

Minutes

Meeting of the Board of Elevator Regulations November 16, 2021 at 1:00 p.m.

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

Board Members Present:

Eric Morse
David Morgan
Christopher Towski
David Gaudet
Neil Mullane
Thomas McDermott
Brian Ronan

Division of Occupational Licensure Staff:

Peter M. Kelley
Ruthy Barros
Sarah Wilkinson

Guests Present:

James Riley
Mike Coughlin
Brian Kearney
Ryan Astrup
Patrick Flaherty
Matthew Curtin
Chris Lawson
Rob Young

The Board discussed the following:

1. 45 Merrimack Street, Lowell [Exhibit 1]

State ID: 160-P-184

524 CMR §17.07

Petitioner: Debbie George

The petitioner's representative was in front of the Board seeking a variance from an Inspector's Report citing, 524 CMR §17.07 "Basement Hall door does not engage with car door", due to the structure of the building. The petitioner's representative stated that currently there is a manual sliding door, mounted in granite, which was installed during the original construction. The petitioner's representative testified that there is no fire service, and the building only contains business offices, and no residential apartments. The petitioner's representative proposed to install a K5 bar door lock. A motion was made by David Morgan to deny the request for variance with the justification that the current arrangement with the addition of a proper handle can be made code compliant.

Also, include signage on the door that would explain how to operate the door handle. The motion was seconded by David Gaudet.

Motion: David Morgan

Seconded: David Gaudet

Vote: 7-0; Denied.

2. **6 Louisburg, Boston [Exhibit 2]**

New Installation

524 CMR

Petitioner: Sara Elaissoud

The petitioner's representative was in front of the Board. Petitioner is seeking a variance from 524 to allow 55'-10" travel. The petitioner's representative stated that proposed new elevator's capacity will be 2100lbs and the car platform size is 5'4" W x 4'-4" D, with a travel speed of 100fpm exceeding the rise, capacity, and speed per code. The petitioner's representative stated the existing building is a single-family dwelling with six floors with an existing residential elevator. The petitioner's representative confirmed that the elevator meets 524 CMR §35.00 as a fully compliant passenger elevator. A motion was made by David Gaudet to deny the variance as requested because a code-compliant commercial elevator could be installed, with the justification being due to safety reasons, and the Board will not grant rise, capacity, and speed above the national standard. Board counsel confirmed for the Board that this unit would not be subjected to annual testing.

The motion was seconded by David Morgan.

Motion: David Gaudet

Seconded: David Morgan

Vote: 7-0; Denied.

3. **235 Old Colony Avenue, Boston [Exhibit 3]**

New Installation

524 CMR §26.07

Petitioner: Ryan Astrup

The petitioner was in front of the Board seeking a variance for 524 CMR §26.07 – Protecting at Other Levels. The petitioner's representative stated that Park Plus will not have dividers or ropes 42 inches high between parking cubicles. Operation of the system would be impossible if dividers were installed between parking cubicles and are proposing sensors in lieu of the 42" guard rail. The proposed 48 car semi-automated lift slide system 21HD will be installed in part of the Washington Village project, which will consist of 214 residential units, 20,000 sq. ft. of retail space and 50 parking spaces, two of which will be ADA spaces. The petitioner's representative stated that there will be two

sensors located at outer face and inner face, and if the gate comes down and strikes and objects the system will stop. Mr. Morgan asked if the platform could be made wider to accommodate a 42” rail, the petitioner’s representative replied if the platform were to be made larger it would take away from parking spaces. The proposed car lift system has a side slide door with an overhead chain gate, which was not as shown in the plans provided to the Board. A motion was made by Christopher Towski to place the request on hold for 30 days (December 16, 2021) to allow the petitioner time to provide the Board with additional information. The motion was seconded by Thomas McDermott.

Motion: Christopher Towski

Seconded: Thomas McDermott

Vote: 6-0; Placed on hold for 30 days. Mr. Morse took no part in the discussion of or deliberation upon this matter.

4. 25 Fidelis Way, Boston was not heard and will be rescheduled.

5. **35 Brookline Avenue, Boston [Exhibit 4]**

New Installation

524 CMR §26.06, §26.07, §26.11

Petitioner: Chris Lawson

The petitioner was in front of the Board seeking a variance for 524 CMR §26.06 – Hoistway Gates in Non-Fire Resistive Hoistways, §26.06 – Protecting at Other Levels, and §26.11 – Car Enclosures and Car Gates. The petitioner that the automated parking structure will employ an automated “puzzle” type parking system fabricated by Unitronics Systems, Inc. The system offers area and volume efficiencies by maximizing vehicle capacity in the given space. The proposed capacity for the automated parking structure is 596 parking spaces. The “puzzle” system is based on the concept of a sliding tile puzzle; using sliding “pallets” or sleds, with one empty space in each “loop”, to maneuver each car. The empty space allows the vehicles to be sorted and moved as needed to maximize the efficiency of storage and delivery. The system is mechanical, using belts and pulleys and will have cameras, sensors, and controls. The parking system is expected to accommodate office tenant (monthly) and public parking (transient) vehicles. The parking structure will have six lifts, each having a dedicated set of entrance and exit doors. The parking system is capable of processing approximately 150 vehicles per hour. The vehicles will be stored in eight levels of racks located in two storage volumes: four levels in the upper volume and four levels in the lower volume. The parking system will have valet personnel available at all times the system is operational

for processing vehicles that require accessibility assistance, thus complying with 521 CMR §23.8. Separately, two self-park van accessible spaces will be located outside of the automated system adjacent to the carport lobby. The fabricator monitors the complete system via an array of sensors and cameras located throughout the storage volumes. The petitioner also testified that the Fenway Center Phase II is accessible by fire department apparatus by means of Brookline Avenue and Beacon Street and there will be no potential for remote manipulation. A motion was made by David Gaudet to place the request on hold for 60 days (January 17, 2022) to allow the petitioner time to prove the Board with additional information. The motion was seconded by Thomas McDermott. Eric Morse recused himself prior to the Board hearing this matter and therefore did not vote.

Motion: David Gaudet

Seconded: Christopher Towski

Vote: 6-0; Placed on hold for 60 days. Mr. Morse took no part in the discussion of or deliberation upon this matter.

6. **Manufacturer: Staying Home Corporation [Exhibit 5]**

Product Name: Hide-A-Waiter Dumbwaiter

524 CMR 2018 35:00 § 1.3

Petitioner: Michael Vogt

The petitioner was in front of the Board on August 17, 2021 seeking a variance from 524 CMR 2018 35:00 §1.3, to allow for the controller to ride with the unit. The request was placed on hold until November 8, 2021 to allow the petitioner time to come back in front of the Board with additional information. A motion was made by David Gaudet to consider this request withdrawn as the petitioner has not met the deadline. The motion was seconded by Christopher Towski.

Motion: David Gaudet

Seconded: Christopher Towski

Vote: 7-0; Withdrawn.

7. **Matters not reasonably anticipated 48 hours in advance of meeting.:**

The Board reviewed the variance application for 8 Lewis Point Road, Buzzards Bay, State ID's 36-P-6 and 36-P-7. A motion was made by Christopher Towski to place the request on hold to allow OPSI staff to contact the petitioner and inform the petitioner to include a copy of the formal Enforcement Notice from CMS, copies of their installation plans for the sprinkler system, and a description of the current elevation equipment,

(model, speed, load capacity, etc.). The request will be placed on the next agenda. The motion was seconded by Brian Ronan. Neil Mullane recused himself from voting.

Motion: Christopher Towski

Seconded: Brian Ronan

Vote: 7-0; Placed on hold.

8. Mr. Mullane briefly updated the Board on updates regarding Kone's Fire Service Recall Phase II progress.
9. The meeting minutes from August 31, 2021, September 21, 2021, and September 28, 2021 were unavailable for Board review.

Motion to Adjourn: Christopher Towski

Seconded: Brian Ronan

Vote: 7-0; Adjourned.

Hearing concluded at 4:12 p.m.

Prepared by: Ruthy Barros

Exhibit List:

- Exhibit 1: Variance packet 45 Merrimack Street, Lowell
- Exhibit 2: Variance packet for 6 Louisburg, Boston
- Exhibit 3: Variance packet for 235 Old Colony Avenue, Boston
- Exhibit 4: Variance packet for 35 Brookline Avenue, Boston
- Exhibit 5: Variance packet for Hide-A-Waiter Dumbwaiter