

STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

March 14, 2018

1. The Chair called to order the regular meeting of the State Codes and Standards Committee. The meeting was held in 2 North Conference Room B, at 450 Columbus Boulevard, Hartford, Connecticut.

2. **In Attendance:**

- Anthony Bruno, Health
- Johnny Carrier, Residential Contractor
- Paul Costello, C&S Secretary/Electrical Trades
- John Cox, HVAC Member
- Donald Doeg, Esquire, Public Member
- Keith Flood, C&S Vice Chair
- Donald Harwood, Public Member
- George Iskra, P.E., Fire Protection Engineer
- Mark Mastropasqua, Labor
- David McKinley, Advocacy
- Henry Miga, Building Official
- Glenn Neilson, Building Contractor
- Eric Shutt, Plumbing Trades Contractor
- Michael Sinsigalli, Fire Marshal
- Fred Wajcs, Jr., Public Member
- William Zoeller, Energy Efficiency

Also Present:

- Joseph Cassidy, State Building Inspector
- Bill Abbott, State Fire Marshal, (OSFM)
- Darren Hobbs, Manager of Technical Services (OSBI)
- Jenna Padula, DAS/DCS Legal
- P. Carrier, Carrier Group
- Joseph Kingston, Fire & Life Safety Supervisor (OSFM)
- Ilona Prospol, BVH
- R. Taff
- Timothy Baldwin, CT DDS

3. Attendance was taken and a quorum was present. A motion (K. Flood) was made and seconded (L. Free) to accept the minutes of the *February 14, 2018* meeting. **All in favor. None opposed. Motion carried.**

4. **COMMUNICATIONS**
NO CORRESPONDENCE

5. **SUBCOMMITTEE REPORTS**

a. **Codes Amendment Subcommittee (CAS) (Free)** – Joe Cassidy reports that “we are meeting directly after this meeting. RE: Commentary by 541, Fire Sprinkler Issue. We are looking to invert the C&S and CAS meetings on April 11, 2018 to finalize and approve the amendment document – so the C&S Committee can take action on it”.

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

6. **OLD BUSINESS**
There was no report

7. **NEW BUSINESS**

a. **Staff Report**

Joseph Cassidy, State Building Inspector – No report
William Abbott, State Fire Marshal – No Report
Jenna Padula, State Counsel – No Report

b. **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** – We met two weeks ago, the Fire Prevention Code was passed to move on.

c. **Joint Building Code Training Council (Musco)/ Fire Marshal Training Council (Harwood)/(aka Joint BCTC/FMTC)** – No Report

d. **Report on Bills (Cassidy)** –

- 1). *HB 5182* - An Act concerning the assessment of certain fees by building officials. To require building officials in certain municipalities to establish and asses a fee for the commencement of certain work without a necessary permit.
- 2). *HB 5228* - An Act requiring carbon monoxide detection and warning equipment in certain businesses. To promote the safety of workers and customers of certain businesses by ensuring that such businesses are equipped with carbon monoxide detection and warning equipment.
- 3). *HB 5302* - An Act concerning accessible public bathrooms for persons with disabilities. To require the State Building Inspector and the Codes and Standards Committee to amend the State Building Code to provide for the installation of one wall-mounted grab bar and one drop-down grab bar in public bathrooms.
- 4). *SB 281* - An Act concerning small hot water heaters, certain certifications by state agencies and the Connecticut Airport Authority, communication with the state building inspector and state fire marshal and revisions to other statutes related to buildings and fire safety. To (1) add an exemption concerning small water heaters from the provisions of chapter 540 of the general statutes, (2) delete the requirement that state agencies and the Connecticut Airport Authority certify that plans and projects comply with the State Building Code and Fire Safety Code, (3) eliminate the legislature's ability to revise the implementation date for state and Connecticut Airport Authority buildings, (4) eliminate the requirement that certain applications be mailed to the State Building Inspector and State Fire Marshal, (5) require plans of buildings or structures to be constructed to comply with the State Fire Prevention Code, (6) repeal the requirement that the Commissioner of Administrative Services conduct a certain educational program, and (7) repeal the statutory authority of a local fire marshal to order the removal of fire hazards from manufacturing establishments.

8. **APPEAL HEARINGS**

- a. **A-18-16.** Request for Appeal from Alexis Brown RE: Local Fire Marshal's decision RE: 7.1.3.2.1(1) RE: 58-60 Roberts Street, New Britain, CT. On 1/11/17 referred to Office of State Fire Marshal (OSFM) for review. On 1/10/17 received additional correspondence from appellant, which was forwarded to OSFM on 1/12/17. State Fire Marshal is currently working on this case. The Local Fire Marshal conducted an inspection and a report was written. C&S Administrative Secretary sent Appellant an OSFM Request for Modification application to complete. Once received, we will proceed from there. To date, State Fire Marshal has not received any correspondence from Appellant. Status letter sent on 6/23/17. Appellant responded to status letter– "she wishes to proceed with this appeal". State Fire Marshal just received Request for Modification and will review. Panel assigned: Keith Flood, Chair, Donald Doeg (panel), Fred Wajcs (panel),

Henry Miga (alternate). Hearing scheduled: 11/8/17 @ 12:00noon, 2 North Conf. Room B.
Decision was mailed on 2/16/18. Remove from Agenda.

- b. **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: Lou Free, Chair, Mike Sinsigalli (panel), Carlton Smith (panel) and Paul Costello (alternate). Hearing date is 7/12/17 @ 12:00 noon. Briefs are due 9/8/17. Appellant requested extension for submission of briefs deadline to November 15, 2017 at 3:00pm. Extension granted. Appellant requested a second extension for briefs. Briefs extended to 1/15/18. Appellant requested a third extension for briefs for 30 days (2/14/18). Panel granted extension of briefing for 30 days (3/15/18). **Due to weather, requested another extension. Hold on agenda.**
- c. **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. State Fire Marshal is in communications with the property owner and local Fire Marshal. Send a status letter. Admin sent status letter. 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. 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. We will set a future date for deliberation. Deliberation date is scheduled 2/14/18 at 12:45 p.m. Panel requested Deliberation Meeting be moved to 3/14/18 @ 12:45pm. **Panel Deliberation was held on 3/14/18. Decision will be mailed in 90 days (6/14/18) Hold on agenda.**
- d. **A-17-17.** Request for Appeal from Drew Liljedahl, RE: [185 Steele Road, West Hartford, CT] RE: Section R311.7.2 of the 2012 IRC portion of the 2016 State Building Code, which states in part that "The minimum headroom in all parts of existing or replacement stairways serving existing unfinished attics or existing unfinished basements being converted to habitable space shall be 6 feet, 6 inches". The Deputy State Building Inspector denied said modification because it proposed a headroom of 6 feet at the top of a stair that serves a newly created habitable basement within a single family dwelling. The decision was based on the fact that the height is too low and a hazard to the occupants and no hardship has been demonstrated where compliance with the minimum requirements of the Building Code would entail practical difficulty, nor has it been determined that the requirements of the code have been adjudged unwarranted. Panel assigned: Glenn Nielson, Chair; Lou Free (panel); Tom DiBlasi (panel); John Butkus (alternate). Hearing scheduled 11/8/17, 11:00am, 2 North Conference Room A. A brief is due back on December 8, 2017. To date, no

briefs were submitted. Committee will set date for deliberation. Panel met this afternoon. Decision will be mailed in 90 days. **Decision was mailed on 2/21/18. Remove from Agenda.**

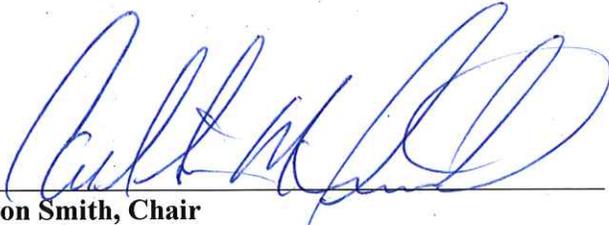
- e. **A-18-17.** Request for Appeal from Douglas L. Golden/Bruce Spiewak, AIA, Consulting Architect, LLC RE: [The Westport Library, 20 Jesup Rd, Westport, CT] RE: Section 1022.2 of the 2012 IBC portion of the 2016 State Building Code, which states that "*Enclosures for interior exit stairways shall be constructed as fire barriers in accordance with Section 707*" RE: The Deputy State Building Inspector's (DSBI) *denial* where the Appellant proposed to protect glass walls that make up an exit enclosure with TYCO Model WS sprinkler heads. That the DSBI's decision was based on the fact that the Office of the State Building Inspector (OSBI) has not accepted the use of such sprinklers as an equivalent to the required rated fire barrier that is required for the enclosure of exit stairs, and the fact that it is a new construction around and existing stair and no hardship has been demonstrated where compliance with the minimum requirements of the Building Code would entail practical difficulty, or has it been determined that the requirements of the code have been adjudged unwarranted. Panel assigned: John Butkus, Chair; Lou Free (panel); George Iskra (panel); William Zoeller (alternate). Hearing scheduled 10/11/17, 12:00 noon, 2 North Conference Room A. The Deputy State Building Inspector requested to reschedule hearing. Request granted. Hearing date moved to 11/8/17 at 10:00am 2N Conference Room B. Decision will be mailed in 90 days (2/8/18). Decision is in final stage to be mailed out. **Decision was mailed on 2/21/18. Remove from Agenda.**
- f. **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. The State Fire Marshal reports review process is ongoing. State Fire Marshal report is done. We will submit to committee today. The Deputy State Building Inspector will contact ICC for a code interpretation. **State Fire Marshal mailed out their final interpretation of the hazard classification to the Appellant. Hold on agenda.**
- g. **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 Local Inspectors. **Deputy State Building Inspector is still working with the parties to find a resolution. Hold on agenda.**
- h. **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 today. Deliberation was held today. **Decision will be mailed in 90 days (5/18/18). Hold on agenda.**

9. GOOD OF THE ORDER

The next Codes and Standards Committee meeting is set for **April 11, 2018**, and will be held in the **2 North Conference Room B**, 450 Columbus Boulevard, Hartford, Connecticut.

10. ADJOURNMENT



Carlton Smith, Chair
Connecticut State Codes & Standard Committee