

STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

February 9, 2022

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, P.E., **C&S Chair**, Residential Contractor Member
Anthony Cinicola, Building Official
Paul Costello, Labor Trades
Hank Cullinane, HVAC Member
Thomas DiBlasi, P.E., Structural Engineer Member
Donald Doeg, Esq, Public Member
Keith Flood, 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., **C&S Vice Chair**, Fire Protection Engineer
Mike Sinsigalli, Fire Marshal - **Absent**
Eric Shutt, Plumbing Trades Contractor
Fred Wajcs, Jr., **C&S Secretary**, Public Member
William Zoeller, Energy Efficiency

Also Present:

Darren Hobbs, Director – Regulatory Compliance
Joseph Cassidy, PE – Acting State Building Inspector
Jenna Padula, DAS/DCS Legal
Anne Peterson, DAS/Legal – (as needed)
William Abbott, State Fire Marshal
Joseph Kingston, OSFM, Fire & Life Safety Supervisor
Bethy Guiles, DAS/OSBI - Administrative Assistant

PUBLIC:

Bruce Spiewak
M. McEwan, Darien Deputy FM
Nick Ross
James Quish
Cornelia Wu, NEEP
Nicholas Ross

1) MINUTES

- a) A motion (KF) was made and seconded (TD) to accept the minutes of the **January 12, 2022** meeting minutes. **All in favor. None opposed. Motion carried.**

2) COMMUNICATIONS

- a) A-01-22 RE [44 Parkwood Drive, Hanover, CT] Office of the State Building Inspector's denial of Section R602.10 of the 2015 International Residential Code.

3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – CAS will meet today immediately following the C&S Meeting. We will go over the procedures for conducting a public hearing online (NON-PUBLIC). We started the public comment on the new code proposals that went out on January 31, 2022 – and starting the 45-day comment period. The public hearing is scheduled for February 23, 2022 at 1:00pm. The public comment period will end on March 17, 2022. We have until April 15, 2022 to respond to all public comments – then we can submit to the Legislative Regulation Review Committee on April 18, 2022. If everything goes well within that time period, June 2, 2022 would be the date that the Legislative Review Committee would close. We have an adoption date of October 1, 2022 to adopt the 2021 ICC Codes and NFPA 101.
- 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 having a meeting at 1:30pm.
- c) **Training Councils**
 - i) **Building Code Training Council (Musco)** – No report
 - ii) **Fire Marshal Training Council (Harwood)** – No report
- d) **Report on Bills (Cassidy)** – No report

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. State Fire Marshal still actively working with Appellant. State Fire Marshal contacted the State's Attorney - awaiting response from Judy Dicine. State Fire Marshal will have a meeting with Judy next week. Fire Marshal still waiting to set up meeting with Judy Dicine. No change, still trying to get a meeting with Judy to review CPV documents at their site. 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 wishes to hold appeal until resolved. There has been no change, but State Fire Marshal

will reach out to power people. State Fire Marshal (SFM) will reach out to Appellant within the next week or two to set something up. As of 9/8/21 SFM reached out – not able to get in touch with anyone. SFM will try and reach out to Appellants one more time. We have a meeting scheduled 10/20/21. We will review the piping and issues of concern. I will update you on the results of that meeting. As of 11/10/21, document review completed; progress is being made. State Fire Marshal is in the process of preparing a report for Committee review. OSFM prepared report and waiting for Committee review. **Hold on agenda.**

- b) **A-01-21** Request for Appeal received from Joseph G. Voll, 6527 MainStreet, Top Floor, Trumbull, CT 06611 **RE: Milford, CT Local Building Official and Local 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 Wednesday, 3/31/21 @ 9:00 a.m. Hearing held--building official appeal dismissed (no jurisdiction), local fire marshal appeal continued to date to be determined. Council is currently working on this matter. Scheduled hearing combined with Appeal A-07-21. Hearing scheduled for Tuesday, 7/20/21 at 10:00 a.m. Appellant requested 30-day extension of the hearing. 30-day extension granted. Combined hearing (A-01-21/A-07-21) scheduled Tuesday, August 17, 2021 at 10:00 a.m. Hearing held followed by deliberations. **Appellant withdrew appeal. However, hearing was held. Decision will be mailed out in 90 days (11/17/21). Hold on agenda.**
- c) **A-07-21** Request for Appeal received on 5/5/21 from Mr. Joseph Voll on behalf of Harbor Walk, Inc. and Kevin J. Curseaden, Curseaden & Moore, LLC. RE: [22-24 Broad Street, Milford] Appeal of the Milford Building Board of Appeals | Joseph Voll on behalf of Harbor Walk, Inc. RE: Building Code Section 105.6-Reinstatement of Permit; Overrule Decision affirming actions of Joe Griffith. Panel assigned: Mike Sinsigalli, Panel Chair, Glenn Neilson, Panel; Henry Miga; Panel; Don Harwood (Alternate). Scheduled hearing combined with Appeal A-01-21. Hearing scheduled for Tuesday, 7/20/21 at 10:00 a.m. Parties requested extension; extension granted. Combined hearing (A-07-21/A-01-21) scheduled Tuesday, August 17, 2021 at 10:00 a.m. Combined hearing (A-01-21/A-07-21) scheduled Tuesday, August 17, 2021 at 10:00 a.m. Hearing held followed by deliberations. **Appellant withdrew appeal. However, hearing was held. Decision will be mailed out in 90 days (11/17/21). Hold on agenda.**
- d) **A-08-21** Request for Appeal received on 06/23/21 from Mr. Kevin McQueen, AIA, Architecture Design Alliance RE: [1 Tucks Road, Brookfield, CT] Appeal of the State Fire Marshal from Kevin McQueen, AIA RE: State Fire Marshal's decision regarding fire code modification Request #FM-0181-20 pertaining to the height of the escape window. See attached Letter of Transmittal dated 6/23/21 for list of enclosures. Panel assigned combined with A-12-21: Keith Flood, Chair; William Zoeller, Panel; Fred Wajcs, Jr., Panel; Johnny Carrier (Alternate). Hearing scheduled Wednesday, September 1, 2021 at 9:00 a.m. Hearing held. Appellant will submit brief by the end of business October 3, 2021. On 9/2/21 Appellant opted not to submit briefs. Deliberation's date scheduled: Tuesday, October 19, 2021, 9:00 a.m. Deliberations held. A motion (WZ) was made and seconded (FW) to deny the appeal. All in favor. None opposed. Motion carried. **A decision will be mailed out in 90 days (1/19/2022). Hold on agenda.**
- e) **A-09-21** Request for Appeal received on 07/15/21 from Mr. Guy Mauri, Owner, Engine 22, LLC RE: [Engine 22, LLC - 21 Bridge Street, Kent, CT] Appeal of the Kent, CT Local Building Official and Local Fire Marshal Stan McMillan and Joe Manley. Committee Chair reports that appeal is a "Stop Work Order" that was issued on the property by the Local Building Official. Local Fire Marshal intervened and found violations on existing building where owner requested an appeal of Fire Code. Set panel. Counsel will send

letter to Appellant requesting more information. Panel assigned: Henry Miga, Chair; Lou Free, Panel; Glenn Neilson, Panel; Anthony Cinicola (Alternate). Hearing scheduled Wednesday, September 29, 2021 at 10:00 a.m. Hearing held. According to CGS 29-266 (b) and (c) A motion to deny appeal (LF), Seconded (GN). All in favor, None Opposed. Request to hear appeal is outside of C&S Committee's Statutory Authority. **Decision will be mailed out in 90 days (12/29/2021). Appeal not timely. Hold on agenda.**

- f) **A-10-21** Request for Appeal received on 07/23/21 from Mr. Douglas L. Golden, Code Specialist / Mr. Bruce Spiewak, AIA, Consulting Architect, LLC RE: [EQUINOX PROJECT #FM-0051-21 | 72 Heights Road, Darien, CT] Appeal of Office of State Fire Marshal RE: Omission of Fire Sprinkler System throughout existing building. Panel assigned: Mike Sinsigalli, Chair; Don Harwood, Panel; Paul Costello, Panel; Ilona Prosol (Alternate). Hearing scheduled Wednesday, October 6, 2021, 9:00 a.m. Hearing held. Deliberations scheduled Tuesday, November 9, 2021, 11:00a.m. Deliberations held. Decision will be mailed out in 90 days (2/9/2022). **Hold on agenda.**
- g) **A-11-21** Request for Appeal received on 08/02/21 from Mr. Syed Aly Imam RE: [32 Garden Street, New Haven, CT] Appeal of New Haven Local Building Official RE: STOP WORK ORDER: Work Without Permit. Egress windows and pits were installed w/o the required permits and approvals. The floor plan for the basement remodel was never submitted. Building Permit Application B-20-01053 was voided. This work without permit constitutes a violation of the Connecticut State Building Code Section R114. Panel assigned: Glenn Neilson, Chair; Anthony Cinicola, Panel; Johnny Carrier, Panel; Don Doeg (Alternate). Hearing scheduled Tuesday, September 7, 2021 at 1:00 p.m. Hearing held. Appellant will submit brief by Friday, October 8, 2021 no later than 5:00pm. Briefs received from Appellant on 10/8/21. Schedule Deliberations. Deliberations scheduled, Wednesday, October 27, 2021 at 1:00pm. Deliberations held. Decision will be mailed out in 90 days (01/27/2022). **Hold on agenda.**
- h) **A-12-21** Request for Appeal received on 08/10/21 from Mr. Kevin McQueen, AIA, Architecture Design Alliance RE: [1 Tucks Road, Brookfield, CT] RE: State Fire Marshal's decision regarding fire code modification Request #FM-0182-20 pertaining to the height of the door. Panel assigned and combined with A-08-21: Keith Flood, Chair; William Zoeller, Panel; Fred Wajcs, Jr., Panel; Johnny Carrier (Alternate). Hearing scheduled Wednesday, September 1, 2021 at 9:00 a.m. Hearing held. Hearing held. Appellant will submit brief by Friday, October 1, 2021 by close of business. On 9/2/21 Appellant opted not to submit briefs. Deliberation's date scheduled: Tuesday, October 19, 2021, 9:00 a.m. A motion to pause deliberations (WZ), seconded (FW) – to gather more information from the Appellant and the State. Parties to submit info by 10/31/21. Reschedule Deliberations. Deliberations scheduled 11/16/21 at 9:00 a.m. Deliberations held. Appeal denied by panel. **Decision will be mailed out in 90 days (2/16/2022). Hold on agenda.**
- i) **A-14-21** RE: Request for Appeal received on September 14, 2021 from Rick Pierce, Owner-Dark Manor RE: 2018 Connecticut State Fire Safety Code, Part IV, Section 13.4.8.2 [Dark Manor - 25 Main Street, Versailles, CT] RE: State Fire Marshal's decision/denial Modification Request #FM-0092-21 | Request to omit sprinkler protection from a two-level special amusement building with 2,600 sq. ft. interior amusement area & additional attached exterior maze. Panel assigned: Michael Sinsigalli, Chair; Henry Miga, Panel; Tim Mikloiche, Panel; Lou Free, Alternate. Hearing scheduled: **Monday, November 15, 2021, 9:00 a.m.** Hearing held. Motion to uphold the State Fire Marshal's decision for denying the modification as presented for sprinkling (HM); seconded (MS) – All in favor. None opposed. Motion carried. Panel upheld State Fire Marshal's decision. **Decision will be mailed out in 90 days (2/15/2022). Hold on agenda.**
- j) **A-15-21** Request for Appeal received on October 12, 2021 from Stephen Carrabba RE: [78 Longshore Lane, Madison, CT] Vincent Garofalo, Madison - Local Building Official's denial of permit. *That "the present plans do not meet the elevation requirements for an SI – permit application #B-20-752"*. Panel assigned: John Butkas, Chair; Glenn Neilson, Panel; Anthony Cinicola, Panel; Thomas DiBlasi, Alternate. Hearing scheduled: Tuesday, November 30, 2021 – 9:00 a.m. On 11/29/21 Appellant requested a continuance of the

hearing. Panel Granted. Hearing scheduled Thursday, November 16, 2021 – 9:00 a.m. **11/29/21** Appellant requested continuance of hearing. Panel granted. Hearing scheduled: Thursday, December 16, 2021 – 9:00 a.m. **Hearing suspended by Panel and rescheduled Thursday, February 24, 2022 – 9:00a.m. Hold on agenda.**

- k) A-16-21 RE:** [140 East Main Street, Stratford, CT] Appeal received 11/05/21 from Marcia Hawthorne RE: Seeking an appeal for the State Building Inspector's denial of a waiver application that was submitted for the exemption of an ADA bathroom. Panel assigned: Johnny Carrier, Chair; Lou Free, Panel; Fred Wajcs, Jr., Panel; David McKinley, Alternate. Hearing scheduled: Monday, December 13, 2021 – 9:00 a.m. **Hearing held followed by deliberations. Decision will be mailed out in 90 days (3/14/22). Hold on agenda.**
- l) A-17-21 RE:** [195 East Main Street, Branford, CT] Appeal received 11/11/21 from Attorney John A. Ferranti - representing Shoreline Recovery, LLC RE: Notice of Violation issued by Branford Fire Marshal Robert Dobuzinsky dated 10/12/21. RE: A change of use and occupancy - referencing the 2018 CSFSC Parts I, II & III - 2015 IFC section [A] 102.3. Referred to Office of the State Fire Marshal. OSFM is working on this appeal with the Attorney. **OSFM could not gain access to the property. We are working on this. Hold on agenda.**
- m) A-18-21 [58 Todds Hills Road, Branford, CT]** Appeal received 11/11/21 from Attorney John A. Ferranti - representing Shoreline Recovery, LLC RE: Notice of Violation issued by Branford Fire Marshal Robert Dobuzinsky dated 10/12/21. RE: A change of use and occupancy - referencing the 2018 CSFSC Parts I, II & III - 2015 IFC section [A] 102.3. Referred to the Office of the State Fire Marshal. OSFM is working on this appeal with the Attorney. **OSFM could not gain access to the property. We are working on this. Hold on agenda.**

7). GOOD OF THE ORDER

The next Codes and Standards Committee meeting is scheduled for, **Wednesday, March 9, 2022-1:00 p.m.** Meeting format (on-line or in person) will be determined prior to the meeting,

8). ADJOURNMENT

A motion (KF) was made and seconded (GN) to adjourn the meeting. **All in favor. None opposed. Motion carried.**

Johnny Carrier (Sig)

Johnny Carrier, P.E., C&S Chair
Connecticut State Codes & Standard Committee
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