

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional Licensure

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Minutes

Board of Elevator Regulations

**This meeting was held remotely via GoToMeeting
June 23, 2020 at 9:00 a.m.**

Board Members Present:

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

Division of Professional Licensure Staff:

Charles Kilb
Ruthy Barros

Guests Present:

Ben Saperstein (Otis Elevator)
Franco Patria (Otis Elevator)
Steve Petrovski (KeyPoint Partners, LLC)
Jay Edwards (Otis Elevator)
Daniel Collins (Delta-Beckwith Elevator)
Steve Meader (Otis Elevator)
Louis Petrella (Delta-Beckwith Elevator)

The Board discussed the following:

1. **49 Main Street – Concord, MA [Exhibit 1]**
State ID: 67-P-17659
A17.1 Section 2.2.4.2.4
Petitioner: Samantha Finney

The petitioner's representatives were in front of the Board seeking a variance from the Inspector's Report dated March 3, 2020, citing A17.1 Section 2.2.4.2.4 – "Pit ladder must maintain unobstructed required clearances for safe entrance and egress (trough and electrical)". The petitioner's representative stated that once on site, it was determined that there was not a suitable location to move the trough to. This elevator has a single speed, side slide door, which eliminates the option to put the trough on the opposite side of the hoistway from where it is currently located, as mechanics would not be able to reach the ladder or stop switches, thus creating a safety hazard. The petitioner's representative also stated that the pit ladder is currently up against the front wall, leaving no room to move the ladder or trough towards the front wall. Additionally, there is no option of moving the trough to the opposite side of the car rail on the left wall due to a vent and the disconnect being in the way. A motion was placed by Eric Morse to deny the request for variance with the justification that the present condition is a safety hazard, as it blocks egress to and from the pit area. The motion was seconded by David Morgan.

Motion: Eric Morse

Seconded: David Morgan

Vote: 7-0; Denied.

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
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

2. **Approval of meeting minutes from June 16, 2020 [Exhibit 2]**

A motion was put forth by Cheryl Davis to accept the minutes as written. The motion was seconded by David Morgan. **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
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

3. **291 Saint Botolph Street – Boston, MA [Exhibit 3]**
Product Variance
Petitioner: Daniel Collins

The petitioner was in front of the Board seeking a product variance to replace the existing car fan with a fan that has UV light incorporated to sterilize the air as it circulates. The proposed UV light fan will use the existing 10-volt power. The fan does have a filter which needs to be replaced every 3-4 months and a lamp that needs to be replaced every 6-7 months, which Delta-Beckwith Elevator incorporates into their maintenance program. The petitioner stated that he does not believe that the proposed product will infringe with any A17.1 code requirement and there is a unit installed and in operation in Connecticut. The petitioner stated he will research the air flow and how often the air in the cabin will change. The Board recommended that the petitioner review A17.1-2013 Section 2.14.2.3 – Ventilation and any other code sections that might require a variance. The petitioner requested to withdraw his variance request so he may research any possible code violations and will refile.

4. **Old Business [Exhibit 4 and 5]:**

- Board member Brian Ronan updated the Board on two recent site visits to 10-11 Arlington Street and 29 Commonwealth Avenue. Mr. Ronan provided pictures to the Board for review.
- The Board reviewed and discussed the revised plans for 30 Penniman Road. The Board had concerns regarding the proposed access hatch. The Board is requiring that the petitioner install a full-size walk-in man door for fire safety and the safety of the Elevator Mechanics. The Board suggested OPSI staff advise the petitioner of the concern and Board requirement.

Exhibit List:

Exhibit 1: Variance packet for 49 Main Street – Concord, MA

Exhibit 2: Meeting minutes from June 16, 2020

Exhibit 3: Variance packet for 291 Saint Botolph Street – Boston, MA

Exhibit 4: Site visit pictures from Board member Brian Ronan

Exhibit 5: Revised plans for 30 Penniman Road

Motion to Adjourn: Jacob Nunnemacher
Seconded: Brian Ronan
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
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

Hearing concluded at 10:26 a.m.
Prepared by: Ruthy Barros