



Massachusetts Office on Disability

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December 4, 2012

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

Dear Catherine:

This report is a follow up to the site visit conducted on November 19, 2012 of Whitman Town Hall. At your request, to assist the town, a site visit was conducted to identify the current architectural barriers that persons with disabilities encounter when visiting this facility.

Renovations to the Town Hall have been ongoing since 2009 with an estimated value of over one million dollars. The work performed included roof replacement and repairs, brick repointing, reconstruction of east and west egresses, replacement of exterior doors, ceiling replacements, and other renovations. Due to an assessed building value in 2008 of \$2,398,600 it is believed that the work performed between 2009 and 2012 has triggered the entire building to be in full compliance with the 2006 Architectural Access Board rules and regulations (AAB 3.3.2).

In 1999 the east, west, and south entrances were granted variances by the AAB relieving the vertical access requirement at these locations contingent upon making the east, basement level, entrance fully compliant. At the time of this present survey it was found that the ramp to this entry had a non-compliant slope. In addition, when a new project triggers compliance it is then necessary to reapply for variances that may have previously existed. It should be noted that the town may re-apply for these variances using the same rationale; however, the AAB may or may not decide to uphold previously granted variances based on the current situation.

This survey report identifies several areas of non-compliance including but not limited to, all existing designated accessible parking spaces, the existing ramp to the basement entry, all other public entrances to the building, directional signage to the accessible entrance, several toilet rooms throughout, the stage lift location, and at least two interior doors leading to places of public accommodation. This report cites the 2006 revision of 521 CMR enforced by the AAB as well as the American with Disabilities Act Accessibility Guidelines (ADAAG).

Present for the survey were:

Frank Lynam, Town Administrator, Town of Whitman
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,

Christopher Becker
Access Specialist

CC. Robert Curran, Building Commissioner, Town of Whitman.

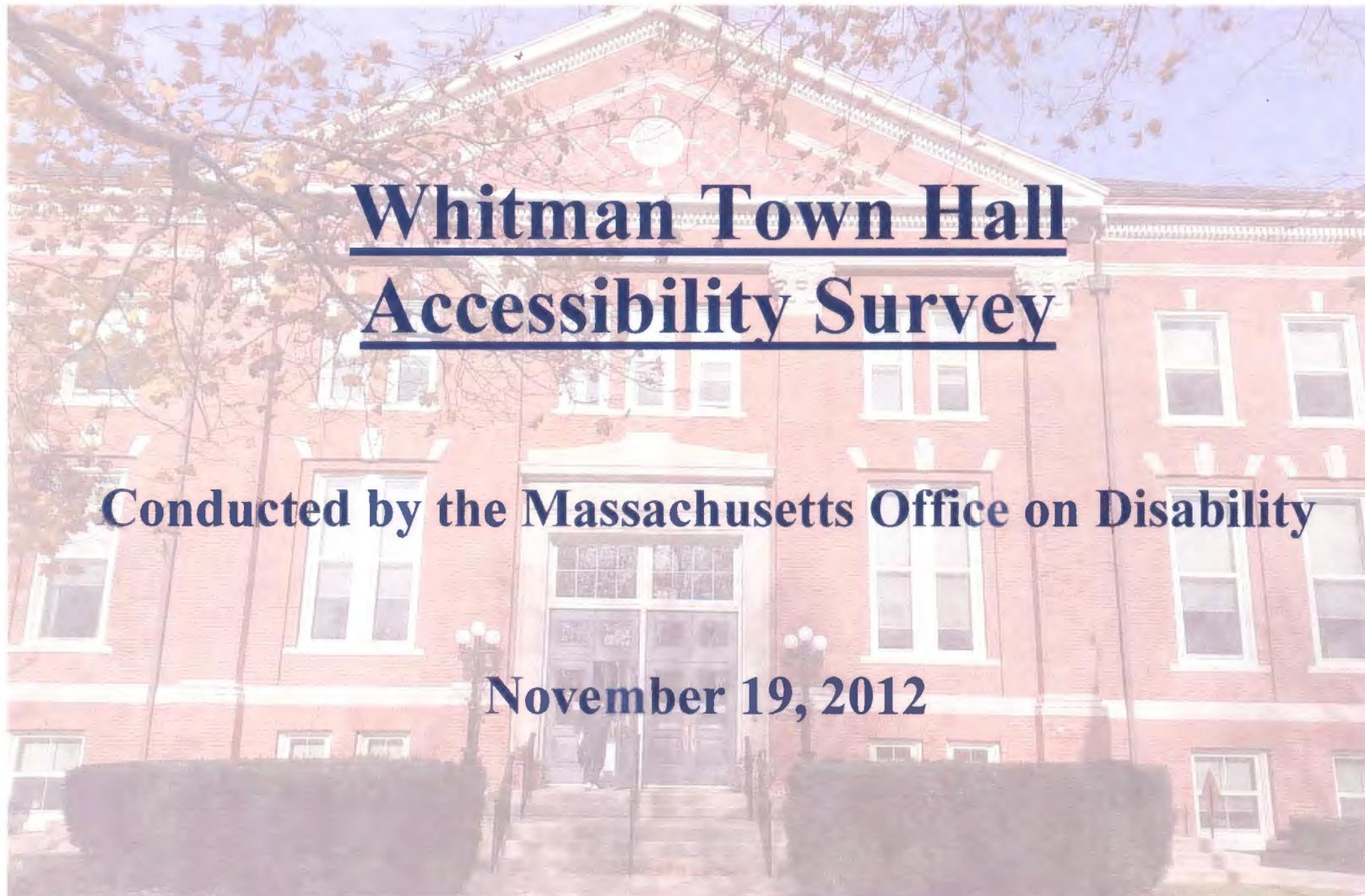


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Whitman Town Hall Accessibility Survey

Conducted by the Massachusetts Office on Disability

November 19, 2012



Summary of Entrance Variances Granted in 1999, 1999 Conditions, 2012 Conditions, and Work Performed

1999 Variance Granted	1999 Conditions	2012 Conditions	Work Performed 2009-2012
<p>East entrance: from parking lot grade to first floor. This entrance includes an exterior set of stairs and an interior set of stairs. Variance was granted based on excessive cost without substantial benefit*</p>			<ul style="list-style-type: none"> - Exterior doors replaced - Stairway width reduced - Possible resurfacing of stairs - Installation of handrail - Installation of sign reading: "Please use handicap entrance after 4:00pm." <p>NOTE: This doorway is open to the public during normal business hours until 4pm. There is a security card reader installed but at the time of survey the door was unlocked.</p>
<p>West entrance: under the porte-cochere. This entrance includes an exterior set of stairs and an interior set of stairs. Variance was granted based on excessive cost without substantial benefit*</p>			<ul style="list-style-type: none"> - Exterior doors replaced - Extensive restoration of porte-cochere* - Installation of handrail <p>NOTE: This doorway is open to the public during normal business hours.</p> <p>*It does not appear that the stairs were touched as part of this renovation.</p>
<p>South entrance: The ceremonial entrance to the building. This entrance includes an exterior set of stairs and an interior set of stairs. Variance was granted based on excessive cost without substantial benefit*</p>			<ul style="list-style-type: none"> - Exterior doors replaced - Resurfacing of interior stairs - Installation of exterior handrail - Installation of interior handrail - Installation of automatic door openers <p>NOTE: This doorway is open to the public during normal business hours.</p>

* The above variances were conditional upon the following:

1. The entrance to the basement level with accessible lobby and elevator was to be made fully compliant.
2. Appropriate signage was to have been posted at inaccessible entrances directing persons to the accessible entrance.
3. The accessible entrance was to be unlocked at all times when the building was open for business day or night.

East Public Parking Lot: Non-Compliant Conditions

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<p>There are a total of four designated accessible parking spaces for approximately 25 standard spaces. All four designated accessible parking spaces and access aisles have non-compliant slopes ranging from 2.2% - 4.6%</p>	<p>23.4.3 Slope: Parking spaces shall be <i>level</i> with surface slopes not exceeding 1:50 (2%) in all directions.</p> <p>23.4.6 d. <i>Access aisles</i> shall be <i>level</i> with surface slopes not exceeding 1:50 (2%) in all directions.</p>	<p>4.6.3...Parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions.</p>	 <p>Note location in image below</p>
<p>In one location, the designated accessible parking sign was turned around and not visible from the parking lot.</p> <p>Signs are not permanently located in the ground.</p>	<p>23.6.1 A sign shall be located at the head of each space and no more than ten feet (10' = 3048mm) away, and at <i>accessible</i> passenger loading zones and may also include wording identifying its use.</p> <p>23.6.4 Such signs shall be permanently located at a height of not less than five feet (5'), nor more than eight feet (8') to the top of the sign.</p>	<p>4.6.4* Signage. Accessible parking spaces shall be designated as reserved by a sign showing the symbol of ...Such signs shall be located so they cannot be obscured by a vehicle parked in the space.</p>	
<p>In two locations, the designated accessible parking signs were mounted at 46" from parking surface to the top of the sign.</p> <p>Signs are not permanently located in the ground.</p>	<p>23.6.4 Such signs shall be permanently located at a height of not less than five feet (5'), nor more than eight feet (8') to the top of the sign.</p>	<p>4.6.4* Signage. Accessible parking spaces shall be designated as reserved by a sign showing the symbol of ...Such signs shall be located so they cannot be obscured by a vehicle parked in the space.</p>	 <p>Note location in image above.</p>

Public Entrances and Egresses: Non-Compliant Conditions

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<p><i>Vertical Access/East Entrance</i> There is no vertical access provided at the east entrance as shown on page 2, entrance summary.</p>	<p>3.3.2 If the work performed, including the exempted work, amounts to 30% or more of the <i>full and fair cash value</i> (see 521 CMR 5.00) of the <i>building</i> the entire <i>building</i> is required to comply with 521 CMR.</p>		See page 2.
<p><i>Vertical Access/West Entrance</i> There is no vertical access provided at the west entrance as shown on page 2, entrance summary.</p>	<p>25.1 GENERAL All public <i>entrance(s)</i> of a <i>building</i> or tenancy in a <i>building</i> shall be <i>accessible</i>. Public <i>entrances</i> are any <i>entrances</i> that are not solely service <i>entrances</i>, loading <i>entrances</i>, or <i>entrances</i> restricted to employee use only.</p>		
<p><i>Vertical Access/South Entrance</i> There is no vertical access provided at the south entrance as shown on page 2, entrance summary.</p>			
<p><i>Signage/East Entrance</i> The existing sign which reads, "PLEASE USE HANDICAP ENTRANCE AFTER 4:00PM", is not placed with the language or intent of guiding one to an accessible entrance. The sign cannot be read from the bottom of the stair.</p>	<p>25.6 SIGNAGE Any <i>entrance/exit</i> of a <i>facility</i> not <i>accessible</i> by persons in wheelchairs shall have a sign clearly indicating the location of the <i>accessible entrance/exit</i>.</p>		
<p><i>Signage/West Entrance</i> There is no sign indicating where the accessible entrance to the building is located.</p>	<p>25.6 SIGNAGE Any <i>entrance/exit</i> of a <i>facility</i> not <i>accessible</i> by persons in wheelchairs shall have a sign clearly indicating the location of the <i>accessible entrance/exit</i>.</p>		

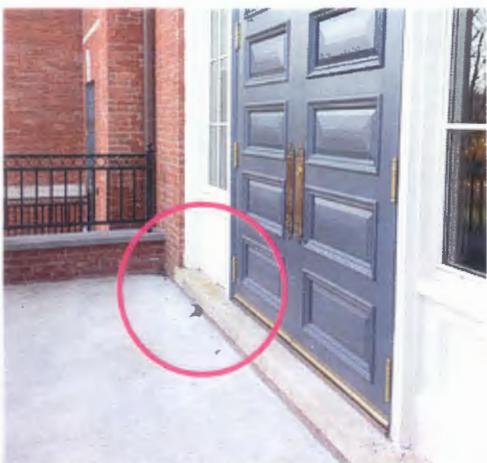
Public Entrances and Egresses: Non-Compliant Conditions (continued)

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<p><i>Signage / South Entrance</i> The only indication for the location of the accessible entrance is a sign which reads, "Accessible Ramp". The sign is located on a path more than 25' away from the south entrance.</p>	<p>25.6 SIGNAGE Any entrance/exit of a facility not accessible by persons in wheelchairs shall have a sign clearly indicating the location of the accessible entrance/exit.</p>		 <p>● Approximate location of sign.</p>
<p><i>Ramp / East Basement Entrance</i> The ramp to the east basement entrance was recorded to have the following running slopes: 10.4%, 8.8%, 9.1%, and 10.3%.</p>	<p>24.2.1 The least possible slope should be used for any ramp. The maximum slope of a ramp shall be 1:12 (8.3%). (There is no tolerance allowed on slope, Refer to 521 CMR 2.4.4d)</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.</p>	 <p>10.3 %</p>
<p><i>Handrail / E. Basement Entrance</i> The handrails do not extend 12" past the top edge of the ramp.</p> <p>The hand rail is broken on one side of the ramp at the top.</p>	<p>24.5.4 Extensions: Handrails shall extend at least 12 inches (12" = 305mm) beyond the top and bottom of the ramp and shall be parallel with the floor or ground surface (See Fig. 24d), except where the extension would cause a safety hazard.</p> <p>2.6 MAINTENANCE OF ACCESS FEATURES</p>	<p>4.8.5... (2) If handrails are not continuous, they shall extend at least 12 in (305 mm) beyond the top and bottom of the ramp segment and shall be parallel with the floor or ground surface (see Fig. 17).</p>	

Public Entrances and Egresses: Non-Compliant Conditions (continued)

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<p><i>Handrail / South Entrance</i> The newly installed handrails are flat instead of round or oval in shape.</p> <p>Gripping surface is interrupted by newel posts.</p>	<p>27.4.5 Shape: The handgrip portion of the handrail shall be round or oval in cross-section. <i>See Fig. 27e.</i></p> <p>27.4.6 Surface: The gripping surface shall be continuous so that a hand can move from end to end without interruption by newel posts or other obstructions, and shall be free of any sharp or abrasive <i>elements</i>.</p>	<p>4.26.2* Size and Spacing of Grab Bars and Handrails. The diameter or width of the gripping surfaces of a handrail or grab bar shall be 1-1/4 in to 1-1/2 in (32 mm to 38 mm), or the shape shall provide an equivalent gripping surface.</p>	
<p><i>Handrail / South Entrance</i></p> <p>Center handrail does not have an extension that is returned smoothly to the floor or post.</p> <p>Gripping surface is interrupted by newel posts.</p>	<p>27.4.6 Surface (see above)</p> <p>27.4.8 End condition: Ends of handrails shall be either rounded or returned smoothly to floor, wall, or post. Extensions on handrails which are not attached to walls shall be returned smoothly to the floor or a post.</p>		

Auditorium Egresses: Newly Constructed Conditions

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	Pictures / Notes
<p>It is assumed that the auditorium requires at least two means of accessible egress. The newly constructed east and west egresses do not meet 521 CMR rules and regulations.</p>	<p>20.11.1a. Where more than one means of egress is required under 780 CMR (The Massachusetts State Building Code) from any accessible space or element, each space or element shall be served by not less than two accessible means of egress.</p>	
<p>The exit discharge does not provide a continuous path of travel from the exit to a public way.</p> <p>The balcony, while adjacent to the exit, is approximately 4" below the interior grade as shown on the image to the right.</p>	<p>20.11.2 The exit discharge shall provide a continuous path of travel from an exit to a public way by means of a walkway or a ramp.</p> <p>20.11.2b. in buildings where the grade at the level of exit discharge prohibits construction of either a walkway or a ramp, a portion of an exterior exit balcony located immediately adjacent to an emergency exit complying with 521 CMR 20.12.2 may be constructed as an area of rescue assistance.</p>	
<p>The balcony does appear to meet the size requirements for an area of rescue assistance.</p>	<p>20.12.2 Size: Each <i>area of rescue assistance</i> shall provide at least two <i>accessible spaces</i>, not less than 30 inches by 48 inches each.</p> <p>a. The <i>area of rescue assistance</i> shall not encroach on any required exit width. b. The total number of such 30 inch by 48 inch areas per <i>story</i> shall be not less than one for every 200 persons of calculated occupant load served by the <i>area of rescue assistance</i>.</p>	<p>NOTE: These elements are intended for egress and are not for public entry.</p>
<p>There is a change in level from inside the door to the exterior balcony of approximately 4".</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><i>Handrail /East Egress</i> There is no handrail located at the change in grade from the bottom stair landing to the sidewalk.</p>	<p>29.2.3 Changes in level (see above)</p>	

Public Toilet Room / Basement Unisex: Non-Compliant Conditions

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<p><i>Basement Unisex Toilet Room</i> Toilet room entry door has an opening force of 13 pounds.</p>	<p>26.8.1 Doors: These forces apply only to opening the door, not to the effort required to retract latch bolts or disengage other devices that may hold the door in a closed position.</p> <p>b. interior hinged doors: five lbs.</p>	<p>4.13.11* Door Opening Force. The maximum force for pushing or pulling open a door shall be as follows: (b) interior hinged doors: 5 lbf (22.2N)</p>	

Public Toilet Room / First Floor Women's: Non-Compliant Conditions

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<p><i>First Floor Women's T.R.</i> Toilet room entry door has an opening force of 11 pounds.</p>	<p>26.8.1 Doors b. interior hinged doors: five lbs.</p>	<p>4.13.11 (see basement unisex toilet)</p>	
<p><i>First Floor Women's T.R.</i> Due to the close proximity of the sink, the toilet room entry door does not have clear space of 30"x 48" beyond the swing of door.</p>	<p>30.4 DOORS TO SINGLE USER TOILET ROOMS Doors to single user toilet rooms may swing into the room if the door has a self-closing device and maneuvering space is provided in accordance with 521 CMR 26.6. The door may swing into the room if there is a clear floor space of 30 inches by 48 inches (30" = 762mm by 48" = 1219mm) beyond the swing of the door.</p>	<p>4.22.2 Doors. All doors to accessible toilet rooms shall comply with 4.13. Doors shall not swing into the clear floor space required for any fixture.</p>	

Public Toilet Room / Second Floor Women's: Non-Compliant Conditions

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<p><i>Second Floor Women's T.R.</i> Toilet room entry door has an opening force of 15 pounds.</p>	<p>26.8.1b. interior hinged doors: five lbs.</p>	<p>4.13.11 (see basement unisex toilet)</p>	
<p><i>Second Floor Women's T.R.</i> Due to the close proximity of the sink, the toilet room entry door does not have clear space of 30"x 48" beyond the swing of door.</p>	<p>30.4 DOORS TO SINGLE USER TOILET ROOMS Doors to single user toilet rooms may swing into the room if the door has a self-closing device and maneuvering space is provided in accordance with 521 CMR 26.6. The door may swing into the room if there is a clear floor space of 30 inches by 48 inches (30" = 762mm by 48" = 1219mm) beyond the swing of the door.</p>	<p>4.22.2 Doors. All doors to accessible toilet rooms shall comply with 4.13. Doors shall not swing into the clear floor space required for any fixture</p>	
<p><i>Second Floor Women's T.R.</i> Furniture restricts maneuvering space and clearance required for use of toilet.</p>	<p>30.7.2 Location: The centerline of the water closet shall be located 18 inches (18" = 457mm) from the nearest side wall and at least 42 inches (42" = 1067mm) from the farthest side wall or the closest edge of an adjacent fixture. There shall be at least 42 inches (42" = 1067mm) clearance between the front edge of the water closet and the nearest wall or fixture.</p>	<p>4.16.2 Clear Floor Space. Clear floor space for water closets not in stalls shall comply with Fig. 28.</p>	
<p><i>Second Floor Women's T.R.</i> Heater restricts maneuvering spaces and clearance required for use of sink.</p>	<p>30.9.1 <i>Clear floor space:</i> A clear floor space complying with 521 CMR 6.3, Wheelchair Turning Space shall be provided in front of a sink to allow forward approach. The <i>clear floor space</i> shall be on an <i>accessible route</i> and shall extend no more than a maximum of 19 inches (19" = 483mm) underneath the sink. See Fig. 30g.</p>	<p>4.19.3 Clear Floor Space. A clear floor space 30 in by 48 in (760 mm by 1220 mm) complying with 4.2.4 shall be provided in front of a lavatory to allow forward approach. Such clear floor space shall adjoin or overlap an accessible route and shall extend a maximum of 19 in (485 mm) underneath the lavatory (see Fig. 32).</p>	

Public Toilet Room / Second Floor Men's: Non-Compliant Conditions

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<i>Second Floor Men's T.R.</i> Toilet room entry door has an opening force of 10 pounds.	26.8.1b. interior hinged doors: five lbs.	4.13.11 (see basement unisex toilet)	
<i>Second Floor Men's T.R.</i> The entry door has only 8" of clear space on the latch/pull side of the door restricted by lavatory.	26.6.3 Pull side clearance shall comply with the following: a. A minimum of 18 inches (18" = 457mm) of <i>clear floor space</i> shall be provided on the latch, pull side of the door when the <i>clear floor space</i> in front of the door is a minimum of 60 inches (60" = 1524mm). see Fig. 26d.	4.13.6 Maneuvering Clearances at Doors. Minimum maneuvering clearances at doors that are not automatic or power-assisted shall be as shown in Fig. 25. The floor or ground area within the required clearances shall be level and clear. [18" on the pull/latch side.]	
<i>Second Floor Men's T.R.</i> Men's toilet seat is 20 inches on center from the adjacent wall.	30.7.2 (see 2 nd floor Women's Toilet Room)	See Figure 28.	

Interior Door / Selectman's Room: Non-Compliant Conditions

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<i>Entry Door/Selectmen's Room</i> The required clear space on the push and pull/latch side of the door is restricted by furniture and equipment.	26.6.3 Pull side clearance shall comply with the following: a. A minimum of 18 inches (18" = 457mm) of <i>clear floor space</i> shall be provided on the latch, pull side of the door when the <i>clear floor space</i> in front of the door is a minimum of 60 inches (60" = 1524mm). see Fig. 26d. 26.6.4 Push side clearance shall comply with Fig. 26e.* * 12" of clearance is required for a door with a latch and closer on the push side of the doorway.	4.13.6 Maneuvering Clearances at Doors. Minimum maneuvering clearances at doors that are not automatic or power-assisted shall be as shown in Fig. 25. The floor or ground area within the required clearances shall be level and clear. [18" on the pull/latch side] [12" on the push/latch side]	 Pull side Push side

Interior Door / Finance Committee: Non-Compliant Conditions

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<p><i>Entry Door/Finance Committee</i> The required clear space on the push and pull/latch side of the door is restricted by furniture, equipment, and adjacent wall.</p>	<p>26.6.3 26.6.4 (See Selectman's Room)</p>	<p>4.13.6 (See Selectman's Room)</p>	

Lift / Auditorium: Non-Compliant Conditions

Current Conditions/Location	521 CMR Rev. 2006 (AAB)	ADAAG	Pictures / Notes
<p><i>Lift/Auditorium</i> The auditorium stage is accessed through a lift which requires travel through an ancillary room rather than directly onto the stage.</p>	<p>14.6 ACCESS TO PERFORMING AREAS Where access is provided to the stage from within the place of assembly, an <i>accessible route</i>, within the place of assembly, from the wheelchair seating locations, to the stage/performing area must be provided. <i>See Fig. 14b</i>. In addition, an <i>accessible route</i> that coincides with the route for performers must be provided to the backstage area.</p>		 <p>NOTE: This lift was installed around 1999. The 1998 AAB rules and regulations state the following:</p> <p>14.6 ACCESS TO PERFORMING AREAS An <i>accessible route</i> shall connect wheelchair seating locations with performing areas, including stages, arena floors, dressing rooms, locker rooms, and other spaces used by performers. <i>See Fig. 14b</i></p> <p>It may be possible to have a variance granted by the AAB to have lift remain in place.</p>