

STATE CODES AND STANDARDS COMMITTEE (C&S)
Wednesday, August 8, 2018 – 1:00 PM, 2N Conference Room B

AGENDA

1. **CALL TO ORDER**
2. **ATTENDANCE**
3. **APPROVAL OF MINUTES OF THE June 13, 2018 MEETING**
4. **COMMUNICATIONS:**

SUBJECT & DATE RECEIVED	FROM – TO	DESCRIPTION
a. Correspondence Received 06/15/18	Debra S. Kelly, Assistant City Attorney (Joseph Griffith, Milford Building Official – Appellee) CS	A-10-17 RE: Appellee’s Post-Hearing Brief (see item #a under Hearings for details) ACTION: _____ _____
b. Correspondence Received 06/15/18	Joseph H. Zullo, Attorney (John Coppola – Appellant) CS	A-10-17 RE: Appellant’s Post-Hearing Brief (see item #a under Hearings for details) ACTION: _____ _____
c. Correspondence Received 06/27/18	William Abbott, State Fire Marshal Joseph Kingston, Fire & Life Safety Supervisor (John Dembishack) CS	A-02-18 RE: State Fire Marshal’s Investigation Report (see item #b under Hearings for details) ACTION: _____ _____
d. Request for Appeal 06/05/18	Charles R. Rossignol, Vice President Business Development & Contracting Walden Behavioral Care CS	A-14-18 RE: Appeal of Charles R. Rossignol, Vice President-Business Development & Contracting, Walden Behavioral Care RE: Seeking Relief from Part IV of the Connecticut State Fire Safety Code (CSFSC) effective October 1, 2016 for existing occupancies, where in accordance with Part I Section 110b(3); Part III for building undergoing a change of occupancy is the appropriate section. The Local Fire Marshal determined that using the smaller of the two numbers in lieu of the code required greater number for is determining means of egress requirements based on the number of occupants without fixed seating is unacceptable. ACTION: _____ _____

<p>e. Correspondence Received 06/06/18</p>	<p>Nathan C. Favreau, Esq. Rome McGuigan, P.C. CS</p>	<p>A-08-18 RE: Request for continuance of hearing to August 8, 2018 at 9:00 a.m. due to Change in Representation for Appellant Teodoro Marena [353-357 Park Avenue, East Hartford] (see item #e under Appeal Hearings for details).</p> <p>ACTION:</p> <hr/> <hr/>
<p>f. Correspondence Received 07/07/18</p> <p>Correspondence Received 8/1/18</p> <p>Correspondence Received 8/1/18</p>	<p>Bethy Guiles, OSBI, C&S, CAS Administrative Assistant CS</p>	<p>A-02-18 RE: Status letter was returned as insufficient address (see item #b under Appeal Hearings for details).</p> <p>A-02-18 RE: Email attempt on 8/1/18 to Attorney Robinson was successful.</p> <p>A-02-18 RE: Attorney Robinson response to 8/1/18 email regarding status letter. He will inquire of client regarding next steps/actions.</p> <p>ACTION:</p> <hr/> <hr/>
<p>g. Correspondence Received 07/30/18</p>	<p>Joseph Kingston, Fire & Life Safety Supervisor/Michael Killett, Fire & Life Safety Specialist (Office of the State Fire Marshal)</p> <p>Brian C. Courtney, Esq. Upkike – Kelly & Spellacy CS</p>	<p>A-10-18 RE: Email Communications between Mike Kellett and Attorney Courtney regarding efforts to investigate multiple properties in the City of Hartford (see item #g under Appeal Hearings for details).</p> <p>ACTION:</p> <hr/> <hr/>
<p>h. Request for Appeal 07/30/18</p>	<p>Hide W. Inga, Esq. Law Office of Hide Inga LLC Inga Consulting Engineers, LLC CS</p>	<p>A-15-18 RE: Appeal of Hide W. Inga, Esq., Inga Consulting Engineers, LLC RE: Inga Consulting Engineers, LLC claims that it should be allowed to stamp drawings for improving and the new construction of properties in the city of East Hartford (Milton Gregory Grew, B.O. and Attorney Gentile). East Hartford takes the position that only an architect can stamp these type of drawings; and that disagreement is why an appeal is being filed.</p> <p>ACTION:</p> <hr/> <hr/>
<p>i. Correspondence Received 08/01/18</p>	<p>Nathan C. Favreau, Esq. Rome McGuigan, P.C.</p>	<p>A-08-18 RE: Request for 90 day continuance of hearing to November 14, 2018 at 11:00 a.m. RE:</p>

	CS	[353-357 Park Avenue, East Hartford] (see item #e under Appeal Hearings for details). ACTION: _____ _____
j. Request for Appeal 08/3/18	Jane Davila, Managing Director NEST Arts Factory (Bridgeport, CT) CS	A-16-18 RE: Appeal of Jane Davila, Managing Director, NEST Arts Factory. RE: Section 3411.4.2 (<i>complete change of occupancy</i>). Deputy State Building Inspector's <i>denial</i> of accessibility exemption that proposed not to provide an elevator to service the second and third floors which exceeds 11,000 square feet each. The decision was based on the fact that no hardship had been demonstrated, precluding code compliance, no alternative method of equivalence had been proposed and the requirements of the code have not been adjudged unwarranted. 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:
 - Joseph Cassidy, State Building Inspector –
 - William Abbott, State Fire Marshal –
 - Jenna Padula, DAS Attorney -
- b. Fire Prevention Code Advisory Committee (Harwood & Sinsigalli) -
- c. Joint Building Code Training Council (Musco)/Fire Marshall Training Council (Harwood) -
- d. Report on Bills (Cassidy) –

8. APPEAL HEARINGS

- a. **A-10-17.** Request for Appeal from John Coppola c/o Attorney Zullo-Zullo and Jacks, LLC RE: 10 Caroline Street, Milford, CT RE: The original denial of Joseph D. Griffith, Milford Building Official dated March 30, 2017 - notice alleges that Mr. Coppola is in violation of State Building Code R1101.1 and CGS §29-265 which, in tandem and in conjunction with Milford Zoning Code Sec. 8.9, require the issuance of a Certificate of Occupancy for any building altered after October 1, 1970. Following client's timely appeal of that notice of violation, the City of Milford was unable to seat its Building Code Board of Appeals within the statutory timeframe. Pursuant to CGS §29-266(c), client now advances to present appeal to the Codes & Standards Committee. Panel assigned: Louis Free, Chair, Mike

Sinsigalli (panel), Carlton Smith (panel) and Paul Costello (alternate). Hearing date is 7/12/17 @ 12:00 noon. Brief is due 9/8/17. Appellant requested extension of briefing deadline to November 15, 2017 at 3:00pm. Second request for an extension of the briefing. Panel granted extension of briefing to (1/15/18). Third request for an extension of the briefing to March 15, 2018. Panel granted extension of briefing for 30 days (3/15/18). Appellant requested a 4th extension of briefing to (6/15/18). Panel Granted extension of briefing to (6/15/18). **Appellee and Appellant Post-hearing briefs received on 6/15/18.**

- b. **A-02-18** Request for Appeal received 3/26/18 from Attorney Richard C. Robinson, Pullman & Comley LLC RE: The Mandell Jewish Community Center of West Hartford. The Center is in the process of upgrading its security systems and seeks to use drop arm turnstiles to regulate egress and ingress at its front doors. The West Hartford Building Inspector and Local Fire Marshal have rejected the use of these turnstiles. Forward file to State Fire Marshal. File emailed to State Fire Marshal on 4/19/18. Received Fire Marshal's Investigation Report on 6/27/18. **Send status letter to Appellant RE: The State Fire Marshal's Investigation Report - if they plan to proceed with appeal. Admin mailed certified status letter to Appellant on 7/2/18.**
- c. **A-03-18** Request for Appeal received 4/6/18 from Joseph Anania, Taylor Brook LLC RE: Section R311.7.5.2 of the 2012 IRC portion of the 2016 SBC which states in part that "The minimum tread depth of existing stairs serving existing unfinished attics or existing unfinished basements being converted to habitable space shall be 8 inches". Deputy State Building Inspector denied his proposed 7 inch tread depth on an existing stair that serves an existing basement being converted to habitable space. The decision was based on the fact that the stair tread is too narrow and a hazard to the occupants. [M-0246-18C – 124 Forest Street, Naugatuck]. Panel assigned: Johnny Carrier (Chair), Don Doeg (panel), Fred Wajcs, Jr. (panel), Henry Miga (alternate). Hearing date 5/9/18-10:30am, 2N Conf. Room B. Hearing was held on 5/9/18 – Deliberations followed. **Decision will be mailed on in 90 days (8/9/18) Hold on agenda.**
- d. **A-06-18** Request for Appeal received 4/6/18 from Jeffrey Shulman & Debra Rosen c/o Attorney Andrea C. Sisca, Ivey, Barnum & O'Mara, LLC, Section 429.83 of the 1970 BOCA Code portion of the 1971 State Building Code [180 Wildwood Road, Stamford, CT] **RE:** Owners seek permission to remove the section of the fence located between the pool and the Mianus River, which runs along the Property boundary, and to allow the river to be considered a natural barrier, preventing access to the swimming pool. Panel assigned: John Butkus (Chair), John Cox (panel), Louis Free (panel), Henry Miga (alternate). Hearing date 6/13/18-11:30am, 2N Conf. Room B. Hearing was held. During Hearing, **Appellant asked for a continuance. Panel granted continuance to Wednesday, 9/12/18 @ 1:30pm, 2N Conf. Room B. Hold on agenda.**
- e. **A-08-18** Request for appeal received 4/18/18 from Teodoro Marena c/o Robbie, Gerrick, McGivney Kluger & Cook, P.C. RE: Notice of Violation of East Hartford Zoning Regulations at 349-351 Park Avenue, East Hartford, CT. Per Mayor Marcia A. Leclerc, The Town of East Hartford has not assembled a municipal Building Board of Appeals to hear the matter. Advised Mr. Marena to appeal to the State Codes & Standards Committee. **Panel assigned: Fred Wajcs, (Chair), William Zoeller (panel), Donald Doeg (panel), Carlton Smith (alternate). Hearing date 7/11/18-10:00am, 2N Conf. Room B. Hold on Agenda.**
- f. **A-09-18** Request for appeal received from Fernando Pastor RE: [703 Whitney Ave, New Haven, CT] Deputy State Building Inspector's denial (without prejudice) of request for accessibility exemption from the provisions of Section 1107.7.1.1 (One Story with Type "B" Units) of the 2012 International Building Code portion of the 2016 State Building

Code. Appellant proposed to not provide an accessible entrance from the exterior of an existing structure undergoing a change of use. The decision was based on the fact that the applicant had not provided information indicating that it would be not feasible or would unreasonably complicate the construction. **Panel assigned: Glenn Nielson (Chair), David McKinley (panel), Carlton Smith (panel), Donald Harwood (alternate). Hearing date 8/8/18-11:30am, 2N Conf. Room B.**

- g. **A-10-18** Request for Appeal received 5/11/18 from AH Min Holding LLC c/o Attorney Brian C. Courtney, Updike, Kelly & Spellacy, P.C. RE: Fire Code Violations that it was cited for by Captain Ewan A. Sheriff, Fire Marshal on April 13, 2018. **Referred to State Fire Marshal for Investigation. Hold on agenda.**
- h. **A-11-18** Request for Appeal received 5/23/18 from Bruce J. Spiewak, AIA, Consulting Architect, LLC RE: RE:[M-0392-18] [1 Museum Drive, Greenwich] RE: Section 602.1, of the 2003 IBC portion of the 2005 SBC, which states in part that *"Buildings and structures erected or to be erected, altered or extended in height or area shall be classified in one of the five construction types defined in Sections 602.2 through 602.5"*. The Deputy State Building Inspector denied the modification request that proposed a 3-story, 41,266 square feet of Type IIA construction to be added to an existing building of construction Type IIIA without providing a fire wall between the new addition and the existing. **Panel assigned: Glenn Nielson, Chair; Henry Miga (panel), Mark Mastropasqua (panel), Carlton Smith (alternate). Hearing scheduled September 12, 2018 @ 10:00a.m. 2N Conf. Room B. Hold on agenda.**
- i. **A-12-18** Request for Appeal received 5/25/18 from Bernard Pellegrino, Jr. The Pellegrino Law Firm RE: North Haven Fire Marshal's noted violation RE: Fantasia Banquet Facility located at 404 Washington Ave, North Haven. *"1990 BOCA Sec. 709.2 & Sec. 707.1. - The fire rated separation between the banquet hall and all other areas of the building does not meet the required 2 hour rating. The banquet hall does not qualify for an exception to these code sections, as it is not a part of a fully sprinklered building"*. Thus, the Appellant is seeking relief/reversal of decision, that corrective work is unnecessary and was not mandated when the building was built. **Referred to State Fire Marshal for Investigation. Hold on agenda.**

9. GOOD OF THE ORDER:

The next Codes and Standards Committee meeting is set for **September 12, 2018** and will be held in the **2N Conference Room B**, 450 Columbus Boulevard, Hartford, CT.

10. ADJOURNMENT