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

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Robert Anderson
Administrator

Date: January 14, 2010

Name of Appellant: South Natick Hills, LLC

Service Address: Robert Cummings
Robert Cummings & Associates
181 Bow Bog Road
Bow, NH. 03304

In reference to: 16 Units Sienna Lane
& 12 Units Allison Way
Natick, MA. 01760

Docket Number: 09-819

Property Address: 16 Units Sienna Lane
& 12 Units Allison Way
Natick, MA. 01760

Date of Hearing: 11-24-09

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. 09-819**

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|---|---|---|
| Appellant(s): South Natick Hills, LCC<br>represented by Robert Cummings | vs. | Appellee(s):City/Town of Natick<br>Building Official Michael Connelly |

## 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 7th edition 780 CMR 903.2.8 for the 28 properties at Sienna Lane and Allison Way, Natick, 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 24, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board. Robert Cummings and others appeared for the hearing as noted on the sign in sheet which is on file at the Department of Public Safety.

## Discussion

After testimony and discussion a motion was made to grant a variance from 7th edition 780 CMR 903.2.8 and allow an alternate fire sprinkler protection system due to the fact that neither the building department nor fire department are opposed and the implemented systems offer sufficient protection. There was a second on the motion and board vote was taken, which was unanimous.

## Conclusion

The Appellant's request for a variance from 7th edition 780 CMR 903.2.8 is hereby **granted** as described in the discussion above and so ordered[2] on this date: November 24, 2009.

| | | |
|---|---|---|
| William Middlemiss | Brian Gale | 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.