

Fire Safety Code

Board of Appeal and Review

Minutes of 3-14-06 meeting

The Fire Safety Code Board of Appeal & Review met in Conference Room 109 located at 260 West Exchange Street, Providence, RI on Tuesday, March 14, 2006 at 1:00 PM. Present were Vice Chairman Coutu and Commissioners Blackburn, Newbrook, Preiss, Richards, Burlingame, Pearson and Filippi. Also present were Thomas B. Coffey, Jr., Executive Director and Administrative Assistant Desiree Campanini. The following appeals were considered.

APPEAL #050013: Mr. Greg Spiess for the property located at 401 Elmgrove Avenue, Providence. Deputy State Fire Marshal Cynthia Dehler appeared for the State Fire Marshal's office and Assistant Deputy State Fire Marshal Vernon Dunlap for the Providence Fire Marshal's office. A motion was made by Commissioner Newbrook and seconded by Commissioner Pearson that the Applicant return to the Board with a plan of action. The Providence Fire Marshal's Office had no objection to a reasonable extension of time to comply. The Applicant added one more request to the plan of action, that the gymnasium occupancy of (49) people be increased to (100) people for

summer programs, or until the building is fully sprinklered and alarmed. The Board advised the Applicant that the Board would authorize the Providence Fire Marshal's Office or the State Fire Marshal's Office to increase the occupancy on a case by case basis. The motion was amended to give the Providence Fire Marshal's Office or State Fire Marshal's Office the authority to increase the occupancy by working out plan of action with the Applicant. The motion was made by Commissioner Newbrook and seconded by Commissioner Pearson. The motion was unanimous.

APPEAL #050042: Ms. Christine Boyuaval and Sandy Rubel for the property located at 99 Peirce Street, East Greenwich (St. Luke's Church). Assistant Deputy State Fire Marshal Susan Hawksley appeared for the East Greenwich Fire Marshal's Office. A motion was made by Commissioner Newbrook and seconded by Commissioner Blackburn to grant the following relief. The Applicant asked for a variance to increase the occupancy of this facility and to have only one means of egress for the downstairs chapel. The Board advised the Applicant and the Fire Marshal's Office that this building should never have the chapel and church hall occupied at the same time. The Applicant's chapel shall not go over 50 people and the occupancy of the church hall 170 people and if for some reason they have an event that will cause an increase in occupancy, the Applicant must address a plan of action to Fire Marshal's office. The Board granted a variance allowing the Applicant not to have to sprinkler these areas with the limitations mentioned above. The motion was

unanimous.

APPEAL #050005, 050006, 050007: Mr. Ron Phillips for the property located at 756 Quaker Lane, Warwick (Westgate Condominiums). Assistant Deputy State Fire Marshal Thomas Choiniere, Superintendent of Fire Alarm, appeared for the Warwick Fire Marshal's Office. A motion was made by Commissioner Newbrook and seconded by Commissioner Richards to allow the Applicant a three (3) year time variance from the date of this hearing to put into place a fully working alarm system. File #050005 will have the fire alarm system in by March 14, 2007, File #050007 will be the second building to have a complaint fire alarm system in place by March 14, 2008 and the third building, File #050006, will have their system in place by March 14, 2009. The motion was unanimous.

APPEAL #050041: RJ Connelly III for the property located at 372 Broadway, Pawtucket. Assistant Deputy State Fire Marshal Jeffrey Johnson appeared for the Pawtucket Fire Marshal's Office. A motion was made by Commissioner Burlingame and seconded by Commissioner Filippi, to grant the Applicant's request for additional time for item#1. Applicant was granted 120 days from date of the decision to install a fire alarm system with the Fire Marshal's Office having the authority to extended the time variance if the Applicant is making a good faith effort. The motion was unanimous.

APPEAL #060075: Mr. James R. Hoyt, Jr., Attorney Kevin Horan,

Brain Rannsle, for the property located at 58 Kids Way, Pawtucket (Boys and Girls Club). Deputy State Fire Marshal Vincent Quintero appeared for State Fire Marshal's Office. A motion was made by Commissioner Newbrook and seconded by Commissioner Blackburn, to grant the Applicant a time variance of 120 days from the date of decision to bring the building into compliance. The Board also granted the State Fire Marshal's Office the authority to extend the time if the Applicant is making a good faith effort in bringing the building into compliance. The Board granted the Applicant variances for structural hardship on winders, stairs and windows, also to treat the wood paneling at the direction to the satisfaction of the State Fire Marshal's Office. The motion was unanimous.

APPEAL #050797: Attorney Americo Scungio for Mr. Jerome A. Geller for the property located at 495 Washington Street, Coventry. Deputy State Fire Marshals Christine Kent and David Cionfalo appeared for the State Fire Marshal's Office. A motion was made by Commissioner Preiss and seconded by Commissioner Newbrook, to grant the following relief. The Applicant will be allowed to have a local fire alarm system, if the Applicant is willing to put in a second means of egress on the outside patio area, at the direction of the State Fire Marshal. The Board granted a variance for structural hardship for the issue of headroom. The Applicant has 120 days from the date of the decision to bring the property into compliance. The motion was unanimous.

APPEAL #050863A: Mr. David Smith, Sanjay Tandon and Joseph Keough, Esq. for the property located at 100 Manton Avenue, Providence. Inspector Joseph Michalczyk appeared for the Providence Fire Marshal's Office. No action was taken at this time as the Applicant is working with the Providence Fire Marshal's Office on the plan of action. The Board left this file open in case the Applicant or the Providence Fire Marshal's Office needs come back before the Board.

Old Business:

A motion was made by Commissioner Pearson and seconded by Commissioner Newbrook to confirm the Subcommittee's recommendations for the following cases.

Appeal #200265: 210 Fuller Avenue, Central Falls

Appeal #030257: 73-75 Fales Street, Central Falls

Appeal #030372: 636 Lonsdale Avenue, Central Falls

Appeal #030378: 15 Walnut Street, Central Falls

Appeal #030379: 44 central Street, Central Falls

Appeal #030413: 526/530 Dexter Street/137 Rand Street, Central Falls

Appeal #040454: 53-55 Washington Street, Central Falls

Appeal #040483: 137 Central Street, Central Falls

The motion of the Subcommittee recommendation on requested variances above passed with Vice Chairman Coutu recusing himself

from this vote.

File #050859: 380 Westminster Street, Providence: The Providence Fire Marshal's Office and the Applicant requested to amend the original decision for the above property. A motion was made by Commissioner Pearson and seconded by Commissioner Newbrook. The motion was unanimous.

New Business:

Mr. James P. Kennedy for the property located at 40 Technology Way, West Greenwich requested that the Board grant the West Greenwich Fire Marshal's Office the authority to grant a temporary certificate of occupancy for this facility. A motion was made by Commissioner Newbrook and seconded by Commissioner Filippi. The motion was unanimous.

Request for Clarification:

The Office of Attorney Jules J. D'Alessandro for the Wellesley Medical Bldg., located at 1515 Smith Street, North Providence regarding violations with respect to the elevator located in this facility. It was determined that each request on elevators should be heard on a case by case basis. A motion was made by Commissioner Burlingame and seconded by Commissioner Blackburn. A motion passed with Commissioner Preiss and Commissioner Richards

opposing the vote.

Respectfully Submitted

Desire Campanini