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Minutes

**BBS Building Code Appeals Board (BCAB)**  
**Meeting Location: Virtual Microsoft Teams-Meeting**  
**June 3, 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:** 21-0028  
**Appellant:** Mark R. Deshaies, Esq. (Owner-Barbara Gee)  
**Property Address:** 11 Ryder Lane, Marion, MA. 02738  
**Summary of Case:** Appellants sought relief from 780 CMR 51.00, R322.2.3.2 (1, 2 and 6), with respect to an existing building.

Michael McDowell made a **MOTION** that was **SECONDED** by Kristen McDonough, to **GRANT** a variance to 780 CMR 51.00, R322.2.3.2 (1, 2 and 6).

- Case Number:** 21-0042  
**Appellant:** Nathaniel Ross (Owner-Clarence Korsgard)  
**Property Address:** 23 Deely Lane, Falmouth, MA. 02540  
**Summary of Case:** Appellants sought relief from 780 CMR R322.1.6, with respect to an existing building.

Kristen McDonough made a **MOTION** that was **SECONDED** by Steven Frederickson, to **GRANT** a variance to 780 CMR R322.1.6, on condition that, when the subject mechanicals are to be replaced, they must be relocated to a Code-compliant location. It was a TWO to ONE vote, Michael McDowell was **OPPOSED**.

- Case Number:** 21-0043  
**Appellant:** Caitlin Gamache (Owner-Scape Boylston, LLC)  
**Property Address:** 1252 Boylston Street, Boston, MA. 02215  
**Summary of Case:** Appellants sought relief from 780 CMR 602.1, and 705.8.1, with respect to new construction.



Michael McDowell made a **MOTION** that was **SECONDED** by Kristen McDonough, to **GRANT** a variance to **780 CMR 602.1**, and **705.8.1**.

4. **Case Number:** 21-0046  
**Appellant:** Jeffrey Cutner  
**Property Address:** 98 Bay View Avenue, Berkley, MA. 02779  
**Summary of Case:** Appellants sought relief from 780 CMR 51.00 & R311.7.5.1, with respect to an existing building.

Michael McDowell made a **MOTION** that was **SECONDED** by Kristen McDonough, to **GRANT** variances to **780 CMR 51.00** and **R311.7.5.1** on condition that Appellant must install a Code-compliant hand rail on the opposite side of the stairway from the side with the present hand rail.

5. **Case Number:** 21-0047  
**Appellant:** Alan Glynn (Owner-DCAMM)  
**Property Address:** 200 Arlington Street, Chelsea, MA. 02150  
**Summary of Case:** Appellants sought relief from 780 CMR IECC C403.7.4, with respect to an existing building.

Michael McDowell made a **MOTION** that was **SECONDED** by Kristen McDonough, to **GRANT** a variance to **780 CMR IECC C403.7.4** to allow installation of the proposed system without also installing a new heating system.

6. **Case Number:** 21-0048  
**Appellant:** Erik Lowe (Owner-Thurber)  
**Property Address:** 49 Kaitlyn Farm Road, West Tisbury, MA. 02575  
**Summary of Case:** Appellants sought relief from 780 CMR 51.00 and R305.1.1, with respect to new construction.

Michael McDowell made a **MOTION** that was **SECONDED** by Kristen McDonough, to **GRANT** a variance to **780 CMR 51.00** and **R305.1.1** to allow the ceiling height beneath the filter housing in the basement to be less than 6'-4" on conditions that: (1) caution marking must be installed to alert one about the filter housing and duct work; (2) padding must be installed on the filter housing and duct work to help protect heads from bumping into those systems; and (3) the basement cannot be used as habitable space.

The meeting adjourned at 2:00 p.m.