



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

Boston, Massachusetts 02108-1618

Phone (617) 727-7532 Fax (617) 227-1754

TTY (617) 727-0019

[www.mass.gov/dps](http://www.mass.gov/dps)

Thomas G. Gatzunis, P.E.  
Commissioner

Alexander MacLeod, R.A.  
Chairman

Gary Moccia, P.E.  
Vice Chairman

Robert Anderson  
Administrator

Date: June 16, 2009

Name of Appellant: Domenic Capozzi

Service Address: Capozzi Construction, Inc.  
21 Park Avenue  
Wakefield, MA. 01860

In reference to: 89 Grand Street  
Reading, MA. 01867

Docket Number: 09-741

Property Address: 89 Grand Street  
Reading, MA. 01867

Date of Hearing: 05-26-09

Enclosed please find a copy of the decision on the matter aforementioned.

Sincerely:

**BUILDING CODE APPEALS BOARD**

Patricia Barry, Clerk

cc: Building Code Appeals Board  
Building Official

**COMMONWEALTH OF MASSACHUSETTS  
State Building Code (780 CMR) Appeals Board  
Board's Ruling on Appeal<sup>1</sup>**

**Docket No. 09-741**

Appellant(s): Domenic Capozzi  
representing David Romboli

v.

Appellee(s): City/Town of Reading  
Glen Redmond

**Procedural History**

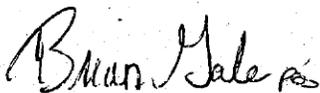
This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant a variance from 780 CMR 53.11.5.2, for 89 Grand Street, Reading, MA. In accordance with GL 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 May 26, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

**Discussion**

A motion was made to grant the Appellant's request for a variance from 7<sup>th</sup> Edition 780 CMR 5311.5.2, to allow for a basement stairway with a head height below the 6-6 requirement. The Board stated that the appellant had made considerable improvements to the basement stairway to comply with the head height and was still not able to meet the requirement because a stairway from the 1<sup>st</sup> to the 2<sup>nd</sup> floor was directly above it. The Board noted that it would pose a significant hardship to the appellant if the motion was not granted because there was nothing more that could be done to the stairs in order to comply. 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 5311.5.2, is hereby granted as described in the discussion above and so ordered<sup>2</sup> on this date: May 26, 2009.**



Brian Gale



Jake Nunnemacher



Alexander MacLeod

<sup>1</sup> 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

<sup>2</sup>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.



STATE BUILDING CODE APPEALS BOARD

---

OPENING STATEMENT:

Mr. Chairman:

The date is: May 26, 2009 the docket # is 09-741

The appellant is: Domenic Capozzi, Capozzi Construction, Inc.

21 Park Avenue, Wakefield, MA. 01880

The property involved is:

89 Grand Street, Reading, MA. 01867

The appeal is based on the provisions of the 6<sup>th</sup> Edition of the State Building Code relative to: (Section/Table)

Relief desired:

780 CMR 113.2, 113.3

DECISION: (Please complete this section at the hearing).

The Building Official supported/opposed the appeal filing:

Board members voted to:

Grant Appeal

Deny Appeal

Reason for approval/denial: \_\_\_\_\_

The decision was \_\_\_\_\_ unanimous/ \_\_\_\_\_ objected to by: \_\_\_\_\_

Reason for objection: \_\_\_\_\_

Provisos (if any): \_\_\_\_\_

BOARD: \_\_\_\_\_

State Building Code Appeals Board

Summary to be filled out by Appeals Board Clerk

Pursuant to Docket no. (insert Docket no.) 09-741

Based on the following findings of fact/testimony:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

A motion was made by (insert Board member name) Jake

A second was made by (insert Board member name) Sandy

The motion is:

Motion was made by Jake to grant the variance of 5311.5.2 due to the fact that they have done a lot to improve this there is nothing more that can be done - this is a hardship

With the following conditions:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

The Board voted (to (check one) grant  or deny  the variance

from 780 CMR Sections (cite all sections that apply) 780 CMR Section 5311.5.2

Members voting for the motion: unanimous

Members voting against the motion: \_\_\_\_\_



# The Commonwealth of Massachusetts

## Department of Public Safety

Board of Building Regulations and Standards

One Ashburton Place, Room 1301

Boston, Massachusetts 02108-1618

Phone (617) 727-7532 Fax (617) 227-1754

TTY (617) 727-0019

[www.mass.gov/dps](http://www.mass.gov/dps)

Deval L. Patrick  
Governor

Timothy P. Murray  
Lieutenant Governor

Kevin M. Burke  
Secretary

Thomas G. Gatzunis, P.E.  
Commissioner

Alexander MacLeod, R.A.  
Chairman

Gary Moccia, P.E.  
Vice Chairman

Robert Anderson  
Administrator

15-May-09

Mr./Mrs. Domenic Capozzi  
21 Park Avenue  
Wakefield, MA. 01880

**Docket Number** 09-741  
**Property Address** 89 Grand Street Reading, MA. 01867  
**Hearing Location** 1380 Bay Street Taunton, MA. 02780  
**Hearing Date and Time** 05-26-09 10:30 a.m.

Dear Mr./Mrs. Capozzi

The appeal for the subject property has been scheduled to be heard on the hearing date and time and location indicated above. A map is enclosed for your convenience.

The State Building Code Appeals Board requires your presence or that of your representative at its hearing relative to the above case.

Please bring with you a copy of the record, including any plans, sketches, drawings, etc, that will help to give the Appeals Board grounds to adjudicate this appeal. The State Building Code Appeals Board hearings are held pursuant to 801 CMR 1.02 Informal Fair Hearing Rules.

NO POSTPONEMENTS OR REFUNDS WILL BE GRANTED. In order to reschedule an appeal case, you must first withdraw the original case and file a new application. A new application fee will be required.

Very truly yours,

THE STATE BUILDING CODE APPEALS BOARD

Patricia A. Barry  
Coordinator



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

Boston, Massachusetts 02108-1618

Phone (617) 727-7532 Fax (617) 227-1754

TTY (617) 727-0019

[www.mass.gov/dps](http://www.mass.gov/dps)

Thomas G. Gatzunis, P.E.  
Commissioner

Alexander MacLeod, R.A.  
Chairman

Gary Moccia, P.E.  
Vice Chairman

Robert Anderson  
Administrator

15-May-09

Mr./Mrs. Redmond  
Building Commissioner  
Town of Reading, 65 Lowell Street  
Reading, MA. 01867-2685

**Docket Number** 09-741  
**Property Address** 89 Grand Street Reading, MA. 01867  
**Hearing Location** 1380 Bay Street Taunton, MA. 02780  
**Hearing Date and Time** 05-26-09 10:30 a.m.

Dear Mr./Mrs. Redmond

The appeal for the subject property has been scheduled to be heard on the hearing date and time and location indicated above. A map is enclosed for your convenience.

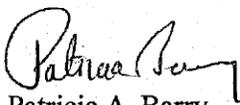
The State Building Code Appeals Board requires your presence or that of your representative at its hearing relative to the above case.

Please bring with you a copy of the record, including any plans, sketches, drawings, etc, that will help to give the Appeals Board grounds to adjudicate this appeal. The State Building Code Appeals Board hearings are held pursuant to 801 CMR 1.02 Informal Fair Hearing Rules.

NO POSTPONEMENTS OR REFUNDS WILL BE GRANTED. In order to reschedule an appeal case, you must first withdraw the original case and file a new application. A new application fee will be required.

Very truly yours,

THE STATE BUILDING CODE APPEALS BOARD

  
Patricia A. Barry  
Coordinator



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

Boston, Massachusetts 02108-1618

Phone (617) 727-7532 Fax (617) 227-1754

TTY (617) 727-0019

[www.mass.gov/dps](http://www.mass.gov/dps)

Thomas G. Gatzunis, P.E.  
Commissioner

Alexander MacLeod, R.A.  
Chairman

Gary Moccla, P.E.  
Vice Chairman

Robert Anderson  
Administrator

15-May-09

Chief Gregory J. Burns  
757 Main Street  
Reading, MA 01867

**Docket Number** 09-741  
**Property Address** 89 Grand Street Reading, MA. 01867  
**Hearing Location** 1380 Bay Street Taunton, MA. 02780  
**Hearing Date and Time** 05-26-09 10:30 a.m.

Dear Chief Gregory J. Burns

The appeal for the subject property has been scheduled to be heard on the hearing date and time and location indicated above. A map is enclosed for your convenience.

This notice is forwarded to you by the State Building Code Appeals Board as a courtesy. You are not compelled to attend but are encouraged to do so if you have a particular interest in the case.

If you have any questions relative to the above referenced appeal, please contact your BUILDING OFFICIAL.

Very truly yours,

THE STATE BUILDING CODE APPEALS BOARD

Patricia A. Barry  
Coordinator

STATE BUILDING CODE APPEALS BOARD

DOCKET NUMBER: 09-741

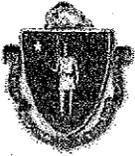
PROPERTY ADDRESS: 89 Grand Street, Reading, MA. 01880

APPELLANT: Domenic Capozzi

BUILDING OFFICIAL: Glen Redmond

(check one)

Item #	Item	Document Dated	Date Received	Appellant	Building Official
1.	Exhibit #1 - Application			✓	
2.	Exhibit # 2 - Letter from Bldg Dept	52009	521-09		✓
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					



# The Commonwealth of Massachusetts

Department of Public Safety

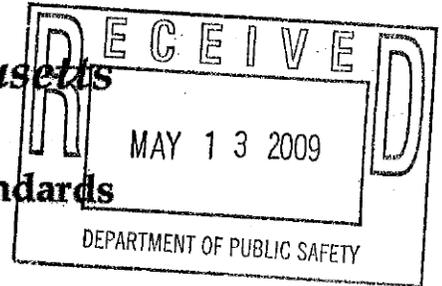
Board of Building Regulations and Standards

One Ashburton Place, Room 1301

Boston, Massachusetts 02108-1618

Phone (617) 727-7532

Fax (617) 227-1754



## STATE BUILDING CODE APPEALS BOARD APPEAL APPLICATION FORM

DOCKET NUMBER (State Use Only)	09-741	DATE	5/7/09
-----------------------------------	--------	------	--------

The undersigned hereby appeals to the State Board of Building Regulations and Standards from the decision of the following person. (Please fill-in the name of the appropriate municipal or state building inspector or other authority. Also, Also indicate if this is a request for a *hearing de novo* (new hearing) relative to a decision of a municipal app board.)

Building Official from the City/Town of:	Reading, MA
Board of Appeals from the City/Town of: (Request for <i>hearing de novo</i> )	
State Building Official: 781-942-6613	Glen Redmond
Other:	

Please mark the appropriate box indicating the requested action to be considered by Appeals Board members.

Variance	<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>	Direction	<input type="checkbox"/>
Interpretation	<input type="checkbox"/>	Failure to Act	<input type="checkbox"/>	Other	<input type="checkbox"/>
STATE USE ONLY					
Fee Received	150.00				
Check Number	674				
Received By	P Barry				

(This section must be completed or the application will be returned.)

Has the building or structure been the subject of an appeal by this or any other appeals board previous to this filing?

No  Yes  If, yes, please indicate the date of the previous appeal, whether the matter was heard before a local or state appeals board, the code section that was at issue, and the specifics of the decision (i.e. a variance was granted/not granted).



**DESCRIPTION OF BUILDING OR STRUCTURE RELATIVE TO THE MASSACHUSETTS STATE BUILDING CODE (7th EDITION):** (Check as appropriate)

**Do not complete the tables below for one and two family dwellings. Proceed to section entitled "Brief Description of the Proposed Work".**

DESCRIPTION OF PROPOSED WORK (check all applicable)

New Construction	Existing Building	Repair(s)	Alteration(s)	Addition
Accessory Bldg.	Demolition	Other Specify: _____		

Brief Description of Proposed Work:

\_\_\_\_\_

\_\_\_\_\_

USE GROUP AND CONSTRUCTION TYPE

USE GROUP (Circle appropriate Use Group)				CONSTRUCTION TYPE	
A Assembly	A-1	A-2	A-3	1A	
	A-4	A-5		1B	
B Business				2A	
E Educational				2B	
F Factory	F-1	F-2		2C	
H High Hazard				3A	
I Institutional	I-1	I-2	I-3	3B	
M Mercantile				4	
R Residential	R-1	R-2	R-3	5A	
S Storage	S-1	S-2		5B	
U Utility	Specify: _____				
M Mixed Use	Specify: _____				
S Special Use	Specify: _____				

COMPLETE THIS SECTION IF EXISTING BUILDING UNDERGOING RENOVATIONS, ADDITIONS AND/OR CHANGE IN USE

Existing Use Group: _____	Proposed Use Group: _____
Existing Hazard Index (780 CMR 34): _____	Proposed Hazard Index (780 CMR 34): _____

BUILDING HEIGHT AND AREA

BUILDING AREA	Existing (if applicable)	Proposed
Number of Floors or stories include basement levels		
Floor Area per Floor (sf)		
Total Area (sf)		
Total Height (ft)		

Brief Description of the Proposed Work:

*Finish approx. 1/2 OF BASEMENT AS A HOMEWORK AND PLAY AREA FOR HOMEOWNERS CHILDREN.*

**5311.2.1 Attachment.** Required exterior exit balconies, stairs and similar exit facilities shall be positively anchored to the primary structure to resist both vertical and lateral forces. Such attachment shall not be accomplished by use of toenails or nails subject to withdrawal.

**5311.2.2 Under stair protection.** Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with 1/2-inch (12.7 mm) gypsum board.

**5311.3 Hallways.** The minimum width of a hallway shall be not less than 3 feet (914 mm).

**5311.4 Doors.**

**5311.4.1 Exit doors required.** Egress from all dwelling units shall be by means of two exit doors, remote as possible from each other and leading directly to grade. Such doors shall be provided at the normal level of entry/exit. In addition, all other floors within a dwelling unit shall have at least one means by which a continuous and unobstructed path leads to the exit doors. Such continuous and unobstructed paths shall be by means of stairways, corridors, hallways or combinations thereof.

*Exception: In split-level and raised ranch style layouts, the two separate exit doors required by this section are permitted to be located on different levels.*

**5311.4.2 Exit door types and sizes.** The minimum nominal width of at least one of the exit doors required by Section 5311.4 shall not be less than 36 inches (914 mm) in width and the minimum nominal height shall be 6 feet, 8 inches (2032 mm). The 36-inch (914 mm) exit door shall be side-hinged. All other required exit doors and doors leading to or from enclosed stairways, or to interior vestibules shall not be less than 32 inches (813 mm) in nominal width or less than 6 feet, 8 inches (2032 mm) in nominal height and maybe of the sliding or side-hinged type. The 36-inch (914 mm) required exit door shall provide for direct access from the habitable portions of the dwelling to the exterior without requiring travel through a garage. The 32-inch (813 mm) secondary exit door may provide egress through an attached garage, provided that the attached garage is also provided with a 32-inch (813 mm) exit door meeting the requirements of this section. Side-hinged swinging doors provided to meet these requirements are permitted to swing inward.

*Other exterior doors, in excess of the two required exit doors, whether side-hinged or sliding-type doors, shall not be required to comply with these minimum dimensions.*

**5311.4.2.1 Interior doors.** All doors providing access to habitable rooms shall have a minimum nominal width of 30 inches (762 mm) and a minimum nominal height of 6 feet, 6 inches (1981 mm).

**Exceptions:**

1. Doors providing access to bathrooms are permitted to be 28 inches (711 mm) in nominal width.

2. Doors providing access to bathrooms in existing buildings are permitted to be 24 inches (610 mm) in nominal width.

**5311.4.3 Landings at doors.** There shall be a floor or landing on each side of each exterior door.

**Exceptions:**

1. Where a stairway of two or fewer risers is located on the exterior side of a door, other than the required exit door, a landing is not required for the exterior side of the door.

The floor or landing at the exit door required by Section 5311.4.1 shall not be more than 1.5 inches (38 mm) lower than the top of the threshold. The floor or landing at exterior doors other than the exit door required by Section 5311.4.1 shall not be required to comply with this requirement but shall have a rise no greater than that permitted in Section 5311.5.3.

2. The landing at an exterior doorway shall not be more than 7<sup>3</sup>/<sub>4</sub> inches (196 mm) below the top of the threshold, provided the door, other than an exterior storm or screen door does not swing over the landing.

The width of each landing shall not be less than the door served. Every landing shall have a minimum dimension of 36 inches (914 mm) measured in the direction of travel.

**5311.4.4 Type of lock or latch.** All egress doors shall be readily openable from the side from which egress is to be made without the use of a key or special knowledge or effort.

**5311.5 Stairways.**

**5311.5.1 Width.** Stairways shall not be less than 36 inches (914 mm) in clear width at all points above the permitted handrail height and below the required headroom height. Handrails shall not project more than 4.5 inches (114 mm) on either side of the stairway and the minimum clear width of the stairway at and below the handrail height, including treads and landings, shall not be less than 31.5 inches (787 mm) where a handrail is installed on one side and 27 (698 mm) where handrails are provided on both sides.

**Exception:** The width of spiral stairways shall be in accordance with Section 5311.5.8.

**5311.5.2 Headroom.** The minimum headroom in all parts of the stairway shall not be less than 6 feet 6 inches (1981 mm) measured vertically from the sloped plane adjoining the tread nosing or from the floor surface of the landing or platform.

*Exception: Minimum headroom under a sloped ceiling in an existing building shall be maintained for a minimum width of 36 inches (914 mm) as measured from the side of the stair with the continuous handrail*

**5311.5.3 Stair treads and risers.**

**STATE BUILDING CODE APPEALS BOARD**  
Service Notice

Domenic Capozzi as Agent for the

Appellant/Petitioner David & Jennifer Lombardi an appeal filed with the State  
29 Grand Street, Reading, MA

Building Code Appeals Board on May 7 2009

HEREBY SWEAR UNDER THE PAINS AND PENALTIES OF PERJURY THAT IN ACCORDANCE WITH THE PROCEDURES ADOPTED BY THE STATE BOARD OF BUILDING REGULATIONS AND STANDARDS AND SECTION 122.3.1 OF THE STATE BUILDING CODE, I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS APPEAL APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

	NAME AND ADDRESS OF PERSON OR AGENCY SERVED	METHOD OF SERVICE	DATE OF SERVICE
1	<u>Glen Redmond</u> <u>16 Lowell St, Reading, MA</u> <u>01867</u>	<u>Personally</u>	<u>5/7/09</u>
2			
3			

Signature: Domenic Capozzi  
Appellant or Petitioner

On the 6<sup>th</sup> Day of May 2009 PERSONALLY APPEARED

BEFORE ME THE ABOVE NAMED Domenic Capozzi  
(Type or Print the Name of the Appellant)

Paul John Yanakakis  
NOTARY PUBLIC

AND ACKNOWLEDGED AND SWORE THE ABOVE STATEMENTS TO BE TRUE.  
PAUL JOHN YANAKAKIS  
Notary Public, Massachusetts  
My Commission Expires October 23, 2009  
MY COMMISSION EXPIRES



**Town of Reading**  
**16 Lowell Street**  
**Reading, MA 01867-2685**

Community Development  
Phone: (781)942-9010  
Fax: (781)942-9070  
Website: [www.ci.reading.ma.us](http://www.ci.reading.ma.us)

5/13/2009  
Re: Building Permit #108815  
89 Grand St  
Reading, Ma 01867

Mr. David Ramboli & Domenic Capozzi (contractor)

On April 21, 2009 building permit # 108815 was issued to finish a basement area of approximately 10 x 26 as per plans submitted to this department. Prior to the issuance of this permit, I did have several discussions with Domenic Capozzi with regards to the stair width and head height requirement and other ventilation requirements.

On Wednesday May 6, 2009 a building inspection was conducted at the site with Domenic Capozzi, the head height at the stairway did not meet the 6-6 requirement; in fact the head height at this time was only 6-0.

I informed the contractor at this time that the work was not in accordance with 780 CMR 113.0 Conditions of Permit.

**113.2 Compliance with Code.** The permit shall be a license to proceed with the work and shall not be construed as authority to violate, cancel or set aside any of the provisions of 780 CMR or any other law or regulation, except as specifically stipulated by modification or legally granted variation as described in the application.

**113.3 Compliance with Permit.** All work shall conform to the approved application and the approved construction documents for which the permit has been issued and any approved amendments to the approved application or the approved construction documents.

Thank You,

C. Glen Redmond  
Commissioner of Buildings

Enclosed is a copy of the building permit and application

# PERMIT

POST IN A CONSPICUOUS PLACE



## TOWN OF READING

DEPARTMENT OF COMMUNITY DEVELOPMENT  
INSPECTIONS DIVISION  
(781) 942-9013

TOWN HALL, 16 LOWELL STREET  
READING, MASSACHUSETTS 01867

No. 108815

### INSPECTION OF BUILDINGS

108815

OFFICE OF THE INSPECTOR OF BUILDINGS  
MUNICIPAL BUILDING, READING 21Apr2009

MAP: 0084 LOT: 0036

This may certify that ROMBOLI DAVID J  
has permission for RESIDENTIAL ALTERATIONS SINGLE FAMILY  
property at 0089 GRAND ST READING, MA 01867

provided that the person accepting this permit shall in every  
respect conform to the terms of the application therefore on file  
in this office, and to the provisions of the Statutes and By-Laws  
relating to the Inspection, Location, Alteration, and Construction  
of Buildings in the Town of Reading, and Mass State Building codes.

Permit Purpose FINISH BASEMENT AREA 10X26 AS PER  
PLAN

Fee 163.00

Inspector of Buildings

#### MINIMUM INSPECTIONS REQUIRED:

FTGS FORMED \_\_\_\_\_  
FDTN COMPLETE \_\_\_\_\_  
FRAME \_\_\_\_\_  
INSULATION \_\_\_\_\_  
WALLBOARD \_\_\_\_\_  
FINAL \_\_\_\_\_

PLUMBING \_\_\_\_\_  
GAS \_\_\_\_\_  
WIRING \_\_\_\_\_  
FIRE DEPT \_\_\_\_\_  
CONSERVATION \_\_\_\_\_

#### CERTIFICATE OF OCCUPANCY:

REQUIRED  YES \_\_\_\_\_ NO  
\$30.00 FEE REQUIRED  YES \_\_\_\_\_ NO  
\$55.00 FEE REQUIRED  YES \_\_\_\_\_ NO

PLUMBING \_\_\_\_\_  
GAS \_\_\_\_\_  
WIRING \_\_\_\_\_  
FIRE DEPT \_\_\_\_\_  
CONSERVATION \_\_\_\_\_  
PLANNING \_\_\_\_\_  
HEALTH \_\_\_\_\_  
ENGINEERING \_\_\_\_\_

Inspector of Buildings

Date



The Commonwealth of Massachusetts  
 Board of Building Regulations and Standards  
 Massachusetts State Building Code, 780 CMR, 7<sup>th</sup> edition  
 Building Permit Application To Construct, Repair, Renovate Or Demolish a  
*One- or Two-Family Dwelling*

Town of Reading  
 Building Dept.  
 16 Lowell Street  
 Reading MA 01867  
 781-942-6613

This Section For Official Use Only

Building Permit Number: 108815 Date Applied: 4/13/09  
 Signature: [Signature] Date: 4/24/09  
 Building Commissioner/ Inspector of Buildings

SECTION 1: SITE INFORMATION

1.1 Property Address: 89 GRAND STREET  
 1.2 Assessors Map & Parcel Numbers  
 Map Number 84 Parcel Number 36  
 1.1a Is this an accepted street? yes  no  
 1.3 Zoning Information: Zoning District \_\_\_\_\_ Proposed Use \_\_\_\_\_  
 1.4 Property Dimensions: Lot Area (sq ft) \_\_\_\_\_ Frontage (ft) \_\_\_\_\_

1.5 Building Setbacks (ft)

Front Yard		Side Yards		Rear Yard	
Required	Provided	Required	Provided	Required	Provided

1.6 Water Supply: (M.G.L.c. 40, § 54) Public  Private   
 1.7 Flood Zone Information: Zone: \_\_\_\_\_ Outside Flood Zone? Check if yes   
 1.8 Sewage Disposal System: Municipal  On site disposal system

SECTION 2: PROPERTY OWNERSHIP<sup>1</sup>

2.1 Owner<sup>1</sup> of Record: David Romboli Address for Service: 89 GRAND STREET  
 Name (Print) Telephone: 781-944-0362  
 Signature: [Signature]

SECTION 3: DESCRIPTION OF PROPOSED WORK<sup>2</sup> (check all that apply)

New Construction  Existing Building  Owner-Occupied  Repairs(s)  Alteration(s)  Addition   
 Demolition  Accessory Bldg.  Number of Units 1 Other  Specify: REMODEL BASEMENT

Brief Description of Proposed Work<sup>2</sup>: Remodel basement, move laundry play area closet, move water & heat pipes, add outlets & lighting, plaster trim & PAINT (10 x 26') (260 SF)

SECTION 4: ESTIMATED CONSTRUCTION COSTS

Item	Estimated Costs: (Labor and Materials)	Official Use Only
1. Building	\$ <u>8900</u>	1. Building Permit Fee: \$ _____ Indicate how fee is determined: <input type="checkbox"/> Standard City/Town Application Fee <input type="checkbox"/> Total Project Cost <sup>3</sup> (Item 6) x multiplier _____ x _____
2. Electrical	\$ <u>2850</u>	2. Other Fees: \$ _____ List: _____
3. Plumbing	\$ <u>3050</u>	Total All Fees: \$ _____
4. Mechanical (HVAC)	\$ <u>0</u>	Check No. _____ Check Amount: _____ Cash Amount: _____
5. Mechanical (Fire Suppression)	\$ <u>0</u>	<input type="checkbox"/> Paid in Full <input type="checkbox"/> Outstanding Balance Due: _____
6. Total Project Cost:	\$ <u>14,800</u>	

Conservation Approval Required

Yes  No

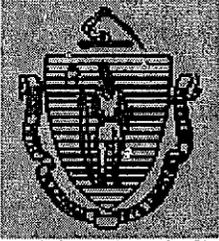
Signature: [Signature]

Dumpster Permit Required

- Will there be a dumpster at the work site:  Yes  No

- Dumpster Permit Applied for on 4/9/09

APR 14 2009



The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 Office of Investigations  
 600 Washington Street  
 Boston, MA 02111  
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers

Applicant Information

Please Print Legibly

Name (Business/Organization/Individual): CAPOZZI CONSTRUCTION, INC

Address: 21 PARK AVE

City/State/Zip: WAKEFIELD, MA 01880 Phone #: 617-851-7000

<p>Are you an employer? Check the appropriate box:</p> <p>1. <input checked="" type="checkbox"/> I am an employer with <u>3</u> employees (full and/or part-time).*</p> <p>2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]</p> <p>3. <input type="checkbox"/> I am a homeowner doing all work myself. [No workers' comp. insurance required.] †</p>		<p>4. <input type="checkbox"/> I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance. ‡</p> <p>5. <input type="checkbox"/> We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]</p>	<p>Type of project (required):</p> <p>6. <input type="checkbox"/> New construction</p> <p>7. <input checked="" type="checkbox"/> Remodeling</p> <p>8. <input type="checkbox"/> Demolition</p> <p>9. <input type="checkbox"/> Building addition</p> <p>10. <input type="checkbox"/> Electrical repairs or additions</p> <p>11. <input type="checkbox"/> Plumbing repairs or additions</p> <p>12. <input type="checkbox"/> Roof repairs</p> <p>13. <input type="checkbox"/> Other _____</p>
---	--	---	---

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.  
 † Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.  
 ‡ Contractors that check this box must attached an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.

Insurance Company Name: AIG

Policy # or Self-ins. Lic. #: WC 9879327 Expiration Date: 4/22/09

Job Site Address: 89 GRAND STREET, READING City/State/Zip: Reading, MA 01867

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 4/10/09

Phone #: 617-851-7000

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):  
 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Electrical Inspector 5. Plumbing Inspector  
 6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

Basement  
Refinish Project

# Romboli Residence

89 GRAND STREET

## Finished Area

2 windows vinyl  $33\frac{1}{4} \times 20\frac{1}{2}$  Rolling style  
 $681.63 \text{ sq ft} \times 2 \text{ windows} = 1363.25 \text{ sq ft}$

$1363.25 \text{ sq ft} \div 2$  (only  $\frac{1}{2}$  window can open)

$$= 681.63 \text{ sq ft}$$

Floor space:  $(26' \times 12'') \times (10' \times 12'')$   
 $312'' \times 120'' = 37440 \text{ sq ft}$

$$\frac{\text{Windows } 681.63 \text{ sq ft}}{\text{Finished Floor Area } 37440 \text{ sq ft}} = \frac{1.87}{100} \%$$

UN Finished Area Also  $26' \times 10'$   
with No Windows

Contractor will install a Mechanical  
Air system sufficient for the Finished  
space & the UN Finished Area  
where the Boiler (Heat & Hot Water)  
Resides (oil fired)

A screened <sup>(GRILL)</sup> VENT will be installed along  
the wall dividing the space to allow  
air to pass from ONE space/room  
to the other.

Basement  
Refinish  
Project

Romboli Residence  
89 Grand Street

The Beam Running Along the 26' Long Wall will Reside in the Utility/Unfinished Space AND is 6'4".

This will Require that the Door Between the Spaces Open into the Finished Area,

There is one stair winder that Does not Conform to the 3" minimum Depth At the narrowest point. Contractor will correct this By either completely ReBuilding the winder or clipping the Riser Above to meet code.

The stairway will meet the 36" Width Requirement Above the Rail And the 6'6" Head Room Requirement Above the stair nosing,

Stair width At 2 Below the Handrail will meet the required 31.5 inches or greater. ~~in~~

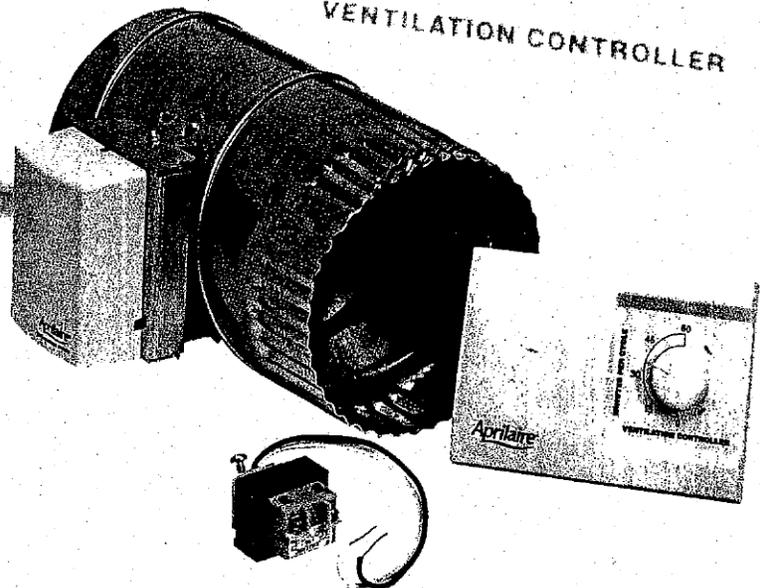
**Aprilaire**

Ventilation Control System  
Model 8126

# Better ventilation solution for today's tighter homes

**Aprilaire**

MINUTES PER CYCLE  
30  
15  
0  
VENTILATION CONTROLLER



- New market opportunity for profitable ventilation
- Cost-effective solution to meet growing ventilation needs
- Manages quantity and quality of air throughout the home

# Aprilaire®

Fresh Ideas for Indoor Air

[aprilairecontractor.com](http://aprilairecontractor.com)

## Model 8126 Ventilation Control System

Features	Benefits
<ul style="list-style-type: none"><li>• Separate ventilation time adjustment</li></ul>	<ul style="list-style-type: none"><li>• Controls that satisfy your customers' needs</li></ul>
<ul style="list-style-type: none"><li>• Separate cycle time adjustment</li></ul>	<ul style="list-style-type: none"><li>• Allows fan to cycle, increasing air cleaner and humidifier run times</li></ul>
<ul style="list-style-type: none"><li>• Minimum off times between cooling call and unsolicited blower call (UBC)</li></ul>	<ul style="list-style-type: none"><li>• Allows coil to drain before running fan to prevent moisture from being added back into the home</li></ul>
<ul style="list-style-type: none"><li>• 24-Volt control</li></ul>	<ul style="list-style-type: none"><li>• Easy to install, saving you time &amp; money</li></ul>
<ul style="list-style-type: none"><li>• Measures outdoor temperature to stop ventilation at extremely hot or cold outdoor temperatures</li><li>• Measures indoor relative humidity, preventing home indoor RH from exceeding 60%</li></ul>	<ul style="list-style-type: none"><li>• Increased customer comfort and energy savings over other economical ventilation options</li></ul>
<ul style="list-style-type: none"><li>• Installation flexibility – ability to override humidity and temperature control</li></ul>	<ul style="list-style-type: none"><li>• Allows you to meet every application</li></ul>

### Controller Specifications

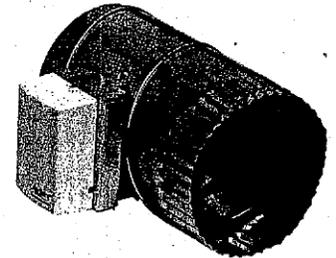
- Input (R, C): 18 to 30 VAC, 1 amp maximum
- Damper Output: 18 to 30 VAC, 1 amp maximum closed contact
- Temperature Accuracy:  
+ or - 2 degrees F
- Relative Humidity Accuracy:  
+ or - 5% RH
- Cycle Time: 1, 2, 3 or 4 hours (selectable)
- Ventilation Time: 0-60 minutes



Ventilation Controller  
Model 8120

### Damper Specifications

- Normally-closed, power open
- 24 VAC
- 0.41 amp
- 2-wire
- 6" diameter
- 10-3/4" long
- Max Static Pressure:  
1.0" WC



## Fresh Ideas For Indoor Air

For enhanced health, comfort and efficiency, Aprilaire offers an entire line of indoor air quality solutions. To learn all about Fresh Ideas for Indoor Air, visit us at [www.aprilairecontractor.com](http://www.aprilairecontractor.com).

- Air Cleaners** – Deliver the cleanest and healthiest air to increase comfort and protect the performance of heating and cooling equipment.
- Automatic Humidifiers** – Deliver optimum humidity to eliminate dry nose, scratchy throat and itchy skin and reduce the chance of upper-respiratory problems.
- Zone Control Systems** – Control temperature to eliminate hot and cold spots.
- Electronic Thermostats** – Combine easy programming, pinpoint accuracy and digital controls to provide the ultimate in both comfort and energy savings.
- UV Germicidal Lamps** – Reduce the risk of illnesses, allergies and odors from bacteria and molds growing on the cooling system evaporator coil.
- Ventilation** – Ensure a supply of fresh air to make the home more healthy, comfortable and energy efficient.

Aprilaire  
IRP RESEARCH PRODUCTS 68160

**Air Purchases**  
24 Blanchard Road  
Burlington, MA 01803  
(781) 273-2050

Phone: 800/969-6011 Fax: 608/267-4357

**LODER MECHANICAL SERVICES**

**Estimate**

38 Bolton Road  
Billerica, MA 01821

Date	Estimate #
4/16/2009	176

Name / Address	Ship To
Capozzi Construction, Inc. 21 PARK AVE. Wakfield, MA 01880	C/O 89 GRANDE ST READING, MA

Terms	Project
1/3 to start Bal. on c...	

Item	Description	Qty	Rate	Total
	PROPOSAL TO INSTALL ONE FAN IN THE CAN FOR THE OIL BOILER AND ONE AUTOMATIC OUTDOOR AIR DAMPER FOR THE FINISHED BASEMENT AREA.			
A/A-8126	APRILAIRE VENTILATION CONTROL SYSTEM	1	275.00	275.00
F/C/RLY	FAN IN THE CAN	1	300.00	300.00
DUCT RUNS	DUCT RUN AND MISC, MATERIALS	1	100.00	100.00
Installation	2 Man Installation Charge	4	110.00	440.00
<b>Total</b>				<b>\$1,115.00</b>

Phone #
508-726-1335

Barry, Patty (DPS)

**From:** Redmond, Glen [gredmond@ci.reading.ma.us]  
**Sent:** Wednesday, May 20, 2009 9:24 AM  
**To:** Dave Romboli; Barry, Patty (DPS)  
**Cc:** Kowalski, Carol  
**Sul:** 89 grand st appeals board.doc  
**Att:** oled



**Town of Reading**  
**16 Lowell Street**  
**Reading, MA 01867-2685**

**Community Development**  
**Phone: (781)942-9010**  
**Fax: (781)942-9070**  
**Website: www.ci.reading.ma.us**

May 20, 2009

**Re:** 89 Grand St  
Reading, Ma 01867

**Docket Number** 09-741

Patricia A. Barry,  
State Building Code Appeals Board

I am unable to attend the scheduled hearing on 05-26-09.

On April 21, 2009 building permit # 108815 was issued to finish a basement area of approximately 10 x 26 as per plans submitted to this department. Prior to the issuance of this permit, I did have several discussions with Domenic Capozzi with regards to the stair width and head height requirement and other ventilation requirements.

On Wednesday May 6, 2009 a building inspection was conducted at the site with Domenic Capozzi, the head height at the stairway did not meet the 6-6 requirement; in fact the head height at this time was only 6-0. I informed the contractor at this time that the work was not in accordance with 780 CMR 113.0 Conditions of Permit

**113.2 Compliance with Code.** The permit shall be a license to proceed with the work and shall not be construed as authority to violate, cancel or set aside Any of the provisions of 780 CMR or any other law Or regulation, except as specifically stipulated by Modification or legally granted variation as described In the application.

**113.3 Compliance with Permit.** All work shall conform to the approved application and the approved construction documents for which the permit has been issued and any approved amendments to the approved application or the approved construction documents.

It is my understanding that the stair head height has been improved to be 6-2 at this time, which is still non conforming to the required 6-6 height. I am not opposed to the granting of a variance from this code requirement. I would respectfully accept the State Building Code Appeals Board decision in this matter.

Thank You,

C. Glen Redmond  
Commissioner of buildings  
Town of Reading

**Barry, Patty (DPS)**

---

**From:** Redmond, Glen [gredmond@ci.reading.ma.us]  
**Sent:** Wednesday, May 20, 2009 9:24 AM  
**To:** Dave Romboli; Barry, Patty (DPS)  
**Cc:** Kowalski, Carol  
**Sul** 89 grand st appeals board.doc  
**Att:** oled



**Town of Reading**  
**16 Lowell Street**  
**Reading, MA 01867-2685**

**Community Development**  
**Phone: (781)942-9010**  
**Fax: (781)942-9070**  
**Website: www.ci.reading.ma.us**

---

May 20, 2009

**Re:** 89 Grand St  
Reading, Ma 01867

**Docket Number** 09-741

Patricia A. Barry,  
State Building Code Appeals Board

I am unable to attend the scheduled hearing on 05-26-09.

On April 21, 2009 building permit # 108815 was issued to finish a basement area of approximately 10 x 26 as per plans submitted to this department. Prior to the issuance of this permit, I did have several discussions with Domenic Capozzi with regards to the stair width and head height requirement and other ventilation requirements.

On Wednesday May 6, 2009 a building inspection was conducted at the site with Domenic Capozzi, the head height at the stairway did not meet the 6-6 requirement; in fact the head height at this time was only 6-0. I informed the contractor at this time that the work was not in accordance with 780 CMR 113.0 Conditions of Permit

**113.2 Compliance with Code.** The permit shall be a license to proceed with the work and shall not be construed as authority to violate, cancel or set aside any of the provisions of 780 CMR or any other law or regulation, except as specifically stipulated by modification or legally granted variation as described in the application.

**113.3 Compliance with Permit.** All work shall conform to the approved application and the approved construction documents for which the permit has been issued and any approved amendments to the approved application or the approved construction documents.

It is my understanding that the stair head height has been improved to be 6-2 at this time, which is still non conforming to the required 6-6 height. I am not opposed to the granting of a variance from this code requirement. I would respectfully accept the State Building Code Appeals Board decision in this matter.

Thank You,

C. Glen Redmond  
Commissioner of buildings  
Town of Reading