



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

BBS Building Code Appeals Board (BCAB)
Meeting Location: Virtual Microsoft Teams-Meeting
September 5, 2024

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

Board Members Present:

Jacob Nunnemacher
Michael McDowell, Chairman
Jeffrey Clemons

Guests Present:

See sign-in sheet for each case:

- Case Number:** 24-0081
Appellant: Christopher Alphen (Owner-Acadia Healthcare Company, Inc.)
Property Address: 155 Airport Road, Fitchburg, MA. 01420
Summary of Case: Appellants sought relief from 780 CMR 9th Edition Section 107.2.1, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **OVERTURN** the ruling of the Building Commissioner that this is an ambulatory facility, There has been no documentation that has been provided that there is any proof that the medications provided renders them incapable of self-preservation. The Motion was approved by unanimous vote.

- Case Number:** 24-0082
Appellant: Richard Osmer
Property Address: 22 Muscovy Lane, West Yarmouth, MA. 02637
Summary of Case: Appellants sought relief from 780 CMR Section R305.1, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **GRANT** a variance to **780 CMR R305.1**, no less than 78 inches. This is a hardship for the owner and it is also noted that the Building Commissioner is not opposed. The Motion was approved by unanimous vote.



3. **Case Number:** 24-0083
Appellant: Christopher Taylor (Owner-Rebecca Richman Cohen)
Property Address: 10 McTernan Street, Unit C404, Cambridge, MA. 02139
Summary of Case: Appellants sought relief from 780 CMR, MSBC Section 1011.14, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Michael McDowell, to **GRANT** a variance to **780 CMR 1011.14**, for an alternating tread device in the bedroom conditioned on 1) The mezzanine is not to be used other than for office and storage space. 2) No sleeping in this space. 3) Appellant must provide a local smoke CO alarm in the upper mezzanine to be connected to the other devices in that unit and it must meet required code 907. The Motion was approved by A 2-1 Vote, Jeffrey Clemons was opposed.

4. **Case Number:** 24-0084
Appellant: Christopher Lynch (Owner-The Slam Collaborative)
Property Address: 88 East Newton Street, Boston, MA. 02118
Summary of Case: Appellants sought relief from 780 CMR Chapter 1, Section 104.1, Chapter 2, Section 201.4, with respect to an existing building.

Jacob Nunnemacher made a **MOTION** that was **SECONDED** by Jeffrey Clemons, to **OVERTURN** The Building Official's ruling of **201 & Chapter 2 Definitions** as this is not applicable in this case. The Motion was approved by unanimous vote.

The meeting adjourned at 2:00 p.m.