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Minutes

Board of Elevator Regulations
1000 Washington Street
Boston, MA 02118
1st Floor – Room 1C
February 25, 2020

Board Members Present:

Stephen Sampson, Chairman
Eric Morse
David Gaudet
Brian Ronan
Jacob Nunnemacher
David Morgan

Guests Present:

Michael LaRiviere (KONE)
Brandon Hall (ParkPlus)
AJ Jenkins (ParkPlus)

Board Members on the Phone:

Cheryl Davis

Division of Professional Licensure Staff:

Charles Kilb
Ruthy Barros
Terry Asci

The Board discussed the following:

1. Discuss/Vote possible changes to 801 CMR 4.02: Fees [Exhibit 1]

The Chairman opened up the meeting to discuss agenda item #4 and presented to the Board a draft of amended elevator fees. The Chairman stated that this proposed regulation change in fees would be applicable to annual inspections only. The Chairman went on to explain the “new” fee structure, and that essentially the earlier the Elevator Contractor submits the annual fee, the more of a discounted rate would be applied.

Example:

New Rate(s):

- | | |
|---|-----------------------------|
| <i>(a) Applications filed between 90 and 120 days prior to expiration</i> | <i>\$200 per inspection</i> |
| <i>(b) Applications filed between 60 and 89 days prior to expiration</i> | <i>\$600 per inspection</i> |
| <i>(c) Applications filed less than 59 days prior to expiration</i> | <i>\$800 per inspection</i> |

The Chairman also explained that with the proposed change in fees, the Elevator Contractors will have the ability to spread out manpower and organizationally will make scheduling annual inspections more efficient. With the Board's approval, the Chairman would like to immediately enact the new rates and alongside with legal counsel's assistance, have the new rates placed in Mass General Law. A motion was placed by David Morgan to move forward with the amended fee structure with the justification being that the new fee structure would eliminate or significantly reduce the backlog. The motion was seconded by Eric Morse.

Motion: David Morgan

Seconded: Eric Morse

Vote: 7-0; Granted.

Roll Call Vote:

- | | | |
|-----------------------------|---|------------------------------|
| • Stephen Sampson, Chairman | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Jacob Nunnemacher | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • David Gaudet | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Cheryl Davis | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • David Morgan | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Brian Ronan | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Eric Morse | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |

2. **4 Brattle Street – Cambridge, MA [Exhibit 2 and 2A]**

State ID: 49-P-104

ASME A17.1-2013 Section 2.7.4.1

Petitioner: Alex Gailor

The petitioner was in front of the Board seeking a variance from ASME A17.1-2013 Section 2.7.4.1 – Elevator machine rooms, control rooms, and machinery spaces containing an elevator driving machine not located in the hoistway shall have clear headroom of not less than 84". The petitioner stated that KONE will be decommissioning the existing basement drum geared elevator and replacing it with a Canton roped hydraulic elevator. Due to the existing condition of the machine room, which is partially

under a staircase, the far end of the power unit will be under the stairs with a 74” headroom clearance. A motion was placed by David Morgan to grant the petitioner’s variance request with the justification being that of the existing building condition and with the proper signage, the environment will not create a hazard to the Elevator Mechanic. The signage must be placed in the machine room in yellow coloring stating “Caution Low Overhead”. The motion was seconded by Brian Ronan.

Motion: David Morgan

Seconded: Brian Ronan

Vote: 7-0; Granted.

Roll Call Vote:

• Stephen Sampson, Chairman	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Jacob Nunnemacher	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Cheryl Davis	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

3. **30 Penniman Road – Boston, MA [Exhibit 3]**

Product Variance

Product: Lift-Sliding Semi-Automated Parking System

Manufacturer: ParkPlus

Petitioner: Ted Makowski

The petitioner’s representative, Brandon Hall was originally in front of the Board on February 4, 2020 seeking a product variance for a 42 car tandem lift-sliding semi-automated parking system to be installed at the above location. At that time, Mr. Hall’s variance request was placed on hold for 30 days awaiting further information from the applicant, specifically addressing the pit access, landing door gates and lighting in the pit area. Mr. Hall submitted revised drawings on February 11, 2020 and revised variance requests on February 20th and 24th. Mr. Hall is now seeking a variance from Sections 26.06 – Hoistway gates in non-fire resistive hoistways, 26.07 – Protection at other levels and 26.11 – Car Enclosures and Car Gates.

The Board expressed safety concerns regarding the open pit and the proposed multi-space gate with a height of 42”, where code requires 72”. The Board suggested a two-section gate which would consist of (2) 36” panels. Mr. Hall stated that similar automated

parking systems that have an open pit with a 42” gate are currently being operated in the city (100 A Street and 51 Silver Street). The Chairman stated that approving the installation of the units at the above mentioned addresses was an Office of Public Safety and Inspection (OPSI) oversight and the units should have gone in front of the Board for approval. A motion was placed by David Morgan to place the variance request on hold for 30 days to allow OPSI to arrange a Board sight visit to 100 A Street and 51 Silver Street and for the petitioner to submit an amended variance request addressing the Board’s concerns. The motion was seconded by Jacob Nunnemacher.

Motion: David Morgan

Seconded: Jacob Nunnemacher

Vote: 7-0; Placed on hold for 30 days.

Roll Call Vote:

• Stephen Sampson, Chairman	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Jacob Nunnemacher	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Cheryl Davis	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

4. **Approval of meeting minutes from February 4, 2020 [Exhibit 4]**

A motion was put forth by David Gaudet to accept the minutes as written. The motion was seconded by Brain Ronan. **Vote: 4-0; Granted.**

Roll Call Vote:

• Stephen Sampson, Chairman	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Jacob Nunnemacher	ABSTAINED	
• Cheryl Davis	ABSTAINED	
• David Morgan	ABSTAINED	

Exhibit List:

Exhibit 1: Draft of Elevator Fee Changes

Exhibit 2: Variance packet for 4 Brattle Street – Cambridge

Exhibit 2A: Elevations for 4 Brattle Street – Cambridge

Exhibit 3: Variance packet for 30 Penniman Road – Boston, MA

Exhibit 4: Meeting minutes from February 4, 2020

Motion to Adjourn: Brian Ronan

Seconded: Jacob Nunnemacher

Vote: 7-0; Adjourned.

Roll Call Vote:

• Stephen Sampson, Chairman	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Jacob Nunnemacher	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Cheryl Davis	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

Hearing concluded at 3:16 p.m.

Prepared by: Ruthy Barros