

Carver County

Americans with Disabilities Act

Pedestrian Facilities Transition Plan  
for County Highway Rights of Way

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## Introduction

### Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

- I. Employment
- II. State and local government services
- III. Public accommodations
- IV. Telecommunications
- V. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide stating, “...no qualified individual with a disability shall, by reason of such disability, 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 such entity.” ([42 USC. Sec. 12132](#); [28 CFR. Sec. 35.130](#)). As a provider of public transportation services and programs, Carver County Public Works must comply with this section of the Act.

As required by Title II of [ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150](#), Carver County Public Works has conducted a self-evaluation of its facilities within public rights of way and has developed this Transition Plan detailing how the organization will ensure that all pedestrian facilities within public rights of way are accessible to all individuals.

### ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Acts of 1968](#) and [Section 504 of the Rehabilitation Act](#) of 1973.

**The Architectural Barriers Act of 1968** is a Federal law requiring facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

**Section 504 of the Rehabilitation Act of 1973** is a Federal law protecting qualified individuals from discrimination based on disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

## Agency Requirements

Under Title II, Carver County Public Works must meet the following general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities ([28 C.F.R. Sec. 35.150](#)).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability ([28 C.F.R. Sec. 35.130 \(a\)](#)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result ([28 C.F.R. Sec. 35.130\(b\) \(7\)](#)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective ([28 C.F.R. Sec. 35.130\(b\)\(iv\) & \(d\)](#)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others ([29 C.F.R. Sec. 35.160\(a\)](#)).
- Must designate at least one responsible employee to coordinate ADA compliance [[28 CFR Sec. 35.107\(a\)](#)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [[28 CFR Sec. 35.107\(a\)](#)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [[28 CFR Sec. 35.106](#)]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [[28 CFR Sec. 104.8\(a\)](#)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [[28 CFR Sec. 35.107\(b\)](#)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

**This document has been created to specifically cover accessibility within the public rights of way and does not include information on Carver County programs, practices, or building facilities not related to public rights of way.**

# Self-Evaluation

## Overview

Carver County Public Works is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how Carver County implements these policies. The goal of the self-evaluation is to verify that Public Works is providing accessibility and not adversely affecting the full participation of individuals with disabilities by implementing Carver County's policies and practices.

The self-evaluation also examines the condition of Carver County's Pedestrian Circulation Route/Pedestrian Access Route (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This will include the sidewalks, curb ramps, bicycle/pedestrian trails, and traffic control signals that are located within the Carver County rights of way. Any barriers to accessibility identified in the self-evaluation and the remedy to the identified barrier are set out in this transition plan.

## Summary

Between 2012 and 2013, Carver County Public Works conducted an inventory of pedestrian facilities within its public right of way consisting of the evaluation of the following facilities:

- 822 curb ramps
- 286 intersections
- 20 signalized intersections

Cities within Carver County are responsible for sidewalk and trail maintenance. Facilities will be evaluated on a case by case basis.

A detailed evaluation facility compliance with ADA standards is found in Appendix C and will be updated periodically.

## Policies and Practices

### Previous Practices

Since the adoption of the ADA, Carver County Public Works has strived to provide accessible pedestrian features as part of Carver County's capital improvement projects, and by continually updating procedures to accommodate new methods of providing accessible pedestrian features. Previous ADA improvements have been included in the following recent projects:

- CSAH 61 Mill and Overlay between TH 41 and TH 101
- CSAH 10 Mill and Overlay between TH 5 and TH 284
- CSAH 15 Mill and Overlay between CSAH 18 and TH 5
- CSAH 11 Construction between CSAH 61 and CSAH 10

### Policy

Carver County Public Works will continue to providing accessible pedestrian design features as a part of capital improvement projects and maintenance projects by following established ADA design standards and procedures listed in Appendix F. These standards and procedures will be kept current with national and local best management practices.

Carver County will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with transportation priorities. Carver County will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the County's jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public right of way will continue to follow the policies set forth by Carver County. These policies include, but are not limited to, maintenance policies and the Public Works Cost Share Policy.

Requests for accessibility improvements can be submitted to the ADA Coordinator; contact information is located in Appendix A.

## Improvement Schedule

### Priority Areas

Carver County Public Works has identified specific priority areas for planned accessibility improvement projects. Priority areas are locations with close proximity to schools, government offices and medical facilities, as well as locations documented from public comments.

## External Agency Coordination

Many other agencies are responsible for pedestrian facilities within the jurisdiction of Carver County. The County will coordinate with those agencies to track and facilitate elimination of accessibility barriers where County facilities are adjacent to routes within other jurisdictions.

## Schedule

Carver County Public Works has set the following schedule goals for improving the accessibility of its pedestrian facilities within the County's jurisdiction:

Table 1: Carver County pedestrian facilities compliance goals

Time	Compliance Goal
Current Baseline	37%
5-years: 2018	50%
10-years: 2023	70%
20-years: 2033	90%

## ADA Coordinator

In accordance with 28 CFR 35.107(a), Carver County Public Works has identified an ADA Title II Coordinator to oversee the County's policies and procedures. Contact information for this individual is located in Appendix A.

## Implementation Schedule

### Methodology

Carver County Public Works will utilize two methods for upgrading pedestrian facilities to the current ADA standards.

1. Scheduled street and utility improvement projects. All pedestrian facilities impacted by scheduled street and utility improvement projects will be upgraded to current ADA accessibility standards. Figure 1 defines roadways improvement projects that will result in ADA accessibility upgrades and roadways maintenance projects that do not require ADA accessibility upgrades.

Figure 1: ADA accessibility upgrades requirements for roadways maintenance and alterations projects



2. Stand-alone sidewalk and ADA accessibility improvement project. Projects may be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by Carver County Public Works staff. The *Carver County Public Works Road and Bridge Construction CIP 2013-2018*, which includes a detailed schedule and budget for specific improvements, is accessible online at [http://www.co.carver.mn.us/departments/PW/docs/CIP\\_13\\_18.pdf](http://www.co.carver.mn.us/departments/PW/docs/CIP_13_18.pdf).

## Public Outreach

Carver County Public Works recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of Carver County Public Works.

Public outreach for the creation of this document consisted of two identical public meetings held at the Chanhassen Public Library on September 5, 2013 at 6:30-7:30 p.m., and on September 6, 2013 at 10:30-11:30 a.m. Both meetings used an open house format allowing attendees an informal environment to talk with Carver County staff to learn about the transition plan and provide input. One Carver County citizen attended the September 5<sup>th</sup> meeting. Ten individuals, including Carver County citizens and planners and engineers from Cities within Carver County, attended the September 6<sup>th</sup> meeting.

This document was also posted on the Public Works website for a public comment period from October 16, 2013 to October 31, 2013. No comments were received.

A summary of comments received and detailed information regarding the public outreach activities are located in Appendix E.

## **Grievance Procedure**

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. A draft of this public notice is provided in Appendix B. Users of Carver County Public Works facilities and services who believe the County has not provided reasonable accommodation have the right to file a grievance.

In accordance with 28 CFR 35.107(b), Carver County Public Works has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in Appendix B.

## **Monitor the Progress**

This document will be updated as conditions within the County evolve. The appendices in this document will be updated periodically, while the main body of the document will be updated within 5 years with a future updates scheduled to be developed at that time. A public comment period will be incorporated into each update.

## **Appendix A – ADA Transition Plan Contact Information**

### **Responsible Officials**

#### **Transportation Department**

Lyndon Robjent, PE  
Public Works Director and County Engineer  
11360 Hwy 212, Suite 1  
Cologne, MN 55322  
[lrobjent@co.carver.mn.us](mailto:lrobjent@co.carver.mn.us)  
(952) 466-5200

#### **Public Rights of Way ADA Implementation Coordinator**

Kate Miner, PE  
Traffic Engineer  
11360 Hwy 212, Suite 1  
Cologne, MN 55322  
[kminer@co.carver.mn.us](mailto:kminer@co.carver.mn.us)  
(952) 466-5208

## Appendix B – Grievance Procedure

In accordance with 28 CFR 35.107(b), the Carver County Public Works has developed the following grievance procedure to facilitate prompt and equitable resolution of citizens' complaints concerns, comments and other grievances.

The County understands that citizens may desire to contact staff and discuss ADA issues without filing a formal grievance. Contacting staff to informally discuss ADA issues is welcomed and does not limit a person's ability or right to file a formal grievance later. Citizens wishing to do this may contact staff using the contact information in Appendix A: ADA Transition Plan Contact Information.

Those wishing to file a formal written grievance with Carver County Public Works may do so by one of the following methods:

### Internet

Visit the Carver County Public Works website ([http://www.co.carver.mn.us/new\\_departments/PW/american\\_disabilities\\_act.asp](http://www.co.carver.mn.us/new_departments/PW/american_disabilities_act.asp)) and click the link to the ADA Grievance Form. Fill in the form online and click "submit." A copy of The ADA Grievance Form is included in this Appendix.

### Telephone

Contact the County staff person listed in the Contact Information section of Appendix A to submit an oral grievance. The staff person will complete the ADA Grievance Form on behalf of the person filing the grievance.

### Paper Submittal

Contact the County staff person listed in the Contact Information section of Appendix A to request a paper copy of the county's grievance form, complete the form, and submit it to Carver County Public Works.

The ADA Grievance Form will ask for the following information:

The name, address, telephone number, and email address for the person filing the grievance

The name, address, telephone number, and email address for the person alleging an ADA violation (if different than the person filing the grievance)

A description and location of the alleged violation and the nature of a remedy sought, if known by the complainant.

If the complainant has filed the same complaint or grievance with the United States Department of Justice (DOJ), another federal or state civil rights agency, a court, or others, the name of the agency or court where the complainant has filed and the filing date.

The County will acknowledge receipt of the grievance to the complainant within 10 working days of submittal. The County will also provide to the complainant within 10 working days of its submittal a response or resolution to the grievance, or information about when the complainant can expect a response or resolution to the grievance.

If the grievance filed does not concern a Carver County Public Works facility, the County will work with the complainant to contact the agency that has jurisdiction.

Within 60 calendar days of receipt, a Carver County Public Works staff person will conduct an investigation necessary to determine the validity of the alleged violation. An investigation will consider data collected and any information submitted by the complainant and use department resources including engineering policies and guidelines to determine the County's response. A staff person will be available to meet with the complainant to discuss the matter as a part of the investigation and resolution of the matter.

The County will consider all specific grievances within its particular context or setting. Furthermore, the County will consider many varying circumstances including:

1. the nature of the access to services, programs, or facilities at issue
2. the specific nature of the disability
3. the essential eligibility requirements for participation
4. the health and safety of others
5. the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to Carver County

Accordingly, the resolution by Carver County of any one grievance does not constitute a precedent upon which the county is bound or upon which other complaining parties may rely.

#### File Maintenance

The County shall maintain ADA grievance files for a period of seven years.

Complaints of Title II violations may also be filed with the Department of Justice (DOJ) within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the DOJ. The DOJ may bring a lawsuit where it has investigated a matter and has been unable to resolve violations.

For more information, contact:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Disability Rights Section - NYAV  
Washington, D.C. 20530

[www.ada.gov](http://www.ada.gov)

(800) 514-0301 (voice – toll free)

(800) 514-0383 (TTY)

Title II may also be enforced through private lawsuits in Federal court. Filing a complaint with the DOJ or any other Federal agency or to receiving a "right-to-sue" letter is not necessary before going to court.

Carver County ADA Discrimination Grievance Form:

**Carver County Discrimination Grievance Form**

**Title II of the Americans with Disabilities Act  
Section 504 of the Rehabilitation Act of 1973**

Instructions: Please fill out this form completely and return to the address on page 3.

Complainant:

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Email address: \_\_\_\_\_

Date of incident: \_\_\_\_\_

Where is the location of the problem? Please include city, roadway name, intersection (if applicable), facility name, and/or location if other than a roadway (i.e., rest area, pedestrian bridge, etc.):

Please provide a detailed description of the problem:

Additional information:

Today's Date: \_\_\_\_\_

Return to:

Carver County Public Works  
Attention: Kate Miner  
11360 Hwy 12, Suite 1  
Cologne, MN 55322

## Appendix C – Self-Evaluation Results

This initial self-evaluation of pedestrian facilities yielded the following results:

- 40% of curb ramps met accessibility criteria
- 15% of traffic control signals had push buttons that are accessible, or had the pedestrian indications on recall
- 10% of traffic control signals had APS

Detailed results can be found on the County website in the form of an interactive map application.

The web address is:

[http://www.co.carver.mn.us/new\\_departments/PW/american\\_disabilities\\_act.asp](http://www.co.carver.mn.us/new_departments/PW/american_disabilities_act.asp)



## Appendix D – Schedule / Budget Information

### Cost Information

Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with. Listed below are representative 2011 costs for some typical accessibility improvements based on if the improvements are included as part of a retrofit type project, or as part of a larger comprehensive capital improvement project.

Intersection corner ADA improvement retrofit: +/- \$4,000 per corner

Intersection corner ADA improvement as part of adjacent capital project: +/- \$1,500 per corner

Traffic control signal APS upgrade retrofit: +/- \$ 15,000

Traffic control signal APS upgrade as part of full traffic control signal installation: +/- \$10,000

Sidewalk / Trail ADA improvement retrofit: +/- \$5.00 per SF

Sidewalk / Trail ADA improvement as part of adjacent capital project: +/- \$3.50 per SF

### Entire Jurisdiction

Based on the self-evaluation results, the estimate costs of providing ADA accessibility within the entire jurisdiction is \$2.5 Million. Carver County is committed to making this significant investment in the upcoming years. A systematic approach to providing accessibility will be taken in order to absorb the cost into the Carver County Public Works budget for improvements to the public right of way.

The *Carver County Public Works Road and Bridge Construction CIP 2013-2018*, which includes a detailed schedule and budget for specific improvements, is accessible online at

[http://www.co.carver.mn.us/departments/PW/docs/CIP\\_13\\_18.pdf](http://www.co.carver.mn.us/departments/PW/docs/CIP_13_18.pdf)

## Appendix E – Public Outreach

Two public meeting options were offered to the public. The first was held September 5, 2013 at 6:30 p.m. – 7:30 p.m., and the second meeting was held September 6<sup>th</sup> at 10:30 a.m. – 11:30 a.m. Both meetings used an open house format which allowed attendees to provide input informally by conversing with staff, by using a web based GIS tool allowing people to place points on a map with comments specific to that location, or by filling out a comment card that could be given directly to County staff at the meeting or mailed to the County later.

In total, eleven individuals attended one of the two meeting times offered. Attendees included residents and City staff from Chanhassen, Chaska, Victoria, Waconia, and Watertown. The following table lists meeting attendees.

Table 2: Public meeting attendees

<b>Name</b>	<b>City</b>	<b>Meeting</b>
Dave Daubert	Waconia	9/5/2013
Stephanie Bartels	Chanhassen	9/6/2013
Holly Kreft	Victoria	9/6/2013
Bill Monk	Chaska	9/6/2013
Craig Sinclair	Waconia	9/6/2013
Darin Mielke	Carver County	9/6/2013
Rosemary Ritchie	Chanhassen	9/6/2013
Christina Austin Roehler	Waconia	9/6/2013
Steve Washburn	Watertown	9/6/2013
Luke Fischer	Watertown	9/6/2013
Anonymous	Waconia	9/6/2013

The following visuals were used at the meetings. Printouts of these materials were available for attendees to take if desired.

Figure 2: Infographic used at public meetings to explain pedestrian facilities, plan requirements and plan process

# Carver County Pedestrian Facilities ADA Transition Plan

## Applying Americans with Disabilities Act (ADA) standards to Carver County Roads

### Definition



Not ADA Compliant

Pedestrian Facilities on Carver County roads:

- crosswalks
- curb cuts
- traffic signals
- and other amenities

that assist individuals traveling by foot, wheelchair, bicycle, or other non-motorized methods.



ADA Compliant

### Requirements

#### Americans with Disabilities Act (ADA)

- Passed by Congress in 1990
- Title II: Establishes requirements
- 2012 Local Road Research Board - guidance for local transition plans

#### Transition Plan

- Include public participation
- Conduct a self-evaluation
- Priority to public facility walkways
- Describe improvement methods
- Indicate the official responsible

### Process

#### Gather Information

- Public meeting
- Self-Evaluation: identify non-conforming facilities

#### Draft Plan

- Draft policies
- Set grievance procedure
- Identify standards
- Create timeline

#### Plan Approval

- Public comment period
- Finalize plan
- Adopt plan

#### Implementation

- Improve facilities
- Regularly update plan to track progress



Figure 3: Infographic used at public meetings to explain data collection for self-assessment and ADA specifications

# Carver County Pedestrian Facilities ADA Transition Plan

## Applying Americans with Disabilities Act (ADA) standards to Carver County Roads

### Data Collection

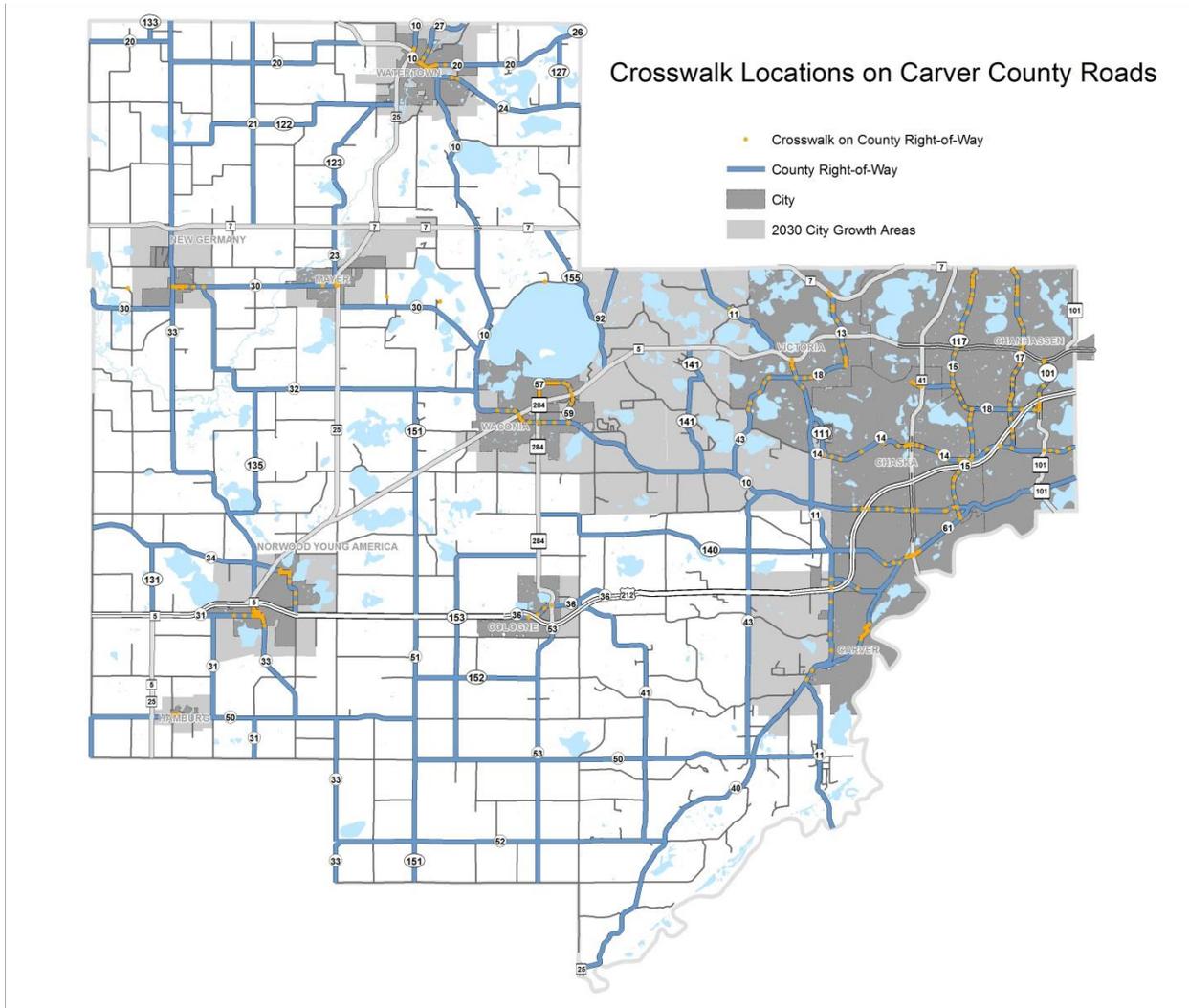


### Specifications

- 1. Signal Push Button**
  - Location
    - Outside edge of the crosswalk
    - Parallel with direction of travel
  - Height
    - 42" plus or minus 2"
  - Orientation
    - Parallel with the direction of travel
- 3. Ramp**
  - Slope
    - Less than or equal to 8.3%
    - In the direction of travel
  - Dome installed
    - Cover entire curb opening
    - In the direction of travel
  - Drainage
    - Should not hold water after rain event
- 2. Landing**
  - Slope
    - No greater than 2%
  - Dimensions
    - 4x4 feet
  - Location
    - At the top of each ramp



Figure 4: Map used at public meetings to display crosswalk locations on Carver County rights of way



Meeting times were advertised by three methods:

1. Fliers to senior housing locations
2. Press release sent to all newspapers in the County and the StarTribune
3. E-mails targeted to City Senior Commissions, planners, and engineers

Details of the marketing materials follow:

Figure 5: Flier provided to senior housing locations

# Public Meeting Announcement: American Disabilities Act Pedestrian Facilities Transition Plan

## What:

Carver County wants your input. The County is identifying pedestrian facilities on County roads that are not compliant with the American Disabilities Act to make a transition plan for improvements.

## When (Choose from two meeting options):

### Option 1:

September 5, 2013  
6:30 pm – 7:30 pm

### Option 2:

September 6, 2013  
10:30 am – 11:30 am

## Where:

Chanhassen Library, Thorton Wilder Room  
7711 Kerber Blvd., Chanhassen



ADA compliant crosswalk  
MN 41 and CSAH 10, Chaska  
(SW corner)



more information: Nate Kabat | Phone: 952-361-1820 | E-mail: [nkabat@co.carver.mn.us](mailto:nkabat@co.carver.mn.us)

1

**Press release sent to County newspapers and the StarTribune:**

From: Nate Kabat, Carver County Planning and Water Management

**Carver County Pedestrian Facilities ADA Transition Plan**

Carver County will host two identical public meetings to collect input for the Carver County Pedestrian Facilities ADA Transition Plan. The first scheduled public meeting is on September 5, 2013 from 6:30 pm to 7:30 pm. The second meeting is on September 6, 2013 from 10:30 am to 11:30 am. Both meetings will be held in the Thorton Wilder Room at the Chanhassen Library. Attendees can assist the County with identifying pedestrian facilities on County roads that are not compliant with the American Disabilities Act. Information collected will be used by the County to create a transition plan outlining timelines and strategies to address non-compliant pedestrian facilities.

Both public meetings will use an open house format which provides members of the public an informal atmosphere to come at any time during the designated meeting times. Attendees may talk to County staff to learn about the project and provide input.

Pedestrian facilities on Carver County roads include crosswalks, curb cuts, traffic signals, and other amenities that assist individuals traveling by foot, wheelchair, bicycle, or other non-motorized methods. The American Disabilities Act sets design standards for public rights of way to meet the needs of people of all abilities. Public input is an important part of the process for the County to plan strategies and timelines for improving pedestrian facilities to current ADA standards.

The Thorton Wilder Room at the Chanhassen Library is located at 7711 Kerber Boulevard in Chanhassen.

For more information, contact Nate Kabat at 952-361-1829 or [nkabat@co.carver.mn.us](mailto:nkabat@co.carver.mn.us) or visit [www.co.carver.mn.us/water](http://www.co.carver.mn.us/water).

**Emails targeted to city Senior Commissions, planners, and engineers**

*To Senior Commissions:*

From: Nate Kabat

Sent: Thursday, August 15, 2013 1:33 PM

To: 'jbart@ci.watertown.mn.us'; 'SAI-Jaff@ci.chanhassen.mn.us'; 'csinclair@waconia.org'; 'aneubarth@cityofnya.com'; 'oldpasketti@aol.com'; 'JJanke@chaskamn.com'

Cc: Lenny Schmitz; Paul Moline; Kate Miner

Subject: Public Meeting: ADA Transition Plan for County Right-of-Way

Attachments: ADA\_Transition\_Plan\_PubMeetingFlier\_Update.pdf;

ADATransitionPlan\_PressRelease.pdf

Hello Senior Commission Facilitators,

As coordinators of the Senior Commissions in your respective communities, I'd like to share information with you about two upcoming public meeting options. Carver County will host two identical public meetings to collect input for the Carver County Pedestrian Facilities ADA Transition Plan. The first scheduled public meeting is on September 5, 2013 from 6:30 pm to 7:30 pm. The second meeting is on September 6, 2013 from 10:30 am to 11:30 am. Both meetings will be held in the Thorton Wilder Room at the Chanhassen Library. Attendees can assist the County with identifying pedestrian facilities on County roads that are not compliant with the American Disabilities Act. Information collected will be used by the County to create a transition plan outlining timelines and strategies to address non-compliant pedestrian facilities.

A flier announcing these public meetings along with a press release are attached. Please share this information with your Senior Commission members and other individuals or groups that would be interested.

Thank you,

Nate Kabat, Planner

nkabat@co.carver.mn.us | desk: 952.361.1829 | general: 952.361.1820 | fax: 952.361.1828

Carver County Public Health and Environment, Planning and Water Management Government Center, Admin. Bldg., 600 East Fourth Street, Chaska, MN 55318 <http://www.co.carver.mn.us>

*To County Planners and Engineers:*

From: Nate Kabat

Sent: Thursday, August 15, 2013 1:36 PM

To: Amanda Schwabe; Angela Torres (angela.torres@metc.state.mn.us); Angie

Perera; Ann Bruner (watertowntownship@gmail.com); Bill Monk; Cara Geheren; Christie Rock; Cindy Nash; Cologne; Cynthia Smith-Strack; Dan Boyum; Dave Jacobson (djacobson@swtransit.org); David Martini; Hamburg; Holly Kreft; Jake Saulsbury; Jason Mielke; John Sullivan; Kate Aanenson; Kate Miner; Katy Boone; Kevin Ringwald; kregsc@bolton-menk.com; Kristen Larson; Len Simich (lsimich@swtransit.org); Luayn Murphy; Lyndon Robjent; Mark Kaltsas; Martin Walsh; Melissa Duchinsky; mfyten@swtransit.org; New Germany; Poehme; Randy Wolf; RSC; Terry Jeffery

Subject: Public Meeting: ADA Transition Plan for County Right-of-Way

Attachments: ADA\_Transition\_Plan\_PubMeetingFlier\_Update.pdf;

ADATransitionPlan\_PressRelease.pdf

Hello City-County Planners & Engineers Group,

I'd like to share information with you about two upcoming public meeting options. Carver County will host two identical public meetings to collect input for the Carver County Pedestrian Facilities ADA Transition Plan. The first scheduled public meeting is on September 5, 2013 from 6:30 pm to 7:30 pm. The second meeting is on September 6, 2013 from 10:30 am to 11:30 am. Both meetings will be held in the Thorton Wilder Room at the Chanhassen Library. Attendees can assist the County with identifying pedestrian facilities on County roads that are not compliant with the American Disabilities Act. Information collected will be used by the County to create a transition plan outlining timelines and strategies to address non-compliant pedestrian facilities.

A flier announcing these public meetings along with a press release are attached. Please share this information with individuals or groups that would be interested.

Thank you,

Nate Kabat, Planner

nkabat@co.carver.mn.us | desk: 952.361.1829 | general: 952.361.1820 | fax: 952.361.1828  
Carver County Public Health and Environment, Planning and Water Management

Government Center, Admin. Bldg., 600 East Fourth Street, Chaska, MN 55318  
<http://www.co.carver.mn.us>

A web based GIS application was used at both public meetings to enable attendees to place a point on the map and record comments about a specific location using iPads. Twenty-three points with comments were submitted by meeting attendees. Figure 6 displays the locations of each comment point received. Table 2 follows the map summarizing comments related to each point as they were received. Numbers on the map in Figure 6 correspond with the comment ID in Table 2.

Figure 6: Public meeting comments submitted using the webmapping application

## Public Meeting Comments

Submitted using webmapping application

- ◆ Public Input

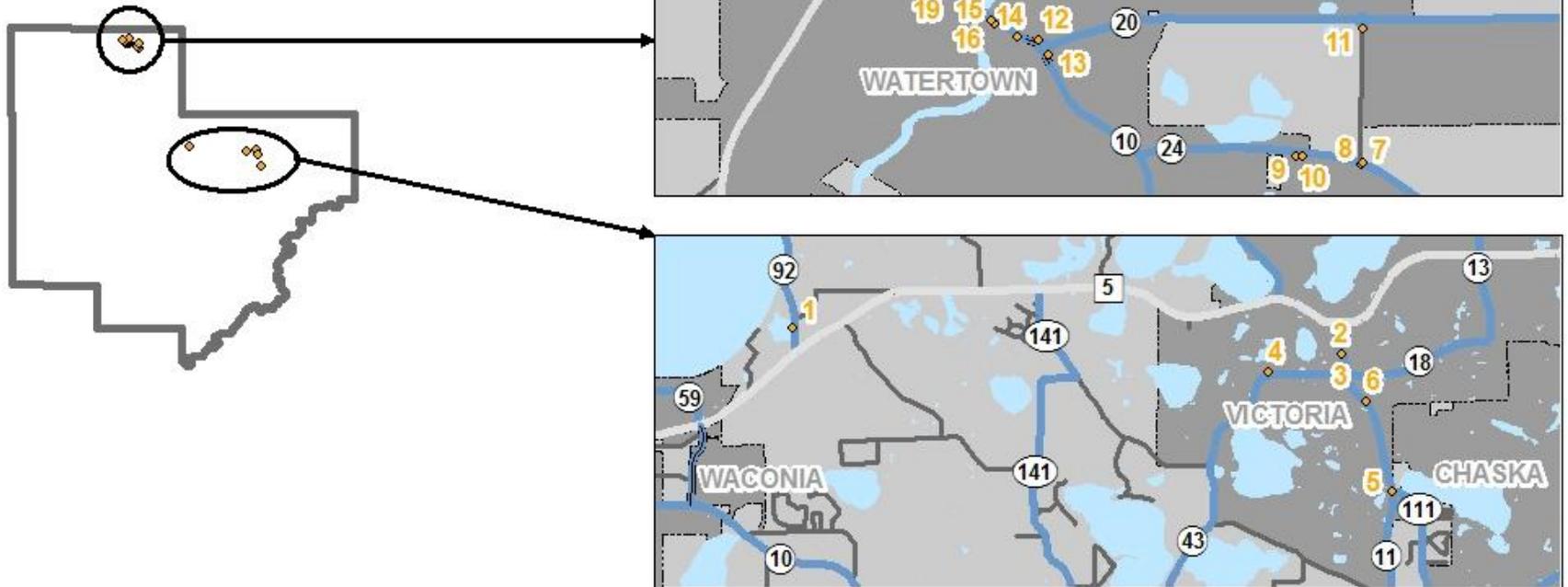


Table 3: Comments submitted by meeting attendees using the GIS web based application

Comment ID	Text
1	not a paved trail connection to Crown college or St. Boni or Dakota Trail
2	Identified locally as a concern for people parking on the east side of County Road 11 and walking to St. Victoria's.
3	Identified locally as a concern for residents parking on the east side of CSAH 11 and walking to St. Victoria.
4	Why not include these two ramps?
5	This will be a consideration in the future when the trail is constructed on the east side of CSAH 11. Either an on-grade or grade separated crossing will be needed.
6	There is now a trail on the north side of 86th Street, so this ramp may have been updated.
7	major pedestrian location that school children use to go between a major residential neighborhood to the elementary school.
8	major pedestrian connection between the neighborhood and the elementary school and the Luce Line State Trail.
9	connection between major residential neighborhood to the elementary school.
10	connection to the elementary school and the state luce line trail.
11	not sure why this one fails?
12	addressed in 2014 project. confirm project limits are included.
13	investigate why ramps are failing?
14	addressing in 2014 count road project??
15	addressing in 2014 county road project.
16	addressing in 2014 county road project.
17	addressing in 2014 county/city of watertown project.
18	major pedestrian traffic location without accessibility.
19	critical area. death occurred in recent past. no projects pending. high priority to address.
20	pedestrian death in this area in recent past. high priority.
21	major park area that is used by pedestrians and fisherman.
22	a major pedestrian connection location to the fishing park.
23	limited connection on pathways. need to add pathways and connection to the highway 25 trail out to the highschool.

In addition to comments received through the web based mapping application, three residents submitted written comments via U.S. Mail using a form that was provided to public meeting attendees. Figures 7 through 9 are the written comments as submitted.

Figure 7: Public comment letter #1

To help us understand your idea, please be as specific as possible. If you have a location in mind, please include the intersection or an address that is nearby. Feel free to draw a map to explain your location as well. We appreciate your feedback about improving pedestrian facilities on Carver County roads.

Comments/Ideas:

The walkway in the area of Chanhassen that includes American, the Cycle Store, and Summerwood are not maintained for safe walking. Dead grass + weeds are left after mowing, the pavement is broken in many places and missing where it should be, to allow walking off the street; wheelchair, even bicycle would be impossible.

Thank you for your attention.

Joan Hubbard  
[Redacted]  
[Redacted]

Location:

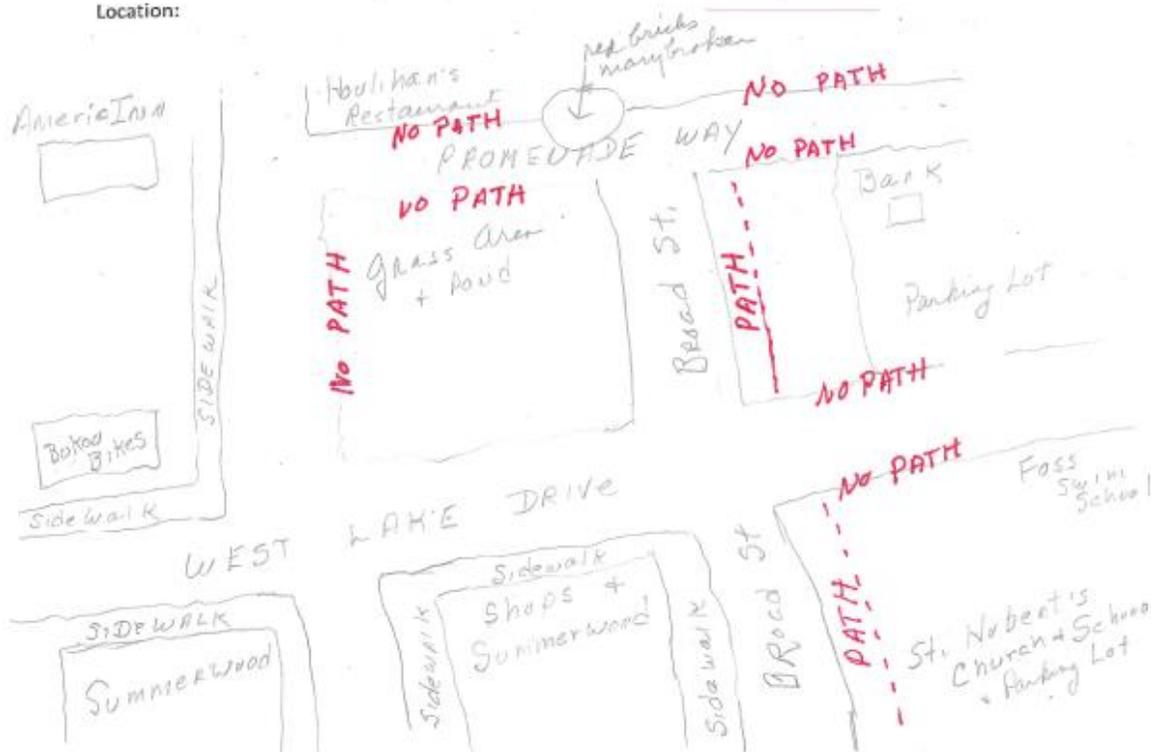


Figure 8: Public comment letter #2

To help us understand your idea, please be as specific as possible. If you have a location in mind, please include the intersection or an address that is nearby. Feel free to draw a map to explain your location as well. We appreciate your feedback about improving pedestrian facilities on Carver County roads.

Comments/Ideas: From Summerwood of Chantrasson.  
One may walk to either Park Nullet or Lakeview etc. there is not a sidewalk that continues - I end up walking on the street and for a woman 89 yrs old that's a danger - as well as not being able to walk on a flat surface.  
Also - when walking to 101 from Summerwood in order to ride and return, the sidewalk ends about 15 feet from #101 and again while in the street (and this is very dangerous because of traffic driving thru from Hwy #5 to Lake past Foss Swimming and in front of St. Thedeta Church.) In an effort someone is going to be hit.

Location:

If I could draw - would do so - but it just doesn't work - I live in Summerwood, a Presbyterian Home on Lake Drive in Chantrasson. All the sidewalks around this area are just terrible and it may be because of the rocky slope but it's not good for people around here who would like to walk - and stay in good health. I would really appreciate some good walking sidewalks and how about moving the "Budge to Nowhere" to make it available for us? (I realize that's impossible But - we have no way of crossing Hwy #5 without taking our life in our hands and going to Cud & Walquist and that would be so easy if we could cross the Highway)

Thank you & do hope you can help out -

ROSITA BARBA

[Redacted signature area]

Figure 9: Public comment letter #3

To help us understand your idea, please be as specific as possible. If you have a location in mind, please include the intersection or an address that is nearby. Feel free to draw a map to explain your location as well. We appreciate your feedback about improving pedestrian facilities on Carver County roads.

**Comments/Ideas:**

The path/sidewalk along Lake Street is in need of repair. Residents of Summitwood use this route when they walk to Community Bank, Lake Winds, Calours, etc.  
Please consider this improvement.

**Location:**

## **Appendix F – Agency ADA Design Standards and Procedures**

### **Design Procedures**

#### **Intersection Corners, Sidewalks/Trails and, Traffic Control Signals**

Curb ramps or blended transitions, sidewalks and trails, and traffic control signals will be constructed or upgraded to achieve compliance within all capital improvement projects. Physical limitations may make full compliance technically infeasible for an intersection. When full compliance is infeasible, limitations will be noted and noncompliant intersection corners will remain on the transition plan to be incorporated into future work.

#### **Other policies, practices and programs**

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

### **Design Standards**

Carver County Public Works uses *Guidelines for Accessible Public Rights-of-Way (PROWAG)*, as adopted by the Minnesota Department of Transportation (MnDOT), as its design standard.

PROWAG is available online at:

[www.dot.state.mn.us/ada/tools.html](http://www.dot.state.mn.us/ada/tools.html)

MnDOT guidance can be found online at:

[www.dot.state.mn.us/ada/tools.html](http://www.dot.state.mn.us/ada/tools.html)

## Appendix G – Glossary of Terms

**ABA:** See Architectural Barriers Act.

**ADA:** See Americans with Disabilities Act.

**ADA Transition Plan:** Mn/DOT's transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements into the Statewide Transportation Improvement Program (STIP), and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.

**ADAAG:** See Americans with Disabilities Act Accessibility Guidelines.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the ADA.

**Accessible Pedestrian Signal (APS):** A device that communicates information about the WALK phase in audible and vibrotactile formats.

**Alteration:** A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

**APS:** See Accessible Pedestrian Signal.

**Architectural Barriers Act (ABA):** Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

**Capital Improvement Program (CIP):** The CIP for the Public Works Department includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the county's transportation system.

**Detectable Warning:** A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

**DOJ:** See United States Department of Justice

**Federal Highway Administration (FHWA):** A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

**FHWA:** See Federal Highway Administration

**Pedestrian Access Route (PAR):** A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

**Pedestrian Circulation Route (PCR):** A prepared exterior or interior way of passage provided for pedestrian travel.

**PROWAG:** An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

**Right of Way:** A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

**Section 504:** The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

**Uniform Accessibility Standards (UFAS):** Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

**United States Access Board:** An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

**United States Department of Justice (DOJ):** The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.