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Minutes

**BRS Building Code Appeals Board (BCAB)**  
**Meeting Location: Virtual Microsoft Teams-Meeting**  
**January 9, 2025**

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

**Board Members Present:**

Jacob Nunnemacher  
Michael McDowell, Chairman  
John Couture

**Guests Present:**

See sign-in sheet for each case:

- Case Number:** 24-0125  
**Appellant:** Ryan Montgomery (Owner-Jeffrey & Mary Clevens)  
**Property Address:** 31 Billerica Road, Chelmsford, MA. 01824  
**Summary of Case:** Appellants sought relief from 225 CMR 22, 780 CMR, 2015 IRC, with respect to an existing building.

John Couture made a **MOTION** that was **SECONDED** by Michael McDowell, to **GRANT** a variance from the requirements of the **Stretch Energy Code CMR 225, 22** and allow as a compliance alternative the prescriptive requirements of the **2021 IECC**. The Motion was approved by Unanimous vote.

- Case Number:** 24-0127  
**Appellant:** Edward Stafford (Owner-Artie Hilliard)  
**Property Address:** 31 Crowell Road, West Yarmouth, MA. 02673  
**Summary of Case:** Appellants sought relief from 225 CMR 23.00 Section R406.5, with respect to an existing building.

John Couture made a **MOTION** that was **SECONDED** by Jake Nunnemacher, to **GRANT** a variance to **225 CMR 23.00 Section R406.5** for the HERS Rating and to allow them to do the HERS Rating just on the addition portions only. This is conditioned on that the appellant must replace the rest of the windows in the structure. The Motion was approved by unanimous vote.



3. **Case Number:** 24-0128  
**Appellant:** Stephanie & Rick Carberry  
**Property Address:** 1190 Ferry Street, Marshfield, MA. 02050  
**Summary of Case:** Appellants sought relief from 780 CMR R322.1.2, R322.1.3 & R322.1.8, with respect to an existing building.

Jake Nunnemacher made a **MOTION** that was **SECONDED** by John Couture, to **UPHOLD** The Building official's decision on **780 CMR R322.1.2, R322.1.3 & R322.1.8** and **GRANT** a variance to **780 CMR R322.1.2, R322.1.3 & R322.1.8**, conditioned on appellant removes the windows in the basement and replaces them with approved flood vents and flood openings. The Motion was approved by unanimous vote.

4. **Case Number:** 24-0129  
**Appellant:** TJ Kosiavelon (Owner-Sharon McGonigle & Masoud Mohazzah)  
**Property Address:** 70 Chestnut Street, Andover, MA. 01810  
**Summary of Case:** Appellants sought relief from 2021 IECC Section R502.1, Table R406.5, with respect to new construction.

John Couture made an **MOTION** that was **SECONDED** by Jake Nunnemacher, to **GRANT** a variance from **2021 IECC Section R502.1** to not require a HERS Rating, conditioned on: Appellant must be in compliance with the **2021 Energy Code Prescriptive**. This is also granted due to no opposition from the Building Inspector. The Motion was approved by unanimous vote.

5. **Case Number:** 24-0130  
**Appellant:** William J. Casey III  
**Property Address:** 431 Brockelman Road, Lancaster, MA. 01453  
**Summary of Case:** Appellants sought relief from 2021 Stretch Energy Code Section R502.1.1, with respect the new construction.

John Couture made a **MOTION** that was **SECONDED** by Jake Nunnemacher, to **GRANT** a variance to **Section R406.5** of the **Stretch Energy Code** for large additions as long as they are compliant with the Prescriptive Requirements of the **2021 Energy Code**. This is also granted with the understanding that the Building Official is not opposed. Motion was approved by unanimous vote.

6. **Case Number:** 21-0115  
**CLOSED QUASI JUDICIAL SESSION PER M.G.L. C. 30A, S. 18**  
**THIS AGENDA ITEM WILL BE CONDUCTED IN A CLOSED**  
**SESSION ATTENDED BY MEMBERS AND STAFF ONLY**

The meeting adjourned at 3:00 p.m.