



## Town of Sudbury, Massachusetts

### PART C – Self-Evaluation Summary

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## Introduction

This ADA Self-Evaluation report includes a summary of the Town’s policies obtained by an on-line ADA questionnaire developed by the Institute for Human Centered Design (IHCD). There was a good response to the survey by department heads. This Self-Evaluation report also includes a summary of architectural barriers identified during accessibility surveys performed by IHCD teams between June - November 2020.

Together these findings 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.

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

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

## 1. Legal Overview

The Town of Sudbury 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 as<sup>1</sup>:

- 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;

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

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- Being regarded by others as having an impairment such as individuals with severe facial scarring.

It is important to stress that the primary obligation to public entities such as the Town of Sudbury, 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. The Town is required to follow the 2010 ADA Standards for Accessible Design in new construction and 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 (e.g. 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. A review of the Town of Sudbury’s website is not included under the scope of work.

The Town must **communicate effectively** with people who have hearing, vision, or speech disabilities. The Town is also 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 aid and service” to meet their responsibility for effective communication. Auxiliary aid and service refer to readers, notetakers, sign language interpreters, assistive listening systems, open and closed captioning, text telephones (TTYs), videophones, information provided in large print, braille, audible, or electronic formats, and other tools for people who have communication disabilities.

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, the US Access Board issued new guidelines that were promptly adopted by the 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

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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 the 1991 ADA Standards are not required to make changes to the new 2010 Standards except in the case of 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 do not need to 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:

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“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 location with sign language interpreters provided if needed, and the Town 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 building<sup>2</sup>, the entire building must come into compliance.

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<sup>2</sup> 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.

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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.

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## 2. 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 to 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 Sudbury has met its obligation to designate a responsible employee as the Town’s ADA Coordinator. For information, members of the public will need to contact Assistant Town Manager Maryanne Bilodeau of the Human Resources department as the ADA Coordinator for employment, Facilities Director William Barletta for Town facilities, and Town Manager Henry Hayes, Jr. for special requests for Town-wide concerns. These ADA coordinators are called out on the Town’s website; however the website does not list their responsibilities, phone numbers or email contact information.

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.



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From the responses submitted by staff it seems that, the Town of Sudbury does not have a uniform policy regarding the posting of ADA Non-Discrimination Notices for members of the public.

However, there does seem to be a Notice online in the Sudbury Public Schools 2019 to 2020 Parent Handbook, in the 2008 Open Space and Recreation Plan Appendices CDE, and in the Town of Sudbury Employee Handbook (2019).

The Town should take steps to clarify the posting of the Notice of Non-Discrimination policy to comply with the ADA Title II that states that public entities shall take initial steps to notify program/service participants, beneficiaries and employees of its obligations.

IHCD recommends distributing the Notice to all department heads, publishing the Notice in all the materials distributed by the Town, posting the Notice on the Town's website home page and posting copies in public locations in the Town's buildings.

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

A grievance procedure is provided for Town employees in the Town of Sudbury Employee Handbook (2019). However, Sudbury does not appear to have a grievance procedure for members of the public who believe they have been discriminated against on the basis of disability as relates to the Town's programs, policies and procedures, (except in the 2008 Open Space and Recreation Plan Appendices CDE). Moreover, it is not clear if staff in all departments is aware of their ADA obligation and the process for meeting the requirements for grievance procedures. IHCD recommends the Town take steps to clarify its grievance procedure by distributing it to all department heads, and posting copies in noticeable locations in each of the Town's public buildings. Furthermore, ensure the Town's employees are aware of the Grievance Procedure process and can provide information to members of the public about the process when appropriate. Ensure the Grievance Procedure form is in an accessible format on the Town website.

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

From all of the responses submitted by staff, there is no evidence that the Town was unable to provide a reasonable modification. A reasonable modification policy is provided

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on the Sudbury website with regards to open space and recreation in the 2008 Open Space and Recreation Plan Appendices CDE.

IHCD recommends the Town take additional steps to ensure that Town’s employees can provide information to members of the public about the process of requesting reasonable modification of policies when appropriate. The Town should provide a form for requesting reasonable modifications of policies on the Town’s website, and state the commitment to provide copies in accessible formats upon request.

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, or moving the employee, if possible without compromising job responsibilities, to an accessible location.

The Town of Sudbury Employee Handbook (2019) includes a reasonable accommodation policy and it is available on the Town’s website. From the responses to the ADA questionnaire, two departments stated that they were not aware that a reasonable accommodation policy is in place. An effort should be made to inform all departments of the existence of the policy in the Employee Handbook (2019).

Regarding questions about reasonable accommodations and other related topics, IHCD recommends that the Town of Sudbury becomes familiar with the excellent free national resources from the *Job Accommodation Network* (<https://askjan.org>).

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.

From the questionnaires received from various departments, many departments had procedures for effective communications, including TTY services, accommodating visitors, and providing assistive listening systems. Because a few departments seemed unclear on

effective communication, it seems that clarifying procedures of providing effective communication could be beneficial.

As was offered in IHCD's response to the RFP for this project, IHCD's New England ADA Center staff can provide training on effective communication if the Town is interested.

The Town should consider developing and publicizing clear processes for members of the public and employees to request auxiliary aids and services. 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.

### 3. 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. This accessibility survey included the following facilities:

#### Municipal Buildings

DPW Building Offices and Garage  
Fairbank Community Center  
Fire Department Station 1  
Fire Department Station 2  
Fire Department Station 3  
Flynn Building  
Goodnow Library  
Hosmer House  
Loring Parsonage  
Parks and Grounds Building  
Police Station  
Town Hall  
Transfer Station

#### Public School Buildings

Curtis Middle School  
Haynes Elementary School  
Loring Elementary School  
Nixon School  
Noyes School

#### Outdoor Facilities

Broadacres Farm  
Camp Sewataro  
Davis Field  
Featherland Park  
Feeley Field  
Grinnell Park

Haskell Field

Heritage Park

Playground at 59 Horse Pond Road

Ti-Sales Park

Willis Lake Access

## Building Facilities Overview

Under Title II of the ADA, the Town of Sudbury 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, services and activities 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 the Town 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.

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.

IHCD recommends the following improvements at the following Town facilities:

## Municipal Buildings

### **DPW Offices and Garage**

- Provide a curb ramp at the car accessible parking space.
- Provide compliant egress signage.
- Renovate toilet rooms.
- Install a Hi-Lo drinking fountain.
- Relocate protruding objects.
- Secure mats.
- Provide an accessible route to the picnic table.
- Locate clothing rod and forms within reach range.
- Provide three (3) accessible work surfaces.

### **Fairbank Community Center**

- Renovate accessible parking spaces in two parking lots.
- Install a temporary metal ramp to provide an accessible route between the picnic area and pool.
- Provide compliant egress, designation and directional signage.
- Provide compliant door hardware throughout and an automatic door opener to the secondary entrance to the pool.
- Provide three accessible service counters.
- Provide a platform lift to the stage.
- Renovate pool locker room areas.
- Provide one accessible picnic table by the northeast parking lot.
- In the M. Van Houten Room and teen room, provide a sink with knee and toe clearance and with a top surface no higher than 34" above the finished floor.
- Renovate toilet and shower rooms.
- Renovate drinking fountains.
- Provide an accessible route to the gaga ball court and provide accessible seating spaces alongside bleachers at the field and volleyball court.
- Renovate the cross slope and surface at the entrance gate to the picnic area.
- Patch the route to the basketball court.
- Provide a portable ramp to the raised portion of the pre-school multipurpose room.
- Relocate operable parts and coat hooks within reach range.

### **Fire Department Station 1**

- Provide compliant egress signage.
- Renovate doors (including providing two automatic door openers).
- Renovate the toilet rooms.
- Provide a Hi-Lo drinking fountain.
- Provide a compliant designation sign at the shift commander's office.
- Provide a compliant service counter.

### **Fire Department Station 2**

- Since Fire Department Station 2 is not open to the public, there are no accessibility issues that must be addressed at this time.

### **Fire Department Station 3**

- Renovate entrance threshold and provide compliant door hardware.
- Install an automatic door opener at the main entrance.
- Provide compliant egress signage.
- Secure a mat.
- Renovate change in level change in level on the exterior route.

### **Flynn Building**

- Renovate doors including door hardware, provide one automatic door opener and install swing-clear hinges on one door.
- Install audible car position indicators in the elevator.
- Provide compliant egress, designation, informational and directional signage.
- Provide two accessible service counters.
- Provide four compliant work surfaces.
- Provide an assistive listening system and sign in the large meeting room.
- Renovate toilet rooms.
- Provide signage with the designation "Van Accessible" at the van accessible parking space.
- Locate coat hooks and first aid kit within reach range.
- Secure mats.

### **Goodnow Library**

- Provide a curb ramp by the front of the building.
- Provide signage at all accessible parking spaces.

- Provide compliant egress and designation signage.
- Provide an automatic door opener to the conference room.
- Provide six accessible work surfaces.
- Provide one accessible picnic table in the reading court.
- Renovate toilet rooms.
- Provide two standing height drinking fountains and one cane detectable barrier skirt at one standing height drinking fountain.
- Renovate sink in Sara Sherman Now Lab.
- Provide cane-detectable stanchions
- Renovate the exterior accessible route,
- Relocate the defibrillators out of the circulation path.
- Lower operable parts and coat hooks so that they are in reach range.

### **Hosmer House**

- Renovate exterior routes.
- Renovate doors.
- Provide compliant egress signage
- Rent a compliant portable entrance ramp when the facility is open to the public.
- Provide a cane-detectable barrier underneath the cabinet in the dining room.
- Install a compliant service counter in the general store.
- Provide a video or photographs of the rooms on the second floor to provide program accessibility for visitors who are unable to visit the second floor.

### **Loring Parsonage**

- Provide compliant egress and directional signage at exit doors.
- Provide a van accessible parking space.
- Secure mat.
- Provide a cane-detectable barrier under the cabinet in the lobby.
- On the second floor, provide cane-detectable stanchions on each side of the route where the ceiling is less than 80 inches high. Ensure that the lower belt of the stanchion is 27 inches maximum above the finished floor.
- Relocate storage to provide door clearance on the second floor.
- Renovate the threshold and provide compliant door hardware at the door by the exhibit space.
- Adjust doors to the platform lift so that they remain open for 20 seconds.
- Provide a compliant service counter in the lobby.



### **Parks and Grounds Building**

- Renovate entrances including providing a ramp at the wider entrance and providing compliant signage at both entrances.
- Provide a compliant single-user toilet room.
- Provide a compliant sink in the center garage.
- Provide compliant door hardware
- Provide compliant egress signage
- Secure mats.

### **Police Station**

- Provide an assistive listening system in the meeting room.
- Provide ligature-resistant grab bars in the accessible cell.
- Renovate shower (including ligature-resistant grab bars and lowering controls).
- Renovate sink in the meeting room.
- Provide compliant egress signage.
- Adjust the self-closing hinge in the accessible toilet compartment and the closer of the meeting room door.
- Relocate clothes rod to be 48" max. above the finished floor.

### **Town Hall**

- Renovate parking lot.
- Renovate exterior ramps.
- Provide compliant signage.
- Install an automatic door opener at the accessible exit from the meeting hall.
- Provide a platform lift between the meeting hall and Town Clerk's office.
- Install compliant door hardware.
- Provide compliant service counters in the Town Clerk's office.
- Renovate toilet rooms.
- Secure mats
- Provide an accessible work surface.
- Provide a portable lift to the stage.
- Provide a cane-detectable barrier at the light fixture by the men's toilet room.

### **Transfer Station**

- Provide an accessible route to the walkway leading to the office service window (a ramp is required).

- Provide an accessible portable toilet on an accessible route.
- Provide an accessible service counter.
- Create level landings at the doors to the book exchange shed and the Put-N-Take shed.

## Public School Buildings

### **Curtis Middle School**

- Renovate and provide exterior accessible routes.
- Renovate toilet rooms.
- Renovate locker rooms.
- Provide and renovate signage.
- Renovate doors (a power door is required in one toilet room).
- Provide three (3) accessible dining surfaces and eleven (11) accessible work surfaces.
- Provide two (2) accessible classroom sinks.
- Renovate and provide accessible routes to areas of sport activity and at team seating.
- Provide an assistive listening system.
- Renovate accessible parking spaces.
- Provide a standing-height drinking fountain.
- Provide an accessible picnic table.

### **Haynes Elementary School**

- Renovate exterior routes.
- Renovate and provide curb ramps.
- Renovate accessible parking spaces.
- Provide compliant signage.
- Relocate objects or provide cane detectable barriers at protruding objects.
- Install one automatic door opener to the psychologist's office.
- Install handrails in the library and auditorium at two stairs.
- Provide compliant dining and work surfaces.
- Provide an assistive listening system in the auditorium.
- Provide one accessible picnic table and an accessible route to an existing picnic table.
- Provide an accessible route to one bench by the birdbath.
- Renovate toilet rooms.
- Renovate and provide drinking fountains.
- Renovate classroom sinks, the cafeteria sink, OT/PT sink and the health office sink.
- Provide accessible routes to and around playgrounds and to play components.

- Provide an accessible route to the soccer fields and baseball field.

### **Loring Elementary School**

- Renovate and provide exterior accessible routes at walkways around school.
- Renovate curb ramps at walkways around the school.
- Renovate parking.
- Renovate toilet rooms.
- Renovate classroom sinks (in rooms that have sinks, one accessible sink per grade and in unique rooms that have sinks, such as the music room).
- Provide three (3) drinking fountains for standing users.
- Provide an assistive listening system.
- Renovate and provide designation and egress signage.
- Renovate and provide an accessible route around the upper playground.
- Provide an accessible impact-attenuating surface to and around play components in the upper playground (poured-in-place rubber).
- Provide an accessible route to the boundary of sport activity and team seating at the baseball field.
- Provide handrails at the stairs to the stage.
- Relocate items to provide door maneuvering clearance,
- Secure mats.
- Provide accessible dining and work surfaces.
- Provide integrated accessible seating at the seats in the gymnasium.

### **Nixon Elementary School**

- Renovate and provide exterior accessible routes at walkways around school.
- Provide signage with the designation “Van Accessible” at one space in each lot.
- Provide an assistive listening system.
- Provide eight (8) accessible work surfaces.
- Renovate and provide egress signage.
- Provide handrails on both sides of the ramp to the stage.
- Provide accessible picnic tables and an accessible route to the accessible picnic table.
- Provide an accessible route to one bench in each area.
- Renovate toilet rooms.
- Provide drinking fountains for standing users.
- Renovate classroom sinks (in rooms that have sinks, one accessible sink per grade and in unique rooms that have sinks, such as the art room).

- Provide accessible operable parts.
- Install an accessible route to the soccer field.
- Provide integrated accessible seating at the bleachers in the music room.
- Provide an accessible service counter.

### **Noyes Elementary School**

- Renovate and provide exterior routes around exterior of school.
- Renovate and provide accessible routes to the playground, boundaries of sport activity and to player and team seating.
- Renovate and provide accessible parking spaces.
- Renovate and provide accessible signs.
- Correct issues with maneuvering clearance at doors.
- Renovate toilet rooms.
- Renovate lavatories.
- Renovate classroom sinks.
- Renovate and provide drinking fountains.
- Provide three (3) accessible dining surfaces and two (2) accessible work surfaces.

### **Outdoor Facilities Overview**

The program accessibility obligation does not typically require that every outdoor area be made accessible. As noted before, “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.

It is important to note that those elements in existing facilities that are subject to supplemental requirements of the 2010 ADA Standards (*e.g.* 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*

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*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.<sup>3</sup>*

IHCD recommends the following improvements at the following outdoor facilities:

### **Broadacres Farm**

- Renovate exterior routes.
- Provide a van accessible parking space.
- Provide a new pressure treated wood ramp to the house.
- Provide compliant signs at entrances.
- Provide compliant egress signage.
- Install an accessible door to the horse riding area.
- Provide compliant hardware and a sloped walkway with a 5' by 5' level platform at the entrance door to the horse riding observation area.
- Renovate kitchen areas.
- Provide an accessible single-user toilet room in the house on the first floor and one in the horse stable.
- Provide compliant door hardware
- Renovate door thresholds and changes in level.

### **Camp Sewataro – Buildings**

- Renovate entrances at four buildings (including providing ramps and compliant door hardware).
- Provide one van accessible parking space at each building.\*

\*See the Camp Sewataro Buildings Report for a review of the accessibility implications related to alternate uses of the surveyed buildings.

### **Camp Sewataro – Grounds**

Due to the topography, creating accessible routes around the portion of Camp Sewataro that is open to the public may be technically infeasible. IHCD's main recommendation is to ensure that all amenities and public programs offered on the camp grounds are offered elsewhere in Sudbury at an accessible location. IHCD's report details issues found at each

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

program area, but a more comprehensive study will need to be undertaken to determine the feasibility of correcting all running and cross slopes from site arrival points to and between program areas. Accessible routes must have a maximum running slope of 1:20 (5 percent), or 1:12 (8.33%) where compliant ramps are provided, and a maximum cross slope of 1:50 (2.00%). It is likely that a professional surveyor and landscape architect would be required to make such an evaluation.

Accessibility recommendations at individual program areas include:

- Provide an accessible route around the garden.
- Provide four (4) car accessible parking spaces and one (1) van accessible parking space in the main parking lot.
- Provide accessible routes to benches in four (4) areas.
- Renovate toilet rooms by the swimming area (cost includes a ramp, accessible compartments, door hardware and designation and egress signage).
- Provide compliant drinking fountains.
- Address changes in level in the golf area.
- Provide clear floor space alongside one team seating bench in the softball field.

#### **Davis Field**

- Renovate exterior routes.
- Renovate accessible parking spaces and provide three additional accessible parking spaces.
- Provide an accessible picnic table on an accessible route.
- Provide an accessible route to the lost and found.
- Locate lost and found items within reach range.
- Provide an accessible route to a bench and to the sports field.

#### **Featherland Park**

- Renovate and provide accessible exterior routes.
- Provide additional accessible parking spaces and signage.
- Renovate doors, including providing two automatic door openers.
- Provide compliant directional, informational and designation signage.
- Provide two compliant service counters.
- Provide a compliant picnic table.
- Renovate south toilet rooms.

- Provide accessible routes to areas of sport activity.

### **Feeley Field**

- Renovate existing parking spaces and provide additional accessible parking spaces and signage.
- Provide a concrete ramp to the north concession stand building.
- Provide a concrete ramp between the north parking lot and northwest tennis court entrance.
- Provide an automatic door opener at the women’s toilet room door.
- Provide a raised concrete walkway around the north concession stand to ensure that the door threshold to the men’s and women’s toilet rooms is compliant.
- Provide compliant directional, designation and informational signage.
- Renovate three service counters.
- Provide an accessible picnic table.
- Renovate men’s and women’s toilet rooms to become accessible single-user toilet rooms.
- Provide accessible routes between areas of sport activity.
- Provide an accessible route to a bench.
- Repair the sidewalk.

### **Grinnell Park**

- Renovate and provide exterior accessible routes
- Provide a detectable warning at the intersection of Hudson and Concord Roads.

### **Haskell Field**

- Renovate and provide exterior routes.
- Provide four (4) accessible picnic tables.
- Repair or replace the drinking fountain for a seated user and provide a drinking fountain for a standing user.
- Provide a compliant service counter.

### **Playground at Horse Pond Road**

- Provide an accessible route to the field from Wilshire Road.
- Provide an accessible picnic table and an accessible route to the table.

- Provide an accessible route to the baseball field and seating areas, as well as clear floor space alongside the team seating and spectator seating benches.

**Ti-Sales Field**

- Provide an accessible route between the parking lot and the field.
- Provide accessible parking spaces.

**Willis Lake Access**

- Provide one (1) van accessible parking space.
- Provide an accessible picnic table.
- Provide clear floor space at the wayside.



## Reference List:

### Federal Laws:

- Americans with Disabilities Act (ADA)
- 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: <https://www.adaactionguide.org>
- ADA Checklist for Existing Facilities: <https://www.adachecklist.org>
- Outdoor Developed Areas: A Summary of Accessibility Standards for Federal Outdoor Developed Areas: <https://www.access-board.gov/attachments/article/1637/outdoor-guide.pdf>
- US Access Board: <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/guide-to-the-ada-standards/animations>
- ADA Checklist for Polling Places: <https://www.ada.gov/votingchecklist.htm>
- Solution for Five Common ADA Access Problems at Polling Places: [https://www.ada.gov/ada\\_voting/voting\\_solutions\\_ta/polling\\_place\\_solutions.htm](https://www.ada.gov/ada_voting/voting_solutions_ta/polling_place_solutions.htm)