

BDA 692 132



# Inspectional Services Department

Martin J. Walsh, Mayor

February 8, 2017

Dennis Garofalo  
279 W 3<sup>rd</sup> St #3  
South Boston, MA 02127

**Re: Application No. ALT647028 Filed: 10/20/16 Location: 28R Phillips St**  
**Purpose: Allow for modification to IBC, Sections 903.2.8.**

Your application is hereby refused, as same would be in violation of Chapter 802, Acts of 1972, as amended, to wit:

**903.1 General.**

Automatic sprinkler systems shall comply with this section.

**903.2 Where required.**

Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

**903.2.8 Group R.**

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Very truly yours,

Luis A. Santana  
for the Commissioner



Application #ALT647028  
March 24, 2017

NARRATIVE STATEMENT FOR  
THE APPEAL TO THE BOARD OF APPEAL

28R PHILLIPS STREET  
BOSTON, MASSACHUSETTS

Boston Custom Remodeling, LLC, contractor to the owners Zachary and Christina Canter of 28R Phillips Street, hereby requests the building code relief described below for the expanded area on the existing fourth floor.

BUILDING CODE

In this appeal, the project is seeking building code interpretation relief necessary for a fourth floor renovation to an existing residential building, located on an approximately 900 SF lot on land numbered 3 Coburn Court, rear of 28 Phillips Street, being Southwesterly corner of Lot No. 43. The project includes replacing an existing pitched roof with a new flat roof utilizing the existing ridge beam to expand the current usable area located on the fourth floor. This would result in an increase in Gross Floor Area of approximately 275 SF. The project has an existing Gross Floor Area of 141 SF located on the fourth floor, and thus will be increased by 276 SF to a total of 441 SF.

In accordance with the Denial Letter, a copy of which is included with this appeal, the following interpretation relief is required for the project:

- 903.1 General. Automatic sprinkler system shall comply with this section.
- 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.
- 903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

The building permit application that was filed on January 13, 2017, included Fire Protection Drawings and Written Narrative stamped and signed by a Licensed Professional Engineer of the Commonwealth of Massachusetts. The automatic sprinkler system has been designed to meet all requirements set forth by NFPA 13D and be appropriate for protection against fire hazards. In addition to being installed in the fourth floor, the existing building is to be fully retrofitted on all floors with the proposed automatic sprinkler system.

In a non-realized renovation to this property that was filed on 7/23/04, a copy of which is hereto attached, was approved by the Inspectional Services Department. The renovation included four fully occupied floors and roof deck with headhouse. The 7/23/04 proposed plans were submitted without the inclusion of an automatic sprinkler system with a total of 5 occupied levels, including

the roof deck, which would exceed the requirements stated in Chapter 5: Table 503: Allowable Heights and Areas.

For the foregoing reasons and for additional reasons that may be presented at the public hearing, we respectfully request that the Board of Appeal grant the above-described variance for the project, and such other relief as the Board of Appeal deems proper.



## Inspectional Services Department

Martin J. Walsh, Mayor

November 1, 2016

Dennis Garofalo  
279 W 3<sup>rd</sup> St #3  
South Boston, MA 02127

**Re: Application No.** ALT647028 **Filed:** 10/20/16 **Location:** 28R Phillips St  
**Purpose:** Allow for modification to IBC, Sections 705.5; 705.8; 903.2.8.

Your application is hereby refused, as same would be in violation of Chapter 802, Acts of 1972, as amended, to wit:

**705.5 Fire-resistance ratings.**

Exterior walls shall be fire-resistance rated in accordance with Tables 601 and 602 and this section. The required fire-resistance rating of exterior walls with a fire separation distance of greater than 10 feet (3048 mm) shall be rated for exposure to fire from the inside. The required fire-resistance rating of exterior walls with a fire separation distance of less than or equal to 10 feet (3048 mm) shall be rated for exposure to fire from both sides.

**705.8 Openings.**

Openings in exterior walls shall comply with Sections 705.8.1 through 705.8.6.

**705.8.1 Allowable area of openings.**

The maximum area of unprotected and protected openings permitted in an exterior wall in any story of a building shall not exceed the percentages specified in Table 705.8.

**903.1 General.**

Automatic sprinkler systems shall comply with this section.

**903.2 Where required.**

Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

**903.2.8 Group R.**

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area .

Very truly yours,

Luis A. Santana  
for the Commissioner

Refusal of a permit may be appealed to the Board of Appeal within 45 days. Chapter 802, Acts of 1972, and Chapter 656, Acts of 1956, Section 19.  
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