

STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

May 12, 2021

The Chair called to order the regular meeting of the State Codes & Standards Committee at 1:00 p.m. The meeting was held online using a Teams format.

Attendance was taken and a quorum was present.

In Attendance:

Anthony Bruno, Health
John Butkus, AIA, Architect
Johnny Carrier, **C&S Secretary**, Residential Contractor Member
Anthony Cinicola, Building Official
Paul Costello, **C&S Vice Chair**, Labor Trades
Hank Cullinane, HVAC Member
Thomas DiBlasi, P.E., Structural Engineer Member
Donald Doeg, Esq, Public Member
Keith Flood, **C&S Chair**, Fire Marshal
Louis Free, Architect, CAS Chair, Architect
Donald Harwood, Public Member
David McKinley, Advocacy
Henry Miga, Building Official
Tim Mikloiche, Electrical Contractor
Mike Musco, P.E. Electrical Engineer
Glenn Neilson, Building Contractor
Ilona Prosol, P.E., Fire Protection Engineer
Mike Sinsigalli, Fire Marshal
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
William Abbott, State Fire Marshal
Joseph Kingston, OSFM, Fire & Life Safety Supervisor
Darren Hobbs, Deputy State Building Inspector
Bethy Guiles, DAS/OSBI - Administrative Assistant
David DeLeeuw

PUBLIC:

Greg Grew, E.H. Building Official	Kevin Curseaden
James Quish	Maria Tougas
William J. Nash	Peter Kelly
Darren Port, NEEP	Jean Cronin
Bruce Spiewak	David Runner
Joe Summers	Miles Ingram
Jeffrey Mang	Robert S. Glass
Sricharan Reddy Kommera	Nadja Tremblay

1) MINUTES

- a) A motion (T. DiBlasi) was made and seconded (J. Carrier) to accept the minutes of the *April 14, 2021* meeting minutes. **All in favor. None opposed. Motion carried.**

2) COMMUNICATIONS

- a. **A-02-21** Request for Appeal received 4/19/21 from Ori D. Spiegel, Esq., Law Office of Lawrence A. Levinson, PC RE: [15 Irving Street (rear building) New Haven, CT] Appellant is appealing a change made to a building permit application issued for that property. The application for a building permit has been changed to require a total gutting of the interior of the premises when only a less extensive partial examination is necessary to determine code compliance. Client has been aggrieved by the decision of the City of New Haven Building Department and timely notified that office of his request for an appeal pursuant to New Haven Code of Ordinances Sec. 9-47. Panel assigned: Henry Miga, Chair, Johnny Carrier, Panel, Glenn Neilson, Panel, Fred Wajcs, Alternate. Hearing date: 6/1/21 at 10:00 a.m. **Appellant withdrew appeal on 5/27/21.**
- b. **A-03-21** Request for Appeal received 4/27/21 from Kevin J. Curseaden, Curseaden & Moore, LLC RE: [22-24 Broad Street, Milford] OSBI – Denial, to reinstate a suspended permit, is not a matter subject to modification as such is being denied. The matter is currently the subject of an appeal through the local Building Board of Appeals / Codes & Standards Committee which is the proper forum for this request. **Counsel advised to hold on agenda.**
- c. **A-04-21** Request for Appeal received 5/6/21 from Ori D. Spiegel, Esq., Law Office of Lawrence A. Levinson, PC RE: [264 Lombard Street, New Haven, CT | Building Application Number: E-21-00444] Appealing the order of the City of New Haven Building Department regarding an application for the installation of 3 electric meters. The subject property is a 2-family house requiring a meter for each dwelling unit and one for the common areas. Panel assigned: Paul Costello, Chair, Tim Mikloiche, Panel, William Zoeller, Panel, Johnny Carrier, Alternate. **Appellant withdrew appeal on 5/27/21.**
- d. Correspondence received 5/7/21 from Evan Blum RE: A-12-19 [158 Main Street, Ivoryton, CT] Appellant attempted to withdraw appeal. Counsel reports decision was already made prior to Appellant's attempt to withdraw.
- e. **A-05-21** Request for Appeal received from Maria K. Tougas, Partner, Jacobs, Walker, Rice & Barry, LLC RE: [Bemer Petroleum, 210 Commerce Street, Glastonbury, CT]. Appeal of Glastonbury Town Fire Marshal Abatement Order. Referred to the Office of the State Fire Marshal/Fire Prevention Code. Counsel will draft a letter. **Hold on agenda.**

3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – The CAS meeting will follow the C&S meeting at 1:30 p.m. Code Review Work Group presentation scheduled for today is Accessibility (IBC Chapter 11 and ICC/ANSI A117.1-2017). The public code change proposal remains open until May 31, 2021.
- b) **Ethics/Procedural Regulations Subcommittee (Harwood)** – No report

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 are waiting on changes in legislative bills.
- c) **Training Councils**
 - i) **Building Code Training Council (Musco)** – No report
 - ii) **Fire Marshal Training Council (Harwood)** – No report
- d) **Report on Bills (Cassidy)** – *See attachment*

6) APPEAL HEARINGS

- a) **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. State Fire Marshal is still work with the State’s Attorney. Awaiting response from Judy Dicine. State Fire Marshal will have a meeting with Judy Dicine. Fire Marshal still waiting to set up meeting with Judy Dicine. Still trying to arrange a meeting with Judy. Also requested to review CPV’s inspection records at their location. Their facility is restricted to employees only due to COVID. We will conduct the review once the facility can accept visitors. State Fire Marshal reports, “To date, no movement, requested a visit to view their documentation regarding safety. Council will send status letter to Appellant. **Status letter was mailed out on 3/16/21. Appellant asked to continue to hold appeal until resolved. Hold on agenda.**
- b) **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. Panel assigned: Keith Flood, Chair; Mike Sinsigalli, Panel; Fred Wajcs, Jr., Panel; Henry Miga, Alternate. Hearing scheduled, Thursday, February 6, 2020 @ 11:00 a.m., 13 NB Room A. Decision will be mailed out in 90 days (5/6/20). Hearing continued and referred to the Office of the State Building Inspector. Due to Covid-19 epidemic, hearing continued until further notice. Will reschedule at next C&S Meeting. State Building Inspector reports, this structure is a large old industrial building being used for storage. However, people are in and out of the building – there are safety issues/unsafe conditions. We are working together for a resolution. We worked jointly. Waiting to hear from local fire official. Waiting on new info. Per Darren Hobbs, Assistant State Building Inspector, no new information received – Appellant has not provided an update. Chair ordered status letter be sent to Appellant. Counsel prepared status letter for Admin to send out - letter emailed out on 12/3/20. Per Mr. Hobbs, “We received additional information, not of much value.”. Decision to reconvene the hearing – set a date for some time in January 2021”. Hearing rescheduled

to Tuesday, February 9, 2021 at 10:00 a.m. Counsel reports, hearing held. All briefs are due by 2/24/21 end of business. We will schedule for deliberations after receipt of the briefs. Deliberations scheduled for 3/29/21 @ 10:00 a.m. Decision will be mailed out in 90 days (June 29, 2021). **Hold on agenda.**

- c) **A-04-20** Request for Appeal received 7/16/20 from Michael Grunberg | RE: [82 Buckfield Lane, Greenwich, CT] – denied the alternate compliance to allow the use of a body of water is based on the requirements of the 2018 International Swimming Pool and Spa code, Section 305.6 (Natural Barriers). Panel assigned: John Butkus, Chair; Lou Free, (panel); Johnny Carrier (panel); Henry Miga (alternate). Hearing scheduled, Monday, 9/14/20 @ 1:00pm via online Teams. Appellant requested a 30-day Extension of the Hearing. Extension Granted. Currently working towards a resolution. OSBI is actively working with Appellants. The Local Building Official visited; we are waiting for some information regarding low water levels. **Admin to resend file contents to panel members. Hold on agenda.**
- d) **A-01-21** Request for Appeal received 2/8/21 from Kevin J. Curseaden, Curseaden & Moore, LLC representing Mr. Joseph G. Voll. RE: Milford, CT Local Building Official and Local State Fire Marshal [22 Broad Street, Milford, CT]. Appellant is seeking that building permit #B-20-452 be confirmed as active and valid. That work be inspected by the fire marshal and building official for compliance with said permit. That a certificate of occupancy for 2nd floor office space be issued. Panel assigned: Mike Sinsigalli, Panel Chair; Glenn Neilson, Panel; Henry Miga, Panel; Don Harwood, Alternate. Hearing scheduled for March 31, 2021 @ 9:00 a.m. Hearing held – building official appeal dismissed (no jurisdiction), local fire marshal appeal continued to date to be determined. **Counsel reports she is actively working on this appeal. Hold on agenda.**

7). GOOD OF THE ORDER

- Keith Floor, C&S Chair requested a “moment-of-silence” for the New Haven Fire Marshals injured in the line-of-duty. Our prayers go out to the Department and their families.

The next Codes and Standards Committee meeting is scheduled for, **Wednesday, June 9, 2021 @ 1:00 p.m.** and will be held virtual on Teams.

8). ADJOURNMENT

Keith Flood (baq)

Keith Flood, Chair
Connecticut State Codes & Standard Committee
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