



# Oak Bluffs Board of Survey

The Board of Survey was convened at 1:30 PM on the sixteenth day of November, 2016, outside of the main entrance (east side) of the movie house structure located on Circuit Avenue in Oak Bluffs. Present at the meeting/site visit were Members Mike McGrath PE and PLS (*the surveyor*), Oak Bluffs Fire Chief John Rose and Adam Wilson (*a disinterested person*). Also present was Oak Bluffs Building Inspector Mark Barbadoro and one of the owners of the Island Theater, Brian Hall.

The board followed Brian through the rightmost door on the east side of the theater. Adam said that Brian let the group in. Brian said that he did not let the group in. Adam said that under a warrant the group entered the building and Brian agreed.

The board entered a small room immediately after the door they entered and began examining the exterior walls on the northern side of the building. The Board moved into the main room. Board members noted that the plaster had crumbled away from the interior side of the south facing exterior wall. The concrete blocks were exposed. Survey members noted there were a series of vertical cracks running floor to ceiling along the side of each of the walls pilasters through which outside light could be seen. Chief Rose saw that a temporary electrical subpanel was installed. The Chief expressed concern that he was not informed that the power had been turned back on in the building. Mark told the Chief that a wiring permit had been applied for and that the wiring inspector approved of the wiring.

Adam asked Brian when the building was constructed. Brian said he believed it was 1915. Adam asked if the building had any substantial additions or alterations since then and Brian said that the front façade was altered in the 40s or 50s. Adam asked if the walls were cinderblock and Mark answered that they were and the pilasters were as well.

The board went to the door to behind the projector screen of the southwest side of the building and Brian told the Board members to be careful going back there and Adam asked everyone to stop. . He observed and noted that the back wall had similar vertical cracks in the back wall but fewer. Adam asked for a flashlight and the Chief gave him his. Adam asked about what appeared to be horizontal steel embedded in the mortar joints on the west exterior wall. The Chief thought that it could be a part of shelving or other element that had been removed. Brian thought that it was lintels for openings that were later blocked off but then said he did not know what they were for. The Board went back into the main room.

Mark asked if the floor had been cut back to expose the footings anywhere and Brian said that they had not. Adam asked Brian if the repair work that was performed was for the roof only and Brian said that the whole roof was replaced and a roof truss was repaired. Brian said that the roof repair was signed off and Mark said that he has not approved the roof repair and he does not have any documentation that it was approved by

an engineer. Chief Rose observed the north and south exterior walls and commented that wherever there was a truss landed on the wall there was a vertical crack in the wall.

Brian said that he tried to get the engineer to look at the roof connections but his engineer did not respond so he took pictures and finished the roof covering. Brian said that he offered to expose the fasteners in a few places to show the engineer and that the engineer said he would think about it. Then Mike went back into the room on the east side and pointed out more cracks. The board tried to go up the north east side but Brian stopped them and said that they are not safe. Brian sent the board to the south east stairs because they were safer but cautioned to step up the sides of the stairs and not use the middle. Adam and Mike went up to the balcony. Adam said that the roof trusses here do not appear to be rotted. Mike agreed but said that the problem was the connection at the edges (Walls). Adam said that he could not hear Chief Rose's conversation with Brian. Mark asked Chief Rose to come up but Adam and Mike said they were ready to go down anyway so Adam and Mike and Mark went back down.

Adam asked how the theater floor was constructed and Brian explained his understanding of how it was built. Chief Rose expressed concern about the possibility that vagrancy inside the building. Mark reminded the board that exposure and open to the weather can be considered especially unsafe in case of fire. His principle concern is that the building could collapse into the street and/or adjacent buildings, causing serious property damage and bodily harm to passersby.

The board went outside to walk the exterior of the building. Adam asked about the stucco façade in the front and Mark said that this finish was attached to the concrete block with furring and 2"x 3" construction. Mark commented that the lower portions of the exterior wall looked like solid concrete but was in fact stucco covered brick. Adam commented that the cracks were generally vertical. Adam asked about a passage in the structural engineer's report which talked about the walls being too tall. Mark said that the report referred to empirical design of masonry walls which would not allow unreinforced masonry so tall relative to its thickness. Adam asked if the board had concerns about the building collapsing during a hurricane. Mike said he was concerned about heavy snow loads doing the same thing.

Mark said that his options are limited because if he were to fence off the building due to the close proximity the structure is to the public streets. Adam saw that the cracks had been mortared years ago but had cracked again. Brian thought that the crack in the southeast corner was due to the gutter and downspout that was once there. Mike asked for a copy of the Board of Survey statute and Adam handed him a copy. Brian asked for a copy of the warrant. Mark said he would get him one. Mark asked if they intended to make a motion. Adam said after reading the law that they needed to create a written report. If it determines that the building is unsafe then the building inspector can make the building safe by taking the building down.

Mike said that in his opinion the building is dangerous. He stated that the codes are based upon the probability of collapse and further stated that the codes are often based on a 1% likelihood of significant damage like coastal flooding. He further stated that the odds that this building or portions of this building might collapse appear to have a much greater than 1% chance. Adam said that he also considers the building to be dangerous due to the poor condition of the walls and that if it were to collapse it could injure, maim or kill pedestrians and motor vehicle operators on the street and in adjacent buildings. Chief Rose also found the building dangerous due to the poor condition of the walls and the risk of collapse and also the risk of fire and that vagrants could get in and be victims of falling debris. Mark pointed out that debris was loose and

Brian had to remove portions of the façade recently. Mike said that he is very concerned about the connection from the roof to the walls contributing to the overall instability of the building.

The Board of Survey, having reviewed all the structural problems the building has, by unanimous consensus agreed that the building is dangerous.

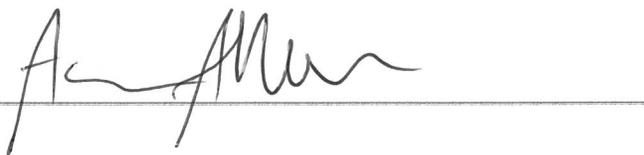
Mike made a motion to adjourn and Chief Rose seconded.

**The Board voted 3 – 0 in favor. The motion passed.**

The meeting/site visit ended at 2:07 pm

The Minutes were accepted on Dec. 2nd, 2016

Michael McGrath PE PLS 

Adam Wilson 

John Rose Fire Chief 