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Minutes

BBS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
September 7, 2023

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

Board Members Present:

David Riquinha (Jeffrey Clemons-1 case)
Michael McDowell, Chairman
Jacob Nunnemacher

Guests Present:

See sign-in sheet for each case:

- Case Number:** 23-0071
Appellant: Christopher Andrade
Property Address: 24 Pamela Drive, New Bedford, MA. 02740
Summary of Case: Appellants sought relief from 780 CMR Section 51.00, R305.1.1, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by David Riquinha, to **GRANT** a variance from **780 CMR Section 51.00, R305.1.1**, to allow the finished beam to be at a height of not less than 6 feet. The Motion was approved by unanimous vote.

- Case Number:** 23-0073
Appellant: Joseph Davey (Owner-Ileana Berman)
Property Address: 118 High Street, Wareham, MA. 02571
Summary of Case: Appellants sought relief from 780 CMR 903.2, Note A#1, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to : (1)**UPHOLD** the Building Inspector's determination that the building is a mixed-use occupancy and not owner-occupied, home-office building; (2) **OVERTURN** the Building Inspector's determination that installation of an automatic fire sprinkler system is required by **780 CMR 903.2, Note A #1**. The BCAB overturned the Building Inspector's determination about **780 CMR 903.2, Note A #1** because an evaluation in accordance with **780 CMR 34.00** has **not** been provided, including a method of



compliance in accordance with **780 CMR 34.00** that might/might not require installation of an automatic fire sprinkler system. The Motion was approved by unanimous vote.

3. **Case Number:** 23-0074
Appellant: Charles Fuller
Property Address: 24 Park Street, Rockland, MA. 02370
Summary of Case: Appellants sought relief from 780 CMR 1011.10, with respect to an existing building.

David Riquinha made a **MOTION** that was **SECONDED** by Jacob Nunnemacher, to **OVERTURN** the Local Building Inspector's determination about the application of **780 CMR 1011.10** to the staircase on condition that Appellant continuously maintains the spiral staircase in accordance with **780 CMR**. The Motion was approved by unanimous vote.

4. **Case Number:** 23-0075
Appellant: Chen Jay Xuedong
Property Address: 75 Greenwood Road, Andover, MA. 01810
Summary of Case: Appellants sought relief from 2021 IECC Table R402.1.3, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by David Riquinha, to **UPHOLD** the Local Inspector's determination and requirements in his August 4, 2023 letter. The Motion was approved by unanimous vote.

The meeting adjourned at 1:30 p.m.