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Minutes

BRS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
May 24, 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
Jacob Nunnemacher & Jennifer Hoyt (1 case-BCAB22-0035)

Guests Present:

See sign-in sheet for each case:

1. **Case Number:** 22-0034
Appellant: Leon Rozek (Owner- Household Goods, Inc.)
Property Address: 530 Main Street, Acton, MA. 01720
Summary of Case: Appellants sought relief from 2015 IBC (*International Building Code*) & 780 CMR 9th Edition Section 903.2.9, with respect to new construction.

Michael McDowell made a **MOTION** that was **SECONDED** by John Couture, to **GRANT** a variance to **2015 IBC & 780 CMR 903.2.9** to allow a 2 (two) hour fire wall to be installed as long as there are 2 exits on each side of the fire wall with manual pull stations at each of the exit doors and heat detection in the walkway. It was a TWO to ONE vote, Jake Nunnemacher was **OPPOSED**.

2. **Case Number:** 22-0035
Appellant: Nathan Densmore (Owner-Chris Bailey & Rob Chamberlain)
Property Address: 6 Picker Road, Sturbridge, MA. 01566
Summary of Case: Appellants sought relief from 780 CMR 1.00 Chapter 901.2, Exception 2, with respect to new construction.

Michael McDowell made a **MOTION** that was **SECONDED** by Jennifer Hoyt, to allow an alternative design and to **GRANT** a variance to **780 CMR 1.00 Chapter 901.2, Exception 2** and to note that there was no opposition from the fire department and no testimony from the building department. The Motion was approved by unanimous vote.



3. **Case Number:** 22-0036
Appellant: Colin P. Smith (Owner-130 Warren Street Realty Trust)
Property Address: 130 Warren Street, Brookline, MA. 02445
Summary of Case: Appellants sought relief from 780 CMR Section R313.5, with respect to an existing building.

Jake Nunnemacher made a **MOTION** that was **SECONDED** by Michael McDowell, to **OVERTURN** the Building Official's ruling of **780 CMR 313.2** that the entire building has to be sprinklered in accordance with **313.2** and rule that **ONLY** the addition must be sprinklered in accordance with **NFPA 13D, 13R** or **13B** including the addition to the carriage house and underground basement as shown in the documents submitted. It is recommended that the rest of the building be sprinklered although there is no code provision for that. The Motion was approved by unanimous vote.

4. **Case Number:** 21-0115
Appellant: Nicholas Mango
Property Address: 7 Skinners Path, Marblehead, MA. 01945
Summary of Case: Appellants sought relief from a "Failure to Act" by the town with respect to an existing building.

Michael McDowell made a **MOTION** that was **SECONDED** by Jake Nunnemacher that a permit that was taken out B21-33 was never issued and both parties agree that it was never issued (Motion 1). Jake Nunnemacher made a **MOTION** that was **SECONDED** by Michael McDowell to take the "Failure to Act" portion under advisement (Motion 2). Jake Nunnemacher made a **MOTION** that was **SECONDED** by Michael McDowell to take this under advisement but to order the town to submit to the Board in 5 (five) business days (June 1, 2022) copies of all inspections of building #21 and to **ORDER** Glover Landing to provide documents to the Board that show they were requesting a certificate of occupancy to the town (Motion 3). All three Motions were approved by unanimous vote.

The meeting adjourned at 2:00 p.m.