

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
B.O.C.A. APPEAL HEARING CONTINUATION - BLOOMING GLEN RESTORATIONS
Monday, August 7, 1995
6:30PM**

The continued public hearing for the B.O.C.A. Appeal of Blooming Glen Restorations was called to order at 6:44PM by Chairman William H. Bennett, Jr., and opened with the Pledge of Allegiance. Also in attendance was Vice-Chairman Kenneth B. Bennington, Supervisor Jack C. Fox, Township Manager Bruce G. Horrocks, Code Enforcement Officer Michael Gardner, Township Solicitor Larry Cherba, and the applicants, Mr. Brooke Rush and Mr. Daryl Derstine.

Chairman Bennett visited the site last week, as did Supervisor Bennington. Supervisor Fox has also visited the site in the recent past. After spending two hours in the building, Chairman Bennett came to the conclusion that this project is purely a labor of love of a historical site and is a totally non-profitable situation. Chairman Bennett is not aware of what Mr. Derstine and Mr. Rush paid for the property, however he knows that over \$200,000.00 has been spent on renovations to date. Even with the rental of three apartments and the rental of the first floor commercial space, Chairman Bennett does not believe the applicants will ever make this a profitable venture for themselves. As Chairman Bennett recalls, there are four major B.O.C.A. requirements the applicants are seeking waiver of. In view of the fact that this is a historical building and in view of the effort by the applicants, Chairman Bennett would personally be willing to waive three of the four B.O.C.A. Code requirements as requested by Mr. Rush and Mr. Derstine.

Solicitor Cherba explained this is a continuation hearing from July 11, 1995, and will be referred to as B.O.C.A. Hearing #95-1. This hearing was properly advertised as a continuation hearing from July 11, 1995.

Last evening, Supervisor Bennington received a phone call from Mr. John Gillespie, acting chief of the Silverdale Fire Department, indicating he had visited the site located at the intersection of Rt. 113 and Blooming Glen Road. Mr. Gillespie informed Supervisor Bennington he would not be present this evening due to prior commitments. Mr. Gillespie emphasized to Supervisor Bennington, that the Silverdale Fire Company fully supported the requirements of the B.O.C.A. Code and the Fire Protection Plan, thereby fully supporting Mr. Gardner's opinion concerning this matter. Chairman Bennett noted that George Egly, Chief of Police, did not sympathize with the idea of requiring a fire escape from the third floor of the building. Chairman Bennett commented the applicant's informed him that an unenclosed fire escape would cost approximately \$7,000.00 - \$8,000.00 to construct. The applicants presented a plan showing the proposed fire escape.

Mr. Daryl Derstine, partner in Blooming Glen Restorations, noted the historical nature of the building, which was a combined commercial and residential use, with approximately three quarters of the building used for commercial and one quarter of the building being used for residential. When the parking analysis was studied for its relationship to the amount of commercial space proposed, Mr. Derstine and Mr. Rush realized the 53 required parking spaces could not be provided with the limited amount of parking area available. It then became the applicant's decision to minimize the use as much as possible, which meant proposing more residential use and less commercial use, thus reducing the need for parking. With that in mind, construction of the two apartments on the second floor began. The commercial use was then minimized to the first floor of the building and to the barn area, which is unsuitable for residential at this time. In light of that, Mr. Derstine and Mr. Rush wished to insure that the following summary of completed work be entered into the record (a copy of which is attached to these minutes):

1. Removal of all old knob and tube wiring within building.

Mr. Derstine advised any remnants of the original wiring will be removed on the first floor when it is remodeled.

2. Installation of all new electrical wiring on all floors.

Mr. Derstine noted each apartment will contain its own electrical panel within its unit, as will the commercial area.

3. Installation of electrical service disconnects on exterior of building in case of fire.

Mr. Derstine stated all wiring will be brand new and will provide for outside shut-off.

4. Placement of apartment mechanicals on third floor in the proposed enclosed room. Room to be constructed with hardwired/interconnected smoke alarm and one hour fire rated walls and ceiling.

The applicants have eliminated placement of those mechanicals in the separate units.

5. Installation, inspection, and approval of hardwired/interconnected smoke alarms on every floor.

Mr. Derstine commented interconnected smoke alarms have also been installed in the hallways and in the basement of the building.

6. Elimination of all combustion appliances and furnaces.

There will be no oil burners, no gas fired heaters, no gas hot water heaters, etc. It will be a combustion free building.

7. Removal of combustible wood plaster lath in areas of construction.

The applicants wished to insure that no fire can develop in a wall area or a ceiling area, therefore all combustible materials have been removed and replaced with drywall.

8. Installation of fire extinguishers on every floor and along escape route through common hallway.

9. Banned all smoking within building in all areas.

10. Pre-wired for lighted exit signs and emergency lighting.

In the event of a power failure, Mr. Derstine noted the emergency lighting and lighted exit signs will turn on.

11. Construction of one hour fire rated common hallway directly to exterior. (*Agreed revision noted on page 7 of these minutes)

12. Completion of two hour fire separation of all walls and ceilings between apartment units.

13. All concealed areas (re: soffits or lowered ceilings) sealed off to prevent the spread of fire.

Mr. Derstine stated all concealed areas where fire could possibly spread have been sealed off. There are no "fire chases" which are typical in older construction. They have all been sealed to prevent fire from spreading rapidly through these areas as is common in historic buildings.

14. Installation of Class 1 fire rated insulation between apartment units.

Most of the interior walls and all of the ceilings have been insulated with a Class 1 fire rated insulation, so that between all the floors, there are no hollow spaces for fire to travel.

15. Replacement of windows and tightening of building to eliminate fire drafting.

Mr. Derstine stated that this will greatly reduce drafting for fires.

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Supervisor Fox noted that fire extinguishers were installed along the escape routes, but asked if they will also be installed in the apartments themselves. Mr. Rush commented 10 pound fire extinguishers have been installed in the common hallway, with the idea that when any person enters the building, they will see where all fire extinguishers are located. The applicants would be willing to install extinguishers in each apartment unit. Supervisor Bennington advised Mr. Gillespie had mentioned that with the interconnected smoke alarms on every floor, a system should be devised that will automatically notify the Bucks County Fire Marshall. Mr. Horrocks asked if the present system currently proposes an automatic alarm. Mr. Derstine replied it does not propose automatic dial at this time.

Mr. Brooke Rush, partner in Blooming Glen Restorations, discussed the issue of verifying the Type 4 Construction. Since the last meeting, Mr. Rush completed the drawings showing more relevant information, and reviewed them with Mr. Gardner last Friday. As far as Mr. Rush is concerned, he and Mr. Derstine are no longer seeking a waiver of this issue since he has complied with those requirements.

With regard to the L & I approved drawings, since there is just a one bedroom apartment unit located on the third floor, Mr. Rush does not understand why this issue applies. Mr. Rush realizes L & I approval is a zoning requirement in terms of any conversion. It has been the applicant's intention from the start of the project to provide L & I drawings relating to the commercial space on the first floor, however he does not feel it is necessary for the apartment units. Being on a limited budget, the applicants are hoping to not repeat any steps in this approval process which could become quite expensive. The reason the applicants do not have the commercial space ready to present to L & I for approval is because they are still dealing with the Planning Commission on such issues as parking and water. If L & I inspects the commercial use after the applicants have completed the residential units and then discovers problems with those units, Supervisor Bennington noted it may have been prudent and less expensive to discover those problems earlier. Mr. Rush agreed that may be prudent, however the problem still exists of not knowing the time frame involved with putting a plan together for the commercial space. If the commercial space is determined not to be viable due to parking or water issues, the applicants may have to change their direction for the first floor space from a commercial use to a residential use. Supervisor Bennington stated there will be a complete L & I inspection of this entire building at some point in the approval process and he does not see a need for two such inspections. Mr. Rush agreed, stating the Township can make their approval contingent upon L & I approval for the building. Supervisor Fox asked how the Supervisors would go about delaying the L & I

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approval. Mr. Horrocks explained L & I approval is not a B.O.C.A. requirement, rather it is a Zoning Ordinance requirement. As long as the Supervisors specify this matter as a condition for approval, there should not be a problem. Mr. Rush obtained a zoning permit for the third floor which is conditional upon L & I approval. Supervisor Bennington suggested that the Township waive the second L & I approval, which would include the second and third floor only, and make a condition that only one L & I approval for the entire building be required for occupancy. Mr. Michael Gardner, Building Inspector, asked the Solicitor if the local government authority has the right to waive L & I, which is a State regulation. Solicitor Cherba does not believe that they can, however in this instance, the Township is not waiving the requirement, they are merely waiving a local requirement while still complying with the State requirement.

Discussion took place concerning a second means of egress. At the last meeting, Mr. Rush was directed to present what he considered to be a viable alternative to a fire escape. Mr. Rush feels an \$8,000.00 fire escape is prohibitive for one apartment. Mr. Rush presented his plan showing a proposed fire escape for the Board's review. Mr. Rush believes there is only one side of the building to propose this fire escape, which would be the left elevation that currently contains the freight doors. Everything shown on the drawing in terms of the elevation is an existing feature, except for the front porch which presently does not exist. Mr. Rush attempted to find the shortest, safest evacuation route, without requiring passage of any building openings. The proposal calls for egress from the existing freight doors, traveling down towards the rear of the property which would be the shortest, steepest run down to a level situation. Mr. Rush proposed the staircase down to a landing which is suspended above an existing one story structure. Mr. Gillespie, acting fire chief, visited the site and suggested a spiral staircase from the third floor, which would avoid passing any windows. One of the issues of concern, however, would be that the fire escape would pass above an existing one story structure. To address that issue, Mr. Rush proposed a fire rated ceiling under that roof structure, as he has for the entire first floor. In effect, this would hold back the fire so that people could pass safely over the top of the one story structure. Mr. Rush obtained an estimate for an approved metal spiral staircase which would meet any of the B.O.C.A. requirements for a fire escape in terms of the tread width, the depth, the maximum riser, and minimum riser. With the fifteen items that the applicants have already done to the building, Mr. Rush believes the fire escape will never be used and therefore believes it is a viable alternative.

Not considering the financial aspect of the fire escape, but rather concentrating on the safety aspect, Supervisor Fox asked if it would be possible to extend the landing a bit past the second floor

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freight door for another means of escape in the event there was a fire coming up the central interior stairwell. After reviewing B.O.C.A. Code requirements, Mr. Rush advised egress through a window is unacceptable. Mr. Rush felt that egress through a window would be better than nothing and noted that the second floor units have porches, which to him is a safer route of evacuation. In this proposal, the fire escape would pass by one window from one of the two second floor units. The remaining unit on the second floor would not be affected. Mr. Gillespie had suggested using the freight doors for the second floor, but again, there is the same issue of only servicing one unit. Also, the elevation of the floor is below the roof and Mr. Rush did not feel that would be in the best safety interests. Supervisor Bennington asked Mr. Gardner's opinion of the proposed fire escape. Mr. Gardner feels there is no other option but to go with this proposal.

One issue of concern is something Mr. Gardner mentioned at the first hearing, which is that Hilltown Township is in a climate subject to ice and snow. The intent of the Code is to protect that fire escape from use in adverse conditions by enclosing it. Supervisor Fox understands that, however by adding this fire escape, the building will certainly not resemble the way it looked 150 years ago when it was a store. Supervisor Fox stated it is important, during restoration projects, to have the outside of the building to remain as authentic as possible. Supervisor Fox feels the open wrought iron staircase on a building of that age would look much better than an enclosed stairway, even though he understands Mr. Gardner's point. As a residential contractor, Mr. Rush has constructed egress windows on homes where there is no consideration for porches at all. All that is required, as Mr. Gardner will attest to, is to construct one window per bedroom, even though that bedroom may be on the third floor. There is no consideration given to the fact that people would have to jump to safety from those windows in the event of a fire. The applicants have proposed two bedroom apartments, yet there are many four bedroom dwellings where a great deal more people are at risk at any given time. Supervisor Fox feels there is a good chance that when L & I inspects the site, they will require connection of the fire escape to the second floor apartment units.

Supervisor Bennington is very pleased that Mr. Rush and Mr. Derstine have proposed a fire escape, because he had no intention of approving the plan without it. This proposal is acceptable to Supervisor Bennington. Supervisor Fox agreed with Supervisor Bennington.

Motion was made by Supervisor Bennington, and seconded by Supervisor Fox, to approve the proposed fire escape as shown on the plans for the Blooming Glen Restorations project, which meets the conditions of the Board of Supervisors as requested at the

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previous B.O.C.A. Hearing of July 11, 1995. Chairman Bennett was opposed on the basis of speaking with the police chief who does not feel a fire escape is required. Motion passed: 2:1.

After reviewing the plans with Mr. Rush, Mr. Gardner feels they do meet the intent of the Type 4 Heavy Timber Construction, even though the bearing beams in the basement are unprotected wood. Those beams are so large that Mr. Gardner does not believe they would ever fail.

Mr. Gardner questioned item #11 of the summary of completed work presented to the Board earlier this evening, which states "Construction of 1 hour fire rated common hallway directly to exterior." Mr. Gardner asked where that is located in the building. Mr. Rush explained as you start down the steps from the third floor (sheet 2 of 6), making the shortest, straightest route to the exterior, would take you to the first floor (sheet 1 of 6) and goes directly to the front door. Mr. Gardner noted it is addressed on sheet 1 of 6 of the first floor plan, however he believes this leads into a vestibule or a common hallway, not directly to the exterior as the summary states. Mr. Gardner suggested Mr. Rush change the wording of #11 of the summary which has been submitted as an exhibit, since this hallway does not lead directly to the exterior of the building. Mr. Rush agreed to change the wording of #11 of the summary to read:

"Construction of 1 hour fire rated common hallway, leading to a first floor common hallway."

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to accept the plans as submitted for Blooming Glen Restorations.

Discussion took place concerning a sprinkler system. Mr. Rush noted the construction of this building does not lend itself to the installation of a fire suppression system, or a piped sprinkler system. Such a system could certainly be installed, however it would be on the surface because of the way the building is constructed with 40 ft. long main beams dissecting the building into thirds. The fact that the walls between the units have been fire rated for 2 hours, Mr. Rush believes has created a structure similar to a townhouse. A townhouse is not required to have a sprinkler system or a fire escape, and none of these requirements are a consideration for a townhouse. Supervisor Fox commented a townhouse is a maximum two story structure. Mr. Rush feels he and Mr. Derstine have done so much to minimize the chance of a fire ever occurring in this building. Mr. Rush has always felt that sprinklers and any other fire suppression safeguards are primarily designed to save property, not lives. In Mr. Rush's mind, smoke alarms are early detection devices designed to allow for the safety

of the occupants of a structure. It appears to Mr. Rush that the push to include fire suppression such as a sprinkler system, is one based more on the monetary consideration of insurance companies trying to protect their investment. The applicants are fully insured for this building by Erie Insurance, who have made no requirements for installation of a sprinkler system. As Mr. Rush previously stated, there is no public water at the site, and the lot is serviced by an artisan well. Therefore, Mr. Rush is not certain that a sprinkler system would work properly even if it was installed without some sort of water storage capacity. Certainly the financial aspect of the installation of a sprinkler system is a major concern to the applicants. Mr. Rush feels fire suppression has been added to the building, even though it has not been added in the conventional way through a sprinkler system. The applicants do not wish to install a sprinkler system and feel it is unnecessary for this type of building. The possibility of Halon systems or a ceiling mounted CO2 system was discussed with Mr. Gillespie, however since they are considered oxygen depleting systems, that idea was discarded for obvious reasons.

Supervisor Fox has given this matter a great deal of thought, realizing that finances are a major issue for the applicant, however he believes peoples lives are more important than money. Supervisor Fox noted public water is available nearby at the Mennonite church, though it does not run down as far as the applicant's property. Supervisor Fox has even considered a standpipe which would be way out of place, yet without a standpipe, there would not be enough pressure to allow a sprinkler system to function properly. Supervisor Fox suggested extra fire extinguishers be installed, not only in the hallways but possibly two in each individual apartment unit. The applicants have deemed their building a "no-smoking" structure, however Supervisor Fox commented the Township building is also considered smoke-free, yet people occasionally smoke in the building. Supervisor Fox believes providing extra fire extinguishers is the only other alternative for this site. Supervisor Bennington agreed that additional fire extinguishers are a good idea.

Mr. Gillespie had suggested to Supervisor Bennington that some sort of fire detection device be installed in the barn located very close to this structure, which would alert those in the building to any fire in the outbuilding. Mr. Rush advised Mr. Gillespie had mentioned hardwiring a interconnecting smoke detector from the barn to the main structure. Supervisor Bennington felt that was an excellent suggestion, and does not believe a sprinkler system is needed in the main structure. The Board was in agreement. Supervisor Bennington feels a fire extinguisher in each apartment unit, including the loft, the mechanical room, and the enclosed stairway, would be sufficient.

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Motion was made by Supervisor Bennington, seconded by Chairman Bennett, and carried unanimously to waive the requirement for installation of a sprinkler system in the Blooming Glen Restorations building, and to require interconnected hardwired smoke alarm devices from the barn to the main structure, as discussed.

Solicitor Cherba will provide a written opinion of this hearing for the Board of Supervisors to review.

Mr. Rush asked if the issue of the sprinkler system will arise again when the applicants propose construction of the first floor commercial space. Supervisor Bennington advised that will be contingent on L & I requirements and approval.

Mr. Rush asked when construction can begin on the third floor. Technically, Mr. Horrocks noted, the Solicitor has 45 days from this date to present a written decision. Mr. Horrocks does not believe the decision will be appealed. The applicants, at their own risk, may begin construction on the third floor unit immediately after Mr. Gardner processes the necessary permits.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to adjourn the B.O.C.A. Hearing Continuation for Blooming Glen Restorations at 7:45PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

(*These minutes were transcribed from notes and tape recordings taken by Mr. Bruce Horrocks, Township Manager).

August 7, 1995
Blooming Glen Restorations
1028 Route #113
Blooming Glen, PA 18911

The following is a summary of completed work in order to provide for the health and safety of occupants in the historic building at the center of Blooming Glen known as Bishop's Store.

1. Removal of all old knob & tube wiring within building.
2. Installation of all new electrical wiring on all floors.
3. Installation of electrical service disconnects on exterior of building in case of fire.
4. Placement of apartment mechanicals on third floor in the proposed enclosed room. Room to be constructed with hardwired / interconnected smoke alarm and 1 hour fire rated walls and ceiling.
5. Installation, inspection, and approval of hardwired / interconnected smoke alarms on every floor.
6. Elimination of all combustion appliances and furnaces.
7. Removal of combustible wood plaster lath in areas of construction.
8. Installation of fire extinguishers on every floor and along escape route through common hallway.
9. Banned all smoking within building in all areas.
10. Prewired for lighted exit signs and emergency lighting.
11. Construction of 1 hour fire rated common hallway directly to exterior.
12. Completion of 2 hour fire separation of all walls and ceilings between apartment units.
13. All concealed areas (re: soffits or lowered ceilings) sealed off to prevent the spread of fire.
14. Installation of Class 1 fire rated insulation between apartment units.
15. Replacement of windows and tightening of building to eliminate fire drafting.

The above list of items has, with out question, transformed an existing fire trap into the safest building in Blooming Glen.

**BEFORE THE CODE HEARING BOARD
OF HILLTOWN TOWNSHIP**

**APPLICATION OF
BLOOMING GLEN RESTORATIONS**

APPEAL NO. 95-1

CODE HEARING BOARD DECISION

BACKGROUND

In February and May of 1995, the Building Inspector reviewed preliminary plans for construction of a proposed building project of Blooming Glen Restorations for renovations of the old Bishop store at Route 113 and Blooming Glen Road. The Building Inspector's review was in accordance with the 1990 BOCA Ordinance and is attached hereto as Exhibit "A". In response to the Building Inspector's BOCA review, the applicant requested guidance in compliance with certain provisions of the BOCA code pertaining to the installation of a fire suppression system, minimum number of egress, required plans showing type 4-C Heavy Timber Frame construction, L&I approval for Fire and Panic Regulations.

On June 1st, 1995 Applicant applied for interpretation and/or waiver of the above-described BOCA Code requirements. Pursuant to Public Notice, the Board of Supervisors of Hilltown Township, sitting as the Code Hearing Board, scheduled a public hearing for July 11, 1995 at 7:30 P.M. in the Hilltown Township Municipal Building. In attendance at the Hearing were Chairman William H. Bennett, Jr., Vice-Chairman Kenneth B. Bennington, Supervisor Jack C. Fox, Township Manager Bruce Horrocks, Building Inspector Mike Gardner, Solicitor Lawrence M. Cherba, Daryl Derstine, Brooke Rush, Barry Desko, Brooke and Sheila Moyer, and Woody Rush.

At the July 11, 1995 hearing the Board heard testimony regarding the applicant's request. The Hearing was adjourned and continued to August 7, 1995 at 6:30 P.M. The continued hearing date was likewise properly advertised, for the purposes of taking further testimony and rendering a decision at that time.

Based on the testimony and evidence presented at both hearings, the Board, after discussion and due deliberation, makes the following findings of fact and Order of the Board.

FINDINGS OF FACT

In February of 1995, Mr. Brooke Rush made application for zoning and building permits for the renovation of the old Bishop store, located at the corner of Route 113 and Blooming Glen Road. Applicants, Blooming Glen Restorations, intended at that time to acquire building permits to alter the second floor for construction of two (2) apartments. After review by Code Enforcement Officer Michael Gardner, the building permits were issued as all Code requirements were met at that time. Further discussion with Mr. Rush revealed to Mr. Gardner that eventually the applicants intended to obtain building permits to install offices on the first floor after first obtaining approval from the Planning Commission and Zoning Officer.

In May of 1995, Mr. Rush again made application for zoning and building permits in order to install an additional apartment on the third floor of the old Bishop store. Code Enforcement Officer Gardner explained that with the addition of the third apartment unit the classification would change and it would no longer be an R-3 use. With the proposal to install a third apartment on the third floor, Mr. Gardner advised the use classification would change to an R-2 use. An R-2 use mandates additional requirements such as an automatic fire suppression system throughout the building, and a second means of egress from that building.

Code Enforcement Gardner inspected the building several times and came to the conclusion that the building was a type 4-C - heavy timber frame construction with exterior masonry walls. In order to perform a more intensive plan review of the building, Mr. Gardner asked Mr. Rush to submit detailed plans of the entire structure in order to ascertain what fire protection requirements for wood beams and structural members, exits and enclosures, were required for a 4-C - heavy timber frame construction.

Mr. Gardner also requested a copy of the approval from the Bureau of Occupational and Industrial Safety Building Sections, which is L&I for Fire and Panic as is required by the Zoning Ordinance.

Mr. Brooke Rush and Mr. Daryl Derstine, principals in Blooming Glen Restorations, requested relief from the fire suppression system; a second means of egress; required architectural and/or engineer sealed plans showing the composition of the one hundred fifty (150) year old building, and approval from Licensing and Inspections in Harrisburg for Fire and Panic.

Applicants provided to the Board a summary of the completed work they have done to date in order to reduce the possibility of fire within the old Bishop store, and is

attached hereto as Exhibit "B." Exhibit "B," with the approval of the applicants, was amended so that Item 11 should read as follows:

11. Construction of one hour fire rated common hallway directly to first floor common hallway.

In addressing the matter of a second means of egress, applicants produced, as directed by the Board, a detailed drawing showing a proposed fire escape for the Board's review. Mr. Rush testified that the only side of the building in which to install a fire escape would be the left elevation that currently contains the freight doors. Mr. Rush explained that he attempted the shortest, safest evacuation route, without requiring occupants of the building to pass by any other building openings. The proposal called for egress from the existing freight doors, with the proposed staircase travelling down to a landing which would be suspended above an existing one-story structure. At that point a spiral staircase would continue on to ground level. Mr. Gardner's concern, however, would be that the fire escape would pass over an existing one-story structure. Mr. Rush proposed a fire rated ceiling under that roof structure. Mr. Gardner explained he had an additional concern with the fire escape in that Hilltown Township is located in a climate that is subject to ice and snow. The intent of the BOCA Code is to protect a fire escape during adverse weather conditions by enclosing it. Supervisors Bennington and Fox were pleased that the applicants had proposed the fire escape, otherwise they had no intention of approving the plan without some sort of second egress from the third floor. A motion was made by Supervisor Bennington, and seconded by Supervisor Fox to approve the proposed fire escape as shown on the plans for the Blooming Glen Restorations project. Supervisor Chairman Bennett was opposed to the requirement of a second egress to the outside of the building on the basis of speaking with Police Chief Egley who did not feel a fire escape should be required, because of all the applicants' efforts as cited in Exhibit "B." The motion passed 2 to 1.

After reviewing the complete set of plans prepared by Mr. Rush, as required at the previous July 11, 1995 hearing, Mr. Gardner was satisfied that they met the intent of the 4-C type for heavy timber construction even though the bearing beams in the basement are unprotected wood. Mr. Gardner explained that the beams are so large that he did not believe they would ever fail. A motion was made by Supervisor Bennington, second by Supervisor Fox, and carried unanimously to accept the plans as submitted by Blooming Glen Restorations, without the need for a sealed set of plans from an architect or engineer.

Next the Board heard discussion concerning the fire suppression system. Mr. Rush initially noted that the construction of this one hundred fifty (150) year old building did not lend itself to the installation of a fire suppression system easily. He said that such a system could be installed but it would be on the surface of the walls and ceilings

because of the way the building is constructed with forty (40) foot long main beams dissecting the building into thirds. Mr. Rush further explained that his interpretation of the BOCA Code was that sprinklers and any other fire suppression safeguards are primarily designed to save property, not lives. Mr. Rush felt that smoke alarms are early detection devices which allow for the safety of the occupants of a structure. Supervisor Fox stated that he gave the matter a great deal of thought and suggested that extra fire extinguishers be installed, not only in the hallways, but possibly two (2) in each individual apartment unit. Due to the fact that the building's water supply is from an artesian well, the problems in having a working fire suppression system were questionable. Therefore Supervisor Fox believes providing extra fire extinguishers is the only other alternative for the site. Supervisor Bennington agreed that the additional fire extinguishers were a good idea. Supervisor Bennington also discussed the issue of fire detection devices with Mr. Gillespie, Acting Fire Chief, who suggested that since the barn on the property was located very close to the structure in question that hard wiring an interconnecting smoke detector from the barn to the main structure. Supervisor Bennington felt that was an excellent suggestion, and did not believe a sprinkler system was needed in the main structure. A motion was made by Supervisor Bennington, seconded by Chairman Bennett, and carried unanimously to waive the requirement for installation of a sprinkler system in the Blooming Glen Restorations building, and to require interconnected hard wired smoke alarm devices from the barn to the main structure as discussed. Additionally, fire extinguishers were to be placed in each kitchen of the proposed apartments.

Finally, the Board clearly stated that although they were granting the waivers requested by Blooming Glen Restorations for this project, the applicants were still required to seek L&I approval once their proposals to the Planning Commission and Zoning Hearing Board were complete. If L&I required items to be completed within the building those requirements by necessity must be complied with as a condition of the waivers granted by the Board.

ORDER

AND NOW, this 7th day of August, 1995, the Hilltown Township Code Hearing Board, having found that strict compliance with the BOAC National Building Code, Eleventh Edition, 1990 would result in practical difficulty and/or unnecessary hardship and that the public health and safety will not be jeopardized, grants the application of Blooming Glen Restorations for an interpretation and variance from the BOCA requirements for a fire suppression system; a second means of egress; required architect and/or engineer approved plans; and approval from Licensing and Inspections for Fire and Panic; subject to the following conditions:

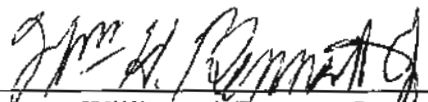
1. Any waivers in reference to Fire and Panic are contingent upon approval from the Bureau of Occupational and Industrial Safety Building Sections, Licensing and Inspection, for Fire and Panic.

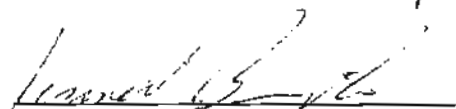
2. The second egress from the third floor apartment shall be built in compliance with the plans as proposed by the applicants at the hearing. Specifically, the wrought iron fire escape as proposed by the applicants will not be required to be enclosed.

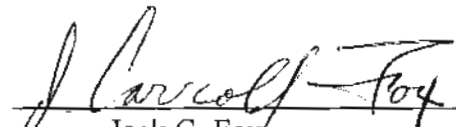
3. The building plans as drawn by the applicants and submitted to the Code Enforcement Officer are accepted to show that the building is a type 4C - heavy timber frame construction with exterior masonry walls.

4. No fire suppression system as defined by the BOCA Code will be required, however, fire extinguishers will be located in the kitchen area of each apartment and a smoke alarm to the out building will be hard wired to the main structure in order to advise occupants of the main structure of a fire in the out building.

HILLTOWN TOWNSHIP
CODE HEARING BOARD


William H. Bennett, Jr.


Kenneth B. Bennington


Jack C. Fox

HTCHB.WPS



HILLTOWN TOWNSHIP

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May 19, 1995

Brook Rush
Blooming Glen Restorations
732 E. Creamery Road
Perkasie, Pa. 18944

Reference: Plan Review (3) Floor Apartment
104 South Main Street
Blooming Glen, Pa. 18911
TMP# 15-19-19

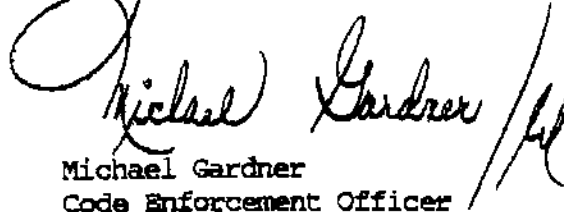
Dear Mr. Rush,

Enclosed you will find the Construction plan review for the proposed 3rd floor apartment at the above referenced location. The items addressed within this review shall require additional information to be submitted prior to projects approval. This review reflects submitted plans and details or information, omissions/deficiencies which have been noted. The plans, specifications and supporting data shall be revised in accordance with this review and re-submitted for approval.

If you have any questions, please don't hesitate to contact me.

Sincerely,

HILLTOWN TOWNSHIP


Michael Gardner
Code Enforcement Officer

MG:lal

"A"

Plan Review
104 South Main Street
Blooming Glen, Pa. 18911

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Blooming Glen Restorations
Brook Rush

3rd Floor Apartment

1. Indicate a second means of egress, its location and method of construction. (309) (817.11) Indicate (if applicable) exterior exit stairs to be separated from the interior of the building by walls with a fireresistance rating of not less than 1 hour, with fixed or self-closing opening protectives.
2. Submit plans, specifications and/or shop drawings for the installation of a automatic fire supression system which is required throughout all buildings and structures, or portions thereof, of Use Group R-2 (more than two dwelling units). The system shall be designed and installed in accordance with NFIPA 13R.
3. Submit plans and details showing the building is constructed to meet the height and area limitations of type 4 construction.
4. Provide a plan with the approval from the Bureau of Occupational and Industrial Safety, Buildings Section, Department of Labor and Industry.

817.11 - Construction of exit stairways

817.12 - Exterior stairways -

August 7, 1995
Blooming Glen Restorations
1028 Route #113
Blooming Glen, PA 18911

The following is a summary of completed work in order to provide for the health and safety of occupants in the historic building at the center of Blooming Glen known as Bishop's Store.

1. Removal of all old knob & tube wiring within building.
2. Installation of all new electrical wiring on all floors.
3. Installation of electrical service disconnects on exterior of building in case of fire.
4. Placement of apartment mechanicals on third floor in the proposed enclosed room. Room to be constructed with hardwired / interconnected smoke alarm and 1 hour fire rated walls and ceiling.
5. Installation, inspection, and approval of hardwired / interconnected smoke alarms on every floor.
6. Elimination of all combustion appliances and furnaces.
7. Removal of combustible wood plaster lath in areas of construction.
8. Installation of fire extinguishers on every floor and along escape route through common hallway.
9. Banned all smoking within building in all areas.
10. Prewired for lighted exit signs and emergency lighting.
- ✓11. Construction of 1 hour fire rated common hallway directly to ~~the~~ *FIRST FLOOR Common Hallway.*
12. Completion of 2 hour fire separation of all walls and ceilings between apartment units.
13. All concealed areas (re: soffits or lowered ceilings) sealed off to prevent the spread of fire.
14. Installation of Class 1 fire rated insulation between apartment units.
15. Replacement of windows and tightening of building to eliminate fire drafting.

The above list of items has, with out question, transformed an existing fire trap into the safest building in Blooming Glen.

"B"