

Do All Stoops Have To Be Accessible?

In Massachusetts, there are adaptable (Group 1) dwelling units, and accessible (Group 2) dwelling units. 521 CMR requires all entrances to these units to be accessible. If a dwelling unit has only one entrance, then that one entrance has to be accessible. If a Group 1 or 2 unit has an entrance and a deck or patio, then the entrance must be accessible and the door to the deck must meet the adaptability requirements of 521 CMR 9.5.4

(http://www.mass.gov/Eeops/docs/dps/aab_regs/521009.pdf).

The complexity occurs when a Group 1 or a Group 2 unit has a deck, patio, or stoop that leads to common space. Whether this is the 'front door' or the 'back door,' the AAB considers it to be an entrance and requires it to be accessible.

If a unit's deck or patio is self-contained, i.e. there are no steps or path leading to a sidewalk, yard, or common area, then the door to the deck is not considered an entrance, and is not covered under 521 CMR 10.1, 10.2

(http://www.mass.gov/Eeops/docs/dps/aab_regs/521010.pdf), 25.1, or 25.2

(http://www.mass.gov/Eeops/docs/dps/aab_regs/521025.pdf). If, however, the unit has a stoop leading to a sidewalk, or a deck or patio leading to a yard or a common area, then the door to that stoop or deck is considered an 'entrance,' and must be accessible.

The Massachusetts Architectural Access Board has the authority to write and interpret 521 CMR; and has consistently interpreted these regulations to require accessible front and 'back' entrances. For example, a large, residential apartment complex was required to make all stoops at its ground floor Group 1 and Group 2 units accessible, even though the front entrances were accessible, and these 'back doors' were not a means of egress. The developer chose to convert the stoops to decks rather than add over 40 exterior lifts. This was a disappointment to the developer who planned a new development with a close connection to the existing neighborhood. Although the AAB was aware of the project's urban design intent, it denied a variance request to allow the stoops-with-steps to remain.

REMINDER: The *2007 AT-A-GLANCE GUIDE* is already in its second printing. It includes the complete text and illustrations of the *Rules and Regulations of the Massachusetts Architectural Access Board (521 CMR)*. The guide incorporates federal accessible design guidelines when they are more stringent, including:

- *Americans with Disabilities Act Accessible Design Standards - 1994 enforceable standards known as ADAAG*
- *Americans with Disabilities Act Accessible Design Guidelines - ADAAG amendments through 2002*
- *Federal Fair Housing Act Design Guidelines for multifamily housing*

To get your **2007 At-A-Glance Guide** just download and complete our pdf [order form](#).

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