

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board<sup>1</sup>  
Docket No. 05-363

Gregory Carell,	)
Appellant,	)
	)
v.	)
	)
Town of Hanson and Robert Kirby,	)
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, Appellant asks the Board to grant a variance from 780 CMR, Table 716.1 of the Massachusetts State Building Code ("MSBC") for the Town of Hanson Police Department located at 85 Main Street, Hopkinton, 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 1, 2007 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

Present and representing the Town of Hanson was the Appellant. Present and representing the Town of Hanson Building Department was Robert Kirst. Present and representing the Town of Hanson Fire Department was Allen Hoyt.

**Discussion**

A motion was made to grant the Appellant's request for a variance from 780 CMR, Table 716.1 of the MSBC based upon the facts that the Town of Hanson Fire and Building Departments are not in opposition to the granting of this variance and if this

<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.

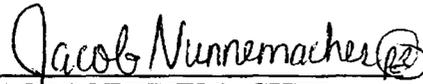
variance was not granted life safety issues concerning the intended use of the property would arise. Motion carried 2-0. Jacob Nunnemacher abstained from voting.

**Conclusion**

The Appellant's request for a variance from 780 CMR, 716.1 is hereby  
**GRANTED.**

**SO ORDERED.**

  
\_\_\_\_\_  
**GARY MOCCIA**

  
\_\_\_\_\_  
**JACOB NUNNEMACHER**

  
\_\_\_\_\_  
**STANLEY SHUMAN**

DATED: March 12, 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.*