

**Fire Safety Code Board
Of Appeal and Review
Hearing Minutes March 15, 2011**

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, March 15, 2011 at 1:00 P.M. Present were Chairman Newbrook and Commissioners Blackburn, Preiss, Walker, Jaspardo, Pearson, Dias and Filippi. Commissioners Jackson and Richard were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella.

The following cases were heard.

APPEAL #110063: William Street Partners LLC, for the property located at 110-112 William Street in Newport. ADSFM Ray Gomes appeared for the Newport Fire Marshal's Office. Commissioner Preiss made a motion, seconded by Commissioner Jaspardo, to allow the proposed assembly, for this occupancy only or for an occupancy of lesser use. The motion was unanimous.

APPEAL #110033: Mr. Joseph M. Tavares, for the property located at 33 Hoppin Avenue in East Providence. Assistant Deputy State Fire Marshals Oscar Elmasian and James Bellamy appeared for the East Providence Fire Marshal's Office. Commissioner Walker recused himself from consideration of this case. Commissioner Dias made a

motion, seconded by Commissioner Pearson, to grant the Applicant a time variance until the commencement of the 2013/2014 school year in which to make the required corrections to this facility. The Applicant is further directed to report to the Board in August of 2011 the results of the budget vote upon which the funds for these corrections depend. If the result is that no money has been budgeted for the above repairs, then the Applicant is directed to return to the Board in September of 2011 with an alternate plan of action for the above corrections. The motion passed with Commissioner Blackburn abstaining from the vote.

APPEAL #050534: Mr. James Kerr, for the property located at 1 Little Harbor Landing, Portsmouth. ADSFM Joseph Bento appeared for the Portsmouth Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioner Dias, to reinstate the Applicant's previously granted variance. The motion passed over the objection of Commissioners Preiss and Blackburn.

APPEAL #070334: Mr. David Cotta, for the property located at 895 Middle Road, Portsmouth. ADSFM Joseph Bento appeared for the Portsmouth Fire Marshal's Office. Commissioner Pearson made a motion, seconded by Commissioner Walker, to grant the Applicant a time variance for the correction of any outstanding deficiencies within this facility, at the direction and to the satisfaction of the Portsmouth Fire Marshal's Office, and granting that Office the authority to extend the time variance for good faith efforts being

shown by the Applicant. The motion passed over the objection of Commissioner Dias.

APPEAL #110062: Mr. Jeffrey Petzold, for the property located at 125 Dupont Drive in Providence. ADSFM Lisa Krapf appeared for the Providence Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Jasparro, to grant the Applicant's plan of action for the replacement fuel oil day tank system at the Dupont Drive location. The motion was unanimous.

APPEAL #080325, 080326: Atty. Andrew McKay, for the properties located at 1 County Street and 1 Talbot Street 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 Commissioner Filippi, to grant the Applicant a time variance for the correction of all deficiencies in these facilities, with the North Providence Fire Marshal's Office having the authority to extend the time variance for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

APPEAL #080323: Mr. Benjamin Tulli, for the property located at 1 Redfern Street in North Providence. Assistant Deputy State Fire Marshals Gregory Unsworth and John Horan appeared for the North Providence Fire Marshal's Office. Commissioner Preiss made a motion, seconded by Commissioner Walker, to approve the

Applicant's plan of action for the correction of all outstanding deficiencies in this facility and granting him time to complete the work. The North Providence Fire Marshal has the authority to extend the above time variance for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #080324: Mr. Benjamin Tulli, for the property located at 648 Woonasquatucket Avenue, North Providence. Assistant Deputy State Fire Marshals Gregory Unsworth and John Horan appeared for the North Providence Fire Marshal's Office. Commissioner Jasparro made a motion, seconded by Commissioner Pearson, to grant the Applicant a time variance for the correction of all outstanding deficiencies within this facility. The North Providence Fire Marshal has the authority to extend the above time variance for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #110055: Mr. Bernardino Mancini, for the property located at 45 Dorman Avenue in North Providence. Assistant Deputy State Fire Marshals Gregory Unsworth and John Horan appeared for the North Providence Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance for the correction of all outstanding deficiencies within this facility, noting that the fire extinguishers must be installed within thirty (30) days. The North Providence Fire Marshal has the authority to extend the above time variance for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #110048: Torrado Architects, for the property located at 400 East Avenue in Warwick. Chief of Plan Review Wade Palazini appeared for the State Fire Marshal's Office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Walker made a motion, seconded by Commissioner Jasparro, to grant the Applicant's request for relief on the basis of structural hardship. The motion was unanimous.

Respectfully submitted

Carol Marsella