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Division of Professional Licensure**

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PROFESSIONAL LICENSURE

Minutes

Board of Elevator Regulations

**This meeting was held remotely via Microsoft Teams
June 14, 2021 at 1:00 p.m.**

Board Members Present:

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

Division of Professional Licensure Staff:

Peter M. Kelley
Ruthy Barros

Board Members Absent:

Sarah Wilkinson

Guests Present:

Gary West – Gillespie Corporation
Nurit Zuker – Bruner/Cott Architects
Charles Floyd – Shawmut Design and Construction
Christopher Lynch – Code Red Consultants
Dennis Patnaude – Nantucket Cottage Hospital

The Board discussed the following:

- 1. 264 Huntington Avenue – Boston, MA [Exhibit 1]
New Installation
524 CMR 35.00, ASME A17.1-2013 §3.4.1.1, §3.4.1.3. §3.4.1.6, §2.15.9.2,
§2.15.9.2(b), and §2.4.7.1.
Petitioner: Gary West**

The petitioner was in front of the Board seeking a variance from 524 CMR 35.00 –
Shallow Pit Variance, ASME A17.1-2013 – Bottom and Top Clearances and Runbys for
Car and Counterweights: §3.4.1.1, §3.4.1.3. §3.4.1.6, Car Frames and Platforms:

§2.15.9.2, §2.15.9.2(b), and Top of Car Clearances: §2.4.7.1. The petitioner's request is to utilize a shallow pit and limited overhead elevator because a traditional elevator would impart major impacts on the historic building structure. The Huntington Theatre located at the above address was originally built in 1925. The petitioner stated that the building is comprised of two major sections: the theatre, which mainly includes historic lobbies, a two-story auditorium, and stage, and the West Wing, which contains theatre support spaces, such as dressing rooms and production workshops, as well as a rehearsal studio used for both rehearsals and public events. The proposed renovation of the project includes complete restoration of the exterior façade, historic lobbies, and theatre space, as well as gut renovation of the West Wing with all new MEP/ FP services throughout the building. The petitioner's representative stated that the existing elevator, which currently only serves the West Wing portion of the building, is too old and too small for the Theatre's functional needs, and therefore needs to be replaced. Positioning the new elevator at the intersection of the theatre, West Wing, and arcade is crucial to the operation of the theatre for several reasons. As the only elevator in the building, this elevator serves multiple functions. The petitioner stated that there are existing conditions, in which a traditional elevator cannot be accommodated without a major impact on the building's foundation and roof structure and for those reasons, the petitioner is requesting approval to utilize the Gillespie Shallow Pit and Limited Overhead Safety Systems for the theatre renovation project, which will allow the elevator to be designed with 1'-8" pit and 9'-2" of clear overhead. A motion was made by David Morgan to place the petitioner's variance request on hold for 30 days for further information concerning justification of the shallow pit. David Morgan also confirmed with the petitioner that pads in the pit floor, infra-red-light curtain on car top, and all signage will be installed. The motion was seconded by Christopher Towski.

Motion: David Morgan

Seconded: Christopher Towski

Vote: 5-0; Placed on hold for 30 days, deadline 7/14/21.

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
• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

2. **57 Prospect Street – Nantucket, MA [Exhibit 2]**
State IDs: 197-P-18537, 197-P-18527 and 1-P-18536
524 CMR 35.00 §2.8.3.3
Petitioner: Christopher Lynch

The petitioner was in front of the Board requesting a variance to 524 CMR 35.00 §2.8.3.3 related to the installation of automatic sprinkler protection within elevator machine rooms, hoistways, and pits at Nantucket Cottage Hospital on the basis that the proposed pre-action sprinkler system features combined with the other building fire protection features, building configuration, and pre-incident fire department response plan still provide a safe environment for emergency responders. The petitioner stated that, based on the provisions of 524 CMR and 780 CMR, automatic sprinkler protection was not originally provided in any of the three elevator hoistways or elevator machine rooms at the Nantucket Cottage Hospital. However, because the elevators are hydraulic type, these spaces are not exempt from sprinkler protection based on the provisions NFPA 13. As a result, the Nantucket Cottage Hospital was cited in 2019 by the Center for Medicare and Medicaid Services (CMS) based on the omission of fire sprinkler protection from the elevator machine rooms and elevator hoistways within the building and granted a time-limited waiver to restore the building to a “fully sprinklered” condition. In order to satisfy CMS and avoid losing its accreditation, Nantucket Cottage Hospital is seeking to install sprinklers within all three elevator machine rooms and elevator hoistways, as required by the 2013 edition of NFPA 13 §18.5.5. The overall package of fire protection and life safety features outlined herein for the elevators are proposed as a reasonable approach for providing fire protection in these spaces which meets the requirements of NFPA 13 while mitigating the hazards associated with the potential for water discharge into these sensitive areas of the building. A motion was made by David Morgan to place the petitioner’s variance request on hold for 60 days so the Board may further discuss this matter and to allow the petitioner time to come back to the Board with additional information, if needed. A motion was seconded by Christopher Towski.

Motion: David Morgan

Seconded: Christopher Towski

Vote: 5-0; Placed on hold for 60 days, deadline 8/13/21.

Roll Call Vote:

• David Gaudet

☒ yea

☐ 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 |
| • Eric Morse | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |

The Board went on to further discuss additional information/research needed so to allow continued hearings on June 22, 2021 for outstanding variance petitions. The Board discussed the sequence of operation and ventilation considerations.

The meeting minutes from May 25, 2021, May 28, 2021 and June 4, 2021 were tabled until the next meeting. The meeting minutes from June 1, 2021, June 8, 2021 and June 11, 2021 were not available for review.

By unanimous consent, the Board indicated its intent to meet in-person on June 22, 2021, following all protocols and requirements.

Motion to Adjourn: David Gaudet

Seconded: Brian Ronan

Vote: 5-0; 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 |
| • Eric Morse | <input checked="" type="checkbox"/> yea | <input type="checkbox"/> nay |

Hearing concluded at 2:48 p.m.

Prepared by: Ruthy Barros

Exhibit List:

- Exhibit 1: Variance packet for 264 Huntington Avenue – Boston, MA
- Exhibit 2: Variance packet for 57 Prospect Street – Nantucket, MA