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# The Commonwealth of Massachusetts Department of Public Safety

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Secretary

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Commissioner

## Minutes

Board of Elevator Regulations  
One Ashburton Place, 21<sup>st</sup> Floor  
January 26, 2016 - 1:00PM

### Board Members Present:

Stephen Sampson, Chairman  
David Gaudet, Building Owners  
Tom Riley, Engineering  
David Morgan, Elevator Mechanic  
John O'Donoghue, Dept. Fire Services  
Michael Nicoloro, City of Cambridge

### Guests Present:

Nicholas Cruz (Zion Union Church)  
Bernard Harris (Zion Union Church)  
Shelly Wood Ziegelman (SWZ Architects)  
John Ryan (CZI)  
Stephen Carley (DPS)  
Ethan J. Clough (DPS)  
Beth McLaughlin (DPS)  
George Dahlquist (DPS)

### Board Members Absent:

Harold McGonagle, City of Boston  
Cheri Davis, Elevator Manufacturing

1. The Board of Elevator Regulations ("Board") approved the Meeting Minutes from December 15, 2015. A motion was put forth by David Gaudet to approve these minutes. The motion was seconded by Tom Riley. **Vote: 6-0; Granted**
2. The Board of Elevator Regulations ("Board") approved the Meeting Minutes from January 7, 2016 as amended. A motion was put forth by John O'Donoghue to approve these minutes as amended. The motion was seconded by Tom Riley. **Vote: 6-0; Granted**
3. The Board of Elevator Regulations ("Board") approved the Meeting Minutes from January 19, 2016 as amended. A motion was put forth by Tom Riley to approve these minutes as amended. The motion was seconded by John O'Donoghue. **Vote: 6-0; Granted**

### The Board discussed the following:

4. **11 Stratford Road – Winchester, MA**  
**ASME 1996 Rule 2100.7**  
**Owner: Kevin and Lisa Teahan**  
**Petitioner: Shelly Wood Ziegelman**

The petitioner came before the Board requesting a variance from ASME 1996 Rule 2100.7 to exceed the 10-foot vertical travel distance on a wheelchair lift. The petitioner is representing her client, who has Amyotrophic Lateral Sclerosis (ALS), and needs to use a wheelchair lift. The proposed wheelchair lift has two openings and the petitioner is requesting the vertical rise to extend 11-feet. A motion was put forth by

John O'Donoghue to approve the 11-foot vertical travel under ASME 1996 Rule 2100.7. The motion was seconded by Michael Nicoloro. This variance was granted due to the current code limitation and the aging infrastructure.

**Motion by:** John O'Donoghue

**Seconded by:** Michael Nicoloro

**Vote:** 6-0; Granted

5. **805 Attucks Lane – Hyannis, MA**

**524 CMR 35.00 Part XX 2000.7a - ASME A17.1-1996 Part XX 2000.7a**

**Owner:** Zion Union Church

**Petitioner:** Nicholas Cruz

The petitioners came before the Board requesting a variance to exceed the vertical travel height to 13-feet on a wheelchair lift. The petitioner stated that this proposed wheelchair lift will be installed at the Zion Union Church. The Board reviewed the architectural drawings. A motion was put forth by John O'Donoghue to grant the variance to allow 13-feet of vertical travel. The motion was seconded by Michael Nicoloro. This variance was granted due to the current code limitation.

**Motion by:** John O'Donoghue

**Seconded by:** Michael Nicoloro

**Vote:** 6-0, Granted

6. **99 Brattle Street – Cambridge, MA**

The petitioner had cancelled prior to the start of the meeting.

7. **8 Garrison Street - Boston**

**524 CMR 17.30 (1-P-4082) (1-P-4083)**

**Owner:** First Realty Management Corp

**Petitioner:** Bob Macnamara

The Board had placed this petition on hold at the January 19, 2016 Meeting. The unit was cited by an Inspector because the counterweight rails were noncompliant because they are wooden. The Board investigated this case and found that counterweight wooden rails of this vintage are code compliant. The Board concluded that this violation should be abated. A motion was put forth by David Gaudet to grant relief from the item titled "Top of Car Guide Rails" on Inspector's Report dated November 23, 2015 for both units 1-P-4082 and 1-P-4083. The motion was seconded by Tom Riley.

**Motion by:** David Gaudet

**Seconded by:** Tom Riley

**Vote:** 6-0; Granted

8. **Code Review**

The Board reviewed ASME B20.1-2012 'Safety Standard For Conveyors And Related Equipment' and ANSI/ASSE A10.4-2007 'Safety Requirements for Personnel Hoists & Employee Elevators on Construction & Demolition Sites'. The Board agreed to familiarize themselves with these two documents in order to thoroughly review them at the February 2, 2016 Meeting.

**Matters Not Reasonably Anticipated 48 Hours in Advance of Meeting**

1. **24 Yawkey Way – Boston, MA**

**ASME A92.10-2009**

**Owner:** Boston Red Sox

**Petitioner:** John Ryan

The petitioner came before the Board seeking a variance for a temporary construction elevator that would be installed at Fenway Park for an event called "Big Air-Fenway". The proposed temporary lift would transport passengers to the top of a 150' high X 340' long 'snow ramp'. A DPS inspector visited the site on January 25, 2016 and shutdown the operation because there were no permits issued for constructing this unit. The variance application was received on January 21, 2016. The petitioner cited ASME A92.10-2009

and explained that this elevator would be used as a material lift during the construction phase and as a passenger lift during the performance. The Board asked the petitioner to return with a representative from a Massachusetts licensed elevator contractor in order to determine exactly where in code this unit needs a variance. A motion was put forth by Tom Riley to place this petition on hold until the February 2, 2016. The motion was seconded by John O'Donoghue.

**Motion by:** Tom Riley

**Seconded by:** John O'Donoghue

**Vote:** 6-0; Placed on Hold

**Exhibit List:**

Exhibit 1: Meeting Minutes from December 15, 2015 & January 7, 2016 & January 19, 2016.

Exhibit 2: Variance Petition – 11 Stratford Road – Winchester, MA

Exhibit 3: Variance Petition – 805 Attucks Lane – Hyannis, MA

Exhibit 4: Variance Petition – 8 Garrison Street – Boston, MA

Exhibit 5: Variance Petition – 24 Yawkey Way – Boston, MA

Exhibit 6: Code Review – Document titled 'ASME B20.1-2012 Safety Standard For Conveyors And Related Equipment'

Exhibit 7: Code Review – Document titled 'ANSI/ASSE A10.4-2007 Safety Requirements for Personnel Hoists & Employee Elevators on Construction & Demolition Sites

Motion to Adjourn by Tom Riley, seconded by John O'Donoghue. Hearing concluded at 4:00 p.m.

Prepared by: Ethan J. Clough