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Minutes

**Meeting of the
Board of Elevator Regulations
May 21, 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
Brian Ronan
Anthony Buonopane
Tim Morgan
Christopher Towski

Division of Occupational Licensure Staff:

Peter Kelley
Gayle Richardson
Jay Ryan
Walter Zalenski (remote)
Johnny Rubyck (remote)
Martin Guiod (remote)
Sean Pierce (remote)

Board Members Absent:

Neil Mullane

Guests Present:

Eitan Normand – MBTA
George Katsoufis – AECOM
Sister Bernadette Therese Huang, OCD (remote)

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

1. Roll call.
2. **VAR24-0023** [Exhibit 1]
245 Centre Street Boston
State ID: 1-P-4805
Code: 524 CMR 2.11.7.2.2 and 2.14.5.9.2-b and 3.7.1.11-c



Petitioner: George Katsoufis

The petitioner is requesting a variance for the MBTA for the maximum allowed glass on hoistway and cab doors (2.11.7.2.2 and 2.14.5.9.2(b)) and the maximum required distance between the machine room and the hoistway.

George Katsoufis gave a summary of the project and that they are limited to the existing structure, providing the details that were submitted in the plans [Exhibit 1]. The distance of the existing machine room is 13 ½ feet and there is existing piping underneath the platform that contains the hydraulics, which is accessible for inspection. There will be no change to the configuration of the hoistway. Petitioner confirmed that the modernization will not result in any changes to speed, capacity, travel, or classification, nor will the machine room be relocated. Regarding the maximum allowed glass, he explained that they will try to get as close to 60 % as possible. Confirmed statement in petition that they will provide at least 50% glass on the hoistway and cab doors.

After a discussion of the requested variance, Anthony Buonopane made a motion to grant the variance from the 60% required glass on hoistway and cab doors pursuant to ASME A17.1-2013 §§ 2.11.7.2.2 and 2.14.5.9.2(b) with the following condition: the glass on the hoistway and cab doors must be at a minimum of 50%, with the justification that the promised alternative will meet any safety concerns. The Board voted to dismiss the variance requested for the distance between the machine room and hoistway, sought pursuant to BER 2012 Elevator Code, § 3.7.1(c) because no variance is required pursuant to 524 Code Mass. Regs. § 10.04(1)(a)-(f). Chris Towski seconded the motion. Vote 6-0-0

Motion: Anthony Buonopane

Seconded: Chris Towski

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
• Brian Ronan	<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. VAR24-0024

[Exhibit 2]

245 Centre Street Boston

State ID: New Unit

Code: 524 CMR 2.11.7.2.2 and 2.14.5.9.2(b) and 2.11.10.1.1

Petitioner: George Katsoufis

The petitioner is requesting a variance for the MBTA Elevator #790 design, which is a new unit, for the maximum allowed glass on hoistway and cab doors and the glass fascia panels at the pass-through unit.

George Katsoufis gave a summary of the modernization project providing the details that were submitted in the plans [Exhibit 2]. They will maintain the existing platform,

but the new unit will allow the space to fit a stretcher. The new machine room will be housed under the stairs with the existing infrastructure remaining. The unit will be 3500 pounds and run 100 feet per minute. For the maximum allowed glass, he again confirmed they will meet 50 % glass on the hoistway and cab doors..

After a discussion of the requested variance, Eric Morse moved to grant the variance from ASME A17.1-2013 § 2.11.10.1.1 to allow the use of glass facia with the justification that similar variances have previously been granted, and the glass allows for other safety benefits: visibility from the car and sightlines into the car. and to grant the variance from the 60% required glass on hoistway and cab doors pursuant to ASME A17.1-2013 §§ 2.11.7.2.2 and 2.14.5.9.2(b) with the following condition: the glass on the hoistway and cab doors must be at a minimum of 50%, with the justification that the promised alternative will meet any safety concerns. Tim Morgan seconded the motion. Vote 6-0-0

Motion: Eric Morse

Seconded: Tim Morgan

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 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
• Brian Ronan	<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. **VAR24-0025**

[Exhibit 3]

61 Mount Pleasant Avenue Boston

State ID'S: New Unit

Code: 524 CMR 8.00

Petitioner: Sister Bernadette Therese Huang, OCD

The petitioner is requesting a variance from MGL Chapter 143, Section 68, and 524 CMR 8.00 to have a residential vertical platform lift installed in the Monastery instead of a commercial vertical lift.

The petitioner gave a summary of the request, as she understood it. The board informed the petitioner that they do not have the authority to re-classify the building at 61 Mount Pleasant Avenue, Boston, to a single-family, owner occupied residence. The board provided the petitioner with the specific code, ASME A18.1, 'Safety Standard for Platform Lifts and Stairway Lifts' that she should reference when speaking to their Elevator Company, but A18.1 does not create differences in applicable code for commercial or residential wheelchair lifts.

After a discussion of the requested variance, Tim Morgan made a motion to deny the variance, because ASME A18.1, 'Safety Standard for Platform Lifts and Stairway Lifts' does not differentiate between commercial or residential lifts, they are each subject to the same A18.1 code requirements. Chris Towski seconded the motion. Vote 6-0-0

Motion: Tim Morgan

Seconded: Chris Towski

Vote: 6-0-0 Deny

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 |
| • Brian Ronan | <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 |

5. The board took a recess from 2:27 p.m. until 2:36 p.m.
6. Review of emails submitted from May 1, 2024, BER Board of Regulations Public Hearing. [Exhibit 4]

The board reviewed the submitted emails and reserved further action on changes to code. No action taken on matters under the jurisdiction of the legislature or the department.

7. Chief Anthony Buonopane gave the board an update on the issue of cladding and finishes in new escalator installations. The Chief feels there could be some improvement during the permit approval process. Specifically, requiring the escalator permit holder to state in the plans how the claddings are meant to be attached and by whom, per manufacturers' specifications. and the acceptance test, specific to the cladding and finishing and who does the work. The board discussed and provided suggestions for the options available to the division for verifying that the cladding and finishes are being done by a Massachusetts Licensed Elevator Mechanic and are done based on the stamped drawings. Chief Buonopane will review the options discussed and decide what process the division will take.
8. Chris Towski moved to Adjourn the meeting. Motion was seconded by Brian Ronan. Vote 6-0-0.

Motion: Chris Towski

Seconded: Brian Ronan

Vote: 6-0-0 Granted by unanimous agreement

Meeting adjourned at 3:24 p.m.

Prepared by: Gayle Richardson

Exhibit List:

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| Exhibit 1: | Variance packet for 245 Centre Street Boston |
| Exhibit 2: | Variance packet for 245 Centre Street Boston |
| Exhibit 3: | Variance packet for 61 Mount Pleasant Avenue Boston |
| Exhibit 4: | Copy of emails submitted for Public Hearing on May 1, 2024 |