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Minutes

BRS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
January 23, 2024

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

Board Members Present:

David Riquinha (1) case & Michael McDowell
John Couture, Chairman
Kristen McDonough

Guests Present:

See sign-in sheet for each case:

- Case Number:** 23-0121
Appellant: Carl Gardner, Jr.
Property Address: 5 Turkey Shore Road, Ipswich, MA. 01938
Summary of Case: Appellants sought relief from 780 CMR Section R403.3, 2021 IECC Section R402.2.9.2.1, with respect to new construction.

David Riquinha made a **MOTION** that was **SECONDED** by John Couture, to **OVERTURN** the Building Official's decision and to allow the foundation to continue as designed per **780 CMR Section R403.3** and **2021 IECC Section R402.2.9**. The Motion was approved by unanimous vote.

- Case Number:** 24-0001
Appellant: Douglas Anderson (Owner-First Church of Christ Scientology)
Property Address: 182-194 Massachusetts Avenue, Boston, MA. 02125
Summary of Case: Appellants sought relief from 780 CMR 9th Edition Section 3202, with respect to an existing building.

John Couture made a **MOTION** that was **SECONDED** by Michael McDowell, to **OVERTURN** Boston ISD in regards to **780 CMR 9th Edition Section 3202** because this is not an applicable code section, there is no hazardous means of egress and the door is fine. The Motion was approved by unanimous vote.



3. **Case Number:** 24-0002
Appellant: Kyle Espinola (Owner-Ohio Casualty Insurance Company)
Property Address: 40 Albany Street, Springfield, MA. 01104
Summary of Case: Appellants sought relief from a “Failure to Act”, with respect to an existing building.

Michael McDowell made a **MOTION** that was **SECONDED** by John Couture, to **AFFIRM** that there was no “**Failure to Act**” and that the City took the appropriate actions. The Motion was approved by unanimous vote.

4. **Case Number:** 24-0003
Appellant: Pamela Campbell (Owner-Alden Kindred of America)
Property Address: 105 Alden Street, Duxbury, MA. 02332
Summary of Case: Appellants sought relief from IBC Section 504.4, with respect to new construction.

Michael McDowell a **MOTION** that was **SECONDED** by John Couture, to **GRANT** a variance to **IBC Section 903.2.1.3** conditioned on (1) appellant must provide an alarm system with a manual override that complies with NFPA 72. 2) appellant must make sure that there is fire access, fire lanes and a fire hydrant within 250 feet. (3) occupant notification and smoke detection must also be provided. The Motion was approved by unanimous vote.

5. **Case Number:** 24-0005
Appellant: Arthur Gager (Owner-Railyard Realty, LLC)
Property Address: 94-160 Guest Street, Brighton, MA. 02135
Summary of Case: Appellants sought relief from 780 CMR 9th Edition, Section 1010.1.9.3, with respect to new construction.

Michael McDowell a **MOTION** that was **SECONDED** by Kristen McDonough, to **GRANT** a variance to **780 CMR Section 1010.1.9.3**. This motion is made knowing that the intention of this is to comply with the **2021 IBC Section 1010.2.4**. The Motion was approved by unanimous vote.

The meeting adjourned at 2:00 p.m.