

STATE CODES AND STANDARDS COMMITTEE (C&S)

Wednesday, September 12, 2018 – 1:00 PM, 2N Conference Room B

AGENDA

1. CALL TO ORDER
2. ATTENDANCE
3. APPROVAL OF MINUTES OF THE August 8, 2018 MEETING
4. COMMUNICATIONS:

SUBJECT & DATE RECEIVED	FROM – TO	DESCRIPTION
a. Request for Appeal 08/9/18	David Anderson, Properties Warden (Christ Episcopal Church) CS	<p>A-17-18 RE: Appeal of David Anderson [Christ Episcopal Church - 78 Washington Street, Norwich, CT] RE: State Fire Marshal's denial of two modification requests (FM-0152-18 and FM-0155-18).</p> <p>ACTION:</p> <p>_____</p> <p>_____</p>
b. Correspondence Received 08/9/18	Robert Mangino, Architect (Fantasia Banquet Facility) CS	<p>A-12-18 RE: (Fantasia Banquet Facility) Appellant submitted a revised modification to be reviewed by the State Fire Marshal. If approved, they will withdraw their appeal (see item #h under Hearings for details)</p> <p>ACTION:</p> <p>_____</p> <p>_____</p>
c. Correspondence Received 08/13/18	Nancy Greenberg, Member (703 Whitney Ave LLC) Fernando Pastor, Designer CS	<p>A-09-18 RE: (703 Whitney Ave, LLC) Appellant withdrew appeal (see item #e under Hearings for details)</p> <p>ACTION:</p> <p>_____</p> <p>_____</p>
d. Request for Appeal 8/23/18	Joseph Citino c/o Vianca T. Diaz, Esq., Diana, Conti & Tunila, LLP CS	<p>A-18-18 RE: Appeal of Joseph Citino c/o Vianca T. diaz, Esq., Diana, Conti & Tunila, LLP [229 Franklin Avenue, Hartford, CT]. Local Hartford Fire Marshal's "Abatement order of Fire/Life Safety Hazards". Appellant's Relief Requested: <i>"Exception to requirements in section(s) due to practical difficulty and unnecessary hardship. Appellant is also seeking a modification of the compliance requirement" (see appeal application</i></p>

		<p><i>for details</i>). (Code Violations: IV-31.3.4.5.1 <i>Single-Station Smoke Alarms</i>; FPC 14.12.1.2 <i>Continuous Illumination</i>; FPC 14.14.5.1 <i>Illumination of Signs-General</i>; IV-7.9.2.1 <i>Performance of Systems</i>; FPC 13.7.1.4.9.2 <i>Smoke Alarms-Operating Power</i>; 29-306, <i>Abatement of Hazards</i>; IV-31.2.4.1 <i>Number of Exits-Dwelling Units</i>; IV-31.3.6.4 <i>Self-Closing / Self-Latching Doors Required</i>.)</p> <p>ACTION:</p> <hr/> <hr/>
e. Correspondence Received 08/29/18	Andrea C. Sisca, Esq. Ivey, Barnum & O'Mara, LLC CS	<p>A-06-18 RE: (180 Wildwood Road, Stamford) Per Attorney Sisca, "At this juncture, Mr. Shulman & Ms. Rosen have no further or different evidence or information to offer to the Committee, without prejudice to their right to make an application at a later date should circumstances change. Therefore, the September 12, 2018 continued hearing date is unnecessary and we will await the Committee's decision on the appeal". (see item #c under Hearings for details)</p> <p>ACTION:</p> <hr/> <hr/>
f. Correspondence Received 09/07/18	Attorney Brian C. Courtney Updike, Kelly & Spellacy, P.C. CS	<p>A-10-18 RE: (AH Min Holding, LLC,) Requesting an adjournment of the Committee's consideration for this appeal until October 2018. (see item #f under Hearings for details)</p> <p>ACTION:</p> <hr/> <hr/>
g. Certificates of Emeritus	Bonnie Becker, Director Office of Education & Data Mgmt CS	<p>RE: Certificates of Emeritus for the following Fire Marshals:</p> <ul style="list-style-type: none"> • Douglas Chavenello • William W. Roberts • Roy E. Shafer • Benjamin Trabka <p>ACTION:</p> <hr/> <hr/>
h. Correspondence Received	Attorney Richard C. Robinson Pullman & Comley LLC CS	<p>A-02-18 RE: Appellant Withdrew Appeal</p> <p>ACTION:</p> <hr/> <hr/>

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. **Panel will reconvene. Hold on agenda.**
- 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. **Sent status letter to Appellant on 7/2/18. Hold on agenda for 30 days.**
- c. **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.

- d. **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. **Hearing date moved to November 14, 2018 @ 11:00am. 2N Conf. Room B. Hold on agenda.**
- e. **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. Requested a 30-Day Continuance. **On 8/13/18 Appellant withdrew appeal. Remove from agenda.**
- f. **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. **State Fire Marshal contacted Attorney seven times (7x), no response to date. Hold on agenda for 30 days.**
- g. **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.**
- h. **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. **State Fire Marshal met with owner and New Haven Fire Marshal. Owner will submit a new Fire Code Modification. Hold on agenda.**

9. GOOD OF THE ORDER:

The next Codes and Standards Committee meeting is set for **October 10, 2018** and will be held in the **2N Conference Room B**, 450 Columbus Boulevard, Hartford, CT.

10. ADJOURNMENT