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Minutes

BRS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
March 3, 2022

Meeting Called to order by the Chairman, Richard Crowley, at 9:30 a.m. followed by Roll call:

Board Members Present:

Steven Frederickson
Richard Crowley, Chairman
Kristen McDonough

Guests Present:

See sign-in sheet for each case:

- Case Number:** 22-0006
Appellant: Julio Barbosa
Property Address: 350 Main Street, Fairhaven, MA. 02719
Summary of Case: Appellants sought relief from 780 CMR 105.3.1, with respect to an existing building.

Steven Frederickson made a **MOTION** that was **SECONDED** by Kristen McDonough, to **OVERTURN** the Building Commissioner's interpretation of the Existing Building Code as applied to these facts, thus the proposed work would constitute Level 1 Alteration for which 780 CMR would not require the installation of a sprinkler system. The motion was approved by unanimous vote.

- Case Number:** 22-0007
Appellant: Felicio Lana
Property Address: 50 Williams Street, Worcester, MA. 01608
Summary of Case: Appellants sought relief from 780 CMR 105.1, with respect to an existing building.

Steven Frederickson made a **MOTION** that was **SECONDED** by Kristen McDonough, to **AFFIRM** the Department of Inspectional Services determination about the application of **780 CMR 105.1** and **ORDERED** Appellant to (1) apply for and obtain required building permits; and (2) allow Inspectional Services to inspect the garage apartment



buildings to determine Building Code compliance. The motion was approved by unanimous vote.

3. **Case Number:** 22-0008
Appellant: Eric Cote (Owner- MBTA)
Property Address: 700 Atlantic Avenue, Boston, MA. 02111
Summary of Case: Appellants sought relief from 780 CMR 1003.6, 1011.5.2, and 1028.5, with respect to an existing building.

Kristen McDonough made a **MOTION** that was **SECONDED** by Steven Frederickson, to **GRANT** variances from **780 CMR 1003.6, 1011.5.2, and 1028.5**. The motion was approved by unanimous vote.

4. **Case Number:** 22-0009
Appellant: Dmitri Gritskevich (Owner- First Pentacostal Church)
Property Address: 22 Pleasant Street, West Springfield, MA. 01089
Summary of Case: Appellants sought relief from 780 CMR 34.00, 804.2.2, 804.4, and 780 CMR Table 903.2, with respect to an existing building.

Steven Frederickson made a **MOTION** that was **SECONDED** by Kristen McDonough, to **OVERTURN** the Building Commissioner's conclusions about the application of **780 CMR 34.00, 804.2.2, 804.4, and 780 CMR Table 903.2** because the work did not constitute a Level 2 Alteration, the evidence showed that the work constituted Repair or, at most, Level 1 alteration. The motion was approved by unanimous vote.

5. **Case Number:** 22-0010
Appellant: Robert B. Davis (Owner- Steamship Authority MV & WH)
Property Address: 1 Railroad Avenue, Woods Hole, MA. 02543
Summary of Case: Appellants sought relief from 780 CMR Appendix G, sections G301.2 and 301.3, and 780 CMR 1609 (8th Edition), with respect to an existing building.

Steven Frederickson made a **MOTION** that was **SECONDED** by Kristen McDonough, to continue to **ALLOW** the variances from **780 CMR Appendix G, sections G301.2, and 301.3, and 780 CMR 1609 (8th Edition)** granted by BCAB16-0011 for the Temporary Terminal Building on condition that those variances shall terminate **no later than December 31, 2025**, as requested by both parties. The motion was approved by unanimous vote.

The meeting adjourned at 2:00 p.m.