



Deval L. Patrick  
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Timothy P. Murray  
Lieutenant Governor

Kevin M. Burke  
Secretary

# The Commonwealth of Massachusetts

## Department of Public Safety

Board of Building Regulations and Standards

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Thomas G. Gatzunis, P.E.  
Commissioner

Alexander MacLeod, R.A.  
Chairman

Gary Moccia, P.E.  
Vice Chairman

Robert Anderson  
Administrator

Date: September 8, 2009

Name of Appellant: Patricia Downing

Service Address: 9 Park Avenue, No. 701  
Hull, MA. 02048

In reference to: 72 Hancock Street  
Braintree, MA. 02184

Docket Number: 09-755

Property Address: 72 Hancock Street  
Braintree, MA. 02174

Date of Hearing: 06-23-09

Enclosed please find a copy of the decision on the matter aforementioned.

Sincerely:

### BUILDING CODE APPEALS BOARD

Patricia Barry, Clerk

cc: Building Code Appeals Board  
Building Official

**COMMONWEALTH OF MASSACHUSETTS**  
**State Building Code (780 CMR) Appeals Board**  
**Board's Ruling on Appeal<sup>1</sup>**

**Docket No. 09-755**

Appellant(s): Patricia Downing and  
Joseph Luongo

vs.

Appellee(s): City/Town of Braintree  
Russell Forsberg

**Procedural History**

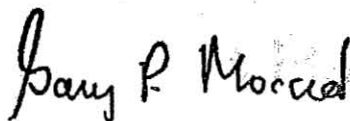
This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant a variance to 7<sup>th</sup> edition 780 CMR 1025.0, 1018.2, and 1208.2, for the property at 72 Hancock St. Braintree, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on June 23, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board. Ms. Downing and Mr. Luongo appeared and testified at this hearing.

**Discussion**

Based on the testimony, a motion was made to grant the Appellant's request for a variance to the 7<sup>th</sup> edition 780 CMR 1025.0, 1018.2, and 1208.2. The motion requires that the appellants install a code compliant emergency escape and rescue window in the bedroom as noted in the letter dated May 7, 2009 from the Braintree building department. There was a second on the motion and a board vote was taken, which was unanimous.

**Conclusion**

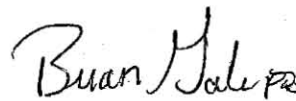
**The Appellant's request for a variance to the 7<sup>th</sup> edition 780 CMR 1025.0, 1018.2, and 1208.2, is hereby granted as described in the discussion above and so ordered<sup>2</sup> on this date:  
June 23, 2009.**



Gary Moccia



Douglas Semple



Brian Gale

<sup>1</sup> This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

<sup>2</sup>In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.