



**MAURA HEALEY**  
GOVERNOR

**KIM DRISCOLL**  
LIEUTENANT GOVERNOR

**YVONNE HAO**  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**Office of Public Safety and Inspections**

1000 Washington Street, Suite 710  
Boston, Massachusetts 02118

**LAYLA R. D'EMILIA**  
UNDERSECRETARY, CONSUMER  
AFFAIRS AND BUSINESS  
REGULATION

**SARAH R. WILKINSON**  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

Minutes

**BBS Building Code Appeals Board (BCAB)**  
**Meeting Location: Virtual Microsoft Teams-Meeting**  
**October 2, 2025**

Meeting Called to order by the Chairman Jeffrey Clemons, at 9:00 a.m. followed by Roll call:

**Board Members Present:**

Jacob Nunnemacher  
Jeffrey Clemons, Chairman  
Sy Nguyen (Reade Milne)

**Guests Present:**

See sign-in sheet for each case:

- Case Number:** 25-0118  
**Appellant:** Robert Scarano (Owner-MK Realty Trust)  
**Property Address:** 17 Lee Street, Tewksbury, MA. 01876  
**Summary of Case:** Appellant is seeking relief from 780 CMR 105.5, with respect to an existing building.

Sy Nguyen made an **INTERPRETATION** that was **SECONDED** by Jacob Nunnemacher, that the Building Official was correct that the building permit is no longer valid after 180 days. The Motion was approved by a 2-1 vote, Jacob Nunnemacher was opposed.

- Case Number:** 25-0123  
**Appellant:** Donald Contois (Owner-Roy Immanuel)  
**Property Address:** 105 Beach Street, Boston, MA. 02111  
**Summary of Case:** Appellant sought relief from 2015 IEBC, 780 CMR 9th Edition Section 1012.4.1, 1006.3.4 (1), 101.4, 101.4.7, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Sy Nguyen, to **GRANT** the variance to **780 CMR, IEBC 1012.4.1 & IEBC 1006.3.4 #1** contingent on: 1) The fire escape shall be not more than a four inch opening on the risers and guards/handrails. 2) System smoke detection tied into the fire alarm system is provided in the handrails of the 4<sup>th</sup> and 5<sup>th</sup> floor with a system based heat detection in the building units within five feet of the entry door. 3) Both items the appellant is not opposed to doing and it is noted that Boston ISD did not attend the hearing. The Motion was approved by unanimous vote.



3. **Case Number:** 25-0119  
**Appellant:** Cole Ungar (Owner-Pittsfield Residence LLC)  
**Property Address:** 15 Orchard Street, Pittsfield, MA. 01201  
**Summary of Case:** Appellant sought relief from 780 CMR Section 1001.3.2 & 780 CMR 102.6.4, with respect to an existing building.

Reade Milne made a **MOTION** that was **SECONDED** by Sy Nguyen, That we **INTERPRET** that per **780 CMR 10<sup>th</sup> Edition Section 102.6.4**, the Building Official has the authority to cite a violation and order and abatement for an inadequate means of egress or egress components with insufficient width or so arranged to be inadequate for the safe egress of the occupants (Motion #1). The Motion was approved by unanimous vote. Reade Milne made a **MOTION** that was **SECONDED** by Sy Nguyen, to **NOT UPHOLD** the Building Official's determination that in this situation the use of ladders as a component and a means of egress is inadequate and inherently unsafe (Motion #2). The Motion was approved by unanimous vote.

4. **Case Number:** 25-0121  
**Appellant:** Cole Ungar (Owner-Pittsfield Residence LLC)  
**Property Address:** 656 North Street, Pittsfield, MA. 01201  
**Summary of Case:** Appellant sought relief from 780 CMR Section 1001.3.2 & 780 CMR 102.6.4, with respect to an existing building.

Reade Milne made a **MOTION** that was **SECONDED** by Sy Nguyen, to **AFFIRM** the Building Official has the right under **780 CMR 102.6.4** to issue a violation and order the abatement of an inadequate or insufficient means of egress (Motion #1). The Motion was approved by unanimous vote. Reade Milne made a **MOTION** to disagree with the Building Official's interpretation that in this particular circumstance the use of ladders as a legally installed component of a permitted fire escape is insufficient and unsafe (Motion #2). The Motion was a TWO to ONE vote, Jacob Nunnemacher was opposed.

5. **Case Number:** 25-0098  
**Appellant:** Jing Tan (Owner-Patrick Real Estate LLC)  
**Property Address:** 338 Main Street, Southbridge, MA. 01550  
**Summary of Case:** Appellant sought relief from 780 CMR Section R105.1, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Sy Nguyen, to **OVERTURN** the Building Official's **ORDER** for the Failure to cite the proper code citations and the failure to properly identify this building. The Motion was approved by unanimous vote.

The meeting adjourned at 1:30 p.m.