



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
March 6, 2025

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

Board Members Present:

Jake Nunnemacher
John Couture, Chairman
Jeffrey Clemons

Guests Present:

See sign-in sheet for each case:

- Case Number:** 24-0145
Appellant: David Silverstein (Owner-Bird Hill Partners, LLC)
Property Address: 10 Bird Hill Avenue, Wellesley, MA. 02481
Summary of Case: Appellants sought relief from 2021 IECC Section R202, respect to an existing building.

Jake Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** a variance to **2021 IECC R202** to allow a gas fireplace to be installed in these two homes. The Motion was approved by unanimous vote.

- Case Number:** 24-0150
Appellant: Emily Brecher (Owner-Northeastern University)
Property Address: 815 Columbus Avenue, Boston, MA. 02120
Summary of Case: Appellants sought relief from 780 CMR 9th Edition Section 703.1, with respect to an existing building.

Jake Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** a variance to **780 CMR 9th Edition Section 703.4** based on the provided documents and conditioned on the lab space and corridor immediately adjacent to the glazing is protected with system smoke detectors as the appellant and the school stated they would do.



This is granted because of no opposition from Boston ISD and also because the Building Official stated that he would be okay with us granting a variance to **780 CMR 703.4** even though he cited **703.1** because the requirements of **703.4** is more specific. The Motion was approved by a 2-1 Vote, John Couture was opposed.

3. **Case Number:** 24-0151
Appellant: Lawrence Goldberg
Property Address: 159 Redfern Drive, Longmeadow, MA. 01106
Summary of Case: Appellants sought relief from 780 CMR 51.00 & R401.3, with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by John Couture, to **OVERRULE** The Building Officials citation of **780 CMR Chapter 51, IRC Section R403.1 (Drainage)** because you cannot determine that this property caused the problems to his neighbor's property. The Motion was approved by a 2-1 Vote, Jake Nunnemacher was opposed.

4. **Case Number:** 24-0153
Appellant: Philip Miller
Property Address: 203 Route 28, West Harwich, MA. 02671
Summary of Case: Appellants sought relief from 780 CMR R105.3.1.1, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jake Nunnemacher, to **OVERTURN** The Building Officials determination of **R105.3.1**. in that this section doesn't apply to this structure. This is a commercial building and the twelve (12) month lookback doesn't apply. The Motion was approved by unanimous vote.

5. **Case Number:** 24-0154
Appellant: Nick DeMaio (Owner-Amanda Spatola)
Property Address: 22 Vestal Street, Nantucket, MA. 02554
Summary of Case: Appellants sought relief from 225 CMR 22.00 Stretch Energy Code, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jake Nunnemacher, to **OVERTURN** The Building Officials determination of **780 CMR Stretch Energy Code 225 CMR Chapter 22** to allow a variance on the HERS Rating as required. This is conditioned on that the final HERS be no worse than 65. The Motion was approved by unanimous vote.

The meeting adjourned at 2:00 p.m.