

## **Fire Safety Code Board**

### **Of Appeal and Review**

**July 17, 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 July 17, 2012. Present were Chairman Newbrook, Vice Chairperson Filippi and Commissioners Dias, Pearson, Jasparro, Jackson, Sylvester, Blackburn and Burlingame. Commissioners Richard and Walker were absent. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella.**

**The following cases were heard:**

**APPEAL #100064: Mr. John S. Comey, for the property located at 226 Sterry Street, Pawtucket. DSFM Eric Kiernan appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Burlingame, to grant the Applicant's requested variances on the basis of structural hardship. The motion passed unanimously.**

**APPEAL #100118: Jenkins Construction, for the property located at 1150 Aquidneck Avenue in Middletown. ADSFM Rob McColl appeared for the Middletown Fire Marshal's Office. Commissioner**

**Sylvester made a motion, seconded by Commissioner Dias, to table this case until after the local Marshal has reinspected the facility and reissued an inspection report. The motion passed unanimously.**

**APPEAL #100147: Mr. Christopher Bouzaid, for the property located at 747 Aquidneck Avenue in Middletown. ADSFM Rob McColl appeared for the Middletown Fire Marshal's Office. Commissioner Burlingame made a motion, seconded by Commissioner Sylvester, to table this case until after the local Marshal has reinspected the facility and reissued an inspection report. The motion passed unanimously.**

**APPEAL #120069A: Ms. Michelle Tuck, for the property located at 102 Bowen Street, Providence. There was no representative from the Providence Fire Marshal's Office in attendance at this hearing. Commissioner Burlingame made a motion, seconded by Commissioner Sylvester, to allow the Applicant to utilize the 2012 national standards without the Rhode Island Amendments in the 102 Bowen Street permit review. The motion passed with two opposition votes.**

**APPEAL #120075: Johnson & Wales University, for the property located at 30 Chestnut Street in Providence. Commissioner Blackburn recused himself from consideration of this case. There was no representative from the Providence Fire Marshal's Office in attendance at this hearing. However, ADSFM Timothy Lutz informed the Board by telephone that he had reviewed the Applicant's request**

and had no objection to the granting of the requested relief. Commissioner Sylvester made a motion, seconded by Commissioners Burlingame and Dias, to grant the Applicant's requested relief and to reaffirm previously granted variances. The motion passed unanimously.

**APPEAL #110122A:** Mr. William Hermistone, for the property located at 20 Hurdis Street in North Providence. ADSFM John Horan appeared for the North Providence Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Jasparro and Vice Chairperson Filippi to approve the Applicant's plan of action for the correction of the outstanding deficiencies within this facility. The motion passed unanimously.

**APPEAL #100080:** Ms. Wieslawa Drozdowski, for the property located at 21 Aldrich Street, North Providence. ADSFM John Horan appeared for the North Providence Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Jackson, to grant the Applicant the following relief. The Applicant is directed to install compliant fire extinguishers within this facility within thirty (30) days. The Applicant is granted a time variance of sixty (60) days to resolve the meter issue and an additional 120 days to install a compliant fire alarm system within this facility and to correct any other outstanding deficiencies included in the March 22, 2010 inspection report. The North Providence Fire Marshal may extend any of the above timelines for good faith efforts being demonstrated

**by the Applicant. The motion passed unanimously.**

**APPEAL #100110: Vista Management, for the property located at 1 Eric Place, North Providence. ADSFM John Horan appeared for the North Providence Fire Marshal's Office. The Applicant did not appear. Commissioner Blackburn made a motion, seconded by Commissioner Jaspardo, to grant the Applicant a time variance of thirty (30) days to install fire extinguishers in this facility and also thirty (30) days in which to prepare and present a plan of action to the North Providence Fire Marshal's Office for the correction of all outstanding deficiencies within this facility and an additional 120 days to implement that plan. The North Providence Fire Marshal may extend the above time for good faith efforts being demonstrated by the Applicant. The motion passed unanimously.**

**APPEAL #120006: 56 Associates, for the property located at 5 Hill Street, Pawtucket. DSFM Paul Manning appeared for the State Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Pearson, to approve the Applicant's plan of action for this facility, including the requested structural hardship variances, and to grant the Applicant a time variance totaling 210 days in which to implement that plan. The State Fire Marshal's Office may extend that time for good faith efforts being demonstrated by the Applicant. This file is to be left open. The motion passed unanimously.**

**Subcommittee report: Commissioner Jaspardo made a motion,**

**seconded by Commissioner Jackson, to approve the subcommittee recommendations for the property located at 6 Davis Street in Cumberland, which included the approval of the cited separation and the direction that the State Fire Marshal's Office would work with the parties to address any remaining issues. This file is to remain open. The motion passed.**

**Respectfully submitted**

**Carol Marsella**