

STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

September 14, 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 - **Absent**
Thomas DiBlasi, P.E., Structural Engineer Member
Donald Doeg, Esq, Public Member
Keith Flood, Fire Marshal
Louis Free, Architect, **CAS Chair**,
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
Eric Shutt, Plumbing Trades Contractor - **Absent**
Fred Wajcs, Jr., **C&S Secretary**, Public Member
William Zoeller, Energy Efficiency

Also Present:

Darren Hobbs, Director – Regulatory Compliance
Omarys Vasquez, AIA, NOMA, State Building Inspector
Anne Peterson, DAS/Legal
William Abbott, State Fire Marshal
Joseph Kingston, OSFM, Fire & Life Safety Supervisor
David Woods, OSFM, Fire & Life Safety
Bethy Guiles, DAS/OSBI - Administrative Assistant

PUBLIC:

Joseph Duval
Andrea Krim
Tasneem Osman, NEEP

1) MINUTES

- a) A motion (KF) was made and seconded (MS) to accept the minutes of the **August 10, 2022**, meeting minutes. **All in favor. None opposed. Motion carried.**

2) COMMUNICATIONS

- a) **A-11-22** Request for Appeal received 6/17/22 from Marc C. Durkin, Esq, Law Offices of Marc C. Durkin, LLC, representing Michael F. Fabrizi, PE who is acting on behalf of MMR Construction RE: [14 Cedarwood Drive, Greenwich, CT] Appealing the decision of the State Building Inspector's denial of Request for Modification (M-22-0378) of Article 680.26(B)(2). Decision date 7/14/22. Panel assigned: Glenn Neilson, Chair; Ilona Prosol, Panel; Tim Mikloiche, Panel; Donald Harwood, Alternate. **Omarys Vasquez, State Building Inspector reported that she was able to resolve and therefore, Appellant withdrew appeal. Remove from agenda.**

3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – Our package was rejected a 2nd time for minor revisions (grammatical). State is currently working addressing the comments and will submit a 3rd time – target date is October 1, 2022.
- b) **Ethics/Procedural Regulations Subcommittee (Harwood)** – No report

4) OLD BUSINESS

- a) There was no old business

5) NEW BUSINESS

- a) Staff Report
 - i) **Omarys Vasquez, State Building Inspector** – No report
 - ii) **William Abbott, State Fire Marshal** – Working on addressing comments from reg review
 - iii) **Anne Peterson, Staff Counsel** – No Report
- b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** – Fire Prevention package was return from reg review. We are working on addressing comments.
- c) **Training Councils**
 - i) **Building Code Training Council (Musco)** – No Report
 - ii) **Fire Marshal Training Council (Harwood)** – No report, await meeting date w/ODEM
- d) **Report on Bills (Vasquez)** – 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. OSBI states we should send another status letter. OSFM sent report to C&S Committee and Appellant who reports he will get back to us in a month. To date, no response from Appellant. Counsel will send status letter to Appellant. Await Counsel's approval of drafted status letter. **Jenna Padula, Counsel is working on this status letter and will send out to Appellant as soon as possible. Hold on Agenda.**

- b) **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). **Decision was mailed out on August 15, 2022. Remove from agenda.**
- c) **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. Briefs due by 3/24/22. Deliberations will be scheduled. Deliberations scheduled 4/20/22 at 9:00 a.m. **Deliberations held. Panel upheld States decision. Decision will be mailed out in 90 days (7/20/22). Hold on agenda.**
- d) **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. Fire Marshal has a report. Need a little more time for editing. Report received on 5//22 from Joseph Kingston, OSFM-Fire & Life Safety Supervisor. Panel assigned: Keith Flood, Chair; Mike Sinsigalli, Panel; Henry Miga, Panel; Glenn Neilson, Alternate. Hearing scheduled June 10, 2022-11:00 a.m. **Hearing held followed by deliberations. Decision will be mailed out in 90 days (09/10/22). Hold on agenda.**
- e) **A-18-21 RE: [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. Fire Marshal has a report. Need a little more time for editing. Report received on 5//22 from Joseph Kingston, OSFM-Fire & Life Safety Supervisor. Panel assigned: Keith Flood, Chair; Mike Sinsigalli, Panel; Henry

Miga, Panel; Glenn Neilson, Alternate. Hearing scheduled June 10, 2022-11:00 a.m. **Hearing held followed by deliberations. Decision will be mailed out in 90 days (09/10/22). Hold on agenda.**

- f) **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. Hearing scheduled March 9, 2022-9:00am. Hearing held followed by deliberations. Decision will be mailed out in 90 days (June 9, 2022). **Decision was mailed out on August 15, 2022. Remove from agenda.**
- g) **A-05-22** Request for Appeal received 4/11/22 RE: [94 Woodford Hills Drive, Avon, CT] from Ms. Virginia Brown, Esq. **RE:** Appealing the decision made by the Zoning Enforcement Officer to issue a zoning permit, the Building Department Official's decision to issue a building permit for the proposed retaining wall; and the administrative approval of the proposed driveway expansion and concrete block retaining wall. Panel assigned: Glenn Neilson, Chair; Johnny Carrier, P.E., Panel Member; Louis J. Free, AIA, Architect, Panel Member; William Zoeller, Alternate. Scheduled Hearing: Thursday, May 12, 2022, at 9:00 a.m. **Hearing held followed by deliberations. Decision will be mailed out in 90 days (8/12/22). Hold on agenda.**
- h) **A-06-22** Request for Appeal received 4/12/22 from Mr. Pixy Elliott RE: [90 Pine Road, Jewett City, CT] Appealing the decision made by the Town of Griswold Building Department RE: \$200.00 fine for not pulling a permit to replace front door. Referred to OSBI. OSBI worked with building official. Await withdraw of appeal. **Omarys Vasquez, State Building Inspector is in communications with Appellant – will follow up on status. Hold on agenda.**
- i) **C-01-22 RE:** Complaint regarding Richard Leighton, Chester Building Inspector and Fire Marshal RE: [43-45-47 Main Street, Chester, CT] received 5/3/22 from John R. Schroeder, AIA LLC jrschroeder@jrsaia.com, 69-2 Main Street, Chester, Connecticut 06412, (860)526-5838. Referred to OSBI. OSBI still working with the parties. **Omarys Vasquez, State Building Inspector reports that they are actively engaged with the Complainant. Hold on agenda.**
- j) **C-02-22 RE:** Complaint regarding Town of Chester, Richard Leighton, Building Inspector & Fire Marshal. This is in reference to the building permits issued for buildings located RE: [189-191 Middlesex Avenue, Chester, CT] received 5/3/22 from Mr. Thomas A. Gribbin A.I.A., tomgribbin@noyesvogtarchitects.com, Noyes Vogt Architects, 191 Middlesex Ave, Suite 2A, P.O. Box 370, Chester, CT 06412, (860)526-2900. Referred to OSBI. OSBI still working with the parties. **Omarys Vasquez, State Building Inspector reports that they are actively engaged with the Complainant. Hold on agenda. Hold on agenda.**
- k) **A-09-22** Request for Appeal received 6/17/22 from Robert A. Rizzuti RE: [24 Woodbine Street, Naugatuck, CT] Appealing the decision made by the Naugatuck Building Official, William Herzman dated March 15, 2022, for violations of codes: (IBC116.1, R401.2); (IBC116.1, R601.2); (116.1, R801.3). Panel assigned: Henry Miga, Chair; Glen Neilson, Panel; William Zoeller, Panel; Johnny Carrier, Alternate. Hearing scheduled, Wednesday, September 14, 2022, at 9:00 a.m. **Panel opened hearing. Appellant was a "no show". Staff Counsel will send letter to Appellant.**
- l) **A-10-22** Request for Appeal received 8/2/22 from Maria K. Tougas, Partner, Jacobs, Walker, Rice & Barry, LLC – representing Ms. Nancy Miller RE: [471 South Elm Street, Wallingford, CT]. Appealing the decision made by the Wallingford Building Official, Justin J. Rossetti dated June 29, 2022 – State Building Code Section 115 "Stop Work Order". **Panel assigned: Johnny Carrier, Chair; Lou Free, Panel; Fred Wajcs, Jr., Panel; Paul Costello, Alternate. Hearing held,**

Parties will submit briefs on or before Tuesday, October 4, 2022, by 12:00 noon. Hold on agenda.

7). GOOD OF THE ORDER

The next Codes and Standards Committee meeting is scheduled for, **Wednesday, October 14, 2022-1:00 p.m.** Meeting format (on-line or in person) will be determined prior to the meeting,

8). ADJOURNMENT

A motion to adjourn the hearing (KF); Seconded (TD). All in favor, none opposed.

Johnny Carrier (bag)

Johnny Carrier, P.E., C&S Chair
Connecticut State Codes & Standard Committee
CSMN2209