

C&S STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

February 8, 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
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., **C&S Vice Chair**, Fire Protection Engineer
Mike Sinsigalli, Fire Marshal - **Absent**
Eric Shutt, Plumbing Trades Contractor
Fred Wajcs, Jr., **C&S Secretary**, Public Member
William Zoeller, Energy Efficiency

Also Present:

Omarys Vasquez, AIA, NOMA, State Building Inspector
Anne Peterson, DAS/Legal
William Abbott, State Fire Marshal
David Woods, OSFM, Fire & Life Safety Supe
Joseph Duval, OSFM
Bethy Guiles, DAS/OSBI - Admin

PUBLIC:

Bruce Spiewak Esme Lombardi Richard Klotzbier
Cornelia Wu

1) MINUTES

- a) A motion (PC) was made and seconded (KF) to accept the minutes of the **January 11, 2023**, meeting minutes. **All in favor. None opposed. Motion carried.**

2) COMMUNICATIONS

- a) **A-23-01** - On 2/3/23 David Woods-OSFM Fire & Life Safety Supervisor submitted the Investigation Report. **Panel Assigned: Keith Flood, Chair; Mike Sinsigalli, Panel; Glenn Neilson; Panel; William Zoeller; Alternate.**

3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – No report
- b) **Ethics/Procedural Regulations Subcommittee (Harwood)** – The Ethics Committee has no report at this time but is asking the general committee if there are any issues that should be reviewed. If there are any concerns, assistance needed in appeal hearings, legal guidance, etc. please contact the Committee Chair so a meeting can be set.

4) OLD BUSINESS

- a) There was no old business.

5) NEW BUSINESS

- a) **Staff Report**
 - i) **Omarys Vasquez, State Building Inspector** – Scott Phelps is the Supervisor, Technical Services. He is fully on board assisting with modification decisions and daily inquiries. Darren Hobbs has been appointed as Deputy Commissioner, Real Estate and Construction Services. He will continue as Regulatory & Compliance Director until we hire someone soon; however, lots of those questions and inquiries can be directed to me. Currently, we have continual recruitment ad posted on our website and we're essentially getting a lot of the same candidates that we've gotten before that were just not qualified for the positions for one reason or another. Darren is working directly with Commissioner Gillman to help build up the OSBI team.
 - ii) **William Abbott, State Fire Marshal** – We will begin our Fire Marshal certification class in a couple of weeks. The classes will be held at 450 Columbus Blvd which will hold 40 people.
 - iii) **Anne Peterson, Staff Counsel** – No report
- b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** – No report
- c) **Training Councils**
 - i) **Building Code Training Council (Musco)** – Henry Miga reported that training for the building official is underway and the class is full.
 - ii) **Fire Marshal Training Council (Harwood)** – Contact has been made with Michael Fullerton, Director of OEDM to review the Committee's statutory requirements, receive a briefing on Michael's vision for the Department, establish interface with the committee and to set periodic meetings. A committee meeting will be held in the month of March. The specific date and time will be set shortly.
- d) **Report on Bills (Vasquez)** – Darren has been tracking a lot of bills and there's pretty much a 21 page document that he's been sharing with the Committee Chairs highlighting some of the proposed bills that are out there. One particular – Baby Changing Tables in public facilities. I am not up to speed on any other hearings that have started yet for any of the other proposed bills. But there's a couple that are on the top of our agenda...another is demolition statutes and they're trying to clean up that language. There is some gap in the current statutes regarding demolition of single family homes. [Bill Abbott] For every amendment to the building code, the building official needs to attach a financial or a fiscal note to that and the amendments to the building code must be approved by a 2/3 vote of the House of Representatives.

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. **As of 2/9/23 we haven't heard anything from the appellant. Remove from agenda.**
- b) **A-06-21 RE:** Request for Appeal received 06/02/21 from Mr. Mayer Muller, Owner; common Hartford Accommodation RE: [2370-2374 Main Street, Hartford, CT]. 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. Counsel reports that there was a verbal order issued to vacate the building based on five emergency circumstances; followed up with a written abatement order that listed approximately a dozen fire safety code violations. Therefore, the property owner is entitled to pursue an appeal to this committee on the fire safety code abatement order and listed violations. However, Applicant no longer owns the building. **Counsel will draft letter limited to fire safety code violations which falls under the jurisdiction of the Codes & Standards Committee. Panel Assigned: Keith Flood, Chair; Ilona Prosol, Panel; Henry Miga, Panel; Mike Sinsigalli, Alternate.**
- 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 working on 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 working on 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 Appellant. However, they wish to meet with this Committee. In the past we turned it over to the State Police for investigation. Hold on agenda for procedure. **Referred to C&S Committee Chair, Vice Chair and Secretary. OSBI will send files and information received from the Appellant for panel to evaluate for proper procedure.**
- 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 she is actively engaged with the Complainant. OSBI requested a copy of the inspection report from Mr. Leighton. As soon as report is received, we should have an update for the Committee. OSBI/OSFM request all reports. We received inspection requests with hand-written notes that are not legible. OSBI will send copies to the Chair and the Committee will follow up in January 2023. OSBI reached out to the Building Official for more information – all files pertaining to said property. **Referred to C&S Committee Chair, Vice Chair and Secretary. OSBI will send files and information received from the Appellant for panel to evaluate for proper procedure.**
- 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. OSBI will continue to investigate. Hold on agenda.**

- 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. OSBI reached out to the Building Official. The appeal was filed to reserve their rights. Appellant obtained a permit, the B.O. flagged as an unsafe structure. Contract pulled permit and the building was demolished, renovations are ongoing. This issue appears to be resolved. Reached out to Attorney for a withdraw of the appeal as they seemed to have worked out the issues. Attorney feels that they will withdraw but holding on the agenda to protect their rights. **Omarys spoke with the attorney, and he says that the building official and the building owner have been collaborating and working together on the situation and correcting some of the non-compliant issues. And they're sure that everything is copacetic. I asked them to make sure to let us know and to formally e-mail us that they are going to withdraw the appeal - at the time that they're ready. I would like to give him another month so I can reach out again. And asked them if this is still open? Or at least it gives me a timeline on when they think it might end up getting resolved. Omarys will schedule a meeting with the IRC Sub-Committee to review the sprinkler exemption for the EERO windows. She will then schedule a meeting with the applicant to work on an alternative resolution.**
- j) **A-14-22** RE: Request for Appeal received **11/14/22** from Robert Leety of Milford, CT 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 Butkus. Hearing scheduled: January 11, 2023, at 9:00 a.m. Hearing suspended pending resolution with the Office of the State Building Inspector. **Hold on agenda.**
- k) **A-23-01** Request for Appeal received 1/10/23 from Kathleen Donovan RE: of Ned Dalton, CFEI-Naugatuck Fire Marshal - Abatement Order of Fire/Life Safety Hazards. RE: **[45 Woodland Street, Naugatuck, CT]** 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 Office of State Fire Marshal for review. On 2/3/23 David Woods-OSFM Fire & Life Safety Supervisor submitted the Investigation Report. **Panel Assigned: Keith Flood, Chair; Mike Sinsigalli, Panel; Glenn Neilson; Panel; William Zoeller; Alternate.**

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

The next Codes and Standards Committee meeting is scheduled for, **Wednesday, March 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
CSMN2302