

## STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

November 13, 2019

The Chair called to order the regular meeting of the State Codes & Standards Committee at 1:00 p.m. 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 Butkus, AIA, Architect
- Johnny Carrier, **C&S Secretary**, Residential Contractor Member
- Paul Costello, **C&S Vice Chair**, Electric Trades Member
- Thomas DiBlasi, P.E., Structural Engineer Member
- Donald Doeg, Public Member
- Keith Flood, **C&S Chair**, Fire Marshal
- Louis Free, Architect, CAS Chair, Member
- Donald Harwood, Public Member
- George Iskra, P.E., (Engineer, Fire Protection)
- Mark Mastropasqua, Labor
- David McKinley, Advocacy Member
- Henry Miga, Building Official Member
- Mike Musco, P.E. Electrical Engineer
- Mike Sinsigalli, Fire Marshal
- Carlton Smith, Building Official Member
- Fred Wajcs, Jr., Public Member
- William Zoeller, Energy Efficiency Member

**Also Present:**

- Joseph Cassidy, State Building Inspector
- Jenna Padula, DAS/DCS Legal
- William Abbott, OSFM, State Fire Marshal

### 1) MINUTES

- a) A motion (J. Butkus) was made and seconded (G. Iskra) to accept the minutes of the *October 9, 2019* meeting. **All in favor. None opposed. Motion carried.**

### 2) COMMUNICATIONS

- a) 10/16/19 received from Bonnie Becker, Director, Office of Education and Data Management – Certificate of Emeritus for Albert Santostefano effective 10/9/19.
- b) 10/23/19 **A-16-19** Request for Appeal received from Rachita Nepau Shan, West Hartford, CT. RE: Section R311.7.2, of the 2015 IRC [338 South Quaker Lane, West Hartford, CT] *denial* that proposed a headroom of 6 feet, at the top of a stairway that serves a newly created habitable attic within a single family dwelling. **Panel assigned: Glenn Neilson (Chair), Tom DiBlasi (Panel), Lou Free (Panel), and Johnny Carrier (Alternate).**
- c) 10/3/19 **A-04-19** Correspondence received from Mr. Joseph M. Cohen, Chester, CT – Thank you letter and response to the C&S Committee RE: Complaint of Mr. Meyers case #C-01-19.

- d) 10/03/19 Correspondence received from Sara A. Sharp, Esq., Hurwitz Sagarin Slossberg & Knuff, LLC, Request for Continuance of hearing (*see item #f for details*).
- e) 10/29/19 **A-18-19** Request for Appeal received from Philip R Sherman, P.E. RE: Sections 403.1.1 and 403.2, of the proposed 2021 IPC which appears to allow multi-user toilet facilities to serve all genders. [238 Church Street, Middletown, CT] *denial* to utilize the proposed language of the referenced sections of the 2021 IPC.
- f) 10/31/19 received from Bonnie Becker, Director, Office of Education and Data Management – Certificate of Emeritus for John Kananowicz, Fire Marshal will retire effective 9/26/19.
- g) 10/31/19 **A-18-19 Appellant withdrew appeal** RE: Sections 403.1.1 and 403.2, of the proposed 2021 IPC which appears to allow multi-user toilet facilities to serve all genders. [238 Church Street, Middletown, CT] *denial* to utilize the proposed language of the referenced sections of the 2021 IPC.

### 3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – CAS will convene a meeting immediately after this one and pick up where we left off on some outstanding items.
- b) **Ethics/Procedural Regulations Subcommittee (Harwood)** – We had an Ethics Committee Meeting. We didn't have a quorum because of conflicts with other meetings. We moved along with quite a few issues: *Draft Revisions* to the "Guide for conducting Appeal Hearings". We reviewed Section I: "**Introduction Section**" – we need to formulate a reference guidance document for the Appellant Guide. Our goal is to help the Appellant understand the appeal process. We discussed **Section II**: "Hearing" – providing clear direction to the Appellant in reference to the documents they should provide (who? what? when? why?). We discussed providing clear guidance on the timeline expectations. Description of Briefs and its length and focus of content. I will circulate a draft to the Subcommittee Members. **Sections B through E**: We need to modify and reflect some changes in the *Continuance, No Briefs, Deliberations, Decisions, Adverse Decision Guidance* – some of these items will be provided in a document to the Appellant. Bottom line, we are trying to better define the rules for the Hearing Process and the Appellant's understanding. We'll also focus on "*Process of Evidence Acceptance*". Don will work on "*UAPA*" – defining timelines, the new member handbook. Short term deliverables: We will route the 2 documents around to the Subcommittee Members (The Appeal Guide and Appellants Guide). Hopefully have drafts ready by next month's meeting.

### 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)** – We had a meeting and discussed how Fire Appeals will be processed in the future. Guidance from the Advisory Committee to the State Fire Marshal was given. Basically, Fire Code Appeals will be similar to the way the Codes and Standards Committee works – but handled by the Fire Advisory Committee.
- c) **Training Councils**
  - i) **Building Code Training Council (Musco)** – No mission for this council
  - ii) **Fire Marshal Training Council (Harwood)** – Don Harwood, Chair is calling a meeting of the existing members to review Section 29, and decide what recommendations we should make. The Statute requires an Advisory Committee and in fairness to those that are Fire Marshals – How are we functioning? What is the Role? How do we work and meet in a fashion that allows for dialogue between Administration, ODEM, OSBI and the State Fire Marshal? Is this going to function and move forward? Should we solicit new members? What should happen? I think it's appropriate to call a meeting.
- d) **Report on Bills (Cassidy)** – No Report

#### 6) APPEAL HEARINGS

- a) **A-01-19** Request for Appeal received 1/7/19 from Ori D. Spiegel, Esq., Law Office of Lawrence A. Levinson RE: [243 Winthrop Avenue, New Haven, CT] per New Haven Fire Marshal – “Doors not in compliance”. Forward to State Fire Marshal for review. Fire Marshal reports that they had an inspector review it. He is currently working with the Appellant. **State Fire Marshal report in process.** State Fire Marshal completed inspection – Appellant owns many properties, would like to proceed with appeal/hearing. Panel assigned: Keith Flood (Chair), David McKinley (Panel), Mike Sinsigalli (Panel), William Zoeller (Alternate). Hearing scheduled: Wednesday, August 28, 2019 @ 11:00 a.m. Hearing moved to Wednesday, November 13, 2019 at 11:00 a.m., 2N Room B. **Hearing continued to Wednesday, 2/5/20 @ 10:00 a.m., Plaza Level, Conference Room B. Hold on agenda.**
- b) **A-04-19** Request for Appeal received 3/14/19 from Bill Disiero, Centennial Real Estate RE: [1201 Boston Post Road, Milford, CT (M-69-19)]. Denial of Section 907, of the 2012 IBC portion of the 2016 SBC, which sets forth requirements for “*Emergency Voice/Alarm Communication Systems in malls*” in which proposed to not have the required alarm system within the mall to trip Dave & Busters Fire Alarm System. Panel assigned: Mike Sinsigalli, Panel Chair, Glenn Nielson, Panel, Lou Free, Panel, and Donald Harwood (alternate). Hearing scheduled, Wednesday, June 12, 2019 at 11:00a.m.-2 North Conference Room B. Received Request for Continuance from Sara A. Sharp, Esq., Hurwitz Sagarin Slossberg & Knuff, LLC on 5/31/19. **Panel Granted Continuance. Hearing rescheduled, Wednesday, 3/11/20 @ 10:00 a.m., 2N Room B. Hold on agenda.**
- c) **A-05-19** Request for Appeal received 5/15/19 from Raymond Pietrorazio, Representative, OXC Airport/Power Plant, Town of Middlebury - RE: [CPV Towantic LLC, 16 Woodruff Hill Road, Oxford, CT]. RE: CT Fire Safety Code Section(s) under appeal: NFPA-54 and NFPA-56. And CT Building Code Section(s) under appeal: Section, 104.1, 105.1, NFPA-54 and NFPA-56. Referred to State Fire Marshal. **Due to the complexity of this case, Fire Marshal still working with this case. Hold on agenda.**

- d) **A-09-19 Request for Appeal** received 6/21/19 from Robert W. Hall, Jr., Director of Facility Support Services, Gaylord Specialty Healthcare (Lyman Building): RE: 50 Gaylord Farm, Road, Wallingford CT. RE: Denial of relief from Part IV, Section 7.2.1.4.2(2) of the 2018 Connecticut State Fire Safety Code - to permit the door to the existing Exit Stair Enclosure STR-L101 (said to be used as a convenience stair between the Floor Levels 1, and 2) to swing opposing the direction of egress travel at Floor Level 1, within an existing Two Story Health Care Occupancy. **Panel assigned: Keith Flood, (Chair); David McKinley (Panel); Henry Miga (Panel) and Carlton Smith (Alternate). Hearing scheduled: Wednesday, 12/11/19 @ 11:00 a.m., 2N Room B. Hold on agenda.**
- e) **A-10-19 Request for Appeal received 6/27/19 from** 860 Main Street, LLC - Estate of John Gramegna, Managing Member: RE: 860 Main Street, East Hartford, CT RE: Connecticut Fire Safety Code(s). Referred to State Fire Marshal for investigation. On 10/9/19, Office of the State Fire Marshall (OSFM), Joseph Kingston, Fire & Life Safety Supervisor reports that they did conducted a field inspection. However, they have not finished completing the report due to multiple units (54) involved. That unfortunately, it appears that they will not be able to reach an agreement with the parties. The OSFM's suggestion is to set a panel only until the report is complete. **Panel assigned: Mike Sinsigalli (Chair), Keith Flood (Panel), Don Harwood (Panel) and William Zoeller, (Alternate). Hearing Scheduled: Wednesday, 12/18/19 @ 9:00 a.m., 13 North Building, Room A. Hold on agenda.**
- f) **A-11-19 Request for Appeal** received from Timothy P. Guidera, Pawcatuck Riverview LLC, State Building Code Section 117 - Notice of Imminent Danger, Order to Vacate and Posting of Unsafe Structure (RE: 21 Pawcatuck Ave, Pawcatuck, CT). Appellant seeking determination overruling the Stonington Building Official's July 26, 2019 decision that the subject building is not in violation of SBC Section 117. That it was already partially torn down and presents no imminent danger of collapse. Panel assigned: Henry Miga (Chair), Johnny Carrier (Panel) Donald Doeg (Panel) and Tom DiBlasi (Alternate). Hearing scheduled: Wednesday, 10/09/19 @ 10:00 a.m., 2N Room B. **Hearing held. Decision will be mailed in 90 days (01/09/19). Hold on agenda.**
- g) **A-12-19 Request for Appeal received 9/3/19** from Richard Leighton, R.E. Leighton & Associates, RE: Appeal of the Local Fire Marshal Ivoryton (Essex), Connecticut. RE: Ivory Key, LLC, [158 Main Street, Ivoryton (Essex), CT]. Referred to the Office of the State Fire Marshal. Ongoing Communications continue. **State Fire Marshal is working on a report for the Committee. Hold on agenda.**
- h) **A-13-19 Request for Appeal received 9/6/19** from Alan P. Gravel, RE: [200 Perch Rock Trail, Winsted, CT (OSBI: M-554-19)] RE: denial Section R305.1.1(4) that proposed a ceiling height of 6 feet, 5 inches and a clear height of 5 feet, 10 inches under a beam within an existing basement being converted to habitable space. **Panel assigned: Glenn Neilson (Chair); Lou Free (panel); Tom DiBlasi (panel); Carlton Smith (alternate). Hearing scheduled Wednesday, 12/11/19 @ 10:00 a.m., 2N Room B. Hold on agenda.**

## **7) GOOD OF THE ORDER**

The next Codes and Standards Committee meeting is scheduled for **December 11, 2019, 1:00 p.m.**, and will be held in **2 North Conference Room B**, 450 Columbus Boulevard, Hartford, Connecticut.

8) **ADJOURNMENT**

**A motion (L. Free) was made to adjourn the meeting and seconded (J. Butkus). All in favor.  
None opposed. Motion carried.**



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**Keith Flood, Chair**  
**Connecticut State Codes & Standard Committee**