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Minutes

Meeting of the
Board of Elevator Regulations
February 4, 2025, at 1:00 p.m.

1000 Washington Street
Boston, MA 02118
Conference Room 1D
Hybrid Meeting via Microsoft Teams

Board Members Present:

David Gaudet, Chair
Christopher Towski - Remote
Tim Morgan
Brian Ronan
Anthony Buonopane
Neil Mullane

Division of Occupational Licensure Staff:

Peter Kelley
Gayle Richardson
Jay Ryan –
John Rubyck - Remote
Walter Zalenski - Remote
Thomas Lacey - Remote

Guests Present:

Kathy Mortell – Cleary Elevator Company
Robert Cleary – Cleary Elevator Company
Charlie Schuerfhoff – Board of Trustees - 333 Commonwealth Avenue

Call to Order: 1:00 p.m.:

1. Roll call.
2. VAR25-0002
333 Commonwealth Avenue Boston
State ID: 1-P-2647
Code Reference: A17.1 2.23. 2 – Material

[Exhibit 1]

Petitioner: Kathy Mortell



The petitioner is seeking a variance from A17.1 2.23.2(b) as Cleary Elevator Company states that due to the fact that there is not enough clearance to install new counterweight rail guides or counterweights. Any other material could prove to be a safety hazard.

Robert Cleary summarized the request for variance by explaining that this is a 100-year-old elevator that is a basement drum machine elevator with the main rails being steel and the counterweight rails being wooden rails. There is very limited space for the counterweight system and platform. While reviewing the submitted pictures, he provided that there is only $\frac{3}{4}$ of an inch from the wall to the platform and a 1-inch clearance to the car. Mr. Cleary also indicated that there had been a modernization of the elevator completed in 2023, which included removing old equipment, replacing the controller, governor, wiring, safeties, new door equipment, fixtures, CAB, door operator, and roller guides.

The board asked questions about the existing elevator counterweight rail systems and asked about the feasibility of adding tube steel railings, changing the platform, adding metal pans over the existing wood railings, and/or changing out the wood rails for new wood rails. The board discussed the safety concerns that having wooden rails entails, which includes 100 years of saturated oil in the existing wood railings and the fire hazards associated with that, the rating of the wood to be used for new rails, if replaced and meeting the 524CMR code.

Robert Cleary submitted additional evidence at the hearing: a video sent to Ms. Richardson by email and shared with the board via Teams platform.

After discussion, Anthony Buonopane moved to grant the requested variance from § 2.23.2(b) of ASME A17.1-2013 with the following conditions: the counterweight frame and rail brackets must be cleaned of grease; a non-flammable lubricant must be applied to the wood and steel rails; and a flame retardant must be applied to the backside of the wooden counterweight rails. Tim Morgan seconded the motion. Vote: 6-0-0

Motion: Anthony Buonopane

Seconded: Tim Morgan

Vote: Granted with conditions

Roll Call Vote:

- | | | | |
|---------------------|---|------------------------------|----------------------------------|
| • 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 |

3. Gayle Richardson provided information on the following items:
 - a. Variance request for VAR25-0003, which was on the docket to be heard, was withdrawn at the request of the petitioner.

4. Matters not reasonably anticipated 48 hours in advance of meeting.
- a. Tim Morgan asked if the board could issue a variance with an expiration date attached? David Gaudet provided that the board has granted variances previously that expire with the unit, meaning that if the unit is modernized then the variance may expire depending on the variance.
5. Chris Towski moved to Adjourn the meeting. Motion was seconded by Brian Ronan. Vote 6-0-0.

Motion: Chris Towski

Seconded: Brian Ronan

Vote: Granted

- | | | | |
|---------------------|---|------------------------------|----------------------------------|
| • 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 |

Meeting adjourned at 1:58 p.m.

Prepared by: Gayle Richardson

Exhibit List:

Exhibit 1: Variance packet for 333 Commonwealth Avenue Boston