

## **Fire Safety Code Board**

### **Of Appeal and Review**

**June 26, 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 June 19, 2012. Present were Chairman Newbrook, Vice Chairperson Filippi and Commissioners Dias, Pearson, Walker, Jasparro, Jackson, Sylvester and Burlingame. Commissioners Richard and Blackburn were absent. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella.**

**The following cases were heard:**

**APPEAL #090246A: Director James Demers, for the property located at One LaSalle Square, Providence. Chief Deputy James Gumbley and Chief of Plan Review Wade Palazini appeared for the Providence Fire Marshal's Office. Commissioner Pearson made a motion, seconded by Commissioners Sylvester and Jasparro to approve the Applicant's request to extend the floor capacity for a one-time event on October 5, 2012. The State Fire Marshal's Office can approve this plan on an event-by-event basis for future similar events. The motion passed over the opposition votes of Vice Chairperson Filippi and Commissioners Dias and Burlingame.**

**APPEAL #090096:** Town of Cumberland, for the property located at 45 Broad Street in Cumberland. Chief Brian Jackvony appeared for the Cumberland Fire District and DSFM Paul Manning appeared for the State Fire Marshal's Office. A motion was made and seconded to direct the Applicant to correct specific issues that were deemed of immediate concern, and the Applicant was directed to return to the Board on August 7, 2012 with a plan of action for the correction of the remaining deficiencies outlined on the State Fire Marshal's report. The motion passed over the opposition of Commissioner Burlingame.

**APPEAL #120054:** McKee Brothers Oil Corp., for the property located at 8 Davis Street in Cumberland. Chief Brian Jackvony appeared for the Cumberland Fire District and DSFM Paul Manning appeared for the State Fire Marshal's Office. It was determined that an on-site inspection of this facility would be conducted on July 16, 2012.

**APPEAL #120064:** Stevie D's Auto Sales and Service, for the property located at 250 Oakland Beach Avenue, Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Jasparro, to grant the Applicant a time variance of ninety (90) days to bring this facility into compliance; the Warwick Fire Marshal may extend that time for good faith efforts being shown by the Applicant. The motion was unanimous.

**APPEAL #120055:** Mr. Dennis Lacroix, for the property located at 70

**St. Paul Street, North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioner Sylvester, to grant the following relief. A variance is granted in order to allow the Applicant to maintain the cited apartment doors. A variance is granted in order to allow the Applicant to maintain the headroom on the cited stairway provided emergency lighting is installed in that area or signage indicating low headroom is installed, at the direction and to the satisfaction of the North Smithfield Fire Marshal. The Applicant is granted a time variance of fifteen (15) days to install fire extinguishers in this facility. The Applicant is granted a time variance of thirty (30) days to submit a plan of action for the correction of all other outstanding deficiencies in this facility to the North Smithfield Fire Marshal and an additional 150 days to implement that plan, with the North Smithfield Fire Marshal having the authority to extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #120065: Mr. Thomas Lake, for the property located at 11 Friendship Street in Newport. DSFM Paul Manning appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Walker, to grant the Applicant certain dimensional relief, to approve the Applicant's plan of action for the disbursement of goods and time to correct the outstanding deficiencies in this facility. The motion passed with Commissioner Burlingame abstaining from the vote.**

**APPEAL #120073A: Ms. Kimberly Afonso, for the property located at 32 Dodge Street on Block Island. Chief Deputy James Gumbley, Chief of Plan Review Wade Palazini and Deputy State Fire Marshal Eric Kiernan appeared for the State Fire Marshal's Office. Vice Chairperson Filippi recused herself from consideration of this case. Commissioner Dias made a motion, seconded by Commissioners Jasparro and Walker, to grant the following relief. The Applicant is directed to close, and not use, the fourth floor of this facility. The Applicant will open the restaurant portion of this facility when it is brought into compliance with the code. A fire watch, agreeable to the SFMO and reporting to the SFMO, will be utilized. Seven rooms are allowed to be occupied as described. The facility is expected to be fully compliant on or before 8-12-12. This file is to be left open while the project is ongoing. All relief granted pursuant to plans approval by the SFMO. The motion passed over the objection of Commissioner Burlingame.**

**Respectfully submitted**

**Carol Marsella**