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Minutes

BBRS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
January 21, 2025

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

Board Members Present:

Jacob Nunnemacher (Kristen McDonough-1 case)
Michael McDowell, Chairman
Jeffrey Clemons

Guests Present:

See sign-in sheet for each case:

- Case Number:** 24-0066
Appellant: Stephen Brodo (Owner-Jan & Sonia Brady)
Property Address: 1 Mattakiset Avenue, Mattapoisett, MA. 02739
Summary of Case: Appellants sought relief from 780 CMR R322.3.3, R322.3.4, R322.3.4.3, R322.1.6, R322.3.4.5, with respect to new construction.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** a variance to **780 CMR R322.3.3** based on its unique and existing cite conditions and to **UPHOLD** the Building Officials determination of **780 CMR R22.3.3 #3, R322.3.4 #5 and R322.1.6** based on testimony by the contractor stating that he could achieve all of the other requirements cited without a variance. The Motion was approved by unanimous vote.

- Case Number:** 24-0133
Appellant: Steve Sweeney (Owner-Eva & Rien Greenthal)
Property Address: 293 Concord Road, Bedford, MA. 01730
Summary of Case: Appellants sought relief from 780 CMR, MSBC Section R305.1, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jake Nunnemacher, to **GRANT** a variance to **780 CMR R305.1** for the basement ceiling height to be 6"5 '(6 feet 5 inches), as opposed to 6"8' (6 feet 8 inches) and noting that the Board is in support of the Building Official's ruling that the remainder of the stairs including the head room and landing depth must meet the requirements of the code. The Motion was approved by unanimous vote.



3. **Case Number:** 24-0135
Appellant: Steve & Robyn Seide
Property Address: 25 Great Lake Lane, North Andover, MA. 01845
Summary of Case: Appellants sought relief from 780 CMR 9th Edition Section 105.2, with respect to an existing structure.

Jake Nunnemacher made a **MOTION** that was **SECONDED** by Michael McDowell, to take this case under **ADVISEMENT**. The Motion was approved by a 2-1 vote, Jeffrey Clemons was opposed.

4. **Case Number:** 24-0136
Appellant: Todd Marcus (Owner-Cape Cod Beer Company)
Property Address: 1336 Phinneys Lane, Hyannis, MA. 02601
Summary of Case: Appellants sought relief from 780 CMR 430.1, 430.2, 430.4, 430.5, with respect to an existing building.

Jeffrey Clemons made an **MOTION** that was **SECONDED** by Kristen McDonough, to **OVERTURN** the Building Official's ruling of **780 CMR 9th Edition Section 430.1**. This is also granted due to no opposition from both the Building and Fire Department. The Motion was approved by unanimous vote.

The meeting adjourned at 2:00 p.m.