COMMONWEALTH OF MASSACHUSETTS
State Building Code (780 CMR) Appeals Board
Board's Ruling on Appeal[1]

Docket No. 08-623

Appellant(s): Dan Walsh vz. Appellee(s): City/Town of Littleton
Roland Bernier

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 him a variance from 780 CMR 5305.1, Exceptions 1 and 2, for 6 Wychwood Drive, Littleton, 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 August 26, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing *pro se*.

Discussion

A motion was made to grant the Appellant's request for a variance from 780 CMR 5305.1, Exceptions 1 and 2, based on the significant hardship of moving the center girder of the building. There was a second on the motion and a board vote was taken, which was unanimous.

Conclusion

The Appellant's request for a variance from 780 CMR 5305.1, Exceptions 1 and 2, is hereby granted and so ordered[2] on this date: August 26, 2008.

Jacob Nunnemacher (p) Brian Gale (p)

Jacob Nunnemacher Brian Gale Alexander MacLeod

[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

[2] 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.