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Minutes

Meeting of the
Board of Elevator Regulations
October 19, 2021 at 1:00 p.m.

1000 Washington Street
Boston, MA 02118
1st Floor – Room 1D

Board Members Present:

David Morgan
Christopher Towski
David Gaudet
Neil Mullane
Thomas McDermott

Division of Occupational Licensure Staff:

Peter M. Kelley
Ruthy Barros
Terry Asci

Board Members Absent:

Brian Ronan
Eric Morse

Guests Present:

Steven Gorham
Ryan Astrup
Maria Bauza
AJ Jenkins
Patrick Flaherty
Colby Bruce
Eddie O'Brien
Matthew Strauss
Katherine Watson
Shane Sampson
Mehmet Deen Tokatti
Shubham Goski
Talha Alzur
Christopher Grossman

The Board discussed the following:

1. **54 Auburn Street, Brookline**

Continue case and request petitioner to appear in front of the Board.

2. **184 Marlborough Street, Boston [Exhibit 1]**

State ID: 1-P-5251

524 CMR

Petitioner: Steven Gorham

The petitioner was in front of the Board seeking to appeal an Inspector's Report citing "Machine Room is not vented 17.02". The petitioner stated that the existing elevator is 100 years old and is now deemed by the inspector to require outside ventilation to the machine room. The petitioner stated he is not aware of any modernization done to the lift. Mr. Morgan requested Chief McDermott investigate the violation and if the inspector could provide a definitive code violation. A motion was made by Christopher Towski to place the request on hold for 30 days to allow the petitioner to come back in front of the Board and have a representative of the Elevator Contractor accompany the petitioner. The motion was seconded by Neil Mullane.

Motion: Christopher Towski

Seconded: Neil Mullane

Vote: 5-0

3. **3-5 South Whitney Street, Boston [Exhibit 2]**

New Installation

524 CMR §26.07

Petitioner: Tara Grosman

The petitioner's representative was in front of the Board Petitioner is seeking a variance from 524 CMR §26.07 – Protection at Other Levels, in order to install a 5 car semi-automated lift slide system. The petitioner's representative stated that the be beneficial to elderly family members with mobility issues. The petitioner also assured the Board that the elevator will not go to the roof and the roof deck will remain a walk up. The petitioner's representative stated that the Park Plus machine will not have dividers or ropes 42" high between parking cubicles. Operation of the system would be impossible if dividers were installed between parking cubicles. Pit access is by hatch and ladder in the system and the unit will be located under the structure with full size gates. Mr. Morgan recommended adding a detection system between pallets with an electronic sensor. The petitioner's representative stated a sensor will be added from front to back at 42 inches to replace the gate and there will never be an open pallet on grade level. The petitioner's representative confirmed that the elevator meets all other codes. A motion was made by Neil Mullane to grant the variance as requested and the petitioner

is required to add electronic sensors in lieu of the 42” physical divider and submit supplemental drawings. The motion was seconded by Thomas McDermott.

Motion: Neil Mullane

Seconded: Thomas McDermott

Vote: 5-0; Granted.

4. **859 Willard Street, Quincy [Exhibit 3 and 3A]**

State ID: 243-P-409

524 CMR §5.03 (8)

Petitioner: Samantha Finney

The petitioner’s representative was in front of the Board seeking a variance for the TOC handrail and the machine room vent – Inspector’s report citing 524 CMR §5.03 (8). The petitioner’s representative is requesting a variance for the top of car handrail that was failed for being too short, explaining there isn’t enough room in the overhead to raise the handrails and the other variance needed is the inspector is requiring a powered louver in the machine room, and currently there is a vent with sheet metal over it. There are three 5-stop hydraulic elevators located at the above address. The old vent blower was removed during a modification. There is a remote machine room for the three units, the vents have been removed and HVAC has been added to regulate the temperature and humidity. The petitioner’s representative stated that there is a clear overhead of 142 ¾”, stop ring at 13’ above the floor, crosshead at 23”, and the cartop to overhead is 36” at the floor. The maximum height for the handrail is 31 ¼” with a 1 ½” clearance. There is also an open hoistway at the rear of the car. The petitioner’s representative stated a 42” handrail could be installed on the backside, which is open. Mr. Morgan suggested a unit like the Gillespie low overhead system, with the proper signage and asked Chief McDermott to have the inspector investigate the ventilation deficiency and code citation. The Chief will have an inspector and supervisor look at the vent. A motion was made by Neil Mullane to place the request on hold for 30 days (November 18, 2021) to allow the petitioner time to provide the Board with additional information on handrail and ventilation. The motion was seconded by Christopher Towski.

Motion: Neil Mullane

Seconded: Christopher Towski

Vote: 5-0; Placed on hold.

5. **25 Fidelis Way, Boston [Exhibit 4 and 4A]**

New Installation

524 CMR §26.11

Petitioner: Shane Sampson

The petitioner was in front of the Board seeking a variance to not have 42” rails or gates on the parking platforms as any type of barrier would prevent operation of the lift. The petitioner explained to the Board the proposed car lift system. The petitioner stated there will be a kiosk system for the user and the hydraulic unit will not have remote capabilities. The petitioner then went over the sprinkler coverage design. The proposed unit will move from left to right and there a no gates within the platform and there will be no access from the rear of the system, with a total of four bays. The Board had safety concerns. The petitioners’ representative explained the proposed laser sensors in lieu of the code required 42” physical divider. The petitioner stated that they are still finalizing the control room dimensions to meet 524 CMR. A motion was made by David Gaudet to place the request on hold for 60 days (December 18, 2021) allowing the petitioner to provide additional information on the handrails with a sensor as an alternative to gates. The motion was seconded by Christopher Towski.

Motion: David Gaudet

Seconded: Christopher Towski

Vote: 5-0; Placed on hold.

6. The Board briefly discussed a possible safety/code issue for emergency services utilizing Fireman’s Service Phase II and reviewed data produced by the Chief of Elevator Inspections. **[Exhibit 5]**

Motion to Adjourn: Christopher Towski

Seconded: Thomas McDermott

Vote: 5-0; Adjourned.

Hearing concluded at 4:15 p.m.

Prepared by: Ruthy Barros

Exhibit List:

- Exhibit 1: Variance packet 184 Marlborough Street
- Exhibit 2: Variance packet for 3-5 South Whitney Street
- Exhibit 3: Variance packet for 859 Willard Street
- Exhibit 3A: 859 Willard Street, supplemental information
- Exhibit 4: Variance packet for 25 Fidelis Way
- Exhibit 4A: 25 Fidelis Way, supplemental information
- Exhibit 5: Fire Service spreadsheet as of October 18, 2021