

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board¹
Docket No. 05-367

Michael Bedard,)
Appellant,)
v.)
Town of Northborough and William)
Farnsworth, Jr.,)
Appellees)

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, the Appellant asks the Board to grant a variance from 780 CMR 3603.10.4.1 (Means of egress – Minimum size) Massachusetts State Building Code (“MSBC”) for residential dwelling located at 254 Brewer Street, Northborough, 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 February 1, 2007 where all interested parties were provided with an opportunity to testify and present evidence to the Board. Present and representing the property owner, Raul Davoro, was the Appellant. Present and representing the Town of Northborough Building Department was William Farnsworth, Jr. There was no representative present from the Town of Northborough Fire Department.

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.

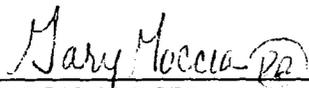
Discussion

A motion was made to deny the Appellant's request for a variance from 780 CMR 3603.10.4.1 of the MSBC due to the fact that the Appellant will not endure a hardship if required to comply with the requirements of the MSBC. Motion carried 3-0.

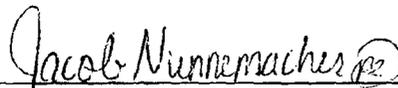
Conclusion

The Appellant's request for a variance from 780 CMR 3603.10.4.1 is hereby **DENIED.**

SO ORDERED.



GARY MOCCIA



JACOB NUNNEMACHER



STANLEY SHUMAN

DATED: March 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.*