COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board
Docket No. 05-425

BOARD'S RULING ON APPEAL

All hearings are audio recorded. The digital recording (which is on file at the office of the Board of Building Regulations and Standards) serves as the official record of the hearing. Copies of the recording are available from the Board for a fee of $10.00 per copy. Please make requests for copies in writing and attach a check made payable to the Commonwealth of Massachusetts for the appropriate fee. Requests may be addressed to:

Patricia Barry, Coordinator
State Building Code Appeals Board
BBRS/Department of Public Safety
One Ashburton Place - Room 1301
Boston, MA 02108

John Strandberg Appellant,	)
v.	)
City of Springfield and Steven Desilets Appellees	)

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 3404.11 and 3404.12 of the Massachusetts State Building Code ("MSBC") for the property of Bemis Hall, Springfield College, 263 Alden Street, Springfield, MA 01103. 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 June 14, 2007 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

Present and representing himself was the Appellant. John Cossaboom, Stevern Desilits, and Richard Elliot were present also.

Decision: Following testimony, and based upon relevant information provided, Board members voted as indicated below.

☐..... Granted **X..... Denied** ☐..... Rendered Interpretation

The vote was:

X.....Unanimous ☐..... Majority

Reasons for Variance:

Testimony was presented by the Appellant on the renovation of a building on the Springfield College Campus from use as science classrooms and offices to general classrooms, a lecture hall, and staff offices. The variance request sought relief from installing a sprinkler system based on the relatively small size of the building and that additional life safety features were being added, including but not limited to a new state-of-the-art fire detection and alarm system, a new battery operated emergency egress lighting system, illuminated exit signs with directional arrows, and removal of accordion partitions between existing classrooms and replacement with 5/8" fire-code rated gypsum board partitions.

It was noted by Steven Desilits from the City of Springfield Building Department, that the original plan submission for a building permit indicated that a sprinkler system would be installed. Both Steven Desilits, and John Cossaboom the City of Springfield Fire Marshal, oppose the granting of the variance.

It was noted that the cost of sprinkler system was about $160K although John Cossaboom felt that the estimate provided was higher than his estimate for this size and type of building and would instead be about $110K. The total cost of the renovation without the installation cost of the sprinkler system was about $1.6M.

The hardship noted by the Appellant and Richard Elliott was schedule deadlines with the new school year approaching in September.

Following testimony and based upon relevant information provided, Stanley Shuman made a motion to deny the variance request based on the fact that the renovation is considered significant and that installation of the sprinkler system does not represent as significant cost or hardship otherwise. The motion was seconded by Dana Haagensen and a vote was taken. The vote was unanimous.

The following members voted in the above manner

Robert Anderson (PO) Stanley Shuman Dana Haagensen (PO)

Chairman -Robert Anderson Stanley Shuman Dana Haagensen

A complete administrative record is on file at the office of the Board of Building Regulations and Standards.

A true copy attest, dated: October 2, 2007

Patricia Barry

Patricia Barry, Clerk

Any person aggrieved by a decision of the State Building Code Appeals Board may appeal to a court of competent jurisdiction in accordance with Chapter 30A, Section 14 of the Massachusetts General Laws.