

STATE CODES AND STANDARDS COMMITTEE (C&S)

Wednesday, December 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 November 8, 2023, MEETING

4. COMMUNICATIONS:

SUBJECT & DATE RECEIVED	FROM - TO	DESCRIPTION
a. Request for Appeal received October 26, 2023	Steven Montgomery CS	A-23-17 Request for Appeal received 10/26/23 RE: [422 Sport Hill Road, Easton] 2018 and 2022 Building Code sections 111.1; 8-12; Ch.3 Town of Easton Building Code section 252.1 – appealing decision of Peter Howard, Easton Building Official. ACTION: _____
b. Request for Appeal received November 14, 2023	Attorney Majorie Shansky 61 East Grand Avenue New Haven, CT 06513 marjorie.shansky@icloud.com thomashennessey@snet.net CS	A-23-18 Request for Appeal received 11/14/23 RE: [198 Commerce Street, East Haven, CT] of East Haven Fire Marshal, C.G.S. Section 29-309. Abatement Order of Fire/Life Safety Hazards. ACTION: _____ _____
c. Request for Appeal received November 27, 2023	Rudy V. Ridberg, AIA Principal Ridberg + Associates rvr@ridarch.com	A-23-19 Request for Appeal received 11/27/23 RE: [206 Sound Beach Ave, Old Greenwich, CT] State Building Inspector denial to allow the basement of an existing restaurant to be converted into food service supply storage with 6-foot 4-inch ceilings and 5-foot 4-inch headroom at beams. ACTION: _____ _____

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)
- e) Annual Election of Officers per the Connecticut Administrative Code, Title 29 - Public Safety and State Police 251 - Procedure of the Codes and Standards Committee Codes and Standards Committee Procedure, Section 29-251-6b - Election of officers.
 - Codes & Standards Committee Chair
 - Codes & Standards Committee Vice Chair
 - Codes & Standards Committee Secretary

8) APPEAL HEARINGS

- a) **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.** Admin received notarized complaint form on 10/12/23. Compliance conference to be scheduled. **On 11/13/23 the C&S Chair states that he will seek a Panel Chair for this meeting at our December Meeting.**
- b) **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, Admin mailed out complaint form on 10/5/23. **Per Chair, when completed complaint form is received, Admin to schedule Compliance Panel Meeting.** On 10/12/23 Admin reached out to Attorney to check status on complaint form – Attorney confirmed receipt and will get the form back to admin. **Admin coordinating Compliance Conference date. Hearing date: Tuesday, 12/19/23 11am.**

- c) **C-23-01 RE:** Complaint received 2/28/23 from Heide Mizak, **RE: [69 Lohse Road, Willington, CT]** James Rupert, Willington Building Official, **Compliance Panel assigned: David McKinley, Tim Mikloiche, Mike Sinsigalli. On 10/20/23 received the completed complaint form.** Hearing date: Thursday, November 9, 2023 at 1:00pm. **Compliance Conference held; panel to provide recommendation to full Committee.**

- d) **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. OSBI investigated 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. The hearing was continued for 30 days so that the Appellant could submit a brief. The parties did not submit briefs by August 11, 2023. Continued hearing held 8/16/23 at 9am, followed by deliberations. **Decision mailed out on 11/29/2023.**

- e) **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. Panel assigned: Mike Sinsigalli, Chair; Keith Flood, Panel; Ilona Prosol, Panel; Donald Harwood (Alternate). Counsel will draft correspondence to Appellant and prepare legal memo for panel members. **Admin currently coordinating hearing date**

- f) **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). Hold on agenda.**

- g) **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.) The Chair ordered Admin to forward file to Office of the State Fire Marshal. Admin forwarded to OSFM on 8/10/23. OSFM is working with Appellants for alternatives. The owner is working with the Town toward resolution of existing violations. They wish to keep the appeal open if no resolution can be reached. **OSFM will reach out for status. Hold on agenda.**

- h) **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. **Hearing held followed by deliberations – decision will be mailed out in 90 days (01/15/24). Hold on agenda.**

- i) **A-23-11 RE:** Request for Appeal received 8/14/23 from Steven Venditti, PE, Spark Fire Protection Engineering, LLC. **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. **Panel assigned:** Keith Flood, Chair; Donald Harwood, Panel; Louis Free, Panel; Timothy Mikloiche, Alternate. **Hearing held:** Friday, October 27, 2023 at 1:00pm Panel Members held deliberations on 11/8/23. **Decision mailed out on 12/4/23.**
- j) **C-23-02 RE:** Correspondence received 8/19/23 from Adam P. McNiece, Niantic, CT RE: Complaint against town of Montville Building Official-David Jensen. Referred to the Complaint Assessment Committee. Admin sent out packet on 10/5/23. Per Chair, when completed complaint form is received, set up **Complaint Review Committee meeting.** Completed Complaint form received. Complaint Review Committee meeting scheduled: Tuesday, 10/31/23 at 9:00a.m. OSBI to follow up and provide feedback to Panel. OSBI will meet with Building Official to gather more information. **OSBI received updates from the current Building Official Doug Colter and have obtained BO David Jensen's contact information for future correspondence of follow-up documentation.**
- k) **C-23-03 RE:** Correspondence received 8/14/23 from Attorney Glenn W. Dowd, Day Pitney LLP. **RE: Complaint about town of Southington Building Official-Jeffrey Pooler.** Referred to Complaint Review Committee. Admin sent out packet on 10/5/23. Per Chair, when completed complaint form is received, set up Complaint Review Committee meeting. **10/13/23 Admin sent follow-up email to Attorney Dowd to confirm receipt. On 10/17 Attorney Dowd confirmed receipt – that he will be completing form the committee recently adopted. Hold on agenda.**
- l) **A-23-14** Request for appeal received 9/29/23 from Steven Montgomery **RE: [422 Sport Hill Road, Easton, CT].** Appeal of 2018 Building Code Sections 111.1; 8-12; Ch.3 Town of Easton Building Code Section 252 – 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, Panel; Anthony Cinicola, Panel; Tim Mikloiche, Alternate. Hearing date: Thursday, November 9, 2023 at 9:00 a.m. **Counsel will reach out to Appellant and seek a request for withdrawal due to new appeal assigned (see #A-23-17).**
- m) **A-23-15** Request for appeal received 10/6/23 from Attorney James C. Winters c/o William Conroy, S.P.A.C.E. Systems, LLC **RE: [210 Realty Drive, Cheshire, CT]** Abatement Order of Fire/Life Safety Hazards dated 9/1/23 issued by Michael Kazlowski, Fire Marshal of the Town of Cheshire, CT. Referred to the OSFM to gather more information. **OSFM will work on resolving. Hold on agenda.**
- n) **A-23-16** Request for appeal received 10/6/23 from Joseph V. Cassidy, P.E. **RE: [215 Elm Street, Old Saybrook, CT]** Seeking to reverse the decision by the State Building Inspector to deny the use of the Limited-Use Limited Application in lieu of a standard elevator in a small two-story building. **Panel assigned: David McKinley, Chair; Johnny Carrier, Panel; Fred Wajcs, Panel; Jack Butkus, Alternate.** Hearing scheduled: Wednesday, November 15, 2023 10:00 a.m. **Hearing held. Decision to be mailed out in 90 days (2/13/24).**
- o) **C-23-04 RE:** Correspondence received 9/11/23 from Melisa Moone, Brooklyn, CT **RE: Complaint about Brooklyn Building Official-John Berard.** Admin to coordinate Complaint Assessment Review Meeting. **CAR meeting scheduled: Tuesday, November 28, 2023 – 11:00am**

- p) **C-23-05 RE:** Correspondence received 10/17/23 from Kenneth LeClerc, DEEP, Emergency Response Unit, Supervising Emergency Response Coordinator, Southern Region **RE: Complaint about Newton Building Official-John Poeltl.** Admin sent a complaint form to Mr. LeClerc. Chair – Once form is received - Admin to coordinate Compliance Assessment Review Meeting. **On 11/9/23, Admin reached out to Mr. LeClerc to check status on complaint form. Received completed complaint form on 11/13/23. Admin to coordinate CAR meeting. CAR Meeting scheduled: Thursday, November 30, 2023 at 9:00 a.m.**

9) **GOOD OF THE ORDER**

The next Codes and Standards Committee meeting is set for **Wednesday, January 10, 2024, 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

Join on your computer, mobile app or room device

[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: 560 563 701#

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.