

STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

January 13, 2021

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, **C&S Secretary**, Residential Contractor Member
- Paul Costello, **C&S Vice Chair**, Electrical Contractor
- Hank Cullinane, HVAC Member
- Thomas DiBlasi, P.E., Structural Engineer Member
- Donald Doeg, Esq, Public Member
- Keith Flood, **C&S Chair**, Fire Marshal
- Louis Free, Architect, CAS Chair, Architect
- Donald Harwood, Public Member
- Henry Miga, Building Official
- Mike Musco, P.E. Electrical Engineer
- Glenn Neilson, Building Contractor
- Iлона Prosol, P.E., Fire Protection Engineer
- Mike Sinsigalli, Fire Marshal
- Eric Shutt, Plumbing Trades Contractor
- Carlton Smith, Building Official
- Fred Wajcs, Jr., Public Member
- William Zoeller, Energy Efficiency

Also Present:

- Joseph Cassidy, State Building Inspector
- Jenna Padula, DAS/DCS Legal
- William Abbott, State Fire Marshal
- Joseph Kingston, OSFM, Fire & Life Safety Supervisor
- Darren Hobbs, Deputy State Building Inspector

PUBLIC:

Dave LaFond	Tim Baldwin	David Smith
David DeLeeuw	Dave Laford	Conner Rockett
Bill Nash	Bruce Spiewek	John Planas
David Smith	Roger Stolting	

1) MINUTES

- a) A motion (F. Wajcs, Jr.) was made and seconded (M. Musco) to accept the minutes of the *December 9, 2020* meeting. **All in favor. None opposed. Motion carried.**

2) COMMUNICATIONS

- a) 1/7/21 Correspondence received from Richard Leighton, R.E. | RE: **A-12-19** Request to continue hearing in February 2021 (see item #b below for details).

- b) 1/7/21 Correspondence received from David DeLeeuw, Essex B.O. | RE: **A-12-19** “I withdraw my request that you not postpone the hearing until February 2021. Ms. Rutkowska wishes to have time to review the file and be an active participant when the hearing is reconvened” (see item #b below for details).

A-12-19 Request to continue hearing on Tuesday January 12, 2021 as scheduled (see item #b below for details).

Chair and Panel granted continuance of hearing. Hearing continued: Tuesday, February 9, 2021 at 10:00 a.m.

- c) 1/7/21 Correspondence received from Nicholas F. Kepple, Esq., | RE: A-06-20 Appellant withdrew appeal RE: 316 Elm Street, Stonington, CT (see item #g below for details).

3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – ICC completed the IECC and IRC which are available online only at this time, books and PDFs are not available. Working with Bill Nash to get material for the Committee. We will have a subcommittee meeting in February 2021 to discuss plans going forward. We will focus on two issues: 1. The delay in ICC getting us the books, 2. Legislative Session: We need a couple of statutory changes for the fire codes to realign some of those authorities in order to adopt those codes as drafted. Not sure if we will be able to get these through the Legislature this session

- b) **Ethics/Procedural Regulations Subcommittee (Harwood)** – No report

4) OLD BUSINESS

- a) There was no old business

5) NEW BUSINESS

a) **Staff Report**

- i) **Joseph Cassidy, State Building Inspector** – No Report
- ii) **William Abbott, State Fire Marshal** – NFPA provided changes to the 101 Document and Fire Prevention Code Document. We will get those documents out to the Committee.
- iii) **Jenna Padula, Staff Counsel** – No report

- b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** – No report. Chair will get a Zoom meeting together with the committee to provide updates on their end.

c) **Training Councils**

- i) **Building Code Training Council (Musco)** – Working with members of counsel. Bonnie Becker is working on this with the Legislature Legal Team.
- ii) **Fire Marshal Training Council (Harwood)** – We had a meeting last month. There are a couple of vacancies. The real take-away is online training is filling the void.

- d) **Report on Bills (Cassidy)** – Legislature is in session. By next month I should have a report.

6) APPEAL HEARINGS

- a) **A-05-19** Request for Appeal received 5/15/19 from Raymond Pietrorazio, Representative, OXC Airport/Power Plant, Town of Middlebury - RE: [CPV Towantic LLC, 16 Woodruff Hill Road, Oxford, CT]. RE: CT Fire Safety Code Section(s) under appeal: NFPA-54 and NFPA-56. And CT Building Code Section(s) under appeal: Section, 104.1, 105.1, NFPA-54 and NFPA-56. Referred to State Fire Marshal. Due to the complexity of this case, Fire Marshal still working with this case. State Fire Marshal is still work with the State's Attorney. Awaiting response from Judy Dicine. State Fire Marshal will have a meeting with Judy Dicine. Fire Marshal still waiting to set up meeting with Judy Dicine. **Still trying to arrange a meeting with Judy. Also requested to review CPV's inspection records at their location. Their facility is restricted to employees only due to COVID. We will conduct the review once the facility can accept visitors. Hold on agenda.**
- b) **A-12-19 Request for Appeal received 9/3/19** from Richard Leighton, R.E. Leighton & Associates, RE: Appeal of the Local Fire Marshal Ivoryton (Essex), Connecticut. RE: Ivory Key, LLC, [158 Main Street, Ivoryton (Essex), CT]. Referred to the Office of the State Fire Marshal. Ongoing Communications continue. State Fire Marshal is working on a report for the Committee. Panel assigned: Keith Flood, Chair; Mike Sinsigalli, Panel; Fred Wajcs, Jr., Panel; Henry Miga, Alternate. Hearing scheduled, Thursday, February 6, 2020 @ 11:00 a.m., 13 NB Room A. Decision will be mailed out in 90 days (5/6/20). Hearing continued and referred to the Office of the State Building Inspector. Due to Covid-19 epidemic, hearing continued until further notice. Will reschedule at next C&S Meeting. State Building Inspector reports, this structure is a large old industrial building being used for storage. However, people are in and out of the building – there are safety issues/unsafe conditions. We are working together for a resolution. We worked jointly. Waiting to hear from local fire official. Waiting on new info. Per Darren Hobbs, Assistant State Building Inspector, no new information received – Appellant has not provided an update. Chair ordered status letter be sent to Appellant. Counsel prepared status letter for Admin to send out - letter emailed out on 12/3/20. Per Mr. Hobbs, “We received additional information, not of much value.”. Decision to reconvene the hearing – set a date for some time in January 2021”. **Hearing rescheduled to Tuesday, February 9, 2021 at 10:00 a.m. Hold on agenda.**
- c) **A-21-19** Request for Appeal received 12/6/19 from Mr. Carlos Pla, Greenwich, CT. RE: [107 East Elm Street, Greenwich, CT] Section R305.1(4), 2015 IRC – denial of 6 feet, under a beam within an existing basement being converted to habitable space. Panel assigned: Glenn Neilson, Chair; Lou Free (panel); Tom DiBlasi (panel); Carlton Smith (alternate). Hearing scheduled: Wednesday, 4/8/20 @ 11:00 a.m., 2 NB Room B. Hold on agenda. Due to Covid-19 epidemic, hearing continued until further notice. Will reschedule at next C&S Meeting. Hearing scheduled, Wednesday, 9/30/20 @ 11:00 a.m. Hearing held. Decision will go out in 90 days (12/30/20). **Decision was mailed out on 12/29/20. Remove from agenda.**
- d) **A-03-20** Request for Appeal received 6/3/20 from Brad DeMotte, R.A. | RE: [Universal Church, 261 Main Street, Danbury, CT] - denial of Section 1004.1 of the 2015 IEBC, to not allow a change of occupancy as described, is based on the fact that the change of occupancy is to a higher hazard and the travel distance to the single exit is too great, causing a hazard for the occupants. **Panel assigned: Henry Miga, Chair; Mike Sinsigalli (panel); Don Harwood (panel); Johnny Carrier (alternate).** Panel assigned but do not schedule hearing until discussion of virtual hearings. Hearing scheduled, Monday, 9/14/20 @ 11:00 a.m. via online Teams. Hearing held. Decision will go out in 90 days (12/14/20). **Decision was mailed out on 1/5/21. Remove from agenda.**

- e) **A-04-20** Request for Appeal received 7/16/20 from Michael Grunberg | RE: [82 Buckfield Lane, Greenwich, CT] – denied the alternate compliance to allow the use of a body of water is based on the requirements of the 2018 International Swimming Pool and Spa code, Section 305.6 (Natural Barriers). Panel assigned: John Butkus, Chair; Lou Free, (panel); Johnny Carrier (panel); Henry Miga (alternate). Hearing scheduled, Monday, 9/14/20 @ 1:00pm via online Teams. **Appellant requested a 30-day Extension of the Hearing. Extension Granted. Currently working towards a resolution. Hold on agenda.**
- f) **A-05-20** Request for Appeal received 9/17/20 from Bradley & Marylyn Korth | Local Building Official issue RE: [12 Lewis Road, Marlborough, CT]. Per Applicant, the town of Marlborough refuse to conduct inspections. Specific reason not cited in writing. Referred to Office of the State Building Inspector follow-up. OSBI is working with the town – waiting to hear if they had the inspection needed. **We were able to make progress and get most of his inspections done. We continue to make progress. Hold on agenda.**
- g) **A-06-20** Request for Appeal received 9/17/20 from Nicholas F. Kepple, Esq, Suisman Shapiro | Local Building Official issue RE: [316 Elm Street, Stonington, CT]. Applicant is seeking Waiver of 10-foot distance requirement for residential propane tank from side of house. Referred to Office of the State Building Inspector follow-up. Local building official is working on a modification. Revised modification was approved. Notice sent to Appellant to withdraw appeal. Awaiting withdrawal. **Appeal was withdrawn. Remove from agenda.**
- h) **A-07-20** Request for Appeal received 10/5/20 from John Yacovino, State Fire Marshal-Meriden RE: [424 West Main Street, Meriden, CT] – denied relief request, existing historic building with a guard height at 31 inches above the floor. Panel assigned: Keith Flood, Chair; Johnny Carrier, Panel Member, Don Harwood, Panel Member; Glenn Neilson, Alternate. Hearing scheduled, Tuesday, October 27, 2020 at 11:00a.m. Hearing held 10/27/20. Schedule Deliberation Meeting. **Panel scheduled for deliberations Friday, January 15, 2021 at 10:00 a.m. Hold on agenda.**
- i) **A-08-20** RE: Request for Appeal received 10/14/20 from Philip R. Sherman, P.E., RE: Fire Safety Code Modification [FM-1046-20] 500 Sargent Drive, New Haven, CT] - denied relief from the CSFSC 7.2.2.4.5.6 & 7.2.2.4.6.2 (handrails). Panel assigned: Keith Flood, Chair; Glenn Neilson, Panel Member; Fred Wajcs, Panel Member; Johnny Carrier, Alternate. Hearing scheduled: Monday, November 23, 2020 at 11:00 a.m. Hearing will be reconvened with all parties notified. The panel will pick up where it left off and after acceptance of any exhibits, additional questions, and any remaining closing statements, the panel will close the hearing and deliberate. **Reconvened hearing scheduled, Thursday, January 14, 2021 at 10:00 a.m. Hold on agenda.**

7). GOOD OF THE ORDER

- Carlton Smith will retire from his position at the City of Groton on February 1, 2021. However, he will retire from the C&S Committee once the Commissioner appoints his replacement.

The next Codes and Standards Committee meeting is scheduled for, **Wednesday, February 10, 2021 @ 1:00 p.m.** and will be held virtual on Teams.

8). ADJOURNMENT

Keith Flood (bag)

Keith Flood, Chair
Connecticut State Codes & Standard Committee
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