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Good afternoon to all,

My name is Reynaldo Soto and I am an CT Licensed Building Official and Fire Safety Code Inspector. I am appointed as one of the Assistant Building Officials for the Town of Windsor, in Windsor CT.

I have received numerous calls from Owners, interested in adding Accessory Apartment to their Single Family homes to rent out for additional income. I have some concerns with this, as Accessory Apartments are not recognized under the CT. Building Code but yet new Accessory Apartments can be approved by Municipal Zoning and Planning Departments. I would like to point out some of the Sections and the language written because as of October 1st, 2021 an Accessory Apartment is defined as a separate dwelling unit.

Effective October 1st, 2021 _

Substitute House Bill No. 6107 Public Act No. 21-29 under Sec. 1. (b) (1) "Accessory Apartment" means a separate dwelling unit that (A) is on same lot as a principal dwelling unit of greater square footage, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any building code, fire code and health and safety regulations;

(NEW) Effective January 1, 2022

Sec. 6 (2) - Allow Accessory Apartments to be attached to or located within the proposed or existing principal dwelling, or detached from the proposed or existing principal dwelling and located on the same lot as such dwelling.

Sec. 6 (6) (A) - Be prohibited from requiring (A) a passageway between any such Accessory Apartment and any such principal dwelling,

(B)an exterior door for any such Accessory Apartment, except as required by the Applicable Building and Fire Code,

(D) a familial, marital or employment relationship between occupants of the principal dwelling and Accessory Apartment,

(E) a minimum age for occupants of the Accessory Apartment,

Sec. 6 (7) Be interpreted and enforced such that nothing in this section shall be in derogation of (A) applicable building code requirements, (B) the ability of a municipality to prohibit or limit the use of accessory apartments for short term rentals or vacation stays, or (C) other requirements where a well or private sewerage system is being used, provided approval for any such Accessory Apartment shall not be unreasonably withheld.

Sec. 6 (7) (d) A municipality, special district, sewer or water authority shall not (1) consider an Accessory Apartment to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless such Accessory Apartment was constructed with a new single-family dwelling on the same lot, or (2) require the installation of a new or

separate utility connection directly to an Accessory Apartment or impose a related connection fee or capacity charge.

After reading Sec. 6 (7) am I not correct to believe, that the section is stating that the new Accessory Apartments must meet all applicable building codes right?

Also Accessory Apartments are allowed to be attached or located within the primary dwelling, which under Section R302.3 Two Family dwellings would require Fire Separation to be met, between each dwelling unit and common spaces would it not?

A building containing two dwelling units is defined as a two family dwelling under the 2015 IRC Chapter 2 Section R202 – Definitions.

I would like to recommend that Accessory Apartments be added to the building code so that requirements for a Two Family, are met including Fire Separation. I feel this would make things a lot easier for Building Officials and would then not contradict the approvals being given by the Planning and Zoning departments.

Sincerely,

Rey Soto

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Assistant Building Official



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