

STATE CODES AND STANDARDS COMMITTEE (C&S)

Wednesday, September 13, 2023 – 1:00 PM (Teams-online)

[Instructions for attending the meeting can be found as an attachment of the agenda]

AGENDA

1. CALL TO ORDER

2. ATTENDANCE

3. APPROVAL OF MINUTES OF THE AUGUST 9, 2023, MEETING

4. COMMUNICATIONS:

SUBJECT & DATE RECEIVED	FROM - TO	DESCRIPTION
Request for Appeal received 8/14/23	Steven Venditti, PE Spark Fire Protection Engineering, LLC CS	A-23-11- RE: [100 York Street, New Haven, CT] State Fire Marshal's denial that the building does not meet the requirements for code sections 31.3.9.5.2 and 31.3.5.9.3. ACTION: _____ _____
Correspondence received 8/14/23	Attorney Glenn W. Dowd Day Pitney LLP 242 Trumbull Street Hartford, CT 06103 CS	C-23-03 RE: Complaint against Town of Southington Building Official Jeffrey Pooler. ACTION: _____ _____
Request for Appeal received 8/16/23 Correspondence received 9/11/23	Hans Winkel Don Hammerberg Architects CS	A-23-12- RE: [580 Cottage Grove Road, Bloomfield, CT] State Building Inspector's denial to allow the installation and use of a wheelchair lift in a building that has an elevator. ACTION: Appellant withdrew appeal on 9/11/2023 _____ _____
Request for Appeal received 8/16/23	Bryce Sens CS	A-23-13- RE: [40 Apple Ridge Road, Danbury, CT] State Building Inspector's denial to allow breakaway clips to be used for lateral bracing of a gypsum fire wall. ACTION: _____ _____

Correspondence received 8/19/23	Adam P. McNiece 10 Orchard Street Niantic, CT 06357 CS	C-23-02 RE: Complaint against Town of Montville Building Official David Jensen (see attached) ACTION: <hr/> <hr/>
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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) **Omarys Vasquez, State Building Inspector**
 - ii) **William Abbott, State Fire Marshal**
 - iii) **Anne Peterson/Rebecca Tamborra, 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 (Vasquez)**

8) APPEAL HEARINGS

- a. **C-22-01 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. Referred to OSBI to seek more information from Complainant to substantiate complaint. Complainant reports that he does not have any additional information to submit. The Complaint Review Committee will make a recommendation to the full Committee. Recommend Committee to send status letter to dismiss. Counsel will send out status letter. **Final decision was mailed on 9/11/23.**
- b. **C-22-02 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 Noyes Vogt Architects. Referred to OSBI. OSBI investigated and submitted a report to the Committee. Compliance Panel assigned: Glenn Neilson, Lou Free, Henry Miga. Per Don Harwood’s ethics report, we are waiting until the whole process is put together before we formally meet. **Hold on agenda.**
- c. **C-22-03** Correspondence received 9/27/22 from Patricia A. Cofrancesco, Esq., Law Offices of Patricia A. Cofrancesco **RE: [60 Pinehurse Drive, East Haven, CT – Elaine**

- Cioffi (Owner)]; Seeking Revocation of East Haven Building Official’s License (James Bassett). Referred to OSBI for investigation. The Complaint Review Committee will make a recommendation to the full Committee. Compliance Panel assigned: Henry Miga, Paul Costello, William Zoeller, Anne Peterson (DAS/Legal), Rebecca Tamborra (DAS/Legal). Compliance meeting scheduled: 7/13/23 9:00 a.m. **Hold on agenda.****
- d. **C-23-01 RE:** Complaint received 2/28/23 from Heide Mizak, **RE: [69 Lohse Road, Willington, CT]** James Rupert, Willington Building Official's “alleged” Work Ethics Violations (see attached email (2/14/23) and complaint letter to Willington Selectmen dated 11/22/22). Referred to OSBI for further investigation. Hold on to the agenda until we gather more information. Correspondence received 6/1/23 from Heide Mizak. Compliance Panel assigned: David McKinley, Tim Mikloiche, Mike Sinsigalli, Anne Peterson, (DAS/Legal), Rebecca Tamborra, (DAS/ Legal). Compliance Panel Meeting 7/19/23 at 9:00a.m. Per Counsel, Compliance Meeting cancelled until Compliance process is finalized. **Hold on agenda.**
- e. **A-23-03 RE:** Request for Appeal received 2/21/23 from Bruce Kramer, New Fairfield **RE: [20 Cloverleaf Drive, New Fairfield]** Abatement Order. The Town of Fairfield does not have an "appeals board". Appellant is asking the Committee to overturn the Notice of Violation and Order to Abate because it creates an undue hardship and is procedurally defective. Per Chair, hold on agenda for further investigation. OSBI to investigate and request more information. OSBI reached out to the Appellant and Building Official and recommends moving forward. Hearing Panel assigned: Johnny Carrier, Chair; Anthony Cinicola, Lou Free, Henry Miga (alternate). Hearing scheduled: 7/12/23 at 9:00 a.m. Hearing held. A motion (LF) was made and seconded (AC) to continue hearing when brief is received from Applicant (Mr. Kramer) by Friday, August 11, 2023. All in favor. None opposed. Motion carried. Hearing scheduled: Wednesday, August 16, 2023 at 9:00 a.m. **The parties did not submit briefs by August 11, 2023. Continued hearing held 8/16/23 at 9am, followed by deliberations. Decision will be mailed out in 90 days (11-16-23).**
- f. **A-23-04 RE:** Request for Appeal received 3/3/23 from Paul Payne, New Canaan Fire Marshal **RE: [17 & 23 Hill Street, New Canaan]** appeals/does not support the OSFM approval - Part II Section (3) 503.1.2 and 01.233 – “If agreeable to the owner/applicant & schedule allows. A site visit would be prudent”. OSFM approved modification. Local Fire Marshal requested an appeal of the State Fire Marshal’s decision. Counsel will look further into the jurisdiction of the appeal statute. Counsel requested to hold until next meeting. DAS Counsel is still working on this appeal. **Hold on agenda.**
- g. **A-23-06 RE:** Request for Appeal received 5/24/23 from Steven R. Montgomery, Lewis Brisbois **RE: [422 Sport Hill Road, Easton, CT 06612].** Appeal of a determination made by Peter Howard, the Town of Easton Building Inspector, to issue a Certificate of Occupancy for an indoor equestrian riding arena. Panel assigned: Glenn Neilson, Chair; Lou Free, Tim Mikloiche, Anthony Cinicola (alternate). Hearing scheduled: Friday, July 14, 2023 at 10:00 a.m. Hearing held: A motion was made (LF) to continue the hearing in 30 days to allow additional work to be done. Seconded (GN). All in favor. None opposed. Hearing scheduled Thursday, August 17, 2023 at 9:00 a.m. Due to unforeseeable circumstances with Panel Members, Chair ordered hearing continued to new date. **Continued Hearing date: Wednesday, August 23, 2023 at 9:00 a.m. Hearing held. Counsel will draft a letter.**

- h. **A-23-07 RE:** Request for Appeal received 7/13/23 from Justin Meneguzzo, Chris & M.E. O'Connor, Chris Hallenbeck of Yankee Custom Builders **RE: [310 Oenoke Ridge Road, New Canaan, CT]**. Appeal of OSBI's denial regarding Section AF101.2 of the 2021 IRC - to allow removal of the radon mitigation system for a single-family home with a high-water table. Panel assigned: Timothy Mikloiche, Chair; Johnny Carrier, Panel; Donald Harwood, Panel; William Zoeller, Alternate. Hearing scheduled Monday, September 11, 2023 at 9:00 a.m. **Hearing held. Decision will be mailed out in 90 days (12/11/23).**
- i. **A-23-08 RE:** Request for Appeal received 7/19/23 from Jennifer Mahr, Middlebury, CT. **RE: [68 Abbott Farm Road, Middlebury, CT 06762]**. The Town of Middlebury does not have a municipal Board of Appeals; therefore, I am appealing a decision made by Middlebury's Building Inspector (Mark Lubus) RE: Cease and Desist Order dated July 7, 2023, Permit No. 23-52B. Panel assigned: Henry Miga, Chair; Ilona Prosol, Panel; Anthony Cinicola, Panel; Johnny Carrier, Alternate. **Hearing scheduled 9/5/23 at 9:00 a.m. Hearing held. Decision will go out in 90 days (12/5/23).**
- j. **A-23-09 RE:** Request for Appeal received 7/25/23 from Sam Li, West Hartford, CT. **RE: [10-12-14 Mitchell Place, West Hartford, CT 06107]**. Appeal of Russel Duffy, West Hartford Fire Marshal's decision (6/27/23) – Fire Safety Code Sections (part IV 8.3.2.2, Part IV 31.3.2.1, Part IV 9.1.2. **Chair ordered Admin to forward file to Office of the State Fire Marshal. Admin forwarded to OSFM on 8/10/23.**
- k. **A-23-10 RE:** Request for Appeal received 8/7/23 from Michael & Kimberly Palmerie, Prospect, CT. **RE: [Prospect Memorial – 122 Waterbury Road, Prospect, CT 06712]**. Appeal of Antonio Muniz, Prospect Fire Marshal's decision (7/31/23) – Fire Safet Code Sections (903.2.1.3 Group A-3). Panel assigned: Keith Flood, Chair; Michael Sinsigalli, Panel; Glenn Neilson, Panel; Donald Harwood, Alternate. Hearing scheduled: Friday, September 8, 2023 at 9:00 a.m. Continue hearing for 30 days - parties to discuss possible alternatives. Motion to suspend the hearing for 30 days (MS) – (GN). **Hearing continued to 10/13/2023 at 9:00 a.m.**

9) GOOD OF THE ORDER

Peter Zvingilas, Assistant Director Regulatory Compliance RE: Drop Box

The next Codes and Standards Committee meeting is set for **Wednesday, October 11, 2023, 1:00 p.m.** Meeting format (on-line or in person) will be determined prior to the meeting (SEE TEAMS LINK ON NEXT PAGE TO ENTER MEETING)

10) ADJOURNMENT

Online Meetings

Codes and Standards Committee

January 2023 – December 2023

Overview

Due to the COVID-19 situation and pursuant to Governor Lamont's Executive Order 7B issued on March 14, 2020, the regularly scheduled meetings of the Codes and Standards Committee and the Codes Amendment Subcommittee will be held online using Microsoft Teams.

How to Join the Meetings

The meetings can be joined in the following ways:

1. **Video and voice** through a computer or smartphone.
 - If using a computer, no Teams account is required – just your regular browser.
 - If using a smartphone, the Teams app and a free account will be needed.
2. **Voice only** using a landline or cell phone.
 - No special equipment is required.

Please join by clicking the link or calling the number that follow:

Microsoft Teams meeting

[Click here to join the meeting](#)

Meeting ID: 259 291 320 891 Passcode: sXc39T

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 860-840-2075](#) Phone Conference ID: 393 675 578#

Meeting Etiquette

Teams Users or Non-Users:

- Existing Microsoft Teams users will join using their existing accounts, which will ensure their name is displayed.
- If joining the meeting as a non-Microsoft Teams User, please ensure you enter your full name and committee, company or industry affiliation when joining.

The meeting admin may mute all users' microphones at the commencement of the meeting.

- Committee members and assigned staff members may unmute at any time.
- Public attendees and non-assigned staff members should not unmute unless called upon. One or more public comment periods may be included at the chairperson's discretion.