

## **Marge Schmuckal - 46 Avon - new exterior egress**

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**From:** Marge Schmuckal  
**To:** Benjamin Wallace  
**Date:** 1/24/2013 3:00 PM  
**Subject:** 46 Avon - new exterior egress

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Hi Ben,


I received a permit application for 46 Avon Street to construct a 2nd story rooftop deck and exterior stairs for an egress. They are not meeting current setbacks or lot coverage. However, I do have an exemption in zoning that allows me to issue such a permit if the egress is required to meet current fire or other life safety codes. Timothy Follo is the owner of the property and said you have been to the site. He explained the complications of the present internal stairs that exit out of the building thru the basement.

Can you confirm to me that the his permit and new egress are required to meet the current life safety or other fire codes?

thank you,  
Marge

The planning authority shall be responsible for providing to the applicant for setback reduction an instrument signed by the chair or vice-chair of the Planning Board, indicating any setback reduction granted under the terms of this section. The applicant for such setback reduction shall be responsible for recording this instrument in the Cumberland County Registry of Deeds within sixty (60) days of the Planning Board's grant of the reduction. Failure to record such instrument within the required time period shall render the reduction null and void.

(Ord. No. 227-97, 3-17-97)

 **Sec. 14-440. Exterior egress.**

Notwithstanding any other provision of this Code, the building authority may permit the installation of an exterior egress stair or an upgrade of an existing exterior fire escape for a conforming or lawfully nonconforming dwelling unit existing as of January 5, 1998, if such egress is required to meet current fire or other life safety codes, provided that the owner demonstrates to the building authority that:

- (a) There is no practical and economically reasonable way to provide such egress within the interior of the building, as demonstrated by the submission of detailed floor plans showing the projected cost of and the impact on the existing dwelling from an interior stair;
- (b) The stairway and associated landings and other building fixtures are designed and will be constructed to have a minimal visual impact upon the building, especially as viewed from any public way or public open space, as demonstrated by photographs of the front and any other affected facades of the building and plans or drawings of the proposed egress stairs;
- (c) Reductions to setbacks granted under this section shall be the least amount required to meet life safety code requirements; and
- (d) Exterior stairways on buildings subject to regulation under article IX of this chapter shall require review and approval under the provisions of that article.

(Ord. No. 181-98, 1-5-98)