

STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

September 8, 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 - **absent**
- David McKinley, Advocacy
- Henry Miga, Building Official
- Tim Mikloiche, Electrical Contractor
- Mike Musco, P.E. Electrical Engineer - **absent**
- 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, Acting State Building Inspector
- Jenna Padula, DAS/DCS Legal
- William Abbott, State Fire Marshal
- Joseph Kingston, OSFM, Fire & Life Safety Supervisor
- Darren Hobbs, Director-Regulatory Compliance
- Bethy Guiles, DAS/OSBI - Administrative Assistant

PUBLIC:

- Robert S. Glass
- James Quish
- William J. Nash
- Andrea
- Darren Port - NEEP

1) MINUTES

- a) A motion (T. DiBlasi) was made and seconded (H. Miga) to accept the minutes of the **August 11, 2021** meeting minutes. **All in favor. None opposed. Motion carried.**

2) COMMUNICATIONS

- a. **A-13-21** Request for Appeal received 8/17/21 from Mr. Kevin Curseaden, Attorney/ Mr. Joseph Voll RE: Building Code Section: 105.3.1.1 [22 Broad Street, Milford, CT] Appealing Milford Building Code Board of Appeals decision of 8/4/2021. Appellant seeking to overturn decision of the Milford Building Code Board of Appeals and reinstate the permit. **Panel assigned: Mike Sinsigalli, Panel Chair; Glenn Neilson, Panel; Henry Miga, Panel; Don Harwood, Alternate.**

3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – We will have a CAS meeting today at 1:30pm. We will focus on a presentation by William Abbott, State Fire Marshal regarding their code approach for the IFC and Fire Safety Code for new construction based on the way the statute was written and approved. On 9/22/21 we are scheduled to hear the presentation by the Fire Safety code Subcommittee on the provisions that they will be proposing in the new code. On 10/13/21 we will be scheduling a working session to take final action on code change proposals submitted by the public as well as significant code items that we need to address and hopefully by the next October 2021 meeting we will have a draft document that we can look at to start to take action on.

- 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** – Brandon Clarke reported that he will not take the position as State Building Inspector.
 - ii) **William Abbott, State Fire Marshal** – John Rossi, Fire & Life Safety Specialist (26 years) is retiring effective 10/1/2021
 - iii) **Jenna Padula, Staff Counsel** – No report
- b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** – We had a meeting. We discussed where we are going with the code. We assigned different areas of the code to be worked on. We are working with Bill and Joe and getting everything together based upon the way the revised statute reads.
- c) **Training Councils**
 - i) **Building Code Training Council (Musco)** – Henry Miga reported that we have people taking the classes, but across the state there is a shortage due to retirements. There are not a lot of people that can step in and hit the ground running.

Mr. Mike Musco sent a report: “The changes that were enacted under the Public Act with the Fire Safety Code changes were also changes in the construct of the Building Code Education Board of Control. The legislative changes require four members from the Codes & Standards Committee to be appointed to the Board of Control. It’s a committee that meets once a year with Bonnie Becker, Director, Office of Education and Data Management (ODEM) to review here budget from the past year and look at her projected budget for the next year and provide her with any insight and approve it. Those four positions will be approved by the Legislative Leadership: The Speaker of the House, the Majority Leader of the House, the President Pro

Tempore and the Majority Leader of the Senate. Anyone interest, please send Joe Cassidy an email, resume and letter of interest”.

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. 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. There has been no change, but State Fire Marshal will reach out to power people. State Fire Marshal 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.**
- b) **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. **Due to lack of response of 7/22/21 letter sent to Appellant from Counsel; Chair of panel requested letter be sent to Appellant deeming Appeal withdrawn which was mailed out in September 2021. Remove from agenda.**
- c) **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. 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. Combined hearing (A-01-21/A-

07-21) scheduled Tuesday, August 17, 2021 at 10:00 a.m. **Hearing held followed by deliberations. Decision will be mailed out in 90 days (11/17/21). Hold on agenda.**

- d) **A-03-21** Request for Appeal received on 4/27/21 from Kevin J. Curseaden, Curseaden & Moore, LLC, 3 Lafayette Street, PO Box 31, Milford, CT 06460, **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 requested to hold on agenda. Counsel will send status letter. Parties requested extension; extension granted. **Counsel will reach out to Attorney Curseaden. Hold on Agenda.**
- e) **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, 10:00 a.m. **Hearing held followed by deliberations. Decision will be mailed out in 90 days (11/17/21). Hold on agenda.**
- f) **A-08-21** Request for Appeal received 6/23/21 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, 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. **Schedule deliberations date. Hold on agenda.**
- g) **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). Hold on agenda**
- h) **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). Schedule hearing in October 2021 – Chair agreed. Hearing scheduled, Wednesday, October 6, 2021 at 9:00 a.m. Hold on agenda.**
- i) **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. Hold on agenda.**

- j) **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. Schedule deliberations date. Hold on agenda.**

7). GOOD OF THE ORDER

The next Codes and Standards Committee meeting is scheduled for, **Wednesday, October 13, 2021 @ 1:00 p.m.** and will be held virtual on Teams.

8). ADJOURNMENT

Paul Costello, Vice Chair (bag)

Keith Flood, Chair / Paul Costello, Vice Chair
Connecticut State Codes & Standard Committee
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