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### Minutes

BBRS Building Code Appeals Board (BCAB)

Meeting Location: Milford District Office, 50 Maple Street, Milford, MA

Meeting Date: January 7, 2016

Meeting Time: 9:30 a.m.

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

**Board Members Present:**

Richard Crowley, Chairman  
Sandy MacLeod  
Jake Nunnemacher

**Board Members Not Present:**

None

There were seven (7) cases on the docket scheduled each 30 minute period, beginning at 9:30 a.m. and running until approximately 12:45 p.m. The three board members identified above served each case; guests varied with each case. A copy of the sign-in sheet for each case is appended to these minutes to identify attendees.

**Guests Present:**

See sign-in sheet for each case.

1. Meeting minutes                      November 5, 2015 & November 17, 2015
  
2. Case Number:                          15-1587  
     Appellant:                              A. Vernon Woodworth for Lou McPherson  
     Address of Property:                47 Alpine Street, Boston, MA. 02111

**Summary of Case:** This appeal concerned a variance from 780 CMR (*The State Building Code, Eighth Edition*) Section R311.1 and R311.7.1, with respect to the renovation of an existing two-family building.

**List of Exhibits:**

**Exhibit 1.** Application dated and received on December 14, 2015.

**Exhibit 2.** Plans of property, 47 Alpine Street, 5 pages.

On a **MOTION** by Jake Nunnemacher and **SECONDED** by Sandy, MacLeod, it was **UNANIMOUSLY** voted that we **GRANT** a variance from **780 CMR 311.7.1** ("**Motion One**"). We also considered a motion to **GRANT** a variance from **780 CMR 311.1** on condition that: (1) smoke protection is provided in Units 1 and 2, as required by the Code; (2) Unit 2 must have a smoke detector/alarm installed in the building's fourth level study area; (3) smoke alarms are installed in the common area stairs, a heat alarm in the basement mechanical room, a heat alarm within ten feet of the door to the common space for each unit. ("**Motion Two**").

3. **Case Number:** 15-1588

**Appellant:** Paul Sullivan

**Address of Property:** 72 Mt. Auburn Street, Cambridge, MA. 02138

**Summary of Case:** This appeal concerned relief from the IMC (*The International Mechanical Code*) Section 506.3.12.1, and 506.3.12.3 as adopted by Massachusetts as part of 780 CMR, with respect to the construction of an exhaust system located on a building at 72 Mt. Auburn Street, Cambridge, MA.

**List of Exhibits:**

**Exhibit 1.** Application dated and received on December 30, 2015.

**Exhibit 2.** Colored photo of property.

**Exhibit 3.** 2 photos, garden & courtyard, dated January 5, 2016, 1 page.

**Exhibit 4.** Blow up of exhaust hood, 1 page.

**Exhibit 5.** View of property Google Maps dated January 5, 2016, 1 page.

On a **MOTION** by Sandy MacLeod and **SECONDED** by Rich Crowley, it was a **TWO to ONE VOTE**, Jake Nunnemacher was opposed, To **GRANT** variances from **780 CMR 506.3.12.1, 506.3.12.2, and 506.3.12.3** on conditions that: (1) the double window next to the exhaust vent must be fixed closed; (2) the duct work must be cleaned at least every two months; (3) the fire suppression system for the hood system must be tied directly to the Fire Department; (4) Appellant must have the Fire Department review the hood system to ensure proper fire protection and system maintenance in accordance with the Fire Code.

4. **Case Number:** 15-1589

**Appellant:** Michael Cruise

**Address of Property:** 8 Round Table Road, Shrewsbury, MA. 01545

**Summary of Case:** This appeal concerned relief from 780 CMR Table R402.1.1 from the 2012 IECC (*International Energy Conservation Code*) as adopted and amended by

Massachusetts, with respect to an existing finished basement, located in a single-family dwelling.

**List of Exhibits:**

- Exhibit 1.** Application dated December 14, 2015 and received on December 22, 2015.  
**Exhibit 2.** Letter of no opposition from Building Commissioner dated 1-4-16, 1 page.  
**Exhibit 3.** 2 photos  
**Exhibit 4.** Floor plan drawings, 1 page.

On a **MOTION** by Jake Nunnemacher and **SECONDED** by Sandy MacLeod, it was **UNANIMOUSLY** voted that we **GRANT** a variance from **780 CMR Table R402.1.1**, to allow the existing finished wall and window in the basement to remain.

5. **Case Number:** 15-1590  
**Appellant:** John Campbell for Katherine Reid  
**Address of Property:** 15R Main Street, Rockport, MA. 02966  
**Summary of Case:** This appeal concerned a variance from 780 CMR (*The State Building Code, Eighth Edition*) Section R322.2, with respect to the construction of an addition to, and renovation of, an existing building.

On a **MOTION** by Sandy MacLeod and **SECONDED** by Jake Nunnemacher, it was **UNANIMOUSLY** voted that we **GRANT** a variance from **780 CMR R322.2**.

6. **Case Number:** 15-1591  
**Appellant:** Shawn Knightly for Centimark Corporation  
**Address of Property:** 821 Main Street, Holyoke, MA. 01040  
**Summary of Case:** This appeal sought relief from 2009 IEBC (*International Existing Building Code*), 606.2, and the 2009 IBC (*International Building Code*), 1510.3, as adopted, incorporated, and amended by Massachusetts as part of 780 CMR, with respect to a roofing project on part of an industrial/manufacturing facility.

**List of Exhibits:**

- Exhibit 1.** Application dated December 17, 2015 and received on December 22, 2015.  
**Exhibit 2.** Centimark Roof Assessment & Proposed Solution, 1 page.

On a **MOTION** by Rich Crowley and **SECONDED** by Sandy MacLeod, it was a **TWO to ONE VOTE**, Jake Nunnemacher was opposed, To **GRANT** variances from **IEBC 606.2** and **IBC 1510.3**, and from the **IECC 404.2.1** and **Table C402.2** on conditions that: (1) existing roof coverings are removed down to the top of the built-up gravel roof covering; (2) any wet areas are exposed (undisputed evidence showed the existence of water penetrations through the existing roof coverings), and then a Massachusetts Registered Engineer (structural) must evaluate the structural integrity of the roof system; (3) the quantity and locations of core samples of the remaining roof covering must be provided by the City; (4) Appellant's proposed one inch iso board must be installed prior to the installation of the top membrane, which would provide some insulation value (even if not in full compliance with the IECC). The Appeal is **ALLOWED with the specified conditions**.

7. **Case Number:** 15-1592  
**Appellant:** Jerald Gates for First Baptist Church  
**Address of Property:** 434 North Pleasant Street, Amherst, MA. 01002  
**Summary of Case:** This appeal concerned a variance from 780 CMR (*The State Building Code, Eighth Edition*) Section 3111, with respect to extending the duration of operation of a temporary emergency overnight shelter beyond the end of the present season, located in the lower level of the Church building.

On a **MOTION** by Jake Nunnemacher and **SECONDED** by Sandy MacLeod, it was **UNANIMOUSLY** voted that we **GRANT** a variance from **780 CMR 3111.6, 1, a and b**, on condition that operating times will be between October 30 and April 30

8. The meeting adjourned at 12:45 p.m.