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Minutes

Board of Elevator Regulations

1000 Washington Street

Boston, MA 02118

1st Floor – Room 1C

July 23, 2019

Board Members Present:

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

Guests Present:

Kevin Lennon (Elkus Manfredi Architects)
Noel Herchell (Van Deusen & Associates, Inc.)
Bryan Hilton (McNamara Salvia)
Matthew Duggan (The Architectural Team)
Andrea Hunt (Lerch Bates)
Sam Laudati (Lerch Bates)
Lawrence Braman (Owner)
Ian Ramey (Copley Wolff Design Group)
My-Ron Hatchett (Reinhardt Associates, Inc.)

Division of Professional Licensure Staff:

Ruthy Barros
Charles Kilb

The Board discussed the following:

1. **1000 Boylston Street – Boston, MA [Exhibit 1 and 1A]**
State ID: TBD – New Installation
ASME A17.1-2013 Section 2.2.2.5
Petitioner: A. Weiner

The petitioner was in front of the Board seeking a variance from ASME A17.1-2013 Section 2.2.2.5 – In elevators provided with Firefighters' Emergency Operation, a drain or sump pump shall be provided. The sump pump/drain shall have the capacity to remove a minimum of 11.4 m³/h (3,000 gal/h) per elevator hoistway. The petitioner stated that he is seeking a variance due to the proximity of the MDOT tunnel, which is located below elevator pits on a total of five elevators. The petitioner provided the Board with five alternatives that have been explored, none of which the petitioner stated were structurally feasible. The Board explained to the petitioner why the sump pump provision is in the new elevator code and the negative impact that could occur if there was a flood in the pit with no sump pump. A motion was placed by David Gaudet to place the petitioner's request on hold for 30 days to allow the petitioner to provide the Board with a detailed solution to meet the discharge rate. If there is no response from the petitioner within the 30 days, the Board will consider the variance request abandoned. The motion was seconded by John O'Donoghue.

Motion: David Gaudet

Seconded: John O'Donoghue

Vote: 6-0; Placed on hold for 30 days. Eric Morse recused himself.

2. **41 Temple Street – Boston, MA [Exhibit 2 and 2A]**
State ID: TBD – New Installation
ASME A17.1-2013 Section 2.2.2.5
Petitioner: Matthew Duggan

The petitioner was in front of the Board seeking a variance from ASME A17.1-2013 Section 2.2.2.5 – In elevators provided with Firefighters' Emergency Operation, a drain or sump pump shall be provided. The sump pump/drain shall have the capacity to remove a minimum of 11.4 m³/h (3,000 gal/h) per elevator hoistway. The petitioner stated that this is an existing building where they are proposing to install a freight elevator that will be used for vehicles. The run of the elevator is 5 ½ feet and it connects the outdoor to the indoor. The petitioner stated that the building does not have a traditional pit; instead there is a ramp that cars drive up to reach the level of the elevator, so the pit is built up above

an existing 3 foot deep slab. The bottom of the pit is at the same elevation of the lowest level of the parking garage, which does have other existing pits with sump pumps. The petitioner stated that the elevator hoistway is not required to be sprinkled. A motion was placed by John O'Donoghue to place the petitioner's request on hold for 20 days to allow the petitioner to research if the elevator is required to have Firefighters' Emergency Operation. If in fact the elevator does require Firefighters' Emergency Operation, the petitioner must come back to the Board with a detailed solution to meet the discharge rate. If there is no response from the petitioner within the 20 days, the Board will consider the variance request abandoned. The motion was seconded by Cheryl Davis.

Motion: John O'Donoghue

Seconded: Cheryl Davis

Vote: 7-0; Placed on hold for 20 days.

3. **210 Fayerweather Street – Cambridge MA [Exhibit 3]**

State ID: TBD – New Installation

5824 CMR Section 2.1.1.1

Petitioner: Lawrence Braman

The petitioner was in front of the Board seeking a variance from 524 CMR Section 2.1.1.1 - ... the interior of the runway enclosure shall present a smooth surface on all sides except where the platform enclosure walls extend to a maximum height of 79" above the platform floor. The petitioner stated that he would like a two stop vertical platform lift installed in his two family dwelling. The petitioner stated that the shaft way is notched into the existing porch structure and provides access to both levels of the front porch from an entry at grade. The lift runway depth is constrained by existing doorways on one side and by existing exterior fencing on the other. A further constraint is an encroachment from the exterior wall above the platform sides at the upper level caused by the existing porch structure. The petitioner stated there is an existing porch lift which was installed by ThyssenKrupp around 2000, that was never permitted. A motion was placed by Cheryl Davis grant the variance under Section 2.1.1.1, as long as the appellant bevels the possible pinch point at the top of the hoistway, as shown in the petitioner's submittal. Also, the installer must install a hard mechanical stop to ensure that the platform can go no higher than the second level. Lastly, the bevel must be painted yellow, so it is apparent to anyone using the lift in the future that there is an issue there. The justification for the motion is that the dwelling is an owner occupied private residence

and the Board believes granting the variance, with the required stipulations, will provide protect the residence's safety. The motion was seconded by John O'Donoghue.

Motion: Cheryl Davis

Seconded: John O'Donoghue

Vote: 6-0; Granted. David Morgan was not present during voting.

4. **101 Dwight Street – Springfield, MA [Exhibit 4 and 4A]**

State ID: TBD – New Installation

ASME A17.1-2013 Section 2.2.2.5

Petitioner: Ian Ramey

The petitioner was in front of the Board seeking a variance from ASME A17.1-2013 Section 2.2.2.5 – In elevators provided with Firefighters' Emergency Operation, a drain or sump pump shall be provided. The sump pump/drain shall have the capacity to remove a minimum of 11.4 m³/h (3,000 gal/h) per elevator hoistway. The petitioner stated the proposed existing elevator will be refurbished and the existing hoistway will be re-skinned (not modernized and/or altered) and new lift equipment will be installed within the existing elevator structure. The existing elevator is an Otis 3,000 lb hydraulic lift that provides two stops and is a free-standing exterior structure that does not directly serve any habitable space, therefore not requiring Firefighters' Emergency Operation. A motion was placed by Eric Morse that a variance is not required for a sump pump to be installed in the pit, due to the fact that this is an existing hoistway and existing installation that is being brought up to the most current code . The motion was seconded by Cheryl Davis.

Motion: Eric Morse

Seconded: Cheryl Davis

Vote: 6-1; No variance is required. David Morgan was in opposition.

5. **Approval of meeting minutes from July 16, 2019 [Exhibit 5]**

A motion was put forth by Cheryl Davis to accept the minutes with the noted corrections. The motion was seconded by David Gaudet. **Vote: 6-0; Granted.** David Morgan abstained from voting.

Exhibit List:

Exhibit 1: Variance packet for 1000 Boylston Street – Boston, MA

Exhibit 1A: Supplemental drawings and pictures

Exhibit 2: Variance packet for 41 Temple Street – Boston, MA

Exhibit 2A: Supplemental drawings and pictures

Exhibit 3: Variance packet for 210 Fayerweather Street – Cambridge MA

Exhibit 4: Variance packet for 101 Dwight Street – Springfield, MA

Exhibit 4A: Interpretations No. 33 – Inquiry 14-1503

Exhibit 5: Meeting minutes from July 16, 2019

Motion to Adjourn: Cheryl Davis

Seconded: Brian Ronan

Vote: 7-0; Adjourned.

Hearing concluded at 3:41 p.m.

Prepared by: Ruthy Barros