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**Commonwealth of Massachusetts
Division of Professional Licensure**

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REGULATION

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

Minutes

Board of Elevator Regulations

**This meeting was held remotely via Microsoft Teams
June 1, 2021 at 9:00 a.m.**

Board Members Present:

Eric Morse, Acting Chairman
Sarah Wilkinson
Christopher Towski
David Gaudet
Brian Ronan
David Morgan

Division of Professional Licensure Staff:

Peter M. Kelley
Ruthy Barros

Board Members Absent:

Cheryl Davis

Guests Present:

Azizi Crosby – Project Manager, Delta-Beckwith Elevator
Brendan Casey – Sr. Project Manager for Capital Delivery, MBTA
Robert Braren – Associate Senior Architect, Michael Baker International
Stephen Moraski – Project Engineer, Skanska USA Civil
Robyn Sloniecki – Vice President of Operations, Royal Health Group
Michael Spiotta – Service Supervisor, Delta-Beckwith Elevator
Daniel Collins – Service Operations Manager, Delta-Beckwith Elevator
Janet Moore – Elevator Consultant, Syska Hennessey Group
Benjamin Lueck – Project Manager, DBVW Architects
John Alioto – Longyear Museum
Christopher Milford – Project Manager, Milford & Ford Associates
Martha Werenfels – Architect, DBVW Architects
Anthony Buonopane – Delta-Beckwith Elevator

The Board discussed the following:

1. **1 Ruggles Station – Boston, MA [Exhibit 1]**

State ID: 1-P-22193

ASME A17.1-2013 Section 2.7.3.1.3

Petitioner: Azizi Crosby

The petitioner was in front of the Board seeking a variance from ASME A17.1-2013 Section 2.7.3.1.3 for an installation of a new elevator at MBTA Ruggles Station. The new elevator (#848) is being installed into the hoistway and machine room of an existing elevator which will be decommissioned and removed. This petition for variance is to allow the existing storage room accessed via the elevator machine room to remain, because constructing an alternate mean of access to the storage room is not feasible. The petitioner stated that the wall, door, and door frame separating the elevator machine room and the storage room will be one hour fire rated, the existing storage room piping/drain components will be removed, cut, and capped, the storage room will be used only for the storage of elevator and escalator parts, and the storage room will have controlled access only by authorized elevator technicians via the existing MBTA card reader door access system. A motion was made by David Morgan to grant the petitioner's variance request as written with proper signage on both the machine room and storage room doors. The variance decision must also be mounted on the machine room wall. A motion was seconded by David Gaudet.

Motion: David Morgan

Seconded: David Gaudet

Vote: 6-0; Granted.

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Sarah Wilkinson	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

2. **601 Sherman Street – Canton, MA [Exhibit 2]**

State IDs: 50-P-44 and 50-P-45

524 CMR

Petitioner: Robyn Sloniecki

The petitioner was in front of the Board requesting a variance to install sprinklers in the elevator mechanical rooms and shafts. The above listed address is a Medicare certified

skilled nursing facility, which is subject to Federal Life Safety regulations at 42 CFR 483.90, and is facing enforcement action due to the lack of a sprinkler in the machine room. These regulations require buildings to be fully sprinklered and the above facility has been cited by the Centers for Medicare and Medical Services (CMS), due to the lack of sprinkler coverage in its elevator machine room. The petitioner stated Royal Health Group faces a deadline of June 3, 2021 for denial of payment for new admissions with a possible termination date of September 3, 2021. Chief Wilkinson explained to the petitioner the current status of other nursing homes in MA, which have been granted an extension from CMS. A motion was made by Sarah Wilkinson to table this discussion to allow for additional research and full hearing to take place no later than June 22, 2021. This topic will be placed on the next agenda for discussion. A motion was seconded by Christopher Towski.

Motion: Sarah Wilkinson

Seconded: Christopher Towski

Vote: 6-0; Tabled for further research and discussion.

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Sarah Wilkinson	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

3. **1 Broadway – Cambridge, MA [Exhibit 3]**

State ID: 49-P-130 and 49-P-131

Relief from Inspector's Report

Petitioner: Michael Spiotta

The petitioner was in front of the Board seeking relief from an Inspector's Report citing Section 17.26 – Hoist ropes are undersized and should be replaced. The petitioner testified that he took an electronic caliper to each individual rope on both units. The measurements were taken when the car was at the top floor and when the car was at the bottom floor. When taking measurements at both locations (top and bottom), unit 49-P-131 (Car B) was found to have a few ropes undersized per the code. Because of this, Delta-Beckwith will be changing out all ropes on this unit and a permit has already been issued and the work is scheduled. However, unit 49-P-130 (Car A) has measurements that are above the threshold cited in AMSE A17.6, 1.10.3 and Table 1.10.3. The petitioner

also stated that in 2017 a modernization of the controller, hoistway mechanical, EMS door operators and fixtures was completed. The retest is scheduled for 6/9/2021. Eric Morse described the proper procedure for measuring ropes and David Morgan asked the petitioner about rope tags and suggested that an additional rope inspection be conducted with additional time. A motion was made by David Morgan to place the petitioner's request on hold until July 13, 2021 for the petitioner to gather more information, provide the Board with photos of the ropes and measurements, and have a licensed mechanic present to testify. A motion was seconded by Sarah Wilkinson.

Motion: David Morgan

Seconded: Sarah Wilkinson

Vote: 6-0; Placed on hold until July 13, 2021.

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Sarah Wilkinson	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

4. **400 Beacon Street – Newton, MA [Exhibit 4]**

New Installation

Manufacturer: JG Parking

ASME A17.1-2013 Section 2.13.1, ASME A17.1-2013 and 524 CMR Section 35.00:

Item 2.27.3.3.1 (c) (d) (e) (f)

Petitioner: Sandra Houston

The petitioner was in front of the Board seeking a variance from ASME A17.1-2013, Item 2.13.1: Types of Doors and Gates Permitted, ASME A17.1-2013 and 524 CMR Section 35.00: Item 2.27.3.3.1 (c) (d) (e) (f) Phase II Emergency In-Car Operation. The petitioner's representative stated that the property operates as a historic house museum and the museum's goal of preserving and restoring the historic structures for exhibition as they were in 1910 means that numerous existing historic conditions and configurations cannot be altered without detrimentally affecting the historic buildings. A new in ground corner post hydraulic elevator is planned to be installed in the existing hoistway which previously accommodated a basement drum traction elevator with overhead sheaves. All traction elevator equipment has been removed under a decommission permit. The bottom pit area is planned to be modified to incorporate a new basement access as well as a new pit below. Based on the existing structural, architectural, and historical aspects of the

building all original door space width and height openings and existing hoistway width, depth and height areas are being reused. The new elevator will be equipped with a power accordion car gate and new fire rated power swing landing doors, in lieu of horizontally sliding type doors. Capacity is planned at 1, 2000 lbs. with the speed of 30 fpm.

Incorporated at each landing in the hall push button station is a visible direction and location digital display. Based on the designed travel of the elevator (32—3 ½”) a

Limited Use Limited Access elevator was not a feasible direction for the new elevator.

The petitioner’s representative also stated that the elevator will have Phase II with manual doors, Phase I is in full compliance, and all occupants will be accompanied by museum staff. Anthony Buonopane sworn in later in the case to describe the door operation in Phase II. Christopher Towski requested a Standard Operating Procedure be added to the decision. A motion was made by Eric Morse deny both variances requested with the understanding that an elevator can be installed in full compliance with the code and AAB, as Phase II allows for manual swing doors and power doors is not an AAB requirement. The motion was seconded by Christopher Towski.

Motion: Eric Morse

Seconded: Christopher Towski

Vote: 6-0; Denied.

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Sarah Wilkinson	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

The meeting minutes from May 25, 2021 were unavailable for Board review.

Motion to Adjourn: Christopher Towski

Seconded: Brian Ronan

Vote: 6-0; Adjourned.

Roll Call Vote:

• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Morgan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Sarah Wilkinson	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

Hearing concluded at 11:07 a.m.
Prepared by: Ruthy Barros

Exhibit List:

- Exhibit 1: Variance packet for 1 Ruggles Station, Boston
- Exhibit 2: Variance packet for 601 Sherman Street, Canton
- Exhibit 3: Variance packet for 1 Broadway, Cambridge
- Exhibit 4: Revised drawings for 400 Beacon Street, Newton