



TOWN of BROOKLINE
Massachusetts

BUILDING DEPARTMENT

Daniel F. Bennett
Building Commissioner

INTEROFFICE MEMORANDUM

Date: August 15, 2016

To: Members of the Zoning Board of Appeals

From: Daniel F. Bennett
Building Commissioner

Re: Massachusetts State Building Code – Prop. Line – Abutting Prop. - Construction

With the abundance of Comprehensive Permit applications working their way through the review process I have been asked to address concerns regarding proximity to property lines, impact on abutting properties, permit application and the construction process.

Many of the proposals locate buildings on or within feet of the property line with varying building heights. In addition there is concern for the structures and other improvements for adjoining properties both public and private.

The Massachusetts State Building Code (MSBC) provides specific regulations that govern in certain instances.

Chapter 7 – Fire Protection and Smoke Protection Features – Section 705 Exterior Walls

This section regulates the fire protection capability of the exterior wall, including limitations on openings in the walls. The requirements are based on the fire separation distance, the occupancy that represents a relative fuel loading and the percentage of openings in the wall. In addition it also regulates the location of openings in order to prevent ignition of adjacent stories. Tables establish the minimum fire-resistance ratings for exterior walls based on the type of construction that addresses the structural integrity of the building under fire conditions. Lastly, the code establishes the allowable area of openings, whether protected or unprotected, in exterior walls with a fire separation distance of 0-30 feet.

Chapter 14 – Exterior Walls – Section 1406 Combustible Materials on the Exterior Side of Exterior Walls.

This section provides direction to exterior elements of combustible construction. The elements include wall veneers, architectural trim, gutters, balconies, windows, panels, etc. It determines the combustibility of walls based on construction types. Lastly, it limits and requires the flame spread and radiant heat exposure to mitigate hazards of combustible materials.

Chapter 33 - Safeguards During Construction.

This section establishes that reasonable safety precautions are to be provided during the construction or demolition process to protect the public from injury and adjoining properties from damage. It indicates the need to protect all existing public and private property bordering the project.

As summarized above, it is clear the Building Code establishes specific regulations that address structures located close to property lines and protection of public and private adjoining properties.

In addition to the design standards mentioned above, the Building Code has a number of provisions that address permit application, plan review and construction. The provisions consist of construction documentation submittal, construction control including professional and contractor services and third party peer review. The code sections detail the documentation required at building permit application; such as construction drawings, technical reports and narratives. The regulations further detail the registered professional in responsible charge, the services of the registered professional throughout the construction process as well as identify the third party inspectors and special inspections schedule including; soil, steel, rebar and concrete.

In order to prevent any misunderstanding or unanticipated code violations I would ask the Board to request the applicant provide a preliminary Code analysis with respect to height and area compliance as well as exterior wall rating and openings.