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# The Commonwealth of Massachusetts Department of Public Safety

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Secretary

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## Minutes

Board of Elevator Regulations  
One Ashburton Place, 13<sup>th</sup> Floor  
December 15, 2015 - 1:00PM

### Board Members Present:

Edward Sandell, Chairman  
David Gaudet, Building Owners  
Cheri Davis, Elevator Manufacturing  
David Morgan, Elevator Mechanic  
Tom Riley, Engineering

### Guests Present:

Chris Francis (BMS)  
Paul Hasbrouck (Worcester Elevator)  
J Gregory Sampedro (JLL)  
Deven Chauhan (BMS)  
Jon Pinto (Consigli Construction)  
Peter Wallack (Lerch Bates)  
Justin Rose (Delta Beckwith Elevator)  
Gary Corey (Centerline Architects)  
Matt Merli (Fitzmeyer)  
Brian Sallisky (DPH)  
Joseph O'Malley (DPS)  
Deirdre Hosler, (DPS)  
Ethan J. Clough (DPS)

### Board Members Absent:

John O'Donoghue, Dept. Fire Services  
Michael Nicoloro, City of Cambridge  
Harold McGonagle, City of Boston

1. The Board of Elevator Regulations ("Board") approved the Meeting Minutes from December 1, 2015  
**Vote: 5-0; Granted**

### The Board discussed the following:

2. **38 Jackson Road – Devens, MA**  
**(20-V-90)**

**Owner: Bristol Myers Squibb**

**Petitioner: Gregory Sampedro**

The petitioners came before the Board requesting relief from an Inspector's Report dated September 26, 2014. The petitioners contended that units #20-V-90 #20-V-91 #20-V-92 were installed prior to 524 CMR 32.00 being put into effect in Massachusetts. Also, the petitioners received a letter from the manufacturer stating that units are Material Lifts and should not be classified as Vertical Reciprocating Conveyors. These units are used in the transportation of chemicals. The lift does not have safeties. A motion was put forth by Tom Riley to place this variance on hold for 60 days until the petitioners return with information on these device's conformance to ASME A17.1-2004 § 7.4. The petitioners need to clarify that 524 CMR

32.00 is not applicable to these units as well as provide the Board with specific needs for variance. The motion was seconded by Cheri Davis.

**Motion by:** Tom Riley

**Seconded by:** Cheri Davis

**Vote:** 5-0; Placed on Hold

**3. 800 Boylston Street – Boston, MA 02199**

**ASME/ANSI A17.1-2004 § 2.2**

**Owner: Eataty Boston, LLC**

**Petitioner: Jon Pinto**

The petitioner requested a variance to approve a 12” maximum deep pit for a Gillespie Elevator with their shallow pit elevator safety system. This elevator is being installed in an addition above the Massachusetts Turnpike Tunnel. The petitioners stated that they have no other conformance issues. Also, the petitioners stated that there will be signage in the Machine Room and additional signage on the Toe Guard. The Board reviewed the petitioner’s architectural drawings. Dave Morgan made a motion to approve the variance request with a requirement to add proper signage in the Pit Machine Room and on the overhead. This variance is being issued because the unit is located above the Massachusetts Turnpike Tunnel. The motion was seconded by Cheri Davis.

**Motion by:** David Morgan

**Seconded by:** Cheri Davis

**Vote:** 5-0; Granted

**4. 316 Huntington Avenue – Boston, MA**

**ELV2 Section 13.01 ELV 13.01 (1-P-13332)**

**Owner: YMCA**

**Petitioner: Justin Rose**

The petitioners came before the Board requesting relief from an Inspector’s Report. The unit, #1-P-13332, was written up for not having a vent in the hoistway. The petitioner provided a letter from an engineer stating that the hoistway has a pressurized fan located in the ceiling adjacent to the Machine Room. This fan is interlocked with fire alarm and a smoke detector. A motion was put forth by Tom Riley to abate the work order. The motion was seconded by David Morgan.

**Motion by:** Tom Riley

**Seconded by:** Dave Morgan

**Vote:** 5-0, Granted

**5. 91 East Mountain Road – Westfield, MA**

**524 CMR 17.34(2) (329-P-119)**

**Owner: Commonwealth of Massachusetts**

**Petitioner: Brian Sallisky**

The petitioners came before the Board seeking relief from an Inspector’s Report dated July 29, 2015. The unit #329-P-119 was cited for “Main line disconnect handle is not within 18 inches of strike side door jam”. The Board expressed their safety concerns about having to enter the Machine Room in an emergency situation as well as the concern for arc flashing. A motion was put forth by Dave Gaudet to grant the variance under 524 CMR 35.2.26.4.1a in regards to the location of the Mainline Disconnect within the Machine Room. The motion includes a requirement to install signage on the interior and exterior of the Machine Room that will address Normal and Emergency conditions. The signage must read “Requirement To Wear Personal Protective Equipment During Normal Operation” and “Do Not Enter in the Event of an Emergency Until Remote Power Supply Switch is Open”. The petitioner agreed to send a draft of the signage to the Board before the installation.

**Motion by:** David Gaudet

**Seconded by:** Tom Riley

**Vote:** 3-2, Granted; Morgan, Sandell Opposed.

**6. Code Review**

The Board discussed how they will move forward with the adoption of ASME A17.1-2013.

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

**7. Stockbridge Library – 46 Main Street – Stockbridge, MA 01262**

**Interpretation RE: 524 CMR 35.00**

**Owner: Katherine O’Neil**

**Petitioner: Matthew Merli**

The Board received a stamped letter from Matthew Merli, a licensed Mechanical Engineer, dated December 9, 2015. The Board had placed this Interpretation on hold at the December 1, 2015 meeting. A motion was put forth by David Gaudet to acknowledge that the Board is in receipt of the letter from a Professional Engineer stating that the elevator located at 46 Main Street in Stockbridge, MA is compliance with 524 CMR 35.00 A17.1-2004 § 2.4.1(8).

**Motion by:** David Gaudet

**Seconded by:** Cheri Davis

**Vote:** 5-0, Granted

**Exhibit List:**

Exhibit 1: Meeting Minutes from December 1, 2015

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

Exhibit 3: Variance Petition – 800 Boylston Street – Boston, MA 02199

Exhibit 4: Variance Petition – 316 Huntington Avenue – Boston, MA

Exhibit 5: Variance Petition – 91 East Mountain Road – Westfield, MA

Exhibit 6: Variance Petition – 46 Main Street – Stockbridge, MA

Exhibit 7: Code Review

Exhibit 7a: Document titled “OPEN-ENDED\* TABLE 1, IDENTIFYING ALL CHAPTER AND APPENDIX PORTIONS OF “VIRGIN” A17.1-2013 THAT MAY REQUIRE MA MODIFICATION”

Exhibit 7b: Document titled ‘Part 35 Rewrite as of 12.3.15’

Motion to Adjourn by David Morgan, seconded by Cheri Davis. Hearing concluded at 4:00 p.m.

Prepared by: Ethan J. Clough