

Meeting Notes:

February 26, 2020

Meeting with William Joyce Executive Director Massachusetts Architectural Access Board

Regarding: 18 Boyd Drive Subdivision - Cottages at Port Place Access and Playground

Access Paths to the Open Space and Play Area:

Paths and Walkways: All paths and walkways must have a slope of less than 5% (5 feet over 100 feet) as required by the Federal Architectural Access Board and the Massachusetts Architectural Access Board.

1. The path constructed to access the Open Space and Play Area between lots 16 and 17 is constructed greater than a 5% slope.
2. The path between lots 20 and 21 to access the Open Space and Play Area has not been constructed. The project grading plans show that the walkway is intended to be constructed greater than 5%.
3. The path constructed north of lot 24 to access the Open Space and Play Area is constructed greater than a 5% slope.

Play Area:

The Play Area has several issues relating to access and water intrusion.

1. Standing water is evident inside the mulch area of the play area. Excess water compromises the integrity and fall height performance of the play surface that is installed to prevent injuries within the play area. Subdrain pipes should be installed within the playground to drain excess water.
2. A 4 foot wide rubber play surface path, constructed to the depth required to satisfy the fall height of the play area must be installed in the play area from the perimeter path of the play area to access the transfer deck of the play structure providing access for a person in a wheel chair.
3. A 4 foot wide rubber play surface path, constructed to the depth required to satisfy the fall height of the play area must be installed from the perimeter path of the play area to access the handicap swing for a person in a wheel chair.
4. A 4 foot accessible path outside of the play equipment fall zone (6 feet from all play equipment) around the entire play area must be constructed for handicap access to the equipment. This access path must be flush with the wood edging that surrounds the playground. The wood edging that surrounds the play structure must be flush with wood chip play surface so that there is flush access from path to wood edging to the play surface.

**The current code allows the use of wood fiber mulch with rubber paths for wheel chair accessibility. It is anticipated that the Code is going to change within a year. The new code will not allow wood chip surfacing in playground areas. Rubber surfacing will be required at a cost that is 4-5 times higher in cost than wood fiber mulch. Projects completed before the new law goes into effect will be grandfathered. The Cottages project has not been accepted by the City. If the project is not accepted before the law changes the play area will need to have a rubber surface installed to meet the new code.

Legal Issues:

A complaint can be filed by anyone who observes a violation of the Architectural Access Board code. The public is proactive in identifying violation of the code. The Massachusetts Architectural Access Board website has complaint forms that can be filled out for any violation to be investigated. If a complaint is filed a hearing is held to review the reported violation with the MAAB. If the complaint is upheld the violation must be addressed by:

1. Filing construction plans with the MAAB.
2. Completing the work to bring the project to code.
3. Reviewing the work at the site with a representative of the MAAB.
4. Sign off/certification from the MAAB that the work has be completed and the complaint has been satisfied.
5. If the violation is not addressed the MAAB can levy sanctions and file a lawsuit to rectify the violation.