

C&S STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

January 11, 2023

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
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
Glenn Neilson, Building Contractor
Ilona Prosol, P.E., **C&S Vice Chair**, Fire Protection Engineer
Mike Sinsigalli, Fire Marshal
Eric Shutt, Plumbing Trades Contractor - **Absent**
Fred Wajcs, Jr., **C&S Secretary**, Public Member
William Zoeller, Energy Efficiency

Also Present:

Darren Hobbs, Director – Regulatory Compliance
Omarys Vasquez, AIA, NOMA, State Building Inspector
Anne Peterson, DAS/Legal
William Abbott, State Fire Marshal
Joseph Kingston, OSFM, (retired) Fire & Life Safety Supervisor
David Woods, OSFM, Fire & Life Safety Supe
Joseph Duval, OSFM
Bethy Guiles, DAS/OSBI - Admin

PUBLIC:

Bruce Spiewak Tasneem Osman

1) MINUTES

- a) A motion (KF) was made and seconded (GN) to accept the minutes of the **December 14, 2022**, meeting minutes. **All in favor. None opposed. Motion carried.**

2) COMMUNICATIONS

- a) **A-23-01** – RE: Request for appeal from Kathleen L. Donovan RE [45 Woodland Street, Naugatuck, CT] RE: Ned Dalton, CFEI, Naugatuck Fire Marshal’s Abatement Order of Fire/Life Safety Hazards. CSFSC & CFPC - CGS 29-291A and 293. CT Sec: 12.4.6.6.3.5.2(7); Door self-closing device are not operating properly. The self-closing device shall be operational so that the door fully closes from its fully open position. **Referred to the State Fire Marshal. NOTED:** One of the appeals is a Fire Code Appeal and the other is a Fire Prevention in which OSFM will handle. OSFM will report back to the Committee what we find the Fire Code Appeal. **Hold on Agenda.**

3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – Omarys: The errata brought forward when reviewing the combined Connecticut Code for the IRC was mostly related to the IRC Codes. There was a second printing of the IRC that had dozens of pages of errata. A lot of them pertained to mostly grammatical edits and updates and sections numbers that needed to be corrected which we’ve picked up already. There were one or two that I have flagged for the codes and standards that we can review in a separate meeting. To move things forward, we are approving it as they are because there are sections that have not been amended by Connecticut. One of the biggest that was flagged on my end were the insulation, our values in the energy portion of the IRC; especially for our zone - It’s for wall ratings. At this point, because we didn’t make an amendment to that section, we must accept the errata. If there is anything that we want to change or amend to revert. [Chair] It doesn’t change what we originally approved. It just adds the category or an explanation. Omarys will send the whole errata to the Committee to review.

- b) **Ethics/Procedural Regulations Subcommittee (Harwood)** – No report

4) OLD BUSINESS

- a) There was no old business.

5) NEW BUSINESS

- a) Staff Report
- i) **Omarys Vasquez, State Building Inspector** – **No staff report.** Received tentative schedule for the IRC from the ICC. The edits are in, and I anticipate getting second print back in the next couple of weeks. Not sure how long the PDFs will take. Hard books will take another month.
 - ii) **William Abbott, State Fire Marshal** – NFPA books are on their website; you can purchase the books. ICC: they sent us back a draft, we are reviewing and will get it back by the end of this week. Hopefully, it will go to print within this month. There will be no NFPA digital.
 - iii) **Anne Peterson, Staff Counsel** – No report; I received a C&S Procedure Manual. I will update as needed.
 - iv) **Jack Butkus** - 1/11/22 this morning we had an IRC appeal regarding emergency escape openings for bedrooms in a basement area. What came out of the discussion was that in the adoption of apparently both the 2018 Connecticut Building Code as well as the 2021 - where it may go back as far as 2018. In the 2021, there was an exception that allowed the deletion of emergency escape windows. If a dwelling is sprinklered, looking into the amendments for both 2018 and 2022, I noticed that the language appears to have been removed. Anything that would have provided the opportunity to benefit from residential sprinklers. As we know in the 2018 cycle with the 2015 IRC, we did not impose residential sprinklers on one- and two-family dwellings, but they are henceforth required in townhouses. The intent of the discussions by the working groups back then was that the opportunity to use sprinklers if chosen in the construction of a one and two-family homes should remain so. If somebody wanted to go that

extra mile, the benefits that came from it should be available to them. Whether it was stripped in that cycle and then repeated, you know, copy paste into the amendments for the current cycle. I must dig a little more deeply and perhaps consult with Darren on how that aspect of the code was handled. There is the opportunity if a single-family dwelling was sprinklered that certain benefits would be available to them that while maybe not germane to the exact. Circumstance in today's appeal, it was flagged Omarys raised the issue that it was taken out of. The Connecticut adoption for the 2022 code and we like to investigate why that might have been stripped and maybe there's something we need to do to put things back, to give folks the brownie points if they go the extra distance of sprinklering or one- or two-family dwellings that some of the benefit should be available to them. [Chair] So is that specifically to the rescue emergency escape and rescue openings because I know there's numerous places that you get benefits, whether it is an attic or a third story. And if you have sprinklered, you're allot more square footage and it just to back up the emergency escape and rescue openings. I know we amended that to go back to what we traditionally had in the past when you're doing a new construction that you're not required. That was the language uninhabitable. In uninhabitable basements, so maybe during that amendment process is where that kind of came about. My impression is that it was an inadvertent deletion. You know, it kind of got swept up in the broader aspects of not requiring sprinklers, but even things such as sprinkling a basement in lieu of providing drywall to protect trusses. Here's a secondary benefit that we want to make sure that we didn't inadvertently strip out. So, with that said, is that something Louie would kick back to subcommittee to look at? [Lou Free] Adopting a new code and it's adopted that there may be some work groups prior to us starting the next cycle to look at where we may have some disconnects that we find like this and decide. Most likely it won't get resolved in this current code cycle, but we want to make sure we do address it in the future one. On the sprinkler side, I was going through some of my notes and there were some concerns expressed. I think from the fireside about the sprinklers mitigating certain protections that they felt were important, especially from a firefighting point of view to some of the features of other buildings. This may be one of the ones, as you said Jack - not modified that we maybe didn't intend too, but I think we should see where we can find where those are and then as a group again we'll sit down and go through it all and decide are there some cases where there is a benefit to have you know a residential sprinkler system installed that can give us some opportunities, especially when it comes to conversions of basements as we know are very prevalent within Connecticut especially now you know we're seeing a lot of this.

b) Fire Prevention Code Advisory Committee (Harwood & Sinsigalli) – No report

c) Training Councils

- i) **Building Code Training Council (Musco) –** We are scheduling a meeting for the building side.
- ii) **Fire Marshal Training Council (Harwood) –** Scheduling a meeting. There are also vacancies to be filled. [Bill Abbott] The Building Official Class and Fire Marshal Class moved their training location back to 450 Columbus Blvd to accommodate their registrants.

d) Report on Bills (Vasquez) – 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. State Fire Marshal still actively working with Appellant. State Fire Marshal contacted the State's Attorney - awaiting response from Judy Dicine. State Fire Marshal will have a meeting with Judy next week. Fire Marshal still waiting to set up meeting with Judy Dicine. No change, still trying to get a meeting with Judy to review CPV documents at their site. 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 wishes to hold appeal until resolved. There has been no change, but State Fire Marshal will reach out to power people. State Fire Marshal (SFM) 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. We have a meeting scheduled 10/20/21. We will review the piping and issues of concern. I will update you on the results of that meeting. As of 11/10/21, document review completed; progress is being made. State Fire Marshal is in the process of preparing a report for Committee review. OSFM prepared report and waiting for Committee review. OSBI states we should send another status letter. OSFM sent report to C&S Committee and Appellant who reports he will get back to us in a month. To date, no response from Appellant. Counsel will send status letter to Appellant. Await Counsel's approval of drafted status letter. Jenna Padula, Counsel is working on this status letter and will send out to Appellant as soon as possible. **Counsel mailed out status letter. Counsel sent out dismissal letter on 1/11/23 with time limit. Hold on Agenda until letter reaches appellant.**

- b) **A-06-21** Request for Appeal received on 6/2/21 from Mr. Mayer Muller, Owner, Common Hartford Accommodation, Inc., [2370-2374 Main Street, Hartford, CT]. RE: Order to Vacate due to Fire/Life Safety Hazards - Connecticut State Fire Safety CGS Section 29-306(c). Appeal was originally held over to August 2021 meeting. Mr. Mayer has recently reached out to request a hearing on the appeal. Keith Flood will meet with Counsel. A motion (HM) was made and seconded (PC) to hold on the agenda until we receive a report from staff and counsel by the January 2023, meeting. All in favor. None opposed. Motion carried. Hold on agenda until we get a report from staff. **Counsel will draft a letter specifying what the committee will hear. Hold on agenda.**
- c) **A-17-21 RE: [195 East Main Street, Branford, CT]** Appeal received 11/11/21 from Attorney John A. Ferranti - representing Shoreline Recovery, LLC RE: Notice of Violation issued by Branford Fire Marshal Robert Dobuzinsky dated 10/12/21. RE: A change of use and occupancy - referencing the 2018 CSFSC Parts I, II & III - 2015 IFC section [A] 102.3. Referred to Office of the State Fire Marshal. OSFM is working on this appeal with the Attorney. OSFM could not gain access to the property. We are working on this. Fire Marshal has a report. Need a little more time for editing. Report received on 5//22 from Joseph Kingston, OSFM-Fire & Life Safety Supervisor. Panel assigned: Keith Flood, Chair; Mike Sinsigalli, Panel; Henry Miga, Panel; Glenn Neilson, Alternate. Hearing scheduled June 10, 2022-11:00 a.m. Hearing held followed by deliberations. Decision will be mailed out in 90 days **(09/10/22)**. **Counsel is drafting a final decision. Hold on agenda.**
- d) **A-18-21 RE: [58 Todds Hills Road, Branford, CT]** Appeal received 11/11/21 from Attorney John A. Ferranti - representing Shoreline Recovery, LLC RE: Notice of Violation issued by Branford Fire Marshal Robert Dobuzinsky dated 10/12/21. RE: A change of use and occupancy - referencing the 2018 CSFSC Parts I, II & III - 2015 IFC section [A] 102.3. Referred to the Office of the State Fire Marshal. OSFM is working on this appeal with the Attorney. OSFM could not gain access to the property. We are working on this. Fire Marshal has a report. Need a little more time for editing. Report received on 5//22 from Joseph Kingston, OSFM-Fire & Life Safety Supervisor. Panel assigned: Keith Flood, Chair; Mike Sinsigalli, Panel; Henry Miga, Panel; Glenn Neilson, Alternate. Hearing scheduled June 10, 2022-11:00 a.m. Hearing held followed

by deliberations. Decision will be mailed out in 90 days **(09/10/22)**. **Counsel is drafting a final decision. Hold on agenda.**

- e) **A-06-22 RE: [90 Pine Road Jewett City, CT]** Appeal received 4/12/22 from Mr. Pixy Elliott RE: Appealing the decision made by the Town of Griswold Building Department RE: \$200.00 fine for not pulling a permit to replace front door. Referred to OSBI. OSBI worked with Building Official. We will await the withdrawal. Omarys Vasquez, State Building Inspector will follow up on status. **OSBI will contact Building Official to see if proper notice was given. Also, will reach out to Appellant for a withdrawal. Hold on agenda.**
- f) **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 jrschroeder@jrsaia.com, 69-2 Main Street, Chester, Connecticut 06412, (860)526-5838. Referred to OSBI. OSBI still working with the parties. Omarys Vasquez, State Building Inspector reports that she is actively engaged with the Complainant. OSBI directed their team to investigate this matter. **OSBI reached out to Complainant who reports unfair treatment regarding zoning approval. Hold on agenda until we can get more information.**
- g) **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., tomgribbin@noyesvogtarchitects.com, Noyes Vogt Architects, 191 Middlesex Ave, Suite 2A, P.O. Box 370, Chester, CT 06412, (860)526-2900. Referred to OSBI. OSBI still working with the parties. Omarys Vasquez, State Building Inspector reports that they are actively engaged with the Complainant. We've asked for copies of inspection reports. He has mailed them certified mail. OSBI requested Inspection Reports and received Inspection Requests – they were not legible. Await directions from Committee. **Hold on agenda until we can get a recommendation on processing from Counsel and Omarys.**
- h) **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. Hold on agenda until we can get a recommendation on processing from Counsel and Omarys.**
- i) **A-13-22** RE: Request for Appeal received **10/24/22** from Walter J. Onacewicz, Esquire, Nair & Levin, P.C. for James A. Balch. RE: [250 South Main Street, East Windsor, CT 06016] – State Building Code Section 117 Violation September 14, 2022, Notice of Imminent Danger, Order to Vacate and Posting of Unsafe Structure (“Order”) from Kenneth A. Rich, East Windsor Building Official. **11/4/22** Correspondence received from Brian L. McCann, Esq./Joshua A. Hawks-Ladds, Esq, Pullman & Comley, LLC - Town of East Windsor's reply to “Notice of Appeal” filed by the Appellant, James A. Balch, dated October 24, 2022. **Referred to OSBI for follow up. Appellant filed the appeal to reserve their rights. They were able to successfully obtain a permit. Hold on agenda until we receive a withdrawal.**
- j) **A-14-22** RE: Request for Appeal from Mr. Robert Leety RE: [830 W River Street, Milford, CT] RE: State Building Inspector's denial of Section R310.1 2015 IBC-Emergency escape and rescue opening required - to allow two basement bedrooms to have indirect access to an interior stair and an exterior door and the basement story to be protected with an NFPA 13D sprinkler system, instead

of having emergency escape and rescue openings that open directly into a public way, or to a yard or court that opens to a public way. Panel Assigned: Donald Harwood, Chair; Lou Free, Panel; Glenn Neilson, Panel; John Butkas, Alternate. Hearing Date: 1/11/23 at 9:00 a.m. **Hearing suspended pending resolution with OSBI. Hold on agenda.**

7). [GOOD OF THE ORDER](#)

The next Codes and Standards Committee meeting is scheduled for, **Wednesday, February 8, 2023-1:00 p.m.** Meeting format (on-line or in person) will be determined prior to the meeting,

8). [ADJOURNMENT](#)

Johnny Carrier (bag)

Johnny Carrier, P.E., C&S Chair
Connecticut State Codes & Standard Committee
CSMN2301