



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

BBRS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
February 6, 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
Jeffrey Clemons

Guests Present:

See sign-in sheet for each case:

- Case Number:** 24-0134
Appellant: Paul Caval
Property Address: 30 Luce Farm Road, West Tisbury, MA. 02575
Summary of Case: Appellants sought relief from 780 CMR R311.7.5.1, with respect to new construction.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **DENY** a variance to **780 CMR R311.7.5.1** and to uphold the Building Officials decision. The Motion was approved by unanimous vote.

- Case Number:** 24-0137
Appellant: William D. Hope (Owner-Erin & Dave Shevlin)
Property Address: 8 Lincoln Street, Andover, MA. 01810
Summary of Case: Appellants sought relief from 2021 IECC R503.1, R406.5, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jake Nunnemacher, to **GRANT** a variance of a HERS score of 52 for over the 1,000 square feet addition in **2021 IECC Section R502.1 & R406.5** on condition that: 1) the entire building must go to all electric and must meet the HERS Score of 70. The Motion was approved by unanimous vote.



3. **Case Number:** 24-0138
Appellant: Michael Durand (Owner-BBD 3 Cypress LLC)
Property Address: 3 Cypress Road, Wellesley, MA. 02481
Summary of Case: Appellants sought relief from 2021 IECC, 225 CMR 22 R202, with respect to new construction.

Jake Nunnemacher made an **INTERPRETATION** that was **SECONDED** by Jeffrey Clemons, that the definition in **R202-Definition of an All Electric Building** does not preclude the installation of a fireplace for a solid fuel burning appliance because there are other solid fuels that are not fossil fuels that can be burned in there and would not come under fossil fuel definition such as wood pellets or wood. The Motion was approved by unanimous vote.

4. **Case Number:** 24-0139
Appellant: Erik Immonen (Owner-Robenson Calixte & Louis Faniela)
Property Address: 76 Park Street, North Attleboro, MA. 02760
Summary of Case: Appellants sought relief from 2015 IEBC Section 515.1, with respect to an existing building.

Jacob Nunnemacher made an **MOTION** that was **SECONDED** by Jeffrey Clemons, to **OVERTURN** the Building Official's ruling of **780 CMR Chapter 34, IEBC Section 505.1** from the testimony provided by all parties that this appears to be a repair and nothing more than that. It is also noted that the denial was incorrectly cited as 780 CMR 515.1 and all parties agree that it should have been cited 780 CMR 505.1 The Motion was approved by unanimous vote.

5. **Case Number:** 24-0140
Appellant: Keith Trider (Owner-Mikhal McLaughlin)
Property Address: 41 Barton Drive, Sudbury, MA. 01776
Summary of Case: Appellants sought relief from 2015 ISPSC Section 305.2.5, with respect to a pool fence.

Jeffrey Clemons made an **MOTION** that was **SECONDED** by Jacob Nunnemacher, to **AFFIRM** the Building Official's interpretation of **2015 ISPSC Section 305.2.5** requiring that the horizontal members are spaced at least 45 inches apart and that this fence does not meet the requirements of a pool barrier. The Motion was approved by unanimous vote.

The meeting adjourned at 2:00 p.m.