
Introduction

The Institute for Human Centered Design (IHCD) has prepared this report on behalf of the Town of Harwich as part of the Town’s on-going effort to assess the current level of ADA compliance in programs, services and activities and Town-owned facilities. In preparing for the report, IHCD surveyed a selection of the Town’s portfolio of facilities and properties that was included in the Request for Proposals. This report includes the review of five (5) public buildings, four (4) semi-public buildings and two (2) parks/open spaces. Additionally, a total of four (4) salt water beaches, were included in the survey of facilities.

This ADA Self-Evaluation report includes model policies and procedures for adoption by the Town, and a summary of architectural barriers and proposed solutions for the Town’s municipal buildings, parks/open spaces and beaches. All are designed to help move the Town towards full compliance with its obligations under the Title II of the Americans with Disabilities Act (ADA) and/or the 521 CMR Massachusetts Architectural Access Board regulations.

Most Town-owned facilities recently altered or renovated are substantially accessible and meet most architectural requirements. Continued facility alterations, and/or renovations will substantially reduce barriers and realize Harwich’s commitment to inclusion and equal rights. In the meantime, the greatest problems posed by existing barriers can be ameliorated by establishing policies and procedures to accommodate members of the community with disabilities. It is worth noting that the Town has taken several significant steps in this direction:

- Harwich has hired a consultant (IHCD) to undertake its ADA self-evaluation (as basis for the Town’s transition plan).
- Harwich has an ADA Coordinator in place, Christopher Clark, the Town Administrator, from the Administration Department.
- Harwich has established the *Harwich Accessibility Rights Commission* – a group of dedicated citizens and government representatives committed to improving access for all persons, regardless of ability, to Harwich’s public programs, properties and services.

Many key facilities and outdoor areas are “functionally accessible” meaning that they are generally usable by people with disabilities but are not in full compliance with current accessibility requirements, though they may have been compliant when they were built or last renovated – before 1991. The Town Hall building is an example of such a “functionally accessible” facility: most programs can be accessed by most people because the building features accessible entrances, partially accessible toilet rooms, and has accessible routes through the building; yet the building does not have accessible service counters on the second floor, a key

component to access some of the services provided by the Town. And many individuals with mobility disabilities would have difficulty using the toilet rooms.

Some of the parks are also in this category. There are many accessible features and yet they lack accessible routes to key portions of the outdoor areas such as playgrounds, beaches, picnic areas, bleachers, etc.

For clarity, this ADA Self-Evaluation report is organized as follows:

- Legal Overview
- Executive Summary of the Evaluation of Policies in Programs, Services, and Activities
- Executive Summary of the Evaluation of Facilities.

I. Legal Overview

The Town of Harwich is obligated by both Federal laws and State codes concerning the rights of people with disabilities in the daily provision of programs, services, and activities. At the end of this report, there is a comprehensive list of relevant laws.

Federal Obligation: American with Disabilities Act (ADA)

Based on the 1964 Civil Rights Act and expanding upon the obligations of the 1973 Rehabilitation Act, the 1990 ADA prohibits discrimination against people with disabilities. The ADA provides civil rights protections to individuals with disabilities similar to those afforded to individuals on the basis of race, color, sex, national origin, age, and religion. The cornerstone of Title II of the ADA, which applies to state and local governments, is clear: no qualified person with a disability may be excluded from participating in, or denied the benefits of, the programs, services, and activities provided by state and local governments because of a disability.

The 2008 Amendments to the ADA (ADAAA), signed into law on September 25, 2008, describes in more detail the range of conditions covered by the civil rights protections of the ADA. The amendments expand the definition of “disability” to include impairments that substantially limit a major life activity and states that when determining whether someone qualifies as having a disability, one cannot take into account assistive devices, auxiliary aids, accommodations, medical therapies and supplies. The amendments also address episodic disabilities that may go into remission but still can significantly limit a major life activity when active, such as epilepsy and post-traumatic stress disorder. The ADA defines a disability as¹:

- A physical or mental impairment that substantially limits one or more major life activities (i.e. working, talking, hearing, seeing, caring for one's self);
- Having a record of a physical or mental impairment that substantially limits one or more major life activities;
- Being regarded by others as having an impairment such as individuals with severe facial scarring.

¹ To learn more about qualified individuals with disabilities or to read the full text of the ADA, please visit <http://www.ada.gov>

It is important to stress that the primary obligation to public entities such as the Town of Harwich, under Title II of the Americans with Disabilities Act, is to ensure that, when *viewed in their entirety*, the programs, services, and activities offered are equally available to people with disabilities. Towns are required to follow the 2010 ADA Standards for Accessible Design in new construction and major alterations. The 2010 ADA Standards must also be used for corrective actions if existing conditions don't comply with the original ADA Accessibility Guidelines. Municipalities also must relocate programs or otherwise provide access to programs located in inaccessible older facilities (i.e. facilities built before the ADA went into effect January 26, 1992). Ensuring program access may require capital investment when there is no alternative solution and should be a priority for corrective action.

Note that the websites of Title II entities are also considered “programs” and should be accessible to the standards of the Web Content Accessibility Guidelines 2.0 AA. Review of the Town of Harwich’s website will be provided as part of the scope of work of this contract.

Towns must **communicate effectively** with people who have hearing, vision, or speech disabilities. And they are required to make reasonable modifications to policies, practices, and procedures where necessary to ensure the equal participation of people with disabilities. Whatever is written or spoken must be as clear and understandable to people with hearing, vision, or speech disabilities as it is for people who do not have disabilities. In addition, the ADA requires the provision of “auxiliary aids and services” to meet their responsibility for effective communication.

Following the passage of the ADA, the Department of Justice issued the 1991 ADA Standards for Accessible Design to address physical access to facilities and transportation. These standards were based almost exclusively on the US Access Board’s guidelines (ADA Accessibility Guidelines – ADAAG). In 1994, slight technical amendments were made. Then in 2004, after years of public comment, the US Access Board issued new guidelines that were promptly adopted by US Department of Transportation and other federal agencies. But only in 2010 did the Department of Justice issue a revised and updated ADA Standard called the 2010 ADA Standards for Accessible Design (2010 ADA Standards) that would apply to all Title II and Title III entities. These standards revised requirements for policies such as ticketing and service animals, and for physical elements such as assembly seating, established construction tolerances for certain elements and formalized long-standing guidelines for play areas, golf courses, recreational boating facilities, swimming pools, and other recreational facilities.

Facilities that meet or exceed 1991 ADA Standards are not required to make changes to the new standards except in the case of significant renovation. For elements that are non-compliant, the corrective measures must align with the 2010 ADA Standards. It is not expected that the buildings

will meet or be brought up to all of the 2010 ADA Standards absent significant or total renovation. State and local governments must ensure that individuals with disabilities are not excluded from services, programs, and activities because buildings are inaccessible. This means Title II entities need not remove physical barriers, such as stairs, in all existing buildings, as long as they make their programs accessible to individuals who are unable to use an inaccessible existing facility.

Alterations to historic properties under the ADA

Alterations to historic properties must comply with the specific provisions governing historic properties in the 2010 ADA Standards, to the maximum extent feasible. Under those provisions, alterations should be done in full compliance with the alterations standards for other types of buildings. However, if following the usual standards would threaten or destroy the historic significance of a feature of the building, alternative solutions may be used. The decision to use alternative solutions for that feature must be made in consultation with the appropriate historic advisory board as designated in the 2010 ADA Standards (for Massachusetts, the Massachusetts Historical Commission), and interested persons should be invited to participate in the decision-making process.

Note that any corrective actions needed to ensure program accessibility would also have to comply with the requirements of the 2010 ADA Standards for historic facilities.

State Obligation:

Massachusetts Constitutional Amendment - Article 114

The Massachusetts Constitution states:

“No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity within the Commonwealth.”

Article 114 is written broadly. It prohibits discrimination based on disability on any level within the state, not just for recipients of state or federal funds. For example, town meetings must be held in an accessible place with sign language interpreters provided if needed, and a small grocery store or a privately owned dinner theater cannot refuse to do business with an individual based on the person’s disability.

Massachusetts Architectural Access Board

The Architectural Access Board (AAB) is a regulatory agency whose mandate is to develop and enforce regulations designed to make public buildings accessible to, functional for and safe for use by persons with disabilities. See the Rules and Regulations of the Architectural Access Board

521 CMR. In addition to writing regulations, the Board decides on variance requests, provides training on its regulations, issues advisory opinions and makes decisions on complaints. Local building inspectors are responsible for enforcing the regulations which are a specialized section of the Massachusetts Building Code. See 780 CMR.

The construction, reconstruction, remodeling, alteration, or change of use of a building or facility that is open to the public triggers the authority of the Architectural Access Board. New construction must fully comply.

For renovation, remodeling, or alteration:

- The work being done must comply with the regulations.
- If the work done in any 36-month period is greater than \$100,000, the “work being performed” is required to comply. In addition, an accessible entrance and an accessible toilet room, telephone and drinking fountain (if toilets, telephones and drinking fountains are provided) shall also be provided.
- If the work done in a 36-month period is more than 30% of the “full and fair cash value” of the building², the entire building must come into compliance.

Enforcement: Anyone can file a complaint with the Architectural Access Board. The Board has the authority to issue variances and/or impose fines of up to \$1000 per violation per day of noncompliance with its order.

See Reference List of Relevant Laws pertaining to Nondiscrimination on the Basis of Disability.

² This is usually the assessed value established by the city or town. See 521 C.M.R. § 5.38 for details about establishing value where no assessment exists.

II. Executive Summary of the Evaluation of Policies in Programs, Services and Activities

Title II of the Americans with Disabilities Act (ADA) prohibits discrimination against qualified individuals with disabilities by public entities. Activities covered include all services, programs and activities offered by the public entity, all aspects of employment, services carried out by contractors, all activities of the local legislative and judicial branches and public transportation.

A thorough understanding of the requirements of Title II of the ADA is an essential responsibility of public entities. Please note that a complete summary of the Town's policies, practices and procedures is included in *Part B – Evaluation of Non – Discriminatory Policies and Practices in Programs, Services and Activities*.

The ADA administrative requirements help ensure that the needs of people with disabilities are addressed in all services, programs and activities that the Town operates. A Title II entity is required to:

1. Designate a Responsible Employee (ADA Title II - 28 CFR Part 35.107 (a)) to coordinate compliance with the ADA. The purpose of having a responsible employee – ADA Coordinator - is to ensure that when the public deals with a state or local government agency the public is able to identify a person who is knowledgeable with the requirements of the ADA.

The Town of Harwich has met its obligation to designate a responsible employee by appointing Christopher Clark from the Administration Department as the Town's ADA Coordinator. However, he is not called out as the ADA Coordinator on the Town's website or materials distributed by the Town.

2. Adopt and distribute a public Notice (ADA Title II - 28 CFR Part 35.106) of the provisions of the ADA to members of the public who may participate in the Town's programs, services and activities. The effective notice should state the Town's obligations under the ADA and include the complete contact information of the ADA Coordinator.

The Town of Harwich has developed written policies to ensure compliance with the ADA. However, those policies are not easy to find in the Town's website; moreover, from staff responses to the ADA questionnaire, it appears that most departments are not aware of those policies and/or know where to find them.

The Town should consider publishing the Notice in all materials distributed by the Town; post the Notice on the Town’s website home page (<https://Harwichma.gov/>). Furthermore, include the complete contact information of the ADA Coordinator.

3. Develop and distribute Grievance Procedures (ADA Title II - 28 CFR Part 35.107 (b)) for prompt resolution of any complaint regarding disability discrimination.

The Town has included the Grievance Procedure in their policies. However, some departments responded that they don’t have grievance procedures. It is not clear if staff is aware of their obligation and process for meeting the requirement for grievance procedures.

IHCD recommends the Town take steps to clarify its grievance process for both employees and members of the public, post that information in print, in visible location on the Town’s website and in all material distributed by the Town.

4. Modify its Policies, Practices and Procedures (ADA Title II – 28 CFR Part 35.130(b)(7)) when necessary to avoid discrimination.

The Town has developed written policies. However, from the responses submitted by staff, it is not clear whether some departments are aware of or know about their obligations.

IHCD recommends that the Town ensure that staff be trained in the policies, practices and procedures for responding to request for accommodations by members of the public with disabilities. And ensure that all departments know where to find those policies.

5. Provide Reasonable Accommodation (ADA Title II – 28 CFR Part 35.140(a)) to qualified employees with disabilities. This requirement may include modifying work schedules, job restructuring, and making facilities used by employees readily accessible to an employee with a disability. There is an excellent national resource on accommodations: <https://askjan.org>

There is no evidence that the Town has failed to provide reasonable accommodation to its employees. Staff mentioned that they have developed no discriminatory practices and policies relative to employment.

6. Provide Auxiliary aids and services (ADA Title II – 28 CFR Part 35.160) to ensure effective communication with people with disabilities. This provision requires ADA Title II entities to take steps to ensure that communication with members of the public and employees with

disabilities is as effective as communication with others. This requirement may include but is not limited to providing sign language interpreters, providing Computer-Assisted-Real-time-Translation (CART), written materials for persons who are deaf or have difficulty hearing, braille or large print information or information in digital format for people who are blind or have difficulty seeing.

The Town of Harwich has excellent policies regarding their effective communication. The Town provides a variety of assistive technologies especially through their Library services.

IHCD recommends ensuring that all departments are aware of those services and are aware of their effective communication responsibilities so that staff across all departments has an understanding of their responsibility and clarity about what to do. Also ensure that information is on the Town's website.

IHCD recommends that the Town provide notices to the public, regarding the process of requesting auxiliary aids and services such as sign language interpreters and CART and include any deadlines for requesting auxiliary aids and services. We also recommend the information be available in print format as well as be available in alternate formats. This would be very important to include on the Town's website.

Finally, ensure that the Town's website and other web-based services are accessible to people with disabilities. It is the Department of Justice's position that when services are provided on a website, those services too must be made accessible. The website should be considered a "program" of the Town.

III. Executive Summary of the Evaluation of Facilities

The analysis of existing conditions that encompasses the body of this evaluation is based on observations and documentation completed by IHCD team during site visits in the spring of 2018. This accessibility survey included the following facilities:

Public Buildings:

Town Hall
Community Center
Brooks Free Library
Cranberry Valley Golf
Cultural Center

Semi - Public Buildings:

Chamber of Commerce
Public Safety Building
Highway Department
Water Department

IHCD's review of the Town-owned facilities was based on compliance with the 2010 ADA Standards if not compliant with the 1991 ADA Standards and/or MAAB.

In addition to the above facilities, IHCD also surveyed the following outdoor areas:

Parks/Open Spaces

Brook Park
Whitehouse Field

Beaches (Salt Water)

Bank Street Beach
Earl Road Beach
Pleasant Road Beach
Red River Beach

The accessibility survey of the parks and beaches included considering the following elements: gates, walking surfaces and slopes, benches, tables, play areas, recreational areas, parking and maintenance of accessible features. In addition, the accessibility survey at the beaches also included consideration of the accessible routes to the high tide level water.

It is important to note that those elements in existing facilities that are subject to supplemental requirements of the 2010 ADA Standards (*i.e.*, elements for which there are neither technical nor scoping specifications in the 1991 Standards) such as (C) *Recreational boating facilities*; (D) *Exercise machines and equipment*; (E) *Fishing piers and platforms*; (H) *Play areas*; (J) *Swimming pools, wading pools, and spas*; and (L) *Miscellaneous - (1) Team or player seating and Accessible route in court sports facilities*, need to be brought into compliance.³

Building Facilities Overview

The building facility set includes five (5) public buildings and four (4) semi-public buildings. The accessibility survey of those facilities includes all the spaces where the Town offers programs, services and activities to the public.

It is important to remember that under Title II of the ADA the Town of Harwich must make sure that *“No qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity”* [28 CFR Part 35.149].

A public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. This means that each program, service and activity of the Town, *“when viewed in its entirety, must be readily accessible to and usable by individuals with disabilities.”* This requirement is known as program accessibility [28 CFR Part 35.150].

The program accessibility requirement does not necessarily require a public entity to make each existing facility accessible or to take any action that would threaten or destroy the historic significance of a historic property or require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of the program or in an undue financial and administrative burden.

When looking at the outdoor facilities, Harwich needs to ensure that a sufficient number are accessible. For instance, Harwich offers a variety of experiences near the water *e.g.*, salt water, fresh water, harbor, etc. The Town needs to make sure that a sufficient number of each type of these facilities is accessible. The Town also needs to keep in mind that each unique program needs to be accessible. The survey included only salt water beaches. Since the four (4) sites are in close proximity, IHCD recommends that Harwich ensure every other site be accessible.

³ As described in 28 CFR 35.150(b)(2)(i) Title II ADA Regulations

The Town may comply with the requirements through such means as redesign or acquisition of equipment, reassignment of services to accessible buildings, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, or any other methods that result in making the Town’s services, programs or activities readily accessible to and usable by individuals with disabilities. A public entity is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section.

In choosing among available methods for meeting the requirements of this section, a public entity shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate.

In order to comply with the program accessibility obligations the Town should consider:

1. Relocation of its programs, services and activities within current facility
Often the simplest solution is for the Town to use what it already has in place. IHCD strongly recommends the relocation of programs, services and activities to accessible locations within the facility.
2. Relocation of its programs, services and activities to another facility
When not possible to relocate them within the current facility, program, services, and activities should be relocated to an accessible facility.
3. Renovation/alteration of its facilities to ensure access to programs, services and activities
The Town may consider the renovation of its facilities to ensure that the programs, services and activities are offered in the most integrated seating possible.

Note: To assist in prioritizing accessibility improvements to ensure compliance with the ADA Title II, each of IHCD’s building and outdoor area reports include a detailed catalog that supplements this ADA Self-Evaluation report. The catalog provides element-by-element, illustrated with photos, of compliance issues at each assessed facility.

IHCD assessed compliance for all building facilities and outdoor areas on the basis of the ADA and/or state code. In each of the building facilities and outdoor areas sets there is an overview that identifies the most substantial accessibility issues and several recommendations to increase accessibility of programs, services, and activities provided by the Town. Additional Universal Design and best practice solutions for each facility were included – when applicable - at the end of the building narratives.

In addition, an overview of order of magnitude cost will be provided to the Town. When the Town presents findings and recommendations to the community and receives feedback, some

recommendations may need adjustment. All capital corrective actions will need to be prioritized into a planning and budgeting document likely organized over a seven to ten year period that is called the ADA Transition Plan. Together, the ADA Self-Evaluation and ADA Transition Plan will enable the Town to make substantial progress in meeting its ADA responsibilities. The recommendations for corrective action on policies and procedures of the ADA Self-Evaluation are not included in the ADA Transition Plan since that is limited to capital issues. But they are a blueprint for meeting compliance responsibilities other than capital.

To determine which buildings must be made accessible, the Town should consider:

- How to provide the program in the most integrated setting appropriate;
- The locations where the activities are offered;
- Which facilities are accessible and to what extent.

Key Recommendations for the Building Facilities

- Ensure there is an accessible route from arrival points to those areas in the building where the programs, services and activities are provided.
- Ensure that fully accessible toilet rooms are provided in the building. Where it is technically infeasible to provide multi-user toilet rooms provide a single-user toilet room in the same area as the existing multi-user toilet rooms.
- Ensure that a sufficient number of accessible parking spaces is provided.
- Ensure that where the programs, services or activities are offered there is sufficient number of accessibility features (accessible counters, accessible work surfaces, etc.)
- If audible communication is integral to the use of the space, provide a compliant assistive listening system.

Public Buildings

Town Hall

Accessibility issues include curb ramps with slopes steeper than the maximum allowed, lack of detectable warning at the curb ramps (cross walk from parking lot and to the entrance to the mezzanine) and lack of assistive listening devices at the Griffin Hearing Room. Minor accessibility issues in the multi-users men's and women's toilet rooms include the location of the rear grab, flush control not located on the open/ transfer side and mirrors higher than the maximum allowed. Additional accessibility issues include service counters higher than the maximum allowed (second floor), lack of audible signal at the elevator, lack of the tactile star at the call button on the control panel inside the elevator. Other accessibility issues include lack of compliant handrails at the interior staircase, doors with excessive opening force to open and

lack of maneuvering clearance at some doors. Lack of maintenance of accessible features at the parking lot (striping), lack of the 'van accessible' identification sign at the van accessible spaces lack of compliant designation and egress signage are also of concern.

IHCD recommends the following improvements at the Town Hall:

- Provide Curb ramps (route from the parking lot to the Town Hall and the intersection near the mezzanine entrance).
- Provide Assistive listening devices (Griffin Hearing Room).
- Provide two (2) automatic door openers.
- Provide accessible working surfaces.
- Provide fully compliant accessible toilet rooms.
- Provide a tactile star at the call button on the control panel inside the elevator.
- Provide accessible counters (second floor).
- Provide compliant handrails at the interior staircase.
- Provide compliant designation and egress signage.
- Provide a 'van accessible' identification sign at the van accessible space.

IHCD recommends the following Universal Design improvements at the Town Hall:

- Provide a pedestrian cross walk from the accessible parking spaces to the accessible entrance.
- Provide a curb ramp from the parking lot to the accessible entrance (where the pedestrian crossing is provided).

Community Center

Accessibility issues at the Community Center include lack of compliant access aisles at the accessible parking spaces and curb ramps with slopes higher than the maximum allowed. Additional accessibility issues include non-compliant shower seat and missing side grab bar in the accessible shower compartments (showers located near the gymnasium), and non-compliant benches at the changing area, flush control not located on open / transfer side and toilet paper dispenser located too far from toilet at the single user toilet rooms. Other accessibility issues include sinks that are slightly higher than the maximum allowed, lack of the required clear floor space at the exercise machines, doors with excessive opening force to open and lack sufficient maneuvering clearance due to the location of furniture. Lack of compliant designation, directional and egress signs, signs located lower than the minimum required and lack of the designation 'van accessible' at the sign located at the van accessible space are also of concern.

IHCD recommends the following improvements at the Community Center:

- Provide compliant accessible parking spaces and identification signs.
- Provide compliant curb ramp (near main entrance).
- Provide compliant accessible toilet rooms.
- Provide compliant accessible shower compartments.
- Locate sinks at the required high (Activity Rooms and nursing room).

IHCD recommends the following Universal Design improvements at the Community Center:

- At the pedestrian crossing on Oak Street, provide detectable warnings on both sides of the street and a ladder-style crosswalk.
- Provide detectable warnings at the two curb ramps leading to the main entrance on Oak Street and the secondary entrance located near the parking lot on the north side.

Brooks Free Library

The major accessibility issue for members of the public approaching the library by foot is the telephone pole that obstructs the view of approaching vehicles at the Main Street crosswalk on the east side of the library. Also of concern is the excessive opening force and change in level at the entrance located on the north side of the library off Main Street and lack of accessible emergency exits. Additional accessibility issues include lack of visual fire alarms at the men's and women's toilet rooms located in the basement, toilet seat higher than the maximum allowed (men's toilet room) and flush control not located on the open or transfer side of the toilet (men's toilet room). Also of concern is the excessive opening force to open at the doors to the single-user toilet rooms.

Other accessibility issues include work surfaces that are higher than the maximum allowed (e.g., catalog area) or lower than the minimum allowed (Homework Center), lack of drinking fountain for standing users, lack of sufficient knee clearance at the drinking fountain located on the first floor and lack of an accessible route to the stage in the Function Room. Minor issues at the accessible parking spaces include signs that are faded and are located lower than the minimum required.

IHCD recommends the following improvements at the Brooks Fee Library:

- Renovate multi-user toilet rooms (basement).
- Provide accessible emergency exits.
- Provide accessible work surfaces.
- Provide accessible drinking fountains (for seated and standing users).
- Provide an accessible route to the stage (Function Room).
- Provide egress signage (exit door in the basement).

IHCD recommends the following Universal Design improvements at the Brooks Free Library:

- Add a crossing sign for pedestrians synced to a Rectangular Rapid Flash Beacon (RRFB) at the crosswalk on Main Street at the east side of the library.
- Provide a power door opener at the Main Street double-door entry.
- Replace the faded exterior power door button at the main entry doors in the parking lot.

Cranberry Valley Golf

The major accessibility issues at the Cranberry Valley Golf Course include lack of a compliant drop-off area and lack of accessible portable toilets. Other accessibility issues include lack of compliant grab bars at the accessible compartments, flush control not on the open / transfer side (women's) and dispensers located higher than the maximum allowed, lack of accessible service counters (main entrance and gift shop), excessive slope at the route leading to the stairs near the entrance to the restaurant and doors that require excessive opening force to open.

Additional accessibility issues include lack of directional signage at the exits from the restaurant, designation signs not located on the latch side of the doors, identification signs located lower than the minimum required and lack of the designation 'van accessible' at the sign located at the van accessible spaces.

IHCD recommends the following improvements at the Cranberry Valley Golf:

- Provide accessible portable toilets in each location where portable toilets are provided on the golf course.
- Renovate toilet rooms.
- Provide a compliant drop-off area.
- Locate identification signs at the accessible parking spaces between 60" – 96" above the ground and ensure that the identification sign located at the van accessible space has the designation 'van accessible'.
- Provide accessible counters.
- Provide compliant directional signage at the non-accessible exits.
- Provide compliant accessible routes (with slopes no higher than 1:50).

IHCD recommends the following Universal Design improvements at the Cranberry Valley Golf:

- Provide benches with back support in each area where benches are provided on the golf course.
- Redesign parking lot exit near golf cart area to minimize risk of golf cart and car collisions.

Cultural Center

Accessibility issues at the Cultural Center include lack of fully accessible multi-user toilet rooms (doors with malfunctioning self-closing hinge grab bars lower than the minimum required, flush control not located on the open side and lack of audible and visible alarms) and fully accessible single user toilet room (flush control not located open/transfer side, toilet paper dispenser located above the grab bar and coat hook located too high). Also of concern is the lack of a compliant transfer shower (both men's and women's).

Other accessibility issues include lack of accessible designated wheelchair spaces and designated aisle seats, interior stairways and ramps with non-compliant handrails, lacks visible and audible hall signals at the elevator, and lack of compliant accessible parking spaces.

Additional accessibility issues include lack of compliant designation and egress signs and lack of drinking fountains for standing users.

IHCD recommends the following improvements at the Cultural Center:

- Provide compliant accessible parking spaces.
- Provide a fully accessible multi-user toilet rooms.
- Provide a fully accessible single user toilet room.
- Provide compliant transfer showers (men's and women's).
- Provide accessible designated wheelchair spaces and designated aisle seats at the auditorium.
- Provide compliant handrails at the interior ramps.
- Provide compliant handrails at the interior stairways.
- Provide compliant designation and egress signs.
- Provide drinking fountains for standing users.
- Provide visible and audible hall signals at the elevator.

Semi – Public Buildings:

Chamber of Commerce

Accessibility issues at the Chamber of Commerce include accessible parking spaces and access aisles that are narrower than the minimum allowed. Additional accessibility issues include lack of fully accessible multi-user toilet rooms and lack of visible and audible fire alarms. Other accessibility issues include lack of maneuvering clearance at the entrance to the building.

IHCD recommends the following improvements at the Chamber of Commerce:

- Provide a fully accessible entrance to the building.
- Provide compliant parking spaces.
- Renovate multi-user toilet rooms.

Public Safety Building

The Public Safety Building consists of the Fire Department and the Police Department.

Fire Department

Accessibility issues at the Fire Department include lack of visual fire alarms in the toilet room and doors that require excessive force to open. Other accessibility issues include lack of compliant egress signs and elements located out of reach range.

IHCD recommends the following improvements at the Fire Department:

- Renovate toilet rooms to address minor accessibility issues.
- Provide compliant emergency signs and ensure they are located at the required height
- Relocate elements to be within reach range.
- Relocate elements that protrude into the circulation path.
- Adjust doors closers to address the excessive opening force.

IHCD recommends the following Universal Design improvements at the Fire Department:

- Provide an adjustable-height exam table with adjustable support rails. Ensure there is a 30" minimum by 48" minimum clear floor space adjacent to the exam table.

Police Department

Accessibility issues at the Police Department include lack of an accessible counter in the cells area. Minor issues include doors with excessive opening force, lack of maneuvering clearance at the emergency exit in the training center and toilet room due to furniture.

IHCD recommends the following improvements at the Police Department:

- Provide a compliant service counter.
- Remove furniture located near the emergency exit to maintain the required maneuvering clearance.
- Remove furniture from the single toilet room to maintain the maneuvering clearance at the toilet room.
- Relocate elements to be within reach range and out of the circulation path.

Highway Department

Accessibility issues at the Highway Department include lack of fully compliant van accessible space, service counter higher than the maximum allowed. Other accessibility issues include lack of compliant egress sign and identification signs at the parking lot located lower than the minimum required.

IHCD recommends the following improvements at the Highway Department:

- Provide a compliant van accessible parking space and identification sign.
- Provide a compliant service counter.
- Provide compliant designation egress sign and ensure is located on the latch side of the door.

Water Department

The major accessibility issues at the Water Department include lack of an accessible single – user toilet room (near the reception area), lack of knee clearance at the lavatory and non-compliant grab bars at the second single user toilet room (near meeting room). Other accessibility issues include lack of visual fire alarm at the toilet room and lack of clear floor space at the automatic opener door.

IHCD recommends the following improvements at the Water Department:

- Provide a compliant van accessible parking space and identification sign.
- Provide a compliant service counter.
- Renovate the single-user toilet room (near the reception area).
- Provide a fully accessible toilet room (near the meeting room).
- Relocate automatic door opener door to ensure a 30” by 48” is provided.

Outdoor Facilities Overview

The outdoor facility set includes two (2) parks/open spaces and four (4) beaches facilities (salt water). The accessibility survey of those spaces encompassed elements such as gates, walking surfaces and slopes, benches, drinking fountains, tables, play areas, recreational areas, and maintenance of accessible features.

IHCD assessed compliance for all outdoor facilities on the basis of the Title II of the ADA. In each of the outdoor facilities set there is an overview that identifies the most substantial accessibility issues and a compilation of order of magnitude costs generated from the total of all issues.

The program accessibility obligation does not typically require that every outdoor area be made accessible. As noted above, “when viewed in its entirety” applies to programs for which there

are multiple locations for comparable programs. Usually, a public entity determines which method it will use for meeting its program accessibility obligations. When structural changes are made to existing facilities, the changes must comply with the 2010 ADA Standards for Accessible Design. When choosing to purchase equipment or to make structural changes, the public entity should factor financial resources required to maintain program accessibility.

Over time, the Town will need to reassess its compliance with program accessibility, and it may become necessary to acquire new accessible equipment or make structural modifications

To determine which outdoor areas must be made accessible, the Town should consider:

- How to provide the program in the most integrated setting appropriate;
- Locations where the activities are offered;
- Which outdoor areas are accessible and to what extent;
- Level of dispersion of the accessible outdoor areas (playgrounds, baseball fields, soccer fields, etc.) and convenience to reach them (accessible by car or pedestrian routes).

Key Recommendations for the Outdoor Facilities

- Ensure there is an accessible route to all elements in the park/beach (picnic area, playground, baseball field, basketball court, toilet facilities, etc.).
- Ensure that accessible routes are provided to playground; in addition, ensure that an accessible route is provided in the play area to all accessible play components.
- Provide beach access mats to ensure an accessible route to the beach (high level tide water).
- When toilet room facilities are provided, ensure that accessible toilet rooms are also provided at the facility.
- Ensure that accessible wheelchair spaces at bleachers are provided.
- Install compliant designation signage.
- Ensure that a certain number of amenities in the parks/beaches are accessible (e.g. picnic tables, benches, etc.).

Parks and Beaches

Brooks Park

Accessibility issues at Brooks Park include excessive running slope at the entry gate to the tennis court (near the basketball court) and at the route leading to the toilet rooms (near the baseball field), lack of a stable, firm and slip resistant accessible route to the tennis court, handball court and team seating areas at the baseball field. Other accessibility issues include

lack of stable, firm and slip resistant accessible route in the playground and around ground level play components, lack of a stable, firm and slip resistant route to the pavilion, and lack of an accessible picnic table in the covered picnic area. Additional accessibility issues at the toilet room include dispensers that protrude into the circulation path, pipes underneath the lavatories that are exposed, mirrors that are higher than the maximum allowed and toilet paper dispensers located above the side grab bar. Lack of identification signs at the accessible parking spaces (parking lot near the playground) and identification signs that are too low and non-compliant parking spaces at the unpaved parking lot are also of concern.

IHCD recommends the following improvements at the Brooks Park:

- Provide an accessibility route to the entry gate at the tennis court (near the basketball court).
- Provide an accessible route to the toilet rooms (near the baseball field).
- Provide a stable, firm and slip resistant accessible route to the tennis court, handball court, team seating areas (at the baseball field) and to the pavilion.
- Provide a stable, firm and slip resistance accessible route in the playground and around ground level play components.
- Provide accessible picnic tables.
- Altered toilet rooms to address minor accessibility issues.
- Provide identification signs at the accessible parking spaces (parking lot near the playground) and identification signs that are too low and non-compliant parking spaces at the unpaved parking lot are also of concern.

Whitehouse Park

The major accessibility issues at the Whitehouse Park are the lack of designated accessible seating at the smaller bleacher location, lack of an accessible route and accessible seating at the larger bleacher locations and lack of an accessible route to the dugouts area. Other accessibility issues include lack of accessible counters at the concession stand and clothing booth and minor accessibility issues at the toilet rooms.

IHCD recommends the following for the Whitehouse Park:

- Provide designated accessible seating at the smaller bleacher location.
- Provide an accessible route and accessible seating at the larger bleacher locations.
- Provide an accessible route to the dugouts area.
- Provide accessible counters at the concession stand and clothing booth.
- Renovate multi-user toilet rooms to address minor accessibility issues.

IHCD recommends the following Universal Design improvements at Whitehouse Park:

- As a safety measure, fill in open stair risers at the stairway leading to the press box.
- Relocate the Rules of the Ballpark sign so the information is on an accessible route.

Bank Street Beach

Accessibility issues at Bank Street Beach include lack of compliant van accessible spaces and access aisles at the car accessible parking spaces. Other accessibility issues include lack of fully accessible multi-user toilet rooms and lack of accessible routes to the amenities at the beach (bike racks, trash receptacles and wayside). Additional accessibility issues include designation signs not located on the latch side of the door and lack of a ‘van accessible’ identification sign at the van accessible spaces.

IHCD recommends the following for the Bank Street Beach:

- Provide accessible parking spaces and identification signs.
- Renovate multi-user toilet rooms to address minor accessibility issues.
- Provide accessible routes to all elements in the beach (benches, bike racks, wayside, etc.).
- Install compliant designation signage.

IHCD recommends the following Universal Design improvements at Bank Street Beach

- Extend the accessible route to the high tide level at the beach.
- Provide seating areas near the high tide level area at the beach.

Earl Road Beach

Accessibility issues at Earl Road Beach include, paper towel dispensers located higher than the maximum allowed, and lack of visible and audible fire alarm at the single-user toilet rooms. Other accessibility issues include misplaced Braille text on the designation signs at the toilet rooms and lack of an accessible route to the amenities at the beach (e.g., benches and trash cans). Minor accessibility issues at the parking lot include spaces and access aisles slightly narrower than the minimum allowed.

IHCD recommends the following improvements at Earl Road Beach:

- Renovate toilet rooms.
- Re-stripe parking spaces.
- Install compliant designation signage.

IHCD recommends the following Universal Design improvements at Earl Road Beach:

- Provide seating areas near the high tide level area at the beach.

Pleasant Road Beach

Accessibility issues at Pleasant Road Beach include lack of a car accessible parking space and access aisle and lack of an accessible route to the benches. Other accessibility issues include lack of maneuvering clearance at the door in the single user toilet room, designation sign not located on the latch side of the door and lack of a ‘van accessible’ identification sign at the van accessible spaces.

IHCD recommends the following improvements at Pleasant Road Beach:

- Provide accessible parking spaces and identification signs.
- Provide accessible routes to all elements in the beach (benches, wayside, etc.)
- Renovate the single user toilet room.

IHCD recommends the following Universal Design improvements at Pleasant Road Beach:

- Extend the accessible route to the high tide level at the beach.
- Provide seating areas near the high tide level area at the beach.

Red River Beach

Accessibility issues at Red River Beach include lack of an accessible route from the parking area to the high tide level area and lack of an accessible route to the benches. Other accessibility issues include lack of maneuvering clearance at toilet doors, dispensers and mirrors higher than maximum allowed, and lack of audible and visible fire alarms in the toilet rooms. Minor accessibility issues at Red River Beach include accessible parking spaces slightly narrower than the minimum width required, spaces and access aisles that are wide enough to be van accessible spaces but that lack ‘van accessible’ signs. Additional accessibility issues include identification signs at the parking lot located lower than the minimum required.

IHCD recommends the following improvements at Red River Beach:

- Provide an accessible route (beach mat) at the entry points from the parking lot and ensure the accessible route extends to the high tide level.
- Provide accessible routes to all amenities in the beach (benches, etc.)
- Renovate parking lot to provide compliant accessible parking spaces and identification signs.
- Renovate men’s and women’s toilet rooms
- Locate designation signage on the latch side of doors.

IHCD recommends the following Universal Design improvements at Pleasant Road Beach:

- Provide portable toilets at the far east of the parking lot.

Reference List:

Federal Laws:

American with Disabilities Act (ADA)⁴
2010 ADA Standards for Accessible Design

State Law:

521 CMR Massachusetts Architectural Access Board – Rules and Regulations

Guidance:

ADA Action Guide for State and Local Governments: www.adaactionguide.org
ADA Checklist for Existing Facilities

⁴ *Requires a Transition Plan*