

The Rhode Island Fire Safety Code Board of Appeal & Review met in Conference Room 109 located at 260 West Exchange Street, Providence RI on Tuesday, April 17, 2007 at 1:00 P.M. Present were Chairman Coutu and Commissioners Blackburn, Newbrook, Filippi, Richard and O'Connell. Also present were Executive Director Thomas Coffey and Assistant Administrative Officer Carol Marsella. The following cases were heard.

APPEAL # 070104: AmeriGas Propane, L.P., for various locations statewide. ADSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Newbrook made a motion, seconded by Commissioner Blackburn, to accept the Applicant's plan of action for the re-qualification of all DOT LPG cylinders, subject to confirmation by the State Fire Marshal, and pursuant to the Applicant's forwarding annual reports to the State Fire Marshal's office as to their progress. The motion was unanimous.

APPEAL #050241: Spring Restaurant, for the property located at 118-120 Main Road, Tiverton. ADSFM Thomas Mello appeared for the Tiverton Fire Marshal's office. Commissioner Filippi made a motion, seconded by Commissioner Newbrook to confirm that separation is not required with the alarm system that is maintained in this facility. The motion was unanimous.

APPEAL #050268: Mr. David DeQuattro, for the property located at 1524 Smith Street, North Providence. DSFM Wheeler appeared for the

State Fire Marshal's office. Commissioners O'Connell and Newbrook made a motion, seconded by Commissioners Richard and Blackburn, to grant the following relief. The Applicant is granted a time variance of thirty (30) days in which to submit plans for the heat detection system and an additional 120 days in which to install the system. The Applicant is granted a variance not to install emergency lighting based on the Applicant's testimony that business is not conducted in this facility at night. A variance is granted from the provisions of section 7.1.5.1 based on structural hardship and from 30.2.6.2 based on restricted use of the area. Finally, a variance is granted from the provisions of section 7.2.1.4.3 based on no public access to this area. The AHJ is authorized to grant additional time to comply based on good faith shown. The motion was unanimous.

APPEAL #050230: Ms. Lorraine Ramos, for the property located at 35 Swan Street, East Providence. DSFM Cynthia Dehler and DSFM Arthur DaCosta appeared for the State Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner Newbrook, to grant the following relief. The first floor is determined to be the level of exit discharge, therefore the facility is not required to be sprinklered. A variance is granted to accept the separation between the occupancies. The Applicant is granted a time variance of 120 days in which to upgrade the fire alarm system and to correct any outstanding deficiencies. The AHJ is granted the authority to extend the time variance for good faith shown. The motion was unanimous.

APPEAL #070146: Mr. Stephen T. Haun, for the property located at 908 Eddy Street, Providence. ADSFM Lutz appeared for the Providence Fire Marshal's office. Commissioner Newbrook made a motion, seconded by Commissioner Filippi to approve the Applicant's plan of action for this facility. The motion was unanimous.

APPEAL #070147: Mr. Donald DeStefano, for the property located at 321 Harborside Blvd., Providence. ADSFM George Calise appeared for the Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioners Filippi and Newbrook to grant the Applicant's requested variances provided the Applicant provides the requested emergency plans to the AHJ. Additionally, the Providence Fire Marshal is granted the authority to approve a temporary certificate of occupancy for this facility. The motion was unanimous.

APPEAL #070149: Mr. Robert Karam, for the property located at 100 Highland Avenue, Providence. ADSFM George Calise appeared for the Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioners O'Connell and Newbrook, to approve the Applicant's plan of action for this facility. The motion was unanimous.

APPEAL #070173: Ms Julie Ferrazzano, for the property located at 100 Fountain Street, Providence. ADSFM Lutz appeared for the

Providence Fire Marshal's office. Commissioner O'Connell made a motion, seconded by Commissioners Richard and Newbrook, to approve the requested variances on all items in accordance with the Applicant's plan of action for this facility. The Providence Fire Marshal is granted the authority to approve the issuance of a temporary certificate of occupancy for this facility. The motion was unanimous.

Respectfully submitted,

Carol Marsella

Assistant Administrative Officer