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Minutes

Meeting of the
Board of Elevator Regulations
May 1, 2024, at 1:00 p.m.

1000 Washington Street
Boston, MA 02118
1st Floor-Room 1D
Hybrid Meeting via Microsoft Teams

Board Members Present:

Eric Morse, Acting Chair
David Gaudet
Neil Mullane (Remote)
Anthony Buonopane
Tim Morgan
Brian Ronan
Christopher Towski

Division of Occupational Licensure Staff:

Peter Kelley
Gayle Richardson
Jay Ryan
Walter Zalenski (remote)
Martin Guidod (remote)

Guests Present:

Will Whitten Otis – Remote
Ed O'Brien Otis – Remote

Call to Order: 1:03 p.m.:

1. Roll call.

2. **VAR24-0009**
1101 Kirkbride Drive Danvers
State ID: 71-P-220 & 71-P-221
Code: Section 2.26.4.1

[Exhibit 1]

Petitioner: MA Testing



The petitioner is seeking a variance from 524 Code Mass. Regs. § 35.00 (2012 BER regulations), § 2.26.4.1(a), requiring the main line disconnect handles to be within 18” of the door lock jamb. They are in their current non-code-compliant location due to limited space in machine room. The NE Permit was pulled in early 2007 so these units would fall under the 2004 code for the new install.

Will Whitten gave a summary of the situation; in that they are in the process of a modernization project, and they would like to leave the main line disconnects in their current location from the original installation. Eric Morse read the CMR 2006 35.2.2.6 rule, which would have been the rule at installation.

After a discussion of the board and questions being asked, Neil Mullane asked Mr. Whitten if he would like to gather further information regarding hardship and come back to the board at a future date, to which he replied, “I’m actually prepared to accept the board’s decision today”.

Chris Towski moved to deny the request for variance from 524 Code Mass. Regs. § 35.00 (2012 BER regulations), § 2.26.4.1(a) because no hardship was shown and § 2.26.4.1(a) of the 2012 BER regulations states a safety standard. The motion was seconded by Brian Ronan. Vote 7-0 -0

Motion: Chris Towski
Seconded: Brian Ronan
Vote: 7-0-0 Denied
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 |
| • 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 |
| • Anthony Buonopane | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |

- 3. VAR24-0018**
18 Frances Street Woburn
State ID: 347-P-152
Code: 524 CMR 35:00 Section §2.8.3.3
Petitioner: Yahuda Raindel

This item was rescheduled at the request of the petitioner.

- 4. Approval of meeting minutes from March 5, 2024. [Exhibit 2]**

Chris Towski moved to accept the minutes as written. The motion was seconded by Brian Ronan. Vote 7-0-0.

Motion: Chris Towski
Seconded: Brian Ronan
Vote: 7-0-0 Accepted as written
Roll Call Vote:

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

- David Gaudet aye nay abstain
- Tim Morgan aye nay abstain
- Brian Ronan aye nay abstain
- Christopher Towski aye nay abstain
- Neil Mullane aye nay abstain
- Anthony Buonopane aye nay abstain

5. Approval of meeting minutes from April 2, 2024. – tabled.

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

6. Chris Towski moved to Adjourn the meeting. Motion was seconded by Brian Ronan. Vote 7-0-0.

Motion: Chris Towski
Seconded: Brian Ronan
Vote: 7-0-0 Granted
Roll Call Vote:

- Eric Morse aye nay abstain
- David Gaudet aye nay abstain
- Tim Morgan aye nay abstain
- Brian Ronan aye nay abstain
- Christopher Towski aye nay abstain
- Neil Mullane aye nay abstain
- Anthony Buonopane aye nay abstain

Meeting adjourned at 1:29 p.m.
 Prepared by: Gayle Richardson

Exhibit List:

- Exhibit 1: Variance packet for 1101 Kirkbride Drive Danvers
- Exhibit 2: Meeting minutes March 5, 2024