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Minutes

Meeting of the
Board of Elevator Regulations
June 25, 2024, at 1:00 p.m.

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

Board Members Present:

David Gaudet, Acting Chair
Christopher Towski
Tim Morgan
Anthony Buonopane
Neil Mullane

Division of Occupational Licensure Staff:

Peter Kelley
Gayle Richardson
John Rubyck (remote)

Board Members Absent:

Eric Morse
Brian Ronan

Guests Present:

Eddie O'Brien (Otis)
Brendan Stewart (Otis)
Mike Matterazzo, Plymouth County Sheriff's department
Richard Mola, Plymouth County Sheriff's department
Kevin DiMarzio, Plymouth County Sheriff's department
Sean Mitchell, Arup Consulting Engineers
Brooke Ten Eyck, Senior Project Manager
Debbie Chibuzor, Project Manager

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



1. Roll Call - Counsel Peter M. Kelley called the meeting to order and addressed the board to indicate that, given the acting chair's absence, another member should be nominated to serve as acting chair for this meeting. Tim Morgan moved to nominate David Gaudet as the acting chair. The motion was seconded by Neil Mullane and, there being no objection, was approved by unanimous consent.

2. **VAR24-0010** **[Exhibit 1]**

26 Long Pond Road Plymouth

State ID: 239-P-97

Code: ANSI A17.1, 524 CMR 35.00 section 2.27

Petitioner: MA Testing

The petitioner seeks variance from code AMSE A17.1, 524 CMR 35.00 section 2.27. They are looking for relief for when this elevator is modernized, as the elevators are continuously monitored remotely, such that fire service operation will not be required to be added.

Eddie O'Brien provided a summary of the variance request and explained that this is an inside elevator with only staff and prisoners having access, the elevator is continuously monitored by a team of at least three prison guards in the central command room. The elevator is fully operated by the team in the central command room. The elevator does not currently include fire service, but is being modernized and they have provided a letter from the Plymouth Fire Department giving approval for no fire service in this elevator.

Kevin DiMarzio added that there is a fire safety and evacuation procedure this every staff member is trained to follow and that it is updated, reviewed and approved annually and that the procedure requires that all staff and prisoners in the building would be evacuated prior to the control room being evacuated. He indicated that the Plymouth Fire Department and the U. S. Marshalls office annually review and approve the fire safety and evacuation procedure. He also provided that they are accredited by the American Correctional Association (ACA) every three years, and certified by the Department of Justice. The State Department of Corrections, the Office of Detention Oversight and Homeland Security also review and approve the fire standards every six months.

Following discussion, David Gaudet made a motion to grant the application for variance as requested with the justification that for security and safety of fire services, there will be continuous monitoring. Neil Mullane seconded the motion and requested that the motion be amended to include video access to the elevator and elevator lobbies be provided 24 hours a day. The final motion stating to grant the application for variance as requested with the justification that 24-hour command center with camera access to the elevator and the elevator lobbies will provide security. Vote: 4-1-0

Motion: David Gaudet

Seconded: Neil Mullane

Vote: 4-1-0 Granted

Roll Call Vote:

- David Gaudet ☒ aye ☐ nay ☐ abstain

- | | |
|---------------------|---|
| • Tim 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 |

3. **VAR24-0031**

[Exhibit 2]

250 Massachusetts Avenue Boston

State ID: 1-E-25698

Code: ASME A17.1.6.1.3.6.4

Petitioner: Sean Mitchell

The petitioner seeks variance from code ASME A17.1, 524 CMR 35.00, § 6.1.3.6.4., to allow installation of new doors at the bottom of the escalator for security reasons. Doors will be closed and locked only when the escalator is NOT in use. Trained ushers will lock the doors in the open position prior to operation of the escalator.

The petitioner provided a summary of the variance request and explained that they are requesting that a glass door be allowed at the bottom of the escalator. The old security at the church stopped at the garage, but the new process will be from the garage with key card access to glass doors that will be kept closed and locked except during church hours. The new ramp into the church included shortening the escalator so the turn radius at the top of the stairs was reduced so the door needs to open inward. He also provided that an usher will control the escalator travel upwards when church is starting and then change direction to downward when church is exiting, and that the elevator will not be run during church service.

It was further explained that the initial acceptance test of the unit failed on April 12, 2024, for the doors that were initially installed during the modernization project and the doors were removed for the re-inspection, which allowed them to pass.

After a discussion of the requested variance, Chris Towski made a motion to grant the application for variance, with Mr. Mullane offering a friendly amendment. As amended, the motion made is to grant a variance from §§ 6.1.3.6.4, 6.1.3.6.5 on condition that an alternate means of safety, by a set of contacts on each door, will not allow the escalator to run when the doors are not fully open and that access to the upper end be restricted by the owner so that the unit cannot be used as a stairway. Neil Mullane seconded the motion. Vote: 5-0-0

Motion: Chris Towski

Seconded: Neil Mullane

Vote: 5-0-0 Granted with conditions

Roll Call Vote:

- | | |
|---------------------|---|
| • 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 |
| • 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. **VAR24-0029 & VAR24-0030** **[Exhibits 3 & 4]**
271 Carew Street Springfield
State ID: 281-P-120 & 281-P-121
Code Reference: 2.26.2.21
Petitioner: Otis Elevator Company- Agawam

The petitioner was not present for the meeting, so this item was tabled. Ms. Richardson will contact the petitioner and reschedule.

5. **VAR24-0034** **[Exhibit 5]**

421 Park Drive Boston
State ID: New Install
Code Reference: A17.1-2013, rule 2.11.10.1.1
Petitioner: Noel Herchell

The petitioner was not present for the meeting, so this item was tabled. Ms. Richardson will contact the petitioner and reschedule.

6. **Approval of May 1, 2024, meeting minutes. [Exhibit 6]**

Neil Mullane moved to accept the minutes as written. The motion was seconded by Chris Towski. Vote 5-0-0.

Motion: Neil Mullane
Seconded: Chris Towski
Vote: 5-0-0

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|---------------------|---|------------------------------|----------------------------------|
| • 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 |
| • 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. **Approval of May 21, 2024, meeting minutes. [Exhibit 7]**

Chris Towski moved to accept the minutes as written. The motion was seconded by Tim Morgan. Mr. Mullane sought clarification on item #7 of the Minutes. Vote 4-0-1.

Motion: Chris Towski
Seconded: Neil Mullane
Vote: 4-0-1

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|---------------------|---|------------------------------|---|
| • 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 |
| • Neil Mullane | <input type="checkbox"/> aye | <input type="checkbox"/> nay | <input checked="" type="checkbox"/> abstain |
| • Anthony Buonopane | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |

8. Gayle Richardson requested a conversation regarding the upcoming scheduled meetings and vacations that the board members may already have scheduled. It was decided that Ms. Richardson will email each board member individually to gather a list of availability from the board members that coordinate with the scheduled Board of Elevator Regulations meetings for the months of July and August.
9. Counsel Peter M. Kelley mentioned to the board the possibility of their forming a sub-committee to address certain repetitive matters. Peter provided the board with information on why and how a sub-committee may be formed, should the board feel it is appropriate.
10. Motion was put forth by Chris Towski to Adjourn. Motion was seconded by Neil Mullane. Vote 5-0-0.

Motion: Chris Towski

Seconded: Neil Mullane

Vote: 5-0-0

- | | | | |
|---------------------|---|------------------------------|----------------------------------|
| • 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 |
| • 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 3:18 p.m.

Prepared by: Gayle Richardson

Exhibit List:

- Exhibit 1: Variance packet for 26 Long Pond Road Plymouth
- Exhibit 2: Variance packet for 250 Massachusetts Avenue Boston
- Exhibit 3: Variance packet for 271 Carew Street Springfield
- Exhibit 4: Variance packet for 271 Carew Street Springfield
- Exhibit 5: Variance packet for 421 Park Drive Boston
- Exhibit 6: Meeting Minutes May 7, 2024
- Exhibit 7: Meeting Minutes May 21, 2024