



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
July 23, 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:** 24-0051
Appellant: Richard Torres (Owner-Target Corporation)
Property Address: 1165 Boston Road, Springfield, MA. 01129
Summary of Case: Appellants sought relief from 780 CMR 9th Edition, Chapter 15, Section 1507.12.1, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jacob Nunnemacher, to **GRANT** A variance to **780 CMR Section 1507.12.1** noting that there was no opposition from the Springfield Building Department as well. The Motion was approved by unanimous vote.

- Case Number:** 24-0062
Appellant: Frank Hight (Owner-Spectrum Health Systems, Inc.)
Property Address: 210 Bear Hill Road, Waltham, MA. 02451
Summary of Case: Appellants sought relief from 780 CMR Section 1008.3.4 & Section 104.4, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **OVERTURN** the State Building Inspector's decision on **780 CMR 1008.3.4** based on the fact that there has been no testimony that this is a new building or under a building permit (Motion #1). The Motion was approved by unanimous vote. Jeffrey Clemons made a **MOTION** that was **SECONDED** by Michael McDowell to **OVERTURN** the Building Official's determination that **Section 104.4** applies in this case. The Motion was a Two to One vote, Jacob Nunnemacher was opposed.



3. **Case Number:** 24-0063
Appellant: Mark S. Tilden, Esq. (Owner-Kairong Beaman)
Property Address: 14C Mayberry Drive, #4, Westborough, MA. 01581
Summary of Case: Appellants sought relief from MSBC 9th Edition, IBC 2015, Section 420, IBC 2015, Sections 708 & 711, 780 CMR 114.2 with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Michael McDowell, to **SUPPORT** the Building Official's corrective order dated April 10, 2024 issued to both the Condominium Association and the Owner of the unit. The Motion was approved by unanimous vote.

4. **Case Number:** 24-0064
Appellant: Kathleen Conroy
Property Address: 58 2nd Street, Marshfield, MA. 02050
Summary of Case: Appellants sought relief from 780 CMR Section AJ 101.3, 780 CMR Section R105.3.1 with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** a variance to **780 CMR Section R105.3.1.1** and **780 CMR AJ 101.3**. The Motion was approved by unanimous vote.

5. **Case Number:** 24-0067
Appellant: Sarah Kenney
Property Address: 6 Arthur Road, Andover, MA. 01810
Summary of Case: Appellants sought relief from 2015 IEBC, 2021 IECC R503.1.5, with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Jacob Nunnemacher, to **OVERTURN** the Building Official's determination that a HERS rating is required as per **R503.1.5** which is the 2021 Stretch Code Requirement out of 225 CMR Chapter 22 as amended by Chapter 22. The Motion was approved by unanimous vote.

The meeting adjourned at 2:15 p.m.