

STATE OF NEW HAMPSHIRE



Passenger Tramway Safety Board



Office: c/o N.H. State Fire Marshal's Office
110 Smokey Bear Blvd., Concord, NH
Mailing Address: 33 Hazen Drive, Concord, NH 03305
603-223-4289, FAX 603-223-4294

Table with 4 columns: Mark Petrozzi (Chairman, Term exp. 6/20/24), Stanley Judge (Member, Term exp. 6/20/23), Kris Blomback (Member, Term exp. 6/20/26), Steve Howell (Member, Term exp. 6/20/25)

NEW HAMPSHIRE PASSENGER TRAMWAY SAFETY BOARD MEETING MINUTES
January 27, 2023
Gunstock Ski Area
FINAL

Attendees:

Board Members: Mark Petrozzi, Chair
Kris Blomback
Steve Howell (arrived later)
Stanley Judge

NH DOS: Briggs Lockwood Chief inspector
Scot Woolfenden Inspector
Roxie Beall Administrative Support, FMO
Mitch Cady Deputy Fire Marshal, FMO

Industry: Ross Stevens Stevens Engineering
Deirdre Riley Attitash / Mt. Ops Mgr

I. Call to Order:

Roxie Beall announced the presence and placement of the recorder.
Chair Petrozzi called the meeting to order at 10:08 am.

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### **II. Reading and Approval of Minutes:**

Chair Petrozzi called for the reading and approval of the minutes from the last meeting December 15, 2022.

Motion made by Kris Blomback  
Seconded by Stan Judge

Discussion: Corrections: page 2, last paragraph, second sentence corrects Borvic to Borvig. Page 8 middle of large paragraph, "Briggs Lockwood responded it was a Fincor. Page 10, first sentence – correct spelling of Seldon to Selden. Kris Blomback also pointed out that his term expiration listed in the heading on page 1 should be updated to 6/20/2026. He has a copy of appointment later if needed for update.

All in favor of approving minutes with recommended changes. Unanimous.

Chair Petrozzi suggests taking agenda out of order and taking new business first. Briggs Lockwood made introductions of Mitch Cady, NH Fire Marshal's Office to board members and attendees.

### **III. New Business:**

A. Attitash: New summit lift tower crossing.

Deirdre Riley shared picture of 2 lifts for reference. They currently share a common tower. They are replacing the Summit Triple lift tower (shown on right in picture). Flying Yankee is the lower chair that is not being replaced. Plan is to keep lower section of tower, cut the top, cap and weld it. New lift will go over it. The two lifts will still have connectivity for emergency purposes but will no longer share a tower.

Chair Petrozzi asks if everything else will remain the same after the detach. Deirdre Riley affirms.

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Chair Petrozzi asks location of new, separate tower. Deirdre Riley responds that it will be more downhill from the current location to avoid wetlands.

Chair Petrozzi confirms this is only for informational purposes and that there is no action requested or required from the Board at this time.

Ross Stevens comments on proposed cut of current tower. Vail Resorts main concern is that Tramway Board have no concern about the lifts crossing.

Stan Judge comments that he is assuming that calculations and clearances have all been considered.

Kris Blomback asks if any changes will be required now that both will be detachable. Ross Steven states the code establishes minimum clearances under worst case scenario, safety circuit interconnect so both lifts shut down if there is a problem with one.

Discussion about wind concerns with the height of the tower. Deirdre Riley responds that it won't be any taller than current tower so that shouldn't be a concern. Waiting for latest profile to come in.

(Steve Howell arrived. Briggs Lockwood caught him up to speed.)

Chair Petrozzi asked timeline to be back before the Board. Deirdre Riley states possibly end of March. Ross Stevens was hoping for a submittal by April.

Briggs Lockwood asked what was planned for new lift parking and maintenance facility. Deirdre Riley responded that due to cost of installation, they are making room for parking and add more later in another fiscal year. Briggs Lockwood states the benefits to the maintenance people. Deirdre Riley feels they will be able to accommodate that need for now.

Deirdre Riley left.

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### **IV. Old Business:**

#### **A. Waterville Valley Tecumseh Express TRM 109: Variance review**

Briggs Lockwood explains that when reviewing minutes from the variance approval, there was a mistake found in the reference to the standard and feel that it should be corrected.

Scot Wolfenden brought minutes from 4/27/22 where Board approved the variance for Waterville for grips and carrier testing. Motion does not include the section for carrier testing. It includes the other references but excluded the reference for carrier testing which should be ANSI B77.1, sections 3.1.4.5.

Chair asked for a motion to correct the reference listed on the 4/27/22 minutes. Steve Howell made the motion to acknowledge that the sections referenced were inaccurate and we want to correct the reference to 2017 ANSI B77.1, Sections 3.1.4.3.2 for Grip testing and 2017 ANSI B77.1, Sections 3.1.4.5 for Carrier testing.

Kris Blomback seconded.

All in favor. Unanimous.

#### **B. ANSI B.77.1 2022 Standard.**

Briggs Lockwood explains the topic at hand deals with the grandfather clause and how it applies to older lifts built prior to 2012 and how they will be affected by Annex F that is currently in the standard. In 2011 Annex F was new annex that would apply to all lifts. At the time (2012?) the Tramway Board singled out 2 sections F.6 & F.7 not to be grandfathered. All rest of Annex F were grandfathered. State adopted 2017 Annex F as written, which means older lifts were no longer grandfathered. At the last meeting, the Board voted to offer an exception through today, for those older lifts who may not currently be in compliance due to the inadvertent. Briggs Lockwood has not talked to legal about this and hesitates to tell them about it, because he thinks the Board has the

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authority to offer exceptions. He feels the options are to grandfather them through the exception rule or offer a reasonable time for conformance. He suggests the "reasonable time period" in this case could be until the process of adopting 2022 standard is completed. At that time, the Board will have an opportunity to correct the language.

Chair Petrozzi thanked Briggs Lockwood for the summary of the issue, then asks Board and other attendees to consider "Is this a safety issue?" If so, may need to look at the issue differently.

Ross Stevens states it is potentially a safety issue. His opinion is that exceptions are not a good way to go as it saddles the engineer and ski lift with the liability should something go wrong and can also complicate insurance policies. He favors a selective degrandfathering if the Board wants to grant some leniency on some of these older lifts that do not pose a safety issue.

Briggs Lockwood starts discussion on adjacent and connected building with other uses. Ross Stevens, Stan Judge and Chair Petrozzi weigh in on interpretations of structure use and occupancy.

Mitch Cady offers a suggestion of provisions in building and fire codes for incidental uses. It may be an option to look at where local building inspector could say the overall intent of code is being met. Chair Petrozzi expressed concern that some of these lifts have not been seen by a building official in a long time, and the age of the lifts could create a safety issue.

Chair Petrozzi asks how many total lifts and how many lifts fall into category of being attached to a structure other than the incidental use. Briggs Lockwood says inspectors can do research to find out. Questions opened much discussion about operator shacks meeting the requirements versus the occupancy of the building and the proper separation of fuel storage and hazardous uses.

Mitch Cady suggestion would be to work with ski areas to come into compliance, rather than having the goal of deferring the grandfather clause indefinitely. Deal with exceptions on a case-by-case basis but let them know that eventually the

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expectation is for them to come into compliance. Briggs Lockwood expresses concerns about the cost to ski lifts to come into compliance. Mitch Cady suggests that to come into compliance may be as simple as adding 5/8" sheetrock to create a one-hour separation.

Stan Judge suggest adding a municipal check off to the applications being presented to add/change a lift that is connected to an occupied building to ensure state building code is being addressed. Ross Stevens suggests that when inspectors come across these, they ask the ski lift to develop a plan to deal with this.

Chair Petrozzi acknowledges discussions as helpful and points out that today the Board needs to determine a mechanism for dealing with lifts currently non-compliant with the 2017 Annex F because of the inadvertent loss of the grandfathering, including a timeframe to give these ski areas time to become compliant.

Mitch Cady again suggested granting a timeframe for compliance, while giving them a heads up for the requirements to become

Ross Stevens agrees that would be the position of the ANSI committee as well.

Stan Judge also agreed and pointed out the concern with the 2-year timeframe delay due to the Board taking so long to update the last standard. Chair Petrozzi stated that the last update was very comprehensive which is why it took so long to review, but future reviews should not take as long. Kris Blomack expressed concerns that if a 2-year window is the timeframe decided upon, that may be too tight a window. He gave the example of ordering a lift now that would not even be deliverable in two years. Chair Petrozzi points out that it can be addressed in the 2022 standards if the Board so chooses. Mitch Cady suggests getting all stakeholders together to review Annex F and what compliance would look like, then Chair Petrozzi added further than an additional timeline could be added in the 2022 code review to address needed extensions on a case-by-case basis. Ross Stevens cautioned the Board on making a blanket exception for all ski areas that are non-compliant and in granting exceptions because other ski areas



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and insurance companies will be watching these. Chair Petrozzi pointed out that is typically the case. This is just to address the inadvertent failure to catch the Annex F changes.

Briggs Lockwood states the simplest thing for conformance to the Annex F, is to make it the Board's standard policy that a proper amount of time to come into compliance would be (and pick an amount of time or a date after the next standard will be approved).

Stan Judge asked about making changes to the administrative rules. Consensus is that it would probably take as long as it will take to get to the 2022 standard approvals.

Ross Stevens pointed out that the insurance companies can still expect ski areas to comply.

Chair Petrozzi proposed that someone makes a motion that NH ski areas are granted until November 1, 2025, to conform with Annex F of ANSI B77.1-2017.

Stan Judge made the motion to grant NH ski areas until November 1, 2025, to conform with Annex F of ANSI B77.1-2017.

Steve Howell seconded.

Discussion: Ross Stevens asked how valid this is without going through the rulemaking process. Briggs Lockwood responds that inspectors have authority to grant reasonable time for compliance to non-conformance issues. Mitch Cady gave an example that the fire/building code gives building inspectors leeway to allow the continued operation if a reasonable plan of action and timeline for compliance is in place. Stan Judge asked if this can be used as a model to support the Board's motion on this subject. There was a consensus that it can. Ross Stevens asked who has jurisdiction if the town does not agree with the Board's extension for compliance. Discussion ensued with the conclusion that it is like working with the Forest Service. The Tramway Board can have one

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expectation, which does not forgo the need for compliance with the Forest Service expectations.

All in favor. Unanimous.

Stan Judge and Chair Petrozzi recommended that this be added to the agenda next meeting for a follow-up of the logistics. Ross Stevens asked how ski areas and insurance companies will be advised about this change. Briggs Lockwood states he sends the agenda and minutes to Ski NH who sends out to all ski areas. Mitch Cady suggested an official notice be sent out specific to this subject as things can get lost in minutes, particularly if the recipients do not read the minutes.

### **V. Other Business:**

Briggs Lockwood brought up the topic of Tramway inspector budgeting. Will be reviewing Revenue vs Expenses. He may come in and submit to the rulemaking process to bump tramway rates per foot. Last rate was set in 2011. Chair Petrozzi asked that it be put on the agenda specifically.

### **VI. Next Meeting Date:**

- Friday, March 10, 2023, 10:00 am, Location Concord 9-1-1 Meeting Room

### **VII. Adjournment:**

Chairman Petrozzi called for a motion to adjourn at 11:49 am.

Motion made by Kris Blomback  
Seconded by Steve Howell  
All in favor. Meeting adjourned.

Respectfully submitted by Roxie Beall, 2/22/23