

## **Fire Safety Code Board**

### **Of Appeal & Review**

#### **Minutes of September 29, 2009 hearing**

**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, September 29, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Pearson, Jasparro, Blackburn, Dias and Preiss. Commissioners Filippi, Walker, Jackson, and Richard were absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #090315: Mr. Ted Lodge, for the property located at 87 Terminal Road in Providence, ADSFM Timothy Lutz appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Jasparro and Dias, to grant a variance from the provisions of section 11.4.6 of NFPA 30A for the refueling of vessels under 300 ton gross weight. The motion passed with Commissioner Blackburn abstaining from the vote.**

**APPEAL #090133: Mr. Hermimio Correia, for the property located at 4 Blossom Street, West Warwick. Assistant Deputy State Fire Marshals Pimental and Peiczarek appeared for the West Warwick Fire Marshal's office and Deputy State Fire Marshals Vieira, Heroux and Quinterno appeared for the State Fire Marshal's office. Commissioner Jasparro**

made a motion, seconded by Commissioner Pearson, to grant the following relief. The Applicant is granted a time variance of thirty days in which to submit plans for the upgrade of the fire alarm system and the correction of the cited egress deficiency in building #2 to the West Warwick Fire Marshal's office and an additional 120 days in which to implement those plans. Until those corrections are made, the Applicant is directed to reduce the occupancy of building #2 to three hundred (300) people. If, for that time period, building #2 has already been committed to parties totaling over three hundred people, the Applicant is directed to provide a firefighter detail for those events, at the direction and to the satisfaction of the West Warwick Fire Marshal's office. Once the above corrections have been made, on or before the above 150 days, the Applicant may return to the Board to address the sprinkler issue in building #2. The motion was unanimous.

**APPEAL #080231A:** Mr. Harry Brown, for the property located at 126 Somerset Street, Providence. ADSFM Raymond Pacheco appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Pearson, to extend a previously granted time variance for the installation of sprinklers in this facility, for the correction of the boiler room door, and for the covering of the cited wire glass prior to the commencement of the 2010-2011 academic year in the fall of 2010. The motion was unanimous.

**APPEAL #080001: Mr. Kevin Ascioffa, for the property located at 880 Main Street in East Greenwich. ADSFM Stephen Hughes appeared for the East Greenwich Fire Marshal's office. The Applicant requested additional time for his attorney to review the case. The Board directed the East Greenwich Fire Marshal's office to re-inspect this facility, to determine if it is compliant under the provisions of the current code. If found to be deficient, the Applicant may return to request relief from the Board.**

**APPEAL #060943A: Mr. Anthony Lancellotta, for the property located at 1113 Charles Street in North Providence. Assistant Deputy State Fire Marshals Gregory Unsworth and John Horan appeared for the North Providence Fire Marshal's office and Deputy State Fire Marshal Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Dias and Vice Chairman Newbrook to grant the Applicant a time variance of sixty (60) days from the hearing date in which to complete the installation of the sprinkler system in this facility. The motion was unanimous.**

**APPEAL #070459: Mr. Thomas F. Saccoccia, for the property located at 2069 Smith Street in North Providence. Assistant Deputy State Fire Marshals Unsworth and Horan appeared for the North Providence Fire Marshal's office. Commissioner Pearson made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a time variance of thirty (30) days from the date of the decision in which to submit plans**

**to the North Providence Fire Marshal's office for the correction of any outstanding deficiencies and an additional 120 days in which to implement those corrections. The North Providence Fire Marshal's office is authorized to extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #070199: Mr. David D'Angelo, for the property located at 1835 Mineral Spring Avenue, North Providence. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance of thirty (30) days from the date of the decision in which to submit plans to the State Fire Marshal's office for the correction of any outstanding deficiencies from the State Fire Marshal's September 29, 2009 inspection report, and an additional 120 days to make the appropriate corrections. The State Fire Marshal's office is granted the authority to extend the above time lines for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #080352, 080353, 080354, 080355, 080356: Hillside Terrace (Regional Manager Tracy Scott), for the five (5) apartment buildings located at 262, 264, 266, 268 and 270 Fruit Hill Avenue in North Providence. Assistant Deputy State Fire Marshals Gregory Unsworth and John Horan appeared for the North Providence Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioners Jaspardo and Dias, to grant the following relief. The**

**Applicant is granted a time variance of 180 days in which to correct deficiencies 2, 3 and 4 of the North Providence Fire Marshal's November 24, 2008 inspection report. The Applicant is granted a time variance of two (2) years in which to correct deficiency 1 of the above report. The North Providence Fire Marshal's office is granted the authority to extend any or all of the above timelines for good faith efforts being made by the Applicant. The motion was unanimous.**

**Respectfully submitted,**

**Carol Marsella**