## COMMONWEALTH OF MASSACHUSETTS State Building Code (780 CMR) Appeals Board Board's Ruling on Appeal1

**Docket No. 08-680** 

Appellant(s): Wayne Salo

for Becker College

vz.

Appellee(s): City/Town of Leicester

Jeff Taylor

## **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 him a variance from 780 CMR 1014.6.6, for 964 Main Street, Leicester, 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 December 23, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant Wayne Salo of Dixon Salo Architects, Inc, representing Becker College appeared for the hearing.

## **Discussion**

A motion was made to grant the Appellant's request for a variance from 780 CMR 1014.6.6, after hearing testimony regarding the property. The motion was based on the fact that the building official has no objection (12-17-08 letter from Jeff Taylor, Exhibit #2) to the granting of the variance and that the alternating stairway egress from the football field press box camera platform in question is an existing stairway. The Board suggested the Appellant present this issue to the Architectural Access Board. There was a second on the motion and a Board vote was taken, which was unanimous.

## Conclusion

The Appellant's request for a variance from 780 CMR 1014.6.6, is hereby granted as described in the discussion above and so ordered<sup>2</sup> on this date: December 23, 2008.

Douglas Semple

Brian Gale

William Middlemiss

<sup>2</sup>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.

<sup>&</sup>lt;sup>1</sup> 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