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**Daniel Bennett**  
Secretary

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Commissioner

**Minutes**

**Board of Elevator Regulations**

**One Ashburton Place, 21<sup>st</sup> Floor, Conference Room #1**

**June 28, 2016 - 1:00PM**

**Board Members Present:**

Stephen Sampson, Chairman  
David Gaudet  
John O'Donoghue  
David Morgan  
Cheryl Davis  
Michael J. Nicoloro Jr.

**Board Members Absent:**

Thomas Riley  
Harold J. McGonagle

**Guest Present:**

Greg Sampedro (Bristol-Myers Squibb)  
Deven Gtavan (Bristol-Myers Squibb)  
Adam Gary (Bristol-Myers Squibb)  
Chris Francis (Bristol-Myers Squibb)  
Madeleine Le (Flansburgh Architects)  
Janet Moore (Syska Hennessy Group)  
Robert Aldrich (Miss Hall's School, Inc.)  
Jeff Fox (United Elevator)  
Thomas O'Brien (United Elevator)  
Eric Tragash (VDA Consulting)  
Robert Carroll (Ann Beha Architects)  
Rita Terjeki (Ann Beha Architects)  
Marc Messinger (DOKA – USA)  
Mike George (G&C Concrete)  
Jeffery Curtis (Attorney for G&C Concrete)  
Thomas Riley (DPS)  
Ruthy Barros (DPS)

1. The Board of Elevator Regulations reviewed the minutes pertaining from the BER meeting that has held on June 21, 2016. **A motion to accept the minutes was made by David Morgan. The motion was seconded by John O’Donoghue. Vote: 4-0 and abstained by David Gaudet and Michael J. Nicoloro Jr.**

**The Board discussed the following:**

2. **38 Jackson Road – Devens, MA**  
**Unit: 20-V-90, 20-V-91, 20-V-92**  
**524 CMR 32.00**

**Owner: Bristol Myers Squibb**  
**Petitioner: Gregory Sampedro**

The petitioner came in front of the Board seeking a variance from 524 CMR 32.00. The petitioner stated was in front of the Board on December 15, 2015, where the petition was placed on hold for 60 days until the petitioner returned with information on the unit’s conformance to ASME A17.1-2004 § 7.4. The petitioner stated that the access to the site is accessible only by trained professionals and it is not open to the general public or office staff. The lifts are used to move small volumes of solids for formulation from floor to mezzanine. The lifts are maintained by certified elevator mechanics and manufactured trained techs. The petitioner stated that the lifts are caged at all levels, no floor penetration and there are posted signs that clarify no riders and the load capacity. The load capacity of the lifts are 2,100 lbs. Both doors have magnetic locks. The petitioner stated that he feels the lifts should be inspected in accordance to ASME B20.1 and not 524 CMR. The petitioner stated that the lifts meets most of the general and specific safety standards, however, the original design precludes strict adherence to B20.1. There were some changes done to the units, but nothing to the lifts themselves were not update to the new code. Also, the petitioner submitted a letter from the manufacturer stating that the units are Material Lifts and should not be classified as Vertical Reciprocating Conveyors. A motion was put forth by David Morgan to grant the variance with the stipulation that the Department of Public Safety retest the units under the B20.1 code and the petitioner notify the Department of Public Safety of the new installation of the new door locks on all three units. The motion was seconded by Cheryl Davis.

**Motion by:** David Morgan  
**Seconded by:** Cheryl Davis  
**Vote: 6-0;** Granted.

3. **492 Holmes Road – Pittsfield, MA**  
**524 CMR Section 35.00 5.2.1.4.2**  
**Owner: Miss Hall’s School c/o Robert Aldrich**  
**Petitioners: Madeleine Le**

The petitioner came before the Board seeking a variance from 524 CMR §35.00 5.2.1.4.2 and A17.1 § 2.4.1, bottom car clearance. The petitioner is proposing the installation of an Orion Savaria “Pit Prop”. The dormitory was designed without an elevator but there was room left for a

shaft in the design in hopes for a future elevator installation. The purpose of the Pit Prop is to provide 36” of pit, where currently the potential new installation of a Savaria Orion LULA would provide 14” of pit. The petitioner stated that the Pit Prop is reported by the manufacturer to be in accordance with A17.1 § 5.2.1.4.2. The Pit Prop is stored flat in the bottom of the pit area and prior to access into the pit, can be easily raised without full bodily entry and locked into a deployed position. Jeff Fox, representative and licensed Elevator Mechanic from United Elevators stated that safe entry into the pit can be maintained with Pit Prop in the “set” position. Mr. Fox also stated that there are signs provided by the manufacturer that is meant to be affixed to the back wall of the pit area that reads, “Shallow pit, Deploy Pit Prop prior to entering pit”. Mr. Fox stated that he has installed multiple Pit Prop systems in other jurisdictions. A motion was put forth by Cheryl Davis to grant the variance from 524 CMR §35.00 5.2.1.4.2 to grant a shallow pit with the use of the Savaria Orion Pit Prop, and all signage must comply to A17.1 2004 2.4.1.6. Also, that the key lock be installed with a key to be available in the Knox-Box for the Fire Department, and training shall take place when the job is turned over per code. The motion was seconded by Stephen Sampson.

**Motion:** Cheryl Davis

**Seconded by:** Stephen Sampson

**Vote: 6-0;** Granted.

4. **One Armory Square – Springfield, MA**

**524 CMR Section 3.7.1 Item (c)**

**Owner: Division of Capital Asset Management and Maintenance**

**Petitioner: Philip Chen Aia**

The petitioner came before the board seeking a variance from 524 CMR § 3.7.1 Item (c), referencing to the distance from the hoistway to the machine room. The consultant stated that the existing historic building has three decommissioned freight elevators. The consultant stated that there are plans to reuse the building for college use, which will contain offices and classrooms. The petitioner is proposing the replace the decommissioned freights with hydraulic elevators. The existing machine rooms are overhead with a ships ladder directly into them. The head height is too low for a code compliant machine room. The petitioner stated that the machine room on one of the units is within the 10’ maximum. The proposed other two units will be outside of the 10 foot maximum, one at 14’5” and the other at 19’2”. The petitioner is proposing to run one direct PVC pipe to place some signage over the main lobby door that directs where the machine room is located. A motion was put forth by David Morgan to grant the variances as requested with the stipulation that the door located in the west machine room be changed to a right hand out swinging door. The motion was seconded by John O’Donoghue.

**Motion:** David Morgan

**Seconded by:** John O’Donoghue

**Vote: 6-0;** Granted.

**5. One Dalton Street – Boston, MA  
524 CMR**

**Owner: One Dalton Owner, LLC**

**Petitioner: Attorney Jeffery Curtis**

The petitioner Attorney Jeffery Curtis, along with Marc Messinger, representative of DOKA – USA and Mike George, representative of G&C Concrete came before the Board seeking approval for temporary use of the DOKA TLS self-lifting table lift. The petitioner was previously in front of the Board on June 7, 2016. The petitioner stated that pending the adoption of code ANSI 10.5 (2006) the DOKA system would not have required a Board approval. Board member John O’Donoghue contacted other jurisdictions that were introduced to the DOKA system. The jurisdictions were Seattle, San Francisco, Charlotte and New York. Aside from New York, all other jurisdictions have used the system and has received permitting through their local Building Departments, with no complaints. A motion was put forth by David Gaudet to grant the variance for the installation of a DOKA Table Lifting System S B TLS 2009 for the location of One Dalton Street Boston, MA, under the condition that the petitioner present documentation to the satisfaction to the Board of Elevator Regulations, that the DOKA system meet A10.5 (2006). Also, that the unit meet the spirit of the new 524 CMR § 37.00, due to operator and/or worker and/or general public safety concerns, use of this A10.5 Standard in Massachusetts, may require a variance request and approval based on DPS Elevator Inspector review of the Elevator Permit application construction documents and/or field observations. The Board’s justification is if the unit meets A10.5, then it would meet the new proposed code. The motion was seconded by Stephen Sampson.

**Motion:** David Gaudet

**Seconded by:** Stephen Sampson

**Vote: 6-0;** Granted.

**Exhibit List:**

Exhibit 1: Meeting minutes from June 28, 2016

Exhibit 2: Variance Petition – 38 Jackson Road – Boston, MA

Exhibit 3: Variance Petition – 492 Holmes Road – Boston, MA

Exhibit 4: Variance Petition – One Armory Square – Boston, MA

Exhibit 5: Variance Petition – One Dalton St. – Boston, MA

Motion to adjourn by: Cheryl Davis

Seconded by: Stephen Sampson

**Vote: 6-0;** Granted.

Hearing Concluded at 3:25 p.m.

Prepared by: Ruthy Barros