

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
Wellstone Center for Recovery,

FINAL DECISION
Dated: November 14, 2023

Application No. 23-11

This matter came on for hearing before the Access Review Board (“Board”) on September 21, 2023. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley and Board member Bill Reinke were present in person, while Board members Marvin Forbrag and David Fenley were present via teleconference. Board member Wehrman was not present.

Dani Spolarich appeared via teleconference on behalf of Wellstone Center for Recovery.

The issue in this application is whether the application for a waiver of the State Building Code for the purpose of installing a stairway chairlift should be granted.

Wellstone Center for Recovery requested a waiver of the State Building Code to install a stairway chairlift at its Center in Virginia, Minnesota. The Center is a two-story building with a stairway leading from second floor, which contains three bedrooms, a wellness room, and office spaces. The Center seeks to install a chairlift in the stairway leading to the second floor.

The Board reviewed the application pursuant to the factors identified in Minn. Stat. § 471.471, subd. 3.

With regard to the first factor, the need for limited accessibility when a higher degree of accessibility is not required by state or federal law or rule, the Board discussed that the Center’s application indicated that the chairlift is intended to be used by its residents but does not provide information about any known individuals who may have a specific need to use the chairlift.

With regard to the second factor, the architectural feasibility of providing a greater degree of accessibility than would be provided by the proposed device or equipment and the cost of providing a greater degree of accessibility, the Center’s application stated that there was not available space to install an elevator. The Board noted that a platform lift, or a LULA (Limited Use Limited Application) lift are options for providing a greater level of access.


With regard to the third factor, the total cost of the proposed device or equipment over its projected usable life, including installation, maintenance, and replacement costs, the Board determined that the estimated purchase and installation cost of \$10,000 is justified.

With regard to the fourth factor, the reliability of the proposed device or equipment, the Board noted that the proposed chairlift is manufactured by Stannah, which is a reputable company. The chairlift model includes dual call and send remotes, a folding seat, armrests, and footrests.

With regard to the fifth factor, the applicant's ability to comply with all recognized access and safety standards for installation and maintenance, the Board discussed that the chairlift device allowed the user to fold the chair out of the way when not in use for safety and to maintain the device in good condition.

With regard to the sixth factor, whether the proposed device or equipment can be operated and used without reducing or compromising minimum safety standards, the Board noted that the proposed stairway is 52 inches wide. The folded chair protrudes 16 inches. The Board determined that 36 inches of clear passing space on the proposed stairway is a compliant clearance as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8 where the occupant load under 50. The building has a smoke detector system, an alarm system, and a fire sprinkler system.

After considering these factors, Board member Reinke made a motion to deny the application for a waiver from the building code to install the proposed chairlift at the Wellstone Center for Recovery in Virginia, Minnesota. Board member Fenley seconded the motion. The motion carried unanimously.


KAREN GRIDLEY, Chair
Access Review Board