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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

Thomas G. Gatzunis, P.E.
Commissioner

Alexander MacLeod, R.A.
Chairman

Gary Moccia, P.E.
Vice Chairman

Robert Anderson
Administrator

Date: November 09, 2009

Name of Appellant: Daniel Leary

Service Address: Nexamp, Inc.
21 High Street, Suite 209
North Andover, MA. 01845

In reference to: 25 Boston Road
Chelmsford, MA. 01824

Docket Number: 09-779

Property Address: 25 Boston Road
Chelmsford, MA. 01824

Date of Hearing: 09-03-09

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

Sincerely:

BUILDING CODE APPEALS BOARD

Patricia Barry

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[1]

Docket No. 09-779
Appellant(s): Nexamp, Inc. vs. Appellee(s): City/Town of Chelmsford
Represented by Daniel Leary Scott Hammond

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 requesting the use of 2009 IBC as opposed to 7th edition for 25 Boston Road, Chelmsford, 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 3, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board. Daniel Leary appeared and testified.

Discussion

After discussion the appellant withdrew the request for a variance to the 7th edition 780 CMR. The decision to withdraw the request was due to the fact there was no longer a need for a variance. There was a motion and second to dismiss this case and a board vote was taken, which was unanimous.

Conclusion

The Appellant's request for a variance to the 780 CMR is hereby **dismissed** as described in the discussion above and so ordered[2] on this date: September 3, 2009.

Jacob Nunnemacher Doug Semple Alexander MacLeod

[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.