

**Fire Safety Code Board
Of Appeal and Review
October 23, 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, October 23, 2012. Present were Chairman Newbrook and Commissioners Dias, Walker, Jasparro, Jackson, Sylvester, Burlingame and Richard. Vice Chairperson Filippi and Commissioners Blackburn and Pearson were absent. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella.

The following cases were heard.

APPEAL #120136: East Providence Fire Department, for the property located at 175 Amaral Street in East Providence. Deputy State Fire Marshal Thomas Dettore appeared for the State Fire Marshal's Office and ADSFM Oscar Elmasian appeared for the East Providence Fire Marshal's Office. Commissioner Walker did not participate in this case. Commissioner Sylvester made a motion, seconded by Commissioner Jasparro, to grant a variance to allow the Applicant to install battery operated smoke and CO detection in the sleeping rooms of this fire station during the temporary use of this building. The motion was unanimous.

APPEAL #050105A: MCS Enterprises, for the property located on Tift Road in North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Sylvester, to grant the Applicant a time variance until January 1, 2013 to comply with the fire alarm provisions of the code. The Applicant is granted a variance to not install a key box, and a time variance of thirty (30) days to present a plan of action to the North Smithfield Fire Marshal's Office for the correction of the other outstanding deficiencies within this facility and 120 days to implement that plan. The motion was unanimous.

APPEAL #120098, 120106: Gem Property Management, for the property located at 242 Waterman Avenue, North Providence (Buildings A and B). ADSFM John Horan appeared for the North Providence Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioners Richard and Dias, to grant the Applicant certain time variances within which to make the outstanding corrections within this facility, at the direction and to the satisfaction of the North Providence Fire Marshal's Office. The motion was unanimous.

APPEAL #120111: Mr. John Mizerek, for the property located at 83 Ocean Avenue/21 Jeffrey Road, Newport. ADSFM Chris Mahoney appeared for the Newport Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Walker, to grant the

Applicant a time variance of thirty (30) days to present a plan of action to the Newport Fire Marshal's Office for the correction of all outstanding deficiencies within this facility, and an additional 120 days to implement that plan. Note that the Applicant is granted a variance to correct item 10 on the deficiency report at the direction and to the satisfaction of the Newport Fire Marshal's Office. The Newport Fire Marshal may extend the above timelines for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

APPEAL #120115: Harris Health Care North, for the property located at 60 Eben Brown Lane, central falls. DSFM Thomas Dettore appeared for the State Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Jackson, to grant the Applicant's request for dimensional relief based upon structural hardship, to reaffirm previously granted variances and to grant the Applicant a time variance within which to make the required corrections to any outstanding deficiencies within this facility. The motion passed with Commissioner Sylvester abstaining from the vote.

APPEAL #120104: Mr. Ramzi J. Loqa, for the property located at 25 Robert's Way, North Kingstown. DSFM Thomas Dettore appeared for the State Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Richard, to grant the Applicant time to make the corrections to the outstanding deficiencies within this

facility. The motion passed with Commissioner Jackson abstaining from the vote and Commissioner Burlingame opposing the vote.

APPEAL #090022: Warwick Central Baptist Church, for the property located at 3270 Post Road in Warwick. DSFM Cynthia Dehler appeared for the State Fire Marshal's Office. Commissioner Jackson made a motion, seconded by Commissioner Walker, to grant the Applicant a time variance until June 30, 2013 to upgrade the fire alarm system. The Applicant is granted a time variance of thirty (30) days to present to the State Fire Marshal's Office a plan of action for the correction of any other outstanding deficiencies within this facility and 150 days to implement that plan. The State Fire Marshal's office may extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #090278B: Mr. Mario Mancebo, for the property located at 663 Charles Street in Providence. Deputy State Fire Marshals Cynthia Dehler and Wade Palazini appeared for the State Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioners Dias and Sylvester, to grant the Applicant an additional 120 days in which to comply with the provisions of a previous decision; the State Fire Marshal's Office may extend that time for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

APPEAL #120110: Mr. Steven Meresi, for the property located at 506

Broadway, Providence. DSFM Paul Manning appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance of thirty (30) days in which to install smoke and CO detection in all the apartment units, properly mount and maintain the cited portable fire extinguishers, repair the internally illuminated exit sign, provide cover plates to the electrical fixture boxes, remove extension cords being used as permanent wiring, and remove storage of combustibles under the exit stairways. The Applicant is directed to return to the Board on January 22, 2013 with a plan of action for the correction of all other deficiencies listed on the State Fire Marshal's 7-19-2012 report. The motion was unanimous.

Correspondence: Commissioner Sylvester made a motion, seconded by Commissioner Jsparro, to approve the Applicant's request for alternative compliance for one item of a previously granted variance for the property located at 718 Bellevue Avenue in Newport. The motion was unanimous.

Respectfully submitted

Carol Marsella