

**CHARLES D.
BAKER**
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts
Division of Occupational Licensure**

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Minutes

**Meeting of the
Board of Elevator Regulations
May 17, 2022 at 1:00 p.m.**

Microsoft Teams Meeting

Board Members Present:

David Morgan, Acting Chair
David Gaudet
Brian Ronan
Christopher Towski
Neil Mullane
Thomas McDermott

Division of Occupational Licensure Staff:

Peter Kelley
Ruthy Barros

Board Members Absent:

Eric Morse

Guests Present:

Christopher Eckler
David Moriarty
Christopher Grossmann
Anil Kaan Kurtay
Damian Brown
Tom Hill

Call to Order 1:05 pm:

- 1. 271 Massachusetts Avenue, Arlington [Exhibit 1 and 1A]
State ID: 11-P-30
524 CMR 35.00 Section 3.7.11 (c) (d)
Petitioner: Christopher Eckler**

The petitioner appeared before the Board seeking a variance from 524 CMR 35.00 Section 3.7.11 (c) (d), to keep a portion of the existing pipe run (as originally designed) in place due to logistical concerns and hardship of seriously altering the run. Mr. Eckler stated that the customer has requested an upgrade to the existing elevator, including replacement of the controls, fixtures, and door operation work. The existing hydraulic piping run is concealed underground from the machine room floor, running underneath and across a residential living space into the elevator pit. A motion was made by Neil Mullane to place the petitioner's request on hold for 60 days (until July 16, 2022), so he may provide the Board with additional information (As-Built, photos, architectural drawings etc. to illustrate the existing condition(s)). If the Board does not hear back from the petitioner after the 60th day, the request will be considered abandoned. The motion was seconded by Thomas McDermott.

Motion: Neil Mullane

Seconded: Thomas McDermott

Vote: 6-0; Placed on hold for 60 days.

Roll Call Vote:

• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

2. 21 N. Main Street, Uxbridge [Exhibit 2]

State ID: 304-L-15

524 CMR

Petitioner: David Moriarty

The petitioner appeared before the Board seeking a variance to allow the elevator to return to service in compliance with the code under which it was originally installed and not subject to any changes to code for such LULA units that may have come into effect since the original installation in 1996. The petitioner stated that in December of 2020 the Arthur R. Taft Memorial Trust purchased the historic former Unitarian church. The historic structure, built in 1834, had been held in private ownership for eight years prior and was unused and had fallen into great despair. The Trust decided to save the building and just finished a complete exterior restoration as well as many interior improvements. The church currently has a LULA two-stop elevator installed in 1996 by CMC Elevator Corporation. The petitioner testified that he has been working with Worcester Elevator Co., Inc. A motion was

made by David Gaudet to place the petitioner’s request on hold for 60 days (until July 16, 2022) so the petitioner may review applicable codes and existing conditions. If the Board does not hear back from the petitioner after the 60th day, the request will be considered abandoned. The motion was seconded by Christopher Towski. Chief McDermott advised the petitioner and Worcester Elevator Co., Inc to contact the Technical Code Coordinator.

Motion: David Morgan
Seconded: Christopher Towski
Vote: 6-0; Placed on hold for 60 days.

Roll Call Vote:		
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

Brian Ronan left the meeting at 2:12 p.m.

3. **7 Curtis Street, Boston [Exhibit 3]**
New Installation
524 CMR Section 26.11
Petitioner: Christopher Grossmann

The petitioner appeared before the Board seeking a variance from Section 26.11 – Car Enclosures and Car Gates. This is a new installation of a semi-automatic puzzle system consisting of 2 levels and 11 parking spaces. The proposed parking system would be installed in the garage level, a grade below street level. The petitioner stated that the system will operate on an electric hydraulic motor with a lifting capacity of 5,732lbs and lifting speed of 7 feet per minute. There will be single bay access door, per each bay (total of 6 bays). There will also be a kiosk, where the resident will scan their ID card and their assigned bay will open up. The system will be located next to the control room and in lieu of lifting gates, there will be sliding doors. The petitioner testified that the proposed system has not been permitted through the City of Boston. Board members expressed concerns that the proposed unit does not meet 524 CMR and A17.1, and the petitioner has not requested relief from other obvious code discrepancies. A motion was made by Thomas McDermott to place the petitioner’s request on hold for 60 days (until July 16, 2022) for the petitioner to review A17.1 and to ensure that the gates meet that code and other code discrepancies. If the Board

does not hear back from the petitioner after the 60th day, the request will be considered abandoned. The motion was seconded by Neil Mullane.

Motion: Thomas McDermott

Seconded: Neil Mullane

Vote: 5-0; Placed on hold for 60 days.

Roll Call Vote:

• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

The Board recessed at 3:05 p.m. and resumed the meeting at 3:10 p.m.

4. Approval of meeting minutes from February 1, 2022 [Exhibit 4]

A motion was put forth by Christopher Towski to accept the minutes as written. The motion was seconded by Thomas McDermott. **Vote: 5-0; Granted.**

Motion: Christopher Towski

Seconded: Thomas McDermott

Vote: 5-0; Granted.

Roll Call Vote:

• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

Motion to Adjourn: Christopher Towski

Seconded: Thomas McDermott

Vote: 5-0; Adjourned.

Hearing concluded at 3:27 p.m.

Prepared by: Ruthy Barros

Exhibit List:

- Exhibit 1: Variance packet for 271 Massachusetts Avenue, Arlington
- Exhibit 1A: Pictures of existing condition at 271 Massachusetts Avenue
- Exhibit 2: Variance packet for 21 N. Main Street, Uxbridge
- Exhibit 3: Variance packet for 7 Curtis Street, Boston
- Exhibit 4: Meeting minutes from February 1, 2022