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Minutes

**Meeting of the
Board of Elevator Regulations
January 23, 2024, at 1:00 p.m.**

**1000 Washington Street
Boston, MA 02118
1st Floor-Room 1D
Hybrid Meeting via Microsoft Teams**

Board Members Present:

Eric Morse, Acting Chair
David Gaudet
Neil Mullane (remote)
Brian Ronan
Anthony Buonopane
Tim Morgan
Christopher Towski

Division of Occupational Licensure Staff:

Peter Kelley
Gayle Richardson
Martin Guiod (remote)
Walter Zalenski (remote)
Thomas Lacey (remote)
Jay Ryan (remote)

Guests Present:

Samantha Fereno, General Manager, Otis Elevator (remote)
Kevin Clancy, Great Wolf (remote)
Russ Larson, Otis Elevator (remote)
Bill D'Amico, MD Lifts (remote)
Ryan Myers, Harding Steel (remote)
Patrick Flaherty, Harding Steel (remote)

Call to Order: 1:07 p.m.:

1. Roll call.



1. **VAR23-0072 – VAR23-0077** [Exhibit 1]
150 Great Wolf Drive Fitchburg
State ID's: 97-P-158, 97-P-159, 97-P-160, 97-P-161, 97-P-162, 97-P-163
Code: 524 CMR: Section 3.7.1.11

Petitioner: Christine Parnell

The petitioner, following an October 17, 2023, appearance, is requesting a variance from code 524 CMR: Section 3.7.1.11. Additional information provided includes how the pipes are running, the distance and where pipes are exposed, the distance from the machine room to the service hoistway, the hoistway specs, and the building floor plan.

Samantha Fereno presented to the board that there are 4 oil lines, with no bends but have threaded couplings, coming out of the machine room straight into the existing elevator hoist ways of service elevators 5 and 6 and passenger elevators 1 and 2. There are two additional oil lines, with multiple bends outside of the machine room with 3 joints, that service passenger elevators 3 and 4.

The board asked multiple clarifying questions including the current distance from the machine room to the service car hoist way, are there threaded couplings between the machine room and the service car hoist way, what is on the other side of the wall behind the passenger elevators, do all elevators go to the basement, is there occupied space under passenger elevators 1-4, what type of pit is currently being used, to which either Samantha Fereno or Kevin Clancy provided answers.

Neil Mullane moved to grant the request with the following conditions: that all exposed fittings on the existing pipelines will be replaced with threaded couplings and rupture valves, and all exposed oil lines will be clearly marked per industry standard and/or code requirements. Justification in that the petitioner has demonstrated the lack of feasibility in relocating the existing pipelines and the conditions provide an adequate means of safety protections. Anthony Buonopane seconded the motion. Vote: 7-0-0

Motion: Neil Mullane
Seconded: Anthony Buonopane
Vote: 7-0-0 Granted with conditions
Roll Call Vote:

• Eric Morse	<input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain
• David Gaudet	<input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain
• Tim Morgan	<input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain
• Chris Towski	<input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain
• Brian Ronan	<input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain
• Neil Mullane	<input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain
• Anthony Buonopane	<input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain

2. **VAR23-0104 – Product Variance** [Exhibit 2]
50 Service Road Boston
State ID: 1-P-21950
Code: 524 CMR 13.02

Petitioner: Russ Larson

The petitioner is seeking a product variance for a COP Keypad relating to ASME Code 2013 A17.1 §§ 2.27.3.3.1(i) (floor selection means operable without keys, cards, tools, or special knowledge), 2.27.7.2 (sign include only wording and graphics shown in accompanying figure). The petitioner was not made aware of the failed inspection in time to file an appeal, applying for a product variance for a COP Keypad. The unit involved is a destination dispatching elevator and the car operating panel is unusual but is becoming more common. The petitioner added that the instructions [Exhibit 2] listed in the elevator on how to access the floor selection are clear with no special knowledge being needed and that they are displayed on the opposite side of the access door. He is hoping that by providing the documentation submitted [Exhibit 2] the board will find that the unit is complying with ASME code 2013 A17.1 2.27.3.3.1(I) and A17.1-2013 2.27.7.2 or will grant a variance to set a precedence for all existing and future units utilizing the same COP keypad.

Eric Morse if the keypad was compliant § E-9.4 (nonbinding appendix to elevator code related to persons with disabilities), related to telephone-style keypads. Petitioner unsure. Mr. Morse moved to table the variance for 30 days to allow the petitioner to provide verification that the telephone style keypad is compliant with § E-9.4, thereafter to walk-through phase I and phase II procedures. Motion was seconded by Chris Towski. Vote: 7-0-0 Deadline February 22, 2024

Motion: Eric Morse

Seconded: Chris Towski

Vote: 7-0-0 Tabled for 30 days

Roll Call Vote:

• Eric Morse	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• David Gaudet	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Christopher Towski	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Tim Morgan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Brian Ronan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Neil Mullane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Anthony Buonopane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain

3. The board took a recess from 2:06 p.m. until 2:17 p.m.

4. Neil Mullane left the meeting at 2:18 p.m.

5. **VAR24-0001** [Exhibit 3]

1 Gartland Street Jamaica Plain

Semi-Automated Parking Device

Code: 524 CMR 26.07 – Protection at other levels and 524 CMR 26.11 – Car Enclosures and Car Gates

Petitioner: Bill D’Amico

The petitioner is seeking a variance from 524 CMR 26.07 – Protection at other levels and 524 CMR 26.11 – Car Enclosures and Car Gates for a Semi-Automated Parking Device by showing that alternate means of safety will be met.

Ryan Myers gave an overview, while sharing diagrams [Exhibit 3], with the board. This CombiLift system is for 23 cars with 8 stalls, which will be solely used by the residents of the building. The system has overlapping side to side 7 foot 2-inch-tall gates. Access to the pit will be from either a stairway or elevator down to the lower level and located on both sides with the hydraulic system being in the pit. The user interface panel is on the ground floor, there is an RFID swipe machine, and there is safety fencing on the end. Access to the mechanical room is through a trash room and then through an access doorway into the parking vault with a safety switch that interlocks with the machinery so the system will shut down when the door is opened. There is a power shutoff disconnect on the door jamb side of the gate, with the PLC controller and transformers. The height of the pallets differs and there are Unistruts mounted to the ceiling at the front and back of the pallets for retro-reflective photoelectric sensors. All 23 car stalls are rated for 5720 pounds and there will be 6 EV ready charging posts provided at the entrance level parking only.

Chief Anthony Buonopane inquired if signage could be added to the ground level entry and on the trash room door indicating the location of the machine room.

After discussion by the board, Brian Ronan moved to grant the request for variance from 524 CMR 26.07 and 26.11, with the condition that signage be posted on the ground level entry and on the trash room door providing the location of the machine room, with the justification that alternate means of safety will be met. Motion was seconded by Tim Morgan. Vote: 4-0-2

Motion: Brian Ronan

Seconded: Tim Morgan

Vote: 4-0-2 Granted with conditions

Roll Call Vote:

• Eric Morse	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• David Gaudet	<input type="checkbox"/> aye	<input type="checkbox"/> nay	<input checked="" type="checkbox"/> abstain
• Christopher Towski	<input type="checkbox"/> aye	<input type="checkbox"/> nay	<input checked="" type="checkbox"/> abstain
• Tim Morgan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Brian Ronan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Anthony Buonopane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain

6. Approval of December 5, 2023, meeting minutes. [Exhibit 4]

Chris Towski moved to accept the minutes as presented. The motion was seconded by Tim Morgan. Vote 6-0-0.

Motion: Chris Towski

Seconded: Tim Morgan

Vote: 6-0-0 Accepted as presented

Roll Call Vote:

• Eric Morse	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• David Gaudet	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Tim Morgan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Brian Ronan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Anthony Buonopane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Chris Towski	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain

7. Approval of December 19, 2023, meeting minutes. [Exhibit 5]

Christopher Towski moved to accept the minutes as presented. The motion was seconded by Brian Ronan. Vote 5-0-1.

Motion: Chris Towski

Seconded: Brian Ronan

Vote: 5-0-1 Accepted as presented

Roll Call Vote:

- | | |
|---------------------|---|
| • Eric Morse | <input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain |
| • David Gaudet | <input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain |
| • Tim Morgan | <input type="checkbox"/> aye <input type="checkbox"/> nay <input checked="" type="checkbox"/> abstain |
| • Brian Ronan | <input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain |
| • Anthony Buonopane | <input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain |
| • Chris Towski | <input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain |

8. Discussion of suggested dates and times for scheduling a visit to the fully automated track parking system at 1 Post Office Square Boston. The board agreed that February 27, 2024, at 12:00 noon would be the preferred date and time with a meeting place in the lobby. Eric Morse will verify the date and time with 1 Post Office Square Boston.
9. Matters not reasonably anticipated 48 hours in advance of meeting:
 - a. Eric Morse indicated that the next scheduled Board of Elevator Regulations meeting, on January 30, 2024, will be code review. Mr. Morse then notified the board that he had completed the section of code for 524 CMR 26 – classifications, which he was tasked with drafting the classification definitions to be used going forward. He will present this redlined draft to the next Board of Elevator Regulations code review meeting.
 - b. Chris Towski addressed the board with questions about how someone can become a board member of the Board of Elevator Regulations. Board Counsel, Peter Kelley advised that all board member appointments go through the Governor's Office Boards and Commissions.
 - c. Chris Towski brought to the board information regarding a manufacturer's recall notice that was submitted through the New York Fire Department. This will be brought to the next Board of Elevator Regulations code review meeting for discussion.
 - d. Chris Towski provided the board with information related to an elevator inspection by a fire department. After a discussion by the board indicated any concerns should be shared with the Elevator Division and can be brought directly to Chief Anthony Buonopane.
 - e. Chris Towski inquired about the content of forms, which is matter for the Elevator Division directly if there is a request to change the contents thereof.
 - f. Brian Ronan addressed the board regarding an opportunity for input into the Building Code, which is currently being reviewed, for sections of the Building Code that might have some crossover to the Fire Safety and Elevator Code. This item will be brought to a future Board of Elevator Regulations meeting for discussion, concerning the pieces that may refer to the Elevator Code.
10. Chris Towski moved to Adjourn. Motion was seconded by Anthony Buonopane. Vote 6-0-0.

Motion: Chris Towski

Seconded: Anthony Buonopane

Vote: 6-0-0 Granted

Roll Call Vote:

• Eric Morse	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• David Gaudet	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Tim Morgan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Chris Towski	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Brian Ronan	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain
• Anthony Buonopane	<input checked="" type="checkbox"/> aye	<input type="checkbox"/> nay	<input type="checkbox"/> abstain

Meeting adjourned at 3:10 p.m.

Prepared by: Gayle Richardson

Exhibit List:

- Exhibit 1: Variance packet for 150 Great Wolf Drive Fitchburg
- Exhibit 2: Product Variance packet for 50 Service Road Boston
- Exhibit 3: Variance packet for 1 Gartland Street Jamaica Plain
- Exhibit 4: Meeting Minutes December 5, 2023
- Exhibit 5: Meeting Minutes December 19, 2023