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**Minutes**

**BBRS Building Code Appeals Board (BCAB)**  
**Meeting Location: Virtual Microsoft Teams-Meeting**  
**March 18, 2025**

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

**Board Members Present:**

Kristen McDonough  
Michael McDowell, Chairman  
Jeffrey Clemons

**Guests Present:**

See sign-in sheet for each case:

- Case Number:** 25-0001  
**Appellant:** Thomas Morin, Esq. (Owner-Paul & June Cunningham)  
**Property Address:** 250 Mt. Hope Street, N. Attleborough, MA. 02760  
**Summary of Case:** Appellants sought relief from 780 CMR Chapter 51 IRC, Section R305.1, with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Kristen McDonough, to **GRANT** an exception to **780 CMR Chapter 51, IRC, Section R305.1** to allow the minimum ceiling height in the basement to be lowered to 6 ft. 6 inches as opposed to the required 6 ft. 8 inches. This was also granted because of no opposition from the Building Inspector. The Motion was approved by unanimous vote.

- Case Number:** 25-0002  
**Appellant:** Kevin White (Owner-CMSR Services LLC)  
**Property Address:** 11 Mary Chilton Road, Needham, MA. 02492  
**Summary of Case:** Appellants sought relief from 2021 IECC Table R402.1.3, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Kristen McDonough, to **DENY** the request for a variance to **2021 IECC Table R402.1.3** that requires an R10 insulation around the perimeter of a conditioned slab. The Motion was approved by unanimous vote.



3. **Case Number:** 25-0003  
**Appellant:** Shannon Boyce, Esq. (Owner-William A. Depietri)  
**Property Address:** 727 Salisbury Street, Worcester, MA. 01609  
**Summary of Case:** Appellants sought relief from 225 CMR Appendix RC101.1, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Kristen McDonough, to **GRANT** a variance to **225 CMR Appendix RC101.1** for this project not to have to comply with the specialized Stretch Energy Code. It is also noted that there was no opposition from the Building Inspector as well. The Motion was approved by unanimous vote.

4. **Case Number:** 25-0005  
**Appellant:** Felix Zemel (Owner-Leo Kenney Marshall)  
**Property Address:** 7 Willow Street, Boston, MA. 02108  
**Summary of Case:** Appellants sought relief from 780 CMR 9<sup>th</sup> Edition Section 706.1.1, with respect to an existing building.

Kristen McDonough made a **MOTION** that was **SECONDED** by Michael McDowell, to **OVERTURN** the Building Officials ruling of **780 CMR 9<sup>th</sup> Edition Section 706.1.1**. The Motion was a 2-1 Vote, Jeffrey Clemons abstained.

5. **Case Number:** 25-0006  
**Appellant:** Warren Ard (Owner-Maria Pena)  
**Property Address:** 43 Fairgrounds Road, Nantucket, MA. 02554  
**Summary of Case:** Appellants sought relief from 225 CMR 22, and 225 CMR 23, with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Kristen McDonough, to **OVERTURN** The Building Officials determination of **225 CMR 22, 225 CMR 23** as this doesn't meet the definition of extensive renovation. The Motion was approved by unanimous vote.

6. **Case Number:** 25-0007  
**Appellant:** Nathan Birmingham (Owner-Boston University)  
**Property Address:** 700 Commonwealth Avenue, Boston, MA. 02215  
**Summary of Case:** Appellants sought relief from 780 CMR 9<sup>th</sup> Edition Section 403.1, 403.2, 403.3, 403.4, 403.5 403.6, with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Kristen McDonough, to **OVERTURN** The Building Officials determination that this is a Level 3 alteration and is required to comply with **780 CMR 9<sup>th</sup> Edition Section 403.1, 403.2, 403.3, 403.4, 403.5 & 403.6**. The Motion was approved by unanimous vote.

The meeting adjourned at 2:30 p.m.

