

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board¹
Docket No. 05-354

Jai Singh Khalsa, Khalsa
Design, Inc.

Appellant

vs.

Michael Grover, Building
Inspector

Appellee

BOARD'S RULING ON APPEAL

Procedural History

This matter came before the State Building Code Appeals Board ("the Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, Appellant asks the Board to grant a variance from 780 CMR Table 705 of the Massachusetts State Building Code ("MSBC") for Dana Park Residences, LLC, 10 Corporal McTernan Street, Cambridge, MA. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on January 23, 2007 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

Present and representing the owner, Dana Park Residences, LLC, was Jai Singh Khalsa, Khalsa Design, Inc. ("Appellant"). Also present at the hearing was Dave Byrne, City of Cambridge, Inspectional Services Department, 831 Massachusetts Avenue, Cambridge, MA.

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.

Findings of Fact

1. The subject project involves the renovation of an existing historic masonry four (4) story building. The Appellant would like to add four (4) new windows in a two (2) hour rated wall less than three feet from the property line (Table 705).
2. The Appellant proposes an alternative compliance method of using an exterior sidewall deluge sprinkler system at the proposed openings.
3. The City of Cambridge and the abutters have no objection to granting the variance.

Discussion

A motion was made to Grant the Appellant's request for a variance from 780 CMR Table 705. The motion was unanimously approved by the Board as it meets the overall intent of the Code.

Conclusion

The Appellant's request for a variance from 780 CMR Table 705 is hereby **GRANTED.**

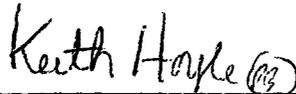
SO ORDERED.



ALEXANDER MACLEOD



HARRY SMITH



KEITH HOYLE

DATED: February 12, 2007

** 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.*