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**Minutes**

**BBRS Building Code Appeals Board (BCAB)**  
**Meeting Location: Virtual Microsoft Teams-Meeting**  
**August 07, 2025**

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

**Board Members Present:**

Jacob Nunnemacher  
Michael McDowell, Chairman  
Sy Nguyen

**Guests Present:**

See sign-in sheet for each case:

- Case Number:** 25-0084  
**Appellant:** Jeremy Smith  
**Property Address:** 82 West Housatonic Street, Pittsfield, MA. 01201  
**Summary of Case:** Appellant is seeking relief from 780 CMR, IBC 2015 Section 1006.2.1, 110.7 with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Sy Nguyen, to **OVERTURN** the Building Inspector's determination of **780 CMR 9<sup>th</sup> Edition, Table 1006.2.1** The Motion was approved by unanimous vote.

- Case Number:** 25-0085  
**Appellant:** David Silverstein (Owner-Copper Leaf Development, LLC)  
**Property Address:** 26 Pembroke Street, Wellesley, MA. 02482  
**Summary of Case:** Appellant sought relief from 2021 IECC Section R202, with respect to new construction.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Sy Nguyen, to **GRANT** a variance to **2021 IECC Section R202** to allow for the use of the Fossil Fuel burning appliances in the all-electric building in this property and case only. The Motion was approved by unanimous vote.



3. **Case Number:** 25-0086  
**Appellant:** Timothy Burke (Owner-Lynda Johnson Lee)  
**Property Address:** 5 West Hill Place, Boston, MA. 02108  
**Summary of Case:** Appellant sought relief from 780 CMR 9<sup>th</sup> Edition Section 1016.2, with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Sy Nguyen, to **OVERTURN** The Building Official's ruling of **780 CMR 9<sup>th</sup> Edition Section 1016.2**, that it requires that access to utilities require a common space. The Motion was approved by unanimous vote.

4. **Case Number:** 25-0088  
**Appellant:** Gerry DiPietro (Owner-Jonathan Lopkin)  
**Property Address:** 34 Plympton Street, Apt #3, Boston, MA. 02118  
**Summary of Case:** Appellant sought relief from 780 CMR 1006.3.1. 1006.3.2, with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Sy Nguyen, to **OVERTURN 780 CMR 1006.3.1 & 1006.3.2** that a second means of egress is required in this dwelling unit. It is noted that ISD was also not opposed to this. The Motion was approved by unanimous vote.

5. **Case Number:** 25-0090  
**Appellant:** Trevor Rabidou (Owner-Dinosaur Milk LLC)  
**Property Address:** 9 Arch Street, Boston, MA. 02110  
**Summary of Case:** Appellant sought relief from 780 CMR 1011.5.3, 1011.2, 1014.2 & 3006.2, with respect to an existing building.

Jeffrey Clemons made a **MOTION** that was **SECONDED** by Sy Nguyen, to **GRANT** a variance to **780 CMR 1011.2** for the stair width reduction and to **780 CMR 1011.5.3** to allow for the winder treads and means of egress. This was also granted because of no opposition from the Building Inspector. The Motion was approved by unanimous vote.

The meeting adjourned at 2:15 p.m.