



**MAURA HEALEY**  
GOVERNOR

**KIM DRISCOLL**  
LIEUTENANT GOVERNOR

**YVONNE HAO**  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**Office of Public Safety and Inspections**

1000 Washington Street, Suite 710  
Boston, Massachusetts 02118

**LAYLA R. D'EMILIA**  
UNDERSECRETARY, CONSUMER  
AFFAIRS AND BUSINESS  
REGULATION

**SARAH R. WILKINSON**  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**Minutes**

**Meeting of the**  
**Board of Elevator Regulations**  
**April 25th, 2023, at 1:00 p.m.**

**Hybrid Meeting via Microsoft Teams**

**Board Members Present:**

Eric Morse, Acting Chair  
Sarah Wilkinson  
Christopher Towski  
Neil Mullane  
Brian Ronan  
David Morgan

**Division of Occupational Licensure Staff:**

|                 |                 |
|-----------------|-----------------|
| Peter Kelley    | Michael Morton  |
| Terry Asci      | Earle Oliver    |
| George Ramien   | Edward Sandell  |
| Marty Guiod     | Stephen Collins |
| Walter Zalenski | John Rubyck     |

**Board Members Absent:**

David Gaudet

**Guests Present:**

Steven Sampson  
George Vernet, Owner of Vernet Properties Inc.  
Kathy Franson, Property Manager of Vernet Properties Inc.  
Jeffrey Halley, 3 Phase Elevator  
Chris Lawson, Utron VP of Operations  
Ken Rooney, Subcontractor from Custard Contracting  
Dan Levitt, Utron, Head of Software  
John Schmiesing, Westfalia  
Lee Burneson, Northstar  
Katie Huckins, Northstar  
Eric Svahn, SGR Architects  
Peter Belden, Kone: District Construction  
Gavin MacPherson, Suffolk Construction  
Brian Anderson, Kone Installation Manager  
Tony Scoppettuio, Kone Installation Manager  
Dave Gannon, Kone Project Manager



Call to Order: 1:04 p.m.:

1. Acting Chairman Eric Morse requested that Roll Call be done.
2. **Steve Sampson – [Exhibit 1]**  
Steven Sampson came before the Board requesting to be approved as a CE Instructor. After reviewing the resume, Eric Morse opened to the Board for discussion. David Morgan noted that the curriculum must be Board Regulation and code-based, which the applicant acknowledged. A motion was made to approve the request by Sarah Wilkinson. The motion was seconded by Brian Ronan. Vote 6-0-0.

**Motion: Sarah Wilkinson**

**Seconded: Brian Ronan**

**Vote: 6-0-0 Approved**

**Roll Call Vote:**

- |                      |   |                              |                                  |
|----------------------|---|------------------------------|----------------------------------|
| • Eric Morse         | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |
| • David Morgan       | <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 |
| • Christopher 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 |
| • Sarah Wilkinson    | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |

3. **70 Washington Street, Salem [Exhibit 2]**  
**State IDS:258-P-209 and 258-P-210**

The petitioner is seeking a variance from the generator requirement for a period of fifteen months. Kathleen Franson presented the case and specified that it was a generator issue that occurred before inspection. There was a broken sprinkler pipe that received a 90-day certificate because the inspector was unable to test. Kathleen Franson explained that the generator is on back order from the manufacturer and is seeking a variance to not test the unit until the generator comes in. Jeff Halley added that the building regulations had no footprint, and the city was trying to replace the generator. Eric Morse asked if the generator powered the units. Jeff Halley replied the generators supplied one unit at a time. Eric Morse asked if the generator was working up until the sprinkler broke? Kathleen Franson replied yes. Eric Morse asked what else is powered by the generator, life safety? Kathleen Franson replied that the lights were and added that the building is a historic building, and it was built in 1915. In the 1960's a generator was put in and Salem required it to be put outside. Eric Morse asked if there was an appeal the Salem Building Department or the Salem Fire Dept? Kathleen Franson replied yes. The Salem Building Department said it couldn't be placed in the basement per code. We found we could place it on the roof. Eric Morse asked the petitioner if they went to the fire dept regarding the life safety systems that won't operate with the generator? Kathleen Franson replied that she did not inquire about the systems with the Salem Fire Department and that it was disconnected because there was a problem with its

location and that is what she was concerned about. David Morgan asked the petitioner if there was documentation from the generator company with regards to 50 weeks out. Kathleen stated yes and indicated the documents that she submitted with the variance. Neil Mullane asked petitioner if their intention was to file a request for an extension as limited to the generator portion of life safety and to file for the annual certificate with the generator out? Kathleen Franson answered that they have a 90-day certificate that will expire in May 2023. She is requesting a variance until the end of February 2024. Neil Mullane stated the original date of inspection and stated that the limited elevator system stays on current annual inspection date and the extension of the variance only be attributed to the generator portion of the work. Eric Morse stated that once the new generator is installed, it needs a new full test. Chris Towski inquired about the why there is a generator, seems as if the generator is required for emergency power? Eric Morse replied it defers to Building code for the requirement for a generator, and that the generator must function in a certain way to power elevator. Chris Towski directed a question to the petitioner - what about placing a trailer mount in the parking lot? Kathleen Franson replied that there is no parking or outdoor space because the property line connects to another building. The basement placement was an issue of ventilation and we had to get verification from the manufacturer that a new generator was certified for ventilation, which they were not able to get. That left putting it on the roof. Chris Towski described the building location using Google maps and questioned the petitioner about the surrounding property. Kathleen Franson stated they are on different parcels. Chris Towski suggested asking the city if she could use parking spots. Kathleen Franson had not asked Salem but could check that with Salem about using parking spots for the generator. David Morgan inquired if the building inspector was aware and ok with the fifteen-month time from of getting the generator? Kathleen Franson replied yes. David Morgan stated that per code if the generator is there it must work, and we should not be referring to the logistics of where the generator will be. Sarah Wilkinson agreed with the statement made by David Morgan, and she supports this with some form of caveat, in that as soon as the generator is installed, the petitioner is required to do their next annual. We cannot allow an inspection to go beyond a year due to all the safety features that must be tested. In addition, she would like to see the Fire Department get notification of this, so they are aware that if there was an emergency this power would not be working while variance is in place. Eric Morse inquired if the building had occupants. Kathleen Franson explained that the building is a non-residential five story of offices and retail spaces and no residential. David Morgan made a motion to Grant the variance for the generator at this location, as the generator was damaged and is on order to be replaced. The variance will be from the annual testing requirement in 8.6.4.19.7 until next February 2024 inspection only; if generator installed before February 2024; there will be an immediate state inspection must be done, pursuant to 8.10.2.3.2(l) and the state will inspect annually thereafter. The justification is that the building inspector has allowed this work to be done and our code is derived from that building code itself. Neil Mullane seconded the motion. Vote 5-0-1.

**Motion: David Morgan**

**Seconded: Neil Mullane**

**Vote: 5-0-1 Granted**

**Roll Call Vote:**

- |                      |   |                              |   |
|----------------------|---|------------------------------|---|
| • Eric Morse         | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain            |
| • David Morgan       | <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            |
| • Christopher 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            |
| • Sarah Wilkinson    | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain            |

**4. 19-35 River Street, Winchester [Exhibit 3]  
Elevator Product**

The petitioner is requesting a variance from section 26.07 protection at all other levels and 26.11 car enclosures and car gates for a semi-automated parking system. Chris Lawson presented the submitted drawings and explained the location of the project and that it consisted of 10 groups of two-level puzzles totaling 50 spaces with each group separated by concrete columns, five spaces each on lower and upper levels, each with their own hoistways. Chris Lawson shared the project schematic plans with dimensions on screen with the Board and identified the location of the kiosks, control cabinets, and 3 upper sensors at 78", and the location of the four gate sensors. Eric Morse inquired if the sensors were on all the time and engaged. Chris Lawson replied yes and if someone were to reach over, the system would stop. Neil Mullane inquired about the width of the platform that the driver accesses with relation to the drivers physically exiting their vehicles. Chris Lawson referred to the curb drawings of six inches. Neil Mullane inquired about the size of the gate mesh. Chris Lawson replied 42 inches off the finished floor and the mesh is 1 inch x 1 inch. Neil asked if any additional sensors front to back were in between the vehicles and the loading area. Chris Lawson stated yes and referred to the drawings of the over length and over height sensors in the rear and chain brake sensors, and safety hook sensors. Eric Morse inquired about sensors for open car doors. Chris Lawson stated that on the kiosk there are a series of questions that the driver must answer before the gate can be closed and the vehicle moved. Dan Levitt elaborated the operation of the kiosk (series of safety questions are asked e.g., is the car off, parking brake on, mirrors folded, etc). Eric Morse inquired about the control room location and electrical clearance. Chris Lawson referenced the drawings and indicated that it is in a locked area in a dedicated room with electrical clearance. David Morgan referred to the variance request about protection between the vehicles for the safety of people and inquired if an electric eye existed between vehicles. Chris Lawson replied no, and that one can be added. David Morgan deferred to the Chair about the code compliancy of the 1-inch perforation of the gate and referenced other manufacturers placing plexi-glass to prevent fingers from being injured. Chris Lawson said they can add plexi-glass to close the holes. David Morgan inquired if there was an elevator pit, exposed sewage pipes, exposed gas lines that apply to hoistways, etc. in relation to code and if there is, above or below, it is considered in the unit. Chris Lawson stated there is none and referred to the

drawings with the beam and will inquire further with the general contractor. Chris Towski asked the status of the project. Chris Lawson stated that a permit has been issued. Chris Towski inquired if the Fire Department and Building departments are aware. Chris Lawson said yes. Chris Towski inquired about the kiosk and if it had lights and signage for status. Chris Lawson stated the kiosk has visual lights indicating the system is in motion as well as signage. Neil Mullane asked for clarity regarding piping lines in the area and if there are any sprinklers. Dave Morgan replied and provided an explanation about the sprinklers not being permitted in pits, control spaces, or machine rooms. Brian Ronan inquired if there are drains within the system. Chris Lawson stated the slab is sloped towards the drive aisle and the drive aisle has drains.

Neil Mullane moved to grant the variance from sections 6.07 and 26.11 with the following conditions: first, that additional sensors be added between the vehicles at 42-inches; second to close-in the gate mesh to prevent finger pinching and finally there be no exterior piping or unrelated equipment above vehicles. Justification is the alternate means of safety through electric eyes and sensors can prevent the system from operating if interfered. Final inspection by board. This motion was seconded by Chris Towski. Vote 6-0-0

**Motion: Neil Mullane**

**Seconded: Chris Towski**

**Vote:6-0-0; Granted with conditions**

**Roll Call Vote:**

- |                      |   |                              |                                  |
|----------------------|---|------------------------------|----------------------------------|
| • Eric Morse         | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |
| • David Morgan       | <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 |
| • Christopher 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 |
| • Sarah Wilkinson    | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |

5. The board took a 5-minute break at 2:18 p.m.

6. **Westfalia Technologies Inc. [Exhibit 4 – 4D]**

**35 Brookline Ave.**

**Elevator Product**

Petitioner is seeking relief for an Automated Parking System. 524 CMR 26.06- Hoistway Gates in Fire-resistive Hoistways 524 CMR 26.07 (1) – (2)-Protection at Other Levels.

John Schmiesing shared the schematics to be presented to the board. Chris Towski commented that the drawings resemble 35 Brookline Avenue, Boston can this location be verified. Eric Morse asked if the project had been presented to the board of the BER previously. Eric Svahn verified the location is the Fenway Center, Phase II, at 35 Beacon Street and 725 Brookline Avenue and that they were in front of the Board for two variances, one at 35 Beacon St., with a different system. John

Schmiesing describes the system beginning where the vehicles enter and proceed to one of the seven transfer areas by referring to the schematics. The driver parks, exits the transfer area, uses a monitor to answer questions, uses a key fob to identify their vehicle, and then the door leading to the transfer area closes once the patron exits. The entire area is set up to assure that no people etc. are in the transfer area. The vehicle is parked on a turntable which moves to a turning sequence, and it rotates and is accessed to a transfer car (t-car) that takes the vehicle to (one of the six in conjunction with a satellite mounted on the t-car) VRC then the vehicle goes (referred to a drawing that wasn't included with the submitted packet-but was received after the meeting as (Exhibit 4A)) upward and is lifted to the other parking levels and parked. To retrieve the vehicle, the patron would access the kiosk, the patron will id themselves, the vehicle will go through the reverse operation, brought to the ground level, and deposited into the transfer area in the reverse direction that the vehicle was in, so the patron can pull straight out into the exit. It was added that once the patron exits the transfer area, the area is completely locked off, safety scanners are set to monitor the area before anything is moved. There are safety interlocks on all doors to ensure the safety of the patron back into the transfer area. John Schmiesing shares the three-dimensional lifting device and explains the mechanics and that it cannot be accessed by a person due to safety procedures. Eric Morse inquired about the car transfer and how it's done. John Schmiesing explained it's done by a satellite on top that has arms that lift the vehicle up and onto the transfer car. The t-car moves the vehicle east to west in the aisles (referring to the drawing). The satellite is bound to the t-car and makes the movement of the t-car to the VRC into a parking position. Eric Morse asks for a description of the floor material. John Schmiesing explains that the floors are concrete and there is a 1-inch-tall C channel that guides the satellite to properly position the vehicle. Eric Svahn added that each floor is a concrete deck with a structural fireproof steel beam. Eric Morse inquired if a solid floor existed all around. Eric Svahn stated yes and that they are looking to add fencing (referring to the three-dimensional drawing) around the three sides of the lift that are open and place a partition so only one side is open to the hoistway for the moving car. Eric Morse inquired about the parking garage access (floor plans) doors and what they are. Eric Svahn stated the garage is separated from the building and there are corridors that connect the corridors for maintenance and fire access. They are separate and outside of the garage. Fire services have access to those. Chris Towski brought up during zero visibility, what prevents a fall scenario. Eric Morse asks Eric Svahn to describe the firefighter efforts. Eric Svahn explains the access in relation to fire fighting. Chris Towski inquired about the smoke control systems and what those entail. Eric Svahn explained the system chambers and that its compartmentalized floor by floor. Chris Towski asked about the existence of any failures due to an increase in temperature and if the equipment may fail and if its sprinklers are protected at each level. Eric Svahn explained that the sprinklers are run through the steel above that supports the metal and concrete and the direction of air flow for the fans and that the fire protection engineer is reviewing the smoke modeling on how to clear smoke through the space in case of an event. Eric Morse asked if the vestibule was a closed room. Eric Svahn presented photos (photos were not submitted with variance but received after meeting as (Exhibit 4B)) of another location of a garage

and explained the location of the sensors. Eric Svhan presented t-car photo (photo not submitted with variance but after the meeting (Exhibit 4C)) and explained the workings of the t-car. Eric Morse asked if the underneath is solid would that same arrangement be on the above floors with no fall hazard. Eric Svhan replied that yes, they are solid with a sensor so, the t-car knows where to go back and forth. Neil Mullane is concerned about someone remaining in the vehicle and someone sending the vehicle away, motion sensors would shut it down, are there any other fail safe for workers or safety stops in the system. John Schmiesing stated that three sides are intended to be wrapped with fencing and there are aisle access panels that control the auto equipment once access is gained to level, and the automation stops. The aisle access doors are locked and if the doors are opened everything is shut down. David Morgan referred to the 3502 key and inquired if a licensed elevator company was working on this. Eric Svhan answered, none yet. David Morgan asked about the code referenced and where they are being applied. Eric Svhan referred to the opening of the hoistway on the front side. David Morgan asked for clarification of the specific codes for the variance. Eric Svhan stated the intent for VCR lifts are open on every floor. John Schmiesing stated patron will never have exposure to the hoistway. Patron stands on a turntable while stationary with multiple safety scanning devices and the kiosk. David Morgan asked about code 26.06, where you don't meet the code as there are six sections and questioned if you have a first-floor level gate, that covers that code reference and protection at the other levels is what is being sought for the variance. Eric Morse reviews the specific code. David Morgan added that code 26.07 - Dividers between parking cubicles; seems more of what is being sought for the variance. David Morgan stated the parking system meets most of the criteria that we have asked for over time in similar petitions. David Morgan stated that you said part of the system meets A17.1 code, where you speaking about the VRC's or the entire system being code compliant? John Schmiesing stated that they understand that the entire system and automated equipment needs to comply with ASME 17.1 2013, so their intent is to provide a system that does that. David Morgan clarified that that would be in addition to CMR 524, sections 26 and 35. John Schmiesing agreed that yes, that is their intention. John Schmiesing shared a picture and a video of VRC and the locking device pin at another location for general structure purposes only. (Added document and video as Exhibit 4D). David Morgan asked what would happen in the event of a failure. John Schmiesing stated the system would stop and would not move until a licensed mechanic was on site to troubleshoot and fix it. David Morgan commented about signage on the platform for workers and asked if the units are their own hoistway. John Schmiesing stated the garage has three VCR units adjacent to each other, but they are built and engineered with the intent that they are to be standalone and referred to photo. Eric Morse stated that this is where code 26.06 comes into play and that they would need to grant a variance for hoistway gates on the front of each vertical element. As the code is written, each lift must have operating gates at each level, but they cannot do that based on the operation of this, so a variance from 26.06 is necessary. A motion was made by David Morgan to grant the variance as requested from code 26.06(5) and 26.07 with stipulations; proper signage for any fall hazard on or about any doors leading into the hoistway, and that the hoistway doors are keyed with a

3502 key for fire fighters in case of an emergency. The motion was seconded by Sarah Wilkinson. Vote 5-0-1 with Chris Towski abstaining.

**Motion: David Morgan**

**Seconded: Sarah Wilkinson**

**Vote: 5-0-1; Granted with condition**

**Roll Call Vote:**

- |                      |   |                              |   |
|----------------------|---|------------------------------|---|
| • Eric Morse         | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain            |
| • David Morgan       | <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            |
| • Christopher 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            |
| • Sarah Wilkinson    | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain            |

7. **Petitioner for 278 Main Street, Greenfield withdrew on April 24<sup>th</sup>, 2023.**

8. **Logan Airport, Terminal E,  
1 Harborside Drive, Boston [Exhibit 5 and 5A]  
Multiple Units**

Neil Mullane took no part in the discussion of, or the deliberation upon, this matter.

Petitioner is seeking Interpretation of 524 CMR 35.00: Safety Code for Elevators and Escalators A17.1-2013 and the Massachusetts Modifications of that Code. Specifically, Section 6.1.3.14 Non-Escalator-Related Equipment is interpreted to include Escalator Cladding which is required to meet Section 6.1.2.1 Protection Required.

Peter Belden presented picture #1 that was shared with the Board and explained the details. He added a second picture which was not in his packet and (emailed to Terry Asci as [Exhibit 5A]) and shared with the Board. Picture #2 is a mall escalator featuring a non-metallic cladding. Gavin MacPherson referred to the non-metallic cladding photo [Exhibit 5A] and explained the issues brought to light by the placard that was issued by Inspector Collins. Peter Belden engaged Inspector Sandell to get a better understanding of the stop work order and referred to Code Coordinator John Rubyck with regards to the work being corrected and code 6.1.3.14 - Non-Escalator Related Equipment. Peter Belden shared his screen and code terms and referred to code 6.1.2.1- Protection Required. Their interpretation of this code is that the cladding is not governed by Massachusetts and referred to 450 Water Street Cambridge and its two escalators, but it butts up against one wall. Peter Belden then gave other examples of jobs where another trade is doing the work. They are unsure if there is a safety concern or if the interpretation has changed and they are trying to understand the cladding and if there is jurisdiction. The board discussion around how and when drilled holes into the trusses need to be done by a licensed elevator mechanic. Anyone else doing this work creates a safety hazard. David Morgan stated this isn't a trades issue, but a licensing issue. He



talked about code A.5.2.1 that discussed the horizontal flex of the escalator truss. And stated this is exactly why code 6.1.2.1 was put in for elevator work and he stressed that it is not for other trades with non-licensed elevator personnel and that it is in the A17.1 code because of that. The Board deals with escalator steel cladding and it is a job for licensed mechanics not someone unlicensed. Eric Morse deferred to Inspector Collins for questions. Steve Collins stated there were drilled holes in the trusses made by a non-licensed elevator mechanic with no brackets. Eric Morse clarified that the holes were drilled directly into the trusses with no brackets and if brackets were supplied? Mr. Collins replied that he was correct, there were no brackets. Sarah Wilkinson asked if the holes in question were the ones with the blue paint referenced in the received photos. Mr. Collins verified that those were the holes. Eric Morse asked if the site was immediately placarded for stop work and Mr. Collins verified it was. Eric Morse reiterated that the installation of the cladding must be done by a licensed elevator mechanic. Eric Morse commented that there is no listing of the violation on the Shut Down Notice and that under the state regulation if you issue a placard you are required to state what violations are there, so if that can be done in the future that would be helpful. Eric Morse asked if Kone corrected the issue. Peter Belden verified that Kone Engineering was engaged immediately and agreed all drilling needed to stop immediately and then explained the analysis of Kone Engineering with regard to the holes drilled into the trusses. Eric Morse asked to clarify that the work has been done in compliance with CMR 524, clarifying that they are questioning the installation of the cladding must be done by Elevator License people. Peter Belden replied yes. Sarah Wilkinson inquired if there was an engineering stamp photo submitted from Kone regarding the safety of the holes. Peter Belden stated he believes they submitted a picture and document was submitted but he was unsure if it had a stamp on it. Eric Morse stated the need to satisfy the Department of Occupational Licensure that the violation has been corrected and that the Kone Engineers should supply something. But that they are before the Board for code interpretation and Peter Belden confirmed. Peter Belden inquired if building materials could be used for escalator cladding and if the trades involved follow the guidance they are given, they should be able to install building materials next to an escalator. Belden is not aware of licensed elevator mechanics installing sheetrock in that kind of situation. Eric Morse asked what does the manufacturer supply as far as guidance and attachments and instructions for cladding. Obviously, it must be enclosed as far as the sides and the bottom. What does the manufacturer supply as far as directions to do that. Peter Belden referred to a photo that had cladding detail plans and sections views. Eric Morse asked at what stage of the installation does the cladding happen. Peter Belden stated everything below the glass is done and he referred to the picture previously presented (Exhibit 5A). Brian Ronan questions if a structural engineer has reviewed this. Peter Belden will have to get specifics about their structural engineer. Brian Ronan commented that if the photos have an out of state stamp, it would not be acceptable at the municipal level. Chris Towski inquired about the cladding package and who does each component. Peter Belden replied that cladding is generally not provided, it usually comes from another metal company and it's not part of the installation. Gavin MacPherson states the finish of the elevator truss is specified by the architect and it has to meet code requirements

to protect hands but there are multiple ways of doing that. David Morgan referred to three companies that historically do this type of work with licensed personnel and referred to sheet metal attached directly to the truss in code section 8.5.2.1. Eric Morse deferred to code coordinator John Rubyck. John Rubyck stated he interpreted the code 6.1.3.14 - non-escalator related and shared his screen of Terminal E elevator cladding photo that was sent in and a non-stamped document with Exterior Mounting Notes which he read to the board and expressed that his interpretation of the wording was that the work was to be done by a licensed elevator mechanic. Eric Morse reiterated that the question now is does this work need to fall under a license elevator mechanic. John Rubyck stated the cladding is building code cannot drill into the pan of an escalator, so he feels it falls under the elevator trade and not the building trade. Walter Zalenski agreed with David Morgan and Inspector Collins that this is a perfect example of why this should be elevator work because safety is compromised by others doing the drilling and if a licensed elevator mechanic is not doing the work, then they should at least be there to oversee the installation. Eric Morse asked if the cladding is considered part of the escalator equipment and that is why it needs to be done by a licensed elevator mechanic. The board and the inspectors had a discussion on this point. Motion made by Eric Morse to take under advisement and, at a future meeting, to review the matter in closed session, to conduct an adjudicatory conference pursuant to G. L. c. 30A, § 18, ¶ 5(d). Motion seconded by Christopher Towski. Vote: 5-0-0.

**Motion: Eric Morse**

**Seconded: Chris Towski**

**Vote 5-0-0; Tabled.**

**Roll Call Vote:**

- |                      |   |                              |                                  |
|----------------------|---|------------------------------|----------------------------------|
| • Eric Morse         | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |
| • David Morgan       | <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 |
| • Christopher Towski | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |
| • Sarah Wilkinson    | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |

9. **Board will schedule the May public hearing 5/3/23 at 11:00 a.m. and reschedule May 2, 2023, BER Board of Elevator Regulations meeting to Wednesday, May 3, 2023 at 12:00 noon. Unanimous consent.**
10. The review of the meeting minutes from January 17, 2023, January 31, 2023, and February 14, 2023, was tabled.
11. Motion to Adjourn by Chris Towski. Motion was seconded by Sarah Wilkinson.

**Motion: Chris Towski**

**Second: Sarah Wilkinson**

**Vote: 6-0-0; Granted**

**Roll Call Vote:**

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

- |                      |   |                              |                                  |
|----------------------|---|------------------------------|----------------------------------|
| • David Morgan       | <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 |
| • Christopher 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 |
| • Sarah Wilkinson    | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |

Meeting adjourned at 5:18 pm

#### Exhibit List

- Exhibit 1 - Steve Sampson Resume
- Exhibit 2 - Board Packet- 70 Washington Street, Salem  
IDS 258-P-209 & 258-P-210
- Exhibit 3 - Board Packet -19-35 River Street Winchester
- Exhibit 4 - Board Packet Westfalia Technologies Inc.
- Exhibit 4A - Westfalia Technologies Inc.
- Exhibit 4B - Westfalia Technologies Inc.
- Exhibit 4C - Westfalia Technologies Inc.
- Exhibit 4D - Westfalia Technologies Inc.
- Exhibit 5 - Logan Airport Terminal E, 1 Harborside Drive, Boston
- Exhibit 5A - Logan Airport Terminal E, 1 Harborside Drive, Boston