# The Commonwealth of Massachusetts
## Department of Public Safety
### Board of Building Regulations and Standards
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Vice Chairman

Robert Anderson
Administrator


Date: November 09, 2009

Name of Appellant: Daniel Leary

Service Address: Nexamp, Inc.
21 High Street, Suite 209
North Andover, MA. 01845

In reference to: 1 Adele Dr.-64 Industrial Pkwy.
Woburn, MA. 01801

Docket Number: 09-780

Property Address: 1 Adele Dr.-64 Industrial Pkwy.
Woburn, MA. 01801

Date of Hearing: 09-03-09

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

Sincerely:

**BUILDING CODE APPEALS BOARD**

Patricia Barry

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**[1]

**Docket No. 09-780**
Appellant(s): Nexamp, Inc. vs. Appellee(s): City/Town of Woburn
Represented by Daniel Leary Steven Paris

## 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 requesting the use of 2009 IBC as opposed to 7th edition for 1 Adele Drive/64 Industrial Parkway, Woburn, 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 September 3, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board. Daniel Leary appeared and testified.

## Discussion

After discussion the appellant withdrew the request for a variance to the 7th edition 780 CMR. The decision to withdraw the request was due to the fact there was no longer a need for a variance. There was a motion and second to dismiss this case and a board vote was taken, which was unanimous.

## Conclusion

The Appellant's request for a variance to the 780 CMR is hereby **dismissed** as described in the discussion above and so ordered[2] on this date: September 3, 2009.

Jacob Nunnemacher — Jacob Nunnemacher
Douglas Semple — Doug Semple
Alexander MacLeod — 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.