



Deval L. Patrick
Governor

The Commonwealth of Massachusetts

Department of Public Safety

One Ashburton Place, Room 1301

Boston, Massachusetts 02108-1618

Phone (617) 727-3200

Fax (617) 727-5732

TTY (617) 727-0019

www.mass.gov/dps

Andrea J. Cabral
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Minutes

BBRS Building Code Appeals Board (BCAB)

Meeting Location: Taunton District Office, 1380 Bay Street, Taunton, MA

Meeting Date: May 1, 2014

Meeting Time: 9:30 a.m.

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1. Meeting called to order by the Chairman, Harry Smith, at 9:30 a.m. followed by roll call:

Board Members Present:

Harry Smith, Chairman

Alexander (Sandy) MacLeod

Kevin Gallagher

Board Members Not Present:

None

There were six (6) cases on the docket scheduled each 30 minute period, beginning at 9:30 a.m. and running until approximately 12:10 p.m. The three board members identified above served each case; guests varied with each case. A copy of the sign-in sheet for each case is appended to these minutes to identify attendees.

Guests Present:

See sign-in sheet for each case.

2. April 15, 2014 meeting minutes approved.
3. **Case Number:** 14-1373
Appellant: Norton S. Remmer for Westwood Associates, Inc.
Address of Property: 2 Stagecoach Circle, Westborough, MA. 01581
Summary of Case: This appeal concerned 780 CMR (*The State Building Code, Eighth Edition*), Section 602.1 IRC 2009, Section R110.1, (International Residence Code, 2009 Edition) IBC 2009 Section 901. (International Building Code 2009 Edition) The Municipal Building Inspector had cited violations and ordered the Appellant to comply in order to obtain a certificate of occupancy.

On a **MOTION** by Sandy MacLeod and **SECONDED** by Harry Smith, it was a **TWO TO ONE** (2-1) (Gallagher was opposed) vote to **grant a variance** to allow the units to be sold provided the separation walls satisfy code requirements explicitly.

4. **Case Number:** 14-1374
Appellant: Kevin Paton of BKA Architects, Inc.
Address of Property: 278-292 Washington St. & 12, 16-20 Swanton St., Winchester, MA.
Summary of Case: The appeal concerned 780 CMR (*The State Building Code, Eighth Edition*), Section 602.1 the municipal building official has deferred making a ruling regarding the proposed building to be constructed across a property line without a 2 hour rated fire wall.

List of Exhibits:

- Exhibit 1.** The application dated April 3, 2014.
Exhibit 2. A letter addressed to the board by Ann Sera dated April 30, 2014. (2 pages).
Exhibit 3. A letter addressed to the board by Hill Law dated April 30, 2014 (20 pages).
Exhibit 4. A Quitclaim Deed dated August 15, 2013 (3 pages).
Exhibit 5. A Corporation Card on Y.D. Realty, Inc. Org. date April 28, 1931.
Exhibit 6. Email from Heir Phillip Onigman to Trudy Glidden dated July 3, 2013 (2 pages).

On a **MOTION** by Sandy MacLeod and **SECONDED** by Kevin Gallagher, it was **UNANIMOUSLY** voted to **grant a continuance** until such time that the appellant can provide documentation to the board that CVS is the owner of the property.

5. **Case Number:** 14-1375
Appellant: Stephen Jablonski for Bread of Life Church
Address of Property: 261-263 Elm Street, Westfield, MA. 01085
Summary of Case: The appeal concerned 780 CMR (*The State Building Code, Seventh Edition*), Table 903.2 to construct a fire rated wall for the purpose of separating two properties having separate deeds. The municipal building commissioner had required that the entire area of the building be equipped with a fire suppression system.

On a **MOTION** by Sandy MacLeod and **SECONDED** by Kevin Gallagher, it was **UNANIMOUSLY** voted to **take this under advisement pending legal opinion** due to the question of whether or not the appellant may need to go back to the Sprinkler Appeals Board to clarify their determination.

6. **Case Number:** 14-1376
Appellant: Jeff Perras for DCAMM
Address of Property: 650 North Pleasant Street, Amherst, MA. 01002
Summary of Case: The appeal concerned 780 CMR (*The State Building Code, Eighth Edition*); Sections 1509.2.0, to allow the Level 5 Mechanical Space to be classified as a Penthouse. The State Inspector determined that the proposed arrangement for the penthouse will not satisfy requirements of the referenced code section.

On a **MOTION** by Kevin Gallagher and **SECONDED** by Sandy MacLeod, it was **UNANIMOUSLY** voted to **approve a variance to Section 1509.2.0** with the condition that the corrective actions stated in the justification will be incorporated.

7. **Case Number:** 14-1377
Appellant: Leonard T. Lilliston, III
Address of Property: 180 Hillside Street, #4 Boston, MA.
Summary of Case: The appeal concerned 780 CMR (*The State Building Code, Eighth Edition*), Section 802, and IEBC 912.2.1 (International Existing Building Code), IBC 1009.2 & 1208.1 (International Building Code). Appellant is seeking relief from the minimum ceiling height requirements as described in IBC 1208.1.

List of Exhibits:

Exhibit 1. The application dated April 17, 2014.

Exhibit 2. A single page plan of multi-family residence

On a **MOTION** by Kevin Gallagher and **SECONDED** by Sandy MacLeod, it was **UNANIMOUSLY** voted to **allow a variance to IBC Section 1208.1** allowing a ceiling height of 6'-11".

8. **Case Number:** 14-1378
Appellant: Jerome R. Dixon for Kingdom Life Ministry
Address of Property: 48-53 Main Street, Taunton, MA 02780
Summary of Case: The appeal concerned 780 CMR (*The State Building Code, Eighth Edition*), Table 903.2. The municipal building cited this section because the existing building area exceeds the 5,000 sq. ft. aggregate area as well as the maximum occupant load therefore requiring an automatic sprinkler system.

On a **MOTION** by Sandy MacLeod and **SECONDED** by Kevin Gallagher, it was **UNANIMOUSLY** voted to **grant a variance to Table 903.2** and that the building be sprinklered within two (2) years and until that time it is limited to one hundred (100) people.

9. This meeting was adjourned at 12:10 p.m.