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Division of Professional Licensure
Office of Public Safety and Inspections
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UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Minutes

Board of Elevator Regulations
1000 Washington Street, Boston, MA 02118
1st Floor – Room 1C
February 27, 2018

Board Members Present:

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

Guests Present:

Phillip Canelos (Uplift, Inc.)
Julie Canelos (Uplift, Inc.)
Jef Leon (COJE, 2 Oliver Street, Boston)
Carl Faille (Lerch Bates)
Gary West (Gillespie Corp.)
John C. Linsley (Gillespie Corp.)
Joseph McCarthy (Wynn)
Amanda Waryasz (COJE, 2 Oliver Street Boston)
Peter Wallack (Wallack Elevator Consultants)
Andrew Castraberti (Cresset Development)
Robert Del Savio
Peter Georgantas (PZG Properties)
Variel Vicci (SBY2)
Adam Sanders (ThyssenKrupp)
Paula Heckman (DPL)

Board Members Absent:

Cheryl Davis

The Board discussed the following:

1. **200 Longwood Avenue – Boston, MA [Exhibit 1 and Exhibit 1A]
776 Boylston Street – Boston, MA [Exhibit 2]
13 Marlborough Street – Boston, MA [Exhibit 3]
1 Nassau Street – Boston, MA [Exhibit 4]
100 Stuart Street – Boston, MA [Exhibit 5]**

Note: Exhibit 1A pertains to all above addresses.

State IDs:

1-A-1626	200 Longwood Avenue, Boston
1-A-12704	776 Boylston Street, Boston
1-A-11778	13 Marlborough Street, Boston
1-A-11683, 1-A-11684, 1-A-11685, 1-A-11686	1 Nassau Street, Boston
1-A-13010, 1-A-13011, 1-A-13012, 1-A-13057	100 Stuart Street, Boston

524 CMR 26.13.2 with reference to 524 CMR 17.23.5.i

Petitioner: Julie Canelos

All five addresses are being treated as a group, with the exception of 1 Nassau Street. The petitioner came before the Board seeking relief from the inspector's reports for all units at the five addresses, which states that all hoses are to be replaced according to 524 CMR 26.13.2 with reference to 524 CMR 17.23.5.i. Uplift noted that the hoses are checked during maintenance, and are not under constant pressure. They also mentioned that there are many redundant safety features on the car lifts. There was much discussion, including how to test the valves. A motion was put forth by John O'Donoghue to put this on hold until Uplift can provide a letter of confirmation from the manufacturer, explaining how to test the velocity valve.

Note: Phillip Canelos will check to see if the units at 1 Nassau Street have a velocity valve.

Motion: John O'Donoghue

Seconded: Eric Morse

Vote: 6-0; Placed on hold.

2. 10 Post Office Square, Boston, MA [Exhibit 6]

State ID: N/A

524 CMR 35 3.4.1

Petitioner: Jef Leon

The petitioner's representative, Carl Faille, came before the Board seeking a variance on 524 CMR 35 3.4.1 to allow for a shallow pit of 12 inches, instead of the required 24 inch clearance. The reason for this request is that city lines are below the proposed elevator. Discussion followed and the main issue is that, right now, there is not enough information or detail to show hardship. A motion was put forth by David Gaudet to place this case on hold until a detailed plan/section view of the utilities is provided to the Board, with a stipulated 60-day limit or it vacates. Eric Morse added that they should also identify systems, size of pipe, etc.

Motion: David Gaudet

Seconded: Eric Morse

Vote: 6-0; Placed on Hold for 60 days.

3. 5BY2 Automobile Parking Garage Device – 88 Wareham Street, Boston [Exhibit 7]

Product Variance

524 CMR

Petitioner: Peter Wallack

The petitioner came back before the Board with requested information. Prior to the meeting they had provided a video to the Board. There was a concern about fire safety. A motion was made by Eric Morse that a fire report be provided to the Board, with a follow-up fire review. The decision will be made after the review.

Motion: Eric Morse

Seconded: Brian Ronan

Vote: 6-0; Placed on Hold until fire report is provided and a fire review is completed by the Board.

4. Investigative Conference – Closed Session pursuant to M.G.L. c 112 65C

Case Record: C17-00095

On Hold.

5. Matters not reasonably anticipated 48 hours in advance of meeting.

thyssenkrupp Evolution Series 200

Product Variance

Petitioner: Adam Sanders

Adam Sanders came back before the board and supplied answers to questions posed at the last meeting.

A motion was made by Eric Morse that the variance for thyssenkrupp Evolution Series 200 be accepted with the stipulation that it complies with Massachusetts CMR code for MRLs, and then followed by a site visit.

Motion: Eric Morse

Seconded: David Gaudet

Vote: 6-0; Granted with listed stipulations.

6. Approval of meeting minutes from January 16, 2018, January 23, 2018 and January 30, 2018.

Tabled until next meeting.

Motion: Eric Morse

Seconded: Brian Ronan

Vote: 6-0

Exhibit List:

Exhibit 1: Variance packet for 200 Longwood Avenue – Boston, MA

Exhibit 1A: Additional Information provided by Uplift at Meeting

Exhibit 2: Variance packet for 776 Boylston Street – Boston, MA

Exhibit 3: Variance packet for 13 Marlborough Street – Boston, MA

Exhibit 4: Variance packet for 1 Nassau Street – Boston, MA

Exhibit 5: Variance packet for 100 Stuart Street – Boston, MA

Exhibit 6: Variance packet for 10 Post Office Square – Boston, MA

Exhibit 7: Variance packet for 88 Wareham Street – Boston (5BY2)

Motion to Adjourn: David Morgan

Seconded: Eric Morse

Vote: 6-0; Granted.

Hearing concluded at 4:18 p.m.

Prepared by: Paula Heckman