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**Minutes**

**Meeting of the  
Board of Elevator Regulations  
June 20, 2023, at 1:00 p.m.**

**1000 Washington Street  
Boston, MA 02118  
1<sup>st</sup> Floor-Room 1E**

**Board Members Present:**

Eric Morse, Acting Chair  
David Gaudet  
Christopher Towski  
Neil Mullane  
Brian Ronan  
Tim Morgan  
Anthony Buonopane

**Division of Occupational Licensure Staff:**

Peter Kelley  
Susan Genduso  
Gayle Richardson

**Guests Present:**

Tobias Bernecker

**Call to Order: 1:00 p.m.:**

1. Acting Chairman Eric Morse requested that introductions be made for all new board members and staff.

**2. 9 Elm Court, Great Barrington**

**State ID:**

Petitioner appeared before the board to seek relief from 524 CMR section 2.27.12(1)(a). Petitioner does not believe that the addition constitutes a “complete new addition”, given its limited footprint and its small area in relation to that of the existing building. They ask that the proposed elevator be exempted from the stretcher requirement, which would allow reduction in hoistway dimensions and allow more space for patron movement.

Tobias Bernecker supplied a diagram with a 3,500 lb car. Tim Morgan asked what was shown and it is a 3,500 lb car, Chris Towski asked about working with the local fire



department. Architect has not reached out to fire dept. Tim Morgan concerned of building future use and limited access to upper floors. Eric Morse addressed the stretcher code, requiring medical emergency elevators, as here, when a hoistway is constructed “outside the confines or footprint of the existing building”. Members noted that language does not require entire hoistway outside the confines/footprint, although the hoistway here seems substantially within original. Tim Morgan made a motion that the Board deny the request based upon their code interpretation that this constitutes a ‘complete new addition’ for the purposes of § 2.27.12(1)(a). Board agrees that the stretcher car elevator is required for safety. The motion was seconded by Chris Towski.

**Motion: Tim Morgan**

**Seconded: Christopher Towski**

**Vote: 7-0: Denied**

3. Chair noted to board members that petitions may be reviewed by the board without the petitioners being present. If in good order, they can be voted on and if not then they will be put on hold.

**4. Park Street MBTA 775-776 Washington and Winter Streets, Boston**

**Petitioner: Andrea Ruff**

**State IDS: TBD New Installs**

Petitioner seeks relief 524 CMR 2.11.10.1.1 request for metal hoistway fascia to be made of glass. Board reviewed petition. Discussion of prior similar requests previously granted by Board. Chief requested prior variance language utilized. David Gaudet explained that these requests are usually allowed by not as a blanket approval and all requests would need to be reviewed for approval. Eric Morse made a motion to approve the petition for the MBTA for 775-776, due to the requested glass meets all applicable codes and provides additional safety to riders. The motion was seconded by David Gaudet.

**Motion: Eric Morse**

**Seconded: David Gaudet**

**Vote: 7-0; Granted.**

**5. Park Street MBTA 783 Tremont and Winter Streets, Boston**

**Petitioner: Andrea Ruff**

**State IDS: TBD New Installs**

**Petitioner: Andrea Ruff**

Petitioner seeks relief 524 CMR 3.7.1.11(c) to allow the elevator machine room to be approximately 13’ 6” from the hoist way. Request for the elevator machine room to be over 10 ft from the hoist way for a hydraulic elevator. Seeking relief for the machine room to be approximately 13’6” from the hoistway due to existing constraints in an underground subway station. Board reviewed petition. Anthony Buonopane made a motion to approve the petition for the MBTA with the justification that the piping was straight run with no fittings outside the machine room and otherwise meets all other code requirements. The motion was seconded by Neil Mullane.

**Motion: Anthony Buonopane**

**Seconded: Neil Mullane**

**Vote: 7-0; Granted.**

6. **Meeting minutes** from March 28, 2023, April 25, 2023, and May 3, 2023, were not brought up for approval.
7. Discussion regarding FS90 repairs and permit filing. Eric Morse asked Anthony Buonopane for an update on the FS90 repairs and permit filing. Anthony gave an update: there are 7,000 or so inspected elevators with this issue, many but not all have pulled permits. Board requested that continued discussion be left on agenda for old business.
8. **Old business:**
  - **46 Joy Street, Boston**  
**State ID: 1-L-10164**  
**Unit Replacement**  
Petitioner was in front of the Board seeking relief from 524 CMR, incorporating ASME A18.1- 2. 7.1, which requires: "Travel of lifts conforming to paras. 2.1.1 and 2.1.3 shall not exceed 4250 mm (168 in.)" or 14 feet. Placed on hold to come back in front of the Board with additional information. **Deadline: July 15, 2023.**
  - **72 Church Green, Taunton**  
**State ID: 293-P-216**  
Petitioner was in front of the Board seeking relief from 524 CMR 11.02. The building owner is looking to put the elevator back in service. Elevator was decommissioned in 2019. Tenants moving back into building and would like to get elevator back in service.  
Placed on hold to come back in front of the Board with additional information including  
a detailed report of the unit from Buckley Elevator indicating the unit's deficiencies.  
**Deadline: July 15, 2023.**
  - **TK Elevator**  
**Product: North American EOX**  
Petitioner is looking for a product variance for new EOX product. Placed on hold to come back in front of the Board with additional information including a formal variance request with code citations. **Deadline: August 1, 2023.**
  - Continued discussion and review of 524 CMR Section 26.00: Certain Elevator Equipment Used as Motor Vehicle Parking Devices.
9. **Matters not reasonably anticipated 48 hours in advance of meeting**
  - New business for next agenda: full-load testing; placarding and pivoting back to code review.

**Motion to Adjourn: Chris Towski**  
**Seconded: Brian Ronan**  
**Vote: 7-0; Adjourned at 2:40 p.m.**

Prepared by: Gayle Richardson