



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional Licensure
Office of Public Safety and Inspections

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

DIANE M. SYMONDS
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Minutes

Board of Elevator Regulations

1000 Washington Street

Boston, MA 02118

1st Floor – Room 1C

May 21, 2019

Board Members Present:

Stephen Sampson, Chairman
Eric Morse
Cheryl Davis
Brian Ronan
David Gaudet

Guests Present:

Kevin Witzell (Kaestle Boos Associates, Inc.)
Joe Milani (Kaestle Boos Associates, Inc.)
John LeMay (Middlesex Community College)
Finn Chappell (AEI)
Sam Hawkins (Sea-Dar Construction)
Mike Lee (Delta Beckwith Elevator Company)
Brett Bonina (Plumb House Inc.)
Al Ziedins (Criterion Development Partners, LLC)
Michelle Walden (ICON Architecture Inc.)
Jay Barfield (Otis Elevator)

Board Members Absent:

John O'Donoghue
David Morgan

Division of Professional Licensure Staff:

Charles Kilb
Ruthy Barros

The Board discussed the following:

1. **22 Main Street – Mendon, MA [Exhibit 1]**
State ID(s): TBD – New Installation
ASME A18.1-2014 Section 2.7.1
Petitioner: Michael McKeon

The petitioner was in front of the Board seeking a variance from ASME A18.1-2014 Section 2.7.1 – Limitation of load, speed and travel. The petitioner stated that the construction is an addition to the existing fire/police station and the proposed platform lift would have a travel distance of an additional 8” for a total of 176”. Documents from the manufacturer states that the proposed lift can reach a maximum travel distance of 192” (16 feet). The petitioner also stated a decision from the Architectural Access Board granted the proposed lift and that access to the second level is not required because the second level is to be used by employees only, thus not requiring the story to be accessible. The petitioner stated that the lift to the level will be used as a convenience only in the rare occurrence the officers have large bulk evidence items that need to be brought to the evidence storage room. A motion was placed by Eric Morse to deny the petitioner’s variance request for the extended travel with the justification being that the national standard is 14 feet and the testimony of the petitioner that the lift will not be exclusively used by wheelchair users. The motion was seconded by Cheryl Davis.

Motion: Eric Morse
Seconded: Cheryl Davis
Vote: 5-0; Denied.

2. The Board briefly discussed possibly creating a letter which would detail venting in the machine room pertaining to controlled smoke and hot gases. Board member Eric Morse stated he will draft a proposed letter to be presented to the Board and be approved at a later date. The Board also went on to discuss issues concerning a recent site visit to 401 Beacon Street, where a prototype for an automatic parking device is located. The Board briefly discussed the concerns regarding two issues specifically, which were waste pipes in the hoistway and the location of the disconnect.

3. **44 Middle Street – Lowell, MA [Exhibit 2]**
State ID(s): 160-P-219 and 160-P-220
524 CMR 35.00 Section 2.8.3.4
Petitioner: Nick Ferzacca

The petitioner was in front of the Board seeking a variance to allow access panels in the ceiling of the elevator machine room to access dental chair utility piping. The petitioner stated that the utilities that would be installed in the ceiling would consist of data, vacuum and compressed air, which would serve the two new dental chairs. A motion was placed by Cheryl Davis to take no action on the request for variance because a variance is not required as all of the lines are outside of the fire rated machine room and the access panel is not considered “equipment” in the machine room. The petitioner was informed that a licensed elevator mechanic must accompany anyone accessing the access panel in the machine room. The petitioner must also retain the fire rating and the minimum clearance of 7 feet in the machine room. The motion was seconded by Brian Ronan.

Motion: Cheryl Davis

Seconded: Brian Ronan

Vote: 5-0; No action taken.

4. **85 Pinckney Street – Boston, MA [Exhibit 3]**
State ID(s): 1-P-6131 (Decommissioned)
524 CMR Section 5.3.1.10.3
Petitioner: Adam Gilmore

The petitioner was in front of the Board seeking a variance from 524 CMR Section 5.3.1.10.3 – The rise shall not exceed 15m (50 ft). The petitioner stated the unit is an existing six story single family dwelling and there is an existing Otis elevator that goes from the basement to the 4th floor and the owner is requesting the unit go up to the 5th floor. The location of the existing machine room will remain the same. A motion was placed by Eric Morse to grant the variance for an additional 8” of travel above the code restricted 50 ft maximum, with the contingency that the dwelling remain a single family owner occupied residence. The motion was seconded by Brian Ronan.

Motion: Eric Morse

Seconded: Brian Ronan

Vote: 5-0; Granted.

5. **195 Concord Turnpike – Cambridge, MA [Exhibit 4 and 4A]**
State ID(s): TBD – New Installation
ASME A17.1-2013 Section 2.2.26
Petitioner: Samantha Finney

The petitioner was in front of the Board seeking a variance A17.1-2013 Section 2.2.26, requiring sump pumps in pits for five newly installed proposed units. The petitioner stated that construction began in 2017 and the foundation permit was issued in February 2018. The pits were in place in May 2018 and Otis did not file for a permit until after the December 1, 2018 effective code date. The petitioner stated that to add sump pumps to the elevator pits already constructed at the site would require removal of a section of the existing slabs, excavation and construction of a new sump pit. A motion was placed by David Gaudet to place the petitioner's request on hold for 30 days for additional information, at which time if DPL does not receive new information, the petitioner's request will be considered withdrawn. The motion was seconded by Cheryl Davis.

Motion: David Gaudet

Seconded: Cheryl Davis

Vote: 5-0; Placed on hold for 30 days.

6. **Approval of meeting minutes from May 7, 2019 [Exhibit 5]**

A motion was put forth by Cheryl Davis to accept the minutes as written. The motion was seconded by Eric Morse. **Vote: 5-0; Granted.**

Exhibit List:

Exhibit 1: Variance packet for 22 Main Street – Mendon, MA

Exhibit 2: Variance packet for 44 Middle Street – Lowell, MA

Exhibit 3: Variance packet for 85 Pinckney Street – Boston, MA

Exhibit 4: Variance packet for 195 Concord Turnpike – Cambridge, MA

Exhibit 4A: Supporting documentation

Exhibit 5: Meeting minutes from May 7, 2019

Motion to Adjourn: Cheryl Davis

Seconded: Brian Ronan

Vote: 5-0; Adjourned.

Hearing concluded at 3:08 p.m.

Prepared by: Ruthy Barros