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PROFESSIONAL LICENSURE

Minutes

Board of Elevator Regulations
1000 Washington Street
Boston, MA 02118
1st Floor – Room 1C
April 16, 2019

Board Members Present:

Joseph O'Malley, Chairman
Eric Morse
John O'Donoghue
Cheryl Davis
Brian Ronan

Guests Present:

Justin Allen (ThyssenKrupp)
Jason Tellier (ThyssenKrupp)
Stephen Ballas (The Ballas Group)
Ward Jaros (WJ Projex, LLC)

Board Members Absent:

David Gaudet
David Morgan
Stephen Sampson

Division of Professional Licensure Staff:

Ruthy Barros

The Board discussed the following:

1. **103 Second Street – Framingham, MA [Exhibit 1]**
State ID(s): 100-P-19954
ASME A17.1-2013 Section 2.2.2.5 and 2.2.2.6
Petitioner: Jason Tellier

The petitioner was in front of the Board seeking a variance from ASME A17.1-2013 Section 2.2.2.5 and 2.2.2.6, which requires a sump pump to be installed for an elevator with Firefighters Emergency Operation. The petitioner provided the Board with a

building permit dated 05/30/2017 and stated that the hoistway was built and completed prior to the change in the code requiring a sump pump. The petitioner stated that the elevator permit was applied for after the December 1, 2018 new code effective date. A motion was placed by Eric Morse to deny the petitioner's variance request with the justification that the Elevator Contractor had ample notice of the effective date for the code change and to submit the permit prior to December 1, 2018. The motion was seconded by Brian Ronan.

Motion: Eric Morse

Seconded: Brian Ronan

Vote: 5-0; Denied.

2. **116 Washington Street – Plainville, MA [Exhibit 2]**

State ID(s): 238-P-20051

ASME A17.1-2013 Section 2.2.2.5 and 2.2.2.6

Petitioner: Jason Tellier

The petitioner was in front of the Board seeking a variance from ASME A17.1-2013 Section 2.2.2.5 and 2.2.2.6, which requires a sump pump to be installed for an elevator with Firefighters Emergency Operation. The petitioner provided the Board with a building permit dated 07/03/2018 and stated that the hoistway was built and completed prior to the change in the code requiring a sump pump. The petitioner stated that the elevator permit was applied for after the December 1, 2018 new code effective date. A motion was placed by Eric Morse to deny the petitioner's variance request with the justification that the Elevator Contractor had ample notice of the effective date for the code change and to submit the permit prior to December 1, 2018. The motion was seconded by John O'Donoghue.

Motion: Eric Morse

Seconded: John O'Donoghue

Vote: 5-0; Denied.

3. **122 Grove Street – Franklin, MA [Exhibit 3]**

State ID(s): 101-P-19836

ASME A17.1-2013 Section 2.2.2.5 and 2.2.2.6

Petitioner: Jason Tellier

The petitioner was in front of the Board seeking a variance from ASME A17.1-2013 Section 2.2.2.5 and 2.2.2.6, which requires a sump pump to be installed for an elevator with Firefighters Emergency Operation. The petitioner provided the Board with a

building permit dated 09/05/2018 and stated that the hoistway was built and completed prior to the change in the code requiring a sump pump. The petitioner stated that the elevator permit was applied for after the December 1, 2018 new code effective date. A motion was placed by John O'Donoghue to deny the petitioner's variance request with the justification that the Elevator Contractor had ample notice of the effective date for the code change and to submit the permit prior to December 1, 2018. The motion was seconded by Brian Ronan.

Motion: John O'Donoghue
Seconded: Brian Ronan
Vote: 5-0; Denied.

4. **5 McBride Street – Jamaica Plain, MA [Exhibit 4]**
State ID(s): 101-P-19836
ASME A17.1-2013 Section 2.2.2.5 and 2.2.2.6
Petitioner: Stephen Ballas

The petitioner was in front of the Board seeking a variance from ASME A17.1-2013 Section 2.2.2.5 and 2.2.2.6, which requires a sump pump to be installed for an elevator with Firefighters Emergency Operation. The petitioner requested a variance not to install a sump pump in entirety, or at the very least install a sump pump that would sit on top of the elevator floor, not below grade. The petitioner stated that the very bottom of the elevator pit is roughly 12 feet below grade and encountered groundwater where the bottom of the elevator pit footing sits. To be safe and to make sure the elevator pit and shaft was waterproofed, a pre-cast elevator pit was installed. A motion was placed by John O'Donoghue to deny the petitioner's variance request with the justification that the Elevator Contractor had ample notice of the effective date for the code change and to submit the permit prior to December 1, 2018. The motion was seconded by Eric Morse.

Motion: John O'Donoghue
Seconded: Eric Morse
Vote: 5-0; Denied.

5. **Approval of meeting minutes from April 2, 2019 [Exhibit 5]**

A motion was put forth by John O'Donoghue to accept the minutes as written. The motion was seconded by Cheryl Davis. **Vote: 3-0; Granted.** Joseph O'Malley and Brian Ronan abstained.

6. **Matters not reasonably anticipated 48 hours in advance of meeting:**

Mr. O'Malley brought up code issues he would like the Board to take into consideration for future regulatory amendments. Mr. O'Malley mentioned the emergency power requirement, the testing formula for escalators, and clarification on the venting and gurney requirements per code.

Exhibit List:

Exhibit 1: Variance packet for 103 Second Street – Framingham, MA

Exhibit 2: Variance packet for 116 Washington Street – Plainville, MA

Exhibit 3: Variance packet for 122 Grove Street – Franklin, MA

Exhibit 4: Variance packet for 5 McBride Street – Jamaica Plain, MA

Exhibit 5: Meeting minutes from April 2, 2019

Motion to Adjourn: John O'Donoghue

Seconded: Brian Ronan

Vote: 5-0; Adjourned.

Hearing concluded at 2:10 p.m.

Prepared by: Ruthy Barros