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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 1D
January 30, 2018

Board Members Present:

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

Guests Present:

Adam Sanders (ThyssenKrupp)
Diana Chaffalo (ThyssenKrupp)
David Rader (Whitlock Design Group)
Mike Doyle (Garaventa USA)
Kevin Swansen (Garaventa USA)
William Boral (Jacobs)
Mark Schow (Jacobs)
Joseph McCarthy (Wynn)
Carl Faille (Lerch Bates)
John Caughey (Otis)
Andrew Ferrer (Barnett & Singal, P.C.)
Joyce Lamb (The Litch Homestead)
David Stirling (Stirling/Brown Architects, Inc.)
Charles Kilb (DPL)
Paula Heckman (DPL)

The Board discussed the following:

1. Evolution Series – ThyssenKrupp [Exhibit 1]

Product Variance

524 CMR Section 35 2.7.2.2 (Maintenance Clearance)

524 CMR Section 35 2.25.3.3.1 (Final Terminal Stopping Device on Car)

524 CMR Section 35 4.2.1.3.1.2, 2.18.4.2.5, 2.18.5 (Governor & Governor Ropes)

524 CMR Section 35 2.26.9.3, 2.26.9.4 (Control and Operating Circuits)

Petitioner: Adam Sanders

The petitioner came before the Board seeking a product variance from the above listed 524 CMR sections. There was considerable discussion on these topics. A motion was put forth by David Gaudet to put a decision on hold until the Board received further information from the petitioner.

Motion: David Gaudet

Seconded: John O'Donoghue

Vote: 7-0; Placed on Hold for further information.

2. 47-53 Farnsworth Street – Boston, MA [Exhibit 2 and 2A]

State ID: N/A

524 CMR 35

Petitioner: William Whitlock

The petitioner came before the Board seeking a variance on the height of a wheel chair lift and height of the side rails of the platform, specifically from 14 feet to 14 feet, 5 ½ inches. The proposed lift goes to an upper roof deck for the Trillium Brewing project.

There was extensive discussion. The petitioner has not yet gone before the AAB. Some Board members thought that a LULA was a more viable option. The main reason for the petitioner's choice of the wheel chair lift was due to constraints from Fort Point

Landmarks. Board members thought it was important to stand firm at 14 feet.

A motion was made by Eric Morse to deny the variance for the extension of travel from 14 feet to 14 feet 5 ½ inches, with the justification that the Board had deliberated for quite some time and had previously extended the height of wheel chair lifts from 12 feet to 14 feet.

Motion: Eric Morse

Seconded: John O'Donoghue

Vote: 6-1; Denied. David Morgan opposed the vote.

3. **1 Horizon Way - Everett, MA [Exhibit 3]**

State ID: All that pertain

524 CMR 17.06

Petitioner: Jacqui Krum

The petitioner's representative, Mark Schow, came before the Board seeking a variance on 524 CMR 17.06 in order to install additional cabling at the top of the car, as well as three small antennas inside the cab. This is so that the public safety 2-way radios can be used within the elevators and would insure cell phone and Wi-Fi connections.

A motion was made by David Morgan to put a decision on hold for 30 days to allow sufficient time for petitioners to provide requested information.

Motion: David Morgan

Seconded: Brian Ronan

Vote: 7-0; Placed on Hold for 30 days for requested information.

4. **75 Lake Avenue – Melrose, MA [Exhibit 4 and 4A]**

State ID: 178-P-91

524 CMR 17.40

Petitioner: David W. Stirling

The petitioner came before the Board seeking a variance and/or interpretation of 524 CMR 17.40. Fitch Home is a level 4 rest home (lowest level and fully ambulatory) that and is undergoing a renovation project. They are upgrading their elevator to a stretcher-sized elevator. One door is 42" wide and the other is 36" wide at the second floor and both doors can accommodate a stretcher. The plan was approved by the Department of Public Health and the Mass. Architectural Board. It also meets the intent of the CMR code. They will make sure they have a medical emergency key switch. A motion was made by John O'Donoghue to grant the variance, with the understanding that Melrose Fire Department and their private providers will be given training ahead of time.

Motion: John O'Donoghue

Seconded: David Morgan

Vote: 7-0; Granted.

5. **Approval of meeting minutes from January 16, 2018 and January 23, 2018.**

Minutes for these meetings were not available for Board approval.

6. **Matters not reasonably anticipated 48 hours in advance of meeting.**

The Chief described issues at Ocean Avenue Apartments in Revere, followed by a Board discussion.

Exhibit List:

Exhibit 1: Variance packet for Evolution Series - ThyssenKrupp

Exhibit 2: Variance packet for 47-53 Farnsworth Street - Boston, MA

Exhibit 2A: Architectural Drawing (LSK-5) for 47-53 Farnsworth Street – Boston, MA

Exhibit 3: Variance packet for 1 Horizon Way - Everett, MA

Exhibit 4: Variance packet for 75 Lake Avenue - Melrose, MA

Exhibit 4A: Additional information in binder for 75 Lake Avenue - Melrose, MA

Motion to Adjourn: David Morgan

Seconded: Brian Ronan

Vote: 7-0; Granted.

Hearing concluded at 4:18 p.m.

Prepared by: Paula Heckman