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Vice Chairman

Robert Anderson
Administrator

Date: September 25, 2009

Name of Appellant: Nathaniel Walker

Service Address: 129 Merrimack Meadows Lane
Tewksbury, MA. 01875

In reference to: 129 Merrimack Meadows Lane
Tewksbury, MA. 01875

Docket Number: 09-758

Property Address: 129 Merrimack Meadows Lane
Tewksbury, MA. 01875

Date of Hearing: 07-21-09

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 Appeal¹

Docket No. 09-758

Appellant(s): Nathaniel Walker

vs.

Appellee(s): City/Town of Tewksbury
Edward P. Johnson

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 780 CMR Table 503, for the property at 129 Merrimack Meadows Lane, Tewksbury, 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 July 21, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board. Nathaniel Walker was present and testified at the hearing.

Discussion

Based on the testimony, and submittals at the hearing, a motion was made to grant the Appellant's request for a variance to 780 CMR Table 503. This motion was made under the conditions that the space be used only as an office and that a smoke detector is installed. There was a second on the motion and a board vote was taken, which was unanimous.

Conclusion

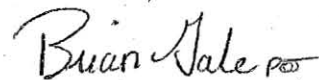
The Appellant's request for a variance to 780 CMR Table 503, is hereby granted as described in the discussion above and so ordered² on this date: July 21, 2009.



Dana Haagensen



Sandy MacLeod



Brian Gale

¹ 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

²In 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.