

C&S STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

February 14, 2024

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
Terry Deveney, Building / Non-Residential
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 - **Absent**
David McKinley, Advocacy
Henry Miga, Building Official
Tim Mikloiche, Electrical Contractor
Mike Musco, P.E. Electrical Engineer
Ilona Prosol, P.E., **C&S Vice Chair**, Fire Protection Engineer
Mike Sinsigalli, Fire Marshal
Eric Shutt, Plumbing Trades Contractor
Fred Wajcs, Jr., **C&S Secretary**, Public Member - **Absent**
William Zoeller, Energy Efficiency

Also Present:

Omarys Vasquez, AIA, NOMA, State Building Inspector
Peter Zvingilas, Assistant Director, Regulatory Compliance
Anne Peterson, DAS/Legal
Rebecca Tamborra, DAS/Legal
William Abbott, State Fire Marshal
David Woods, OSFM-Fire & Life Safety Supervisor
Bethy Guiles, DAS/OSBI – Admin
Joseph Duval, OSFM-Fire & Life Safety Specialist
Kimberly Rogers-OSBI, Manager Technical Services
Darren Hobbs, DAS-Deputy Commissioner
Patrick Holland, OSFM – Field Services
Richard Klotzbier, OSFM Fire & Life Safety Specialist

PUBLIC:

Joseph Cassidy, P.E.; Joel Whitten; William Nash; Roger Nelson;
Abigail Brown;

1) MINUTES

- a) A motion (MM) was made and seconded (KF) to accept the minutes of the **January 10, 2024**, meeting minutes. **All in favor. None opposed. Motion carried.**

2) **COMMUNICATIONS**

- a) **C-23-03** Correspondence received 1/16/24 from Attorney Matthew J. Letten withdrew the complaint without prejudice to refile later.
- b) **C-22-02** Correspondence received 1/16/24 from Whitney Powell, Paralegal – Arch Law Group, LLP. Request for continuance of hearing RE: Complaint filed by Mr. Gribbon (see item #__ below for details).

3) **SUBCOMMITTEE REPORTS**

- a) **Codes Amendment Subcommittee (CAS) (Free)** – CAS meeting to follow directly after C&S. We will go over general business. The Work Groups are starting to schedule meetings. On 2/28/24 at 1:30pm, the Accessibility Workgroup will give a presentation on the 2024 IBC Chapter 11 and the 2024 IEBC Section 307. On 3/13/24 at 1:30pm the Mechanical Commercial Workgroup will give a presentation on the 2024 IBC Chapter 28 and the 2024 IMC.
- b) **Ethics/Procedural Regulations Subcommittee (Harwood)** – No report

4) **OLD BUSINESS**

Complaint Process Abbreviations

- C&S: Codes & Standards Committee
- CAC: Complaint Assessment Committee
- CP: Compliance Panel
- HP: Hearing Panel

5) **NEW BUSINESS**

- a) Staff Report
 - i) **Omarys Vasquez, State Building Inspector** – Kimberly Rogers, new Deputy State Building Inspector. Danielle Hart joined us as our secretary 2. She will assist with the CAS. We have one position to fill for OSBI
 - ii) **William Abbott, State Fire Marshal/David Woods** – no report
 - iii) **Anne Peterson/Rebecca Tamborra, Staff Counsel** – no report
- b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** – Scheduling a meeting for either 2/29 or 3/1 to kick off our review of the new Fire Prevention Code.
- c) **Training Councils**
 - i) **Building Code Training Council (Musco)** – We had a meeting on 2/8/24. Trying to fast-track a new process from ABO to BO. We are not doing away with the 6-hour exam, however, we are developing a 2-hour test. We are looking at pathways exploring anyone that has an ICC/DOS from other states and fast-track them as an ABO in the State of Connecticut. In May 2024, they are going to start a creation of live programs one of which will be a full-day program for Energy Efficiency on the IC codes. OSBI requested that we include in the training seminars that we add more Energy Efficiency education. ODEM is searching for 2 more trainers and the testing per the PLTP. I have a temporary report from Shane. I will get it out to the admin to share with the entire Committee. Our next meeting will be on June 13, 2024.
 - ii) **Fire Marshal Training Council (Harwood)** – We are currently trying to fill positions. Roger Nelson has filled the volunteer fire marshal position on the committee. We reached out to the Board of Regents to fill their 3 positions on the committee.

- d) **Report on Bills (Vasquez)** – Legislative started 2/7/24 through 5/8/24; short session this year. Governor’s bill SB 11 – An Act Coordinating Connecticut Resiliency Planning and Broadening Municipal Options for Climate Resistance (see attachment) [SB-11.pdf \(ct.gov\)](#).

6) **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 (**CP**): Donald Harwood, 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. Admin to coordinate CP meeting. Confirmed CP date: Friday, January 26, 2024 at 9:00am. Continued to a CP Meeting March 7, 2024. **Meeting cancelled. Await direction from C&S Chair and Counsel.**
- 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 Assessment Committee (CAC) will make a recommendation to the full Committee. (**CP 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 CP 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. CP meeting date: Tuesday, 12/19/23 11am – Meeting held. CP waiting for more information. Once information is received, CP members will notify the admin to schedule another meeting. **Meeting confirmed, Thursday, March 14, 2024 – 9:00 a.m.**
- c) **C-23-01 RE:** Complaint received 2/28/23 from Heide Mizak, RE: [69 Lohse Road, Willington, CT] James Rupert, Willington Building Official. **CP 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. CP meeting held; panel to provide recommendation to full Committee. CP reports there is a consensus that the matter does not warrant a hearing panel. Staff Counsel will put together a written recommendation from the Compliance Panel and submit it to full C&S Committee prior to the January 10, 2024 meeting. CP recommendation sent to full committee on 2/14/24. (**DM**) **motion that matter not be referred to HP and seconded (HM). All in favor. None opposed. Motion carried. Counsel will draft decision to be mailed out. Hold on agenda.**
- d) **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 will coordinate hearing date. On 1/3/24 Attorney Peter V. Gelderman, Berchem Moses PC attorney for Appellant withdrew appeal. **Remove from agenda.**

- e) **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). **Decision mailed out on 1/10/24. Remove from agenda.**
- f) **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. OSM reached out to Fire Marshal and Appellant. They are working together and making process. Appellant asked to hold appeal on agenda until resolved. **On 2/13/24, the Appellant withdrew the appeal. Remove from agenda.**
- g) **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). **Decision was mailed out on 2/2/24. Remove agenda.**
- h) **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 CAC. Admin sent out packet on 10/5/23. Per Chair, when the completed complaint form is received, set up CAC meeting. Completed Complaint form received. CAC 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 David Jensen's contact information for future correspondence of follow-up documentation. OSBI sent CAC updates. Admin to schedule CAC meeting to review updates from OSBI. CAC Meeting 1/16/24 - 1:00 PM. Meeting held. Admin to scheduled CAC meeting for recap and make a recommendation. **CAC scheduled Monday, March 11, 2024 at 9:00 a.m.**
- i) **C-23-03 RE:** Correspondence received 8/14/23 from Attorney Glenn W. Dowd, Day Pitney LLP. **RE: Complaint RE town of Southington Building Official-Jeffrey Pooler.** Referred to CAC. Admin sent out packet on 10/5/23. Per Chair, when completed complaint form is received, set up CAC 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. Admin reports complaint form not received as of 12/13/23. Admin to follow up and reach out to complainant. On 1/16/24 Attorney Matthew J. Letten withdrew the complaint without prejudice to refileing at a later date. **Remove from agenda.**

- j) **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. **OSFM reached out to the local fire marshal – unable to resolve. Panel assigned:** Keith Flood, Chair; Tim Mokloiche, panel; Henry Miga, panel; William Zoeller, alternate. **Admin to coordinate hearing.** Hearing Date: Monday, January 29, 2024; 9:00 a.m. **Hearing Held. Status from Counsel:** Both parties were at the hearing this morning and agreed to having both appeals merged. A decision was issued for both appeals today. No need to number/schedule the second appeal. I will note in the decision that both parties agreed to having the appeals merged and that the decision applies to both. **Decision will be mailed out in 90 days (4/29/24). Hold on agenda.**
- k) **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). Decision is drafted by Counsel. Hold on agenda.**
- l) **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 CAC Meeting. CAC meeting scheduled: Tuesday, November 28, 2023 – 11:00am. Referred to OSBI to investigate further. OSBI received info from the parties Official. CAC will meet to review. **Admin will schedule CAC meeting. CAC scheduled to discuss on Monday, March 11, 2024 at 9:00 a.m.**
- m) **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 CAC 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 CAC meeting. CAC Meeting scheduled: Thursday, November 30, 2023 at 9:00 a.m. Referred to OSBI to investigate further. Admin will schedule CAC meeting. **CAC scheduled to discuss on Monday, March 11, 2024 at 9:00 a.m.**
- n) **A-23-17** Request for Appeal received from Steven Montgomery 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. Panel assigned: Lou Free, Chair, Anthony Cinicola, panel; Timothy Mikloiche, panel; Paul Costello, alternate. Hearing date: Tuesday, January 23, 2024 – 9:00 a.m. Panel members asked to reschedule hearing. New Hearing Date: Tuesday, January 30, 2024 – 9:00 a.m. CP had an aggrievement hearing to establish whether the party bringing the appeal was aggrieved. We upheld the Appellants request to overturn the Certificate of Occupancy that was issued. We are just waiting for the Certificate of Occupancy to be issued. **Decision will be mailed out in 90 days (4/30/24). Hold on agenda.**
- o) **A-23-18** Request for Appeal received from Attorney Majorie Shansky 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 – change of use. Refer to OSFM. OSFM reached out to Attorney Shansky and are coordinating a site inspection to review violations the week of January 15.

Attorney Shansky asked that we hold it until she receives a report from her Code Consultant. After we receive the report, we will schedule a site inspection. Hold on agenda.

- p) **A-23-19** Request for Appeal received from Rudy V. Ridberg, AIA Principal Ridberg + Associates 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. Panel assigned: Johnny Carrier, Chair, Thomas DiBlasi, panel; Lou Free, panel; Henry Miga, alternate. Admin to schedule hearing. Hearing date: Wednesday, January 24, 2023 at 9am. **On 2/5/24 Appellant withdrew appeal. Remove from agenda.**
- q) **A-23-20** Request for appeal received from Ike Uzoka on 12/16/23 RE: [48 Kimball Drive, New Britain, CT] Richardson Masson, Fire Inspector/New Britain Fire Marshal - Abatement Order of Fire/Life Safet Hazards. **Referred to OSFM. We have an inspection scheduled for 2/27/24 at 10:00 a.m.**
- r) **A-24-01** Request for appeal received from David & Tara Cangelo on 1/8/2024 RE: [124 Roxbury Road, Washington, CT] – Appealing Washington Building Official’s denial to install a hoxter fireplace sold by Dean's Stove and Spa. **Referred to OSBI. On 2/7/24, the Appellant withdrew the appeal. Remove from agenda.**

7). GOOD OF THE ORDER

The next Codes and Standards Committee meeting is scheduled for **Wednesday, March 13, 2024-1:00 p.m.** Meeting format (on-line or in person) will be determined prior to the meeting.

- We are coordinating a get-together for Glenn Neilson who has retired (served 24 years on C&S Committee). The gathering will be held at the Wood-n-Tap, 3375 Berlin Tpke, Newington, CT 06111, March 6, 2024 at 4pm-6pm.
- We are using the new SharePoint site. We would like to add the hearing and aggrievement scripts.
- Welcome to the newest member appointed to the Committee – Terry Deveney

8). ADJOURNMENT

J OHNNY CARRI ER (BAG)

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