

STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

February 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:**

- Carlton Smith, C&S Chair/Building Official
- Anthony Bruno, Health
- John Butkus, Architect
- 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
- Lou Free, J., AIA, CAS Chair/Architect
- George Iskra, P.E., Fire Protection Engineer
- Mark Mastropasqua, Labor
- David McKinley, Advocacy
- Henry Miga, Building Official
- Michael Musco, P.E., Electrical Engineer
- Glenn Neilson, Building Contractor
- Eric Shutt, Plumbing Trades Contractor
- Michael Sinsigalli, Fire Marshal
- Fred Wajes, 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
- Gina Calabro, AIA Consultant
- Joseph Kingston, Fire & Life Safety Supervisor (OSFM)
- Bill Nash, ICC
- Bruce Spiewak, AIA
- Timothy Baldwin, CT DDS

3. Attendance was taken and a quorum was present. A motion (C. Smith) was made and seconded (L. Free) to accept the minutes of the *January 10, 2018* meeting. **All in favor. None opposed. Motion carried.**

4. COMMUNICATIONS

- a. 1/25/18 Correspondence received from William Abbott, State Fire Marshal RE: A-19-17 State Fire Marshal Inspection Report for [457 Killingworth Road, Haddam-Higganum] (see item #g for details).
- b. 1/30/18 Correspondence received from Commissioner Melody Currey RE: Appointment of John Cox, P.E. to the Codes & Standards Committee as the HVAC Contractor Member.
- c. 2/7/18 Correspondence received from Attorney Louis Pittocco RE: A-21-17 February 14, 2018 scheduled hearing: The Housing Authority of the Town of Greenwich would like to present a Modification and back-up plan at the hearing (see item #i for details).

- d. 2/13/18 Correspondence received from C&S Panel (M. Sinsigalli, K. Flood, L. Free) RE: A-21-17 February 14, 2018 scheduled hearing: Panel's response to the Housing Authority of the Town of Greenwich's request to present a Modification and back-up plan at the hearing (see item #i for details).

5. **SUBCOMMITTEE REPORTS**

a. **Codes Amendment Subcommittee (CAS) (Free)** – We will conduct a meeting directly after C&S to review presentations by Joe and Bill regarding public comments on proposed codes and what is anticipated as far as moving forward.

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 – discussed progress on the code adoption process. We held a public hearing on 1/24/18. Thanks to everyone who participated. Michael Fuschi (former Building Official for the City of Hartford) will join OSBI on 2/16/18 as a Construction Services Building Official.

William Abbott, State Fire Marshal – Reviewing comments that we have received regarding the new code. We have two job openings.

Jenna Padula, State Counsel – No Report.

b. **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** – No Report

c. **Joint Building Code Training Council (Musco)/ Fire Marshal Training Council (Harwood)/(aka Joint BCTC/FMTC)** – No meeting this past month. Pending to reschedule a meeting.

d. **Report on Bills (Cassidy)** – We have two bills that we are putting forth: 1. Technical fix bill that includes modifications to the Boiler Code statutes, adds the 45 day appeal period to superior court in a couple of appeal sections, submitted a re-write of 29-292 Smoke Detectors – William Abbott, State Fire Marshal is seeking the change to eliminate convoluted language, require smoke detection (prior to 1978). We've been getting lots of push-back from the Realtors.

8. **APPEAL HEARINGS**

a. **A-15-16.** Request for Appeal from Steven Anderson RE: Local Fire Marshal's decision RE: 7.7, 8.6, 13.6 Parts IV & V, 10.4, 7.2 RE: 11 Mason's Island Road, Mystic, CT. On 09/14/16 referred to Office of State Fire Marshal (OSFM) for review. OSFM was refused entry into the building earlier this month. Inspection was re-scheduled for 10/18/16 but did not go forward; OSFM asked for advice. A letter was sent to the appellant on 12/22/16 informing him that if he is willing to meet with the State Fire Marshal, a hearing may not be necessary; however, a hearing has been scheduled. Panel consists of Michael Sinsigalli, Panel Chair; Lou Free and Carlton Smith. Henry Miga is alternate. Hearing was scheduled for Wednesday, February 8, 2017. Local Fire Marshal requested an extension of time to attempt to meet with the Appellant and resolve matter. Extension of time was granted and hearing will be rescheduled. An inspection is scheduled for March 21-22, 2017. We will hear more in April 2017. Received Fire Marshal Inspection/Report

on 4/10/17. Hearing scheduled for Wednesday, May 10, 2017, 12:00pm-1:00pm, 13 North Conference Room A. The Fire Marshal asked for a continuance. Continuance was granted. Status letter on 6/23/17. Hearing is scheduled Wednesday, 10/11/17 @ 11:00am; 13 North Conference Room B. Request to postpone hearing was Granted. Hearing moved to December 13, 2017, 11:00am, 2 North Conf. Room B. 12/4/17 Request for Extension of the Hearing for 60 days (2/14/18) from Frank Hilbert, Milford Fire Marshal. Panel granted extension to 2/14/18. Hold on agenda. **Appellant withdrew appeal. Remove from Agenda.**

- b. **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 (OFSM) 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 OFSM 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 will be mailed in 90 days (2/8/18). Hold on Agenda.**
- c. **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). Hold on agenda.**
- d. **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. Hold on agenda.**

- e. **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 (4/10/18).**

- f. **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.**

- g. **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 will mail their viewpoint to the Appellant. Hold on agenda.**

- h. **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. Hold on agenda.**

- i. **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 **March 14, 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