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CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Minutes

Board of Elevator Regulations
1000 Washington Street
Boston, MA 02118
1st Floor – Room 1C
January 22, 2019

Board Members Present:

Stephen Sampson, Chairman
Eric Morse
John O'Donoghue
Brian Ronan
David Morgan
Cheryl Davis

Guests Present:

William Boral (Jacobs)
Mark Schow (Jacobs)
Andrea Hunt (Lerch Bates)
Marjorie Walsh (Medical Missionaries of Mary)

Board Members Absent:

David Gaudet

Division of Professional Licensure Staff:

Charles Kilb
Ruthy Barros

The Board discussed the following:

1. **1 Horizon Way – Everett, MA [Exhibit 1]**
State ID(s): 93-F-18867, 93-P-17662, 93-P-18103, 93-P-17210, 93-P-17871,
93-P-17872, 93-P-18645, 93-P18063, 93-P-17874, 93-P-17873, 93-P-18066,
93-P-17870, 93-P-17869, 93-P-17222, 93-P-17223, 93-P-17224, 93-P-17225,
93-P-18832
ASME A17.1-2013 Section 2.8.1 and 524 CMR Section 17.06
Petitioner: Jacqui Krum

The petitioner came back in front of the Board seeking a modification from a previously issued variance. The petitioner proposed to the Board to install radio antennas in the pit of the above listed low rise elevators. The petitioner stated that the equipment will be mounted on the wall in a back corner, out of the way of the elevator equipment and the mechanics work area. The antennas would ensure that public safety two-way radios, cell phone and Wi-Fi connection can be used within the elevators. The petitioner stated that the dimension of the unit is 13.2"x5" and the reason to install the antennas in the pit versus in the elevator car, are due to cost and simpler installation. A motion was put forth by Eric Morse to deny the variance, with the understanding that the Board has previously approved the installation of the antennas on top of each car, with a system that is compliant and that the Board was comfortable with. The motion was seconded by John O'Donoghue.

Motion: Eric Morse⁴

Seconded: John O'Donoghue

Vote: 6-0; Denied.

2. **1 Horizon Way – Everett, MA [Exhibit 2]**

State ID(s): 93-F-18867

ASME A17.1-2004 Section 2.12.7.2.1

Petitioner: Jacqui Krum

The petitioner came in front of the Board seeking a variance in that the entry points to the top of the car will not be adjacent to the access key switches, however there will be safe access to the car top and pit at other entry points. The petitioner stated that the existing freight elevator has one front and one rear opening, and due to the travel height of 5'-.6" and the height cab of 10', the top car cannot be accessed from the top landing, as it sits 6' above the floor level. An alternative access door is planned above the lower landing entrance, which will allow the technician to climb a ladder to a catwalk and open a 6' high door to step onto the car top. The access switch will still be located at the top landing entrance. The car will be secured via the access operation at the top landing, and then the mechanic will go around to the opposite side of the hoistway and use the ladder and catwalk platform to access the door. The petitioner stated that the access door will comply with Section 2.7.3.4 and proper signage will be added to instruct the mechanic. For the bottom landing access to the pit, with the car at the top landing, there will be

about 2' of clear opening to climb under the toe guard. A pit access door is planned adjacent to the machine room on the lower landing side, which will allow access once the bottom access key switch operation is activated. This will provide about 7' under the toe guard to enter the pit area. This door will comply with Section 2.2.4.4 and proper signage will be added to instruct the mechanic. A motion was put forth by Eric Morse to grant the variance for the overhead access as drawn, with the understanding that the upper access door will be locked and only accessible to licensed Elevator mechanics and will not be operable, unless the elevator is on inspection or enable access and the roof of the car is on the same level as that door. The petitioner concurred that a variance is not required and withdrew his request for the lower pit access. The petitioner is requested to permanently affix signage in the machine room stating 'Licensed Elevator Mechanics Only' and instructions on how to properly access the car top. The motion was seconded by David Morgan.

Motion: Eric Morse

Seconded: David Morgan

Vote: 6-0; Granted.

3. **179 Highland Avenue – Somerville, MA [Exhibit 3]**

State ID: 274-W-452

524 CMR

Petitioner: Susan Falamino

The petitioner came in front of the Board seeking a variance to classify the property as a single family owner occupied dwelling. Board member Brian Ronan requested the petitioner provide the Board with the legal occupancy of record designated by the Building Department of Somerville.

The Board recessed at 2:30 p.m. to allow the petitioner to find out the legal occupancy of record. After the recess, the Board meeting reconvened at 2:35 p.m.

At 2:45 p.m. the Board went into Quasi-Judicial Session pursuant to M.G.L. c. 30A, §18 (Closed Session) so counsel may provide the Board with legal advice pertaining to the variance request for 179 Highland Avenue. The Board meeting reconvened at 2:52 p.m.

A motion was put forth by David Morgan to deny the variance due to the fact that the property in question is not a single family owner occupied dwelling. Per the petitioner, the property's legal occupancy of record is a rectory. The Board stated that they do not have jurisdiction to classify the legal occupancy of record. The motion was seconded by Eric Morse.

Motion: David Morgan

Seconded: Eric Morse

Vote: 6-0; Denied.

4. **Approval of meeting minutes from December 18, 2018 [Exhibit 4]**

A motion was made by John O'Donoghue to accept the minutes as written. The motion was seconded by Brian Ronan. **Vote: 6-0; Granted.**

5. **[Exhibit 5]**

The Board reviewed a proposed letter from the Office of Public Safety and Inspections (OPSI) in regards to smoke and hot gases. A motion was made by David Morgan to approve the letter with noted corrections. The motion was seconded by John O'Donoghue. **Vote: 6-0; Granted.**

Exhibit List:

Exhibit 1: Variance packet for 1 Horizon Way – Everett, MA

Exhibit 2: Variance packet for 1 Horizon Way – Everett, MA

Exhibit 3: Variance packet for 179 Highland Avenue – Somerville, MA

Exhibit 4: Meeting minutes from December 18, 2018

Exhibit 5: Proposed letter from OPSI

Motion to Adjourn: Cheryl Davis

Seconded: John O'Donoghue

Vote: 6-0; Adjourned.

Hearing concluded at 3:18 p.m.

Prepared by: Ruthy Barros