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Minutes

Board of Elevator Regulations

One Ashburton Place, 13th Floor Room 1301, DPS conference room

June 7, 2016 - 1:00PM

Board Members Present:

Stephen Sampson, Chairman
David Gaudet
John O'Donoghue
David Morgan
Cheri Davis

Guest Present:

Marc Messinger (DOKA - USA)
Richard Barton Jr. (DOKA – USA)
Mike George (G&C Concrete)
Jeffery Curtis (Attorney for G&C Concrete)
Chris Sherman (Faneuil Hall Marketplace)
Jose Solvia (Elkus Manfredi Architects)
Noel Herchell (Van Deusen and Associates)
Mark Trahan (Trahan Elevator Company)
Ruthy Barros (DPS)

Board Members Absent:

Thomas Riley
Michael J. Nicoloro Jr.
Harold J. McGonagle

1. The Board of Elevator Regulations reviewed the minutes pertaining from the BER meeting that has held on May 31, 2016. **A motion to accept the minutes was made by Cheri Davis with the noted corrections. The motion was seconded by David Gaudet. Vote: 5-0.**

The Board discussed the following:

2. One Dalton Street – Boston, MA

524 CMR

Owner: One Dalton Owner, LLC

Petitioner: Attorney Jeffery Curtis

The petitioner Attorney Jeffery Curtis, along with Richard Barton Jr. and Marc Messinger, representatives of DOKA – USA and Mike George, representative of G&C Concrete came before the Board seeking a variance and code interpretation to use a DOKA TLS self lifting table lift. The table lift will be used on One Dalton Street, which will be approximately a 60 story, poured concrete form, triangular shaped building. The tables that are used to pour the floors are going to be transported from floor to floor. With the DOKA lift system the tables can be taken down, put onto the lift and lifted up with a push button, and lifted onto the next floor where it will be unloaded on the next floor and used again. The total rise of the system is approximately 15 meters or three floors. The system itself will be constructed on the ground and be hung on the building. It hangs on the building through anchors that are placed into the poured concrete on each floor. The operation of the lift itself is a rack and pinion type lift with an electric motor. The self climbing portion of the unit uses hydraulics. Every time the unit needs to be lifted to another floor, the entire unit is lifted hydraulically. The operation in between floors will be electrically on a rack and pinion. The petitioner stated that there will be no jumps to this unit, once the system is installed as a self climbing unit, it will only be available to be used on three floors. The petitioner is requesting to have a maximum of three units with a minimum of two units for the system. Mr. George stated due to the size and structure of the building, the tables have to be constructed into 30 to 40 small tables that need to be lifted. Mr. George stated that there are many safety and efficiency concerns that he believes will be diminished if the Board approves the use of the DOKA table lift system. Mr. Messinger stated that there is an emergency brake system, a power off emergency stop switch and everything should be shut down while they are loading. Nothing can operate until the gate is fully locked, mechanically and electronically. Mr. Messinger stated that there will be a drop test preformed prior to main use and a release form issued to the contractor verifying a drop test has been done. The capacity of the unit is 3,600 lb when traveling and 5,000 lbs when parked. The gate doors on each floor are 48.8 inches and are setback a minimum of 2.5 feet. The unit also emits a horn sound that is activated upon initial activation and again once the unit is 2.5 feet away from the base of the structure. The petitioner stated that he believes the proposed lift system meets the ASME A10.5 (2006) code. The petition was in front of the Board on May 26, 2015, and the board gave the petitioner a decision to be more specific on the code and to show the Board the permits for the operations from other jurisdictions. Currently, DOKA – USA stated no other jurisdiction aside from Boston and New York has requested a permit for the table lift system. The petitioner stated that he believed Section 25 of 524 CMR is probably the most appropriate section of the code where he would be seeking a variance from, due to the fact that the proposed system is similar to a temporary use of a builder's lifts. The petitioner stated that hoisting engineers would be the ones operating the lifts and there will be licensed professionals throughout all stages, including install, operation and dismantling. A motion was put forth by David Morgan to take this matter under advisement for further discussion regarding more information, code wise, within the Board and subsequently follow up with a decision. The motion was seconded by David Gaudet.

Motion by: David Morgan

Seconded by: David Gaudet

Vote: 5-0; Place on hold.

3. Faneuil Hall Marketplace

524 CMR Section 35 A17.1-2004 Sections 2.2.1, 2.2.7, 2.4.1, 3.4.4, 3.4.7

Owner: Faneuil Hall Marketplace

Petitioners: Chris Sherman, Jose Soliva and Noel Herchell

The petitioners came before the Board seeking a variance to replace an existing elevator due to existing pit and overhead restrictions. The petitioners are proposing the installation of a Gillespie shallow pit/shallow overhead type passenger elevator. The existing elevator is located in the South Hall Marketplace and services three floors of retail spaces. Elevation of water table in the area of the elevator hoistway would restrict the depth of the pit. For historic reasons the City of Boston Environment Department are requesting that the second floor of the building not be penetrated, reducing the available clear overhead. The pit will be 12 inches. A motion was put forth by David Gaudet to grant the variance as applied for under 524 CMR Section 35 A17.1-2004 Sections 2.2.1, 2.2.7, 2.4.1, 3.4.4, 3.4.7 for an installation for retail space, model number PPRH2S, with the inclusion of a car top sensor, pit sensor and signage. The Board's decision is due to the restrictions of the building and the safety requirements of elevators. The motion was seconded by Cheri Davis.

Motion: David Gaudet

Seconded by: Cheri Davis

Vote: 5-0; Granted.

4. 250 Merrimack Street – Lawrence, MA

Unit: 149-F-202

524 CMR ASME A17.1-2004 Section 2.16.2.2.1

Owner: Riverwalk Properties

Petitioner: Mark Trahan

The petitioner came before the board seeking a variance to reduce the capacity and size of the platform. The petitioner stated that the existing freight elevator is roughly 60 years old and has a 5,500 lbs capacity. A full load test was performed by the petitioner and the elevator didn't handle the full load test that well, therefore the petitioner is requesting to reduce the capacity to 3,200 lbs. The existing platform size is 8'-0" width, 11'-0" depth with square of 88'. The petitioner would like to reduce the platform size to a clear 8'-0" width, 8'-0" depth with a square of 64'. The elevator is currently placarded due to the elevator not being able to pass the full load test. A motion was put forth by Cheri Davis to grant the reduction in size of the platform based on A17.1-2004 Section 2.16.2.2.1, to place a permanent fixed wall in the cab and the net inside platform will be 8'x8' with a capacity of 3,200 lbs and there will be no access to the enclosed 3'x8' section in the rear compartment of the elevator cab. The Board's justification is that the elevator will be modernized in several years and this will allow the owner to use the elevator safely. The decision is to be posted in the elevator machine room. The motion was seconded by David Morgan.

Motion: Cheri Davis

Seconded by: David Morgan

Vote: 5-0; Granted.

5. Code questions and comments

The Board received and reviewed hard copies of emails from Lisa Dixon, regarding elevator code questions and public comments regarding pneumatic elevators. The Board stated that it is imperative to have all Board members available to review each elevator code question and public comment individually. A motion was put forth by David Morgan, to table the review of the code questions and comments, for a future date where a full Board is present. The motion was seconded by Cheri Davis.

Motion: David Morgan

Seconded by: Cheri Davis

Vote: 5-0; Placed on hold.

6. Nationwide Lifts of Massachusetts

Nationwide Lifts is a manufacturer of private pneumatic elevators and they had submitted a letter to the Board requesting approval from the Board to temporarily install a demonstration Pneumatic Vacuum Elevator. The Board received and reviewed the letter and stated that Nationwide Lifts has been in front of the Board of Elevator Regulations several times and the last hearing resulted in a denial decision. Nationwide Lifts then appealed the Board of Elevator Regulations' decision through the Board of Elevator Appeals, where the appeal case was denied as well. Council requested that the Board of Elevator Regulations review Nationwide's Lifts proposal again. A motion was put forth by David Gaudet that a letter from the Board of Elevator Regulations is sent to Terry L. Steen, Vice President of Sales of Nationwide Lifts, requesting specific information on code deficiencies for Board review. Also, the Board is requesting hoistway fire ratings. Further, that the Department of Fire Services does their investigation regarding this matter and report back to the Board. The motion was seconded by Cheri Davis.

Motion: David Gaudet

Seconded by: Cheri Davis

Vote: 5-0; Continued.

Matters not reasonably anticipated 48 hours in advance of meeting¹

Exhibit List:

Exhibit 1: Meeting minutes from May 31, 2016

Exhibit 2: Variance Petition – One Dalton St. – Boston, MA

Exhibit 3: Variance Petition – 56 Commonwealth Ave. – Boston, MA

Exhibit 4: Variance Petition – 109-111 Commonwealth Ave. – Boston, MA

Exhibit 5: Variance Petition – 247 Old Sandwich Rd. – Plymouth, MA

Exhibit 6: Email of code questions and comments from Lisa Dixon dated May 24, 2016

Exhibit 7: Email with public comments regarding Pneumatic Vacuum Elevators dated May 25, 2016 and May 26, 2016

Exhibit 7: Letter from Nationwide Lifts on Pneumatic Elevators dated May 25, 2016

¹ The Board had a brief discussion in regards to code A10.5 (2006) and interests in permits from other jurisdictions in respects to the One Dalton Street Boston, MA petition.

Motion to adjourn by: David Morgan, Seconded by: John O'Donoghue **Vote: 5-0;** Granted.

Hearing Concluded at 3:35 p.m.

Prepared by: Ruthy Barros