



MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY, CONSUMER
AFFAIRS AND BUSINESS
REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Minutes

BBS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
October 3, 2024

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
Jeffrey Clemons

Guests Present:

See sign-in sheet for each case:

- Case Number:** 24-0092
Appellant: Trevor Rabidou (Owner-SC Tremont, LLC)
Property Address: 44 Winter Street, Boston, MA. 02108
Summary of Case: Appellants sought relief from 521 CMR 10.1, 780 CMR 1011.5.3, 1023.4, 3006.2, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** A variance to **780 CMR 1011.5.3** for the allowance of the winders and the hardship due to the existing condition. It is also noted that there is no opposition from ISD. (Motion #1). The Motion was granted by unanimous vote. Jeffrey Clemons made a **MOTION** that was **SECONDED** by Michael McDowell, to **GRANT** a variance to **1023.4 & 3006.2** due to the existing conditions and the hardship of appellant installing a smoke curtain. (Motion #2). The Motion was a 2-1 Vote, Jacob Nunnemacher was opposed.

- Case Number:** 24-0093
Appellant: David Farrell (Owner-Eurico Barros)
Property Address: 140 Spring Street, Brockton, MA. 02301
Summary of Case: Appellants sought relief from 780 CMR 34, 804.2.2, with respect to an existing building.



Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **DENY** a variance to **780 CMR 34, 804.2.2** for the sprinkler system as required because it is a level 2 alteration and more than 50 percent of the work was done. The Motion was approved by unanimous vote.

3. **Case Number:** 24-0095
Appellant: Lyla Warner (Owner-Tom Tomasik)
Property Address: 104 Long Pond Road, Brewster, MA. 02631
Summary of Case: Appellants sought relief from 780 CMR AR 311.1, with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jacob Nunnemacher, to **DENY** a variance to **780 CMR AR 311.1 & 311.2** The Motion was approved by a 2-1 Vote, Michael McDowell was opposed.

4. **Case Number:** 24-0097
Appellant: Vincent Peters
Property Address: 184 Jones Road, Marstons Mills, MA. 02648
Summary of Case: Appellants sought relief from 780 CMR R311.1, with respect to new construction.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **UPHOLD** the Building Official's decision of **780 CMR R311.1** that a second means of egress is required and that the appellant can install any code compliant egress instead of installing a sprinkler system. The Motion was approved by unanimous vote.

5. **Case Number:** 24-0098
Appellant: James Dwyer
Property Address: 236 Bedford Street, Concord, MA. 01742
Summary of Case: Appellants sought relief from 780 CMR R311.1, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Michael McDowell, to **OVERTURN** the Building Official's determination of **780 CMR R311.1** that two means of egress be provided on the floor plans submitted. The Motion was approved by a 2-1 Vote, Jacob Nunnemacher was opposed.

The meeting adjourned at 2:30 p.m.