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Subcommittee on Regulations Meeting Minutes -January 24, 2024
Teams Meeting

This meeting was open to the public and began approximately at 10:05 AM.

Subcommittee member attendance:

Jeff Dougan (JD), Chairperson
Carol Steinberg (CS), Vice Chairperson
Ana Julian (AJ)
Mike Kennedy (MK)
Paul Logan (PL)
Patricia Mendez (PM)
Elizabeth Myska (EM)

Division of Professional Licensure Employees attendance:

William Joyce – AAB Executive Director (WJ)
Jamie Dalton – Board Counsel (JaD)
Molly Griffin – Program Coordinator (MG)

JD opened the meeting for Roll Call:

CS, MK, PM, AJ, EM, JP

1. 10:06 AM Section 1102
 - JD: asks if they are maintaining the requirements within these sections
 - WJ: yes
2. 10:06 AM Section 1102.9 Mailboxes
 - WJ: 1102.9 there is a change, but it is useful because it adds a lot more specificity around mailboxes, namely how many of them have to comply
 - PM: In 1102.9 should we clarify that the accessible unit mentioned is Type A?
 - CS: Yes, and wouldn't Type B units need these requirements as well?
 - WJ: This could be why the language 'accessible unit' was used to encompass all types of defined units. Accessible units is defined as all units we (access board) have jurisdiction over



- JP: we make a differentiation between accessible Type A and Type B
- WJ: In the current schema, Type A is the old Group 2A, Type B is the current Group 1, and Fully Accessible Dwelling Unit is the Current Group 2B
- CS: Is this defined in the code this way?
- JD: When we review Chapter 5 it will be updated in the definitions
- PM: In the guidance document we definitely need to explain the accessible versus adaptable definitions for the general public
- WJ: I think PM's core question was do we want to apply the mailbox provisions to Type B/Group 1, which requires the mailbox to be inside the reach range
- CS: I think we would want this to apply to all of them
- WJ: it means they wouldn't be able to put any mailboxes above 48 inches AFF
- JD: I think it should apply to Type A
- AJ: I think it should apply to all accessible units
- JD: Would you consider 50%, if it's in an elevator building to be within that range?
- WJ: This may need clarification because does this mean the mailboxes are provided physically at each dwelling unit, because when do you provide mailboxes but are not providing mailboxes for every unit in the facility? Are there instances where you are providing mailboxes to some units but not others?
- JP: The only thing I can think of is if you have condos and multi-family dwellings attached where the condominiums each have their own mailboxes, but the apartments have a central location
- JD: would this be in line with the group homes and things like that?
- WJ: If you don't have mailboxes you don't have to comply
- WJ: If you have a new building with less than 5% Group 1 Units
- JD: Do we need to simplify this?
- PM: we could get rid of the first sentence if it is just wordiness
- WJ: Do you want to require these for non-accessible dwelling units?
- language is more trouble than it's worth
- JD: Which line are we looking to get rid of?
- WJ: Pick one or the other
- WJ: It would only have an impact on existing buildings with 12-19 units that don't have any mailboxes inside the reach range
- WJ: If you're going to leave the second line intact to cover all then you should drop the first line because it gets you a sliver of a sliver of additional coverage
- JD: If we get rid of the first line then we just need to strengthen the second line and ensure it includes accessible and that accessible covers all of the types of units
- WJ: I feel like the first provision would make more sense when talking about a commercial facility
- JD: Maybe we need to split it up.
- CS: I am concerned about the definitions because we use accessible unit throughout the regulation
- JD: So basically this means all mailboxes are within reach range
- WJ: Only in buildings with elevators. This would not apply to units that we have no control over at all

Motion to Accept Edits by PM

2nd by JP

No further discussion

By Acclamation/Carried

3. 10:35 AM 1102.10 Laundry Facilities

- WJ: Does anyone have any comments on this section or its subsections
- none

4. 10:36 AM 1103.1 Clear Floor Space

- CS: There's nothing in here that says or should be able to be adapted
- WJ: There are – points to subsections
- PM: end of paragraph 1103.1- I thought that the minimum height was 27 inches are we increasing to 29 inches?
- WJ: 29 inches is currently what we require for the knee clearance in 45.3
- WJ: Do we want to point back to 306.3 for the knee clearance provisions?
- JD: I think we should
- WJ: Does anyone have any objections to pointing to the knee clearance section rather than restating the knee clearance?
- JD: Consistent with other sections we have done
- MK: Works for me

5. 10:45 AM 1103.2 Type A Kitchen Sinks

- WJ: Does anyone have any discussion on 1103.2 or its subsections?
- JD: Asks about removable cabinets
- JD: I want the Minnesota language; it's much more clear
- JD: Will is proposing adding some language from the Minnesota code re: cabinetry in the building blocks section
- PM: works for me

Motion to accept the Minnesota language by PM

CS: Can someone explain why we need the cabinetry language?

WJ: when we say cabinetry needs to be removable we mean we need to remove it without work being done to the surrounding, the floor finish extends under the cabinetry, and the walls surrounding the cabinetry are finished

CS: I would be opposed to that

WJ: This is actually defining what removable means

CS: Isn't that something that can be discussed in the context of a variance?

WJ: No because this is by right. Right now we do not define what removable means; this is what the Board has always meant, but we are putting it in writing

PM: So this is providing more information about what is happening underneath the cabinet, It's just defining not making it less accessible

AJ: This language is on ADA Standards so it would be consistent

2nd by EM

Discussion Continues

CS: It is unclear what this applies to

WJ: Accessible dwelling in this context when italicized is referring to what is called the fully accessible dwelling unit in the new version, which is the old Group 2A and B Dwelling Unit

CS: I thought this was supposed to apply to the adaptable

WJ: This is the more stringent version where all the adaptations are done in advance

WJ: We are only dealing with kitchens in Type A and Fully Accessible Dwelling Units

CS: What applies to the 95%?

WJ: That's Type B, we are not there yet

CS: If we are talking about the 5% why is an issue about removable?

WJ: Because depending on the nature of your disability you may not need knee clearance under the sink

JD: We are trying to give more direction on what we mean by 'removable'

CS: I thought this was supposed to be automatic with the 5%

WJ: No that is not the case even under the current regulations. We've never required Group 2A units to be fully accessible out of the box

WJ: The entire idea of this unit type is that it can be adaptable to serve a person with disabilities depending on their needs without having to gut reno it

CS: I thought 5% had to be accessible out of the box

WJ: No that has only ever been required for transient lodging facilities and healthcare facilities

By Acclamation

CS Objects

Roll Call Vote

JP: Yes

EM: Yes

PM: Yes

MK: Yes

AJ: Yes

CS: No

5 yes 1 no

Motion Passes

6. 11:05 AM 1103.2.3 Sink Relocation

- AJ: ADA standards are the same language
- WJ: explains how Minnesota Code breaks the code out by type of unit
- JP: that would be preferable
- WJ: Would be restructuring everything after 1102
- JD: Are we looking to have WJ or others help with reformatting this section? Which means we don't want to proceed too far
- WJ: proposes the Minnesota Code as a base to compare
- JD: Would it be a motion to table this until we get Minnesota Regs into this?
- WJ: What I am proposing to do what we did for earlier sections and mark out where we are different from the Minnesota Regs

Motion to Incorporate Minnesota Regs with Call-Outs, noting what is different and where it is the same we would potentially use the same language by PM

2nd by MK

Discussion

EM: I don't have color distinction, instead of color could it be a symbol

WJ: It would be the same format Brad was using

By Acclamation/Carried

Public Comments

- Michael Muehe, BCIL: In regard to mailboxes, agrees that all mailboxes should be within the reach range. Knee Clearances- BCIL would support maintaining a 29 inch clearance for kitchen sinks and tables.
- CS: Asks Michael re: mailboxes if he meant he agrees mailboxes should be within reach range for all units or all units the AAB has jurisdiction over
- Michael Muehe: If the Board does not have jurisdiction then that's moot

Motion to Adjourn by CS

2nd By JP

By Acclamation/Carried