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Minutes

BBRS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
January 8, 2026

Meeting Called to order by the Chairman Jeffrey Clemons, at 9:00 a.m. followed by Roll call:

Board Members Present:

Jacob Nunnemacher
Jeffrey Clemons, Chairman
Sy Nguyen

Guests Present:

See sign-in sheet for each case:

- Case Number:** 25-0148
Appellant: Joseph Sherman
Property Address: 43 Ridgewood Drive. Norwood, MA. 02062
Summary of Case: Appellant is seeking relief from 780 CMR R311.2, with respect to an existing building.

Sy Nguyen made a MOTION that was SECONDED by Jacob Nunnemacher ("Motion #1") that the BCAB does NOT have the authority to enforce fines. The Motion #1 was approved by unanimous vote.

Jacob Nunnemacher made a MOTION that was SECONDED by Sy Nguyen ("Motion #2") to UPHOLD the Building Official's (Appellee's) ruling of 780 CMR R105.1. Additional permitting is required for work done above and beyond what was listed on the original permit. The Motion #2 was approved by unanimous vote.

Sy Nguyen made a MOTION that was SECONDED by Jacob Nunnemacher ("Motion #3") was made by Jake Nunnemacher, to UPHOLD the Building Official's (Appellee's) ruling of 780 CMR R107.1 for documents. The Appellant did additional work that was outside of the scope, which would require additional documents. The Motion #3 was approved by unanimous vote.



Jacob Nunnemacher made a MOTION that was SECONDED by Sy Nguyen (“Motion #4”), to OVERRULE the Building Official’s (Appellee’s) ruling of 780 CMR R110.3.6. The Appellant did call for a final inspection; this cannot be cited for a final inspection for a permit that was never issued. The Motion #4 was approved by unanimous vote.

Jacob Nunnemacher made a MOTION that was SECONDED by Sy Nguyen (“Motion #5”) to OVERRULE the Building Official’s (Appellee’s) ruling of 780 CMR R111.1, that a new certificate of occupancy is required for this house. The Motion #5 was approved by a 2-1 vote, Sy Nguyen was opposed.

1. **Case Number:** 25-0156
Appellant: Per C. Vaage, Esq. (Owner-Nicholas Hantzis)
Property Address: 490 R Merrimac Street, Newburyport, MA. 01950
Summary of Case: Appellant sought relief 780 CMR 10th Edition & 225 CMR 406.5, with respect to an existing building.

Sy Nguyen made a MOTION, that was seconded by Jacob Nunnemacher, to GRANT a variance to 780 CMR (10th Edition), 225 CMR 406.5, contingent on: 1) Appellant must provide an independent HERS Rating to the Building Official and: 2) the Building Official can accept a rating as long as it is 5 or 10 percent improvement over the current rating. The Motion was approved by a 2-1 vote, Jake Nunnemacher was opposed

2. **Case Number:** 25-0157
Appellant: David Korzon (Owner-Meadowmont LLC Develop.)
Property Address: 69 Monadnock Road, Wellesley, MA. 02481
Summary of Case: Appellant sought relief from 2021 IECC Section RC102, with respect to new construction.

Jacob Nunnemacher made a MOTION, that was SECONDED by Sy Nguyen, to GRANT a variance to 780 CMR, 225 CMR 22 R202, for the allowance of two propane-fed fireplaces. This is also granted because of no opposition from the Building Official. This is contingent on: 1) carbon monoxide protection must be installed in accordance with R315. The Motion was approved by unanimous vote.

3. **Case Number:** 25-0092
Appellant: Nicholas Gomes
Property Address: 1270 Pleasant Street, Fall River, MA. 02743
Summary of Case: Appellant sought relief from a “Failure to Act on 780 CMR 105.3.1 2021 IECC Section RC102, with respect to new construction.

Jacob Nunnemacher made a MOTION, that was seconded by Sy Nguyen, to DETERMINE that the Building Official Failed to Act in accordance with 780 CMR 105.3.1. The BCAB is also ordering the Building Official to act on the permit application within 10 business days of January 8, 2026. The Motion was approved by unanimous vote.

4. **Case Number:** 25-0153
Appellant: Joseph Igoe (Owner-CC HRE 2072 Mass. Ave LLC)
Property Address: 2072 Massachusetts Avenue, Cambridge, MA. 02139
Summary of Case: Appellant sought relief from 780 CMR 10 Edition Section 602.4.2.2.2, Item 1.1, 602.4.2.2.4, with respect to new construction.

Jeffrey Clemons made a **MOTION**, that was **SECONDED** by Sy Nguyen, to **GRANT** a variance to **780 CMR (10th Edition) 602.4.2.2.2 item 1.1 and 602.4.2.2.4**. It is noted that both the Building Department and the Fire Department are not opposed. Code Red's Life Safety Improvement Sprinkler Density Design would be increased by one hazard category throughout the building. The Motion was approved by a 2-1 vote, Jake Nunnemacher was opposed.

The meeting adjourned at 2:05 p.m.

