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UNDERSECRETARY OF
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BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Minutes

Board of Elevator Regulations
1000 Washington Street, Boston, MA 02118
1st Floor – Room 1C
January 23, 2018

Board Members Present:

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

Guests Present:

Kim Almquist (Suffolk Construction)
Mary McCarthy (Finegold Alexander Architects)
Colleen McGinty (Boston University)
John Foley (Collins Enterprises)
Brian Collins (Collins Enterprises)
Jeff Halley (Halley Elevator)
Charles Kilb (DPL)
Paula Heckman (DPL)

Board Members Absent:

Brian Ronan

The Board discussed the following:

1. 225 Bay State Road – Boston, MA [Exhibit 1]

State ID: N/A

524 CMR Section 32.08 (3)

Petitioner: Mary McCarthy, AIA

The petitioner came before the Board seeking a variance from 524 CMR Section

32.08 (3). Boston University is renovating the BU Alumni Center at the Castle, which is used for lectures, weddings and events. The reason that they are applying for this

variance is that there is no wall space for a ladder to be located adjacent to the VRC lift.

They would like to install this lift next to the warming kitchen (part of a full commercial kitchen). The lift opens directly into the warming kitchen, and the sole purpose of this VRC lift is to transport a food cart from the warming kitchen to the upper serving area. It is not a passenger elevator and would be used only by staff. Due to structural constraints, the location of the VRC was the only logical choice. They are proposing an OSHA-approved portable ladder that will be stored in a dedicated closet, with signage provided. A motion was put forth by Cheryl Davis to accept the portable 8-foot step ladder for lift control access. Her preference is that it be in the control room, making sure that there is enough clearance around the controller with the ladder in there, to provide a safe work environment and that it should only be accessed by an elevator mechanic. Proper signage is to be provided at the control room and at the upper level describing the location of the ladder. The variance is to be kept in the control space.

(Note: The petitioner, Mary McCarthy, was asked when applying for the permit, to show where the control room is located and forward that to Ruthy Barros).

Motion: Cheryl Davis

Seconded: John O'Donoghue

Vote: 5-0; David Gaudet recused himself. Granted.

2. **1242 Main Street – Springfield, MA [Exhibit 2]**

State ID: 281-P-422

524 CMR 35 2.13.5.1

Petitioner: John Foley

The petitioner came before the Board seeking relief from an inspector's report, asking that a light beam for the door closer be installed, so that the doors would stay open when someone passed through. The elevator doors currently stay open by hitting the edge of the doors. Eric Morse said that electric eyes are not required, as long as there is a reopening device that will function to stop and reopen the car door - 524 CMR 17.14 (5). The elevator has fire service, along with phase one and two.

A motion was put forth by David Morgan, per the testimony from the petitioners and follow up information from Eric Morse on the code, that relief be granted from the inspector's report, with the understanding that although electric eyes are not required, they are highly recommended at some point. This should be posted in the machine room.

(Note: After the vote, as a point of information, Chief Sampson made it clear when the safety edge breaks, it must be replaced with electric eyes.)

Motion: David Morgan

Seconded: David Gaudet

Vote: 6-0; Granted.

3. **51 McGrath Highway – Somerville, MA [Exhibit 3 and 3A]**

State ID: 274-F-126

524 CMR 17.32

Petitioner: Nardia Hart

The petitioner's representative, Jeff Halley, came before the Board seeking a variance from an inspector's report requiring a full frame counter weight. Jeff Halley provided pictures (Exhibit 3A), given to him by the owner's architect. The car was modernized at some point, and a mistake was made which reduced the capacity to 3,000 pounds from 6,000 pounds, but the footprint remained the same. The 3,000 pounds have not been tested with weights. Halley Elevator was not present for the inspection. The Chief had discussed this with the inspector, who didn't think that the elevator looked safe. The Chief suggested that this decision be put on hold and that some research be done to see what happened in 2006. A field trip was suggested. A motion was put forth by Eric Morse to put this under advisement for further investigation.

Motion: Eric Morse

Seconded: David Morgan

Vote: 6-0; Placed under advisement.

4. **Approval of meeting minutes from December 19, 2017 [Exhibit 4]**

A motion was put forth by David Gaudet that the minutes be accepted as revised.

Motion: David Gaudet

Seconded: Eric Morse

Vote: 5-0; John O'Donoghue abstained; Granted.

5. **Approval of meeting minutes from January 16, 2018**

Meeting minutes for January 16, 2018 will be provided at a future date.

6. **Petition for product variance: Evolution Series (EVO)**

Rescheduled for January 30, 2018.

7. **Board discussion regarding 5BY2 Automobile Parking Garage Device [Exhibit 5]**

The Chief recommended that this discussion will be postponed to a future meeting when a full board is present.

Exhibit List:

Exhibit 1: Variance packet for 225 Bay State Road – Boston, MA

Exhibit 2: Variance packet for 1242 Main Street – Springfield, MA

Exhibit 3: Variance packet for 51 McGrath Highway - Somerville, MA

Exhibit 3A: Letter from Nardia Hart showing pictures of the counterweights at
51 McGrath Highway - Somerville, MA

Exhibit 4: Meeting Minutes from December 19, 2017

Exhibit 5: Email from Kamiel Koot to Andrew Castraberti re: 5BY2 Auto Parking
Garage Device

Motion to Adjourn: Cheryl Davis

Seconded: John O'Donoghue

Vote: 6-0; Granted.

Hearing concluded at 3:43 p.m.

Prepared by: Paula Heckman