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OCCUPATIONAL LICENSURE

Minutes

**Meeting of the
Board of Elevator Regulations
May 16, 2023, at 1:00 p.m.**

Meeting via Microsoft Teams

Board Members Present:

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

Division of Occupational Licensure Staff:

Peter Kelley
Terry Asci
Sarah Wilkinson

Guests Present:

Jacqueline Haley - Director of MOAMH
Bob Hicks - Architect
Lance Kasparian - National Park Service
Chris Lyons - United Elevator Program Manager
Eric Walsh - United Elevator - Elevator Mechanic
Ana Faria - Realtor
Ronald Oliveira
Michael Buckley
Julie Canelos - Uplift Inc
Ryan Myers - Executive VP Harding Steel
Patrick Flaherty - Harding Steel

Call to Order: 1:07 p.m.:

1. Roll call.



2. VAR23-0028 [Exhibits 1 & 1A]

46 Joy Street, Boston

State ID: 1-L-10164

Petitioner: Jacqueline Haley

Unit Replacement

Petitioner seeks relief from 524 CMR, incorporating ASME A18.1- 2. 7.1, which requires: "Travel of lifts conforming to paras. 2.1.1 and 2.1.3 shall not exceed 4250 mm (168 in.) or 14 feet".

Bob Hicks explained that the vertical lift connects three floors, and they are limited in space because of the building's historic nature. The existing lift is not working, and the museum needs full accessibility and replacement of the same size. The variance is relative to the height (14 feet). The board and the petitioner discuss if this elevator is a LULA or a passenger elevator. Bob Hicks shares copies of the original variance [Exhibit 1A] referred to the elevator car size section 35.4 as 36' x 50' deep. Discussion related to, if elevator is a LULA, no variance needed and, to the extent there is cab size issue, that would be reviewed by AAB in the first instance.

David Morgan moved to table the matter for 60 days to 7/17/23 at the request of the petitioner. If no further action is taken by the petitioner, then the petition will be considered abandoned. The motion was seconded by David Gaudet. Vote 7-0-0. Deadline July 17, 2023

Motion: David Morgan

Seconded: David Gaudet

Vote: 7-0-0; Tabled until July 15, 2023

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
• David 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
• Brian Ronan	<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

The board took up the following item out of order from the meeting notice:

2. Approval of February 14, 2023, meeting minutes. [Exhibit 2]

A motion was put forth by David Morgan to accept the minutes as presented. The motion was seconded by Chris Towski. Vote 4-0-3.

Motion: David Morgan

Seconded: Chris Towski

Vote: 4-0-3 Accepted as presented

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
• David 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 checked="" type="checkbox"/> abstain
• Brian Ronan	<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 type="checkbox"/> aye	<input type="checkbox"/> nay	<input checked="" type="checkbox"/> abstain

3. VAR23-0030 [Exhibits 3 & 3A]
661 Washington, Street, Norwood
State ID: 220-P-92
Petitioner: Charlene Walsh, United Elevator
Unit Modernization

The Petitioner seeks relief from 524 CMR Section 35.00: Part 2 sections 2.1.4 and 2. Planned machine room addition less than 7 feet.

Chris Lyons, the project manager, shared the schematic drawings of the machine room, [Exhibit 3], and explained where the new controller will be located, against the far back wall. Eric Walsh stated that an auxiliary disconnect can be added and photos of the machine room were shared, [Exhibit 3A].

David Morgan moved to grant the variance to 524 CMR Section 35.00, § 2.7.4.1 to pursuant to the schematic submitted to the Board indicating parts of the machine room with heights of less than 7' with the following conditions: the ceiling subject to the variance will be painted yellow, there will be additional signage placed on the wall and on the machine room door stating that there is low overhead. The justification being the new machine room will be safer than the existing one. The motion was seconded by David Gaudet. Vote 7-0-0

Motion: David Morgan

Seconded: David Gaudet

Vote: 7-0-0 Granted with conditions

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 |
| • David 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 |
| • Brian Ronan | <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 |

4. VAR22-0055 [Exhibit 4]
72 Church Green, Taunton
State ID: 293-P-216
Petitioner: Jill Ledin, BBE Corp-Buckley Elevator

The petitioner had technical difficulties, so a motion was presented by David Morgan to table this item until the end of the meeting. Seconded by Neil Mullane. Vote 7-0-0

Motion: David Morgan

Seconded: Neil Mullane

Vote: 7-0-0 tabled until end of meeting

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 |
| • David 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 |
| • Brian Ronan | <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 ☒ aye ☐ nay ☐ abstain

The board took up the following item out of order from the meeting notice:

**5. VAR23-0010 [Exhibits 5 & 5A]
267 Old Colony Avenue, Boston
New Installation of Semi-Auto Park Units
Petitioner: Julie Canelos, Uplift Inc.**

Brian Ronan took no part in the discussion of or deliberation on this matter.

The petitioner seeks a variance for a new installation of a semi-automated parking unit, 524 CMR 26.07 protection at other levels, 524 CMR 26.11 car enclosure and car gates. This matter was placed on hold during the March 21, 2023, meeting with additional information.

Ryan Myers submitted videos and 3-D pictures which were shared with the Board [Exhibit 5]. He gave an overview and explained that this is a three-level system that is intended to work with one level in the pit, one level on ground that slides left to right, and one level above ground that lifts up and down. The system is designed in tandem for as much density as possible and the driver does go into the pit. The controllers' proposed location will interlock with the machine and alternative locations for the controllers were provided. The gates will be fully covered with expanded metal mesh. The lower-level platform has a 2 15/16-inch gap provided by the manufacturer between the lower-level platform and the entry-level sliding platform that can be tightened up to 2 inches or less. The driver over platform is a traveling bridge with a 2 13/16-inch gap but they can and have gotten that lower. There is an 8-foot curb from the drive over platform to the entry-level platform. The door has been tightened up and installed with wiper seals so there is no gap.

Ryan Myers also shared a video [Exhibit 5A], of a similar unit located in Australia and pointed out that the blue car driving on the bridge platform through the bridge on a rear platform, there is a gap on the Australian model, whereas the United States version would be filled in without a gap. A person of 6 feet 9 inches in height can walk through without issues.

David Morgan moved to grant the variance with a comment referencing sections 26.07 and 26.11 with the justification that safety has been met. Neil Mullane seconded the motion. Vote 4-1-1

**Motion: David Morgan
Seconded: Neil Mullane
Vote: 4-1-1; Granted
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 |
| • David Morgan | <input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain |
| • Chris Towski | <input type="checkbox"/> aye <input checked="" 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. VAR23-0009 [Exhibits 5 & 5A]
33A Street, Boston
New Installation of Semi-Autopark Units
Petitioner: Julie Canelos, Uplift Inc.**

Brian Ronan took no part in the discussion of or deliberation on this matter.

The petitioner seeks a variance for a new installation of a semi-automated parking unit, 524 CMR 26.07 protection at other levels, 524 CMR 26.11 car enclosure and car gates. This matter was placed on hold during the March 21, 2023, meeting with additional information.

Ryan Myers shared 3-D pictures which were submitted to the Board [Exhibit 5]. He gave an overview and summarized that this is a three-level system that is intended to work with one level in the pit, one level on ground that slides left to right, and one level above ground that lifts up and down. The system is designed in tandem for as much density as possible and the driver does go into the pit. Ryan Myers referenced that drawing 5 x 4 x 9 has access to the corridor identical to 267 Old Colony Avenue, Boston.

The board asked questions regarding the hydraulic power unit, the width of platforms being at code requirement, if training will be provided, the photo-eye sensor being from front to rear, the weight difference between electric cars and regular cars, and what the weight capacity will be per platform. Ryan Meyers answered all questions presented by the board.

A motion was put forth by David Morgan to grant the variance with a comment referencing section 26.07 and 26.11 with the justification that safety has been met. Neil Mullane seconded the motion. Vote 4-1-1

Motion: David Morgan

Seconded: Neil Mullane

Vote: 4-1-1; **Granted**

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 |
| • David Morgan | <input checked="" type="checkbox"/> aye <input type="checkbox"/> nay <input type="checkbox"/> abstain |
| • Chris Towski | <input type="checkbox"/> aye <input checked="" 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 |

7. VAR22-0055 [Exhibit 4 and 4A]

72 Church Green, Taunton

State ID: 293-P-216

Petitioner: Jill Ledin, BBE Corp-Buckley Elevator

The petitioner referenced 524 CMR 11.02. The elevator was decommissioned in 2019. The tenant is moving back into the building and would like to get the elevator back in service. The owner Ronald Oliveira explained that the building was formerly an adult day care facility that was vacant for two years and the elevator was shut down. He is looking to rent the property to Taunton Community Care Services. The photos of the project were submitted during the meeting and shared with the Board, [Exhibit 4A].

Buckley elevator mechanic Michael Buckley explained the intention is to place the elevator back in service per code. However, they are unsure if it would be the 1996 code, to which Eric Morse stated it would be required to bring it up to the current code.

David Gaudet made a motion to table the item for 60 days, until July 15, 2023, to allow the petitioner to provide more information. Specifically, to provide time to review current formal code and propose any alternative means to meet safety requirements. If no further action is

taken by the petitioner, then the petition will be considered abandoned. Neil Mullane seconded the motion. Vote 5-2-0 Deadline July 15, 2023

Motion: David Gaudet

Seconded: Neil Mullane

Vote: 5-2-0; Tabled until July 15, 2023

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 |
| • David Morgan | <input type="checkbox"/> aye | <input checked="" type="checkbox"/> nay | <input type="checkbox"/> abstain |
| • Chris Towski | <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 |
| • Neil Mullane | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |
| • Anthony Buonopane | <input type="checkbox"/> aye | <input checked="" type="checkbox"/> nay | <input type="checkbox"/> abstain |

8. Matters not reasonably anticipated 48 hours in advance of meeting.

- Anthony Buonopane spoke about cross plank shaft designs in relation to elevators and there are no ratings inside A17 code which is a concern, since it's a wooden structure. There are questions on shaft construction and sprinkler systems in the hoistways of specific floors serviced, there appears to be some confusion as some require sprinklers and in elevator code it's not allowed. Eric Morse deferred to Brian Ronan about the shaft construction. Mr. Ronan explained the restriction and that fire rating is considered.
- Chris Towski referred to conducting a site visit to visit Occupant Evacuation Elevator in Cambridge and is looking for suggested dates by the board.
- The Board of Elevator Regulations meeting scheduled for June 6, 2023, will be cancelled, as the Board will be on a site visit.

9. Motion was put forth by Chris Towski to Adjourn. 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 | <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 |
| • David 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 |
| • Brian Ronan | <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 5:08 p.m.

Prepared by: Gayle Richardson utilizing notes from Terry Asci

Exhibit List:

- Exhibit 1: Variance packet for 46 Joy Street Boston
- Exhibit 1A: Copy of original variance for 46 Joy Street Boston
- Exhibit 2: Meeting minutes February 14, 2023
- Exhibit 3: Variance packet for 661 Washington Street Norwood
- Exhibit 3A: Photographs of the machine room
- Exhibit 4: Variance packet for 72 Church Green Taunton
- Exhibit 4A: Photographs of project
- Exhibit 5: Variance packets for 267 Old Colony Avenue & 33A Street Boston
- Exhibit 5A: Video of similar parking system