
From: Nunnemacher, Jacob (DFS)
Sent: Friday, March 22, 2019 9:40 AM
To: arthur johnson
Cc: Hoyt, Jennifer (DFS); Michael Hanson - FPD;
t; Walter Sendrowski; Mark Grasso; Orlando
Pacheco; Michael Antonellis
Subject: RE: Governing NFPA Standard - Determination

Mr. Johnson,

I apologize for not being more clear in trying to answer your question in my first response.

The Board of Fire Prevention Regulations promulgated the current Massachusetts Comprehensive Fire Safety Code (527 CMR 1.00) that became effective on January 1st, 2018. The Massachusetts Comprehensive Fire Safety Code is based on the 2015 NFPA 1 – Fire Code with Massachusetts Amendments.

Only when the Lancaster Fire Department receives an official fire department access submittal (527 CMR 1.00: 18.1.3.1), can Chief Hanson officially determine if NFPA 1141 will be applicable to this project. To my best knowledge, an official fire department access submittal has not been provided yet – so an official determination cannot be made at this time.

It is my understanding that Chief Hanson is only providing recommendations to the Lancaster Zoning Board of Appeals on the Goodridge project – there are no guidelines on what the Chief can provide as recommendations.

At this time, it is my opinion that it would be unlikely that NFPA 1141 would be applicable to this project since NFPA 1141 is not specifically referenced in 527 CMR 1.00: Chapter 18 Fire Department Access and Water Supply. Again, the official determination cannot be made until the official fire department access submittal is provided.

Hope that this response has answered your question.

Sincerely,

Jake

H. Jacob Nunnemacher

Massachusetts Division of Fire Safety
formerly - The Massachusetts State Fire Marshal's Office
1 State Road
P.O. Box 1025
Stow, Massachusetts 01775

From: arthur johnson [mailto:
Sent: Thursday, March 21, 2019 6:12 PM
To: Nunnemacher, Jacob (DFS)
Cc: Hoyt, Jennifer (DFS)

Subject: RE: Governing NFPA Standard - Determination

Mr. Nunnemacher: Thank you for your response, however you failed to address the fundamental question I raised in regard to the governing NFPA documents. Is or is not NFPA 1141 "Standard for Fire Protection Infrastructure in Wildland, Rural, and Suburban Areas" 2017 to be included in Chief Hanson's (and Fire Protection Services) review of this proposed significant land use plan. Specifically:

- 1) Will Chief Hanson submit a written report to the ZBA regarding existing Fire Protection Service Capacity with respect to Dispatching, Manpower, Apparatus and Station Locations? Will this proposed land use intensification impact Fire protection services such that mitigation by the applicant should be negotiated. (CHAPTER 12)
- 2) Will Chief Hanson meet with The Clinton Fire Chief Lutes for input and or concurrence with plan review... Mutual Assistance\ Mutual Aid? (CHAPTER 11)
- 3) Will Chief Hanson approve 4/5-Story Apartment Structures with Standpipes as condition of approval? Note approval by ZBA subject to condition of standpipe cannot be appealed. (see CHAPTER 8).
- 4) Will Chief Hanson approve/ support reducing side yard set back from 20ft. to 10ft. reducing one and two family dwelling separation to less than 30ft. subject to condition that both buildings be protected with residential sprinklers conforming to NFPA 13. Note; approval by ZBA of 10ft. side yard subject to install of residential sprinklers cannot be appealed. (See CHAPTER 6)
- 5) Has Chief Hanson considered calling for a third-party independent reviewer to be paid for by the applicant? (CHAPTER 4)
- 6) Will Chief Hanson "render a written final determination if the proposed land use or land development change complied with NFPA1141? (CHAPTER 1)

Respectfully,

Art Johnson

Art Johnson

978 846 2688

On March 18, 2019 at 11:36 AM "Nunnemacher, Jacob (DFS)"
wrote:

Mr. Johnson,

Good morning. I did receive your March 7th request in regards to the applicability of NFPA 1141 to the Goodridge Brook Estates.

In your e-mail, you mention that you are waiting for my determination in order to possibly appeal it to the Massachusetts Fire Code Appeals Board (527 CMR 1.00: 1.10). To date, I have been providing Fire Chief Hanson fire department operation and/or fire protection related comments for the Lancaster Fire Department to provide input to the Lancaster Zoning Board of Appeals on the project. Since these are only recommendations, they cannot be appealed through the Massachusetts Fire Code Appeals Board (527 CMR 1.00: 1.10).

Once a complete fire department access submittal (527 CMR 1.00: 18.1.3.1) is officially provided to the Lancaster Fire Department, I will provide review comments/recommendations to Chief Hanson. Chief Hanson will take those comments/recommendations and render an official determination. This official determination is what may possibly be appealed.

Coincidentally after your e-mail this morning, I did receive additional documentation on the project which may complete what is needed for an official review. I have not had the time to review those documents at this time.

If you have any questions, feel free to contact me.

Sincerely,

Jake

H. Jacob Nunnemacher

Massachusetts Division of Fire Safety

formerly - The Massachusetts State Fire Marshal's Office

Stow, Massachusetts 01775

e-mail:

From: Art Johnson
Sent: Monday, March 18, 2019 8:01 AM
To: Nunnemacher, Jacob (DFS) <[jacob.nunnemacher@state.ma.us](#)>
Cc: Hoyt, Jennifer (DFS)
Subject: Re: Governing NFPA standard - Determination

Jacob: Nunnacker: The silence is deafening! Please respond to my request as to the applicability of NFPA 1141 with respect to the proposed significant land use change proposed in the Town of Lancaster.

As I stated in my previous email, please forward any questions to Jake Nunnemacher as he is the fire protection engineer assigned to this project.

Thank you,
Jen

Jennifer L. Hoyt

Massachusetts Division of Fire Safety
Phone: _____
Fax: _____
e-mail: _____

-----Original Message-----

From: Art Johnson <
Sent: Wednesday, February 27, 2019 3:43 PM
To: Hoyt, Jennifer (DFS) <
Subject: Governing NFPA Standard - DeterminationAtta

Ms. Hoyt:

The Goodridge Brook Estates (40B) proposed development as was previously communicated to you (1/24/19) proposes 56 8,000SF lots and 96 apartments on land currently zoned 2 acre residential. This project is currently in the land use approval process with the Lancaster ZBA. NFPA 1141 Standard for Fire Protection Infrastructure for Development in Wildland, Rural, and Suburban Areas 2017 is the NFPA Standard that the AHJ review should follow and adhere to. Lancaster's AHJ, and apparently the Fire Marshall's office also, is reviewing this project under NFPA 1 Chapter 18 and MA 527 CMR. NFPA 1141 defines specific minimum infrastructure design standards and places significant responsibilities and transparency requirements on the AHJ.

I believe it is imperative and appropriate that you confirm or determine that NFPA 1141 is ,in fact, the Standard that applies and so advise all parties.

I thank you for your expeditious response.

Art

Sent from my iPad

<Scan Mar 7, 2019 at 8.06 AM.pdf>

Sent from my iPhone

On Mar 7, 2019, at 10:51 AM, arthur johnson < > wrote:

Mr. Nunnemacher:

The Goodridge Brook Estates proposed development plan is currently under review by the Lancaster Zoning Board of Appeals. This proposed development represents a major change in land use and development intensity increasing the current land use from 2 acre zoning to 56 -8000 SF lots, in part, and 96 apartments in four/five story building complexes. NFPA 1141 "Standard for Fire Protection Infrastructure in Wildland, Rural, and Suburban Areas" 2017 is the fire protection standard that I believe applies to this development proposal. Lancaster's AHJ, and apparently Fire Protection Services, have been reviewing this project's development plans under NFPA 1 (with MA amendments). NFPA 1141 calls for significant transparency by the AHJ; Chapter 1 Administration, Chapter 4 General Requirements, Chapter 11 Safety and Emergency Preparedness (Mutual Aid coordination) and Chapter 12 Capacity of Fire Protection Services.

I hereby request that you review NFPA 1141 and make a determination as to the governing NFPA Standard.

Technically, an appeal, if needed, cannot be made until such time that your determination is made. I have attached, for your reference, my cover letter under which I submitted NFPA 1141 to the Lancaster Zoning Board of Appeals.

Thank you for your expeditious action on this request.

Respectfully,

Art Johnson (PE Retired)

----- Original Message -----

From: "Hoyt, Jennifer (DFS)" < >
To: Art Johnson < >
Cc: "Nunnemacher, Jacob (DFS)" < >

Date: February 28, 2019 at 8:24 AM
Subject: RE: Governing NFPA Standard - Determination

Mr. Johnson,