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**Commonwealth of Massachusetts
Division of Occupational Licensure**

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Minutes

**Meeting of the
Board of Elevator Regulations
March 22, 2022 at 1:00 p.m.**

Microsoft Teams meeting

Board Members Present:

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

Division of Occupational Licensure Staff:

Peter Kelley
Ruthy Barros

Board Members Absent:

Eric Morse, Acting Chair

Guests Present:

Chris Lawson
Joel Morales
Moti Baikin
Brian Kuhn
Eric Svahn
Ryan Astrup
Michael O'Bryan
AJ Jenkins
Brian Lake
Anthony Falco

Call to Order: 1:02 p.m.

The Board discussed the following:

1. **35 Brookline Avenue, Boston [Exhibit 1]**
New Installation
524 CMR §26.06 and §26.07
Petitioner: Chris Lawson

The petitioner was originally in front of the Board on November 16, 2021, seeking a variance from 524 CMR §26.06 – Hoistway gates in on fire resistant hoistways and §26.07 – Protection at other levels. The petitioner stated 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 always have valet personnel available, and 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. David Morgan had questions regarding the entry gates. The petitioner stated there will be no gates at entry, only a roll-up door. The petitioner is no longer seeking a variance from §26.11 – Car enclosures. There will be vision panels on the doors to address safety smoke conditions in the hoistway. A motion was made by Christopher Towski to grant the variance from 524 CMR §26.06 and §26.07 with 42-inch gates at entry, in main landing on both doors and as written in request. The motion was seconded by David Morgan.

Motion: Christopher Towski

Seconded: David Morgan

Vote: 6-0; Granted.

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

2. **472 West Broadway – Boston, MA [Exhibit 2]**

New Installation

524 CMR §26.07

Petitioner: Ryan Astrup

The petitioner was previously in front of the Board on January 18, 2022, seeking a variance from 524 §26.07 – Protection at Other Levels. The petitioner is proposing to install a 10 car semi-automated, two lift slide system, model 2H1D2W at the above address. The variance being requested is due to the Park Plus machine not having dividers or ropes 42” high between parking cubicles. Operation of the system would be impossible if dividers were installed between parking cubicles. Park Plus will provide a photoelectric sensor mounted at 42” high, model: Datalogic S62-PA-5-B01-PP or equivalent, mounted on the rear leg between spaces with a 3” reflector mounted on the gates. The parking system will not operate if an object or person is detected between platforms prior to moving. There will be sliding segmented gates at the front, as opposed to a lift gate and the control room will be labeled and keyed in accordance with 524 CMR Section 35.00. There will be full width, sliding entry doors. A motion was made by Christopher Towski grant a variance from 524 §26.07 – Protection at Other Levels with photoelectric sensor mounted at 42” high, mounted on the rear leg between spaces with a 3” reflector mounted on the gates. The motion was seconded by Brian Ronan.

Motion: Christopher Towski

Seconded: Brian Ronan

Vote: 6-0; Granted.

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

3. **35 Braintree Street – Boston, MA [Exhibit 3]**

New Installation

524 CMR §26.07

Petitioner: Ryan Astrup

The petitioner was in front of the Board seeking a variance from 524 CMR §26.07 – Protection at Other Levels. The petitioner is proposing to install a 28 car semi-automated, two lift slide puzzle system, model PS2H0D at the above address. The variance being requested is due to the Park Plus machine not having dividers or ropes 42” high between parking cubicles. Operation of the system would be impossible if dividers were installed between parking cubicles. Park Plus will provide a photoelectric sensor mounted at 42” high, model: Datalogic S62-PA-5-B01-PP or equivalent, mounted on the rear leg between spaces with a 3” reflector mounted on the gates. The parking system will not operate if an object or person is detected between platforms prior to moving. There will be sliding segmented gates at the front, as opposed to a lift gate and the control room will be labeled and keyed in accordance with 524 CMR Section 35.00. The petitioner has stated the building permit is being held up until a Board of Elevator Regulations’ variance is issued. A motion was made by Neil Mullane grant a variance from 524 §26.07 – Protection at Other Levels, with the requirement that the petitioner provide a letter from the code consultant affirming that doors are code compliant, including cut sheets, plans and details on the doors, prior to the installation permit. The motion was seconded by Christopher Towski.

Motion: Neil Mullane

Seconded: Christopher Towski

Vote: 5-1; Granted. David Morgan voted in opposition.

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input type="checkbox"/> yea	<input checked="" type="checkbox"/> nay

4. **204 Forest Avenue – Newton, MA [Exhibit 4]**

New Installation

524 CMR

Petitioner: Brian Lake

The petitioner was in front of the Board seeking a variance to install a Pneumatic Vacuum Elevator Model PVE 52” model similar to the previously granted 30” and 37”

models. The petitioner stated that Pneumatic Vacuum Elevator, LLC has 20 years of experience with installation of PVE units. The proposed lift has a rated load of 525 lbs and travel of 30 fpm. The petitioner stated that the PVE 52 will follow the same maintenance protocols as the PVE 30 and PVE 37, including replacing the main seal during maintenance. The petitioner was informed that the manufacturer stated on the original petition, that the hoistway be annually inspected and replaced per specifications. A motion was made by Christopher Towski to place the case on hold for 60 days to allow for Board review and petitioner to formalize code variances. The motion was seconded by Thomas McDermott.

Motion: Christopher Towski

Seconded: Thomas McDermott

Vote: 5-1; Placed on hold for 60 days. David Morgan voted in opposition.

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input type="checkbox"/> yea	<input checked="" type="checkbox"/> nay

5. Approval of meeting minutes from November 16, 2021 [Exhibit 5]

A motion was put forth by Christopher Towski to accept the minutes as written. The motion was seconded by David Morgan. **Vote: 6-0; Granted.**

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

6. Approval of meeting minutes from November 30, 2021 [Exhibit 6]

A motion was put forth by David Morgan to accept the minutes as written. The motion was seconded by Christopher Towski. **Vote: 6-0; Granted.**

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

- David Morgan ☒ yea ☐ nay

7. Approval of meeting minutes from December 7, 2021 [Exhibit 7]

A motion was put forth by Christopher Towski to accept the minutes as written. The motion was seconded by Brian Ronan. **Vote: 5-0; Granted.** David Morgan abstained.

Roll Call Vote:

- | | | |
|----------------------|---|------------------------------|
| • David Gaudet | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Christopher Towski | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Neil Mullane | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Thomas McDermott | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Brian Ronan | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • David Morgan | | Abstained |

8. Approval of meeting minutes from December 21, 2021 [Exhibit 8]

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

Roll Call Vote:

- | | | |
|----------------------|---|------------------------------|
| • David Gaudet | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Christopher Towski | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Thomas McDermott | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • David Morgan | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |
| • Neil Mullane | | Abstained |
| • Brian Ronan | | Abstained |

Motion to Adjourn: David Morgan

Seconded: Christopher Towski

Vote: 6-0; Adjourned.

Hearing concluded at 3:19 p.m.

Prepared by: Ruthy Barros

Exhibit List:

- Exhibit 1: Variance packet for 35 Brookline Ave., Boston
- Exhibit 2: Variance packet for 472 West Broadway, Boston
- Exhibit 3: Variance packet for 35 Braintree Street, Boston
- Exhibit 4: Variance packet for 204 Forest Avenue, Newton
- Exhibit 5: Meeting minutes from November 16, 2021

- Exhibit 6: Meeting minutes from November 30, 2021
- Exhibit 7: Meeting minutes from December 7, 2021
- Exhibit 8: Meeting minutes from December 21, 2021