

**Fire Safety Code Board  
Of Appeal and Review  
Hearing Minutes October 25, 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, October 25, 2011 at 1:00 P.M. Present were Chairman Newbrook, Vice Chairperson Filippi and Commissioners Dias, Pearson, Walker, Jasparro, Jackson, Sylvester, Burlingame, Blackburn and Richard. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella.**

**APPEAL #110217: Town Administrator David Dolce, for the property located at 321 East Main Road in Portsmouth. Chief Jeffrey Lynch and ADSFM Joseph Bento appeared for the Portsmouth Fire Marshal's Office. Commissioner Dias made a motion, seconded by Vice Chairperson Filippi, to direct the Applicant to repair the cited penetrations to the best of his ability. The Applicant is granted a variance to maintain the existing pipe, provided it is plainly marked, and a variance to not sprinkle the building, noting that with separation, the sprinkler requirement is moot. The Applicant is directed to provide clear aisle space and limit the inventory in the thrift shop area. The motion passed with Commissioner Burlingame abstaining from the vote.**

**APPEAL #080115: Mr. John Terra, for the property located at 132 Child Street, Warren. Chief Alexander Galinelli appeared for the Warren Fire Department. Commissioner Pearson made a motion, seconded by Commissioners Richard and Jasparro, to grant the following relief. The Applicant is directed to permanently reduce the occupancy of this facility to two hundred (200) people or less and to install the required radio box, and will be granted a variance to not be required to sprinkle this facility. The Applicant is directed to contact the Fire Chief for functions that have the potential for exceeding the 200 person occupancy to arrange for a firefighter(s) on duty and any other fire safety directive the department may require. The motion was unanimous.**

**APPEAL #110221: Mr. Steven Gomes, for the property located at 127 Daboll Street, Providence. ADSFM Christopher Dillon appeared for the Providence Fire Marshal's Office. Commissioner Jackson made a motion, seconded by Commissioner Blackburn, to grant the Applicant's request to not install a flow and tamper switch on each floor level of this facility. The motion was unanimous.**

**APPEAL #110212: Ms. Virginia Faria of the Department of Labor and Training, for the property located at 1511 Pontiac Avenue in Cranston. Chief of Plan Review Wade Palazini appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Walker and Vice Chairperson Filippi, to approve the Applicant's plan of action for the cited elevator lobby, and the ability**

to utilize the pertinent sections of the 2012 edition of the Life Safety Code prior to its adoption by the Board. The motion was unanimous.

**APPEAL #090311 and #090312:** Mr. Yogi Patel, for the property located at 7825 Post Road in North Kingstown (Buildings 1 and 2). ADSFM Scott Kettelle appeared for the North Kingstown Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Jackson, to hold these cases over to November 8, 2011, in order to allow the Fire Marshal time to re-inspect these facilities. The motion was unanimous.

**APPEAL #100086:** Mr. Francis Dwyer, for the property located at 7650 Post Road in North Kingstown. ADSFM Scott Kettelle appeared for the North Kingstown Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Walker, to grant the Applicant a variance not to enclose the main exit stairway. The motion passed over the opposition vote of Commissioner Burlingame.

**APPEAL #090172, 090228, 090294:** Mr. Robert Kielbasa, for the property located at 1272 West Main Road in Middletown. Assistant Deputy State Fire Marshal Robert McColl appeared for the Middletown Fire Marshal's Office and Deputy State Fire Marshal Paul Manning appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioners Jasparro, Burlingame and Walker, to deny the Applicant's request to not install sprinklers in

**this facility. The motion passed over the opposition votes of Commissioners Jackson and Dias.**

**APPEAL #110209: Providence Water, for the property located at 61 North Road in Hope. Deputy Chief John Chevalier appeared for the Hope/Jackson Fire Department. Commissioner Blackburn made a motion, seconded by Commissioners Sylvester and Pearson to require the Applicant to sprinkle the effluent filter pipe gallery, cited in item #9 of the December 11, 2009 plan review denial, and to grant the Applicant a variance on item #8 of the same report. The motion was unanimous.**

**Old Business: Mr. David Cooley appeared with a progress report on the following five (5) facilities, noting that the facility located at 279 Douglas Pike in North Smithfield has been brought up to code.**

**APPEAL #060797A: 111 West Greenville Road, Smithfield**

**APPEAL #080181: 1609 Pawtucket Avenue, East Providence**

**APPEAL #080182: 141 Wilson Avenue, East Providence**

**APPEAL #080183: 279 Douglas Pike, North Smithfield**

**APPEAL #080184: 116 Bradford Street, Bristol**

**Commissioner Blackburn thereupon made a motion, seconded by Commissioner Pearson, to direct the Applicant to bring the remaining four (4) facilities into compliance with the RI Fire Code within nine (9)**

**months from the hearing date of October 25, 2011, and to grant the State Fire Marshal's Office the authority to extend that deadline for good faith efforts being shown by the Applicant. The motion was unanimous.**

**Respectfully submitted**

**Carol Marsella**