



Massachusetts Office on Disability

One Ashburton Place, Room 1305
Boston, MA 02108

Deval L. Patrick, Governor
Timothy P. Murray, Lt. Governor
Myra Berloff, Director

617-727-7440 voice & TTY
800-322-2020 voice & TTY
617-727-0965 FAX
Web: <http://www.mass.gov/mod>
chris.r.becker@Massmail.state.ma.us

October 15, 2012

Catherine Johnson
11 Stetson Ter.
Apt. 4
Whitman, MA 02382

Dear Catherine Johnson:

This report is a follow up to the site visit conducted on September 13, 2012 of Whitman Park located in Whitman. At your request, a site visit was conducted to assist you in identifying the current architectural barriers that persons with disabilities encounter when visiting this historic park. This report shows that several aspects of the park have inaccessible features including routes to programs such as the playground, picnic area, ball parks, basketball court, exterior and interior paths, and band stand. It is our understanding that significant improvements have been made to the park including the installation of new curbing, curb cuts, lighting, seating, plantings, waste management, ball park improvements, pond retention wall and fountain mechanics, and the installation of stairs to the bandstand to which the total amounts to over \$500,000 in costs. This report cites the 2006 revision of 521 CMR enforced by the Architectural Access Board as well as the federal ADAAG with the assumption, based on newspaper articles and your assertions, that the new work performed was started in 2007.

Present for the survey were:

Catherine Johnson, Community Access Monitor
Christopher Becker, Access Specialist, Massachusetts Office on Disability

I have attached the report outlining my findings. If there are any questions regarding the report, please feel free to contact me at the Office on Disability.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Becker".

Christopher Becker
Access Specialist

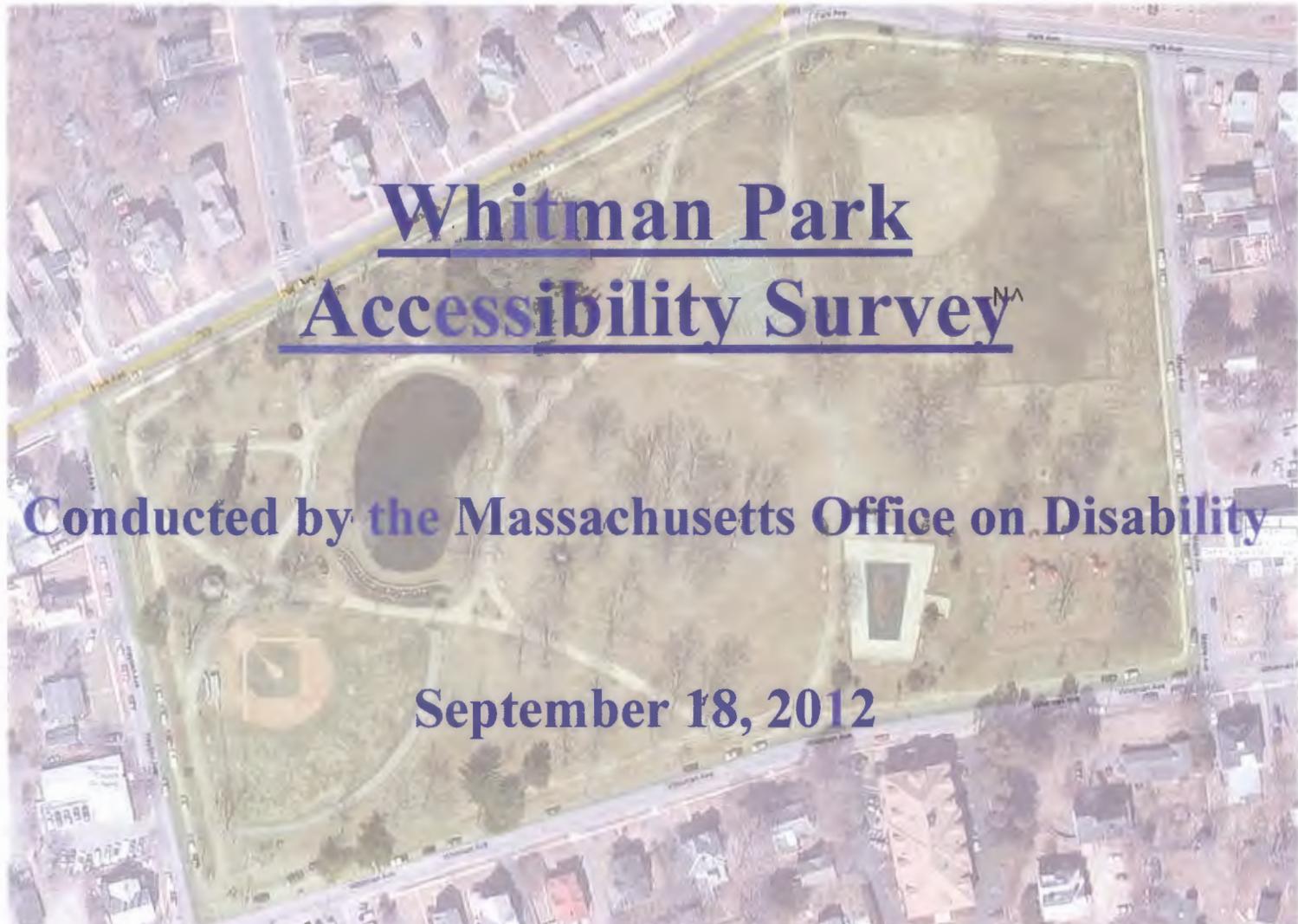


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Play and Picnic Area

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures
<p><i>Curb Cut / Play area</i> – No curb cut near play area at Maple and Whitman. Curb reconstruction is underway the length of Whitman Ave. There is no evidence of plans for a curb cut. The closest curb cut is at Park and Maple. The distance is approximately 200’ away. (Location A)</p>	<p>21.1 - Whenever <i>sidewalks, walkways</i>, or curbs on streets and ways are <i>constructed, reconstructed, or repaired</i>, <i>curb cuts</i> are required.</p> <p>23.3.1 <i>Accessible</i> parking spaces serving a particular <i>building, facility</i> or temporary event shall be located on the shortest <i>accessible route</i> of travel from adjacent parking to an <i>accessible entrance</i>.</p>	<p>4.7.1 Location – Curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb.</p> <p>NOTE: This curb cut needs to be brought up to the ADA standards to ensure programmatic access.</p>	 <p>A</p> <p>No curb cut / curbwork shown</p>
<p><i>Accessible Route/Play area</i>– The route to the playground stops at the mulch line and does not provide an accessible path of travel to any of the playground equipment. (Location B)</p>	<p>20.1 - An <i>accessible route</i> shall provide a continuous unobstructed path connecting <i>accessible spaces and elements</i> inside and outside a <i>facility</i>.</p> <p>19.7 - An <i>accessible route</i>, complying with 521 CMR 20.00: ACCESSIBLE ROUTE shall be provided to reach playground equipment and around the playground.</p>		 <p>B</p> <p>Play area route</p>
<p><i>Accessible Route/Play area</i>– There is a change in level from sidewalk to playground path that is 3/4” with no ramp. (Location B)</p>	<p>29.2.3 - Changes in <i>level</i> greater than 1/2 inch (1/2" = 13mm) are not allowed unless a <i>ramp, walkway</i>, or means of vertical access complying with 521 CMR is provided.</p>		 <p>B</p> <p>Play area route / sidewalk trans.</p>

Play and Picnic Area

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures
<p><i>Accessible Route/Picnic area</i>— There is no accessible route to the picnic tables.</p> <p><i>Accessible Route/Picnic area</i>— There is no accessible route to the waste receptacles.</p>	<p>20.1 GENERAL - An <i>accessible route</i> shall provide a continuous unobstructed path connecting <i>accessible spaces</i> and <i>elements</i> inside and outside a <i>facility</i>. <i>Accessible routes</i> may include but are not limited to <i>walks</i>, halls, corridors, aisles, skywalks, and tunnels. <i>Accessible routes</i> may not include stairs, steps, or escalators, even if the stairs and steps are required to be <i>accessible</i> under 521 CMR.</p> <p>20.8 SURFACE TEXTURES The surface of an <i>accessible route</i> shall comply with 521 CMR 29.00: FLOOR SURFACES.</p>		 <p>Picnic tables and waste receptacle</p>
<p><i>Tables /Picnic area</i>— There are no accessible picnic tables out of the six picnic tables provided in this area.</p>	<p>19.6.2 Tables: At least 5% of tables, where provided shall be <i>accessible</i> and shall comply with 521 CMR 19.5.2.</p> <p>19.5.2 Tables: At least 5% of tables shall be <i>accessible</i>. Tables for the <i>accessible sites</i> shall provide <i>clear space</i> under the table top not less than 30 inches wide (30" = 762mm) and 19 inches (19" = 483mm) deep per seating space and not less than 27 inches (27" = 686mm) <i>clear</i> from the ground to the underside of the table. See Fig. 19d.</p>		 <p>Placing a designated accessible seating location at the head of the table is considered non-compliant.</p>



East Ball Park Area
Maple Ave. and Park Ave.

Improvements have been made to the east ball park area since 2007 including the reconstruction of portions of sidewalk, curbing, seating, lighting, and plantings, but little has been done to address the issue of access.

There are at least two non-compliant curb cuts located on Park Ave. The newest curb cut at the corner of Maple Ave. and Park Ave. has a non-compliant slope. The other existing curb cuts do not have compliant reciprocal curb cuts on Park Ave.

In addition, there is no accessible route to the baseball field or basketball court grade levels. Also, there are a series of benches along Park Ave. and interior to the park that are not accessible. The existing path that runs between the ball fields is inaccessible as well due to the surface treatment.



Image -5: Maple and Park Ave.



Image – 6: reciprocal

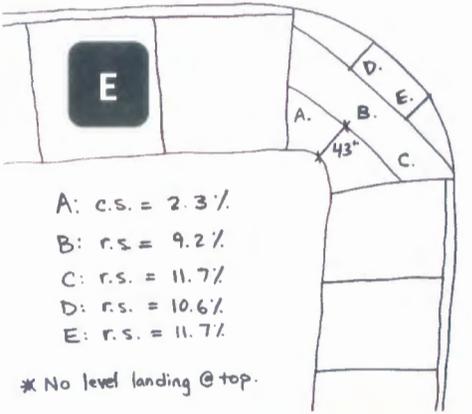
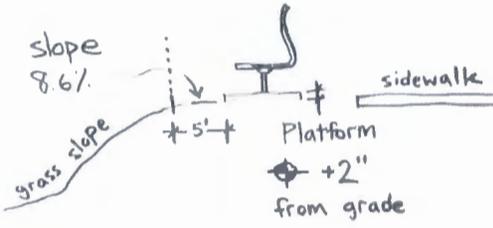


Image -7: new plantings



Image – 8: new benches

East Ball Park Area

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures
<p><i>Curb Cut / Play area</i> – Non-compliant curb cut near east ball park area at Maple and Park Ave.</p> <p>Curb cut has multiple non-compliant slopes. There is no level landing at the top of the curb cut.</p> <p>There is no reciprocal curb cut on the other side of Maple Ave. and Park Ave.</p> <p>*Note: Other non-compliant items may be present in addition to the items listed above.</p>	<p>21.2.1 <i>Curb cuts</i> are required at each corner of each intersection, located within the crosswalk and/or the pedestrian path of travel.</p> <p>21.3 The least possible slope should be used for any ramp. The maximum slope shall be one-in-12 (1:12). The maximum cross-slope for any <i>curb cut</i> shall be 1:50 (2%).</p> <p>21.6.1 Landing width: Where a perpendicular <i>curb cut</i> is provided, a landing the width of the <i>curb cut</i> shall be provided at the top of the <i>curb cut</i>. The landing shall be 48 inches (48"= 1219mm) in length. The slope of said landing shall not exceed one-in-50 (1:50) (2%) in any direction.</p> <p>*Note: Other regulations do apply in addition to the regulations listed above.</p>	<p>4.7.1 Location – Curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb.</p> <p>4.7.2 Slope – Slopes of curb ramps shall comply with 4.8.2.</p> <p>4.8.2 Slope and Rise – The least possible slope shall be used for any ramp. The maximum slope of a ramp in new construction shall be 1:12. The maximum rise for any run shall be 30 in.</p>	 <p>A: c.s. = 2.3% B: r.s. = 9.2% C: r.s. = 11.7% D: r.s. = 10.6% E: r.s. = 11.7%</p> <p>* No level landing @ top.</p>  <p>Non-compliant curb cut</p>
<p><i>Seating / Along Park Ave.</i> Benches provided along sidewalk are not accessible due to change in level or raised concrete platform. There is no maneuvering space on the platform. There is a sudden slope at the front of the bench.</p>	<p>20.1 An <i>accessible route</i> shall provide a continuous unobstructed path connecting <i>accessible spaces</i> and <i>elements</i> inside and outside a <i>facility</i>.</p> <p>29.2.3 Changes in <i>level</i> greater than ½ inch (½" = 13mm) are not allowed unless a <i>ramp</i>, <i>walkway</i>, or means of vertical access complying with 521 CMR is provided.</p>		 <p>slope 8.6% grass slope + 5' + Platform + 2" from grade sidewalk</p> <p>Baseball spectator benches.</p>

*305.3 Size. The clear floor or ground space shall be 30 inches (760 mm) minimum by 48 inches (1220 mm) minimum. (ADAAG)

East Ball Park Area

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures
<p><i>Sidewalk surface/ Park Ave.</i> Sidewalk is broken in multiple locations with changes in height greater than ¼".</p> <p>Sidewalk sections in multiple locations have been recently renovated.</p>	<p>29.2.2 Changes in <i>level</i> greater than ¼ inch (¼" = 6mm) and less than ½ inch (½" = 13mm) shall be beveled with a slope no greater than one-in-two (1:2) (50%). See Fig. 29a.</p> <p>29.2.3 Changes in <i>level</i> greater than ½ inch (½" = 13mm) are not allowed unless a <i>ramp, walkway</i>, or means of vertical access complying with 521 CMR is provided.</p>		 <p>Broken sidewalk on Park Ave.</p>
<p><i>Accessible Route / E. Ball Park</i> The route through the park has an inaccessible surface in multiple locations. The surface is loosely packed and not firm in multiple locations.</p>	<p>29.1 Ground and floor surfaces including floors, <i>walks, ramps</i>, and <i>curb cuts</i> shall be stable, firm, slip resistant, and maintained with materials that ensure continued slip resistance.</p>		 <p>Loosely packed surface at location G.</p>
<p><i>Ball field & ball court</i> These playing areas do not have an accessible route to the boundary of each.</p>	<p>20.1 - An <i>accessible route</i> shall provide a continuous unobstructed path connecting <i>accessible spaces</i> and <i>elements</i> inside and outside a <i>facility</i>.</p>		

Exterior Sidewalks, Interior Paths, and Curb Cuts
Park Wide



Curb cut construction on Whitman Ave.

Several improvements have been made to sidewalks, curbs, and paths through out the park. However, much of the sidewalk, curb cuts, and paths remain inaccessible. AAB and ADAAG requires that these components comply with regulations to ensure accessible routes to all programs.

On the southern border of the park at Whitman Ave. the curb is currently being replaced by new curb stones. It is unknown whether an accessible sidewalk is planned. An accessible route should connect all programs along this edge of the park.

There are multiple locations where new sidewalk has been added, however, there are other spaces where the sidewalk is in disrepair with changes in level greater than 1/4". A full audit of these locations should be done and modifications made.

Curb cuts at the corners of Park Ave and Hyden Ave and Whitman Ave and Hyden Ave are non-compliant. These curb cuts should be reconstructed to comply with AAB and AADAG with compliant crossings to reciprocal curbcuts.



Sidewalk at location H



Curb cut at location I



Curb cut at location J

Sidewalks, Paths, and Curb Cuts

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures																				
<p><i>Accessible Route/Park Ave. Crossing</i>—The slope of this curb cut is 12%. The transition from curb cut apron to sidewalk has a break in surface greater than and a change in level greater than 1/2". There is also evidence of drainage problems. Washout debris presents a hazard to surface conditions.</p> <p>Note: New curbing runs along Park Ave. from Hayden Ave. to this location.</p>	<p>21.3 The least possible slope should be used for any ramp. The maximum slope shall be one-in-12 (1:12 = 8.33%). The maximum cross-slope for any <i>curb cut</i> shall be 1:50 (2%).</p> <p>21.4 TRANSITIONS Transitions from <i>curb cuts</i> to <i>walks</i>, gutters, or streets shall be flush or free of changes in <i>level</i> greater than 1/2 inch (1/2" = 13mm).</p> <p>22.5 SURFACE - <i>Walkway</i> surfaces shall be stable and firm and shall lie generally in a continuous plane with a minimum of surface warping.</p>	<p>4.5 General. Ground and floor surfaces along accessible routes and in accessible rooms and spaces including floors, walks, ramps, stairs, and curb ramps, shall be stable firm, slip-resistant, and shall comply with 4.5</p>																					
<p><i>Accessible Route/Park Ave. Crossing</i>—The cross slopes of this curb cut are non-compliant. The sidewalk ends and the walkway is continued by stone and dirt path along Hayden Street.</p> <p>Note: New curbing runs along Park Ave. from this location to curb cut at location G.</p>	<p>21.3 The least possible slope should be used for any ramp. The maximum slope shall be one-in-12 (1:12 = 8.33%). The maximum cross-slope for any <i>curb cut</i> shall be 1:50 (2%).</p> <p>22.5 SURFACE - <i>Walkway</i> surfaces shall be stable and firm and shall lie generally in a continuous plane with a minimum of surface warping.</p>	<p>4.5 General. Ground and floor surfaces along accessible routes and in accessible rooms and spaces including floors, walks, ramps, stairs, and curb ramps, shall be stable firm, slip-resistant, and shall comply with 4.5</p>	 <table border="1" data-bbox="1627 1274 1795 1421"> <thead> <tr> <th></th> <th>R</th> <th>S</th> <th>C.S</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>6.8</td> <td></td> <td>7.5</td> </tr> <tr> <td>2</td> <td>6.9</td> <td></td> <td>5.1</td> </tr> <tr> <td>3</td> <td>6.5</td> <td></td> <td>6.6</td> </tr> <tr> <td>4</td> <td>13.0</td> <td></td> <td>1.5</td> </tr> </tbody> </table>		R	S	C.S	1	6.8		7.5	2	6.9		5.1	3	6.5		6.6	4	13.0		1.5
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Sidewalks, Paths, and Curb Cuts

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures
<p><i>Access. Route/Hayden Ave. Crossing</i>— This curb cut is made up of granite paving blocks. There are gaps between blocks greater than ½” in running and cross directions, deeper than 1/2” and the surface is uneven.</p> <p>Note: This curb cut was just installed summer of 2012.</p>	<p>29.2.3 Changes in level greater than ½ inch (½" = 13mm) are not allowed unless a ramp, walkway, or means of vertical access complying with 521 CMR is provided.</p> <p>22.5 SURFACE - Walkway surfaces shall be stable and firm, and shall lie generally in a continuous plane with a minimum of surface warping.</p>	<p><i>2010 ADA Standards</i> 302.3 Openings. Openings in floor or ground surfaces shall not allow passage of a sphere more than ½” diameter.</p>	
<p><i>Accessible Route Interior</i> The route through the park has an inaccessible surface in multiple locations. The surface is loosely packed and not firm in multiple locations. Persons using wheelchairs have gotten snagged in soft and deep areas of stone surfacing.</p>	<p>29.1 Ground and floor surfaces including floors, walks, ramps, and curb cuts shall be stable, firm, slip resistant, and maintained with materials that ensure continued slip resistance.</p> 	<p>4.5 General. Ground and floor surfaces along accessible routes and in accessible rooms and spaces including floors, walks, ramps, stairs, and curb ramps, shall be stable firm, slip-resistant, and shall comply with 4.5</p> 	



West Ball Park and Pond Area

Hayden Ave. and Whitman Ave.

There are several inaccessible items in the west ball park and pond areas that include the band stand gazebo, all seating benches which line the interior paths, and all waste receptacles.

The band stand gazebo does not provide accessible vertical access. The stairs that are present are also non-compliant stairs with less than the minimum requirements for handrail extensions.

The seating benches are placed with no accessible route off of the interior paths. There is no level landing with adequate maneuvering space and the existing landing is often located with a change in level greater than 1/2”.

Waste receptacles are placed off of the path and out of reach range with no maneuvering space around them.

-  = bench
-  = waste receptacle
-  = gazebo



Image -1: new waste receptacle



Image -2: new bench



Image -3: gazebo stairs



Image -4: stairs

West Ball Park and Pond Area

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures
<p><i>Seating / by Ballpark & Pond</i> Benches provided along pond and baseball park are not accessible due to change in level or raised concrete platform. There is no maneuvering space on the platform. Curbing prevents access to benches also.</p>	<p>20.1 An <i>accessible route</i> shall provide a continuous unobstructed path connecting <i>accessible spaces</i> and <i>elements</i> inside and outside a <i>facility</i>.</p> <p>29.2.3 Changes in <i>level</i> greater than ½ inch (½" = 13mm) are not allowed unless a <i>ramp</i>, <i>walkway</i>, or means of vertical access complying with 521 CMR is provided.</p> <p>14.2 No. of Accessible Seats Wheelchair spaces: In places of assembly with fixed seating, the minimum number of <i>accessible spaces</i> shall be computed in accordance with table in 14.2</p>	<p>4.32.1 Minimum Number – Fixed or built-in seating or tables required to be accessible by 4.1 shall comply with 4.32 and 4.33</p> <p>4.33.2 Each wheelchair location shall provide minimum clear ground or floor spaces as shown in Fig. 46.</p> <p>4.33.3 Placement of Wheelchair locations – Wheelchair areas shall be an integral part of any fixed seating plan...</p> <p>4.33.4 Surfaces – The ground or floor at wheelchair locations shall be level and shall comply with 4.5</p>	 
<p><i>Gazebo Vertical Access</i> There is no accessible vertical access provided to the band stand gazebo. There has been a new set of stairs installed replacing an old set of stairs.</p> <p><i>Gazebo Handrails</i> There are no extensions on the installed stair handrails.</p>	<p>20.1 GENERAL. An <i>accessible route</i> shall provide a continuous unobstructed path connecting <i>accessible spaces</i> and <i>elements</i> inside and outside a <i>facility</i>...<i>Accessible routes</i> may not include stairs, steps, or escalators, even if the stairs and steps are required to be <i>accessible</i> under 521 CMR.</p> <p>27.4.3 Extensions: Where handrails terminate at the top and bottom of a stair run, they shall have extensions...</p>		

West Ball Park and Pond Area

Current Conditions/Location

Waste Receptacles/Reach Range
 Most, if not all, of the waste receptacles that have been recently installed are not located on an accessible route.

521 CMR Rev. 2006 (AAB)

20.1 An *accessible route* shall provide a continuous unobstructed path connecting *accessible spaces* and *elements* inside and outside a *facility*.

20.8 SURFACE TEXTURES
 The surface of an *accessible route* shall comply with **521 CMR 29.00: FLOOR SURFACES**.

29.2.3 Changes in *level* greater than ½ inch (½" = 13mm) are not allowed unless a *ramp*, *walkway*, or means of vertical access complying with 521 CMR is provided.

Current ADAAG

Pictures





Pool Area
Whitman Ave.

The area surrounding the pool was briefly evaluated. The changing rooms were locked and unavailable for survey at the time. The patio between the changing house and the pool fence was surveyed. There is a non-compliant change in grade between the path and this platform as shown below. A more detailed survey of the changing room and the pool itself should be done in a subsequent survey.

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	Current ADAAG	Pictures
<p><i>Accessible Route/Pool area-</i> The route to the pool is separated by a strip of grass from the concrete platform which accesses the pool and changing rooms.</p>	<p>20.1 - An <i>accessible route</i> shall provide a continuous unobstructed path connecting <i>accessible spaces</i> and <i>elements</i> inside and outside a <i>facility</i>.</p>		
<p><i>Accessible Route/Pool area-</i> There is a non-compliant slope of 12% at the entry to the concrete platform.</p>	<p>21.3 The least possible slope should be used for any ramp. The maximum slope shall be one-in-12 (1:12 = 8.33%). The maximum cross-slope for any <i>curb cut</i> shall be 1:50 (2%).</p>		