

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board<sup>1</sup>  
Docket No. 05-369

Edward Richardson,	)
Appellant,	)
	)
v.	)
	)
Town of Westwood and Joseph	)
Doyle, Jr.,	)
Appellees	)
	)

**BOARD’S RULING ON APPEAL**

**Procedural History**

This matter came before the State Building Code Appeals Board (“the Board”) on the Appellant’s appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant asks the Board to grant a variance from 780 CMR 1014.4 (Headroom) of the Massachusetts State Building Code (“MSBC”) for Westwood High School located at 200 Nahatan Street, Westwood, MA. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on February 20, 2007 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant failed to appear for the hearing. Present and representing the Town of Westwood Building Department was Joseph Doyle, Jr. (“Building Commissioner”). There was no representative present from the Town of Westwood Fire Department.

**Discussion**

A motion was made to deny the Appellant’s request for a variance from 780 CMR 1014.4 of the MSBC based upon the following: the testimony of the Building

<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.

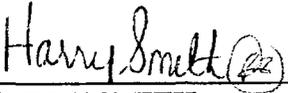
Commissioner; the inadequate amount of headroom in the catwalk area above the auditorium; the catwalk area could be accessed by more than permanent school employees and the Building Commissioner is willing to work with the builders to try and find a solution for this issue.

Motion carried 3-0.

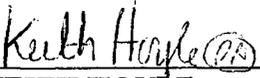
**Conclusion**

The Appellant's request for a variance from 780 CMR 1014.4 is hereby **DENIED.**

**SO ORDERED.**

  
\_\_\_\_\_  
**HARRY SMITH**

  
\_\_\_\_\_  
**ALEXANDER MACLEOD**

  
\_\_\_\_\_  
**KEITH HOYLE**

DATED: March 14, 2007

*\*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.*