

Fire Safety Code

Board of Appeal & Review

Minutes of 11-30-04 meeting

The Fire Safety Code Board of Appeal & Review met in Conference Room C in the William Powers Administration Building at One Capitol Hill, Providence, RI on Tuesday, November 30, 2004. The meeting was called to order at 1:00 pm by Chairman George Farrell.

Commissioners present were Farrell, Preiss, Newbrook, Burlingame, Pearson, Evans, O'Connell and Filippi. Also present were Executive Director Thomas B. Coffey, Esq. and Assistant Administrative Officer Carol Marsella.

The following appeals were heard:

Appeal #040035: Mr. Steven Lombardi for the property located at 1025 Plainfield Street, Johnston. Marshal John Jasper appeared for the Johnston Fire Marshal's office. On a motion made by Commissioner Newbrook, seconded by Commissioner Pearson, the Board granted the applicant 45 days to submit a drawing of the seating capacity of this facility and the results of a flow test on the water supply to the Fire Marshal. The Applicant is also required to submit the sprinkler system plans to the Johnston Fire Marshal within ninety (90) days and install a compliant sprinkler system by July of

2005. The motion passed over the objection of Commissioner Preiss.

Appeal #040204: Mr. Edmund Wetzel and Mr. Michael Wetzel for the property located at 65 Elm Street, Johnston. Marshal John Jasper appeared for the Johnston Fire Marshal's office. A motion was made by Commissioner Burlingame, seconded by Commissioner Preiss, to grant the Applicant 120 days from the date of the decision in which to correct the items listed in the Johnston Fire Marshal's deficiency report. The motion was unanimous.

Appeal #040129: Mr. Anthony Ricci for the property located at 29 Walnut Grove Avenue, Cranston (Santa Maria Di Prata Society). Lt. Timothy Hawthorne appeared for the Cranston Fire Marshal's Office. A motion was made by Commissioner Newbrook, seconded by Commissioner Preiss to grant a variance to allow the Society to maintain a kitchen beneath the two-hour equivalent stairway, provided the metal stair assembly is covered with one layer of 5/8" drywall. The motion was unanimous.

Appeal #040281: Ms. Susan Mansfield for the property located at 53 Coe Street, Woonsocket (The Haven of Grace). Lt. Francis Dunton appeared for the Woonsocket Fire Marshal's office. Commissioner Filippi made a motion seconded by Commissioner Burlingame to allow the Applicant to install the proposed range hood/venting system provided that no fryolater is ever allowed and that she maintains a service contract to clean the ductwork at all times. The

motion was unanimous.

Appeal #040401: Mr. Steve Durkee for the property located at 194 Washington Street, Providence. Inspector Daniel Isles appeared for the Providence Fire Marshal's office. A motion was made by Commissioner Newbrook, seconded by Commissioner O'Connell to grant the Applicant's request for a variance from the provisions of Section 4.6.1.2 of the Life Safety Code. As to the portion of the building occupied by Gracie's Bar and Grill, the Board granted a variance from the provisions of section 42.2.4.1 providing that the occupancy of the space in question (mechanical room #1) is limited to 3 people. The Applicant agrees to comply with the remaining deficiencies listed in Inspector Isles' report. The motion was unanimous.

Appeal #040144: Ms. Deborah Hirschon for the property located at 62-66 Brookside Avenue in West Warwick. Captain David Pastore appeared for the West Warwick Fire Marshal's office. The Applicant has indicated that she is intending to install a compliant 13R sprinkler system in this facility. Predicated on that installation, the Board granted a variance from the provisions of 31.2.1.1, 31.2.1.3, 31.2.1.5, 7.2.2.5.1.1 and 31.2.4.1 on the basis of structural hardship. The motion to grant the above variances was made by Commissioner Burlingame and seconded by Commissioner O'Connell. The motion was unanimous.

Appeal #040374, #040375, #040376: Mr. Peter Fondini and Attorney Carl Levin for the property located at 19 Cherry Street, Pawtucket. Captain McConaghy appeared for the Pawtucket Fire Marshal's office and Atty. Michael Jolin appeared for the Attorney General's office. On a motion made by Commissioner Burlingame, seconded by Commissioner Newbrook, it was determined that the three properties in question would be re-inspected by the Pawtucket Fire Marshal's office and the parties involved would return to the Board within thirty days with a plan of action covering the deficiencies outstanding at that time. The motion was unanimous.

Old business: Chief of Inspections William Howe of the State Fire Marshal's office gave testimony on the emergency shelter provisions.

On a motion made by Commissioner Burlingame, seconded by Commissioner Newbrook, it was decided to amend the emergency shelter provisions to allow either hardwired, battery operated or plug-in CO detectors in said emergency shelters in Rhode Island. The motion was unanimous.

Respectfully submitted,

Carol Marsella