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**Minutes**

**BBRS Building Code Appeals Board (BCAB)**  
**Meeting Location: Virtual Microsoft Teams-Meeting**  
**July 11, 2024**

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

**Board Members Present:**

Jeffrey Clemons  
John Couture, Chairman  
Jacob Nunnemacher

**Guests Present:**

See sign-in sheet for each case:

- Case Number:** 24-0042  
**Appellant:** Casey Decker (Owner-Eliza Alison & Katherine Wilson)  
**Property Address:** 14 Central Avenue, Oak Bluffs, MA. 02557  
**Summary of Case:** Appellants sought relief from 780 CMR Section R322.1. R105.3.1.1, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** A variance to **R322.1 & R105.3.1.1** bases on DCR's statements and also no opposition from the Building Inspector, but noted that the Building Inspector can go out and require additional mitigation requirements as per their right. The Motion was approved by unanimous vote.

- Case Number:** 24-0056  
**Appellant:** Robert Carasitti (Owner-Anthony Rossi)  
**Property Address:** 125 Broad Street, Boston, MA. 02110  
**Summary of Case:** Appellants sought relief from 780 CMR 9<sup>th</sup> Edition Section 504.4 and 1006.3.1, with respect to an existing building.

John Couture made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** a variance to **780 CMR 9<sup>th</sup> Edition Section 504.4 and 1006.3.1** contingent on 1) Smoke detection must be provided in all common areas in the building. 2) A dry sprinkler head or sprinkler protection must be provided on the rear stair at the floor levels. 3) As stated by the owner there must be a roof placed on top to limit snow and precipitation onto outside stairs.



4) All weather non-combustible stair as stated by the owner must be provided such as steel grid or steel mesh to limit snow and precipitation onto outside stairs. 5) A maintenance plan must be put into place by the owner's maintenance group to take care of the snow on the stairs. 6) A security gate or security means acceptable to the City must be provided to prevent unauthorized persons to access the rear stair. The Motion was approved by unanimous vote.

3. **Case Number:** 24-0060  
**Appellant:** Neil LeFaivre  
**Property Address:** 1 Starboard Way, Mattapoisett, MA. 02739  
**Summary of Case:** Appellants sought relief from 780 CMR R322.1.8, R322.3.4 #1, R322.3.4 #2, R322.3.5.1, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jacob Nunnemacher, to **GRANT** a variance to **780 CMR R322.3.2 #1** for the lowest portion of the elevation structure, noting there was no opposition from the town (Motion #1). The Motion was approved by unanimous vote. Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jacob Nunnemacher to **GRANT** a variance to **780 CMR R322.3.5.1** for the location of the exterior door, it is also noted that the Building Department was not opposed (Motion #2). The Motion was approved by unanimous vote. Jeffrey Clemons made a **MOTION** that was **SECONDED** by John Couture, to **DENY** a variance to **780 CMR R322.3.4 #1** the electrical, mechanical and plumbing mechanicals are not to be in the breakaway wall and that the Building Official, Designer and Owner can all work together on this issue. (Motion #3). The Motion was approved by unanimous vote. Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jacob Nunnemacher to **DENY** a variance to **780 CMR R322.3.4 #1**. The Building Official did not accept the Engineer's report stating that the breakaway walls are compliant and the Building Official, Designer and the Owner can all work together on this issue (Motion #4). The Motion was approved by unanimous vote. Jeffrey Clemons made **MOTION** that was **SECONDED** by Jacob Nunnemacher to **DENY** a variance to **780 CMR R322.3.4 #5** with the understanding that the Building Official, Designer and the Owner will all work together to design and install the hydrostatic openings. The Motion was approved by unanimous vote.

The meeting adjourned at 2:15 p.m.