



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
1000 Washington Street, Suite 710
Boston, Massachusetts 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Minutes

BRS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
July 14, 2022

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

Board Members Present:

Michael McDowell
John Couture, Chairman
Jennifer Hoyt & Dave Clemons (1-case)

Guests Present:

See sign-in sheet for each case:

1. **Case Number:** 22-0046
Appellant: Hari Maruboyina
Property Address: 274 Walnut Street, Shrewsbury, MA. 01545
Summary of Case: Appellants sought relief from 780 CMR 916.2, with respect to an existing building.

Michael McDowell made a **MOTION** that was **SECONDED** by Dave Clemons, to **GRANT** a variance from **780 CMR 916.2**, on conditions that: the variance applies to the present building until such time that the second tenant space is ready for occupancy; when the second space is ready for occupancy, the variance from **780 CMR 916.2** ends and the building must be in compliance with **780 CMR 916.2** before a certificate of occupancy may be issued. The Motion was approved by unanimous vote.

2. **Case Number:** 22-0047
Appellant: Nils Johnson
Property Address: 22 Sagamore Road, Mattapoisett, MA. 02739
Summary of Case: Appellants sought relief from 780 CMR 51.00, R322.3, R322.3.2, with respect to an existing building.

Michael McDowell made a **MOTION** that was **SECONDED** by Jennifer Hoyt, to **GRANT** variances to **780 CMR 51.00, R322.3** and **R322.3.2**, acknowledging that both DCR and the Building Commissioner agreed with/ did not oppose allowing the requested relief.



The Motion was approved by unanimous vote.

3. **Case Number:** 22-0048
Appellant: Richard Ricker, Esq. (Owner-BTR Realty, LLC)
Property Address: 3 Commerce Road, Shrewsbury, MA. 01545
Summary of Case: Appellants sought relief from 780 CMR 114.1 & 780 CMR 1103.1, with respect to an existing building.

Jennifer Hoyt made a **MOTION** that was **SECONDED** by Michael McDowell, to **ALLOW** Appellant's request to **WITHDRAW** the Appeal without prejudice. The Motion was approved by unanimous vote.

4. **Case Number:** 22-0050
Appellant: Brian Kuhn (Owner-IQHJ-109 Brookline 1, LLC)
Property Address: 109 Brookline Avenue, Boston, MA. 02215
Summary of Case: Appellants sought relief from 780 CMR 602, 705.8, and 706.1.1, with respect to new construction.

Jennifer Hoyt made a **MOTION** that was **SECONDED** by Michael McDowell, to **GRANT** variances from 780 CMR 602, 705.8, and 706.1.1 on conditions that the proposed fire shutter for the elevator within 20 Overland along the party wall is accessible after activation, either manually or electronically, and is acceptable to the Boston Fire Department. The Motion was approved by unanimous vote.

5. **Case Number:** 22-0051
Appellant: Paul Moan (Owner-FRP Quincy Development LLC)
Property Address: 25 General McConville Way, Quincy, MA. 02169
Summary of Case: Appellants sought relief from 780 CMR MSBC Section 1023.2, 1019.3, with respect to new construction.

On July 13, 2022, the Appellant requested to **WITHDRAW** the appeal prior to the hearing date. Accordingly, the Appeal is **DISMISSED**.

The meeting adjourned at 1:30 p.m.