

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

Building Code Appeals Board
Docket No. 05-484

The Springfield Museums and)
Stephen Jablonski,)
Appellant)
)
v.)
)
City of Springfield,)
Appellee)
)

BOARD'S RULING ON APPEAL

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on Appellant's appeal filed pursuant to 780 CMR §122.1. In accordance with 780 CMR §122.3, Appellant asks the Board to grant a variance from 780 CMR §1006.3 of the Massachusetts State Building Code ("Code") with respect to plans to renovate and add onto property located at 85 Chestnut Street, Springfield, MA. ("Project").

In accordance with G. L. c. 30A, §§10 and 11; G. L. c. 143, §100; 801 CMR §1.02 et. seq.; and 780 CMR §122.3.4, the Board convened a public hearing on October 23, 2007 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

Present at the hearing were Stephen Jablonski, Appellant, Joseph Carvalho on behalf of the Appellant, and Mark Hebert, Senior Building Inspector on behalf of Appellee.

Reasons for Variance

The issue is whether Appellant should be allowed a variance from 780 CMR §1006.3 in order to commence the Project. Section 1006.3 states:

Exit Discharge: All *exits* shall discharge directly at a *public way* or at a yard, *court* or open space of the required width and size to provide all occupants with a safe access to a *public way*.

The Project involves a renovation and addition to an existing office building for use as a museum. Specifically, the Project will include a large addition that will obstruct one of the fire stairs to the outside. However, the occupants will exit the stair and pass approximately 37 feet

through the museum to reach another stair to exit the building. The second stairway will be enclosed with a fire rated door and walls. Additionally, the Project will involve the installation of a sprinkler system and fire alarm system. The egress path will be marked by recessed lighting.

Appellee did not object to granting the variance.

Decision




Board member Keith Hoyle motioned to grant the variance from §1006.3 because the Appellee does not object to the variance, and the building will be fully equipped with a sprinkler system, as well as recessed lighting on the floor to guide occupants to the egress stair ("Motion"). The motion was seconded by Alexander MacLeod. Following testimony, and based upon relevant information provided, Board members voted to allow the Motion, as described on the record. The Board voted as indicated below.

☒..... **Granted** ☐..... Denied ☐..... Rendered Interpretation

☐..... Granted with conditions ☐..... Dismissed

The vote was:


☒..... **Unanimous** ☐..... Majority

		
_____ Keith Hoyle	_____ Alexander MacLeod	_____ Harry Smith -Chair

Any person aggrieved by a decision of the State Building Code Appeals Board may appeal to a court of competent jurisdiction in accordance with Chapter 30A, Section 14 of the Massachusetts General Laws.

A complete administrative record is on file at the office of the Board of Building Regulations and Standards.

A true copy attest, dated: June 12, 2008



Patricia Barry, Clerk

All hearings are audio recorded. The digital recording (which is on file at the office of the Board of Building Regulations and Standards) serves as the official record of the hearing. Copies of the recording are available from the Board for a fee of \$5.00 per copy. Please make requests for copies in writing and attach a check made payable to the Commonwealth of Massachusetts for the appropriate fee. Requests may be addressed to:

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