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Subcommittee on Regulations Meeting Minutes – September 28, 2022
Teleconference

This meeting was open to the public and began approximately 10:03 AM.

Subcommittee member attendance:

Jeff Dougan, Chairperson (JD)
Patricia Mendez (PM)
Elizabeth Myska (EM)
Paul Logan (PL)
Mike Kennedy (MK)

Division of Professional Licensure Employees attendance:

William Joyce – AAB Executive Director (WJ)
James Plotkin – Legal Counsel (JP)
Bradley Souders – Office Support Specialist (BS)

JD opened the meeting for Roll Call:

MK, PL, EM, PM

1. 10:05 AM 413 Alternate Pedestrian Access Routes

- WJ: Presents relevant sections from the MUTCD the subcommittee members had asked for at the previous meeting.
- JD: So we were looking at this to see if we wanted to put in a new section? Do we want to put our reference to MUTCD?
- WJ: We don't have a section explicitly for alternative routes during construction.
- PL: I think having more information than less is better.
- JD: So, are we going to adopt the PROWAG language?
- PM: I feel confident about adding this language. We see temporary construction a lot.

Motion to Adopt MUTCD Language for 413 by PL
2nd by MK
By Acclamation/Carried

414 Curb Ramps and Blended Transitions

- WJ: This is like what we are looking to adopt. We have slightly different landing requirements for curb cuts.
- JD: To be equivalent, we would need to opt for the bigger landing right?



- WJ: You can say the landing can be no less than 48 inches in width. I think it is better to adopt PROWAG's language here.
- PL: Anything bigger is better.
- WL: PROWAG also wants a 4-foot-wide curb cut, which we are looking to adopt as well.

Motion to Adopt PROWAG language by PL

2nd by EM

By Acclamation/Carried

3 Minute Break

- JD: If we were to adopt the PROWAG language, can we add something that adds something about the least running slope being preferred?
- WJ: It is hard to enforce. That might be best to put in the advisory document. I like it when the regs focus on what you must do- that could be a personal preference.
- PL: Do you think people will look at the advisory book?
- WJ: Yes, because interpretations will go in there.
- JD: Will advisory opinions go there?
- WJ: Theoretically, yes.

Motion to Adopt PROWAG language for 414.2.2 with the no tolerance reminder by PL

2nd by MK

By Acclamation/ Carried

- WJ: The only difference with flared sides is that 521 sets a minimum dimension. I think 521's is a little clearer.
- PL: I agree, and we need to be as clear as possible.
- WJ: One other difference- the Feds measure differently than us. They measure parallel to the curbline; 521 measures at an angle.
- JD: They are parallel to the curb cut right?
- WJ: Yes.
- JD: Honestly, I have been going back measuring with the PROWAG measurement.

Motion to Combine PROWAG and 521 language as discussed by PL

2nd by MK

- MK: Will there be a diagram for how it is measured for people who need visuals?
- WJ: Shows PROWAG's figure.
- WJ: If I can edit the number we can use the MAAB figure.
- MK: The ADAAG diagram has an illustration that starts from the center of the triangle.
- JD: We only allow 1:10 when you have an appropriate landing at the top right?
- WJ: This is only for cut-ins. We break out parallel curb cuts into a different type of curb cut than a regular curb cut in our draft.

411

- JD: I would love to explicitly state the clear floor space in this section.

By Acclamation/Carried



- WJ: I don't think there are any meaningful differences for parallel curb ramps. MassDOT loves these.
- JD: Is there a diagram?
- WJ: There is in PROWAG and our book.
- WJ: Reads through 414.5.1.2.
- WJ: The rest of 414 is something we do not have an equivalent of in 521. It can be accepted when you make an overall motion to accept the rest of the section.

415 Detectable Warnings

- WJ: There is a very small difference. They want 41-61mm and 521 wants 41-57mm. It is a very small 4mm difference.
- JD: The Fed stuff is what people are going to build. It will be industry practice.

Motion to Accept PROWAG measurement for 415.1.2 Dome Spacing by PL
 2nd by MK
 By Acclamation/Carried

- WJ: The contrast and size rules are essentially equivalent between what we are proposing and what the Feds are proposing.
- JD: PROWAG is the best practice for municipalities to meet their Title II requirements.
- JD: Okay, so nothing to adopt here.
- WJ: 415 is more explicit than our current regulations and in a good way.
- JD: Any questions before we move onto 416? Do we need to do a motion on 415?
- WJ: We can do it all at the end.

416 Pedestrian Street Crossings

- WJ: This is new for us. This will cover the crosswalk, which would be a big change for us.
- JD: I remember that channelized turning lanes was a huge discussion between MAAB and MassDOT at one point- I cannot remember where that ended.
- WJ: It was a variance that MassDOT was seeking. MAAB made them put in controls. Slip lanes are a disaster for pedestrians.
- JD: Do we want to strike-out the phrase "multi-lane" from 416?
- JD: Do we want to pull MUTCD's requirements into these?
- WJ: I feel like it is cleaner to refer out to MUTCD.
- JD: If something is non-compliant with MUTCD where will the complaint go?
- WJ: Us, because we say you shall comply with x,y,z in MUTCD.
- JD: I would like to see this section spelled out in its own appendix. How are people feeling?
- PM: I love it.
- MK: What's the difference between single lane and multi-lane?
- MK: I am thinking of right on red.
- WJ: This is about channelized turning lanes. WJ draws out an example.
- MK: I am just thinking of visually impaired pedestrians.
- WJ: We unfortunately cannot control right on red.
- JD: Do we want to have the signal for all slip lanes or keep it strictly to PROWAG?
- PM: I share the concern and like your suggestion to take out "multi-lane."
- PL: I agree.

Motion to Adopt 416.5 with removing "multi-lane" by PM
 2nd by PL

By Acclamation/Carried

Motion to Adopt 417 by PL

2nd by MK

By Acclamation/Carried

- WJ: Okay 418 needs to get pushed. This belongs to the transportation section. This will come up when we talk about train stations.
- WJ: 419- this will come up in a different section. We will likely have to drop this. Our enabling statute does not give us authority over on-street parking.
- JD: So, we cannot hit equivalent facilitation?
- WJ: No.
- WJ: Okay that is the end.

Motion to Adopt 412-417 as modified by PL

2nd by MK

By Acclamation/Carried

Public Comment- None

Motion to Approve the August 24, 2022, meeting minutes by PL

2nd by MK

By Acclamation/Carried

Motion to Adjourn by PL