

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, October 7, 2008 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Blackburn, Jackson, Jasparro and Dias. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #060012: The Town of West Warwick, for the property located at 1170 Main Street in West Warwick. ADSFM Albert Heroux appeared for the West Warwick Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, to grant the Applicant's requested relief, there being no objection from the West Warwick Fire Marshal's office. The motion passed with Commissioner Blackburn abstaining from the vote.

APPEAL #080276: Deputy Chief Michael Kinch, for the property located at 1380 Diamond Hill Road, Cumberland. ADSFM James Conway appeared for the Valley Falls Fire District Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Jackson, to reinstate the previously granted variance, based upon the upgrade of the fire alarm system, and pursuant to the Applicant's testimony that the dispatch would be for both the police and fire departments. Work on the fire alarm upgrade is to be done at the direction and to the satisfaction of the Valley Falls Fire District Fire Marshal's office. The motion was unanimous.

APPEAL #060164: The Procaccianti Group, for the property located at 307 Great Island Road, Narragansett. DSFM Arthur DaCosta appeared for the State Fire Marshal's office. It was determined that a subcommittee of the Board would conduct an on-site inspection of this facility on October 15, 2008 at 4:00 pm.

APPEAL #050614: Mr. Donald Demers, for the property located at 53 Federal Street, Woonsocket. ADSFM Thomas Papa appeared for the Woonsocket Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook and Commissioner Dias, to grant the following relief. The Applicant is directed to separate the occupancies or to remove the cited bleachers to create a clear path of travel, at the direction and to the satisfaction of the Woonsocket Fire Marshal's office. The Applicant is granted a time variance of 120 days from the date of the decision in order to replace the cited hollow core doors with solid core doors with closers and to separate the cited corridor, at the direction and to the satisfaction of the Woonsocket Fire Marshal's office. The motion was unanimous.

APPEAL #080198: Hughes Associates, for the property located at 2074 Smith Street in North Providence. ADSFM John Horan and ADSFM Gregory Unsworth appeared for the North Providence Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, to approve the Applicant's plan

of action for this facility. (Per code, this is a low-rise building, municipally connected in accordance with the code. The Applicant's engineer will recommend voice amplification to the owner). The motion was unanimous.

APPEAL #050473: Mr. John Vitkevich, for the property located at 1416 West Main Road, Portsmouth. ADSFM Simmons appeared for the Portsmouth Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of 120 days from the hearing date to either vacate the building or to bring it into full compliance with the RI Fire Code. The Applicant is directed that the building is not to be reoccupied until code compliant. The motion was unanimous.

APPEAL #050477, 070491: Mr. Raymond Mello, for the property located at 113 School House Lane, Portsmouth. ADSFM Simmons appeared for the Portsmouth Fire Marshal's office. Commissioner Dias made a motion, seconded by Vice Chairman Newbrook and Commissioner Jasparro, to grant the Applicant a time variance of thirty days to submit plans for the corrections of the deficiencies outlined in the Marshal's February 13, 2007 inspection report. The Applicant is granted an additional time variance of 120 days from the original thirty-day time variance to implement his plan of action for the correction of the deficiencies. The Portsmouth Fire Marshal's office is authorized to extend the above time lines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #050894: Mr. Daniel Moriarty, for the property located at 624 Park Avenue, Portsmouth. ADSFM Simmons appeared for the Portsmouth Fire Marshal's office. Commissioners Jackson and Blackburn made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a variance from the provisions of section 7.5.1.3.2. The Applicant is further granted a time variance of 120 days from the date of the decision in which to correct the deficiencies listed in the Portsmouth Fire Marshal's November 28, 2005 inspection report. The Portsmouth Fire Marshal's office is authorized to extend the above time for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #050937: Mr. James DeAngelis, for the property located at 3034 East Main Road, Portsmouth. ADSFM Simmons appeared for the Portsmouth Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Richard, to grant the Applicant a variance, based on structural hardship, for the basement headroom issue. The Applicant is granted a time variance of thirty days to submit his plan of action for the correction of the outstanding deficiencies in this facility, and an additional 120 days from the date of acceptance of that plan in which to implement the corrections. The Portsmouth Fire Marshal is granted the authority to extend the above timelines for good faith efforts shown by the Applicant. The motion was unanimous.

APPEAL #060652: Mr. James De Angelis, for the property located at 3044 East Main Road in Portsmouth. ADSFM Vieira appeared for the Portsmouth Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Jackson, to grant the Applicant's requested variance from the provisions of sections 17.2.1 and 7.2.1.5 pursuant to the Portsmouth Fire Marshal's testimony that he had no objection to the relief. The motion was unanimous.

APPEAL #060688: Mr. Donald R. Ratte, for the property located at 13 Bristol Ferry Road, Portsmouth. ADSFM Vieira appeared for the Portsmouth Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook and Commissioner Richard, to grant the Applicant's requested variances. The motion was unanimous.

Respectfully submitted,

Carol Marsella

Deputy Director