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COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**Minutes**

**Meeting of the  
Board of Elevator Regulations  
April 2, 2024, at 1:00 p.m.**

**1000 Washington Street  
Boston, MA 02118  
1<sup>st</sup> Floor-Room 1D  
Hybrid Meeting via Microsoft Teams**

**Board Members Present:**

Eric Morse, Acting Chair  
David Gaudet  
Neil Mullane  
Anthony Buonopane  
Tim Morgan  
Christopher Towski

**Division of Occupational Licensure Staff:**

Peter Kelley  
Gayle Richardson  
Jay Ryan  
John Rubyck (remote)  
Walter Zalenski (remote)

**Board Members Absent:**

Brian Ronan

**Guests Present:**

Brandon Hall, KBH & Co. (remote)  
Kevin Medeiros (remote)

**Call to Order: 1:02 p.m.:**

1. Roll call.

2. VAR24-0007

**[Exhibit 1]**

58 Kent Street Brookline

Semi-Automated Parking System

Code: 524 CMR 26.07 – Protection at other levels and 524 CMR 26.11 – Car Enclosures  
and Car Gates



Petitioner: Brandon Hall

The petitioner is seeking a variance from 524 CMR 26.07 – Protection at other levels and 524 CMR 26.11 – Car Enclosures and Car Gates for a new 22 space Semi-Automated Parking System by showing that alternate means of safety will be met.

The petitioner, while sharing the submitted documentation (Exhibit 1), gave an overview of the variance request for the Semi-Automated Parking System including that this is for a Class III, 22 space system and is the third Parkmatic system within the Commonwealth of Massachusetts. This system will utilize wheel tracks contained on a turntable platform, to turn cars to the appropriate direction for transfer, with storage cubicles inside a vault below ground. It uses multiple photosensor eyes within the space to validate the size of the vehicle and that the doors are closed before moving the turn table. The 22-car parking space will have a single controller.

The meeting briefly recessed from 1:17 p.m. to 1:27 p.m.

The vehicle driver pulls onto the wheel tracks, when it becomes available, and then exits the car and cabin and must confirm on the operating control panel, which is located outside to the right of the safety door for the entry cabinet, that they are ready for the car to be moved to the semi-automatic state to shuffle the car to storage. The system then verifies that the cabin is empty and that all parameters are met in order to take the care down into the vault, and the cabin doors close. The cabin has positional sensors in the top of the tray that looks for a tab on the top of the door to verify that the doors have closed and if this fails, the system goes into an emergency stop state and will not operate.

Members asked some clarifying questions related to the safety of the cabin space, the tray before it moves and if the sensors would pick up anybody throughout the cabin space, and if pressure pads are being utilized.

David Gaudet questioned a product variance application for these requests, as such are not approved by the Board. Neil Mullane then reminded the petitioner that since no other code items have not been requested for a variance, the other code related work must meet the applicable code, including pit lighting, safety looks and door contacts.

After discussion by the board, Neil Mullane moved to grant the request for variance from 524 CMR 26.07 and 26.11 with the justification that alternate means of safety have been provided. The motion was seconded by Eric Morse. Tim Morgan sought a friendly amendment to the motion to include pressure safety pads in any remaining areas of the transfer area that are not electronically detected. The amended motion was approved by Neil Mullane and Eric Morse and re-stated for the record that pressure sensitive pads must be included in any vehicle transfer area that is not detected by a photo sensor eye.  
Vote 4-0-2

**Motion: Neil Mullane**

**Seconded: Eric Morse**

**Vote: 4-0-2 Granted with condition**

**Roll Call Vote:**

- |                |   |                              |   |
|----------------|---|------------------------------|---|
| • Eric Morse   | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain            |
| • David Gaudet | <input type="checkbox"/> aye            | <input type="checkbox"/> nay | <input checked="" type="checkbox"/> abstain |
| • Tim Morgan   | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain            |

- |                     |   |
|---------------------|---|
| • Chris Towski      | <input type="checkbox"/> aye <input type="checkbox"/> nay <input checked="" 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. The board took a recess from 2:30 p.m. until 2:36 p.m.

**4. VAR24-0009 [Exhibit 2]**

1101 Kirkbride Drive Danvers  
STATE ID: 71-P-220 & 71-P-221  
Code: Section 2.26.4.1  
Petitioner: MA Testing

As the petitioner was not present, the matter was tabled and will be rescheduled.

**5. VAR24-0012 [Exhibit 3]**

80 Cross Road Dartmouth  
State ID: 72-P-25540  
Code: ASME 2.7.3.4 - Access Doors and Openings and 2.7.4 - Headroom in Machinery Spaces, Machine Rooms, Control Spaces, and Control Rooms.  
Petitioner: Kevin Medeiros

Following a March 5, 2024, appearance before the board, the petitioner returns to provide the Board's requested information, including the original submitted architect stamped sectional view drawing along with the current architect stamped sectional view drawing, the Geotech report regarding the water height levels in the area, and a letter from the Planning Board regarding the height restrictions. The petitioner is seeking a variance from ASME 2.7.3.4.2 (machine room access door minimum height 80") for 78" door and ASME 2.7.4.1 (machine room headroom no less than 84") for 80" machine room headroom, due to high water table level being encountered during excavation for the foundation caused the footing height to be raised but the wall height could not be raised because of the height restriction of the building under the local bylaws.

The petitioner provided a summary of the specific paperwork that was submitted, as requested by the board, and wanted to reiterate for the record that this was not knowingly done as a violation. Once the water table issue was discovered the Structural Engineer and the Architect were updated, and the Elevator Mechanic was on site during framing.

Anthony Buonopane asked clarifying questions regarding the disconnect pipe being moved from the ceiling to the wall, to which the petitioner agreed. Neil Mullane requested verification of the placement of the machine room to which the petitioner confirmed that it is adjacent to the elevator shaft and is noted on the drawing, but it is located in the basement.

David Gaudet proposed signage be added to the machine room door regarding the door height and that it also be listed that the machine room head room is less than expected so the elevator mechanic is aware of the condition, to which the petitioner agreed.

Anthony Buonopane made a motion to grant the request for variance of ASME 2.7.3. and 2.7.4 with the requirements of signage to the machine room door and inside the machine room indicating the low clearance and further that any pipes mounted on the machine room ceiling be relocated to the wall. The motion was seconded by Tim Morgan. Vote 6-0-0

**Motion: Anthony Buonopane**  
**Seconded: Tim Morgan**  
**Vote: 6-0-0 Granted with condition**  
**Roll Call Vote:**

- |                     |   |                              |                                  |
|---------------------|---|------------------------------|----------------------------------|
| • Eric Morse        | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |
| • 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 |
| • 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 |

**6. Approval of meeting minutes from March 5, 2023. – tabled.**

The minutes were tabled for a future meeting. No action was taken on this item.

- 7. Chief's Report** - Anthony Buonopane discussed requests for extensions on FS90 due to modernizations. He wanted to inform the board that the division will be reviewing the requests case by case, but that the department is suggesting some petitioners seek variances from the Board, which may be forthcoming.
8. Discussion by the board regarding the start time of the Public Hearing on Wednesday, May 1, 2024. By unanimous consent, the Board set the public hearing time at 12:00 noon and the BER meeting at 1:00 p.m.
9. Matters not reasonably anticipated 48 hours in advance of meeting.
- a. David Gaudet inquired about resolved matters carried under Old Business. Mr. Kelley indicated he can report to the Board when such matters become administratively resolved, without the necessity for further Board action, via a Board Counsel Report going forward.
10. Chris Towski moved to Adjourn the meeting. Motion was seconded by Anthony Buonopane. Vote 6-0-0.

**Motion: Chris Towski**  
**Seconded: Anthony Buonopane**  
**Vote: 6-0-0 Granted**  
**Roll Call Vote:**

- |                     |   |                              |                                  |
|---------------------|---|------------------------------|----------------------------------|
| • Eric Morse        | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |
| • 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 |
| • 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 3:04 p.m.  
Prepared by: Gayle Richardson

**Exhibit List:**

- Exhibit 1: Variance packet for 58 Kent Street Brookline
- Exhibit 2: Variance packet for 1101 Kirkbride Drive Danvers
- Exhibit 3: Variance packet for 80 Cross Road Dartmouth