

## C&S STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

October 11, 2023

The Chair called to order the regular meeting of the State Codes & Standards Committee at 1:00 p.m. The meeting was held online using a Teams format.

Attendance was taken and a quorum was present.

**In Attendance:**

Anthony Bruno, Health  
John Butkus, AIA, Architect  
Johnny Carrier, P.E., **C&S Chair**, Residential Contractor Member  
Anthony Cinicola, Building Official  
Paul Costello, Labor Trades  
Hank Cullinane, HVAC Member  
Thomas DiBlasi, P.E., Structural Engineer Member  
Donald Doeg, Esq, Public Member  
Keith Flood, Fire Marshal - **Funeral**  
Louis Free, Architect, **CAS Chair**,  
Donald Harwood, Public Member  
David McKinley, Advocacy  
Henry Miga, Building Official  
Tim Mikloiche, Electrical Contractor - **Seminar**  
Mike Musco, P.E. Electrical Engineer  
Glenn Neilson, Building Contractor  
Ilona Prosol, P.E., **C&S Vice Chair**, Fire Protection Engineer  
Mike Sinsigalli, Fire Marshal  
Eric Shutt, Plumbing Trades Contractor  
Fred Wajcs, Jr., **C&S Secretary**, Public Member  
William Zoeller, Energy Efficiency

**Also Present:**

Omarys Vasquez, AIA, NOMA, State Building Inspector  
Peter Zvingilas, Assistant Director, Regulatory Compliance  
Anne Peterson, DAS/Legal -  
Rebecca Tamborra, DAS/Legal  
William Abbott, State Fire Marshal  
David Woods, OSFM, Fire & Life Safety Supervisor  
Joseph Duval, OSFM  
Bethy Guiles, DAS/OSBI - Admin

**PUBLIC:**

Joseph Cassidy (retired) OSBI, David Raynor; Elite Energy Consulting;  
James Starr; Elite Energy Consulting, Joseph Peabody, Tanseem Osman,  
Walter Summers, Katherine Cunningham, Jimena Muzio

1) MINUTES

- a) A motion (TD) was made and seconded (FW) to accept the minutes of the **September 13, 2023**, meeting minutes. **All in favor. None opposed. Motion carried.**

## 2) COMMUNICATIONS

- a) **A-23-14** Request for appeal received 9/29/23 from Steven Montgomery RE: **[422 Sport Hill Road, Easton, CT]**. Appeal of 2018 Building Code Sections 111.1; 8-12; Ch.3 Town of Easton Building Code Section 252 – appeal of a determination made by Peter Howard, the Town of Easton Building Inspector, to issue a Certificate of Occupancy for an indoor equestrian riding arena. **Panel assigned: Glenn Neilson, Chair; Lou Free, Panel; Anthony Cinicola, Panel; Tim Mikloiche, Alternate.**
- b) **A-23-15** Request for appeal received 10/6/23 from Attorney James C. Winters c/o William Conroy, S.P.A.C.E. Systems, LLC RE: **[210 Realty Drive, Cheshire, CT]** Abatement Order of Fire/Life Safety Hazards dated 9/1/23 issued by Michael Kazlowski, Fire Marshal of the Town of Cheshire, CT. **Referred to the OSFM to gather more information.**
- c) **A-23-16** Request for appeal received 10/6/23 from Joseph V. Cassidy, P.E. RE: **[215 Elm Street, Old Saybrook, CT]** Seeking to reverse the decision by the State Building Inspector to deny the use of the Limited-Use Limited Application in lieu of a standard elevator in a small two-story building. **Panel assigned: David McKinley, Chair; Johnny Carrier, Panel; Fred Wajcs, Panel; Jack Butkus, Alternate.**

## 3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – We are going to schedule 4 CAS meetings which will be on Wednesdays (10/25; 11/8; 11/29; 12/13) – 1:30pm-3:00pm or directly following the C&S meeting. We will discuss PA 23-143 (*an act concerning the nighttime lighting of state-owned buildings at certain times for the protection of birds*); PA 23-102 (*an act strengthening protections for Connecticut’s consumers of energy*).
- b) **Ethics/Procedural Regulations Subcommittee (Harwood)** – No report

## 4) OLD BUSINESS

- a) There was no old business.

## 5) NEW BUSINESS

- a) Staff Report
  - i) **Omarys Vasquez, State Building Inspector** - We are interviewing for a secretary; Building Officials for state projects, and a Deputy State Building Inspector who will focus on modification decisions. We are working with IT on solutions with shared folders to which the Committee will have access.
  - ii) **William Abbott, State Fire Marshal/David Woods** – OSFM is fully staffed.
  - iii) **Anne Peterson/Rebecca Tamborra, Staff Counsel** – no report
- b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** – no report
- c) **Training Councils**
  - i) **Building Code Training Council (Musco)** – Meeting has been scheduled coming up soon
  - ii) **Fire Marshal Training Council (Harwood)** – Had a meeting with Mike Fullerton – looking at the staffing model of the committee. Specifically working on the Connecticut State College, Fire Marshal, and the Municipalities under 70K. We have tentative meetings dates in December.

- d) **Report on Bills (Vasquez)** – No report other than the two bills we are going to view with the subcommittee.

6) **APPEAL HEARINGS**

- a) **C-22-01 RE:** Complaint regarding Richard Leighton, Chester Building Inspector and Fire Marshal RE: **[43-45-47 Main Street, Chester, CT]** received 5/3/22 from John R. Schroeder, AIA LLC. Referred to OSBI to seek more information from Complainant to substantiate complaint. Complainant reports that he does not have any additional information to submit. The Complaint Review Committee will make a recommendation to the full Committee. Recommend Committee to send status letter to dismiss. Counsel will send out status letter to dismiss. **Final decision was mailed on 9/11/23 - Remove from agenda.**
- b) **C-22-02 RE:** Complaint regarding Town of Chester, Richard Leighton, Building Inspector & Fire Marshal. This is in reference to the building permits issued for buildings located RE: **[189-191 Middlesex Avenue, Chester, CT]** received 5/3/22 from Mr. Thomas A. Gribbin A.I.A Noyes Vogt Architects. Referred to OSBI. OSBI investigated and submitted a report to the Committee. Compliance Panel assigned: Glenn Neilson, Lou Free, Henry Miga. Per Don Harwood's ethics report, we are waiting for the whole process to be put together before we formally meet. Admin will send complaint packet to Complainant – await direction from Counsel. **Admin mailed out complaint form on 10/5/23. Per Chair, when completed complaint form is received, Admin to schedule Compliance Panel Meeting. Hold on agenda.**
- e) **C-22-03** Correspondence received 9/27/22 from Patricia A. Cofrancesco, Esq., Law Offices of Patricia A. Cofrancesco RE: **[60 Pinehurse Drive, East Haven, CT – Elaine Cioffi (Owner)];** Seeking Revocation of East Haven Building Official's License (James Bassett). Referred to OSBI for investigation. The Complaint Review Committee will make a recommendation to the full Committee. Compliance Panel assigned: Henry Miga, Paul Costello, William Zoeller, Anne Peterson (DAS/Legal), Rebecca Tamborra (DAS/Legal). Compliance meeting scheduled: 7/13/23 9:00 a.m. Admin will send complaint packet to Complainant – await direction from Counsel. **Admin mailed out complaint form on 10/5/23. Per Chair, when completed complaint form is received, Admin to schedule Compliance Panel Meeting. Hold on agenda.**
- f) **C-23-01 RE:** Complaint received 2/28/23 from Heide Mizak, RE: [69 Lohse Road, Willington, CT] James Rupert, Willington Building Official's "alleged" Work Ethics Violations (see attached email (2/14/23) and complaint letter to Willington Selectmen dated 11/22/22). Referred to OSBI for further investigation. Hold on to the agenda until we gather more information. Compliance Panel assigned: David McKinley, Tim Mikloiche, Mike Sinsigalli, Anne Peterson, (DAS/Legal), Rebecca Tamborra, (DAS/ Legal). Correspondence received 6/1/23 from Heide Mizak RE: [Willington Town Inspector, Mr. Rupert]. Compliance Panel Meeting 7/19/23 at 9:00a.m. Per Counsel, Compliance Meeting cancelled until Compliance process is finalized. Admin will send complaint packet to Complainant – await direction from Counsel. **Admin mailed out complaint form on 10/5/23. Per Chair, when complaint form is received, Admin to schedule Compliance Panel Meeting. Hold on agenda.**
- g) **A-23-03 RE:** Request for Appeal received 2/21/23 from Bruce Kramer, New Fairfield RE: [20 Cloverleaf Drive, New Fairfield] Abatement Order. The Town of Fairfield does not have an "appeals board". Appellant is asking the Committee to overturn the Notice of Violation and Order to Abate because it creates an undue hardship and is procedurally defective. Per Chair, hold on

agenda for further investigation. OSBI to investigate and request more information. OSBI reached out to the Appellant and Building Official and recommends moving forward. Hearing Panel assigned: Johnny Carrier, Chair; Anthony Cinicola, Lou Free, Henry Miga (alternate). Hearing scheduled: Wednesday, August 16, 2023 at 9am. The parties did not submit briefs by August 11, 2023. Continued hearing held 8/16/23 at 9am, followed by deliberations. **Decision will be mailed out in 90 days (11-16-23). Hold on agenda.**

- h) **A-23-04 RE:** Request for Appeal received 3/3/23 from Paul Payne, New Canaan Fire Marshal RE: [17 & 23 Hill Street, New Canaan] appeals/does not support the OSFM approval - Part II Section (3) 503.1.2 and 01.233 – “If agreeable to the owner/applicant & schedule allows. A site visit would be prudent”. OSFM approved modification. Local Fire Marshal requested an appeal of the State Fire Marshal’s decision. Counsel will look further into the jurisdiction of the appeal statute. Counsel requested to hold until next meeting. DAS Counsel is still working on this appeal. Counsel waiting to hear back from Attorney General’s office. **Counsel met with AG, and she will get back to us. Hold on agenda.**
  
- i) **A-23-06** Request for Appeal received 5/24/23 from Steven R. Montgomery, Lewis Brisbois RE: [422 Sport Hill Road, Easton, CT 06612]. Appeal of a determination made by Peter Howard, the Town of Easton Building Inspector, to issue a Certificate of Occupancy for an indoor equestrian riding arena. Panel assigned: Glenn Neilson, Chair; Lou Free, Tim Mikloiche, Anthony Cinicola (alternate). Hearing scheduled: Friday, July 14, 2023 at 10:00 a.m. Hearing held: A motion was made (LF) to continue the hearing in 30 days to allow additional work to be done. Seconded (GN). All in favor. None opposed. Hearing scheduled Thursday, August 17, 2023 at 9:00 a.m. Due to unforeseeable circumstances with Panel Members, Chair ordered hearing continued to new date. Continued hearing date: Wednesday, August 23, 2023 at 9:00 a.m. Hearing held. Counsel will draft a final decision/letter. **The final decision was mailed out on 9/26/23. Remove from agenda.**
  
- j) **A-23-07 RE:** Request for Appeal received 7/13/23 from Justin Meneguzzo, Chris & M.E. O’Connor, Chris Hallenbeck of Yankee Custom Builders RE: [310 Oenoke Ridge Road, New Canaan, CT]. Appeal of OSBI's denial regarding Section AF101.2 of the 2021 IRC - to allow removal of the radon mitigation system for a single-family home with a high-water table. Panel assigned: Timothy Mikloiche, Chair; Johnny Carrier, Panel; Donald Harwood, Panel; William Zoeller, Alternate. Hearing scheduled Monday, September 11, 2023 at 9:00 a.m. **Hearing held - decision will be mailed out in 90 days (12/11/23). Hold on agenda.**
  
- k) **A-23-08 RE:** Request for Appeal received 7/19/23 from Jennifer Mahr, Middlebury, CT. RE: [68 Abbott Farm Road, Middlebury, CT 06762]. The Town of Middlebury does not have a municipal Board of Appeals; therefore, I am appealing a decision made by Middlebury's Building Inspector (Mark Lubus) RE: Cease and Desist Order dated July 7, 2023, Permit No. 23-52B. **Panel assigned:** Henry Miga, Chair; Ilona Prosol, Panel; Anthony Cinicola, Panel; Johnny Carrier, Alternate. Hearing scheduled 9/5/23 at 9:00 a.m. Hearing held - decision will go out in 90 days (12/5/23). **The final decision was mailed out on 9/29/23. Remove from agenda.**
  
- l) **A-23-09 RE:** Request for Appeal received 7/25/23 from Sam Li, West Hartford, CT. RE: [10-12-14 Mitchell Place, West Hartford, CT 06107]. Appeal of Russel Duffy, West Hartford Fire Marshal’s decision (6/27/23) – Fire Safety Code Sections (part IV 8.3.2.2, Part IV 31.3.2.1, Part IV 9.1.2. Forward to Office of the State Fire Marshal. Admin forwarded to OSFM on 8/10/23. OSFM is working with Appellants seeking alternatives. **The owner is working with the Town**

**toward resolution of existing violations. They wish to keep the appeal open if no resolution can be reached. Hold on agenda.**

- m) **A-23-10 RE:** Request for Appeal received 8/7/23 from Michael & Kimberly Palmerie, Prospect, CT. RE: [Prospect Memorial – 122 Waterbury Road, Prospect, CT 06712]. Appeal of Antonio Muniz, Prospect Fire Marshal’s decision (7/31/23) Fire Safety Code Section (903.2.1.3 Group A-3). Panel assigned: Keith Flood, Chair; Michael Sinsigalli, Panel; Glenn Neilson, Panel; Donald Harwood, Alternate. Hearing scheduled: Friday, September 8, 2023 at 9:00 a.m. Continue hearing for 30 days - parties to discuss possible alternatives. Motion to suspend the hearing for 30 days (MS) – (GN). **Hearing continued to 10/13/2023 at 9:00 a.m. Hold on agenda.**
- n) **A-23-11 RE:** Request for Appeal received 8/14/23 from Steven Venditti, PE, Spark Fire Protection Engineering, LLC. RE: [100 York Street, New Haven, CT] State Fire Marshal’s denial that the building does not meet the requirements for code sections 31.3.9.5.2 and 31.3.5.9.3. Panel assigned: Keith Flood, Chair; Donald Harwood, Panel; Louis Free, Panel; Timothy Mikloiche, Alternate. Hearing scheduled Wednesday, October 11, 2023 at 9:00 a.m. Hearing cancelled due to unforeseen circumstances. Admin to coordinate new hearing date. **The hearing rescheduled to Friday, October 27, 2023 at 1:00pm. Hold on agenda.**
- o) **C-23-02 RE:** Correspondence received 8/19/23 from Adam P. McNiece, Niantic, CT RE: Complaint against town of Montville Building Official-David Jensen. Referred to the Compliance Assessment Committee. Admin sent out packet on 10/5/23. **Per Chair, when completed complaint form is received, set up Complaint Review Committee meeting. Hold on agenda.**
- p) **C-23-03 RE:** Correspondence received 8/14/23 from Attorney Glenn W. Dowd, Day Pitney LLP. **RE: Complaint about town of Southington Building Official-Jeffrey Pooler.** Referred to Complaint Review Committee. Admin sent out packet on 10/5/23. **Per Chair, when completed complaint form is received, set up Complaint Review Committee meeting. Hold on agenda.**
- q) **A-23-13 RE:** Request for Appeal received 8/16/23 from Bryce Sens **RE: [40 Apple Ridge Road, Danbury, CT]** State Building Inspector’s denial to allow breakaway clips to be used for lateral bracing of a gypsum fire wall. Panel assigned: Johnny Carrier, Chair; Timothy Mikloiche, Panel; Thomas DiBlasi, Panel; Fred Wajcs, Jr., Alternate. **Appellants requested to reschedule the hearing as they are working to resolve the issues. Admin coordinating new hearing date:**

## 7). GOOD OF THE ORDER

The next Codes and Standards Committee meeting is scheduled for, **Wednesday, November 8, 2023-1:00 p.m.** Meeting format (on-line or in person) will be determined prior to the meeting,

## 8). ADJOURNMENT

*Johnny Carrier* (bag)

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**Johnny Carrier, P.E., C&S Chair**  
**Connecticut State Codes & Standard Committee**  
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