



The Commonwealth of Massachusetts
 Department of Public Safety
 One Ashburton Place, Room 1301
 Boston, Massachusetts 02108-1618

Charles D. Baker
 Governor

Karyn E. Polito
 Lieutenant Governor

Phone (617) 727-3200

Fax (617) 727-5732

TTY (617) 727-0019

www.mass.gov/dps

Daniel Bennett
 Secretary

Matt Carlin
 Commissioner

Minutes

Board of Elevator Regulations

One Ashburton Place, 13th Floor, AAB conference room

April 19, 2016 - 1:00PM

Board Members Present:

Edward Sandell
 Cheri Davis
 John O’Donoghue
 Michael J. Nicoloro Jr.
 Thomas Riley
 David Gaudet

Guest Present:

Jeffrey Pello (Associate)
 Chris Dlugolecki (Otis Elevator)
 Ken Murphy (Otis Elevator)
 Bill Webster (Town of Belmont)
 Jeff Snow (Donham and Sweeney Architects)
 Roberts (Town of Belmont)
 Martha Bien-Aimé (DPS)

Board Members Absent:

Harold J. McGonagle
 David Morgan

1. The Board of Elevator Regulations (“Board”) accepted the Meeting Minutes from March 22, 2016 as amended. A motion was put forth by **David Gaudet**. Seconded by **Cheri Davis**.
Vote: 3-0
2. The Board of Elevator Regulations (“Board”) postponed the meeting minutes from March 29, 2016 for the next meeting. A motion was put forth by **John O’Donoghue** to put the minutes on hold. The motion was seconded by Cheri Davis

3. **The Board discussed the following:**

61 Beacon Street – Boston, MA

(1-P-695)

(524 CMR 17.07)

Owner: 61 Beacon Condominium Condo Trust

Petitioner: Yorys Yeracaris

The petitioner came before the Board seeking variance and relief from an inspector’s report under 524 CMR 17.07. The petitioner requested to add protecting film on top of the windows instead of wire mesh. The petitioner stated that protecting film will keep the windows intact if a projectile for example may hit it. A motion was put forth by David Gaudet to grant the variance to install the Z97.1 film on all landing doors including the 5th floor, and relief from the inspector’s reports

on variance from the 524 CMR 17.07. The petitioner was asking to keep documentation along with the variance in the machine room. The motion was seconded by Tomas Riley.

Motion by: David Gaudet

Seconded by: Thomas Riley

Vote: 6-0; Granted;

4. 297 Concord Avenue – Belmont, MA

524 CMR 34.02

Owner: Town of Belmont

Petitioner: William D. Webster

The petitioner came before the Board requesting a variance from the prevision of 524 CMR 34.02 that restricts installation of vertical lifts not to exceed 12”. A motion was put forth by Cheri Davis to grant the variance for 524 CMR section 35 Part XX 2000.7 (a), to allow travel of 13’8” with justification of additional cost and the acceptance of current code. The motion was seconded by David Gaudet

Motion: Cheri Davis

Seconded by: David Gaudet

Vote: 6-0 Granted

5. 300 Stafford Street – Springfield, MA

(281-P-655)

521 CMR 28.8.2 in car stop switch is at incorrect height

521 CMR 28.8.2 in car push buttons are not at correct height

521 CMR 28.7.2 in car ADA handrail is not at code required height

521 CMR 28.3.1Hall push buttons in lobbies and halls shall be centered at 42 inches

Owner: Mercy Hospital

Petitioner: Chris Dlugolecki

The petitioner came before the Board seeking relief from an inspector’s report. This unit was inspected under 521 CMR which is not under the Board of Elevator Regulations jurisdiction but the Architectural Access Board. A motion was put forth by John O’Donoghue to put the case on hold until is rectified with AAB and question legal in regards to the enforcement of the code. The motion was seconded by Michael Nicoloro.

Motion: John O’Donoghue

Seconded by: Michael Nicoloro, Jr.

Vote: 6-0 On Hold

6. 84 Warwick Ave. – Waltham , MA

Product Variance

Petitioner: Erik Babayan

The petitioner came before the Board seeking variance for a new product. The petitioner did not bring enough information regarding the case. A motion was put forth by David Gaudet to put the case on hold for 30 days to allow the petitioner to refile with proper paper work and also have an elevator company present at the next hearing. The motion was seconded by Tom Riley.

Motion: David Gaudet

Seconded by: Tom Riley

Vote: 6-0 On Hold

Matters not reasonably anticipated 48 hours in advance of meeting

Exhibit List:

Exhibit 1: Meeting minutes from March 22, 2016 & March 29, 2016

Exhibit 1: Variance Petition – 61 Beacon Street – Boston, MA

Exhibit 2: Variance Petition – 297 Concord Avenue – Belmont, MA

Exhibit 3: Variance Petition – 300 Stafford Street – Springfield, MA

Exhibit 4: Variance Petition – 84 Warwick Ave. – Waltham, MA

Motion to adjourn by Thomas Riley, Seconded by John O’Donoghue

Hearing Concluded at 2:30 p.m.

Prepared by: Martha Bien-Aimé