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Minutes

**BRS Building Code Appeals Board (BCAB)**  
**Meeting Location: Virtual Microsoft Teams-Meeting**  
**May 6, 2021**

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

**Board Members Present:**

Michael McDowell  
Steven Frederickson, Chairman  
Jake Nunnemacher

Guests Present:

See sign-in sheet for each case:

- Case Number:** 21-0023  
**Appellant:** Scott Golding (Owner-Sea Chain Marina, LLC)  
**Property Address:** 24 Shipyard Drive, Hingham, MA. 02043  
**Summary of Case:** Appellants sought relief from 780 CMR 1612.1 and 1612.4, with respect to an existing building.

Michael McDowell made a **MOTION** that was **SECONDED** by Steven Frederickson, to **GRANT** variances to **780 CMR 1612.1** and **1612.4**. It was a TWO to ONE vote, Jake Nunnemacher was **OPPOSED**.

- Case Number:** 21-0025  
**Appellant:** Michael DiMascio (Owner-Boston Athenaeum)  
**Property Address:** 14 Beacon Street, Boston, MA. 02108  
**Summary of Case:** Appellants sought relief from 780 CMR 706.1.1, 706.4, 716.15, 780 CMR 34.00 & 1012.4.1, with respect to an existing building.

Jake Nunnemacher made a **MOTION** that was **SECONDED** by Michael McDowell, to **GRANT** a variance to **780 CMR 706.1.1** ("Motion One"). Jake Nunnemacher made a **MOTION** that was **SECONDED** by Michael McDowell to **OVERTURN** ISD's conclusion that a 2-hour rating is required per **780 CMR 706.4** and **Table 716.15** because those code provisions require at least a fire-rating of 90 minutes ("Motion Two"). Michael McDowell made a **MOTION** that was **SECONDED** by Jake Nunnemacher, to **GRANT** a variance to **780 CMR 34.00, 1012.4.1** for the existing staircase. ("Motion Three").



3. **Case Number:** 21-0026  
**Appellant:** Michael DiMascio (Owner-Boston Athenaeum)  
**Property Address:** 10 H Beacon Street, Boston, MA. 02108  
**Summary of Case:** Appellants sought relief from 780 CMR 9<sup>th</sup> Edition Section 706.4, Table 716.15, with respect to an existing building.

Jake Nunnemacher made a **MOTION** that was **SECONDED** by Michael McDowell, to **GRANT** a variance to **780 CMR 706.1.1** (“Motion One”). (See also BCAB Docket No. 21-0025). Jake Nunnemacher made a **MOTION** to **OVERTURN** ISD’s conclusion that a 2-hour rating is required per **780 CMR 706.4** and **Table 716.15** because those Code provisions require at least a fire-rating of 90 minutes. (“Motion Two”).

4. **Case Number:** 21-0029  
**Appellant:** Henry F. Owens III  
**Property Address:** 23 Bayberry Road, Plymouth, MA. 02360  
**Summary of Case:** Appellants sought relief from 780 CMR 322.1, with respect to an existing building.

Michael McDowell made a **MOTION** that was **SECONDED** by Jake Nunnemacher, to **GRANT** a variance to **780 CMR 322.1**, on condition that the work to change the existing roof design must not exceed the scope Owens represented during the hearing and in the Exhibits.

5. **Case Number:** 21-0030  
**Appellant:** Louis Tusino  
**Property Address:** 103 Shore Road, Douglas, MA. 01516  
**Summary of Case:** Appellants sought relief from 780 CMR R111.3, with respect to an existing building.

Jake Nunnemacher made a **MOTION** that was **SECONDED** by Michael McDowell, to **DENY** the requested relief to restore electrical service and to **OVERTURN** the Building Commissioner’s determination about **“R111.3”** in the Cease and Desist Order because the citation in the Cease and Desist Order was incorrect. The BCAB also reminded Appellant that he follow the applicable procedures in order to properly restore electrical service to the building.

The meeting adjourned at 2:00 p.m.