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The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Fire Safety Commission

Automatic Sprinkler Appeals Board

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MAURICE M. PILETTE
CHAIR

PATRICIA BERRY
VICE CHAIR

MEMORANDUM

TO: Appellants with cases scheduled before Automatic Sprinkler Appeals Board

FROM: Maurice M. Pilette, Board Chair

DATE: May 1, 2020

RE: Presentation of cases before the Automatic Sprinkler Appeals Board

Enclosed herein, please find a notice of hearing which gives the time, place and date of your hearing before the Massachusetts Fire Safety Commission's Automatic Sprinkler Appeals Board. Your case is a significant matter involving the review of many factors. Although the Board applies informal rules of evidence during hearings, all appellants and fire departments appearing before the Board should be well prepared in presenting testimony, documents and other evidence to support their positions.

All parties are urged to present adequate evidence which clearly establishes the particular characteristics and uses of the subject building. At the time of the hearing, the Board expects that all parties will provide accurate and complete documentation regarding: specific building use group classification, legal capacity (certificate of inspection issued by the building department), occupant load, the building's dimensions and a detailed interior floor plan that shows all rooms, walls, doorways, exits and stairways. Evidence regarding the specific activities that occur within the building is very important in the determination of many cases.

You are not required to have a lawyer, but you may bring one at your own expense.

Eight (8) COLOR (where applicable) copies of all documents shall be submitted to the Board. All documents, including any photographs shall be no larger than 8 1/2" x 11" or have the capability of being easily folded into a size no greater than 8 1/2" x 11". In order to avoid the submission of duplicate or inconsistent documentation, it is suggested that the parties review and agree upon the submission of all mutually acceptable documents prior to submission to the Board.

Under certain circumstances, the Board may be required to hear your case remotely (through the use of teleconference line or video conferencing platform). In the event your case is conducted remotely, all the same formalities, requirements and procedures as in-person appeal hearings will

apply. In the event your case is scheduled to be heard remotely, you will receive instructions and any necessary login information prior to the hearing date. At that time, you must immediately inform the Board if you are not equipped with the appropriate technology or resources to present your case remotely. Remote hearings are generally not appropriate for cases involving voluminous records and the Chairman has the discretion to decline a remote hearing or pause it and resume in person if documents become too difficult.

The Board will electronically record your hearing. Attorneys, parties, and spectators are not permitted to record the proceeding.

If you require special accommodations due to a disability, or if you require a foreign language interpreter to help you fully present your case to the Board, please contact the Board immediately to make arrangements.

Finally, all parties should review the Board's memorandum dated May 1, 2020 (see copy enclosed) relative to the stipulation of facts and recommended dispositions. If all parties observe these suggestions, it is anticipated that your case can be determined in a more efficient and expeditious manner.