

STATE CODES AND STANDARDS COMMITTEE (C&S)
Wednesday, January 13, 2021 – 1:00 PM (Teams-online)

[Instructions for attending the meeting can be found as an attachment of the agenda]

AGENDA

1. CALL TO ORDER

2. ATTENDANCE

3. APPROVAL OF MINUTES OF THE December 9, 2020 MEETING

4. COMMUNICATIONS:

SUBJECT & DATE RECEIVED	FROM – TO	DESCRIPTION
a. Correspondence Received 1/7/21	Richard Leighton, R.E. CS	A-12-19 Request to continue hearing in February 2021. (see item #b below for details) ACTION: <u>Chair and Panel Granted continuance of hearing.</u> <u>Hearing continued: Tuesday, 2/9/21 @ 10:00a.m.</u>
b. Correspondence Received 1/7/21	David DeLeeuw, Essex B.O. CS	A-12-19 “I withdraw my request that you not postpone the hearing until February. Ms. Rutkowska wishes to have time to review the file and be an active participant when the hearing is reconvened”. A-12-19 Request to continue hearing on Tuesday, January 12, 2021 as scheduled. (see item #b below for details) ACTION: <u>Chair and Panel Granted continuance of hearing.</u> <u>Hearing continued: Tuesday, 2/9/21 @ 10:00a.m.</u>
c. Correspondence Received 1/7/21	Nicholas F. Kepple, Esq. CS	A-06-20 Appellant Withdrew Appeal RE: [316 Elm Street, Stonington, CT] (see item #g below for details) ACTION: _____ _____

5) SUBCOMMITTEE REPORTS

- a) Codes Amendment Subcommittee (CAS) (Free) –
- b) Ethics/Procedural Regulations Subcommittee (Harwood) –

6) OLD BUSINESS

7) NEW BUSINESS

- a) **Staff Report**
 - i) **Joseph Cassidy, State Building Inspector** –
 - ii) **William Abbott, State Fire Marshal** –
 - iii) **Jenna Padula, Staff Counsel** –
- b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** –

- c) **Training Councils**
 - i) **Building Code Training Council (Musco)** –
 - ii) **Fire Marshal Training Council (Harwood)** –

- d) **Report on Bills (Cassidy)** –

5) 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. State Fire Marshal still actively working with Appellant. State Fire Marshal contacted the State's Attorney - awaiting response from Judy Dicine. State Fire Marshal will have a meeting with Judy next week. **Fire Marshal still waiting to set up meeting with Judy Dicine. 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. Communications are ongoing with State Fire Marshal and Appellant. State Fire Marshal is currently working on the report for the Committee. 12/13/19 received OSFM site visit and assessment report. Panel assigned: Keith Flood, Chair; Mike Sinsigalli, Panel; Fred Wajcs, Panel; Henry Miga, Alternate. Hearing scheduled Thursday, February 6, 2020 @ 11:00a.m. 13 North Room A. Hearing continued and referred to the Office of the State Building Inspector. 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. State Fire Marshal reports that they worked through it jointly – waiting to hear from Local Fire Marshal. State Fire Marshal waiting on new info. Per Darren Hobbs, no new info received. Appellant has not provided an update. Per Chair, send status letter. Status letter emailed on 12/1/20. **Per Mr. Cassidy, “We received additional information. Reconvene the hearing – set a date for some time in January 2021”.** Hearing Scheduled: Tuesday, January 12, 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. Due to Covid-19 epidemic, hearing continued until further notice. Will rescheduled at next C&S Meeting. Hearing scheduled, Wednesday, 9/30/20 @ 11:00 a.m. Hearing held. Decision will be mailed out in 90 days (12/30/20). **Decision was mailed out on 12/29/20.**

- 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 be mailed out in 90 days (12/14/20). **Decision was mailed out on January 5, 2021.**
- 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. On 9/10/20 Appellant requested a 30-day Extension of the hearing – parties feel the matter may have been resolved. Panel granted 30-day Extension of hearing. **OSBI is still working with the town. Hold on agenda for 30 days.**
- 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 waiting to hear if they received the inspected needed. 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. OSBI reports that the local building official is working on a modification. OSBI received modification on 12/29/20 and it is currently in pending status review. **Revised modification was approved. Notice sent to Appellant to withdraw appeal. Awaiting withdrawal.**
- 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; Appellant will submit documents. 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. Hearing scheduled, Thursday, January 14, 2021 at 10:00 a.m. Hold on agenda.**

6) **GOOD OF THE ORDER**

The next Codes and Standards Committee meeting is set for **Wednesday, February 10, 2021, 1:00 p.m.** Meeting format (on-line or in person) will be determined prior to the meeting.

7) **ADJOURNMENT**