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Minutes

BRS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
August 4, 2022

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

Board Members Present:

John Couture
Steven Frederickson, Chairman
Jake Nunnemacher

Guests Present:

See sign-in sheet for each case:

- Case Number:** 22-0063
Appellant: Sandra Femino
Property Address: 16 Ayer Road, Harvard, MA. 01450
Summary of Case: Appellants sought relief from 780 CMR 9th Edition Section R109.4, R110.3, R110.6, R114.1, with respect to an existing building.

Prior to the hearing the Appellant withdrew the appeal.

- Case Number:** 22-0064
Appellant: Jonathan E. Tobin, Esq. (Owner-James & Judith Oriola)
Property Address: 37 Constitution Avenue, Marshfield, MA. 02020
Summary of Case: Appellants sought relief from 780 CMR 322.1, with respect to an existing building.

Jake Nunnemacher made a **MOTION** that was **SECONDED** by John Couture, to take this appeal **UNDER ADVISEMENT**. The Motion was approved by unanimous vote.

- Case Number:** 22-0065
Appellant: Eric Cote (Owner-Seaport D Title Holder, LLC)
Property Address: 88 Seaport Boulevard, Boston, MA. 02210
Summary of Case: Appellants sought relief from 780 CMR 9th Edition Section 706.1.1, 780 CMR Chapter 32 Section 3202.3, with respect to new construction.



Jake Nunnemacher made a **MOTION** that was **SECONDED** by John Couture, to **GRANT** a variances from **780 CMR 706.8 and 706.1.1** for both Docket Numbers 0065 and 0066. ("Motion One"). Motion One was approved by unanimous vote. Jake Nunnemacher made a **MOTION** that was **SECONDED** by John Couture, to **GRANT** a variance from **780 CMR 3202.3** for Docket Number 0065. ("Motion Two"). Motion Two was approved by unanimous vote.

4. **Case Number:** 22-0066
Appellant: Eric Cote (Owner-Seaport B/C Retail Owner LLC)
Property Address: 23-55 Northern Avenue, Boston, MA. 02210
Summary of Case: Appellants sought relief from 780 CMR 9th Edition Section 706.8 and 706.1.1, with respect to new construction.

Jake Nunnemacher made a **MOTION** that was **SECONDED** by John Couture, to **GRANT** variances from **780 CMR 706.8 and 706.1.1** for both Docket Numbers 0065 and 0066. ("Motion One"). Motion One was approved by unanimous vote. Jake Nunnemacher made a **MOTION** that was **SECONDED** by John Couture, to **GRANT** a variance from **780 CMR 3202.3** for Docket Number 0065. ("Motion Two"). Motion Two was approved by unanimous vote.

5. **Case Number:** 22-0067
Appellant: John Hoff (Owner-Larkin Reeves)
Property Address: 505 State Road, West Tisbury, MA. 02575
Summary of Case: Appellants sought relief from 780 CMR 105.1, and 780 CMR 111.1, with respect to an existing building.

John Couture made a **MOTION** that was **SECONDED** by Steve Frederickson, to **ALLOW** the 8 seasonal workers to continue to reside in the building for 120 days from the date of the hearing (through November 25, 2022), on conditions that: (1) appellants must obtain approval from both the Building and Fire Departments for the proposed smoke detection system (2) the basement cannot be occupied and (3) a review of the building in accordance with Chapter 34 of 780 CMR (the Existing Building Code) must be completed no later than November 25, 2022. The Motion was approved by a TWO to One vote, Jake Nunnemacher was opposed.

The meeting adjourned at 2:30 p.m.