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Division of Professional Licensure**

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**LAYLA R. D'EMILIA**  
COMMISSIONER, DIVISION OF  
PROFESSIONAL LICENSURE

**Minutes**

**Board of Elevator Regulations**

**This meeting was held remotely via Microsoft Teams  
February 2, 2021 at 9:00 a.m.**

**Board Members Present:**

Eric Morse, Acting Chairman  
Sarah Wilkinson  
Jacob Nunnemacher  
David Gaudet  
Cheryl Davis  
Brian Ronan  
David Morgan

**Division of Professional Licensure Staff:**

Peter M. Kelley  
Ruthy Barros  
Chris Eckler

**Guests Present:**

Terrence McCarthy – MBTA  
Siva Ancha – GLX Constructors  
Quon Chin – STV  
Jasmine Dimayuga – STV  
Yameen Arshad – STV  
Nikola Nikolov – STV  
Sawis Cao – STV  
Ellie Hahl – Above and Beyond Elevator  
Erik Johnson – Erick O Johnson Construction

**The Board discussed the following:**

- 1. Broadway, Somerville – Ball Square Station-Elevator No.1  
161 School Street, Somerville – Gilman Square Station-Elevator No. 1 & No.2  
270 Lowell Street, Somerville – Magoun Square Station-Elevator No. 1 & No.2  
460 Boston Avenue, Medford – Medford Tufts Station-Elevator No. 1 & No.2  
New Installation (7 New Elevators) [Exhibit 1]  
A17.1-2013 Section 2.11.10.1.1  
Petitioner: Siva Ancha**

The petitioner was in front of the Board seeking a variance from A17.1-2013 Section 2.11.10.1.1. This section of the code Landing-Sill Guards, requires landing sills to be guarded on the underside with guard plates of smooth metal not less than 1.4mm (0.55 in.) thick, extending the full width of the car sill exposed to the landing entrance, and securely fastened in place. The petitioner is requesting a variance to provide this guard, generally known as ‘hoistway fascia’, to be made of glass in lieu of metal. The MBTA is required, per its settlement agreement with the Boston Center for Independent Living, to provide maximum transparency of the elevator and elevator tower to promote safety through visibility, at this new accessible station entrance. A solid panel of smooth metal fascia at these glass headhouses would negate the visibility into the headhouse and elevator. A smooth glass fascia, exceeding the properties of the .055 inch thick smooth steel, is proposed in place of a smooth metal fascia for the height of the glass elevator towers. The glass will be laminated and labeled properly to meet ANSI Z97.1. The petitioner also stated that this request is identical to previous MBTA variance requests, which have been approved by the Board. A motion was placed by Cheryl Davis to grant the petitioner’s variance request for seven new elevators to be located at the above location, with the justification being to improve public safety. The motion was seconded by Brian Ronan.

**Motion:** Cheryl Davis

**Seconded:** Brian Ronan

**Vote: 7-0; Granted.**

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Jacob Nunnemacher	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Cheryl Davis	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Sarah Wilkinson	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

## 2. 16 Medouie Creek Road, Nantucket [Exhibit 2]

**State ID(s): 197-R-19955**

**524 CMR 1.08 (5)**

**Petitioner: Ellie Hahl**

The petitioner was in front of the Board requesting an extension on permit (ELV19-0706), which has expired due to construction of entire house exceeding the original

completion date. Erik Johnson stated that due to the current health pandemic, there were unexpected delays in construction. The builders were requested to exit the property per the owner's request, due to safety concerns. Construction later resumed with a limited crew, which slowed the process. The permit expired on March 19, 2020 and Above and Beyond Elevator was last on the job site on February 26, 2020. Ellie Hahl stated that the elevator construction is 90% complete and minor work remains to be complete the roped hydraulic residential lift. A motion was made by Cheryl Davis to grant the petitioner's extension request with a May 3, 2021 (90 days from February 2, 2021) comply date, in which the final acceptance test must be applied for. The motion was seconded by David Morgan.

**Motion:** Cheryl Davis

**Seconded:** David Morgan

**Vote: 6-1; Extension granted.**

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Jacob Nunnemacher	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Cheryl Davis	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input type="checkbox"/> yea	<input checked="" type="checkbox"/> nay
• Sarah Wilkinson	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

### **3. Discussion regarding Sprinkler Protection of Hoistways, Pits and Machine Rooms.**

Chris Lynch, a consultant working on behalf of Nantucket Cottage Hospital, who is one of the facilities that has been cited by the federal government relative to the lack of sprinklers in the hoistways, pits, and elevators in their new hospital, reached out to the Board to further discuss the matter. Mr. Lynch stated Nantucket Cottage Hospital has received a waiver for a period of time from the government. Mr. Lynch stated that he understands the conflict between the MA regulations and the government have been discussed by the Board in the past. Mr. Lynch is seeking to understand the process of reviewing this issue and if there is any timeline for resolution. The Board will review the variance request, once submitted, and further discuss the matter.

### **4. Approval of meeting minutes:**

The January 5, 2021 meeting minutes were pulled for further edits.

### January 26, 2020 [Exhibit 3]

A motion was put forth by Jacob Nunnemacher to accept the minutes as written. The motion was seconded by Sarah Wilkinson. **Vote: 6-0; Granted.**

#### Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Jacob Nunnemacher	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Cheryl Davis	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Sarah Wilkinson	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	Abstained	

### 5. Old Business:

#### 44 Harvard Drive – Milford, MA

(State ID: 185-R-128)

Request for reclassification. Placed under advisement for 90 days.

Deadline: January 25, 2021

A motion was made by Sarah Wilkinson to grant an extension of an additional 60 days to allow the Office of Public Safety and Inspections additional time to research the history of this unit. The motion was seconded by David Morgan.

**Motion:** Sarah Wilkinson

**Seconded:** David Morgan

**Vote: 7-0; Extension granted – New deadline is April 4, 2021.**

#### Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Jacob Nunnemacher	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Cheryl Davis	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Sarah Wilkinson	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

**Motion to Adjourn:** David Morgan

**Seconded:** Brian Ronan

**Vote: 7-0; Adjourned.**

#### Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Jacob Nunnemacher	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

- |                   |   |                              |
|-------------------|---|------------------------------|
| • Cheryl Davis    | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Sarah Wilkinson | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Eric Morse      | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • David Morgan    | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |

Hearing concluded at 11:24 a.m.

Prepared by: Ruthy Barros

**Exhibit List:**

- Exhibit 1: Variance packet for:
  - Broadway, Somerville – Ball Square Station
  - 161 School Street, Somerville – Gilman Square Station
  - 270 Lowell Street, Somerville – Magoun Square Station
  - 460 Boston Avenue, Medford – Medford Tufts Station
- Exhibit 2: Variance packet for 16 Medouie Creek Road, Nantucket
- Exhibit 3: Meeting minutes from January 5, 2021