



"The Bedding Plant Capital of Connecticut"

TOWN OF CHESHIRE

DEPARTMENT OF ENGINEERING

84 South Main Street • Cheshire, Connecticut 06410

203-271-6650 • DPWengineering@cheshirect.org

SIDEWALK POLICY

February 9, 2024

INTENT

Sidewalks represent an important part of our transportation system and a considerable investment by the residents of Cheshire. With a continued increase in commercial and residential development, Cheshire's need for a comprehensive pedestrian network has grown in parallel. This gives new opportunities for economic development by bringing pedestrian traffic to local businesses, while also providing residents with a place to leisurely travel within the town.

This policy will serve as a foundation for the field work required within the Town of Cheshire and will supplement the ADA Transition Plan as a set of specifications in which to carry out all operations concerned with the management and maintenance of the pedestrian network.

Along with the support of the Public Safety Commission (PSC), the engineering department will assess pedestrian infrastructure and classify them by using three methods of management: Repair/Replacement, Connection & Gap Closure, and Condemnation. All requests received from the residents shall be processed as outlined within this document and the Director of Engineering is responsible for supervising all sidewalk construction, repairs, or removal.

The Public Safety Commission and the Town's engineering department, respectively, shall at all times have discretion with regard to the manner in which this Policy is implemented, enforced and interpreted. The existence of this Policy does not constitute a waiver of the Town's discretion and does not create ministerial duties for Town officials.

REPAIR/REPLACEMENT

As a method of managing the extensive network of sidewalks and curb ramps in town, a replacement should only be considered if any of the following criteria are met and verified by town engineering staff:

- (1) The sidewalk/ramp is out of ADA or PROWAG compliance and would need sufficient renovation to reach said compliance (i.e., non-compliant slopes or materials). This does **NOT** include ramps that are out of compliance solely for missing visual aids, such as Tactile Warning Strips, which can be installed temporarily until such a time as another assessment is needed.
- (2) The sidewalk/ramp is currently connected to a portion of the pedestrian network that is approved to be maintained by the Town.

- (3) All repair options have been exhausted and further repair operations would alter the sidewalk/ramp structural integrity to such a point that it becomes a hazard to the public. This shall be assessed and recommended by the Town Engineer.
- (4) A roadway is designated for an alteration, such as a mill and overlay, that requires updates to non-compliant ramps per ADA requirements as specified in (28 CFR 35.151(i)).

CONNECTION & GAP CLOSURES

The pedestrian network can also be assessed and altered to provide more access to areas of town that support higher foot traffic. This will be used when a resident requests, or engineering staff determines, that a connection to the existing pedestrian network would be beneficial to the Town of Cheshire residents. Connections should follow the following guidelines:

- (1) Connections and gap closures should be prioritized by the priority order set forth in the ADA transition plan.
- (2) Connections should have a serviceable pedestrian access route that allows for safe travel for pedestrians.
- (3) All new sidewalks shall be installed per the *Town of Cheshire Guidelines and Specifications for Public Improvements*.
- (4) Sidewalks and ramps shall be inspected by engineering staff prior to opening for pedestrian access.

CONDEMNATION

As the Town investigates bridging sidewalk gaps to improve connectivity, removal of sidewalks through condemnation should also be considered to eliminate unnecessary or onerous walkways.

These guidelines are meant to give the Town of Cheshire standards for the condemnation of sidewalks and provide comprehensive feedback to the residents as to the reasoning behind their decision. Condemnation of sidewalks should be principally based upon public safety, usability, and access requirements. These condemnation criteria fall into three general categories: geometric, condition, and miscellaneous. Reasonable judgement must be exercised in applying these standards to field situations and sidewalks should be condemned based on one or more of the following conditions. All sidewalk and curb ramps recommended for condemnation shall be approved by the Town Engineer.

Geometric Criteria

Geometric Criteria describes a defective sidewalk that presents concern to adverse cross slope, significant offsets, irregular surface finish, etc. The following geometric criteria will be used to guide a condemnation evaluation:

- (1) Sidewalk panels having an edge that has a **vertical** displacement of **5/8"** or **greater**.
- (2) Sidewalk joints where panels are separated **horizontally** by **3/8"** or **greater**.
- (3) Sidewalk panels that have an abrupt change in grade of **2%** over **5-feet**.
- (4) Sidewalk panels having depressions or are below curb elevation, promoting the formation of ice or accumulated mud.
- (5) Curb ramps with a **vertical** displacement of **1/4"** or **greater** at a grade break in the gutter line.

Condition Criteria

Condition criteria describes defective sidewalks that present concern due to concrete deterioration improper finishing, damage, etc. The following condition criteria will be used to guide condemnation evaluation:

- (1) Sidewalk panels with a crack with displacement of **3/8"** or **greater**.
- (2) Sidewalk panels with substantial smaller cracking (spider cracking).
- (3) Sidewalk panels with a surface that does not provide a coefficient of friction of at **least 0.5**.
- (4) Sidewalk panels that show signs of rapid deterioration.
- (5) Sidewalk panels that are deemed structurally unsafe.

Miscellaneous Criteria

The following miscellaneous criteria will be used for condemnation evaluation:

- (1) Sidewalk surfaces or material placed in the right-of-way without a permit.
- (2) Sidewalk construction in the right-of-way without proper inspection.
- (3) Sidewalks that pose a hazard, assessed, and approved by the Town Engineer or their designee.
- (4) Undermined sidewalk.
- (5) Sidewalks located on both sides of the road.
- (6) Sidewalks that do not provide connectivity.
- (7) Sidewalks located in cul-de-sacs.

COMPLAINTS/REQUESTS

- (1) The Town of Cheshire has an ADA Coordinator, the Director of Engineering, who will be the point of contact for the residents who want to request a change in the sidewalks and curb ramps. This can be done by completing the Pedestrian Network Request Form on the Town of Cheshire website and emailed to the Engineering Department at DPWengineering@cheshirect.org or by bringing a copy to the Public Works and Engineering office in Town Hall.
- (2) This request form, which is available at www.cheshirect.org, is a comprehensive and detailed form that allows for there to be a line of communication between the residents and the ADA Coordinator. This form also allows for inventory to be kept of areas that may have portions of the pedestrian network falling into disrepair or have pedestrian traffic travelling in the roadway and creating hazards to themselves and others.

PROCEDURE

Whenever the Director of Engineering receives a complaint or request for repair of an existing sidewalk, installation of new sidewalk or removal (condemnation) of a sidewalk, the following procedures shall be followed:

- 1) Residents will submit a request for a pedestrian network assessment (see attached form) to the Director of Engineering via email at DPWengineering@cheshirect.org or by bringing it to the Department of Public Work and Engineering at Town Hall. The Request Form shall be accompanied by a petition (signed by impacted residents) having at the two-thirds (2/3) majority in favor of the sidewalk installation or removal.
- 2) The engineering department will perform an initial review of the request. The initial review is to simply determine if the request qualifies for review by the Public Safety Commission (PSC). All findings will be presented to the PSC, along with any recommendations. This includes, but is not limited to, Planning and

Zoning regulations, existing easements, site topography, wetland areas, environmental impacts, and utility conflicts. A sidewalk request 'qualifies' if the requested sidewalk is NOT on the Department of Engineering list locations where sidewalks are known to be unfeasible.

- a. If the request qualifies for **repair or replacement**, as outlined in this policy, then the request will be forwarded to the public works department to begin repair and/or replacement, as needed.
 - b. If the request qualifies for **new sidewalk construction and/or connection & gap closure**, then further review by the Public Safety Commission shall be required.
 - c. If the request qualifies for **sidewalk removal**, then further review by the engineering department and Public Safety Commission shall be required.
- 3) At the next available Public Safety Commission meeting (and within no more than 60 days), the commission shall begin their review process.
- a. The Town Engineer shall provide information to the PSC to be able to make an informed decision of the request.
 - b. In determining whether to accept or reject a request, the PSC shall, amongst other things, consider the following:
 - i. Whether the proposed sidewalk is the only sidewalk on the street or whether there exists a sidewalk on the other side of the street;
 - ii. Whether or not properties on both sides of the street will be benefited from the proposed sidewalk improvement;
 - iii. Whether the proposed sidewalk improvement provides a link to a school, public park, open space property, trail, transit stop or commercial services;
 - iv. Whether the request provides for improving the safe circulation of pedestrian and wheelchair traffic;
 - v. If the sidewalk improvement improves connectivity and whether the connection is beneficial to the residents of Cheshire;
 - vi. Has a petition (signed by the impacted residents) been provided having at least a two-thirds (2/3) majority in favor of the sidewalk installation or removal proposed.
 - c. The Public Safety Commission referral ('Approval') would not encumber the town or supersede the authority of the Town Council, town official, or the voters to ultimately approve spending for a sidewalk request by the PSC.
- 4) The decision from the Public Safety Commission will be submitted to the Town Council and the Town Manager's office. The referral shall include voting details and a brief description from the PSC regarding the decision.
- 5) If the Town Council deems the request appropriate, then the Town Manager shall notify each property owner determined to be affected by the proposed improvement. The Town Manager shall then proceed to have the sidewalk improvement constructed or condemned in accordance with applicable Town procedures.