



Town of Manchester-by-the-Sea, Massachusetts

PART A – Executive Summary

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Prepared by the



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Introduction

The Institute for Human Centered Design (IHCD) has prepared this report on behalf of the Town of Manchester by-the-Sea as part of the Town’s ongoing effort to assess the current level of ADA compliance in programs, services and activities and Town-owned facilities. In preparing for this report, IHCD teams surveyed the Town’s portfolio of facilities and properties that were included in the Request for Proposal.

The building facility set includes seven (7) public buildings. The accessibility survey of those facilities includes all the spaces where the Town offers programs, services and activities to members of the public. The outdoor facility set includes nine (9) parks/outdoor areas. The accessibility survey of those spaces encompassed elements such as accessible routes, walking surfaces, slopes, picnic tables, play areas and recreational areas. In addition, the parking lots associated with those facilities were also surveyed. The accessibility survey of those areas includes elements such as accessible routes and accessible parking spaces.

IHCD submitted separate reports for each facility that was surveyed. To assist in prioritizing accessibility improvements to ensure compliance with the ADA Title II, each of the building and outdoor area reports include an overview that identifies the most substantial accessibility issues and order of magnitude cost estimates for corrective action. Additionally, a detailed catalog that supplements the ADA Self-Evaluation narrative overview is also included. The catalog provides element-by-element photos of compliance issues, location and measurements - when applicable - at each assessed facility accompanied by recommendations and cost estimation for each accessibility issue.

In addition, a spreadsheet of priorities for corrective action organized by type of building and including order of magnitude costs was provided to the Town. When the Town presents findings and recommendations to the community and receives feedback, some recommendations may need cost adjustment. These spreadsheets are a capital planning and budgeting tool - the “*ADA Transition Plan*” - and is intended as a long-term tool to update as work is completed. The Town should make a good faith effort to complete the work in a reasonable time. (IHCD recommends a three to five-year period). The ADA regulations do not set out precise timeframes to complete the work, we are basing the timeframes on conversations with the Department of Justice and their Project Civic Access settlement agreement with municipalities.

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 of policies and procedures of the ADA Self-Evaluation are not included in the ADA Transition Plan since that is limited to capital accessibility issues. But they are a blueprint for meeting compliance responsibilities other than capital expenses.

IHCD also submitted a complete assessment of the Town’s policies, practices and procedures.

The ADA administrative requirements help ensure that the needs of people with disabilities are addressed in all services, programs and activities that the Town provides.

See the complete summary in *Part B – Evaluation of Non – Discriminatory Policies and Practices in Programs, Services and Activities* report.

A complete website accessibility report that provides information about website accessibility issues and recommendations for corrective measures will also be submitted.

Most Town-owned facilities recently altered or renovated are substantially accessible and meet most architectural requirements. Continued facility alterations, and/or renovations will significantly reduce barriers and realize the Town’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:

- The Town of Manchester by-the-Sea has hired a consultant (IHCD) to undertake its ADA self-evaluation (as the basis for the Town’s Transition Plan).
- The Town of Manchester by-the-Sea has an ADA Coordinator in place.
- The Town has developed a Grievance Procedure.

IHCD’s review and recommendations of the Town-owned facilities was based on compliance with the 2010 ADA Standards for Accessible Design if not compliant with the 1991 ADA Standards and/or 521 CMR of the Massachusetts Architectural Access Board. Best practice and inclusive design recommendations were also provided for each property. Inclusive design recommendations include elements that are not required in the accessibility standards but may create enhanced experiences for all users.

Many key facilities and outdoor areas are generally usable by people with disabilities but are not in full compliance with current accessibility requirements. The Town Hall, for instance,

provides access to many programs and can be accessed by most people because the building features accessible entrances and provide an accessible route to all floors. Yet some of the key areas such as the Selectmen Meeting Room lacks an assistive listening system and most of the service counters through the building are higher than the maximum height allowed, a key component to access some of the services provided by the Town. The Library is another example of a facility that provides access to most programs but not all. While the building has an accessible entrance, it lacks an accessible single-user toilet room (first floor), and an accessible route to the mezzanine where the teenage area is located.

The Town may comply with the requirements of Title II of the ADA through means such as reassignment of services to accessible buildings or delivery of services at alternate accessible sites. The Town may also comply with the requirements by renovation or alteration of existing facilities and/or 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. Note that 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 the ADA, the Town of Manchester by-the-Sea 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 of Manchester by-the-Sea 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 if they are provided at inaccessible locations.

2. Relocation of its programs, services and activities to another facility.

When it is not possible to relocate programs, services, and activities within the current facility, they should be relocated to an accessible facility. Two good examples of relocating programs to accessible locations are the police Station and Seaside 1.

Police Station: the female/juvenile holding cell is not fully accessible and there is no male accessible holding cell; making them compliant may be technically infeasible. The Town

meets its Program Accessibility obligation by transferring detainees to an accessible location (Essex County Correctional Facility).

Seaside 1: There is not an accessible route to the second floor where offices providing service to the public are located. The Town meets its Program Accessibility obligation by providing the service at the Town Hall. IHCD recommends the Town do not use the inaccessible second floor area for anything that is likely to involve visits from members of the public.

3. Renovation/alteration of its facilities to ensure access to programs, services and activities

The Town may consider the renovation of its inaccessible facilities to ensure that the programs, services and activities are offered in the most integrated setting possible.

Note that any corrective actions needed to ensure program accessibility must comply with the requirements of the 2010 ADA Standards and/or 521 CMR.

Furthermore, when doing alterations/renovations, keep in mind that an alteration that decreases the accessibility of a building below the requirements for new construction at the time of the alteration is prohibited.

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

- How to provide each 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 all arrival points to those areas in the building where programs, services and activities are provided.

Note: Some of the routes leading to the Town Hall and the Police Station have noncompliant slopes. IHCD team was told a plan for the renovation of the Town Common is in place and will start in the spring.

- If parking is provided, ensure fully accessible parking spaces are provided. Locate the accessible parking spaces near the accessible entrances. IHCD recommends relocating one of the accessible parking spaces near the accessible entrance at the Wastewater Treatment Plant.
- Ensure that fully accessible toilet rooms are provided in each building where programs services or activities are provided (e.g., Seaside 1 and the Town Hall (1st floor)). Where it is technically infeasible to provide accessible multi-user toilet rooms, provide an accessible single-user toilet room (e.g., Public Library, Fire Station).
- Ensure that where services or activities are offered there is a sufficient number of accessible features (accessible wheelchair seating areas, accessible counters, accessible work surfaces, etc.).

Particular attention should be given to some departments at the Town Hall where key services are being offered to the community.

- If audible communication is integral to the use of a space, provide a compliant assistive listening system.

This should be a priority at the Selectmen Meeting Room at the Town Hall.

- Ensure that those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities are maintained in operable working condition during the time services are offered to members of the public. The automatic door opener at the accessible entrance must be in working condition during business hours and at night-time meetings when meetings are being held at the Town Hall.

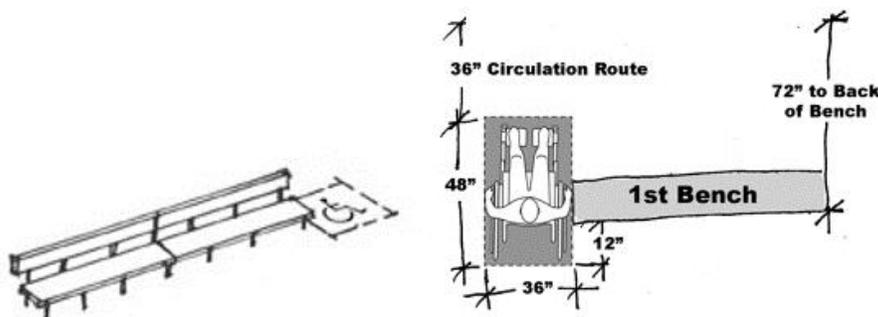
Regarding outdoor areas, the ADA does not require that all parks and playgrounds be made accessible, the Town's obligation is to ensure *Program Accessibility*. To determine which parks, playgrounds and outdoor spaces must be made accessible, the Town should consider:

- 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, beaches, etc.,) and convenience to reach them (accessible by car or pedestrian routes).
- Ensure that a certain number of amenities (at least 5%) in the parks/outdoor spaces are accessible (e.g., picnic tables, service counters at concession stands, etc.).
- At outdoor areas with beach access, ensure that accessible routes are provided to the normal recreation water level (lakes, ponds and reservoirs) or the high tide level (tidal beaches).
- Where portable toilets are provided, ensure an accessible portable toilet is provided in the same area. Ensure the accessible portable toilet is located on an accessible route.

Key Recommendations for the Outdoor Facilities:

- Ensure there is an accessible route to all elements in the park/outdoor space (baseball fields, basketball courts, playgrounds, picnic areas, bike racks, toilet facilities, etc.).
- Ensure there is a clear floor space adjacent to the bench at team seating areas and spectator seating areas at the baseball fields, basketball courts, etc.



Left: diagram for team seating. Right: Diagram for spectator seating shows shoulder alignment between the wheelchair user and a person seated on the bench.

- Ensure that accessible routes are provided to and around playgrounds; in addition, ensure that an accessible route is provided in the play area to all play components.

The playgrounds have Engineered Wood Fiber (EWF) as a surface. Note that the Massachusetts Architectural Access Board (MAAB) does not consider Engineered Wood Fiber (EWF) to comply with its regulation requiring an accessible route to and around playground equipment.