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Department of Public Safety

Board of Building Regulations and Standards

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Chairman

Gary Moccia, P.E.
Vice Chairman

Robert Anderson
Administrator

Date: September 9, 2009

Name of Appellant: Ostrow Electric Company

Service Address: Greg Sallhofen
9 Mason Street
Worcester, MA. 01609

In reference to: 55 Conant Avenue
Danvers, MA. 01923

Docket Number: 09-769

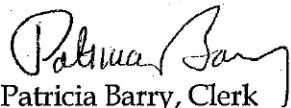
Property Address: 55 Conant Avenue
Danvers, MA. 01923

Date of Hearing: 08-06-09

Enclosed please find a copy of the decision on the matter aforementioned.

Sincerely:

BUILDING CODE APPEALS BOARD


Patricia Barry, Clerk

cc: Building Code Appeals Board
Building Official

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

Docket No. 09-769

Appellant(s): Greg Salhofen
Representing Ostrow Electric Company

vs.

Appellee(s): Town of Danvers
Richard Maloney

Procedural History

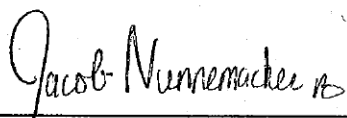
This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant a variance to 7th edition 780 CMR 1604.10, for the property at 55 Conant Avenue, Danvers, MA. 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 August 6, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board. Greg Salhofen, Richard Maloney, and others appeared and testified at this hearing.

Discussion

Based on the testimony presented, a motion was made to grant the Appellant's request for a variance to 7th edition 780 CMR 1604.10 for two lights poles that were designed to wind load requirements of the 6th edition. The motion was made based on the fact that the original design was based on the 6th edition and that project schedule delays were out of the appellant's control. There was a second on the motion and a board vote was taken, which was unanimous.

Conclusion

The Appellant's request for a variance to 7th edition 780 CMR 1604.10, is hereby granted as described in the discussion above and so ordered² on this date: August 6, 2009.



Jacob Nunnemacher



Douglas Semple



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.