

**Fire Safety Code Board
Of Appeal and Review
Hearing Minutes for January 26, 2010**

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, January 26, 2010 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Dias, Walker, Jasparro and Preiss. Commissioners Filippi, Pearson, Jackson, Blackburn and Richard were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #060932A: Apex Development Company, for the property located at 100 Main Street, Pawtucket. Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. Commissioner Jasparro made a motion, seconded by Vice Chairman Newbrook, to grant a time variance until September 30, 2010 to allow the Applicant to maintain the current length of travel distance in this facility. The motion was unanimous.

APPEAL #070416: Mr. Joseph DeSantis, for the property located at 2204 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 a variance, based on structural hardship, for the second means of

egress from the third floor office space. The Applicant is directed to add a smoke detector at that location, at the direction and to the satisfaction of the State Fire Marshal's office.

APPEAL #070436: Ms. Marilyn Movsovitz, for the property located at 43 King Street in North Providence. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a time variance of 120 days in which to apply fire rated paint to the cited paneling. The Applicant is also granted a variance from the provisions of section 17.2.11.1, there being no objection by the State Fire Marshal's office. The motion was unanimous.

APPEAL #070403: Mr. Jeff Polucha, for the property located at 322 Eddie Dowling Highway in North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Jaspardo, to grant the Applicant a time variance of fourteen (14) days in which to correct deficiency 4 by bringing the portable fire extinguishers into compliance. The Applicant is granted a time variance of thirty (30) days in which to correct any other outstanding deficiency in this facility and the North Smithfield Fire Marshal's office is granted the authority to extend the above time lines for good faith efforts on behalf of the applicant. The motion was unanimous.

APPEAL #070475: Mr. Ernest Clough, for the property located at 783

Victory Highway in North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's office. Commissioner Dias made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a time variance of thirty (30) days in which to submit plans to the North Smithfield Fire Marshal's office for the installation of a compliant fire alarm system and an additional 120 days in which to install the system. The North Smithfield Fire Marshal's office is authorized to extend the above deadlines for good faith efforts being made by the Applicant. The motion was unanimous.

APPEAL #070489: Mr. Anthony Lavornia, for the property located at 1097 Eddie Dowling Highway in North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's office. Commissioner Walker made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a time variance of thirty (30) days to submit plans to the North Smithfield Fire Marshal's office for the correction of all outstanding deficiencies in this facility, and an additional 120 days in which to implement that plan of action. The North Smithfield Fire Marshal's office is authorized to extend the above deadlines for good faith efforts being made by the Applicant. The motion was unanimous.

APPEAL #090395: CNJ Realty, for the property located at 27 Mill Street in Johnston. Assistant Deputy State Fire Marshals Matarese and Horan appeared for the Johnston Fire Marshal's office. The

Applicant is directed to prepare a plan of action for the correction of all outstanding deficiencies within this facility and return with same to the Board on March 30, 2010.

APPEAL #070288: Mr. Thomas J. Lapointe, PE, for the property located at 15 Deerfield Drive in Smithfield. Commissioner Dias made a motion, seconded by Commissioner Walker and Vice Chairman Newbrook, to approve the Applicant's request to utilize PVC conduit in the pool area of the Smithfield YMCA. The Smithfield Fire Marshal was unable to attend the hearing, but indicated via telephone that he had no objection to the relief. The motion was unanimous.

Respectfully submitted

Carol Marsella