

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Kevin M. Burke
Secretary

The Commonwealth of Massachusetts

Department of Public Safety Board of Building Regulations and Standards One Ashburton Place, Room 1301

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Thomas G. Gatzunis, P.E.
Commissioner

Gary Moccia, P.E.
Chairman

Alexander MacLeod, R.A.
Vice Chairman

Robert Anderson
Administrator

Date: October 2, 2007

Name of Appellant: Jeremy Mason

Service Address: The RJA Group, 1661 Worcester Rd.
Suite 501 Framingham, MA 0170

In reference to: 200 Elm Street, Building B, Dedham
MA 02027

Docket Number: 05-459

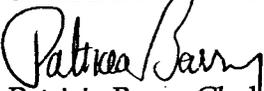
Property Address: 200 Elm Street, Building B, Dedham
MA 02027

Date of Hearing: 08-21-07

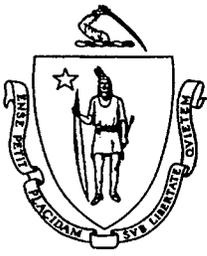
We are pleased to enclose a copy of the decision relative to the above case wherein certain variances from the State Building Code had been requested.

Sincerely:

STATE BUILDING CODE APPEALS BOARD


Patricia Barry, Clerk

cc: State Building Code Appeals Board
Building Official



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Decision: Following testimony, and based upon relevant information provided, Board members voted as indicated below.

..... **Granted** Denied Rendered Interpretation

.....Granted with conditions (see below) Dismissed

The vote was:

.....**Unanimous** Majority

Reasons for Variance:

Testimony was presented by the attendees, which is summarized in the letter submitted by RJA, Inc. dated August 7 2007. The variance request details that Sections 505.3 and 505.4 required that Mezzanines that are not open to the floor or space below and that contain an occupant load of more than 10 people, have two (2) means of egress, one of which discharges directly to an exit enclosure. Because of the central location of this mezzanine it was considered a hardship to comply with the code. The Appellant described the design being considered for the variance which have two enclosed means of egress stairs that discharge to the floor below in lieu of the code permitted open stairway and stairway that discharges at grade level The design team and RJA consider this configuration as safe as the code prescribed means of egress for four reasons which are outlined in the letter and reproduced below:

- 1) The Projection Mezzanine is not open to the floor below and is separated with two hour fire resistance rated construction. This limits the spread of smoke to the floor and also allows occupants a clearer path of travel to exits. In addition, each stair is separated from the balance of the building with 2 hour rated construction (only one-hour rated stairs are required as they connect less than three stories)
- 2) The program occupant load of the floor is really 1 to 2 people, which is much less than the code required occupant load number of 19 people. If the calculated number of people was less than 10 people and travel distance could be satisfied to the bottom of the stair, one unenclosed means of egress would be permitted. Instead, two enclosed stairs are proposed.
- 3) The few number of people on the floor will be intimately familiar with the building as only employees will be on this Mezzanine. These employees should be able to quickly find means of egress stairs and exit the building based on their familiarity of the building.
- 4) The building is provided with a complete sprinkler and standpipe system, is provided with fire alarm system with voice communication capabilities, and is provided with other life safety features such as exit signs and emergency lighting.

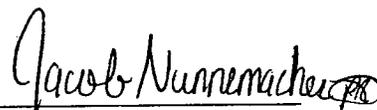
Following testimony, and based upon relevant information provided, Jake Nunnemacher made a motion to grant the variance from 505.4 and 505.3, because the building and fire departments are both in favor of granting the variance and because there is an increase in the stair fire rating because the building is fully sprinklered. The board voted unanimously for the motion.



Chairman - Brian Gale



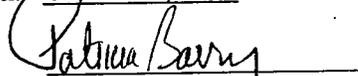
Alexander MacLeod



Jake Nunnemacher

A complete administrative record is on file at the office of the Board of Building Regulations and Standards.

A true copy attest, dated: October 2, 2007


Patricia Barry, Clerk

Any person aggrieved by a decision of the State Building Code Appeals Board may appeal to a court of competent jurisdiction in accordance with Chapter 30A, Section 14 of the Massachusetts General Laws.