

The Fire Safety Code Board of Appeal & Review met in the Conference Room located adjacent to 55 Cedar Street, Providence, RI on Tuesday, November 8, 2005 at 1:00 PM. Present were Chairman Farrell, Vice Chairman Coutu and Commissioners Blackburn, Newbrook, Preiss, Filippi, Pearson and Burlingame. Also present were Executive Director Thomas Coffey, Esq. and Assistant Administrative Officer Carol Marsella. The following appeals were considered.

Appeal #050852: Mr. Patrick Holt, for the property located at 275 Westminster Street, Providence. Commissioner Newbrook made a motion, seconded by Commissioner Filippi, to grant the Providence Fire Marshal the authority to issue a temporary certificate of occupancy for this facility when all safety components are present and compliant. The motion was unanimous.

Appeal #050112A: Mr. Ian Listnoff, for the property located at 25 Parade Street, Providence. Chief Deputy Michael DiMascolo and Chief Plan Review Officer Michael Proto of the State Fire Marshal's office appeared for the State. Commissioners Blackburn and Burlingame recused themselves from consideration of this case. A motion was made by Commissioner Newbrook, and seconded by Commissioner Pearson, to approve the Applicant's plan of action for this facility, including the time frames as presented by the State Fire Marshal's office. The fire alarm and sprinkler system in this facility shall be installed at the direction and to the satisfaction of the AHJ.

The Board granted the State Fire Marshal's office and the Providence Fire Marshal's office the authority to issue temporary certificates of occupancy for this facility as those compliant portions are ready for occupancy. This file will be maintained as an open file. The motion was unanimous.

Appeal #050474: Mr. David Corsetti, for the property located at 300 Atwells Avenue in Providence. Inspector Richard Fournier appeared for the Providence Fire Marshal's office. A motion was made by Commissioner Blackburn, seconded by Commissioner Newbrook, to grant the Applicant the following relief. The Applicant has thirty (30) days to submit documents ascertaining the rating between occupancies; or plans to achieve the proper rating' or sprinkler plans for this facility. The Applicant is granted an additional 120 days to achieve proper separation between occupancies of this facility. The place of assembly will be allowed on the second floor with approved separation. The motion was unanimous.

Appeal #050848: Mr. Richard O'Dwyer, for the property located at 59 John H. Chafee Blvd. in Newport. Captain Tobin appeared for the Newport Fire Marshal's office. Commissioners Preiss and Blackburn recused themselves from consideration of this case. Vice Chairman Coutu made a motion, seconded by Commissioner Newbrook, to grant a variance from the provisions of section 13.8.10.4.1.5 and to authorize the Newport Fire Marshal's office the ability to issue a temporary certificate of occupancy for this facility. The motion was

unanimous.

Appeal #050849: Mr. Richard O'Dwyer, for the property located at 20-24 John H. Chafee Blvd. in Newport. Captain Tobin appeared for the Newport Fire Marshal's office. Commissioners Preiss and Blackburn recused themselves from consideration of this case. Vice Chairman Coutu made a motion, seconded by Commissioner Newbrook, to grant a variance from the provisions of section 13.8.10.4.1.5 and to authorize the Newport Fire Marshal's office the ability to issue a temporary certificate of occupancy for this facility. The motion was unanimous.

Appeal #050850: Mr. Richard O'Dwyer, for the property located at 26 Ranger Road/23-29 West Evans Street in Newport. Captain Tobin appeared for the Newport Fire Marshal's office. Commissioners Preiss and Blackburn recused themselves from consideration of this case. Vice Chairman Coutu made a motion, seconded by Commissioner Newbrook, to grant a variance from the provisions of section 13.8.10.4.1.5 and to authorize the Newport Fire Marshal's office the ability to issue a temporary certificate of occupancy for this facility. The motion was unanimous.

Appeal #050851: Mr. Richard O'Dwyer, for the property located at 240-248 Hillside Street in Newport. Captain Tobin appeared for the Newport Fire Marshal's office. Commissioners Preiss and Blackburn recused themselves from consideration of this case. Vice Chairman

Coutu made a motion, seconded by Commissioner Newbrook, to grant a variance from the provisions of section 13.8.10.4.1.5 and to authorize the Newport Fire Marshal's office the ability to issue a temporary certificate of occupancy for this facility. The motion was unanimous.

days to correct all cited deficiencies in this facility. The motion was unanimous.

Appeal #040245: Sr. Anne Marie Walsh, for the property located at 324 Cory's Lane, Portsmouth. Marshal Jeffrey Lynch appeared for the Portsmouth Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Burlingame, to grant a variance from the provisions of sections 7.2.1.4.2 and 15.3.6. The motion was unanimous.

Appeal #050805: Mr. Gary Travers, for the property located at 1 Park Avenue, Portsmouth. Marshal Jeffrey Lynch appeared for the Portsmouth Fire Marshal's office. It was determined by the Board that no relief was needed in this case.

Appeal #050843: Mr. Ken Stone, for the property located at 120 Education Lane in Portsmouth. Marshal Jeffrey Lynch appeared for the Portsmouth Fire Marshal's office. Commissioner Preiss made a motion, seconded by Vice Chairman Coutu, to grant the Applicant relief from the provisions of section 13.8.9.7.3.1. The Applicant is directed to install hard wired, battery-back up smoke detectors in this

facility. The motion was unanimous.

Appeal #040441: Mr. Bruce MacGunnigle, for the property located at 6 Main Street, East Greenwich. Marshal Susan Hawksley appeared for the East Greenwich Fire Marshal's office. Commissioner Newbrook made a motion, seconded by Vice Chairman Coutu, to reinstate previously granted variances in this facility and to grant a variance from the provisions of sections 11.2.3 and NFPA 96 section 1.1.4 providing that the stove is used only to re-heat food and that no grease-laden vapors will be created. The motion was unanimous.

Appeal #040442: Mr. Bruce MacGunnigle, for the property located at 57 Peirce Street, East Greenwich. Marshal Susan Hawksley appeared for the East Greenwich Fire Marshal's office. It was determined that this facility will be considered under the Rehabilitation Code, and this file will be left open.

Appeal #040146: Joseph Rothemich Esq. and Vincent Martucci for the property located at 69 Burlingame Road in Cranston. Lt. Timothy Hawthorne appeared for the Cranston Fire Marshal's office. This Applicant had previously appeared before the Board and at that time had been directed to complete a plan of action for this facility, review it with the Cranston Fire Marshal's office and return to present this plan of action to the Board. The Applicant did not follow the Board's directive, and was ordered to do so, when appearing before the Board on December 6, 2005.

Respectfully submitted,

Carol Marsella