

Town of Foxborough, Massachusetts

ADA Self-Evaluation And Transition Plan for PROW Assets

DRAFT



Prepared For:
Town of Foxborough
Department of Public Works
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Part One

1. Introduction

1.1 Background

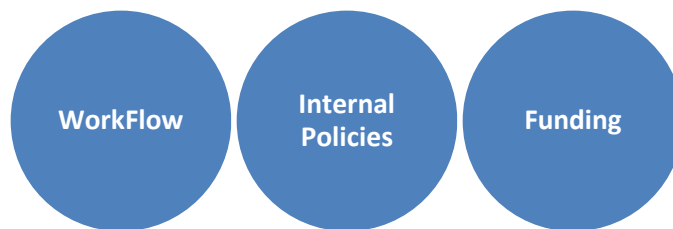
The Town of Foxborough, as a municipal agency, has entered into a revolving program to evaluate its policies, programs, and services to become into, and maintain, compliance with Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Sec 504). Under the Department of Justice (DOJ) 28 CFR Part 35, all public entities are required to do a self-evaluation and provide a transition plan in accordance with 28 CFR Part 150.

BETA Group, Inc. (BETA) has prepared this report on behalf of the Town of Foxborough to provide engineering services to develop an inventory and condition assessment of the Town’s publicly owned infrastructure. The primary purpose of this project was to develop detailed data relative to these assets, in an effort to support the compliance measures and planning initiatives of the ADA and Sec 504. These services were sought to enhance the Town’s capability to manage and track its data through a database and GIS environment. The completed evaluation assists the municipality with identifying, prioritizing, and removing its barriers to accessibility in a way that is fiscally manageable.

The Town of Foxborough is dedicated to its commitment to provide programs and services that make reasonable accommodations for qualified individuals with disabilities, in accordance with all applicable federal and state laws.

1.2 Mission

The Department of Public Works (DPW) aspires to create and preserve a comprehensive transportation network in Foxborough that provides safe and accessible options for all modes of travel and for people of all ages and abilities. The Town is committed to accessible principles in policy and practice and has partnered with BETA Group, Inc. to develop this evaluation. The Town of Foxborough has taken multiple steps to create workflows, shape internal policies, and allocate funding to transform its transportation infrastructure into an accessible network.



2. Accessibility Requirements and Regulations

The Town of Foxborough is bound by following Federal and State Governing Acts and Regulations:

2.1 *Americans with Disabilities Act (ADA) of 1990*

The Americans with Disabilities Act (ADA) ensures that qualified disabled individuals shall not be excluded from participation in, or denied benefit of, or be subject to discrimination under any public program or activity. The Titles of the ADA that affect the operations of the Department of Public Works include:

Title II: Public Services

Title III: Public Accommodations

Title V: Miscellaneous Provisions (i.e. Construction Standards and Practices)

2.2 *Rehabilitation Act of 1973*

Section 504

Section 504 of the Rehabilitation Act of 1973 ensures that no otherwise qualified individuals with a disability in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The Town of Foxborough may receive funding directly from Federal sources or via third party transactions through State agencies.

2.3 *Architectural Access Board (AAB)*

The Architectural Access Board (AAB) “develops and enforces regulations designed to make public buildings accessible to, functional for, and safe for use by persons with disabilities.”¹ Massachusetts Regulations 521 CMR 1.00: Rules and Regulations has been developed and adopted into the Massachusetts building code.

2.4 *Massachusetts Department of Transportation (MassDOT)*

The Massachusetts Department of Transportation (MassDOT) maintains its own Construction Standards and Policies that must be adhered to, especially if such a project will be funded by the Department in full or in part.

2.5 *Adoption of Proposed Regulations/Guidelines*

The United States Access Board (USAB) have developed guidelines for ADA and the Architectural Barrier Act (ABA) Accessibility that focus mainly on facilities and sites. While they address certain features common to public sidewalks, such as curb ramps, further guidance is necessary to address conditions and constraints unique to public rights-of-way. Although not yet approved, The Architectural and Transportation Barriers Compliance Board is proposing accessibility guidelines for the design, construction, and alteration of pedestrian facilities in the public right-of-way, known as the Draft Proposed Right-of-Way Accessibility Guidelines (PROWAG) that can be used by organizations to ensure compliance with other accessible standards.

¹ Architectural Access Board (AAB). 5 April 2019. <https://www.mass.gov/orgs/architectural-access-board>

3. Coordinator Designation

The Town Engineer is responsible for implementing and maintaining this Plan, in coordination with the ADA Coordinator. The Town of Foxborough also has a Commission on Disability whose mission is to promote equal access to community life and activities for people with disabilities. The contact information for the referenced officials/departments:

3.1 Responsible Employees

Lance DelPriore, PE, Town Engineer
Highway Department
70 Elm Street
Foxborough, MA 02035
ldelpriore@foxboroughma.gov
Phone: (508) 543-1228

Bill Casbarra, Interim Building Commissioner & Zoning Enforcement Officer/ADA Coordinator
Inspections Department
40 South Street
Foxborough, MA 02035
bcasbarra@foxboroughma.gov
Phone: (508) 543-1206

The ADA Coordinator is responsible for working to bring all Municipal services, infrastructure and Town owned buildings into compliance with the ADA. Privately owned facilities do not fall under the ADA Coordinator's purview.

3.2 Commission on Disability

The Foxborough Commission on Disability's (FCOD) mission is to promote equal access to community life and activities for people with disabilities. The Commission works as an advisory group within the Town to promote awareness and education about the needs and rights of people with disabilities by providing information on accessibility programs, housing and access to public buildings and entities².

Susan C. Collins,	Chairperson
Margaret A. Chaisson,	Vice Chair
Cynthia R. Curran,	Secretary
James Mullin,	Treasurer
Charles J. Hobbs,	Member
Charles Gallagher,	Member
Sheri L. Barrett,	Member
Andrea Carroll,	Member
Bill Casbarra,	ADA Coordinator & Liaison to Town Manager

² *Town of Foxborough Commission on Disability By-Laws*. Town of Foxborough.

http://foxboroughma.gov/UserFiles/Servers/Server_15207780/File/Boards%20and%20Committees/Foxborough%20Commission%20on%20Disability/DisabilityByLaws.pdf

4. Non-Discriminatory Policies and Practices

4.1 *Equal Employment Opportunity*

Effective June 23, 2015, the Town of Foxborough has stated Employers will not discriminate in its employment practices based on several variables including disability. This applies to areas such as recruitment, selection, compensation of benefits, professional development and training, reasonable accommodation for disabilities, promotion, transfer, termination, layoff, and other terms and conditions of employment³.

4.2 *School District Legal Status*

Effective March 24, 2008, the Town of Foxborough has stated their public-school system prohibits discrimination, harassment, and hate crimes based on several variables including, but not limited to disability. The intent of this policy is to provide a safe learning environment that is all-inclusive for students of all backgrounds. Procedures are implemented in cases where this policy is not fully met to assure correct and disciplinary action is properly conducted. The policy also states the public school system will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA⁴.

4.3 *Accessible Transportation*

The Town of Foxborough has provided resources for people who meet the requirements of the ADA regarding modes of transportation. Entities such as the Greater Attleboro Taunton Regional Transit Authority (GATRA) provide paratransit service to people in Foxborough if requests are made at least 24 hours in advance. The Town has provided phone numbers to call the entity directly or to speak with town human services staff when in need of assistance⁵.

4.4 *ADA Policy*

4.5 *ADA Grievance Procedure*

³ *Town of Foxborough Equal Employment Opportunity*. Town of Foxborough.

<http://foxboroughma.gov/common/pages/DisplayFile.aspx?itemId=15413972>

⁴ *Town of Foxborough School District Status*. Town of Foxborough Public Schools.

https://foxborough.k12.ma.us/UserFiles/Servers/Server_1548008/File/Policy%20Manual/A%20%E2%80%94%20Foundations%20and%20Basic%20Commitments/a_section.pdf

⁵ *Town of Foxborough Transportation*. Town of Foxborough Council on Aging & Human Services.

<http://foxboroughma.gov/cms/one.aspx?portalId=15207864&pageId=15409801>

5. Proactive Measures

5.1 Department Policies for Work Conducted Within the Public Right-of-Way

The Town of Foxborough has employed a workflow to tackle barriers to access as outlined through this Plan. The DPW has also developed internal policies relating to construction within the right-of-way, such that all projects constructed by the Town shall be designed and constructed to meet federal regulations associated with pedestrian access. There are conditions which will be encountered; however, where full compliance is structurally impracticable, or technologically infeasible, or where the cost of compliance is excessive without any substantial benefit to persons with disabilities, or prohibitive in some other manner. In these cases, variances from the rules and regulations are required.

5.2 Town Bylaws

The Town of Foxborough's Town Bylaws outline its commitment to accessibility. Chapter 235: Streets and Ways, Article I: Street Openings outlines the rules and regulations set by the Town to ensure compliance moving forward. The full outline of stipulations governed by Chapter 235 states all reconstructed sidewalks and wheelchair ramps be in kind and in conformance with the ADA and Architectural Access Board Regulations that are currently in effect.

5.3 Complete Streets

The Town of Foxborough has also developed and adopted a Complete Streets Policy in November of 2018 that includes devotion to accessibility for its citizens. The Policy commits to "provide appropriate accommodation and promote safe travel for users of all ages and abilities, including those who walk, use a wheelchair, bicycle and use public transit, the Town shall incorporate Complete Streets elements into planning, transportation projects, and other projects affecting the public rights of way and, where feasible, when modifying existing streets, including repaving, painting new pavement markings, refinishing, resetting curbs, and reconstructing sidewalks."⁷ A "Complete Street" employs planning, designing, implementing, and maintaining rights-of-way for the safety and accessibility of all its users, including all ages, abilities, and modes. They consider the needs of a multitude of transportation options in a manner that is both sensitive to the local context and adaptable for varying operations. By applying Complete Streets principles and infrastructure, engineers can design to contribute to the safety and comfort of all the roadway users.

5.4 Scope of Projects

Due to the wide array of projects that the Department of Public Works is responsible for, adjusting the Department's internal policies ensure that every project, no matter the size and scope, adheres to accessibility standards. Some projects brought forth contain a scope that solely to make repairs to assets that are deemed as barriers to accessibility. Other projects, while not having a scope exclusively for that

⁶ *Town of Foxborough Town Bylaws*. Town of Foxborough. <https://www.ecode360.com/26807418>

⁷ *Town of Foxborough Complete Streets Policy*. Town of Foxborough. 27 November 2018. <https://masscompletestreets.com/PublicDownload.aspx?aWQ9NzM3JnRpZXJJZD0x>

purpose, contain elements that eliminate these barriers also. The DPW aim to combine a combination of both types of projects to maximize the benefit, and promote the responsible expenditure, of municipal monies spent on accessibility improvements.

5.5 About this Self-Evaluation

The development of this Plan is intended to assist the Town of Foxborough and Department of Public Works to be able to understand its assets, and to systematically improve its transportation network. Improvements targeted through this plan focus on those which will benefit the mobility of the disabled to improve access for all road users alike. This Plan was developed to become the foundation for which accessible design and construction practices in the Town of Foxborough come to fruition.

Although improvements are named specifically in this document, actions to implement such work will solely be at the discretion of the Town and will be achieved based on available and allocated funding and feasibility of construction, among other attributes. It is the responsibility of the designers, engineers, and contractors that perform the work of such projects to ensure that the constructed end results meet all applicable accessible statutes and standards.

Part Two

6. Compliance Assessment (Public Right-of-Ways)

6.1 Outline

Through the initial planning stages, meetings were held with the Town of Foxborough and the Town Engineer to align goals and set strategic milestones for the project. The overall outline for the development of the Self-Evaluation follows these five key actions:

1. Identify and Classify Priority Locations (Tier 1 to 3)
2. Conduct Inventory Assessment
3. Analyze Data and Generate Reports for Planning Purposes
4. Produce Deliverables from Existing Conditions
5. Discussion of Findings and Provide Recommendations

6.2 Assessment Approach

Creating a system that prioritizes key areas is vital for existing repairs and future planning. Therefore, to maximize efficiency, a tiered approach is utilized to classify specific locations that are prone to several variables. Variables may include high pedestrian volumes, deterioration from weather such as flooding, snow and ice, or simply an aging infrastructure. Each variable provides conditions respective to the locale and every area must deal and adapt accordingly. With this in mind, each case is provided a set of tiers that relate directly to the given circumstances. Pertaining to the Town of Foxborough, the Three Tiers are explained below:

Tier 1: Schools

(¼ mile buffer)

Tier 2: Central Business District

(1,000 foot buffer)

Tier 3: Municipal Areas (Town Hall, Senior Center, Library, Churches, Parks)

(1,000 foot buffer)

Further GIS analyses provides tools to calculate density of these specific locations and respective tiers. The tools utilized are able to estimate pedestrian usage between the given locations and provide values, similar to a heatmap, where a ranking can be assigned to assets as a means to prioritize repairs.

6.3 Pedestrian Network

Multiple factors can contribute to create gaps or barriers in the pedestrian network. Most of the short comings in the network can be described as a barrier to accessibility/obstruction or a structural defect. In creating a comprehensive walking network, it is important to identify and move to eliminate these obstacles. Some of these obstacles can include:

- lack of available marked crosswalk locations,
- crosswalk locations that lack compliant accessible curb ramps on one or both sides,
- intersection corners where sidewalks lack curb ramps,
- some obstructions restrict the clear access to ramp or landing width such as: catch basins, curbing, fire hydrants, utility/light posts, signs, and signal posts.

7. Data Collection and Inventory

7.1 GIS Base Mapping

Following industry standards, a curb ramp and sidewalk program is developed that includes a condition assessment of existing locations. The database is structured to facilitate the development of an enhanced ADA Program for the Town.

GIS base mapping used for this Project includes the following data layers for reference:

- Existing Road Centerline
- Buildings
- Parcels
- 2013 MassGIS 30cm Orthophotos.

The availability of this base mapping allows the field inspection team to use a GIS-based data collection approach.

7.2 Curb Ramps

This segment of the Field Data Collection Program was completed in **May 2019**. The field crew inspected intersections along accepted street right-of-ways to inventory all existing curb ramps. A point feature is created and spatially located utilizing the GIS base mapping as each curb ramp is evaluated. The attributes assigned/collected for each curb ramp included:

The physical inspection allows for the condition and dimensions for each curb ramp to be established. The slope of each curb ramp is collected using a smart level, while all curb ramp dimensions are to be recorded using a tape measure. Date stamped pictures are also compiled and linked into the database, allowing each curb ramp to be viewed digitally.

Defining Characteristics

- Curb Ramp ID (#)
- Curb Ramp Location (Street Name, Intersecting Streets)
- Material (Concrete, Bituminous, Other)
- Detectable Warning Panel Exists (Yes/No)
- Dimensions (Opening Width, Landing Width, Landing Length) (inches)
- Slope Measurements (Smart Level Reading) (%)

Condition Assessment

- Curb Ramp Condition (Good, Fair, Poor)

ADA Assessment

- Visible Obstructions (Catch Basin, Curbing, Hydrant, etc.)
- Existence of Crosswalk

7.3 Sidewalks

This segment of the Field Data Collection Program was completed in **May 2019**. The field crew inspected sidewalks along accepted street right-of-ways to inventory all existing curb ramps. A line feature is created and spatially located utilizing the GIS base mapping as each sidewalk is evaluated. During inspections, tripping hazards are recorded as point features and attributed accordingly. The attributes assigned/collected for sidewalks included:

Defining Characteristics

- Sidewalk Location (Street Name, Odd/Even side)
- Material (Concrete, Bituminous, Other)
- Presence of Grass Strip
- Average Sidewalk Width
- Average Grass Strip Width
- Length (Feet, Miles)

Condition Assessment

- Sidewalk Condition (Good, Fair, Poor)

ADA Assessment

- Visible Obstructions (Signs, Utility Poles, Hydrants)
- Tripping Hazards (Lifting, Depressions, Tree Roots)

8. Summary of Findings

8.1 Initial Curb Ramp Findings

Based on a review of the inventory data, a baseline of 583 point features was created. Of the 583 curb ramps, asphalt was the majority (293) followed by concrete (290). Of the (293) asphalt ramps, most were in good condition (112), followed by fair (109) and poor (72). The concrete ramps were mostly in good condition (273), followed by fair (14) and poor (3).

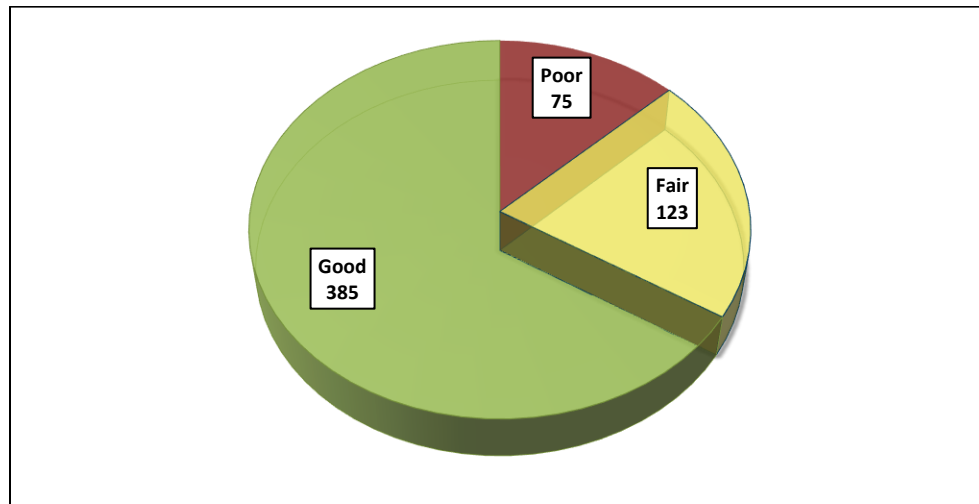


Figure 8.1.1: Curb Ramp Condition

The majority of curb ramps in Foxborough or 385 (66%) were rated in good condition, while 123 (21%) were rated fair, and 75 (13%) were rated poor. Curb ramps considered in good condition displayed no physical distresses. Curb ramps considered to be in fair condition displayed some physical distresses; however, those distresses did not conflict with accessibility. Curb ramps that were classified as poor displayed significant distresses that conflicted with accessibility thus resulting in a need for repair.

8.2 Curb Ramp Compliance

Per ADA PROWAG standards, each curb ramp was classified as either compliant or non-compliant, with some ramps falling under non-compliance being possible candidates for a retrofit. Asphalt ramps as well as ramps that are rated as poor are classified as non-compliant. Concrete ramps are reviewed based several conditions; condition, presence of warning panel/damages, opening and landing width, landing depth, ramp slope and landing slope, and if there are severe obstructions. Of the 583 total ramps in Foxborough, 90 total ramps passed compliance with no issues, while 493 failed to pass due to one or more reasons.

There are some instances where a concrete ramp is a candidate for a retrofit. In most cases it is due to lack of detectable warning panel, while others are due to repairable obstructions such as vegetation or curbing. In Foxborough there were 13 total ramps that have been classified as potential retrofit candidates.

8.3 Initial Sidewalk Findings

Based on a review of the inventory data, a baseline of 72.58 miles of sidewalk line features was created. Of the 78.58 miles, asphalt was the majority (67.76) followed by concrete (4.82).

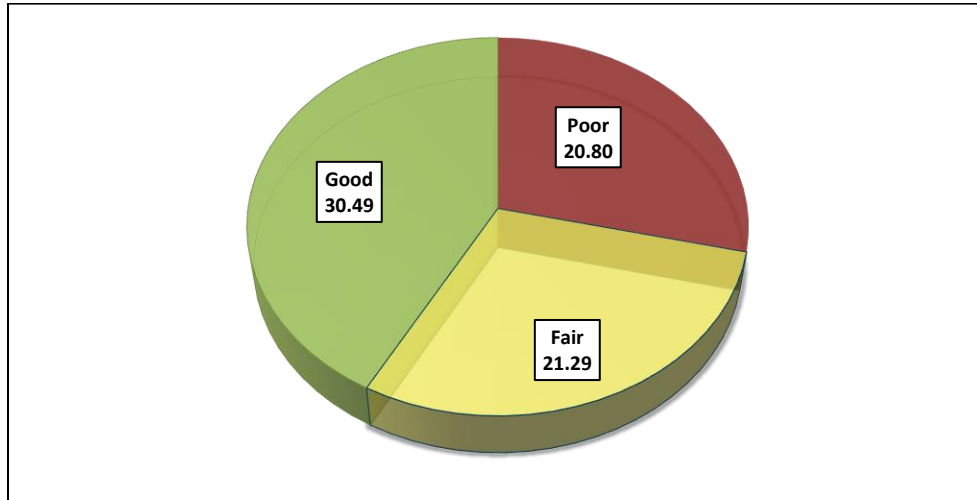


Figure 8.3.1: Sidewalk Condition

The majority of sidewalks in Foxborough or 30.49 (42%) were rated in good condition, while 21.29 (29%) were rated fair, and 20.80 (29%) were rated poor. Sidewalks considered in good condition displayed no physical distresses. Sidewalks considered to be in fair condition displayed some physical distresses; however, those distresses did not conflict with accessibility. Sidewalks that were classified as poor displayed significant distresses that conflicted with accessibility thus resulting in need of repair or replacement.

9. Schedule of Improvements

9.1 Curb Ramps

Based on the curb ramp assessment, this schedule lists potential improvements through 2025.

**Costs per ramp are approximate (\$5,000 New, \$1,000 Retrofit)*

Street	Location	Solution	Cost	Target
Leonard Street	Entirety	New Ramps		Done '16
Sherman Street	Entirety	New Ramps		Done '16
Chestnut Street	Mechanic to Cocasset	New Ramps		Done '16
North Street	Hartwell Drive	4 New Ramps		Done '17
North Street	Hallowell Drive	4 New Ramps		Done '17
Cocasset Street	Montgomery Way	2 New Ramps		Done '18
Summer Street	Rothchild Drive	2 New Ramps		Done '18
Cocasset Street	Oak Street	2 New Ramps		Done '19
South Street	Union Street	2 New Ramps, 3 Retrofit	13,000	2020
Centennial Court	South Street	1 New Ramp, 1 Retrofit	6,000	2020
South Street	Carpenter Street	3 New Ramps, 1 Retrofit	16,000	2020
South Street	Liberty Place	1 New Ramp, 1 Retrofit	6,000	2020
Market Street	Centennial Street	4 New Ramps	20,000	2020
Carpenter Street	Howard Avenue	5 New Ramps	25,000	2020
Howard Avenue	Shaw Place	2 New Ramps	10,000	2020
South Street	Cherry Tree Lane	3 New Ramps	15,000	2021
Valley Forge Road	Cherry Tree Lane	2 New Ramps	10,000	2021
South Street	North High Street	2 New Ramps	10,000	2021
South Street	Walnut Street	2 New Ramps	10,000	2021
South Street	Taylor Elem.	4 New Ramps	20,000	2021
South Street	Foxborough HS	2 New Ramps	10,000	2021
South Street	Birch Tree Road	2 New Ramps	10,000	2021
Cocasset Street	Morse Street	2 New Ramps	10,000	2022
Cocasset Street	Stockbridge Road	5 New Ramps	25,000	2022
Community Way	Cocasset Street	2 New Ramps	10,000	2022
Cocasset Street	Community Way	2 New Ramps	10,000	2022
Cocasset Street	Pratt Street	2 New Ramps	10,000	2022
Cocasset Street	East Street	2 New Ramps	10,000	2022
Morse Street	Burrell Elem.	1 New Ramp	5,000	2022
Adams Street	Alden Street	4 New Ramps	20,000	2023
Adams Street	Aldrich Road	4 New Ramps	20,000	2023
Mechanic Street	Chestnut Street	3 New Ramps	15,000	2023
Mechanic Street	Ahern Drive	3 New Ramps	15,000	2023
Ahern Drive	Chestnut Street	2 New Ramps	10,000	2023
Chestnut Street	Fox Lane	2 New Ramps	10,000	2023
Liberty Street	Town Hall	2 New Ramps	10,000	2024
Central Street	Howard Avenue	2 New Ramps	10,000	2024

Central Street	Gray Road	2 New Ramps	10,000	2024
Central Street	Church Street	2 New Ramps	10,000	2024
Central Street	Bassett Street	2 New Ramps	10,000	2024
Carpenter Street	Bassett Street	2 New Ramps	10,000	2024
Carpenter Street	Church Street	6 New Ramps	30,000	2024
South Street	Market Street	6 New Ramps, 1 Retrofit	31,000	2025
Central Street	Wall Street	8 New Ramps	40,000	2025
South Street	Central Street	3 New Ramps	15,000	2025
South Street	School Street	2 New Ramps	10,000	2025

9.2 Sidewalks

Based on the sidewalk assessment, this schedule lists potential improvements.

Street	To/From	Solution	Cost	Target
Leonard Street	Entirety	New Construction		Done'16
Sherman Street	Entirety	New Construction		Done'16
Chestnut Street	Mechanic to Cocasset	New Construction		Done'16

