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Minutes

BBRS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
June 06, 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:** 24-0040
Appellant: Felix Zemel (Owner-First Path Day Care Center)
Property Address: 9 Boyd Street, Watertown, MA. 02472
Summary of Case: Appellants sought relief from 780 CMR 107.3.3, 107.3.4, IBC Section 308.6.1, with respect to an existing building.

Jeffrey Clemons made an **INTERPRETATION** that was **SECONDED** by Jacob Nunnemacher, that the proposed use of the space in the building as designed would be an I-4 use group subject to all of the requirements of I-4. The Motion was at 2-1 vote, Michael McDowell was opposed.

- Case Number:** 24-0041
Appellant: Yakin Madhoo
Property Address: 19 Gorham Street, Somerville, MA. 02145
Summary of Case: Appellants sought relief from 780 CMR R311.1 & R311.2, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jacob Nunnemacher, to **DENY** a variance to **780 CMR R311.1 & R311.2**, the requirement of two means of egress. The Motion was approved by unanimous vote.



3. **Case Number:** 24-0047
Appellant: Jeffrey Hoover (Owner-City of Fitchburg)
Property Address: 610 Main Street, Fitchburg, MA. 01420
Summary of Case: Appellants sought relief from 780 CMR, MSBC Section 104.10.1, 107.2.5, 107.2.5.1 & 1612.3.1, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** a variance to **780 CMR 104.10.1, 107.2.5, 107.2.5.1, 1612.3.1** for the variance to the library project addition. This was also granted because of no opposition from the Building Inspector as well. The Motion was approved by unanimous vote.

4. **Case Number:** 24-0048
Appellant: Emily Osterloh (Owner-Hills Farm Four, LP & HF9, LP)
Property Address: 526 Hartford Turnpike, Shrewsbury, MA. 01545
Summary of Case: Appellants sought relief from 780 CMR 9th Edition Section 1030.1, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jacob Nunnemacher, to **OVERTURN** the Building Official's determination that an emergency escape rescue opening is required under **780 CMR 1030.1**. They are not required in this design. The Motion was approved by unanimous vote.

5. **Case Number:** 24-0049
Appellant: Dennis Conroy, Esq. (Owner-Richard & Audrey Kradin)
Property Address: 24 Cove Street, Wareham, MA. 02558
Summary of Case: Appellants sought relief from MSBC, 780 CMR 51.00, Mass Residential Code, 9th Edition, 2015 IRC Section R105.3.1.1, with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jacob Nunnemacher, to **SUPPORT** the determination of the Building Official that this meets the threshold of Substantial Renovation. The Motion was approved by unanimous vote.

The meeting adjourned at 2:00 p.m.