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Minutes

BRS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
March 23, 2021

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

Board Members Present:

Kerry Dietz
Steven Frederickson, Chairman
Kristen McDonough

Guests Present:

See sign-in sheet for each case:

- Case Number:** 21-0010
Appellant: Joseph Hennessey (Owner-Kems Corp., LLC)
Property Address: 95 Faucett Street, Cambridge, MA. 02138
Summary of Case: Appellants sought relief from 780 CMR 1011.7, with respect to new construction.

Kerry Dietz made a **MOTION** that was **SECONDED** by Kristen McDonough, to **GRANT** a variance to **780 CMR 1011.7**, to allow the stairs to be constructed of combustible materials on the first floor and the basement levels.

- Case Number:** 21-0012
Appellant: Brendan Johnson (Owner-Bob Majewski)
Property Address: 193 Whites Path, South Yarmouth, MA. 02664
Summary of Case: Appellants sought relief from 780 CMR 903.2, with respect to new construction.

Kerry Dietz made a **MOTION** that was **SECONDED** by Kristen McDonough, to **DENY** a variance to **780 CMR 903.2**.

- Case Number:** 21-0014
Appellant: Jeff Perras (Owner-Indian Hill Music, Inc.)
Property Address: 122 Old Ayer Road, Groton, MA. 01450
Summary of Case: Appellants sought relief from 780 CMR 1023.5, 1023.6 (8th Edition), 780 CMR 706.1, and 706.2, with respect to new construction
Jake Nunnemacher made a **MOTION** that was **SECONDED** by Kerry Dietz, to **GRANT** variances to



780 CMR 1023.5 and 1023.6 (8th Edition of 780 CMR) on conditions that: (1) Appellant follows the details submitted in the Appeal Application (Exhibit 1-B); (2) full smoke detection is installed in areas attached to the corridor; (3) full smoke detection is installed in the exit corridor (“Motion One”). Kerry Dietz made a **MOTION** that was **SECONDED** by Jake Nunnemacher, to **GRANT** variances to **780 CMR 706.1 and 706.2 (8th Editions of 780 CMR)** to allow the construction of fire-rated walls as described by the evidence (“Motion Two”). Motion One and Two were both approved by unanimous votes.

4. **Case Number:** 21-0015
Appellant: Marc R. Deshaies, P.C (Owner-Jose Gouveia, III)
Property Address: 480 Sconticut Neck Road, Fairhaven, MA. 02719
Summary of Case: Appellants sought relief from 780 CMR 51.00, R107.2, R105.3, #2; and R105.3, #6, with respect to new construction.

Kerry Dietz made a **MOTION** that was **SECONDED** by Kristen McDonough, to **OVERTURN** the Building Commissioner’s January 22, 2021 Permit Denial letter, with respect to his denying issuance of a building permit for the Project based on his determination about **780 CMR 51.00, R107.2, R105.3, #2, and R105.3, #6.**

4. **Case Number:** 21-0016
Appellant: Christopher Park
Property Address: 215 Lexington Road, Concord, MA. 01742
Summary of Case: Appellants sought relief from 780 CMR 51.00, R311.1, with respect to an existing building.

Kerry Dietz made a **MOTION** that was **SECONDED** Steven Frederickson, to **GRANT** a variance to **780 CMR 51.00, R311.1.** It was a TWO to ONE vote. Kristen McDonough was **OPPOSED.**

The meeting adjourned at 2:00 p.m.