



MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

TERRENCE M. REIDY
SECRETARY

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Department of Fire Services

P.O. Box 1025 ~ State Road

Stow, Massachusetts 01775

(978) 567~3100 Fax: (978) 567~3121

www.mass.gov/dfs



PETER J. OSTROSKY
STATE FIRE MARSHAL

Notice of Meeting
Massachusetts Fire Safety Commission

Notice is hereby given of a meeting of the Massachusetts Fire Safety Commission. The meeting will be held at **9:15 a.m. on Wednesday, June 28, 2023**. This public hearing will be conducted, and open to the public via video conference (Microsoft Teams):

[Click here to join the meeting](#)

Meeting ID: 237 666 328 667

Passcode: iky9ZM

Or call in (audio only): [+1 857-327-9245, 109929842#](#) **Phone Conference ID:** 109 929 842#

Planned Agenda

1. Chair to open meeting. Introduction of Commission Members.
2. Approval of previous meeting minutes dated June 8, 2022
3. New Business
 - (1) Staff Docket Update
 - (2) Review of Legislation filed in the 2022-2023 Legislative Session regarding sprinklers and the Fire Safety Commission (Automatic Sprinkler Appeals Board)
 - (3) Nomination and Election of a Chair and Vice Chair
4. Other Business not reasonably anticipated
5. Adjourn.

Dated: June 22, 2023

Rachel E. Perlman, Legal Counsel
Massachusetts Fire Safety Commission, Automatic Sprinkler Appeals Board

CC: Posted to the Department of Fire Services website
<http://www.mass.gov/event/mass-fire-safety-commission-wed-june-28-2023-2023-06-28t091500-0400-2023-06-28t103000-0400>

Secretary of State
State Publications and Regulations Div.
One Ashburton Place, Room 1613
Boston, Massachusetts 02108

Exec. Office of Administration and Finance
State House, Room 373
Boston, Massachusetts 02133

Administrative Services • Division of Fire Safety
Hazardous Materials Response • Massachusetts Firefighting Academy

**MASSACHUSETTS FIRE SAFETY COMMISSION
MINUTES OF MEETING
June 28, 2023
(Needs to be Approved)**

The Massachusetts Fire Safety Commission held a meeting on **Wednesday, June 28, 2023** at 9:20 a.m. Pursuant to M.G.L Chapter 6, Section 200, this was the annually scheduled meeting of the Commission. The meeting was conducted virtually and was digitally recorded.

Present at the meeting were the following Commission members:

Patricia Berry, Vice Chair	Representative of the Massachusetts Lodging Association
Michael Spanknebel	Representative, Fire Chiefs Association of Massachusetts
Patrick Ellis, Deputy Chief	Representative, Boston Fire Commissioner
Peter J. Ostroskey	State Fire Marshal
Daniel ‘Gary’ Rogers	Representative, Mass. Association of Realtors
Kristin Kelly	Representative, Sprinkler Fitters Union
George Duhamel	Representative, Electrical Inspectors

Also present were the following individuals (and their affiliations):

Rachel E. Perlman, Esq.	DFS Deputy General Counsel/Counsel for the Commission
MaryElizabeth Lynch-Lent	DFS Paralegal/Executive Assistant to the Commission

Absent at the meeting were the following Commission members:

Maurice M. Pilette, Chair	Professional Engineer
Alexander McLeod	Designee of the Chairman of the Board of Building Regulations and Standards Department

1. Meeting Opening:

The Chair, Patricia Berry, opened the meeting at approximately 9:19 a.m. Members of the Commission introduced themselves and indicated their representative capacity, in addition to Department of Fire Services’ staff.

2. Approval of minutes from the previous Commission Board meeting of June 8, 2022.

After reviewing the draft minutes from the previous meeting dated June 8, 2022, a Motion was made by Mr. Spanknebel to accept the minutes. The Motion was seconded by Ms. Duhamel and was approved by a unanimous vote of the Commission.

New Business

3-1. Staff Docket Update

Executive Assistant to the Commission, MaryElizabeth Lynch-Lent, presented the docket update. Specifically, Ms. Lynch-Lent presented information on the number of cases that had been received by the Automatic Sprinkler Appeals Board since June 8, 2022 (the last Fire Safety Commission meeting). The breakdown was as follows:

June 8, 2022 to June 20, 2023

- 9 cases received:**
 - **5 – s. 26G**
 - **3 – s. 26G½**
 - **1 – s. 26H**

Of those 9 cases:

1 – Withdrawn / Dismissed

0 – Rejected

1 – Pending hearing in July

7 - Decisions Rendered

- **1 upheld FD order (26G)**
- **6 reversed FD order (26G and 26G½)**

In addition, Ms. Lynch-Lent presented information on the total number of cases received by the Board from January 1, 2005 to June 20, 2023.

Total Cases since January 1, 2005 to date (June 20, 2023): 576

Total 26A½ Cases	5
Total 26G Cases	113
Total 26G½ Cases	405
Total 26H Cases	34
Total 26I / 27A / Building Code Cases (no jurisdiction, automatic rejection)	10
Total Rejections (2005 to now)	101
Total Withdrawals / Dismissals (2005 to now)	299
Decisions Rendered (including Motions to reconsider denials)	175
Case Pending Hearing	1

3-3. Review of Legislation filed in the 2022-2023 Legislative Session of potential interest to members of the Fire Safety Commission (Automatic Sprinkler Appeals Board)

Commission members reviewed legislation filed in the 2021-2022 Legislative Session regarding sprinklers and the Fire Safety Commission (Automatic Sprinkler Appeals Board). Counsel to the Commission, Attorney Dean, provided a summary of the each bill and its impact, as well as the current status of each bill. The following bills were reviewed:

- **H. 2290** – “An act relative to fire protection”
- **H. 2289** – “An act relative to enhanced fire protection in new one and two family dwellings”
- **H. 2310** – “An act enhancing the safety of high-rise buildings”
- **H. 2386** – “An act relative to fire protection systems for buildings and structures”
- **H. 2723** – “An act to protect historic buildings from fires”

3-6. Nomination and Election of a New Chair and Vice Chair

Ms. Berry opened the nominations for the members to elect a new Chair and Vice Chair in accordance with M.G.L. c. 6 § 200. Ms. Berry made a motion to nominate Kristin Kelly as Chair. Mr. Spanknebel seconded the motion. By unanimous vote, Ms. Kelly was voted as the new Chair.

Ms. Berry made a second motion to nominate Mr. Rogers as the Vice Chair. Mr. Spanknebel seconded the motion. The Commission voted, with Mr. Rogers abstaining. Final vote was 5-0 and Mr. Rogers was voted as the new Vice Chair.

At the conclusion of the selection of the new Chair and Vice Chair, members of the Commission took time to recognize and thank State Fire Marshal Ostroskey, on the occasion of his impending retirement, for his many years of service to the Department of Fire Services and to the Massachusetts Fire Safety Commission. The Commission also made a virtual presentation of a Certificate of Appreciation.

4. Other Business Not Anticipated

None.

5. Adjourn

Mr. Rogers made the Motion to adjourn the meeting and Mr. Duhamel seconded the motion. Motion to adjourn was approved by unanimous vote of the Board at approximately 9:38 a.m.