

**STATE CODES AND STANDARDS COMMITTEE (C&S)**  
**Wednesday, June 13, 2018 – 1:00 PM, 2N Conference Room B**

**AGENDA**

1. CALL TO ORDER
2. ATTENDANCE
3. APPROVAL OF MINUTES OF THE **May 19, 2018 MEETING**
4. COMMUNICATIONS:

<b>SUBJECT &amp; DATE RECEIVED</b>	<b>FROM – TO</b>	<b>DESCRIPTION</b>
a. Request for Appeal Received 05/11/18	AH Min Holding LLC c/o Attorney Brian C. Courtney, Updike, Kelly & Spellacy, P.C. CS	<b>A-10-18 RE:</b> Fire Code Violations that it was cited for by Captain Ewan A. Sheriff, Fire Marshal on April 13, 2018.  <b>ACTION:</b> _____ _____ _____
b. Correspondence Received 05/18/18	Captain Ewan A. Sheriff Hartford Fire Marshal CS	<b>A-10-18 RE: List of AH Min Holding Properties</b> (Fire Code Violations)  <b>ACTION:</b> _____ _____ _____
c. Request for Appeal Received 05/23/18	Bruce J. Spiewak, AIA Consulting Architect, LLC CS	<b>A-11-18 RE:</b> [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 <i>"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"</i> . 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.
d. Request for Appeal Received 05/25/18	Bernard Pellegrino, Jr. The Pellegrino Law Firm CS	<b>A-12-18 RE:</b> Appeal of North Haven Fire Marshal's noted violation RE: Fantasia Banquet Facility located at 404 Washington Ave, North Haven. <i>"1990 BOCA Sec. 709.2 &amp; 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"</i> . Thus, the Appellant is seeking relief/reversal of decision, that corrective work is unnecessary and was not mandated when the building was built.
e. Correspondence Received 05/30/18	Mr. Jeff Polke GCI Outdoor CS	<b>A-19-17 RE:</b> 457 Killingworth Road, Higganum, CT. Appellant is no longer pursuing an appeal. Withdrew on 5/30/18 ( <i>see item #c for details</i> ).

f. Correspondence Received 05/29/18	Bruce J. Spiewak, AIA Consulting Architect, LLC CS	<b>A-11-18 RE:</b> Submission of official Appeal Application (see item #c above – 1 Museum Drive, Greenwich)
g. Request for Appeal Received 05/31/18	Bruce J. Spiewak, AIA Consulting Architect, LLC CS	<b>A-13-18 RE:</b> [M-0388-18] [Riverbrook YMCA] RE: Section 3403.1, of the 2012 IBC portion of the 2016 SBC, which states in part that " <i>An addition to any building shall comply with the requirements for a new structure. Any existing building together with its additions shall comply with the height and area provisions of Chapter 5</i> ". The Deputy State Building Inspector denied the modification request that proposed a 12,145 square foot addition to be attached to an existing building that exceeds the area limitations of Table 503 without a fire wall.
h. Received Certificate of Emeritus - Voluntary Certification Retirement 06/4/18	Bonnie Becker, Director DAS/ODEM CS	Certificate of Emeritus for Patrick Scully, Jr., RE: retiring his fire certifications(s) as follows: Fire Marshal, Fire Inspector, Fire Safety Code Inspector, Deputy Fire Marshal, Hazardous Materials Inspector, Fire Investigator as of 5/18/18.
i. Correspondence Received 06/11/18	Bruce J. Spiewak, AIA Consulting Architect, LLC CS	<b>A-13-18 RE: Withdrawal of Appeal</b> - [M-0388-18] [Riverbrook YMCA] RE: Section 3403.1, of the 2012 IBC portion of the 2016 SBC ( <i>under Communications see item #g above</i> )
j. Correspondence Received 06/11/18	William Abbott State Fire Marshal CS	<b>A-02-18 RE:</b> -- State Fire Marshal's Inspection report of the Mandell Jewish Community Center, 335 Bloomfield Ave, West Hartford, CT ( <i>under Appeals - see item #g below</i> )
k. Correspondence Received 06/11/18	Jenna Padula, Staff Attorney CS	<b>A-13-17 RE:</b> Merchant 99 /111 Founders, LLC c/o Joseph B. Schwartz RE: Founders Plaza, 323 Pitkin Street, East Hartford, CT. <b>Final Decision was mailed on 6/6/18</b> ( <i>under Appeals - see item #b below</i> )

## 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 4<sup>th</sup> extension of briefing to (6/15/18). Panel Granted extension of briefing to (6/15/18). Hold on agenda.**
- b. **A-13-17.** Request for Appeal from Merchant 99 /111 Founders, LLC c/o Joseph B. Schwartz RE: Founders Plaza, 323 Pitkin Street, East Hartford, CT. RE: Justin Wagner, East Hartford Fire Marshal's (CFSC) Connecticut State Fire Safety Code Abatement Order of Fire/Life Safety Hazards concerning a violation of CFSC, Part IV, Section 39.4.2.1. Appellant further requests a finding that the requirement to install an "automatic sprinkler system" under CFSC, Part IV, Section 39.4.2.1 does not apply to the building on the subject property known as Founders Plaza. Refer appeal to the State Fire Marshal. Sent file to Fire Marshal on 6/15/17. Fire Marshal is in communications with the appellant. Admin will send a status letter to Appellant. No response from Appellant in 30 days. Admin will send second status letter on 10/11/17 informing the appellant that the case will be dismissed if no response is received within 30 days of receipt of notice. Hold on agenda for 30 days. Appellant responded 10/18/17 and plans to proceed with appeal. Panel assigned: Keith Flood, Chair, Glenn Nielson (panel), David McKinley (panel), Carlton Smith(alternate). Hearing scheduled December 13, 2017 at 12:00 noon, 2 North Conference Room B. Hearing was held today. No decision was made. Panel will set a date for deliberation. Deliberation meeting set for 2/14/18 @ 12:45pm, 2 North Conference Room B. Committee requested deliberation meeting moved to March 14, 2018 @ 12:45pm. **Deliberation Meeting was held 3/14/18. Decision will be mailed in 90 days (6/14/18) Hold on agenda.**
- c. **A-19-17** Request for Appeal received from Jeffrey Polke, Co-President, GCI Outdoor Inc. c/o Joseph Versteeg, Code Consultant [457 Killingworth Road, Haddam, CT] Appeal of the Haddam Building Inspector/Fire Marshal's decision - "Use and Occupancy Classification" Section 103 of the 2016 Connecticut Fire Safety Code - seeking an appeal of the decision rendered by Haddam Fire Marshal William Robbins regarding the hazard classification established in his letter dated August 25, 2017, and reaffirmed on September 26, 2017. Forward to State Fire Marshal for review. State Fire Marshal reports review process is ongoing. William Abbott, State Fire Marshal's report is completed. State Fire Marshal will submit the report to the Committee today 1/10/2018. Dan Tierney, Deputy State Building Inspector will contact ICC for code interpretation. State Fire Marshal mailed out their final interpretation of the hazard classification to the Appellant on 2/15/18. Admin will send status letter to Appellant. Status letter mailed on (4/19/18). **Appellant withdrew appeal on 5/30/18.**
- d. **A-20-17** Request for Appeal received from Andrew Inga, RE: Jenice Poulin, Enfield Building Official's decision/response RE: [23 Kennedy Drive, Enfield, CT] "that the code violations are too numerous and too extensive to approve any portion of the work and

exceptions will have to be approved by the State Building Inspector through modification requests. The roofing, siding, windows, flashing and framing all have violations". Refer to the Office of the State Building Inspector for review prior to the C&S Committee's review. Dan Tierney, Deputy State Building Inspector is waiting for correspondence from the Appellant. Deputy State Building Inspector (DSBI) is still working with the parties to find a resolution. Admin will send status letter to Andrew Inga. Status letter mailed on (4/19/18). **No response from Appellant by May 7, 2018 deadline.**

- e. **A-21-17** Request for Appeal received from Housing Authority of the Town of Greenwich c/o Attorney Louis P. Pittocco, RE: William Abbott, State Fire Marshal's decision RE: "denying the Housing Authority of the Town of Greenwich relief from an order of the Greenwich Fire Marshal to install pull stations in stairwells with alarms in the complex known as: Armstrong Court, Hamilton Avenue, Greenwich, CT". Panel assigned: Mike Sinsigalli, Chair, Keith Flood (panel), Lou Free (panel), Donald Harwood (alternate). Hearing scheduled 1/10/18 at 12:00 noon, North Plaza Level Meeting Room G. On 12/19/17 Appellant requested hearing postponed to 2/14/18 at 12:00 noon. Panel Granted postponement of hearing to 2/14/18 at 12:00 noon. Hearing held 2/14/18 followed by Deliberation Meeting. Decision will be mailed in 90 days (5/14/18). **Decision was mailed out (5/17/18).**
- f. **A-01-18** Request for Appeal received 3/6/18 from James Liang, James International LLC RE: Norwich Local Building Official & Norwich Building Code of Appeals decision RE: Condemnation of 41 Boswell Avenue, Norwich, CT. DAS/Staff Attorney will reach out to Appellant to seek the code he is appealing. Letter mailed on 4/30/18. **Return receipt received, no response from Appellant by 5/7/18 deadline.**
- g. **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. Hold on agenda.**
- h. **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.**
- i. **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.**

- j. A-08-18** Request for appeal received 4/18/18 from Teodoroarena 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.arena to appeal to the State Codes & Standards Committee. **Panel assigned: Fred Wajes, (Chair), William Zoeller (panel), Donald Doeg (panel), Carlton Smith (alternate). Hearing date 7/11/18-10:00am, 2N Conf. Room B.**
- k. A-09-18** Request for appeal received 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.**

## **9. GOOD OF THE ORDER:**

The next Codes and Standards Committee meeting is set for **August 8, 2018** and will be held in the **2N Conference Room B**, 450 Columbus Boulevard, Hartford, CT.

## **10. ADJOURNMENT**