

**Fire Safety Code Board  
Of Appeal & Review  
Minutes of December 1, 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, December 1, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Dias, Jasparro, Preiss, Blackburn, Pearson, Filippi and Walker. Commissioner Jackson was absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #080027: Mr. William Connerton, for the property located at 39 Berkley Avenue in Newport. ADSFM Raymond Lopes appeared for the Newport Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Jasparro, to grant the following relief. The Applicant is directed to apply an intumescent paint to the cited apartment doors in order to provide a twenty-minute or better rating. The Applicant is granted a variance, based on structural hardship, for the location of the electrical panels in this facility, and refers the matter to the Newport Electrical Inspector. The motion passed over the opposition vote of Commissioner Preiss.**

**APPEAL #090341: Mr. William H. Connerton, for the property located**

at 21-23 Brinley Street in Newport. ADSFM Raymond Lopes appeared for the Newport Fire Marshal's office. This matter was continued until January 5, 2010.

**APPEAL #070359:** Mr. James Auclair, for the property located at 3261 Mendon Road in Cumberland. ADSFM Claude LaFlamme appeared for the Cumberland Hill Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Walker, to direct the Applicant to either replace the cited door or to apply intumescent paint to the cited door, at the direction and to the satisfaction of the Cumberland Hill Fire Marshal's office. The motion was unanimous.

**APPEAL #070119:** Mr. Paul Donaldson, for the property located at 2378 Mendon Road, Cumberland. ADSFM Claude LaFlamme appeared for the Cumberland Hill Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant request for relief from the provisions of sections 13.8.10.5.13, 14.10.2.1 and 7.3.1.2. The motion was unanimous.

**APPEAL #070462:** Mr. Louis K. Pierini, for the property located at 3191 Mendon Road in Cumberland. ADSFM Claude LaFlamme appeared for the Cumberland Hill Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Filippi and Walker, to grant variances, based upon structural hardship, for the items listed on the Cumberland Hill Fire Marshal's

**September 7, 2007 inspection report, provided that the Applicant changes the lock on the cited basement door and provides one emergency light in the basement of this facility, at the direction and to the satisfaction of the Cumberland Hill Fire Marshal's office. The motion was unanimous.**

**APPEAL #080011: Mr. Edward Wiacek, for the property located at 361-365 Hope Street in Bristol. Chief Robert Martin and ADSFM Woodard appeared for the Bristol Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Dias, to grant the following relief. The Applicant is directed to close off the third floor of this facility until sprinklers are installed throughout the building. The Applicant is directed to limit the occupancy of the first floor to 75 persons and the second floor to 75 persons. The Applicant is granted a time variance of sixty (60) days to submit plans to the Bristol Fire Marshal's office for the correction of all other outstanding deficiencies in this facility, and a time variance until December 31, 2010 to complete the project. The Bristol Fire Marshal's office is granted the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #070518: Mr. Thomas Lazieh, for the property located at 551-555 Dexter Street in Central Falls. ADSFM John Garvey appeared for the Central Falls Fire Marshal's office. This matter was continued until February 2, 2010 in order for the Applicant to have time to**

research the possibility of installing a second exit from the basement of this facility. No action was taken at this time.

**APPEAL #070439: Blackstone Valley Assisted Living, for the property located at 649 Broad Street in Central Falls. Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Jasparro, to grant the following relief. The Applicant is granted a structural variance on items 1, 2, 3 and 5 of the State Fire Marshal's August 17, 2007 inspection report. The Applicant is directed to caulk any holes that exist in the cited dumbwaiter shaft, at the direction and to the satisfaction of the State Fire Marshal's office, within thirty days of the decision. The motion was unanimous.**

**Old Business: In the matter of Appeal #070102, Executive Director Coffey read into the record a letter from Hughes Associates to Chairman Coutu requesting that the original decision in this case be modified to reflect the fact that the existing stairway enclosure is currently in conformance with the RI Fire Code and that no further enclosure is necessary. Commissioner Dias made a motion, seconded by Commissioner Walker, to approve the modification of the original decision. The motion was unanimous.**

**The Board reviewed a request from Mr. Leonard Belliveau, Jr., P.E. for clarification of formal interpretation 09-08. No action was taken.**

**Respectfully submitted,**

**Carol Marsella**