroom (12" o.c.) The following bathrooms have towel, soap, and/or sanitary napkin dispensers that are 2" to 13½" too high: • Main Level Office (soap, towel) • Main Level Men's Bathroom near #248 (soap, towel) • Main Level Women's Bathroom near #248 (soap, towel, sanitary dispenser) • Nurse's Bathroom (soap, towel, towel over the grab bars) • Main Level Staff	604.7	30.7.6	Relocate the toilet paper dispensers so that they are 7" minimum to 9" maximum in front of the water closet measured to the centerline of the dispenser.	3	2	I	\$0
	308	30.12	Lower the dispensers to a height of no more than 42" a.f.f. Dispensers that have the reach range obstructed or which are located over the grab bars should be relocated.	3	2	I	\$0

Bathrooms (2) near cafeteria (soap, towel) - Level 2 Accessible Staff Bathroom (soap, towel) - Level 2 Girl's Bathroom (soap, towel, sanitary dispenser) - Level 2 Boy's Bathroom (soap, towel) - Main Level Boy's Bathroom near cafeteria (soap, towel) - Main Level Girl's Bathroom near cafeteria (soap, towel, sanitary dispenser) - Girl's Locker Room Bathroom (soap, towel) - Lower Level Staff Bathroom on the drinking fountain side (soap, towel) - Lower Level Staff Bathroom opposite the drinking fountain side (soap, towel, sanitary dispenser) - Lower Level Girl's Bathroom (soap, towel, sanitary dispenser) - Lower Level Boy's Bathroom (soap, towel) - Lower Level Women's Bathroom by stair #9 (towel) - Lower Level Men's Bathroom by stair #9 (soap, towel) - Lower Level Girl's Bathroom across from #267 (soap, towel, sanitary dispenser) - Lower Level Boy's Bathroom across from #287 (soap, towel) In addition, the soap dispensers in the Girl's Locker Room, Lower Level Staff Bathroom on the drinking fountain side, and the Lower Level Girl's Bathroom across from #267 require a 27" horizontal reach over fixed objects making it difficult for a wheelchair user to access.							
The following bathrooms have mirrors that are up to 2" too high: - Main Level Women's Bathroom near #248 - Nurse's Bathroom	603.3	30.11	Lower the mirrors to a height of no more than 40" a.f.f. to the bottom of the reflecting surface.	3	2	I	\$0
The following bathrooms have sink piping that is not fully wrapped, guarded, or insulated: - Main Level Office - Main Level Men's Bathroom near #248	606.5	30.9.5	Wrap or insulate the piping.	3	2	I	Up to \$950

• Main Level Women's Bathroom near #248 • Main Level Staff Bathrooms (2) near cafeteria • Level 2 Accessible Staff Bathroom • Level 2 Girl's Bathroom • Level 2 Boy's Bathroom • Main Level Boy's Bathroom near cafeteria • Main Level Girl's Bathroom near cafeteria • Girl's Locker Room Bathroom • Lower Level Staff Bathroom on the drinking fountain side • Lower Level Staff Bathroom opposite the drinking fountain side • Lower Level Girl's Bathroom • Lower Level Boy's Bathroom • Lower Level Women's Bathroom by stair #9 • Lower Level Men's Bathroom by stair #9 • Lower Level Girl's Bathroom across from #267 • Lower Level Boy's Bathroom across from #287							
The following bathrooms have metered faucets that only stay open for 1 to 2 seconds: • Lower Level Staff Bathroom on the drinking fountain side • Lower Level Staff Bathroom opposite the drinking fountain side • Lower Level Girl's Bathroom • Lower Level Boy's Bathroom • Lower Level Men's Bathroom by stair #9	606.4	30.9.6	Modify/adjust the faucets so that they stay open for at least 10 seconds.	3	2	1	\$0
The following bathrooms have grab bars that are ¾" to 1" too high: • Main Level Office (rear and side) • Nurse's Office (rear and side) • Main Level Staff Bathrooms (2) near cafeteria (rear and side) • Main Level Boy's Bathroom near cafeteria (side and rear) • Main Level Girl's Bathroom	609.4	30.8.2	Lower the grab bars to a height of 33" to 36" a.f.f. to the top of the gripping surface. <i>Note: There are no tolerances for a range of dimensions.</i>	3	2	1	\$0

near cafeteria (side and rear) • Girl's Locker Room Bathroom (side and rear) • Lower Level Girl's Bathroom across from #267 (side only)							
The following bathrooms lack grabs: • Main Level Men's Bathroom near #248 (rear and side) • Main Level Women's Bathroom near #248 (rear and side) • Level 2 Accessible Staff Bathroom near #338 (side only) • Level 2 Boy's Bathroom (side only) • Lower Level Girl's Bathroom across from #267 (rear only)	604.5 609	30.8	Install side and/or rear 42" long grab bars at a height of 33" to 36" a.f.f. to the top of the gripping surface. The rear grab bar s/b no more than 6" from the interior corner and the side grab bar no more than 12" from the interior corner.	3	2	I	\$875+
The following bathrooms have rear grab bars that are only 36" long, which is 6" too short: • Main Office Bathroom • Main Level Staff Bathrooms (2) near cafeteria • Girl's Locker Room Bathroom • Lower Level Boy's Bathroom across from #287	604.5 609	30.8	Replace the grab bars with a 42" long grab bar. If dispensers result in being over the longer grab bars, the dispensers need to be relocated.	3	2	I	\$625+
The following bathroom has a rear grab bar that is 6" too far from the interior corner: • Main Level Girl's Bathroom near the cafeteria	604.5 609	30.8	The rear grab bar should be relocated so that it is no more than 6" from the interior corner.	3	2	I	\$0
The following bathrooms have water closets that are too low or too high: • Nurse's Office (1/4" too low) • Lower Level Staff Bathroom on drinking fountain side (1" too high)	604.4	30.7.3	Replace the Nurse's Office water closet seat with one that is thicker such that the seat is 17" to 19" a.f.f. Modify the Lower Level Staff Bathroom such that the seat is 17" to 19" a.f.f. <i>Note: There are no tolerances for a range of dimensions.</i>	3	2,3	I	Up to \$750
The following bathrooms have water closets which have flush controls on the near side and not the wide or approach side: • Main Level Women's Bathroom near #248 • Nurse's Office • Level 2 Girl's Bathroom • Main Level Boy's Bathroom near cafeteria • Main Level Girl's Bathroom near cafeteria	604.6	30.7.5	Replace the water tanks or the water closets in their entirety.	3	3	I	\$1,250 to \$3,500
The following bathrooms have water	604.2	30.7.2	Modify/relocate the Level 2 Boy's Bathroom water closet	3	2,3	I	Up to

closets that do not meet the near wall (18"), far wall (42") and/or front (42") clear width requirements: - Nurse's Bathroom (only 32½" in front due to a cabinet) - Main Level Staff Bathroom on the right side near the cafeteria (only 36" on the far side due to a cabinet) - Level 2 Boy's Bathroom (only 16½" on the near side) - Lower Level Staff Bathroom on the drinking fountain side (only 19" on the far side due to storage)	604.3		so it is 18" o.c. from the near wall. Remove the items restricting the clear widths in the Nurse's Bathroom, Main Level Staff Bathroom, and Lower Level Staff Bathroom.					\$750+
The following bathrooms have stall doors that open in and not out: - Main Level Men's Bathroom near #248 - Main Level Women's Bathroom near #248 - Level 2 Girl's Bathroom - Girl's Locker Room Bathroom - Lower Level Girl's Bathroom - Lower Level Boy's Bathroom - Lower Level Women's Bathroom by stair #9 - Lower Level Men's Bathroom by stair #9 - Lower Level Girl's Bathroom across from #267 - Lower Level Boy's Bathroom across from #287	404.2 604.8	30.6.1	Reverse the door swings so they open out.	3	2	I		\$0
The following bathrooms have stall doors that lack pull devices: - Girl's Locker Room Bathroom - Lower Level Girl's Bathroom - Lower Level Boy's Bathroom. In addition, the stall door lacks a locking mechanism. - Lower Level Women's Bathroom by stair #9 - Lower Level Men's Bathroom by stair #9 - Lower Level Girl's Bathroom across from #267 - Lower Level Boy's Bathroom across from #287	604.8.1	30.6.1	Install interior and exterior pull devices. Install a locking mechanism that is operable with a closed fist or loose grip on the stall door in the Lower Level Boy's Bathroom.	3	2	I		\$175+
The following bathrooms have stall doors that are not fully self-closing:	604.8.1	30.6.1	Adjust the hinges so that the stall doors fully self-close.	3	2	I		\$0

• Main Level Men's Bathroom near #248 • Main Level Women's Bathroom near #248 • Level 2 Girl's Bathroom • Level 2 Boy's Bathroom • Main Level Girl's Bathroom near the cafeteria • Main Level Boy's Bathroom near the cafeteria • Girl's Locker Room Bathroom • Lower Level Girl's Bathroom • Lower Level Boy's Bathroom • Lower Level Women's Bathroom by stair #9 • Lower Level Men's Bathroom by stair #9 • Lower Level Girl's Bathroom across from #267 • Lower Level Boy's Bathroom across from #287 See Photos Bromfield 27, 28, 29, and 30.							
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Up to \$47,765+

The Bromfield School Accessibility Assessment Photos



Photo Bromfield 1



Photo Bromfield 2



Photo Bromfield 3



Photo Bromfield 4



Photo Bromfield 5

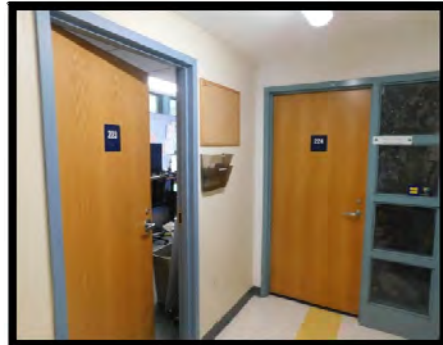


Photo Bromfield 6

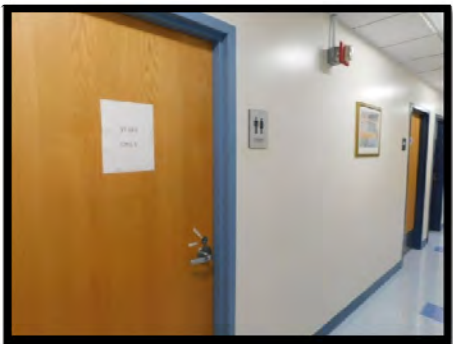


Photo Bromfield 7



Photo Bromfield 8



Photo Bromfield 9



Photo Bromfield 10



Photo Bromfield 11



Photo Bromfield 12

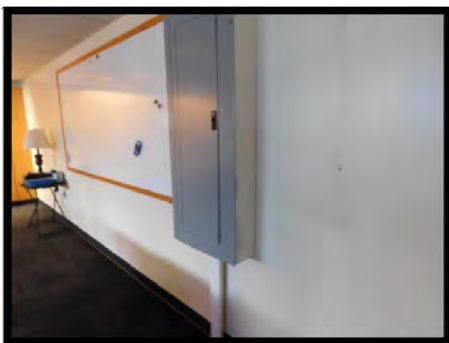


Photo Bromfield 13

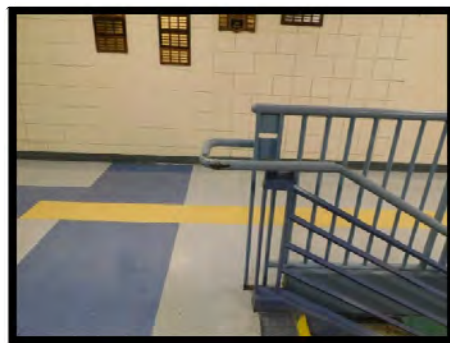


Photo Bromfield 14



Photo Bromfield 15

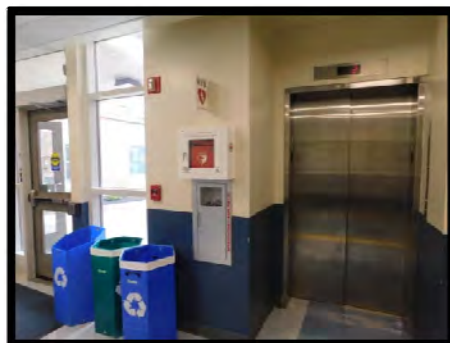


Photo Bromfield 16



Photo Bromfield 17



Photo Bromfield 18



Photo Bromfield 19



Photo Bromfield 20



Photo Bromfield 21



Photo Bromfield 22



Photo Bromfield 23



Photo Bromfield 24

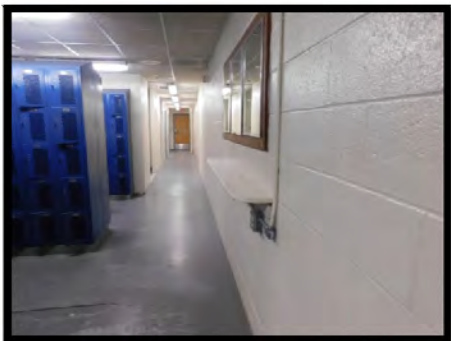


Photo Bromfield 25

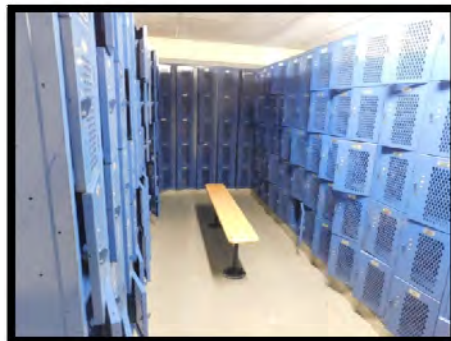


Photo Bromfield 26

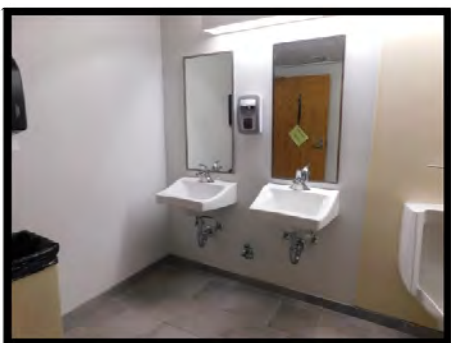


Photo Bromfield 27

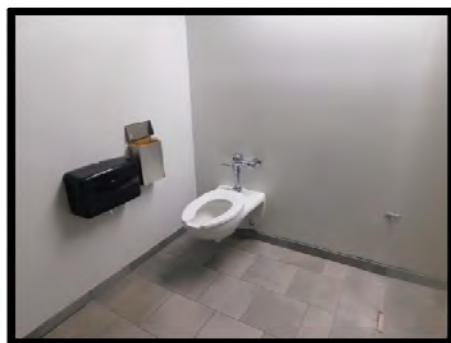


Photo Bromfield 28

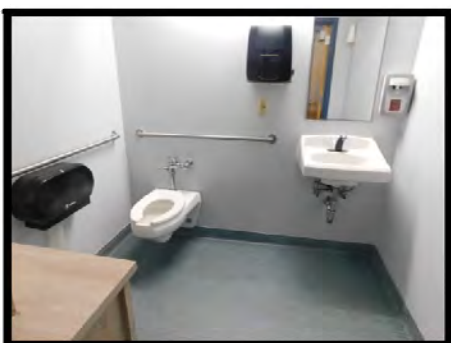


Photo Bromfield 29

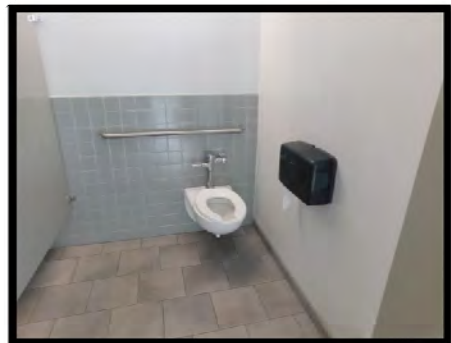


Photo Bromfield 30

XV. RECREATIONAL FACILITIES ASSESSMENTS

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PREFACE

Active Recreational Facilities and Public Spaces

Public spaces, recreational facilities and playgrounds are within the jurisdiction of ADA and 521 CMR and therefore must conform to those standards pertaining to accessible routes, reach ranges, height, knee and toe clearance, operating force, running and cross slopes, clear width, maneuverability and similar standards for ancillary features (bathroom, benches, picnic tables, water fountains, parking, etc.). At a minimum, an accessible route must be provided up to the play or recreation area and then to any play equipment, facilities, bleachers, field, or other amenity or feature.

Passive Recreation and Conservation Areas

Passive recreation and conservation areas are not fully addressed under 521 CMR and the 2010 ADA Standards unless there are developed facilities or services provided at a site. This would include such things as picnic tables, grilling stations, benches, and constructed walkways. If parking is provided and access is available, then parking must also be compliant. An unimproved trail through a wooded area or field would not need to be made “accessible” unless formal construction modifications or improvements were undertaken at that site. In most cases, compliance with 521 CMR and the 2010 ADA Standards in conservation and passive recreation areas, would be technologically infeasible or would result in excessive and unreasonable costs without any substantial benefit to persons with disabilities.

Walkways

Walkways in recreation areas include, but are not limited to walks, sidewalks, overpasses, bridges, tunnels, underpasses, plazas, courts, and other pedestrian pathways. Sidewalks on streets and ways are also considered walkways, with the exception that if the slope of the natural topography exceeds 5% (1:20) a ramp is not required.

Playgrounds

Playgrounds standards are new under the 2010 ADA Standards. Although there are changes being discussed under 521 CMR, currently Massachusetts simply requires an accessible route to and around the play area and to the play equipment. The 2010 ADA Standards are much more expansive and incorporates ground-level components, elevated components, component standards and surface types. Note: There is a difference between “ADA Compliant” and “Fully Accessible”. Compliant play structures are generally accessible and are made with the physically disabled in mind. However, fully accessible structures are made specifically for those with disabilities and are typically far more expensive. The language of the ADA makes a distinction between “elevated” and “ground” components. Roughly 25% of a play structure’s components must be on the ground level for it to be ADA compliant. A fully accessible structure has roughly 50% of its components as “ground”. In a fully accessible play system, every component is wheelchair accessible, including elevated areas achieved through the use of ramps.

Although the 2010 ADA Standards do not mandate elevated play equipment, if there is elevated play equipment, then accessible ground level equipment must also be provided.

In addition, the entire play area does not need to be on an accessible surface, but rather the routes of travel to both the play area and the accessible play components must comply with Section 402. Accessible Route and Section 302 Floor or Ground Surfaces (stable, firm, slip resistant) of the 2010 ADA Standards and Section 20 (Accessible Route) and Section 29 (Floor Surfaces) of 521 CMR.

The accessible route connecting ground level components within a play area should be 60" wide with some variation allowed depending on length of travel route and size of play area. The accessible route is preferred, but does not have to be, of the same material or structure as the general route of travel.

Under the 2010 ADA Standards, apart from the actual accessible pathway, there are two types of ground surfaces within the play area. Ground surfaces on accessible routes must comply with the American Society for Testing and Materials (ASTM) F 1951 and the ground surfaces located within the "use zone" must comply with ASTM F 1292. Ground surfaces must be inspected and maintained regularly to ensure continued compliance with the ASTM Standards. The type of surface selected and play area use level will determine the frequency of inspection and maintenance activities.

Representative Examples of ADA Compliant and Accessible Playgrounds and Play Components



ASTM F 1951 establishes a uniform means to measure the characteristics of surface systems in order to provide performance specifications to be used when selecting materials for use as an accessible surface under and around playground equipment (not the accessible route). Surface methods that comply with this standard and are located in the use zone must also comply with ASTM F 1292 for “impact attenuating” to provide a safe fall area around play equipment.

Within a play area that is not part of an accessible route, turning area or use zone, acceptable materials can include loose fill such as pea gravel, sand, and wood chips. Depending on the fall height of a play structure, materials such as pea gravel, sand, wood chips, shredded rubber and engineered wood fiber all provide different levels of impact attenuation. See Section XI for a more detailed discussion of Accessible Routes and Playground Surfacing Materials.

For fully accessible surfaces, pour in place products, rubber mats and tiles, and artificial grass with rubber in-fill all meet ADA standards but are significantly more expensive.

In Massachusetts, public hearings have recently been held to hear comment on sweeping changes to 521 CMR. Significant changes are proposed that would align 521 CMR more with the 2010 ADA Standards including playgrounds and play areas. The proposed surface related changes are noted below:

Proposed Changes in 521 CMR

59.4 Accessible Routes

An accessible route shall be provided to reach playground equipment and around the perimeter of the playground to play components.

59.4.1 The ground surface of use zones, accessible routes and turning spaces within play areas shall be firm, stable and slip resistant, permanent, and constructed of materials such as rubber resilient surfacing, urethane rubber composites or similar; and comply with commonly accepted impact attenuation criteria for safety surfacing materials within the use zones of play area equipment. Loose fill surfaces and aggregate surfaces including wood fiber, bark mulch, wood chips, shredded rubber, shredded foam, etc. are not acceptable for accessible routes within the playground. Molded rubber mats, if utilized, require adhesion to a permanent surface beneath.

Active and Passive Recreational Facilities Accessibility Improvements Cost Estimates

The cost estimates provided for each recreational facility are rough parameters of cost based on pricing for similar work as well as estimated costs for certain types of modifications. Actual costs on some items may vary considerably due to unforeseen conditions and/or design alternatives. If the required modifications require design solutions, additional architectural and/or engineering fees may be required. In addition, if the work must be formally bid to private contractors, additional costs (bonds, insurance, prevailing wage) will also increase the overall cost. Depending on complexity, suggested base costs could increase up to an additional 30.5% as a total project cost.

ANN LEES FIELD

Function and Description of Facility and Programs: Ann Lees Field contains a baseball/softball field, player's seating, and an "accessible" portable toilet.



Responsible Party: Parks and Recreation Commission.

General Description or Obstacle Which Limits Mobility or Access: There is no designated accessible parking. There is no accessible route of travel to the ballfield and player's benches. The accessible route to the portable toilet and waste disposal bin is overgrown. The portable "accessible" toilet has numerous areas of non-compliance including a too fast door closing speed, an interior pull device and locking mechanism that is not easily operable with a closed fist or loose grip, a soap dispenser that is too high and located over the grab bars, a toilet paper dispenser that is located over the grab bars and is too close to the front of the toilet, a toilet that is too high and which does not meet near wall and front clear width requirements.

Ann Lees Field Accessibility Assessment

General Description of Obstacle	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Parking</u> There are no designated accessible parking spaces inclusive of access aisle and signage.	502 703.7.2	23	Pave, stripe, and designate at least one van accessible parking space and one passenger vehicle accessible parking space. The van accessible space s/b at a width of either 11' with a 5' access aisle or 8' wide parking space with an 8' access aisle (2010 ADA Standards). The passenger vehicle accessible space s/b 8' wide with a 5'	1	2	N	Up to \$3,500+

			access aisle. Signage must be set such that the signage height should be a minimum of 60" high at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR) and located no more than 10' in front of the space. Van accessible signage s/b provided at the van accessible space. Slopes for the parking and access aisles should not exceed 2.0% in any direction.				
<u>Accessible Route of Travel</u> There is no accessible route of travel to the ball field and player's benches. The routes of travel to the portable toilet and waste disposal bin are overgrown with weeds and grass for roughly 3 to 5 feet. See Photos Ann Lees 1 and 2.	403	22	An accessible route of travel needs to be provided to all areas available to the public. Construct an accessible route of travel fully to the ball field and player's benches. Relocate the waste disposal bin and the portable toilet to the edge of the stone dust. The accessible route of travel must be compliant with width (48" per 521 CMR) and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Construction options include compacted stone dust, asphalt or similar surfaces that meet the requirement of stable, firm, and slip resistant. Costs will vary depending on material used.	2	3	N	\$3,000 to \$7,500
<u>Portable Accessible Toilet</u> The portable "accessible" toilet is not ADA compliant as the soap dispenser is too high and located over the grab bars; the toilet paper dispenser is too high, is located over the grab bars, and is too close to the front of the toilet; the toilet is ½" too high, 2" too close to the near wall and 9" too close to the door in front of the toilet; and the door closing speed is too fast. In addition, the interior pull device and locking mechanism are constructed in a manner that makes it difficult to operate with a loose grip or closed fist.	308 604.7 604.4 604.2 604.3 309.4 404.2	30.12 30.7.6 30.8.5 30.7.2 26.9 26.11	Replace the existing portable "accessible" toilet with an ADA Compliant toilet such that soap/towel dispensers are no more than 42" a.f.f.; the toilet paper dispenser s/b a minimum of 24" a.f.f. and s/b 7" min. to 9" max. in front of the water closet measured to the centerline of the dispenser; the height of the water closet s/b 17" to 19" a.f.f. to the top of the seat; the water closet s/b 18" from the nearest sidewall, at least 42" from the farthest sidewall, and 42" from the front of the water closet to the nearest wall or fixture; and a door closing speed that is at least 6 seconds. Nothing s/b mounted over the grab bars. The door pull and locking mechanism needs to be modified such that they are both operable with a loose grip or closed fist.	3	2	I	TBD

Total up to \$11,000+

Ann Lees Field Accessibility Assessment Photos



Photo Ann Lees 1



Photo Ann Lees 2

BARE HILL POND BEACH

Description of Facility: Bare Hill Pond Beach is a large multi-purpose water-based recreational area which includes parking, a bath house/restrooms, a portable accessible toilet, a volleyball area, a playground, picnic areas with tables, grilling areas, benches, docks for boats, a drinking fountain, and an all terrain mobility beach chair.



Responsible Party: Park and Recreation Department.

General Description or Obstacle Which Limits Mobility or Access:

Parking

Based on the number of parking spaces in front of the bath house area, an additional accessible designated space is required. The existing accessible space and access aisle has excessive running slopes and cross slopes and is not designated as van accessible.

The designated accessible parking at the boat launch area has excessive cross slopes, is not designated as van accessible, and has signage which is too low.

Bathrooms

The men's and women's bathrooms are wholly non-compliant as there is a 9" abrupt change in elevation to access the bathrooms; the bathrooms lack tactile designation signage, have knob-style hardware, have insufficient door clear width, have sinks with insufficient knee clearance, have sink piping that is not wrapped, have insufficient water closet clear widths, lack grab bars, have water closet flush controls on the wrong side, have no toilet paper dispensers, and have no mirrors.

Portable Toilet

The portable “accessible” toilet has numerous areas of non-compliance including a too fast door closing speed; an interior pull device and locking mechanism that is not easily operable with a closed fist or loose grip; a soap dispenser that is too high; a toilet paper dispenser that is too high, located over the grab bars and is too close to the front of the toilet; a toilet that is too high and which does not meet near wall and front clear width requirements.

Drinking Fountain

An exterior wall mounted drinking fountain lacks knee clearance and is not a “high – low” drinking fountain.

Emergency Phone

An emergency phone near the men’s bathroom is 4 ½” too high under the 2010 ADA Standards. In addition the concrete walkway below the phone has a 1” abrupt change in level surface.

Benches/Picnic/Grilling Areas

None of the benches, picnic tables, and grilling stations are on an accessible route of travel. In addition there are no level areas for a wheelchair at the benches and the picnic table lack knee depth.

Playground

There is no accessible route of travel into, fully around, and within the playground area. The playground surface is primarily sand. Sand may be acceptable as “fall zone” material if it meets ASTM standards, but not as an accessible route of travel to and within the playground area. With the exception of one swing, there are no accessible play components.

Docks/Piers

There is no accessible route of travel to the docks/piers. There is up to a 4½” abrupt change in level surface at the transition from the ground to the dock. There are also abrupt changes in level surface on the docks at the transition from the wooden platforms and metal ramps. The ramps lack railings and the docks lack edge protection. The ramp on the right side (constructed in 2016) has a running slope of up to 11.3%.

Beach

Although there is a single user mobility chair for use to access the beach and pond by those with mobility limiting disabilities, it can only be used by one person at a time and would limit the ability for another wheelchair user to access the beach. It is recommended that beach matting also be provided.

Bare Hill Pond Beach Accessibility Assessment

General Description of Obstacle	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Parking</u> <u>Bath House Area</u> Based on the number of parking spaces in front of the bath house area, an additional accessible designated space is required. The existing accessible space and access aisle has running slopes up to 3.6% and cross slopes up to 3.2%. The existing space is 9’ - 5”	502 703.7.2	23	Repave, restripe the existing spaces at both locations to create van accessible spaces and create an additional passenger vehicle space at the Bath House Area. The van accessible spaces s/b at a width of either 11’ with a 5’ access aisle or 8’ wide parking space with an 8’ access aisle (2010 ADA Standards). The passenger vehicle accessible space s/b 8’ wide with a 5’ access aisle.	1	3	N	Up to \$10,000

wide with a 6' - 4" wide access (total width of 15' - 9". The existing signage is 21¼" too low. Boat Launch Area The designated accessible parking at the boat launch area has cross slopes of up to 3.2%. The space and access aisle meet van accessible width standards but does not provide van accessible signage. The existing signage is 24¼" too low. See Photos Bare Hill Pond 1 and 2.			Signage must be set such that the signage height should be a minimum of 60" high at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR) and located no more than 10' in front of the space. Van accessible signage s/b provided at the van accessible space. Slopes for the parking and access aisles should not exceed 2.0% in any direction. <i>Note: If placed together, the accessible van and passenger vehicle spaces can share an 8' access aisle.</i>				
Drinking Fountain A "bubbler" on the side of the building lacks knee clearance and is not a "high-low" drinking fountain. See Photo Bare Hill Pond 3.	211 306 602	36	Option #1: Discontinue use of the bubbler. Option #2 – Remove the existing bubbler and replace with a "hi-low" drinking fountain. The drinking fountain must comply as follows: Protruding objects compliance of no > 4" protrusion between 27" and 80" a.f.f. (307); 30"x48" clear space requirement (305), and knee/toe clearance (306). Knee clearance is 9" to 27" a.f.f.; 25" deep max. at 9" a.f.f. or 11" deep min at 9" a.f.f. and 8" deep min at 27" a.f.f. Width of knee clearance s/b 30" wide min (306.3). Toe clearance as part of c.f.s. 17" min – 25" max, 9" high a.f.f., 30" wide (306.2). The spout s/b 15" min from wall and 5" max from the front edge of the unit (602.5). Flow of water 4" high min and spout located max 5" from front (602.6). and with the water flow within 3" from the front edge (36.3). The spout height s/b 36" max. a.f.f. for "low" and 38" min a.f.f. to 43" max a.f.f. for "high". The controls s/b operable w/one fist; no > 5 lbs force (309.4).	2 2	2 3	I N	\$0 Up to \$3,500+
Portable Accessible Toilet The portable "accessible" toilet has numerous areas of non-compliance including a too fast door closing speed; an interior pull device and locking mechanism that is not easily operable with a closed fist or loose grip; a soap dispenser that is 2½" too high; a toilet paper dispenser that is 9½" too high, located over the grab bars and is too close to the front of the toilet; a toilet that is ½" too high and which is 2" too close to the near wall and 10" too close to the front door.	308 604.7 604.4 604.2 604.3 309.4 404.2	30.12 30.7.6 30.8.5 30.7.2 26.9 26.11	Replace the existing portable "accessible" toilet with an ADA Compliant toilet such that soap/towel dispensers are no more than 42" a.f.f.; the toilet paper dispenser s/b a minimum of 24" a.f.f. and s/b 7" min. to 9" max. in front of the water closet measured to the centerline of the dispenser; the height of the water closet s/b 17" to 19" a.f.f. to the top of the seat; the water closet s/b 18" from the nearest sidewall, at least 42" from the farthest sidewall, and 42" from the front of the water closet to the nearest wall or fixture; and a door closing speed that is at least 6 seconds. Nothing should be mounted over the grab bars. The door pull and locking mechanism needs to be modified such that they are both operable with a loose grip or closed fist.	3	2	I	TBD
Emergency Phone The emergency phone located near the men's bathrooms is 4½" too high under the 2010 ADA Standards and has up to a 1" abrupt change in level surface on the walkway below the phone.	308.2 308.3 403	6.5 6.6 22	Lower the phone to a height of no more than 48" a.f.f. at the controls. Modify or grind the walkway below the phone such that there is no more than a ¼" unbeveled change in level surface or no more than a ½" change in level surface if beveled with a slope of no more than 1:2 (50%).	2 2	3 2	I I	Up to \$350+ \$0
Accessible Routes of Travel There are no fully compliant accessible routes of travel to the beach and pond; to scattered site picnic tables, grilling	403 221 902.3	22 14.4 19.6	An accessible route of travel needs to be provided to all areas available to the public. The accessible route of travel must be compliant with width (48" per 521 CMR)	2	2,3	N	Up to \$37,500+

stations, and benches; to the volleyball area; and to the boat docking area.	306.2 306.3		and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Construction options include compacted stone dust, asphalt or similar surfaces that meet the requirement of stable, firm, and slip resistant. Costs will vary depending on material used.				
<u>Beach and Pond</u> Although there is an available single user mobility chair to access the beach and pond by those with mobility limiting disabilities, it can only be used by one person at a time and would limit the ability for another wheelchair user to access the beach. As a result it is recommended that beach matting also be provided. <u>Benches and Picnic Tables</u> There are no accessible routes of travel to at least one picnic table, bench, and grilling station located in each scattered site location throughout the facility. There are no level areas for wheelchairs at the benches. One of the picnic tables at the playground area has only 25½" of knee clearance whereas the other picnic table has only 11" of knee depth. The picnic tables near the docks have only 7½" of knee depth. <u>Docks</u> There are up to 4½" abrupt changes in level surface from the ground to dock transition. In addition, there are 2" to 4" abrupt changes in level surface on the docks at the ramp transitions. The ramps on the docks have running slopes 6.8% to 11.3% and lack railings. In addition, the docks lack edge protection and/or detectable warnings. See Photos Bare Hill Pond 4, 5, 6, 7, and 8.	403 206.2 1003 1005 237	22 19.9.1 19.9.2 19.9.4 19.11	<u>Note:</u> Not all picnic tables need to be accessible and not all picnic tables, benches, and grilling stations need to be on an accessible route of travel but rather <u>at least 5%, or at least one (1) in each separate and distinct area</u> must be accessible. Therefore, the bench near the bath house area parking, one picnic table at the playground area; and one bench, picnic table, and grilling station near the docks must be on an accessible route of travel, have level areas for a wheelchair at the benches, and have accessible picnic tables. Create an approach and level wheelchair area next to benches. The space should be 36" wide x 60" deep per wheelchair. If a front/rear approach, the depth can be reduced to 48" as opposed to 60" for a side approach. Accessible picnic tables must have a minimum of 30" clear width, 27" knee height, and 19" knee depth. Modify <u>at least one</u> of the ramps and docks as follows: 403/22 – Modify the transitions on the accessible route of travel such that the level surface changes do not exceed ¼" if unbeveled and no more than ½" if beveled with a slope of no more than 1:2 (50%). 19.9.1 – Install paired railings on the ramps in compliance with 521 CMR S. 24.5. A minimum clear width of 36" is required between railings (521 CMR S.19.9.2). 19.9.3 – Ramps of up to 30 feet can have a running slope of up to 1:14 (7.1%). 19.11 – The edge of all floating and fixed docks shall provide at least one of the following: a) handrails that provide with 521 CMR S. 24.5; b) curbs that are at least 4" high and preceded by detectable warnings; c) detectable warnings.				
<u>Playground Area</u> There is no accessible route of travel into, fully around, and within the playground area. The playground surface is primarily sand. Sand may be acceptable as "fall zone" material if it meets ASTM standards, but not as an accessible route of travel to and within the playground area. With the exception of one swing, there are no accessible play components.	402 303 403	19 20 22	An accessible route of travel needs to be provided to all areas available to the public. Construct an accessible route of travel fully to and around the playground areas and to and between playground equipment. The accessible route of travel must be compliant with width (48" per 521 CMR) and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Play area ground surfaces immediately around play components and in the fall zone must comply with ASTM F 1951 and ASTM F 1292. Accessible compliant playground equipment should be incorporated into the playground area.	2	3	N	Up to \$15,000+

Bathrooms <u>Both Bathrooms (Men's and Women's)</u> There is a 9" abrupt change in level surface from the concrete walkway to the inside of the bathrooms. There is only 29" of clear width at the entrances. The doors lack tactile designation signage. Doors have non-compliant knob-style hardware. The sinks have only 25" to 26" of knee clearance. The sink piping is not fully wrapped, guarded, or insulated. There are no soap or towel dispensers There are no mirrors. There are no toilet paper dispensers. The water closets are 1" too low, are 2" too close to the near wall, and are 26" too close to the far wall. The water closet flush controls are on the wrong side. The water closets lack grab bars. <u>Men's Only</u> The urinal is 6" too high. <u>Women's Only</u> The stall door to the women's water closet is only 25" wide, swings in, and lacks pull devices. See Photos Bare Hill Pond 9, 10, 11, and 12.	404.2.5	26.10	Thresholds cannot exceed ½" if beveled (no more than 1:2 slope) or ¼" if not beveled.	3	3,4	I	Up to \$50,000
	404.2.3	26.5	A minimum of 32" of clear width is required.				
	703	41	Accessible compliant designation signage s/b located on the latch side of each door with appropriate finish and contrast and character height and proportions, raised and Brailled characters should also be included. Tactile characters on signs s/b 48" min. a.f.f.. from the baseline of the lowest character and 60" max. a.f.f. to the baseline of the highest character. Under 521 CMR, signage s/b 60" a.f.f. to the centerline of the sign. Characters must meet the ADA Standards for character height, finish and contrast, accompanied by Grade 2 Braille (703 ADA Standards). Bathroom signage must also include the Universal Symbol of Accessibility.				
	404.2	26.11	Hardware must be lever-style or similar such that it is operable with a closed fist or loose grip.				
	306.3	30.9.3	Sinks must have a minimum of 27" of knee clearance.				
	606.5	30.9.5	Wrap, guard, or insulate the piping.				
	308	30.12	When provided, wall mounted soap and towel dispensers s/be no more than 42" a.f.f.				
	603.3	30.11	When provided, mirrors s/b mounted such that the bottom of the reflecting surface is no more than 40" a.f.f.				
	604.7	30.7.6	Toilet paper dispensers s/b a minimum of 7" and a maximum of 9" in front of the water closet measured to the centerline of the dispenser and at least 24" a.f.f. and not located over the grab bars				
	604.2 604.3	30.7.2	The water closets s/b at a height of 17" to 19" to the top of the seat and located 18" o.c. from the near wall, 42" o.c. from the far wall, and 42" from the nearest wall or object in front of the water closets.				
	604.6	30.7.5	The flush controls s/b located on the wide or open side.				
	609 604.5	30.8	42" long grab bars s/b located on the rear and side of the water closet at a height of 33" to 36" to the top of the gripping surface. The rear grab bar s/b no more than 6" from the interior corner and the side grab bar no more than 12" from the interior corner.				
	605.2	30.10	If provided, a urinal s/b no more than 17" a.f.f. to the top of the rim.				
	604.8.1 404.2.7 404.2	30.6.1	Stall doors must be a minimum of 32", doors must open out or slide, the door hinge must be self-closing, pull devices must be on both sides of the door, locking mechanisms must be operable with a loose grip or closed fist, and a coat hook at a height of no more than 48" a.f.f. must be provided.				

			<u>Recommended Action:</u> Modify/reconstruct one of the bathrooms to adhere to the above required requirements. It will be necessary to construct a ramp to the bathroom that adheres to Section 405 of the 2010 ADA Standards and Section 24 of 521 CMR. This includes a maximum running slope of 8.3%, paired railings at a height of 34" to 38" a.f.f. (higher) and 18" to 20" a.f.f. (lower), and a ramp width of 48" between railings.				
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Total up to \$116,350+

Bare Hill Pond Beach Accessibility Assessment Photos



Photo Bare Hill Pond 1



Photo Bare Hill Pond 2



Photo Bare Hill Pond 3



Photo Bare Hill Pond 4



Photo Bare Hill Pond 5



Photo Bare Hill Pond 6



Photo Bare Hill Pond 7



Photo Bare Hill Pond 8



Photo Bare Hill Pond 9

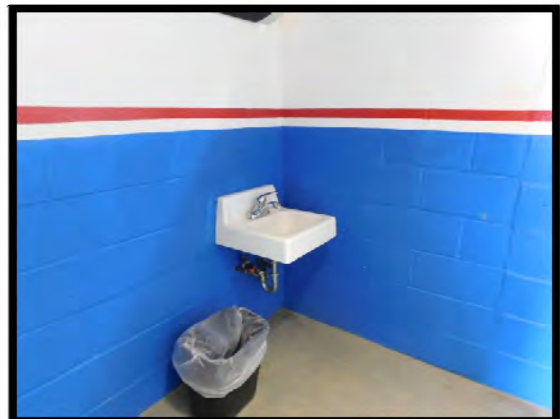


Photo Bare Hill Pond 10



Photo Bare Hill Pond 11

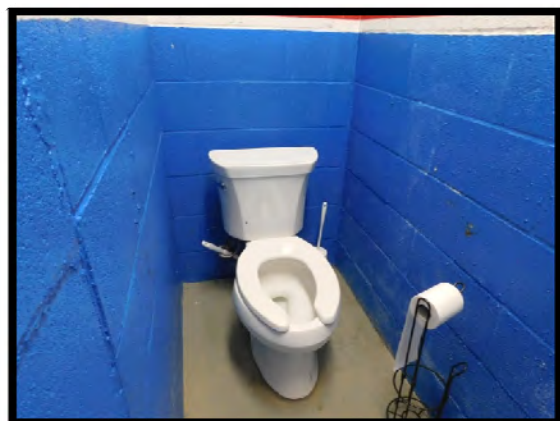


Photo Bare Hill Pond 12

CHARLIE WAITE FIELD

Function and Description of Facility and Programs: Charlie Waite Field consists of a soccer field and an “accessible” portable toilet.



Responsible Party: Parks and Recreation Commission.

General Description or Obstacle Which Limits Mobility or Access: There is no designated accessible parking. There is no accessible route of travel to the soccer field and portable toilet. The portable “accessible” toilet has numerous areas of non-compliance including a too fast door closing speed; an interior pull device and locking mechanism that is not easily operable with a closed fist or loose grip; a soap dispenser that is too high and located over the grab bars; a toilet paper dispenser that is too high, is located over the grab bars, and is too close to the front of the toilet; a toilet that is too high and which does not meet near wall and front clear width requirements.

Charlie Waite Field Accessibility Assessment

General Description of Obstacle	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
Parking There are no designated accessible parking spaces inclusive of access aisle and signage.	502 703.7.2	23	Pave, stripe, and designate at least one van accessible parking space and one passenger vehicle accessible parking space. The van accessible space s/b at a width of either 11' with a 5' access aisle or 8' wide parking space with an 8' access aisle (2010 ADA Standards). The	1	2	N	Up to \$3,500+

			passenger vehicle accessible space s/b 8' wide with a 5' access aisle. Signage must be set such that the signage height should be a minimum of 60" high at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR) and located no more than 10' in front of the space. Van accessible signage s/b provided at the van accessible space. Slopes for the parking and access aisles should not exceed 2.0% in any direction.				
Accessible Route of Travel There is no accessible route of travel to and around the soccer field and to the portable toilet. The route of travel to the portable toilet is overgrown with weeds and grass. See Photo Waite 1.	403	22	An accessible route of travel needs to be provided to all areas available to the public. Construct an accessible route of travel fully to and around the soccer field and to the portable toilet. The accessible route of travel must be compliant with width (48" per 521 CMR) and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Construction options include compacted stone dust, asphalt or similar surfaces that meet the requirement of stable, firm, and slip resistant. Costs will vary depending on material used.	2	3	N	Up to \$15,000+
Portable Accessible Toilet The portable "accessible" toilet is not ADA compliant as the soap dispenser is too high and located over the grab bars; the toilet paper dispenser is too high, is located over the grab bars, and is too close to the front of the toilet; the toilet is ½" too high, 2" too close to the near wall and 10" too close to the door in front of the toilet; and the door closing speed is too fast. In addition, the interior pull device and locking mechanism are constructed in a manner that makes it difficult to operate with a loose grip or closed fist. See Photo Waite 2.	308 604.7 604.4 604.2 604.3 309.4 404.2	30.12 30.7.6 30.8.5 30.7.2 26.9 26.11	Replace the existing portable "accessible" toilet with an ADA Compliant toilet such that soap/towel dispensers are no more than 42" a.f.f.; the toilet paper dispenser s/b a minimum of 24" a.f.f. and s/b 7" min. to 9" max. in front of the water closet measured to the centerline of the dispenser; the height of the water closet s/b 17" to 19" a.f.f. to the top of the seat; the water closet s/b 18" from the nearest sidewall, at least 42" from the farthest sidewall, and 42" from the front of the water closet to the nearest wall or fixture; and a door closing speed that is at least 6 seconds. Nothing should be mounted over the grab bars. The door pull and locking mechanism needs to be modified such that they are both operable with a loose grip or closed fist.	3	2	I	TBD

Total up to \$18,500+

Charlie Waite Field Accessibility Assessment Photos



Photo Waite 1



Photo Waite 2

HARVARD PARK

Function and Description of Facility and Programs: Harvard Park consists of a full track, a soccer field, bleacher seating, a playground, a building used for storage and as a changing area for female athletes, a portable toilet, parking, and a memorial.



Responsible Party: Parks and Recreation Department.

General Description or Obstacle Which Limits Mobility or Access:

Parking

The designated accessible parking space and access aisle closest to the storage/changing structure lacks striping and has signage that is too low. The designated accessible parking space and access aisle closest to Lancaster County Road lacks striping, has signage that is too low, and has excessive running slopes.

Portable Accessible Toilet

The portable “accessible” toilet has numerous areas of non-compliance including a too fast door closing speed, an interior pull device and locking mechanism that is not easily operable with a closed fist or loose grip, a soap dispenser that is too high and located over the grab bars, a toilet paper dispenser that is located over the grab bars and is too close to the front of the toilet, a toilet that is too high and which does not meet near wall and front clear width requirements.

Storage Building/Girl’s Changing Area

There is no accessible route of travel from the parking area to the wooden “ramp” to the building. There is a 3” abrupt change in level surface from the transition from ground/grass to the wooden ramp structure. The sloped segment of the ramp varies up to 8.3% in most areas but also is in excess of 8.3% in some areas due to apparent board warping. Roughly 6.5 feet of the ramp requires paired ramp railings. The exterior door and two (2) interior doors of the building have non-compliant knob-style hardware. The interior doors lack tactile designation signage.

Playground

There is no accessible route of travel to and around the playground, to internal play components, and to the picnic table. The picnic table lacks knee clearance and knee depth. The playground surface is primarily woodchips. Woodchips may be acceptable as "fall zone" material if it meets ASTM standards, but not as an accessible route of travel to and within the playground area. With the exception of one swing, there are no accessible play components. *Note: A member of the Parks and Recreation Committee stated that it was the Committee's intent to relocate the sole accessible swing to the opposite side of the playground and provide an accessible route of travel, such as a rubberized mat, to the swing.*

Chain link Gates

Chain link gates on the accessible routes of travel to the playground (1) and track (3) are not smooth at the base.

Accessible Routes of Travel

There are no accessible routes of travel to the bleachers and benches near the parking lot nor are there level areas for wheelchairs near the bleachers. There is no accessible route of travel to the McCurdy monument and stone benches. The paved asphalt walkways (2) from the parking lot to McCurdy Track have transitional abrupt changes in level surface near the parking lot, some heaving and settling, and cross slopes that vary from under 2.0% to over 4.0%. The base of the walkway near the storage building has a storm drain with grate openings of 5¼" x 1¼".

Lower Field

The railings of the stairs to the lower field are rectangular in shape, have segments that are 2" to 3" too high, and which lack top and bottom extensions.

Harvard Park Accessibility Assessment

<u>General Description of Obstacle</u>	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Parking</u> The designated accessible parking space and access aisle closest to the storage/changing structure lacks striping and has signage that is 4" too low.	502 703.7.2	23	Stripe the accessible space closest to the storage/changing building such that there is an 8' parking space and an 8' access aisle. Signage s/b set such that the signage height should be a minimum of 60" high at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR) and located no more than 10' in front of the space. Van accessible signage should also be provided.	1	2	I	Up to \$150
The designated accessible parking space and access aisle closest to Lancaster County Road lacks striping, has signage that is too low, and has excessive running slopes. In addition, there are areas of asphalt deterioration.	502 703.7.2	23	Re-pave and restripe the parking such that cross slopes and running slopes do not exceed 2.0%. As there is existing paved width for 2 spaces, designate at least one van accessible parking space and one passenger vehicle accessible parking space. The van accessible space s/b at a width of either 11' with a 5' shared access aisle with the passenger vehicle space or a 8' wide parking space with an 8' access aisle (2010 ADA Standards). The passenger vehicle accessible space s/b 8' wide with a shared access aisle with the van accessible space. Signage must be set at each parking space such that the signage height should be a minimum of 60" high at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR) and located	1	2	N	Up to \$1,250+

			no more than 10' in front of the space. Van accessible signage s/b provided at the van accessible space.				
Portable Accessible Toilet The portable "accessible" toilet is not ADA compliant as the soap dispenser is 16½" too high and located over the grab bars; the toilet paper dispenser is at least 8¾" too high, is located over the grab bars, and is 4" too close to the front of the toilet; the toilet is 1" too high, 2" too close to the rear wall and 9½" too close to the door in front of the toilet; and the door closing speed is too fast. In addition, the interior pull device and locking mechanism are constructed in a manner that makes it difficult to operate with a loose grip or closed fist.	308 604.7 604.4 604.2 604.3 309.4 404.2	30.12 30.7.6 30.8.5 30.7.2 26.9 26.11	Replace the existing portable "accessible" toilet with an ADA Compliant toilet such that soap/towel dispensers are no more than 42" a.f.f.; the toilet paper dispenser s/b a minimum of 24" a.f.f. and s/b 7" min. to 9" max. in front of the water closet measured to the centerline of the dispenser; the height of the water closet s/b 17" to 19" a.f.f. to the top of the seat; the water closet s/b 18" from the nearest sidewall, at least 42" from the farthest sidewall, and 42" from the front of the water closet to the nearest wall or fixture; and a door closing speed that is at least 6 seconds. Nothing s/b mounted over the grab bars. The door pull and locking mechanism needs to be modified such that they are both operable with a loose grip or closed fist.	3	2	I	TBD
Gates The gates to the playground (1) and track (3) do not comply with the 2010 ADA Standards for a smooth surface within 10 inches of the ground on the push side for the full width of the gate. See Photo Harvard Field 1.	404.2.10	NA	Remove the gate or install smooth plating at the base of the gate.	2	2	N	Up to \$400
Playground Area There is no accessible route of travel into, fully around, and within the playground area. The playground surface is primarily woodchips. Woodchips may be acceptable as "fall zone" material if it meets ASTM standards, but not as an accessible route of travel to and within the playground area. With the exception of one swing, there are no accessible play components. The picnic table is not on an accessible route of travel and it provides only 25½" of knee clearance and 8" of knee depth. See Photo Harvard Field 2.	303 403 902.3	19 20 22 19.6	An accessible route of travel needs to be provided to all areas available to the public. Construct an accessible route of travel fully to and around the playground areas and to and between playground equipment. The accessible route of travel must be compliant with width (48" per 521 CMR) and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Play area ground surfaces immediately around play components and in the fall zone must comply with ASTM F 1951 and ASTM F 1292. Additional accessible compliant playground equipment should be incorporated into the playground area. Provide a picnic table on an accessible route of travel that provides at least 27" of knee clearance, 19" of knee depth, and 30" of clear width.	2	3	N	\$20,000 to \$60,000+
Storage Building/Girl's Changing Area There is no accessible route of travel from the parking to the wooden "ramp" to the building as the roughly 25 foot approach surface is overgrown with grass and weeds. There is a 3" abrupt change in level surface from the ground to the wooden "ramp". The wooden "ramp" has a roughly 6.5 foot segment which is up to 8.3% and requires paired railings. Ramp boards need to be replaced in areas to eliminate warping and maintain a running slope not to exceed 8.3%.	403 403 405	22 22 24	Restore the route of travel to the "ramp" by removing the weeds and grass and replenishing with compacted stone dust. Modify the transition to eliminate the abrupt change in level surface. There can be no greater than a ¼" unbeveled abrupt change in level surface or between a ¼" and ½" beveled (maximum 1:2 slope) change in level surface. Replace the warped boards on the ramp. Provide paired railings that are round or oval in shape with top and bottom 12" extensions. The bottom railings s/b 18" to 20" a.f.f. to the top of the gripping surface and top railings s/b 34" to 38" a.f.f. to the top of the gripping surface.	1 1 1	2 2 2	I I I	Up to \$500 Up to \$350 Up to \$2,500+

The exterior door and 2 interior doors have non-compliant knob-style hardware.	404.2	26.11	Replace the hardware with lever-style hardware.	2	2	I	\$225
The 2 interior doors lack tactile designation signage. See Photos Harvard Field 3, 4, and 5.	703	41	Install accessible compliant tactile designation signage on the latch side of the doors with appropriate finish and contrast and character height and proportions, raised and Brailled characters should also be included. Tactile characters on signs s/b 48" min. a.f.f.. from the baseline of the lowest character and 60" max. a.f.f. to the baseline of the highest character. Under 521 CMR, signage s/b 60" a.f.f. to the centerline of the sign. Characters must meet the ADA Standards for character height, finish and contrast, accompanied by Grade 2 Braille (703 ADA Standards).	2	2	I	\$50
<u>Accessible Routes of Travel</u> <u>Bleachers and Benches</u> There is no accessible route of travel to the bleachers and benches on the grass near the parking lot. In addition, there are no level areas for a wheelchair next to the bleachers or benches.	403	22	An accessible route of travel needs to be provided to all areas available to the public. Construct an accessible route of travel fully to the bleachers, benches, and McCurdy Memorial and bench area. The accessible route of travel must be compliant with width (48" per 521 CMR) and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Create an approach and wheelchair level area at the bleachers. The space should be 36" wide x 60" deep per wheelchair. If a front/rear approach, the depth can be reduced to 48" as opposed to 60" for a side approach. Construction options include compacted stone dust, asphalt or similar surfaces that meet the requirement of stable, firm, and slip resistant. Costs will vary depending on material used.	2	2	N	\$1,500 to \$3,500+
<u>McCurdy Memorial and Stone Benches</u> There is no accessible route of travel to the monument and bench area.	403	22		2	2	N	Included in above
<u>Paved Walkways to the Track/Field</u> There is an unbeveled abrupt change in elevation of ½" at the transition of concrete and asphalt at the beginning of the walkway closest to the storage building.	403	22	Grind the concrete to create a less than ¼" change in level surface or a sloped transition of a no more than 1:2 slope.	2	2	N	\$0
Both walkways have some settling and heaving. The paved walkway closest to the road has cross slopes up to 4.0% in the initial 20 to 30 feet of the walkway. The paved walkway closest to the playground has cross slopes that vary in excess of 2.0% and over 4.0% throughout most of the route of travel.	403	22	Repave the walkways to eliminate the heaving and settling and to provide a no more than 2.0% cross slope throughout the entirety of the accessible route of travel.	2	3	N	Up to \$12,000+
The paved walkway closest to the playground has a catch basin with grate openings of 5¼" x 1¼", which exceeds the maximum opening of ½". In addition, the larger openings are not perpendicular to the route of travel. See Photos Harvard Field 6, 7, 8, and 9.	302.3	22.7	Replace the catch basin with one that has grate openings of no more than ½" and with the openings positioned perpendicular to the route of travel.	2	2	I	\$100
<u>Stairs to Lower Field</u> The stair railings of the stairs to the lower field are rectangular in shape; lack top and bottom extensions; and has a roughly 7.5 feet segment on the lower part of the stairs with a height of 40" to 41" a.f.f. to the top of the gripping surface, which is 2" to 3" too high. See Photo Harvard Field 10.	505	27.4	Replace the railings with ones that are round or oval in shape; are at a height of 34" to 38" to the top of the gripping surface; and have 12" extensions parallel to the ground at the top and the slope distance of one tread then 12" parallel to the ground at the bottom.	2	3	N	Up to \$750+

Estimated Total Cost: Up to \$81,775+

Town of Harvard Accessibility Plan

Harvard Park Accessibility Assessment Photos



Photo Harvard Field 1



Photo Harvard Field 2



Photo Harvard Field 3



Photo Harvard Field 4





Photo Harvard Field 7



Photo Harvard Field 8



Photo Harvard Field 9



Photo Harvard Field 10

RECREATIONAL TRAIL AT HARVARD PARK

Description of Facility: A large passive recreational facility consisting of trails, woodlands and wildlife habitat area. The trail totals roughly 1 mile in length and is relatively flat with a compacted stone dust surface. Stone benches can be found in various locations along the trail. The area is intended to remain in an undeveloped condition for the benefit of the environment and for public enjoyment.



Responsible Party: Parks and Recreation Commission.

General Description or Obstacle Which Limits Mobility or Access: The initial trail segment from the Harvard Park parking area has vegetative overgrowth and a reduced clear width to only 32". Segments of the trail have some coarse stone creating an unstable surface. A bridge at an intermittent stream crossing at the trail head near the playground has running slopes of up to 22%, lacks compliant railings, and has transitional abrupt changes in level surface of up to 1". As there is no maintained accessible route of travel to the stream crossing/bridge from the field and playground area, the cost to construct an accessible compliant stream crossing to successfully meet high water conditions would be excessive, and there is an adjacent accessible route to the recreational trail, no further action to the bridge is required at the present time.

Recommended Action: Should the town initiate and expand upon improvements to this property to enhance overall site accessibility and usage, then modifications to the bridge/stream crossing should be considered at that time. Current actions should include maintenance of the existing stone dust trail to remove vegetative overgrowth and ensure a 48" walkway with a minimum 36" clear width. Additional stone dust should be provided as needed and spread and compacted to ensure for a firm, stable, and slip resistant surface.

RYAN LAND FIELDS 1 and 2

Function and Description of Facility and Programs: Ryan Land Playing Fields contains 2 baseball fields, player's seating, bleacher seating, and an "accessible" portable toilet.



Responsible Party: Parks and Recreation Commission.

General Description or Obstacle Which Limits Mobility or Access: There is no designated accessible parking. There is no accessible route of travel to the ballfields, bleachers, and player's seating. The accessible route to the portable toilet is overgrown. There are excessive abrupt changes in level surface at the dugout areas and insufficient clear width at the fence openings from the player's seating to the fields. The portable "accessible" toilet has numerous areas of non-compliance including a too fast door closing speed, an interior pull device and locking mechanism that is not easily operable with a closed fist or loose grip, a soap dispenser that is too high, a toilet paper dispenser that is located over the grab bars and is too close to the front of the toilet, a toilet that is too high and which does not meet near wall and front clear width requirements.

Ryan Land Fields1 and 2 Accessibility Assessment

General Description of Obstacle	2010 ADAAG	MAAB 521 CMR	Type of Action to be Taken	P	F	TF	Cost Estimate
Parking There are no designated accessible parking spaces inclusive of access aisle and signage.	502 703.7.2	23	Pave, stripe, and designate at least one van accessible parking space and one passenger vehicle accessible parking space. The van accessible space s/b at a width of either 11' with a 5' access aisle or 8' wide parking space with an 8' access aisle (2010 ADA Standards). The passenger vehicle accessible space s/b 8' wide with a 5' access aisle. Signage must be set such that the signage height should be a minimum of 60" high at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR) and located no more than 10' in front of the space. Van accessible signage s/b provided at the van accessible space. Slopes for the parking and access aisles should not exceed 2.0% in any direction.	1	2	N	Up to \$3,500+
Accessible Route of Travel There is no accessible route of travel to the ball fields, player's benches/dugouts, bleachers, and portable toilet. There are no level areas for a wheelchair at the bleachers. The route of travel to the portable toilet is overgrown with weeds and grass for roughly 5 to 6 feet. Field 1 player's seating/dugouts have ½" to 4" abrupt changes in level surface from the transition from soil to concrete. Field 1 and Field 2 accessible routes from the player's seating/dugouts to the ballfields have only 16" to 24" of clear width at the chain link fence openings. See Photos Ryan 1, 2, and 3.	403	22	An accessible route of travel needs to be provided to all areas available to the public. Construct an accessible route of travel fully to the ball fields, bleachers, player's seating/dugouts, and portable toilet. The accessible route of travel must be compliant with width (48" per 521 CMR) and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Create an approach and wheelchair level area at the bleachers. The space should be 36" wide x 60" deep per wheelchair. If a front/rear approach, the depth can be reduced to 48" as opposed to 60" for a side approach. Construction options include compacted stone dust, asphalt or similar surfaces that meet the requirement of stable, firm, and slip resistant. Costs will vary depending on material used. Modify the chain link fence openings from the player's seating to the ball fields at Fields 1 and 2 to provide for a minimum of a 36" clear width.	2	3	N	\$10,000 to \$25,000
Portable Accessible Toilet The portable "accessible" toilet is not ADA compliant as the soap dispenser is too high; the toilet paper dispenser is located over the grab bars and is too close to the front of the toilet; the toilet is ½" too high, 2" too close to the rear wall and 10" too close to the door in front of the toilet; and the door closing speed is too fast. In addition, the interior pull device and locking mechanism are constructed in a manner that makes it difficult to operate with a loose grip or closed fist. See Photos Ryan 4.	308 604.7 604.4 604.2 604.3 309.4 404.2	30.12 30.7.6 30.8.5 30.7.2 26.9 26.11	Replace the existing portable "accessible" toilet with an ADA Compliant toilet such that soap/towel dispensers are no more than 42" a.f.f.; the toilet paper dispenser s/b a minimum of 24" a.f.f. and s/b 7" min. to 9" max. in front of the water closet measured to the centerline of the dispenser; the height of the water closet s/b 17" to 19" a.f.f. to the top of the seat; the water closet s/b 18" from the nearest sidewall, at least 42" from the farthest sidewall, and 42" from the front of the water closet to the nearest wall or fixture; and a door closing speed that is at least 6 seconds. Nothing should be mounted over the grab bars. The door pull and locking mechanism needs to be modified such that they are both operable with a loose grip or closed fist.	3	2	I	TBD

Total up to \$28,500+

Ryan Land Fields 1 and 2 Accessibility Assessment Photos



Photo Ryan 1



Photo Ryan 2



Photo Ryan 3



Photo Ryan 4

LOWER AND UPPER DEPOT FIELDS

Function and Description of Facility and Programs: Upper and Lower Depot Fields contain 2 soccer fields, player's benches, bleachers, and an "accessible" portable toilet.



Responsible Party: Parks and Recreation Commission.

General Description or Obstacle Which Limits Mobility or Access: There is no designated accessible parking. There is no accessible route of travel to the soccer fields, player's benches, bleachers, portable toilet and waste disposal bins. There are no level areas for a wheelchair at the bleachers. The portable "accessible" toilet has numerous areas of non-compliance including a too fast door closing speed; an interior pull device and locking mechanism that is not easily operable with a closed fist or loose grip; a soap dispenser that is too high and located over the grab bars; a toilet paper dispenser that is too high, is located over the grab bars, and is too close to the front of the toilet; a toilet that is too high and which does not meet near wall and front clear width requirements.

Lower and Upper Depot Fields Accessibility Assessment

General Description of Obstacle	2010 ADAAG	MAAB 521 CMR	Type of Action to be Taken	P	F	TF	Cost Estimate
Parking There are no designated accessible parking spaces inclusive of access aisle	502 703.7.2	23	Pave, stripe, and designate at least one van accessible parking space and one passenger vehicle accessible	1	2	N	Up to \$3,500+

and signage.			parking space. The van accessible space s/b at a width of either 11' with a 5' access aisle or 8' wide parking space with an 8' access aisle (2010 ADA Standards). The passenger vehicle accessible space s/b 8' wide with a 5' access aisle. Signage must be set such that the signage height should be a minimum of 60" high at the bottom (2010 ADAAG Standards) and a maximum of 96" at the top (MAAB 521 CMR) and located no more than 10' in front of the space. Van accessible signage s/b provided at the van accessible space. Slopes for the parking and access aisles should not exceed 2.0% in any direction.				
<u>Accessible Route of Travel</u> There is no accessible route of travel to and around the soccer field, player's benches, bleachers, portable toilet and waste disposal bins. There are no level areas for a wheelchair at the bleachers. See Photos Depot 1 and 2.	403	22	An accessible route of travel needs to be provided to all areas available to the public. Construct an accessible route of travel fully to and around the soccer field and to the player's benches, bleachers, portable toilet, and waste disposal bins. The accessible route of travel must be compliant with width (48" per 521 CMR) and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Create an approach and wheelchair level area at the bleachers. The space should be 36" wide x 60" deep per wheelchair. If a front/rear approach, the depth can be reduced to 48" as opposed to 60" for a side approach. Construction options include compacted stone dust, asphalt or similar surfaces that meet the requirement of stable, firm, and slip resistant. Costs will vary depending on material used.	2	3	N	Up to \$24,000+
<u>Portable Accessible Toilet</u> The portable "accessible" toilet is not ADA compliant as the soap dispenser is too high and located over the grab bars; the toilet paper dispenser is too high, is located over the grab bars, and is too close to the front of the toilet; the toilet is ½" too high, 2" too close to the near wall and 10" too close to the door in front of the toilet; and the door closing speed is too fast. In addition, the interior pull device and locking mechanism are constructed in a manner that makes it difficult to operate with a loose grip or closed fist.	308 604.7 604.4 604.2 604.3 309.4 404.2	30.12 30.7.6 30.8.5 30.7.2 26.9 26.11	Replace the existing portable "accessible" toilet with an ADA Compliant toilet such that soap/towel dispensers are no more than 42" a.f.f.; the toilet paper dispenser s/b a minimum of 24" a.f.f. and s/b 7" min. to 9" max. in front of the water closet measured to the centerline of the dispenser; the height of the water closet s/b 17" to 19" a.f.f. to the top of the seat; the water closet s/b 18" from the nearest sidewall, at least 42" from the farthest sidewall, and 42" from the front of the water closet to the nearest wall or fixture; and a door closing speed that is at least 6 seconds. Nothing should be mounted over the grab bars. The door pull and locking mechanism needs to be modified such that they are both operable with a loose grip or closed fist.	3	2	I	TBD

Total up to \$27,500+

Lower and Upper Depot Fields Accessibility Assessment Photos



Photo Depot 1



Photo Depot 2

TOWN COMMON – SMALL COMMON – LITTLE COMMON/PINE TREE COMMON

Function and Description of Facility and Programs: The town common areas serve as a passive recreational area, green space, and location for civic events. The common area consists of the Large Common bounded by Ayer Road, Still River Road, and Elm Street; the Small Common bounded by Ayer Road, Fairbank Street, and Still River Road; and the Little Common or Pine Tree Common bounded by Massachusetts Avenue, Still River Road, Fairbank Street, and Park Street.

Large Common

The Large Common consists of a World War I monument and flagpole, the Town Marker, a World War II-Korean War-Vietnam War-Gulf Era Conflict monument, a drinking fountain, and 2 benches. At the time of assessment a tent was set up on the common for local events.



Small Common

The Small Common consists of a Civil War monument and the Phair Elm stone marker.



Little Common/Pine Tree Common

The Little Common/Pine Tree Common does not have any monuments or benches and is inhabited by a sole pine tree.



Responsible Party: Select Board

General Description or Obstacle Which Limits Mobility or Access:

Large Common

There are no accessible routes of travel to the World War I monument and flagpole, the Town Marker, the World War II-Korean War-Vietnam War-Gulf Era Conflict monument, the drinking fountain, and the 2 benches. There are no level areas for a wheelchair at the benches. There is no accessible route of travel to the activity/tent area. The drinking fountain is “high” only which lacks knee clearance and has a spout that directs water away from fountain rim such that the water flow is greater than 3” from the edge. *Note: At the time of assessment the fountain was not in service.*

Small Common

There are no accessible routes of travel to the Civil War monument and the Phair Elm stone marker.

Little Common/Pine Tree Common

As the Little/Pine Tree Common does not have any monuments or benches and is entirely a “green space”, no formal action is required.

Town Common(s) Accessibility Assessment

<u>General Description of Obstacle</u>	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Accessible Route of Travel</u> There are no accessible routes of travel to the monuments/memorials, benches, and drinking fountain. There are no level areas for a	402 403 221.2 802.1	20 22 14 19	Create an accessible walkway compliant with width (48” wide with minimum 36” clear width) and slope requirements (2% maximum cross, 5% maximum running), with no unbeveled abrupt changes in level	2	3	N	Up to \$7,500+

wheelchair at the Large Common benches. See Photo Town Common1.			surface of more than ¼" to the monuments/memorials, benches, and drinking fountain. Create a wheelchair area next to one of the benches. The wheelchair space should be 36" wide x 60" deep per wheelchair. If a front/rear approach, the depth can be reduced to 48" as opposed to 60" for a side approach. Construction options include compacted stone dust, asphalt, concrete or similar surfaces that meet the requirement of stable, firm, and slip resistant. Due to location and topography, it may be too costly to construct an accessible route of travel to the Large Common Town Marker. If that is the circumstance, a small interpretive sign with photographs and information on the Town Marker could be provided on an accessible route of travel near the War Memorial and benches. The height of the sign should be set such that a wheelchair user can easily view. As portions of the Town Common(s) appear to be used for various local events and activities, it is recommended that roll out matting be purchased to be used when needed. It may also make sense to purchase 3 rolls in 50 foot segments such that the matting can be arranged in a linear, "T", or other configuration depending on the need. See Photo Town Common 2.	2	3	N	\$1,500+
				2	3	I	Up to \$7,500+
Drinking Fountain The drinking fountain is non-compliant as it is not "hi-low", lacks knee clearance and exceeds maximum height requirements for accessibility. In addition, the flow of water is more than 3" from the edge due to the location of the spout. See Photo Town Common 3.	211 306 602	36	Option #1: Discontinue use of the fountain. Option #2: Provide a compliant "high-low" drinking fountain on an accessible route with at least 27" knee clearance; 30" clear width; a spout height of no greater than 36" a.f.f. (low) and 38" to 43" a.f.f. (high); operable controls (operable w/one fist and no > 5 lbs. operating force); and a water flow that is at least 4" high and within 3" of the bowl edge.	2	2	I	\$0
				2	2	N	Up to \$3,500+

Total up to \$20,000+

Town Common(s) Accessibility Assessment Photos



Photo Town Common 1

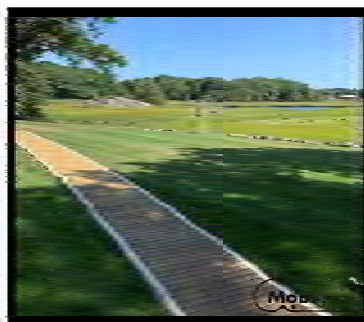


Photo Town Common 2



Photo Town Common 3

LIBRARY FIELD

Function and Description of Facility and Programs: The field in front of the library is used for library programs as well as for town events and activities. At the time of assessment a tent had been erected and was being used for day time library “children story and play hour”.



Responsible Party: Library Board of Trustees

General Description or Obstacle Which Limits Mobility or Access: The paved walkway to the field area(s) has a running slope of up to 5.3% to 5.4% in a few locations. The granite/brick steps from the library parking to the field area lack railings. There is no accessible route of travel to the field areas as the surface is grass only.

Library Field Accessibility Assessment

<u>General Description of Obstacle</u>	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Accessible Route of Travel</u> The paved walkways to the field areas have segments with running slopes that vary up to 5.4%, which exceeds the maximum of 5.0% without handrails (for a ramp). There is no firm, stable, and slip resistant surface to and around the field areas as the surface is solely grass. See Photos Field 1 and 2.	403	22	As the running slope segments exceeding 5.0% is extremely limited and the cost to reconstruct the walkway would exceed the benefit gained, it is recommended that a variance be sought to maintain the existing walkway without installing railings. As portions of the field are used for various local events and activities, it is recommended that roll out matting be purchased to be used when needed. It may also make sense to purchase 3 rolls in 50 foot segments such that the matting can be arranged in a linear, “T”, or other configuration depending on the need. This matting could be the same matting purchased for the	2 2	1 2	I I	\$0 \$0 to \$7,500+

			Town Commons or a separate purchase solely for the Library Field				
Stairs The stairs from the library parking to the field area lacks railings. See Photo Field 3.	505	27.4	Install railings that are round or oval in shape; are at a height of 34" to 38" to the top of the gripping surface; and have 12" extensions parallel to the ground at the top and the slope distance of one tread then 12" parallel to the ground at the bottom.	2	3	N	Up to \$7,500+

Total up to \$15,000+

Library Field Accessibility Assessment Photos



Photo Field 1



Photo Field 2



Photo Field 3

LIBRARY FIELD AT TBS

Function and Description of Facility and Programs: Library Field at TBS is a soccer field on Massachusetts Avenue and next to Bromfield School.



Responsible Party: School Department.

General Description or Obstacle Which Limits Mobility or Access: There is no accessible route of travel to the field and bleachers and there is no level area for a wheelchair at the bleachers. The drinking fountain is "low" only.

Library Field at TBS Accessibility Assessment

<u>General Description of Obstacle</u>	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Accessible Route of Travel</u> There is no accessible route of travel to the ball field and player's benches.	403	22	An accessible route of travel needs to be provided to all areas available to the public. Construct an accessible route of travel to and alongside the soccer field and the bleachers. Create a wheelchair area next to one of the benches. The wheelchair space should be 36" wide x 60" deep per wheelchair. If a front/rear approach, the depth can be reduced to 48" as opposed to 60" for a side approach. The accessible route of travel must be compliant with width (48" per 521 CMR) and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Construction options include compacted stone dust, asphalt or similar surfaces that meet the requirement of stable, firm, and slip resistant. Costs will vary depending on material used.	2	3	N	\$5,000 to \$10,000+
<u>Drinking Fountain</u> The drinking fountain is non-compliant as it is not "hi-low".	211 306 602	36	Option #1: Discontinue use of the fountain. Option #2: Provide a compliant "high-low" drinking fountain with at least 27" knee clearance; 30" clear width; a spout height of no greater than 36" a.f.f. (low) and 38" to 43" a.f.f. (high); operable controls (operable w/one fist and no > 5 lbs. operating force); and a water flow that is at least 4" high and within 3" of the bowl edge.	2 2	2 2	I N	\$0 Up to \$3,500+

Total up to \$13,500+

BROMFIELD BASKETBALL COURT AND TENNIS COURTS

Function and Description of Facility and Programs: This area behind Bromfield School contains a basketball court, 4 tennis courts, 2 picnic tables, and 2 benches.



Responsible Party: School Department.

General Description or Obstacle Which Limits Mobility or Access: There are up to 2" abrupt changes in elevation into the basketball and tennis courts. The chain link gate into the tennis courts is not smooth at the base. The 2 benches and 2 picnic tables are not on an accessible route of travel, there is no level area for a wheelchair at the benches, and the picnic tables lack compliant knee depth.

Bromfield Basketball Court and Tennis Courts Accessibility Assessment

<u>General Description of Obstacle</u>	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Accessible Routes of Travel</u> There are up to 2" abrupt changes in level surface at the transition from the asphalt walkway into the basketball and tennis courts. <i>See Photo Courts 1.</i>	403	22	Grind the surfaces of the court edges to create a no more than ½" 1:2 beveled transition.	2	2	I	\$0
<u>Gates</u> The chain link gate to the tennis courts does not comply with the 2010 ADA Standards for a smooth surface within 10	404.2.10	NA	Remove the gate or install smooth plating at the base of the gate.	2	2	I	Up to \$100

inches of the ground on the push side for the full width of the gate.							
See Photo Courts 2.							
Benches and Picnic Tables There is no accessible route of travel to at least one of the picnic tables and one of the benches. There are no level areas for wheelchairs at the benches. The picnic tables have only 8" of knee depth.	403 221 902.3 306.2 306.3	22 14.4 19.6 19.5.2	An accessible route of travel needs to be provided to all areas available to the public. The accessible route of travel must be compliant with width (48" per 521 CMR) and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Construction options include compacted stone dust, asphalt or similar surfaces that meet the requirement of stable, firm, and slip resistant. Costs will vary depending on material used.				
See Photos Courts 3 and 4.			Provide an accessible route of travel to one of the benches near the tennis courts. Create an approach and level wheelchair area next to benches. The space should be 36" wide x 60" deep per wheelchair. If a front/rear approach, the depth can be reduced to 48" as opposed to 60" for a side approach.	2	2	1	Up to \$350+
			Provide an accessible picnic table on-site with the accessible portion overlapping the existing asphalt. The accessible picnic table must have a minimum of 30" clear width, 27" knee height, and 19" knee depth.	2	2	1	\$750

Bromfield Basketball Court and Tennis Courts Accessibility Assessment Photos



Photo Courts 1



Photo Courts 2

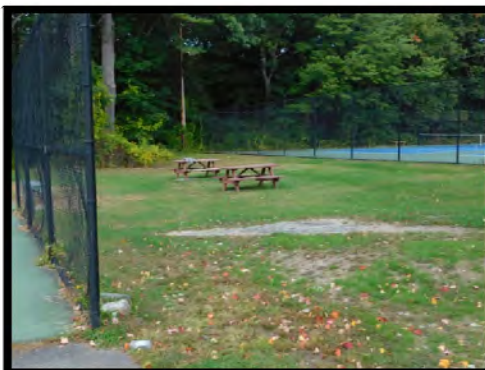


Photo Courts 3



Photo Courts 4

POND ROAD FIELD

Function and Description of Facility and Programs: Pond Road Field consists of a soccer field and baseball field on Pond Road and located behind Bromfield School.



Responsible Party: School Department.

General Description or Obstacle Which Limits Mobility or Access: There is no accessible route of travel to the soccer field, baseball field, bleachers, and player's benches.

Pond Road Field Accessibility Assessment

<u>General Description of Obstacle</u>	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Accessible Route of Travel</u> There is no accessible route of travel to the soccer field, baseball field, bleachers, and player's benches. There are no level areas for a wheelchair at the bleachers	403	22	An accessible route of travel needs to be provided to all areas available to the public. Construct an accessible route of travel to and alongside the soccer field and the bleachers and to the baseball field and the player's benches. It may be feasible to construct a sloped walkway from Pond Road to the fields similar to that at Harvard Park. If this option is pursued, an accessible parking space near the walkway should also be provided. Create a wheelchair area next to one of the benches. The wheelchair space should be 36" wide x 60" deep per wheelchair. If a front/rear approach, the depth can be reduced to 48" as opposed to 60" for a side approach. The accessible route of travel must be compliant with width (48" per 521 CMR) and slope (2% max. cross, 5% max. running) requirements as well as changes in level surface (no > than ¼" unbeveled or between ¼" and ½" beveled w/a slope of no > 1:2). Construction options include compacted stone dust, asphalt or similar surfaces that meet the requirement of stable, firm, and slip resistant. Costs will vary depending on material.	2	3	N	\$18,000 to \$36,000+
<u>Drinking Fountain</u> The drinking fountain is non-compliant as it is not "hi-low".	211 306 602	36	Option #1: Discontinue use of the fountain. Option #2: Provide a compliant "high-low" drinking fountain with at least 27" knee clearance; 30" clear width; a spout height of no greater than 36" a.f.f. (low) and 38" to 43" a.f.f. (high); operable controls (operable w/one fist and no > 5 lbs. operating force); and a water flow that is at least 4" high and within 3" of the bowl edge.	2 2	2 2	I N	\$0 Up to \$3,500+

Total up to \$39,500+

HILDREDTH ELEMENTARY SCHOOL OUTDOOR CLASSROOM

Function and Description of Facility and Programs: Elementary School “outdoor classroom” located on a nature trail.

Responsible Party: School Department.

General Description or Obstacle Which Limits Mobility or Access: The “outdoor classroom” is located on the Small Nature Study Trail behind the school. The trail is unimproved with minimal widths, numerous washouts, exposed and loose stone, excessive slopes, and consists of a rudimentary foot bridge at a seasonal stream crossing. The area known as the outdoor classroom consists of board seating, a plank teacher’s podium, and 3 non-accessible picnic tables.

Photos of Hildredth Elementary School Outdoor Classroom and Nature Trail



As the cost to construct an accessible route to the “classroom” area would far exceed the use of the facility and the benefit gained, no further construction modifications should be considered. However, reasonable accommodations or a relocation of “outdoor classroom” services to an accessible outside location would be required if necessitated by a mobility limited student who cannot navigate the nature trail.

HILDREDTH ELEMENTARY SCHOOL PLAYGROUND

Function and Description of Facility and Programs: Elementary school playground that is also available for public use during non-school hours.

Responsible Party: School Department.

General Description or Obstacle Which Limits Mobility or Access: The playground is accessible with an accessible route of travel and compliant ground surfaces. The two chain link gates to the playground are not smooth at the base on the push side of the gates. The opening/locking mechanisms for the gates are too high and require pinching and twisting of the wrist. Although play equipment is on an accessible route of travel, the playscapes and ground components offer little in terms of accessible features. It is recommended that accessible features be added to the playscapes, ground components, and swings.

Photos of Hildredth Elementary School Playground



Photos of Accessible Playgrounds and Equipment (Photos from Internet Imagery)



Hildredth Elementary School Playground Accessibility Assessment

General Description of Obstacle	<u>2010 ADAAG</u>	<u>MAAB 521 CMR</u>	<u>Type of Action to be Taken</u>	<u>P</u>	<u>F</u>	<u>TF</u>	<u>Cost Estimate</u>
<u>Exterior Chain Link Gates to Playground</u> The gates to the playground do not comply with the 2010 ADA Standards for a smooth surface within 10 inches of the ground on the push side for the full width of the gate. In addition, the gates have operating hardware that is 4½" too high and requires pinching and twisting of the wrist. See Photo HES 6.	404.2.10 308.2 308.3 309.4	NA 6.5 6.6 39.5	Remove the gates or install smooth plating at the base of the gates. Replace the opening and closing hardware with hardware that can be operated with a loose grip or closed fist and is at a height of no more than 48" a.f.f.	2	2	I	Up to \$350

Total up to \$350

XVI. HARVARD SIDEWALKS AND CURB RAMPS

HARVARD SIDEWALKS AND CURB RAMPS

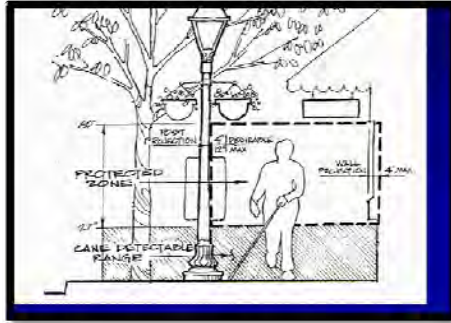
Description of Assessment Area: The assessment of public sidewalks, curb ramps, and crosswalks within the Town focused on Massachusetts Avenue in front of Hildredth Elementary School and Bromfield School and around the Town Common(s).

Regulatory Compliance: Sidewalks and curb ramps must adhere to the rules and regulations of the Massachusetts Architectural Access Board as provided in 521 CMR, and the requirements of the Americans with Disabilities Act as provided for in the regulations of the United States Access Board and as required by the United States Department of Transportation, Federal Highway Administration. These federal requirements are principally listed in the 2010 Americans with Disabilities Act Accessibility Guidelines (“ADAAG”) and the Public Right of Way Accessibility Guidelines (“PROWAG”). In addition, in March 2012, the Massachusetts Department of Transportation issued *“Notes on Walks and Wheelchair Ramps for Designers and Construction Engineers”* to be used as further guidance on this matter. These notes are a supplement to and not a replacement for the 521 CMR, PROWAG, and ADAAG Regulations.

General Standards for Compliance: In summary, the guidance and regulations under the 2010 ADAAG, PROWAG, 521 CMR, and MA DOT Notes on Sidewalks and Ramps is as follows:

Sidewalks

- A minimum of a 4 feet wide sidewalk (excluding the curb) with a 3 feet minimum unobstructed width. If the sidewalk is not 5 feet wide, then a 5 feet by 5 feet level passing space should be provided every 200’. Citation: ADAAG S. 403.5; 521 CMR S. 22.2; PROWAG.
- If the slope of the natural topography exceeds 1:20 (5%), a ramp is not required for a sidewalk. Citation: ADAAG S. 403.3; 521 CMR S. 22.3; PROWAG.
- The finished cross slope of any walkway or sidewalk should not exceed 1:50 (2.0%). Citation: ADAAG S. 403.3; 521 CMR S. 22; PROWAG.
- Walkway and sidewalk surfaces shall be firm, stable, and slip resistant. Openings in the route of travel (grates, etc.) can be no more than ½” wide. The “long” opening should be perpendicular to the route of travel. There shall be no abrupt changes in level surface of more than ¼”, unless beveled up to ½”. Citation: ADAAG S. 403, 303, 302; 521 CMR S. 22.4, 22.5, 22.7; PROWAG.
- Objects between 27” and 80” above the finish surface may not protrude more than 4” into the entire pedestrian circulation route. Citation: ADAAG S. 204, 307; 521 CMR S. 20.6; PROWAG.
- All sidewalks/accessible routes of travel must be maintained and kept in a good quality condition including being kept free of snow and ice or other debris which would restrict access.

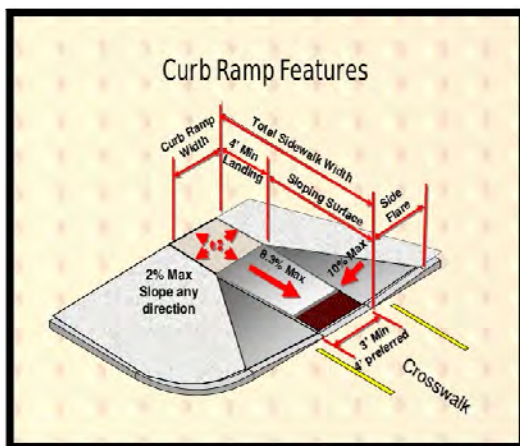


Curb Ramps

- Whenever sidewalks, walkways, or curbs on streets and ways are constructed, reconstructed, or repaired, curb cuts are required. Citation: ADAAG S. 406; 521 CMR S. 21.1; PROWAG.
- Curb cuts shall occur whenever an accessible route crosses a curb. Citation: ADAAG S. 405, 406; 521 CMR S. 21; PROWAG.
- Curb cuts are required at each corner of an intersection and typically are perpendicular to the street. Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG.
- Curb cut wheelchair ramps should be placed within the general pedestrian flow to the greatest degree possible, to provide pedestrians the safety to see and be seen before crossing the street. Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG.
- Paired reciprocal curb cut wheelchair ramps are preferred, however, apex ramps serving two directions may be used when intersection geometry precludes the use of paired ramps. The crosswalk should lead directly to the adjoining curb cut wheel chair ramp and sidewalk and not terminate in the roadway, a parking lot, or other area that is not part of the defined pedestrian flow. Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG.
- The maximum running slope of a curb ramp shall be 1:12 (8.3%). Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG.
- The maximum cross slope of a curb ramp shall be 1:50 (2%). Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG.
- The maximum slope of a flared side shall be 1:10 (10%). Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG.
- The minimum width of a curb ramp shall be 36 inches under ADAAG and 521 CMR but 48 inches under PROWAG, exclusive of flared sides. Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG.
- Transitions from curb cuts to walks, gutters, or streets shall be flush or free of changes in level greater than ¼" or between ¼" and ½" if beveled. Citation: ADAAG S. 303, 403; 521 CMR S. 21; PROWAG.
- Grading and drainage shall be designed to minimize pooling of water, accumulation of debris, accumulation of ice or flow of water across the base of the curb cut. Citation: 521 CMR S. 21; PROWAG.
- A level landing (no more than 2.0% in all directions) at the top of the curb ramp is required. The level landing or turning area should be 4 feet deep by the width of the ramp at the curb line

(minimum 3 feet, 5 feet preferred). The preferred level landing dimension, as feasible, is 5 feet x 5 feet. Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG.

- Diagonal or corner type curb ramps with returned curbs or other well-defined edges shall have the edges parallel to the direction of pedestrian flow. The bottom of diagonal curb ramps shall have a clear space 48 inches minimum outside active traffic lanes of the roadway. Diagonal curb ramps provided at marked crossings shall provide the 48 inches minimum clear space within the markings. Diagonal curb ramps with flared sides shall have a segment of curb 24 inches long minimum located on each side of the curb ramp and within the marked crossing. Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG.
- Detectable warnings with truncated domes are required at all street crossings under PROWAG. Citation: PROWAG.
- Fixed objects shall not be placed in any part of a wheelchair ramp. Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG.
- Catch basins should be located immediately upgrade at the wheelchair ramp entrance. Citation: ADAAG S. 406; 521 CMR S. 21; PROWAG
- Accessible pedestrian signals should provide both visual and audible information. The push button face should be parallel to the sidewalk and mounted within reach range (ADAAG and PROWAG - 15 inches to 48 inches above finished ground; 521 CMR S. 21 – 42 inches above the finished sidewalk). The side reach should be within 10 inches and there should be no forward reach obstruction. The button must be operable with a closed fist with no more than 5 lbs. of pressure to operate. The push button location should be between 1½ feet and 6 feet from the edge of the curb, shoulder, or pavement and no more than 5 feet from the crosswalk. Citation: PROWAG; ADAAG 308; 521 CMR S. 21.



Responsible Party: Highway Department and Select Board.

General Description or Obstacle Which Limits Mobility or Access: The following is a general summary of major findings of non-compliance. All sidewalks and curb ramps, unless technically infeasible, must adhere to the state and federal standards as detailed above.

Massachusetts Avenue Sidewalks and Curb Ramps In Front of the Schools

Although there are no formal sidewalks along Massachusetts Avenue, there are some crosswalks, curb ramps, and detectable warning strips across Massachusetts Avenue and across the elementary school main entrance driveway. The following deficiencies were identified:

- There is no detectable warning strip on the crossing from the elementary school to the library fields and Library Field. [See Photo 1.](#)
- There is no detectable warning strip on one side of the crosswalk at the elementary school main entrance driveway. [See Photo 2.](#)
- The crosswalk across Massachusetts Avenue at the Bromfield School entrance empties into sand and soil on one side and grass and soil on the opposite side with no curb ramps or detectable warning strips. [See Photo 3.](#)
- There is signage for a crosswalk near Pond Road across Massachusetts Avenue but no formal crosswalk or curb ramps exist.



Photo 1

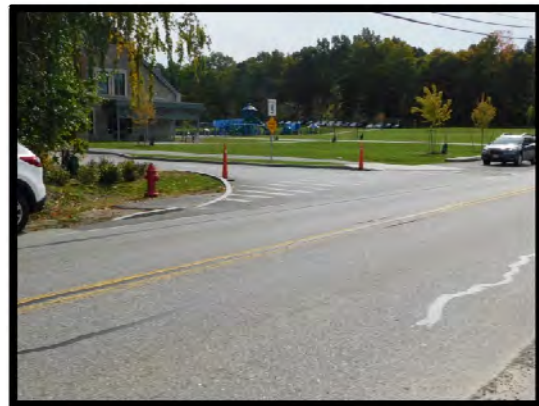


Photo 2



Photo 3

Large Common Area

- There is an accumulation of sand and debris at the curb cut at Still River Road on the general store side. **See Photo 4.**
- The telephone guy wire in the sidewalk on the Large Common side is a protruding object on the approach from Elm Street. (*Note: Guy wires should be a straight vertical and attached to the telephone pole with an accompanying support arm*). **See Photo 5.**
- The telephone guy wire at the end of the sidewalk on Elm Street is a protruding object
- The curb cuts on both sides of Still River Road near the Congregational Church and Elm Street have ½" unbeveled abrupt changes in level surface at the transition from asphalt to concrete. **See Photo 6.**
- The asphalt sidewalk on Elm Street is deteriorated and has numerous areas of heaving. **See Photo 7.**
- The telephone pole in the middle of the sidewalk on Elm Street reduces the clear width to 19" and 22" respectively, which is far less than the minimum required 36". **See Photo 8.**
- The curb ramp on the Large Common side at the Town Hall exit lacks a level landing as the running slope is 6.4%.
- The telephone guy wire in the sidewalk across from #3 Ayer Road is a protruding object.
- The crosswalk across Still River Road near Ayer Road from the Large Common to the General Store is an apex-type curb ramp with one curb ramp serving 2 separate crosswalks. (*Note: When site constraints prevent the installation of a perpendicular curb cut or a parallel curb cut with a level landing an apex curb cut is allowed*). It is not clear if such constraints are met at this curb ramp and crosswalk. **See Photo 9.**



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9

Small Common Area (intersection at Still River Road and Fairbanks Street at the Old Library Building)

- There are 3 apex type curb ramps/cross walks. [See Photo 10.](#)
- None of the curb ramps (5) have detectable warning strips. [See Photo 11.](#)
- The crosswalk across Fairbanks Street at Old Littleton Road empties into 7" granite curbing on one side and grass/dirt on the opposite side. In addition, catch basins with openings of greater than 1½" are located on both sides in the middle of the cross walk at the edge of the street. [See Photo 12.](#)
- The curb ramp on the Small Common side from the crosswalk across Fairbanks lacks a level landing. [See Photo 10.](#)



Photo 10

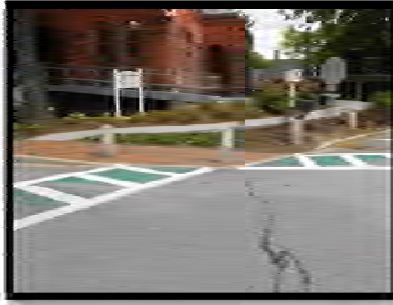


Photo 11



Photo 12

XVII. APPENDICES

Appendix A: Survey Form

Appendix B: Public Notice

Appendix C: Grievance Procedure

Appendix D: Reasonable Accommodations Policy

Appendix E: Reasonable Accommodations Request Form

Appendix F: Funding Sources for Barrier Removal Planning, Design and Construction Projects

Appendix A: Survey Form

Harvard Self-evaluation Survey

Department: _____

1. Describe the function of the department and any programs it offers or services that it provides.

2. Is staff aware it may be necessary to modify program policies or practices to enable people with disabilities to participate in and benefit from the programs?

Is the public aware that programs/services can be modified for them due to a disability?

3. Does the department/program have a formal or informal process for responding to requests for modifications?

4. Briefly describe general office/service communications. Specifically, how is information disseminated and communicated? Are there assistive devices or auxiliary aids (i.e. TTY, TDD, sign language interpreter) which are used or available?

5. Are there any circumstances in which a person with a disability would be prohibited from participating in regular activities because of the provision of separate activities?

6. Employment Practices.
 - a. Please list the number of full- and part-time employees.

 - b. Has any of these staff declared a disability? If yes, describe.

 - c. Have you been asked to provide a reasonable accommodation? If so, please describe the request and what accommodation was provided.

 - d. Are there any required formal tests as a condition of employment? If yes, describe.

 - e. Do any of the positions have formal job descriptions? If so, state which position and attach a copy of the job description as well as a sample job ad.

Appendix B: Public Notice

Town of Harvard
Public Notice Under
The Americans With Disabilities Act

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA" hereafter), the Town of Harvard will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment. The Town of Harvard does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the United States Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication. The Town of Harvard will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Town programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to persons with speech, hearing and/or vision impairments.

Modifications to Policies and Procedures. The Town of Harvard will make all reasonable modifications to policies and programs to ensure that persons with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Procedure and Contact. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Harvard should contact the ADA Coordinator as soon as possible but no later than 72 hours before a scheduled event.

The ADA does not require the Town to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints and requests concerning the accessibility of programs, services and activities of the Town should be directed to:

Timothy P. Bragan, Town Administrator
Town Hall
13 Ayer Road
Harvard, MA 01457

Phone: 978.456.4100 Ext. 313
Fax: 978.456.4107
Email: tbragan@harvard-ma.gov

The Town of Harvard will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids and services or reasonable modifications of policy.

Appendix C: Grievance Procedure

Town of Harvard
Grievance Procedure Under
The Americans With Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). This may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Harvard.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem.

Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to the Town's ADA Coordinator:

Timothy P. Bragan, Town Administrator
Town Hall
13 Ayer Road
Harvard, MA 01457

Phone: 978.456.4100 Ext. 313
Fax: 978.456.4107
Email: tbragan@harvard-ma.gov

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions.

Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Harvard and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and his/her designee may appeal the decision of the within 15 calendar days after receipt of the response to the Town Administrator.

Within 15 calendar days after receipt of the complaint, the Town Administrator will meet with the complainant to discuss the complaint and the possible resolutions.

Within 15 calendar days of the meeting, the Town Administrator will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his/her designee and appeals to the Town Administrator and responses from both will be retained by the Town Clerk for a period of at least 3 years.

Appendix D: Reasonable Accommodation Policy

Town of Harvard

Reasonable Accommodation Policy

In accordance with the Americans with Disabilities Act, the Town of Harvard has adopted the following policy to address requests for reasonable accommodations made by people with disabilities in its employment, services, activities, policies, procedures, rules, and regulations.

Citizens, employees or applicants for employment of the Town of Harvard with qualified disabilities should address any requests for accommodation to the Town's ADA Coordinator using the "*Reasonable Accommodation Request Form*" available on the town's website or from the Office of the Town Administrator.

Written requests should be sent to: (Note: : Alternative means of filing a request such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing).

ADA Coordinator

Timothy P. Bragan, Town Administrator
Town Hall
13 Ayer Road
Harvard, MA 01457

Phone: 978.456.4100 Ext. 313
Fax: 978.456.4107
Email: tbragan@harvard-ma.gov

If the Town of Harvard can grant the accommodation, the requestor will be notified within two weeks of receipt of the request and no further action will be required by the requestor. The request will then be implemented by the appropriate Town Department.

If the Town of Harvard cannot grant the accommodation request, the requestor will be notified in writing of the decision, along with notification of the right to file a grievance under the Town's Grievance Procedure.

Appendix E: Reasonable Accommodation Request Form

TOWN OF HARVARD
REQUEST FOR REASONABLE ACCOMMODATION FORM

The City requests the completion of this form to assist it in assessing your request for a reasonable accommodation. This initial information will be part of an interactive process with you as we explore your request. This form will be kept separate from your personnel file. The responses may generate the need for additional medical information.

TO BE COMPLETED BY REQUESTOR

Print Name _____ Date _____

Phone (work) _____ (personal) _____

☐ City employee ☐ Application for Employment ☐ Other (please explain) _____

Dept/Div _____ Job Title _____

APPLICANT

A. What limitation(s) is interfering with your job application process?

B. How does your limitation(s) interfere with your ability to participate in your job application process?

C. Describe any suggested accommodation(s) that you believe will assist you in addressing the above-referenced limitation(s): _____

D. Explain how the requested accommodations(s) will assist you: _____

E. If applicable, identify the source and/or cost (if known) for providing the accommodation(s):

EMPLOYEE

A. What limitation(s) is interfering with your job performance or accessing a benefit of employment?

B. What job function(s) or benefits of employment are you having difficulty performing or accessing because of that limitation(s)? _____

C. How does your limitation(s) interfere with your ability to perform your job function(s) or access a benefit of employment? _____

D. Describe any suggested accommodation(s) that you believe will assist you in addressing the above-referenced limitation(s): _____

F. If applicable, identify the source and/or cost (if known) for providing the accommodation(s):

Requestor's Signature _____

Date _____

**RETURN THIS FORM TO THE
HARVARD ADA COORDINATOR**

Appendix F: Funding Sources for Barrier Removal Planning,
Design and Construction Projects

FUNDING SOURCES FOR BARRIER REMOVAL PLANNING, DESIGN, AND CONSTRUCTION PROJECTS

Note: This list of funding is not all inclusive and other local, private, state, and federal funding may be available to address accessibility related projects.

MA Office on Disability Municipal Americans with Disabilities Act Improvement Grant Program

There are two grant types available:

Planning Grant. These grants are for updating or creating a Self-Evaluation and/or Transition Plan as required under the Administrative Requirements of Title II of the ADA.

Project Grant. These grants are for removal of architectural or communication barriers that are present in a municipality. Design plans or applicant salaries are not eligible project grants. Project Grants are solely to remove barriers or to make physical/communication improvements at municipal properties or municipally owned facilities. Funds awarded cannot be used to make improvements to private businesses, private property, non-profit organizations, private homes, or other non-municipal properties.

Community Development Block Grant Funds (CDBG)

CDBG Funds can be accessed directly from the federal Office of Housing and Urban Development (HUD) if a municipality is an entitlement community or a designated central city. Non-entitlement communities (such as Harvard) can apply for CDBG funds on an annual state-wide competitive basis from the Massachusetts Department of Housing and Community Development. Eligible accessibility related projects include feasibility and planning projects; design and engineering for barrier removal; and physical construction improvements to remove architectural barriers, including but not limited to, sidewalks, curb ramps, building and facility access and building and facility modifications. Funding may also be awarded for accessible related communication and transportation improvements and purchases such as integrated and fixed ALS devices and COA/Municipal accessible vans.

MassWorks Infrastructure Program

The MassWorks Infrastructure Program is a competitive grant program that provides a flexible source of capital funds to municipalities and other eligible public entities primarily for public infrastructure projects that support and accelerate housing production, spur private development, and create jobs throughout the Commonwealth. Although not specifically designed to address accessibility planning or barrier removal - housing projects would be required to include a percentage of units as accessible units and surface infrastructure projects would be required to construct compliant sidewalks and curb ramps as part of the overall construction project.

MA Chapter 90 Funding

Municipalities may, upon MA DOT approval, use their allocated Chapter 90 funds for street and sidewalk improvements which would require compliance with the 2010 ADA Standards, 521 CMR, and PROWAG pertaining to sidewalk cross slopes, level changes, sidewalk widths, curb ramps, and pedestrian crossing signals.

MA Complete Streets Program

The MassDOT Complete Streets Funding Program provides technical assistance and construction funding to eligible municipalities. Eligible municipalities must pass a Complete Streets Policy and develop a Prioritization Plan. Similar to the MassWorks Program, although not specifically designed to address accessibility projects, surface infrastructure projects would be required to construct compliant sidewalks and curb ramps as part of the overall construction project. Inherent in the development of a Complete Street is meeting the most current accessibility guidelines outlined by the Americans with Disabilities Act (ADA) and the Massachusetts Architectural Access Board (AAB), which are upheld by Code of Massachusetts Regulations 521 (521 CMR).

MA Community Preservation Act (CPA)

If a municipality has adopted through town meeting the CPA program, approved projects would have to adhere to applicable standards under ADA and 521 CMR. CPA funding is often used for historic building restoration and rehabilitation projects. Depending on the nature of the work and as part of the overall building project, funding may be attributed towards access into a building as well as interior improvements such as vertical access (lift, elevator), bathroom modifications, and related accessibility improvements.