The Commonwealth of Massachusetts
Department of Public Safety
Board of Building Regulations and Standards
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Vice Chairman

Robert Anderson
Administrator

Date: November 18, 2009

Name of Appellant: Lauren MacCarthy

Service Address: 82 Center Road
Shirley, MA. 01464

In reference to: 82 Center Road
Shirley, MA. 01464

Docket Number: 09-814

Property Address: 82 Center Road
Shirley, MA. 01464

Date of Hearing: 11-05-09

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[1]

Docket No. 09-814
Appellant(s): Lauren MacCarthy vs. Appellee(s): City/Town of Shirley
Building Official Gary Rhodes

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 to the 7th edition 780 CMR 5311.5.3.1, 5311.5.6, 5703.8, 5703.10.2, and Table 5703.4, for the property at 82 Center Road, Shirley, 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 November 5, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board. Lauren MacCarthy and Gary Rhodes appeared and testified before the board.

Discussion

After testimony and discussion, a motion was made for the Board to agree with the Building Officials inspection pertaining to the 7th edition 780 CMR 5311.5.3.1, 5311.5.6, 5703.8, 5703.10.2, and Table 5703.4, and that the appellant uphold the issues cited by the Building Official in the letter dated September 14, 2009. There was a second on the motion and a board vote was taken which was unanimous.

Conclusion

The Appellant's request for a variance to the 7th edition 780 CMR 5311.5.3.1, 5311.5.6, 5703.8, 5703.10.2, and Table 5703.4 is hereby **granted** as described in the discussion above and so ordered[2] on this date: November 5, 2009.

Douglas Semple	William Middlemiss	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.