

## **Fire Safety Code Board**

### **Of Appeal and Review**

**May 22, 2012**

**The Rhode Island Fire Safety Code Board of Appeal and Review met at its headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday May 22, 2012. Present were Vice Chairperson Filippi and Commissioners Dias, Pearson, Jasparro, Jackson, Sylvester, Burlingame and Blackburn. Chairman Newbrook and Commissioners Walker and Richard were absent. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella.**

**The following cases were heard:**

**APPEAL #120058: New Hope Community Church, for the property located at 1373 Smith Street, North Providence. ADSFM John Horan appeared for the North Providence Fire Marshal's Office. Commissioner Jasparro made a motion, seconded by Commissioner Sylvester, to direct the Applicant to return to the Board on June 5, 2012 with a firm plan of action for the correction of the deficiencies within this facility. The motion passed over the objection of Commissioner Burlingame.**

**APPEAL #090095: Greenwood Care and Rehabilitation, for the property located at 1139 Main Avenue in Warwick. DSFM Eric Kiernan**

**appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Pearson, to grant the Applicant's request for structural variances for the ceiling height in the basement of this facility. The motion was unanimous.**

**APPEAL #080282: Mr. Scott F. Gould, for the property located at 98 School Street in North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's Office. Commissioner Pearson made a motion, seconded by Commissioners Dias and Sylvester, to grant the following relief. The Applicant is directed to utilize the stove for warming only, and not to generate any grease laden vapors. The Applicant is granted a time variance of thirty (30) days from the date of this decision in which to supply flame resistant paint to the cited surfaces. The North Smithfield Fire Marshal may extend that time for good faith efforts being shown by the Applicant. The motion passed over the opposition vote of Commissioner Burlingame.**

**APPEAL #120057: Ms. Janice Falcone, for the property located at 4115 Old Post Road in Charlestown. DSFM Kaitlyn Foley appeared for the State Fire Marshal's Office. Commissioner Jasparro made a motion, seconded by Commissioner Jackson, to grant the Applicant a variance, on the basis of structural hardship, to maintain the headroom in the Indian room at 75 inches. The Applicant is directed to keep the front door unlocked while the building is occupied, and to mark the lock at the direction and to the satisfaction of the State Fire Marshal's Office. The Applicant is directed to maintain the**

occupancy of this facility at less than 179 people, and the Applicant is granted a time variance of thirty (30) days from the date of the decision in which to make any other corrections at the direction and to the satisfaction of the State Fire Marshal's Office. That Office may extend the above time for good faith efforts being demonstrated by the Applicant. The motion passed over the objection of Commissioner Burlingame.

**APPEAL #080329:** Mr. James Williams, for the property located at 288 Aylsworth Avenue in Woonsocket. DSFM Robert Couture appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Jasparro, to grant the following relief. The Applicant is granted a variance, based upon structural hardship, to maintain the headroom on the lower level stairs at 77 inches. The Applicant is granted a variance to install a domestically supplied sprinkler head over the boiler of this facility and to repair the emergency light in the lower level, at the direction, to the satisfaction and within a timetable established by the State Fire Marshal's Office. The Applicant is granted a variance to utilize the interior measurements of this facility in determining that this facility does not require a local fire alarm, but shall maintain hard wired smoke and CO detection, at the direction, to the satisfaction and within a timetable established by the State Fire Marshal's Office. The motion passed with Commissioner Jackson abstaining from the vote.

**APPEAL #080025:** AIDS Care Ocean State, for the property located at

**106 Eighth Street in Providence. DSFM Robert Couture appeared for the State Fire Marshal's Office. Commissioner Pearson made a motion, seconded by Commissioner Sylvester, to grant the Applicant's request for relief, based upon structural hardship, for the stairway dimensions in this facility. The Applicant is directed to install "low headroom" signage, at the direction and to the satisfaction of the State Fire Marshal's Office. The motion was unanimous.**

**APPEAL #080026: AIDS Care Ocean State, for the property located at 114 Eighth Street, Providence. DSFM Robert Couture appeared for the State Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Pearson, to grant the Applicant's request for relief, based upon structural hardship, for the stairway dimensions in this facility. The Applicant is directed to install "low headroom" signage, at the direction and to the satisfaction of the State Fire Marshal's Office. The motion was unanimous.**

**APPEAL #110014, 110015, 110016: Mr. Merrit Meyer, for the property located at 500 Wood street in Bristol (Building groups 1, 2 and 3). Deputy State Fire Marshals Vieira and Macaruso appeared for the State Fire Marshal's Office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Dias made a motion, seconded by Commissioner Sylvester, to approve the Applicant's plan of action as presented and to direct the Applicant to return to the Board in one year with a progress report. The motion**

**passed over the opposition vote of Commissioner Burlingame.**

**APPEAL #120035A: Mr. Raymond Kleib, for the property located at 198 Atwells Avenue in Providence. ADSFM Joseph Michalczyk appeared for the Providence Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Dias, to approve the Applicant's plan of action and to allow the Providence Fire Marshal's Office to review and approve the proposed suppression system under NFPA 96, 2004 edition. The motion was unanimous.**

**Respectfully submitted**

**Carol Marsella**