

STATE CODES AND STANDARDS COMMITTEE (C&S)
Wednesday, January 9, 2019 – 1:00 PM, 2N Conference Room B

AGENDA

- 1. CALL TO ORDER**
- 2. ATTENDANCE**
- 3. APPROVAL OF MINUTES OF THE December 12, 2018 MEETING**
- 4. COMMUNICATIONS:**

SUBJECT & DATE RECEIVED	FROM – TO	DESCRIPTION
a. Request for Appeal 1/9/19	Ori D. Spiegel, Esq. Law Office of Lawrence A. Levinson C&S	A-01-19 Request for Appeal RE: 243 Winthrop Ave, New Haven, CT, per New Haven Fire Marshal - “Doors not in compliance”. ACTION: _____ _____

- 5) SUBCOMMITTEE REPORTS**
 - a) **Codes Amendment Subcommittee (CAS) (Free) –**
 - b) **Ethics/Procedural Regulations Subcommittee (Harwood) –**
- 6) OLD BUSINESS**
- 7) NEW BUSINESS**
 - a) **Staff Report**
 - i) **Joseph Cassidy, State Building Inspector –**
 - ii) **William Abbott, State Fire Marshal –**
 - iii) **Jenna Padula, Staff Counsel –**
 - b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli) –**
 - c) **Training Councils**
 - i) **Building Code Training Council (Musco) –**

ii) **Fire Marshal Training Council (Harwood) –**

d) **Report on Bills (Cassidy) –**

8) 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 was mailed on (12/17/18).**
- c) **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 out 11/1/18. Attorney Courtney responded on 11/13/18 "*I have just confirmed with our buyer that our closing is now scheduled for November 21 for the sale of this project. I would expect that after the sale the appeal will be withdrawn". Please pass this on to the Committee for consideration of our extension request at tomorrow's meeting*". **On 12/26/18, per Attorney Courtney, he will asked the buyer if they want to continue the appeal. If not, it will be withdrawn.**
- d) **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. **Decision was mailed on 12/27/18.** _____

- e) **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 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. Hold on agenda. **Hearing held.** **Decision will be mailed in 90 days (2/14/19). Hold on agenda.**
- f) **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 Wacjs, Jr. (panel), Johnny Carrier (alternate). Hearing scheduled 12/12/18 @ 11:00 a.m., Conference Room B. A Field visit was conducted by the Office of the State Fire Marshal staff. A Request for Continuance received from Vianca T. Diaz, Esq. on 11/29/18. **Panel Granted Continuance to Wednesday, 2/13/19 @ 11:00 a.m., 2 North Conference Room B. Hold on agenda.**
- g) **A-19-18** Request for Appeal received 11/5/18 from James McElroy RE: [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 Nielson, Panel Chair, Louis Free and Don Harwood. Henry Miga will be the alternate. Hearing date and time to be scheduled after the meeting. **Hearing scheduled 1/9/19 @ 11:00am, Conference Room B. Hold on agenda.**
- h) **A-20-18** Request for Appeal received 11/20/18 from Keith R. Rudzik, Esq., Howard, Kohn, Sprague & Fitzgerald RE: [Republic@Linden – 10 Capitol Ave, Hartford, CT] Hartford Building Official's Nuisance Violation. **Panel assigned: Henry Miga (Chair), Mark Mastropasqua (panel), Fred Wacjs, Jr. (panel), Carlton Smith (alternate), Hearing scheduled, January 9, 2019 @ 9:30 a.m., 2 North Conference Room B. Hold on agenda.**
- i) **A-21-18** Request for Appeal received 11/23/18 from Vianca T. Diaz, Esq., Diane, Conti & Tunila, LLP RE: 229 Franklin Ave, Hartford, CT Appellant is seeking an appeal of the State Fire Marshal's decision, dated October 24, 2018, denying request for modification pursuant to CSFSC Part IV Section 31.2.4.1. **Panel assigned: Michael Sinsigalli (Chair), Carlton Smith (panel), David McKinley. (panel), Paul Costello (alternate), Hearing scheduled: February 13, 2019 @ 9:30 a.m., 2 North Conference Room B. Hold on agenda.**
- j) **A-22-18** Request for Appeal received 12/4/18 from Robert Meyers RE: [577 Town Street, 102 East Haddam Colchester Turnpike, and 51 Ackley Cemetery Road] appealing the decision of the East Haddam Building Official – 2012 IRC 502.3.1(1). **Hold on agenda.**

k) **A-23-18** Request for Appeal received 12/11/18 from Attorney Stephen L. Savarese, Taras Lisowitch & Vasyl Ivoniuk RE: [27 Indian Valley Road, Weston] RE: “denial of Building Permit Application under R105.3.1.2 – lack of zoning sign off]. **Hold on agenda.**

9) GOOD OF THE ORDER

The next Codes and Standards Committee meeting is set for **February 13, 2019, 1:00 p.m.**, and will be held in the **2 North Conference Room B**, 450 Columbus Boulevard, Hartford, Connecticut.

10) ADJOURNMENT

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