



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 20, 2024

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

Board Members Present:

Jeffrey Clemons
Michael McDowell, Chairman
Jacob Nunnemacher

Guests Present:

See sign-in sheet for each case:

- Case Number:** 24-0004
Appellant: Andrew Shanahan (Owner-University of Mass-Amherst)
Property Address: 30 Eastman Lane, Amherst, MA. 01003
Summary of Case: Appellants sought relief from 780 CMR Section 3104.5.1, 3105.5.2, with respect to new construction.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** the request to modify the variance from **780 CMR 3104.5.1 and 3104.5.2**, on conditions that the Appellant provides additional smoke protection at the doorways at SPHHS and Totman that connect to the pedestrian walkway, along with having additional smoke protection within the pedestrian walkway ("Motion"). The Motion was approved by unanimous vote.

- Case Number:** 24-0006
Appellant: Steven Brody
Property Address: 37 West Street, Medway, MA. 02053
Summary of Case: Appellants is filing a "Failure to Act" in regards to the town, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Michael McDowell, to **DENY** the BCAB Application and **DISMISS** this matter because BCAB does not have jurisdiction for purposes of G. L. c. 143, § 100 and c. 40A, §12. The Motion was approved by a 2-1 vote. Jacob Nunnemacher was opposed.



3. **Case Number:** 24-0008
Appellant: Kimberly & Guy Musto
Property Address: 31 Water Street, Marshfield, MA. 02050
Summary of Case: Appellants sought relief from 780 CMR Section R105.3.1.1, with respect To an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jacob Nunnemacher, to **GRANT** the request to modify the variance from **780 CMR R322.1.6 9th Edition** with two friendly amendments (as DCR and Marshfield were not in opposition). The Motion was approved by unanimous vote.

4. **Case Number:** 24-0009
Appellant: Jessica Williams (Owner-Donald McGill)
Property Address: 5 Surfside West, Duxbury, MA. 02332
Summary of Case: Appellants sought relief from 780 CMR 9th Edition, 2015 IRC Section R302, R302.1, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Michael McDowell, to **DENY** granting a variance from 780 CMR Table R3.02, and R302.1(1) ("Motion"). The Motion was approved by Two-to-One vote (Nunnemacher opposed).

5. **Case Number:** 24-0010
Appellant: Brian Kuhn (Owner-BP3-BOS5-55 Summer Street LLC)
Property Address: 55-63 Summer Street, Boston, MA. 02111
Summary of Case: Appellants sought relief from 780 CMR Section 414.2.1, 414.2.4 & 780 CMR Section 703.4, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** a variance to **780 CMR 9th Edition Section 414.2.1, 414.2.4, and 703.4**. The Motion was approved by unanimous vote.

The meeting adjourned at 2:00 p.m.