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Minutes

**Meeting of the
Board of Elevator Regulations
October 6, 2021 at 1:00 p.m.**

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

Board Members Present:

Eric Morse, Acting Chairman
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
David Morgan

Guests Present:

Scott Thomson
David Tabenken
Patrick Kinsel
Kevin Murphy
John Prada
Kevin Archambeau

The Board discussed the following:

1. 54 Auburn Street, Brookline [Exhibit 1]

Continue case and request petitioner to appear in front of the Board. (E. Morse recused).

2. **33 Massachusetts Avenue, Cambridge [Exhibit 2]**
New Installation

Continuation of hearing. Petitioner provided additional information to the Board for further review. In the letter it states that the piles and pile caps cannot be removed, but the Board is requiring the petitioner to resubmit a stamped letter clarifying whether the piles and pile caps can be modified to make them compliant with the code. A motion was made by Neil Mullane to reject the stamped letter and have the Board coordinator reach out to the petitioner for clarification. The motion was seconded by Christopher Towski.

Motion: Neil Mullane

Seconded: Christopher Towski

Vote: 5-0

3. **10 Union Park, Boston [Exhibit 3]**
New Installation
A17.1-2013 § 5.3.1.10.3
Petitioner: Scott Thomson

The petitioner's representative was in front of the Board seeking a variance from A17.1-2013 § 5.3.1.10.3, proposed rise is more than 50' with a proposed rise of 55'-6 ½". The petitioner stated that the new elevator being proposed would provide single family accessibility to all levels of an existing six story historic district townhouse. The proposed elevator will not extend the skyline of the home. The petitioner's representative stated that the elevator equipment is safe and rated for the proposed rise and the number of stops. The petitioner stated that the proposed elevator would 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 proposed unit has been tested by the manufacturer for a maximum travel of 66 feet. The Board expressed concerns for safety given that the national code is set at 50' maximum travel and that the dwelling could potentially convert to a multi-tenant building. The Board suggested to the petitioner that a commercial elevator can be installed in a residential building, and the lift must comply with those regulations. A motion was made by David Gaudet to deny the petitioner's request with the justification being that the national code is set at 50' for safety. The motion was seconded by Christopher Towski.

Motion: David Gaudet

Seconded: Christopher Towski

Vote: 5-0; Denied.

4. **184 Marlborough Street, Boston**
Petitioner requested to postpone hearing.

5. **Approval of meeting minutes:**

June 29, 2021 [Exhibit 4]

A motion was put forth by Christopher Towski to accept the minutes as written. The motion was seconded by Neil Mullane. **Vote: 4-0; Granted.** Thomas McDermott abstained.

6. **600 Main Street, Dalton [Exhibit 5]**

State ID: 70-P-7

A17.1-2013 § 3.4.2.1 and § 3.4.2.2

Petitioner: Mary Buben

The petitioner's representative was in front of the Board seeking a variance A17.1-2013 § 3.4.2.1 and § 3.4.2.2 – Bottom and top car runby. The petitioner's representative stated that due to the modernization, a financial hardship is present and the original company that did the install is no longer in business. The issue was found during the replacement of the selector. The existing jack does not have the proper runby and hits the limit of 7/8 inches. The petitioner's representative stated that the jack is either from the original installation or it was replaced by a previous contractor. Mr. Mullane asked the petitioner's representative the timeframe needed to replace the jack. An Otis representative replied that it would take an estimate of 5-6 weeks once the jack is ordered and an additional two or more months for the installation and inspection. A motion was made by Eric Morse to temporarily grant the variance request for 3 months (January 4, 2022), to allow time for the jack replacement. The travel from the fourth floor to the fifth floor shall be slowed down to 50 fpm and a weekly inspection is required. The justification of the motion is due to the accessibility of the tenants. The motion was seconded by Christopher Towski.

Motion: Eric Morse

Seconded: Christopher Towski

Vote: 5-0; Granted.

7. 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 6]**

Motion to Adjourn: Christopher Towski

Seconded: Thomas McDermott

Vote: 5-0; Adjourned.

Hearing concluded at 3:23 p.m.

Prepared by: Ruthy Barros

Exhibit List:

- Exhibit 1: 54 Auburn Street, City Lift installation revised plans
- Exhibit 2: 33 Massachusetts Ave, engineered stamped letter dated September 22, 2021
- Exhibit 3: Variance packet for 10 Union Park
- Exhibit 4: Meeting minutes from June 29, 2021
- Exhibit 5: Variance packet for 600 Main Street
- Exhibit 6: Fire Service spreadsheet as of September 28, 2021