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Minutes
Board of Elevator Regulations
One Ashburton Place, 13th Floor, AAB conference room
May 17, 2016 - 1:00PM

Board Members Present:
Stephen Sampson, Chairman
David Gaudet, Member
John O'Donoghue, Member
Michael J. Nicoloro Jr., Member
David Morgan, Member

Guest Present:
Ellie Hahl (Above and Beyond Elevator)
Mark Capobianco (Above and Beyond Elevator)
Dick Berry (Taunton Self Storage)
Amy Macauley (Holland Construction)
Ryan Senkier (Perry Dean Rogers)
Stephanie Greenfield (Cambridge 7 Associates)
Jim Carroll (Ajax Consulting Services)
Marc Langone (Lerch Bates)
Martha Bien-Aime (DPS)
Ruthy Barros (DPS)

Board Members Absent:
Thomas Riley
Cheri Davis
Harold J. McGonagle

1. The Board of Elevator Regulations reviewed the minutes pertaining from the BER meeting that has held on April 26, 2016. **A motion to accept the minutes was made by David Gaudet, with the revision of adding the code discussion section, seconded by David Morgan. 5-0 Vote.**

The Board discussed the following:

2. **436 Winthrop Street – Taunton, MA**
   Units: 293-V-15224, 293-V-15225, and 293-V-15226
   Relief from Inspector's Report
   524 CMR 32.06 (4)
   Owner: Taunton Self Storage
   Petitioner: Mark Capobianco
   The petitioner, Mark Capobianco, came before the Board seeking relief from the inspector's report, which indicated that the hoistway doors electromechanical did not meet code 524 CMR 32.06. The petitioner was previously in front of the board on March 1, 2016, where the Board

members voted on a continuation, to allow the petitioner to provide additional information. The petitioner submitted more information regarding the case as requested after his first hearing. The petitioner stated that the three interlocks were installed in 2004, and at the time of installation the interlocks were installed under code ASME B20.1 and was in compliance. Currently code does not allow interlocks to be on the outside of a VRC. Representatives from Above and Beyond Elevators stated that they are the only authorized personnel with a key to allow access to the interlocks, which are padlocked all the time. A motion was put forth by David Gaudet to grant relief from the inspector's report and seconded by John O'Donoghue, to permit the three unit's interlocks stated in the petition, to remain as properly installed under the code (ASME B20.1) as at the time of installation, with the modification of the bolts on all outside doors locks to be replaced with carriage bolts. Also, the relief needs to be clearly posted in the machine room.
Motion by: David Gaudet
Seconded by: John O'Donoghue
Vote: 5-0; Granted

3. **198 Commonwealth Avenue – Boston, MA**
524 CMR A17.1-2004, Section 2.7.3.4.1 and 2.7.4
Owner: Adam Portnoy
Petitioner: Garrett Clinton
Amy Macauley, a representative of Holland Construction came before the Board seeking a variance from the prevision of ASME A17.1-2004, Section 2.7.3.4 and Section 2.7.4, where the code calls for a 7'-0" ceiling and a 6'-8" tall door. Ms. Macauley stated that the proposed new installation passenger elevator, will be installed into an existing single family owner occupied dwelling, where the machine room will be located underneath the basement stairs. Ms. Macauley explained to the Board that the high end of the machine room will be 7'-0" tall and the low end will be 6'-0". Therefore the tallest machine door can only be 6'-0" tall due to a slope in the machine room. Ms. Macauley provided the Board with additional drawings, which were not previously affixed to the submitted application. The Board stated that Ms. Macauley has not provided the Board with sufficient documentation to support the proposed variance. Also, the Board suggested to Ms. Macauley to have a representative from an elevator company be present. A motion was put forth by David Gaudet to place the variance on hold while Ms. Macauley comes back to the Board with dimensional plan view with elevator equipment layout, section view with heights and structural reports to support the variance. The motion was seconded by Michael J. Nicoloro, Jr.
Motion: David Gaudet
Seconded by: Michael J. Nicoloro, Jr.
Vote: 5-0; Place on hold.

4. **670 West Boylston Street – Worcester, MA**
Unit: 348-D-2498
524 CMR A17.1 Sections 7.4.2 and 7.4.9
Owner: Quinsigammond College
Petitioner: Jim Racki
Ryan Senkier, a representative of the Perry Dean Rogers, an architect design firm, came before the Board seeking a variance from the above referenced codes, to reassign the previously permitted dumbwaiter to be classified as a vertical reciprocating conveyor. Mr. Senkier stated that

the lift exceeds the height and weight limit capacities for a dumbwaiter. Mr. Senkier also stated that the lift does not meet the speed specifications for a type B Material Lift. The speed specification for a type B Material Lift is 30 feet per minute and the questioned lift speed is 40 ft per minute. The unit is accessible by the public. The lift will be used for service purposes, non passenger use. The controller is located in a locked area, just outside the hoistway. The lift was installed by Kone. A motion was put forth by Dave Morgan to place the variance on hold for a 60 day extension, for more information in regards to section 32 of 524 CMR VRC code. The motion was seconded by John O'Donoghue.
Motion: Dave Morgan
Seconded by: John O'Donoghue.
Vote: 5-0; Place on hold for 60 days.

5. **200 Stuart Street – Boston, MA**
524 CMR Sections 35 2.1.5, ASME A17.1 2004 Section 2.7.4.1, and ASME A17.1 2004 Section 3.4.7
Owner: NKOTB Lessee, LLC Revere Hotel
Petitioner: Jim Carroll
The petitioner, Jim Carroll, came before the Board seeking a variance for a new installation due to the small existing space. The petitioner stated that the Emerald Lounge located on the mezzanine level is directly accessed by an exterior stairway from Stuart Street. The stairway is currently closed because it does not comply with the Architectural Access Board, which requires equal access. The proposed elevator will be in compliance with ADA and will be accessible from Stuart Street. There are height restrictions to the hoistway and elevator machine room, due to the existing concrete structure. The petitioner was also seeking a variance for erecting a glass hoistway wall, which will meet all building codes for fire rating. A motion was put forth by David Gaudet to grant a variance from 524 CMR Section 35 2.1.5, with the justification that the windows will be conforming to other sections of glass use in elevators, ASME A17.1 2004 Section 2.7.4.1, lower overhead in the machine room with proper signage, and ASME A17.1 2004 Section 3.4.7, reduce refuge space with installation of the Gillespie safety system, as presented, with proper signage and to include the pressure sensitive pad on top of car. The motion was seconded by John O'Donoghue.
Motion: David Gaudet
Seconded by: John O'Donoghue
Vote: 5-0; Granted

Matters not reasonably anticipated 48 hours in advance of meeting

Exhibit List:

Exhibit 1: Meeting minutes from April 26, 2016
Exhibit 1: Variance Petition - 436 Winthrop Street - Taunton, MA
Exhibit 2: Variance Petition - 198 Commonwealth Ave - Boston, MA
Exhibit 3: Variance Petition - 670 West Boylston Street - Worcester, MA
Exhibit 4: Variance Petition - 200 Stuart Street - Boston, MA

Motion to adjourn by: David Gaudet, Seconded by: John O'Donoghue
Hearing Concluded at 2:45 p.m.

Prepared by: Ruthy Barros