

STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

November 14, 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:

- John J. Butkus, AIA, Architect
- Johnny Carrier, Residential Contractor
- Paul Costello, Electric Trades, C&S Secretary
- 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
- Mark Mastropasqua, Labor
- David McKinley, Advocacy
- Henry Miga, Building Official
- Glenn Neilson, Building Contractor
- Eric Shutt, Plumbing Trades Contractor
- Fred Wajcs, Jr., Public Member
- William Zoeller, Energy Efficiency

Also Present:

- Joseph Cassidy, State Building Inspector
- Jenna Padula, DAS/DCS Legal

1) MINUTES

- a) A motion (L. Free) was made and seconded (D. Harwood) to accept the minutes of the *November 14, 2018* meeting. **All in favor. None opposed. Motion carried.**

2) COMMUNICATIONS

- a) 11/5/18 Request for Appeal received from James McElroy, Milford, CT - (A-19-18) [M-0766-18] 54 Naugatuck Ave, Milford, CT RE: Modification of Section 705.8, of the 2012 IBC portion of the 2016 SBC which states in part that "*The maximum area of unprotected or protected openings permitted in an exterior wall in any story shall not exceed the values set forth in Table 705.8 (0 to 3 feet no opening allowed)*". Appellant *denied* to install two unprotected openings (windows) within an existing 2-hour rated exterior wall with a zero fire separation distance. A hearing panel was set and consists of Glenn Neilson, Panel Chair; Louis Free and Don Harwood. Henry Miga will be the alternate. Hearing date and time to be scheduled after the meeting.
- b) 11/5/18 Correspondence received from William Abbott, State Fire Marshal – (A-18-18) [FM-0243-18] 229 Franklin Avenue, CT (Residential (6) Six Unit Apartment Building RE: Field visit conducted by the Office of the State Fire Marshal Staff.
- c) 11/7/18 Correspondence received from Attorney Nathan C. Favreau, Rome McGuigan, P.C., - (A-08-18) RE: "Request for ninety (90) day continuance of the hearing" RE: 353-357 Park Ave, East Hartford, CT.

- d) 11/7/18 Correspondence received from Milton Gregory Grew, AIA, East Hartford Building Official – **(A-08-18)** RE: Appellee’s Objection to Appellant’s ninety (90) day continuance of the hearing” RE: [353-357 Park Ave, East Hartford, CT.
- e) 11/7/18 Correspondence received from Attorney Nathan C. Favreau, Rome McGuigan, P.C., - **(A-08-18)** RE: Appellants rebuttal to Appellee’s Objection to ninety (90) day continuance of the hearing RE: 353-357 Park Ave, East Hartford, CT.
- f) 11/13/18 Correspondence received from Brian C. Courtney, Updike, Kelly & Spellacy, P.C. – **(A-10-18)** RE: [AH Min Holding LLC – Fire Code Violations] Request for an adjournment of the Committee’s consideration of this appeal until the December meeting to provide sufficient time to close the sale.

3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – No report. We will have our first CAS Meeting on January 9, 2019 at 1:30pm, 2 North Conference Room B.
- b) **Ethics/Procedural Regulations Subcommittee (Harwood)** – A meeting is scheduled today immediately following the C&S Meeting, November 14, 2018 at 1:30pm, 2 North Conference B.

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

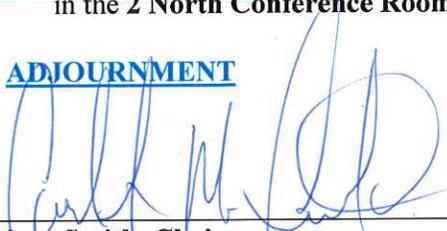
- a) **A-10-17** Request for Appeal received 5/12/17 from John Coppola c/o Attorney Zullo-Zullo and Jacks, LLC RE: 10 Caroline Street, Milford, CT RE: The original denial of Joseph D. Griffith, Milford Building Official dated March 30, 2017 - notice alleges that Mr. Coppola is in violation of State Building 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 C&S Monthly 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. **Withdrew. Remove from 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. **Status letter mailed on 11/1/18. 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-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. **Appellant did not respond. Remove from agenda.**
- g) **A-16-18** Request for Appeal received 8/3/18 from Jane Davila, Managing Director, NEST Arts Factory (Bridgeport, CT). RE: 345 Railroad 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 Wacjs (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. **Decision will be mailed in 90 days (2/14/18). Hold on agenda.**
- h) **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.**
- i) **A-18-18** Request for Appeal received 8/23/18 from Joseph Citino c/o Vianca T. Diaz, Esq., Dianea, 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. **Panel assigned: Keith Flood (Chair), Don Doeg (panel), Fred Wajcs (panel), Johnny Carrier (alternate). Hearing scheduled 2/13/19 @ 11:00a.m. Hold on agenda.**

7) **GOOD OF THE ORDER**

- a) The next Codes and Standards Committee meeting is set for **December 13, 2018**, and will be held in the **2 North Conference Room B**, 450 Columbus Boulevard, Hartford, Connecticut.

8) **ADJOURNMENT**



Carlton Smith, Chair
Connecticut State Codes & Standard Committee