

## STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

October 10, 2018

The Chair called to order the regular meeting of the State Codes and Standards Committee at 1:00 PM. The meeting was held in 2 North Conference Room B, at 450 Columbus Boulevard, Hartford, Connecticut.

Attendance was taken and a quorum was present.

**In Attendance:**

- Anthony Bruno, Health
- John J. Butkus, AIA, Architect
- Johnny Carrier, Residential Contractor
- Paul Costello, Electric Trades, C&S Secretary
- John Cox, HVAC Member
- Thomas DiBlasi, Structural Engineer
- Donald Doeg, Esquire, Public Member
- Keith Flood, Fire Marshal, C&S Vice Chair
- Louis Free, Architect, CAS Chair,
- Donald Harwood, Public Member
- George Iskra, Fire Protection Engineer
- Glenn Neilson, Building Contractor
- Eric Shutt, Plumbing Trades Contractor
- Carlton Smith, C&S Chair, Building Official
- Fred Wajcs, Jr., Public Member

**Also Present:**

- Joseph Cassidy, State Building Inspector
- Bill Abbott, State Fire Marshal, (OSFM)
- Jenna Padula, DAS/DCS Legal
- Don Vigneau, Public

### 1) MINUTES

- a) A motion (J. Butkus) was made and seconded (L. Free) to accept the minutes of the *September 12, 2018* meeting. **All in favor. None opposed. Motion carried.**

### 2) COMMUNICATIONS

- a) 09/17/18 Correspondence received from Bernard Pellegrino, Esq. / Robert Mangino, Architect (A-12-18 Fantasia Banquet Facility) Appellant withdrew appeal.

### 3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – No report. Will schedule meetings after New Year.
- b) **Ethics/Procedural Regulations Subcommittee (Harwood)** – A meeting is scheduled immediately following the C&S Meeting, November 14, 2018 at 1:30pm, 2 North Conference B. There are two items: 1). Staff Attorney searching for items related to timeliness that we might be able to follow. 2). Issues related to procedures.

4) OLD BUSINESS

- a) There was no old business

5) NEW BUSINESS

a) Staff Report

- i) **Joseph Cassidy, State Building Inspector** – No report  
ii) **William Abbott, State Fire Marshal** – No report  
iii) **Jenna Padula, Staff Counsel** – No report

- b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** – No report

c) Training Councils

- i) **Building Code Training Council (Musco)** – No Report  
ii) **Fire Marshal Training Council (Harwood)** – No Report

- d) **Report on Bills (Cassidy)** – No report – Legislature is not in session

6) APPEAL HEARINGS

- a) **A-10-17** Request for Appeal received 5/12/17 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. Panel assigned: Louis Free, Chair, Mike Sinsigalli (panel), Carlton Smith (panel) and Paul Costello (alternate). Hearing date is 7/12/17 @ 12:00 noon. Briefs due 9/8/17. Appellant requested extension of brief deadline to November 15, 2017 at 3:00pm; granted by panel. Appellant requested a second extension for brief deadline; panel granted extension to 1/15/18. Appellant requested a third extension for brief deadline to March 15, 2018; granted by panel. Appellant requested a fourth extension for brief deadline to June 15, 2018; granted by the panel. Appellee and Appellant briefs received on 6/15/18. **Panel will meet for deliberations following the December 12, 2018 regular meeting. Hold on agenda.**
- b) **A-06-18** Request for Appeal received 4/16/18 from Jeffrey Shulman & Debra Rosen c/o Attorney Andrea C. Sisca, Ivey, Barnum & O'Mara, LLC, RE: 180 Wildwood Road, Stamford, CT RE: Denial by the Deputy State Building Inspector of a modification request [M-0231-18] regarding removal of a section of the fence located between the pool and the Mianus River and to allow the river to be considered a natural barrier in accordance with section 429.83 of the 1970 BOCA Code portion of the 1971 State Building Code. 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. A continuance of the hearing was requested by the appellant and granted by the panel to 9/12/18, 1:30pm. 2N Conf. Room B. In correspondence dated August 29, 2018, the appellant's attorney informed the panel "*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".* Deliberation held on 9/12/18. **Decision to be mailed out in 90 days (12/12/18). Hold on agenda.**

- c) **A-08-18** Request for appeal received 4/18/18 from Teodoro Marena c/o Robbie, Gerrick, McGivney Kluger & Cook, P.C. RE: 349-351 Park Avenue, East Hartford, CT RE: East Hartford Building Official's failure to issue a Certificate of Occupancy based on a Notice of Violation of East Hartford Zoning Regulations. 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 11/14/18 @ 11:00 a.m., 2N Conf. Room B. Hold on agenda.**
- d) **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: City of Hartford Fire Marshal's issuance of Notice of Fire Code Violations dated April 13, 2018. Referred to State Fire Marshal for Investigation. State Fire Marshal's office contacted Attorney seven times (7x), no response to date. **Send status letter based on September correspondence. Hold on the agenda.**
- e) **A-11-18** Request for Appeal received 5/23/18 from Bruce J. Spiewak, AIA, Consulting Architect, LLC RE: 1 Museum Drive, Greenwich, CT. RE: Deputy State Building Inspectors denial of modification request [M-0392-18] 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 building. 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. **Hearing was held, decision will be mailed in 90 days (12/12/18). Hold on agenda.**
- f) **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 North Haven Fire Marshal. Owner will submit a new Fire Code Modification. **A new modification was submitted and approved. Appellant withdrew appeal on 9/17/18. Remove from agenda.**
- g) **A-15-18** Request for Appeal received 7/30/18 from Hide W. Inga, Esq., Inga/Andrew Inga Consulting Engineers, LLC. RE: Multiple properties, East Hartford, CT. RE: East Hartford Building Official's position that only an architect can stamp drawing for improving and the new construction properties in the Town of East Hartford. DAS Counsel to respond to Appellant with regards to the C&S Committee's purview. **Letter to Appellant sent on 10/2/18 with 10/9/18 deadline for additional information. Hold on agenda**
- h) **A-16-18** Request for Appeal received 8/3/18 from Jane Davila, Managing Director, NEST Arts Factory (Bridgeport, CT). RE: 1720 Fairfield Avenue, Bridgeport, CT RE; Deputy State Building Inspector's denial of accessibility Waiver request [W-41-18] to IBC Section 3411.4.2 that proposed not to provide an elevator to service the second and third floors which exceeds 11,000 square feet each. Panel assigned: David McKinley (Chair), Fred Wajcs (panel), Henry Miga (panel), John

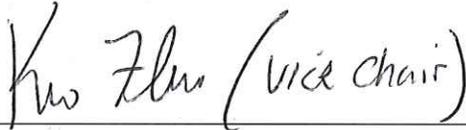
Butkus (alternate). Hearing scheduled September 12, 2018 @ 11:30a.m. 2N Conf. Room B.  
**Hearing rescheduled to 11/14/18 @ 10:00a.m., Conf. Room B. Hold on agenda.**

- i) **A-17-18** Request for Appeal received 8/9/18 from David Anderson, Properties Warden RE: 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]. Panel assigned: Keith Flood (Chair), Don Harwood (panel), John Cox (panel), Henry Miga (alternate). **Hearing held on 10/10/18 @ 11:00a.m., Conference Room B. Hearing continued for at least 60 days. Hold on agenda.**
- j) **A-18-18** Request for Appeal received 8/23/18 from Joseph Citino c/o Vianca T. Diaz, Esq., Diane, Contie & Tunila, LLP. RE: 229 Franklin Avenue, Hartford, CT RE: Hartford Fire Marshal's Abatement Order of Fire/Life Safety Hazards. Referred to State Fire Marshal's Office for review. **SFM still investigating pending meeting with appellant's attorney. Hold on agenda.**

**7) GOOD OF THE ORDER**

- a) The next Codes and Standards Committee meeting is set for **November 14, 2018**, and will be held in the **2 North Conference Room B**, 450 Columbus Boulevard, Hartford, Connecticut.

**8) ADJOURNMENT**

 (Vice Chair)

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**Carlton Smith, Chair**  
**Connecticut State Codes & Standard Committee**