COMMONWEALTH OF MASSACHUSETTS
State Building Code (780 CMR) Appeals Board
Board's Ruling on Appeal[1]

Docket No. 08-631

Appellant(s): Scott Myers vz. Appellee(s): City/Town of Charlton
Curtis Meskus

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant her a variance from 780 CMR 5602.10, for Lot 14 Elly Pond Estates and Lot 8 Willow Tree, Charlton, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.;* and 780 CMR 122.3.4, the Board convened a public hearing on September 4, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing *pro se*. Curtis Meskus and others were present as indicated on the sign-in sheet which is on file at the Department of Public Safety.

Discussion

A motion was made to deny the Appellant's request for a variance from 780 CMR 5602.10, because it is unclear as to whether or not the buildings comply with the prescriptive requirements of 780 CMR (as noted in the Charlton Building Department letter dated July 16, 2008). The Board noted that the appellant needs to have the design reviewed and approved by a registered professional. There was a second on the motion and a board vote was taken, which was unanimous.

Conclusion

The Appellant's request for a variance from 780 CMR 5602.10, is hereby denied and so ordered[2] on this date: September 4, 2008.

Jacob Nunnemacher RO — Jacob Nunnemacher

Brian Gale RO — Brian Gale

Douglas Semple RO — Douglas Semple

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[1] This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

[2] In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.