

## STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

April 11, 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
- Louis Free, CAS Chair, Architect
- Donald Harwood, Public Member
- Mark Mastropasqua, Labor
- David McKinley, Advocacy
- Henry Miga, Building Official
- Michael Musco, Electrical Engineer
- Glenn Neilson, Building Contractor
- Eric Shutt, Plumbing Trades Contractor
- Michael Sinsigalli, Fire Marshal
- Carlton Smith, C&S Chair, Building Official
- Fred Wajcs, Jr., Public Member
- William Zoeller, Energy Efficiency

**Also Present:**

- Joseph Cassidy, State Building Inspector
- Bill Abbott, State Fire Marshal, (OSFM)
- Jenna Padula, DAS/DCS Legal
- Joseph Kingston, Fire & Life Safety Supervisor (OSFM)
- Mike Trahan, Solar Connecticut
- Timothy Baldwin, CT DDS
- Bill Nash, ICC

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 *March 14, 2018* meeting. **All in favor. None opposed. Motion carried.**

#### 4. COMMUNICATIONS

- a. 3/16/18 Request for Appeal from *James Liang (owner), James International LLC* - RE: **A-01-18** Norwich Local Building Official & Norwich Building Code of Appeals decision RE: Condemnation of 41 Boswell Ave, Norwich CT. Committee request that Staff Attorney inform Appellant he must respond to the Committee by **May 7, 2018**, of which violation of the Connecticut State Building Code that he wishes to appeal.
- b. \*3/5/18 Correspondence Received from William Abbott, State Fire Marshal & Bonnie Becker, Director, Office of Education & Data Management (ODEM) – RE: Certificate of Emeritus for *Allan L. Lawrence, Town of Ellington*.
- c. \*3/5/18 Correspondence Received from William Abbott, State Fire Marshal & Bonnie Becker, Director, Office of Education & Data Management (ODEM) – RE: Certificate of Emeritus for *David Collins, West Shore Fire District*.

- d. 3/26/18 Request for Appeal from *Attorney Richard C. Robinson, Pullman & Comley LLC/The Mandell Jewish Community Center of West Hartford* – RE: **A-02-18** 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 Fire Marshal have rejected the use of these turnstiles.
- e. 4/6/18 Request for Appeal from *Joseph Anania, Taylor Brook LLC* RE: **A-03-18** 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].
- f. 4/6/18 Correspondence Received from William Abbott, State Fire Marshal & Bonnie Becker, Director, Office of Education & Data Management (ODEM) – RE: Certificate of Emeritus for *Michael A. Gardocki, Assistant Building Official*.
- g. 4/6/18 Correspondence Received from William Abbott, State Fire Marshal & Bonnie Becker, Director, Office of Education & Data Management (ODEM) – RE: Certificate of Emeritus for *Bud Meyers, Building Official*.
- h. \*4/6/18 Correspondence Received from William Abbott, State Fire Marshal & Bonnie Becker, Director, Office of Education & Data Management (ODEM) – RE: Certificate of Emeritus for *Matthew L. Scarrozzo, Deputy Fire Marshal*.
- i. 4/9/18 Request for Appeal from *Elizabeth Iadarola* RE: **A-04-18** [M-0238-18A, 482 Hazard Ave, Enfield] RE: Section R311.7.2 of the 2012 IRC portion of the 2016 SBC 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”. Deputy State Building Inspector denied the Appellant’s proposed 6 feet, 1½ inches at a stairway.
- j. 4/9/18 Request for Appeal from Thomas Small, Small Architects RE: **A-05-18** [M-0255-18, 1551 King Street, Enfield] RE: Section 1004.1.2 of the 2012 IBC portion of the 2016 SBC which sets forth requirements for establishing occupant loads within areas without fixed seating. The Deputy State Building Inspector denied the Appellants proposal to utilize the exception to the above mentioned code section that Connecticut has deleted in its adoption process.

\*A motion (K. Flood) was made and seconded (L. Free) to accept the Certificates of Emeritus for, *Allan L. Lawrence, Town of Ellington Matthew; L. Scarrozzo, Deputy Fire Marshal, and David Collins, West Shore Fire District*. All in favor. None opposed. Motion carried. **Clarification:** Items “f” and “g” above are approved by the State Building Inspector (as they are Local Building Officials and does not require approval from the C&S Committee).

## 5. SUBCOMMITTEE REPORTS

a. **Codes Amendment Subcommittee (CAS) (Free)** – The Subcommittee voted on approving the 2018 amendments to both the State Building Code and Fire Safety Code.

b. **Ethics/Procedural Regulations Subcommittee:**(Harwood)-We will set a meeting around timeliness.

## 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** – We promoted Tom Duff to Fire & Life Safety Supervisor and filled the Fire Life Safety Specialist position with Roger Martin, We interviewed to fill two open Fire & Life Safety Specialist positions. One has been approved at this time, the other is pending approval.

**Jenna Padula, Staff 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)** – Things are moving slowly. Our technical bill failed. The ADA Swing/Grab Bar got out of Public Safety Committee and was referred to Appropriations. We have a meeting set up with the Speaker of the House and the constituent. The working without a permit fee bill got out of the Planning and Development Committee with a change that eliminated the population requirement. The Smoke Detector bill didn't get anywhere. The Fireworks Bill passed through General Law.
- e. Approval of the Final Building and Fire Safety Codes** – A Motion (Keith Flood) and Seconded (Fred Wajcs, Jr.) to approved the Final 2018 State Building Code with the Amendments.

**Discussion:**

**John Carrier**, *"I'm not looking to rehash this particular debate here in discussion, but have you guys ever had a set of instances where you propose, take out or act codes that are almost evenly split within the subcommittee itself? Are they typically overwhelmingly a good idea? Or unanimous? I ask that question because obviously at the subcommittee when it made the sixth vote with Jack missing who's been opposed from the beginning – it's pretty much a fair split where half the committee feels it's a good idea – we are ready, and the other half feels it's a bad idea – we're not ready. I will be voting against it again – just like I did in subcommittee for the sole purpose that I don't think something as evenly split like that has convinced overwhelmingly this group in which this was ready to move forward. I'm sure it's going to set up a nice battle in the Capitol too which only makes this process worse"*.

**Louis Free**: *"We have had votes in the past where it was evenly split. Radon was one of them. Yes, there has been times like that where things were put in the code that not the entire subcommittee has agree too. We did have one instance where almost the full committee was behind a code change that the State Building Inspector was not and basically trumped the Codes Amendment Subcommittee and said 'I will not support that and move that forward'. Basically, even though the committee felt strongly they liked the provisions, the State Building Inspector overruled us. It's typically the majority rules"*.

**Donald Harwood**: "Even though it's a very difficult decision/tough issue, consensus rules".

**Call a Vote**: All in favor of the 2018 Connecticut State Building Code with the Amendments.  
**18 in favor; 1 opposed (Johnny Carrier); 2 Abstentions (Donald Harwood) (Henry Miga)**

A Motion (David McKinley) and Seconded (Henry Miga.) for approval the 2018 Connecticut State Fire Safety Code with the Amendments. **All in favor. None opposed. No Abstentions. No Discussion. Motion carried.**

## 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: 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, Appellant requested another extension. 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. 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.**
  
- 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. 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. **C&S Chair requests the Staff Attorney/Secretary to send status letter to Appellant.**

- 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 Local Inspectors. **Deputy State Building Inspector is still working with the parties to find a resolution. He is asking for a status letter to be mailed to Appellant Andrew Inga. Mr. Tierney feels this issue will be resolved. Hold on agenda. Hold on agenda.**
  
- 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 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 **May 9, 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**