

**STATE OF MINNESOTA**  
**ACCESS REVIEW BOARD**

In the Matter of the Application of  
First Church of Christ Scientist

FINAL DECISION  
Dated: July 3, 2023

Application No. 23-07

This matter came on for hearing before the Access Review Board (“Board”) on June 27, 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 Tristy Auger and David Fenley were present via teleconference.

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.

First Church of Christ Scientist requested a waiver of the State Building Code to install a stairway chairlift at its church. The church is a two-story building with a basement. The church seeks to install a curved-rail stairway chairlift in the stairway in leading to the second-floor worship area.

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 noted that the church’s application states that the chairlift would be used by members to improve access to the worship area.

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 Board noted that the church’s application states that the building is 100 years old and does not architecturally lend itself to an elevator. The application further states it is not financially possible to install an elevator.

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 cost of the chairlift of \$16,845 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 60 inches wide, and the folded chair protrudes 15.75 inches. The Board determined that 44.25 inches of clear passing space on the proposed stairways is a compliant clearance as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8 where the occupant load is more than 50. The Board noted that there are two other exits out of the upper level. The building does not have a smoke detector system, alarm system, or fire sprinkler system. The Board also noted that the City of White Bear Lake's Building Code Official provided a letter in support of the installation of the chairlift.

After considering these factors, Board member Reinke made a motion to approve the application for a waiver from the building code to install a curved rail chairlift in the stairway leading the second-floor worship area at First Church of Christ Scientist in White Bear Lake, Minnesota. Board member Auger seconded the motion. The motion carried unanimously.

The Board's approval is subject to the following conditions:

- 1) The stairway chairlifts shall comply with the Minnesota Building Code and Minnesota Elevator Code requirements. Only licensed elevator contractors may install stairway chairlifts. Proper permits, inspections, and certificates for use shall be obtained by the licensed elevator contractor installing the lift. Licensed elevator contractors may be found by searching License Look Up at:

<https://secure.doli.state.mn.us/lookup/licensing.aspx>

- 2) The stairway chairlift shall be maintained in the folded position when not in use.

  
KAREN GRIDLEY, Chair  
Access Review Board