

**STATE CODES AND STANDARDS COMMITTEE  
MINUTES**

**March 9, 2016**

1. The Chair called to order the regular meeting of the State Codes and Standards Committee. The meeting was held in the conference room (room G38) at 165 Capitol Avenue, Hartford, Connecticut.

2. **In Attendance:** Carlton Smith, Chair  
Paul Costello  
Thomas DiBlasi  
Donald Doeg  
Keith Flood  
Louis Free  
Robert Hanbury  
Donald Harwood  
George Iskra  
Mark Mastropasqua  
David McKinley  
Henry Miga  
Michael Musco  
Glenn Neilson  
Michael Sinsigalli  
Fred Wajcs, Jr.

**Also Present:** Joseph Cassidy, DAS  
Terry Brouwer, OSFM  
Jenna Padula, DAS Legal  
Bruce Spiewak, AIA CT

3. Attendance was taken and a quorum was present. A motion was made and seconded to accept the minutes of the February 10, 2016 meeting. All in favor. None opposed. Motion carried.

**4. COMMUNICATIONS**

- a. **A-10-15. Correspondence from Daniel DelPiano re appeal from Daniel DelPiano re State Fire Marshal's decision re FM-0279-150279-15 re 180 Elm Street, West Haven, CT. See section Appeal Hearings 8.c. On 2/17/16 appellant withdrew appeal.**

- b. A-8-15. Correspondence from Jonathan Chappell, Esq. re appeal of Robert Weber, Jr., re Rocky Hill Building Official's decision re 374 New Britain Avenue, Rocky Hill, CT. See section Appeal Hearings 8.b. On 2/25/16 information received from appellee.
- c. A-11-15. Correspondence from Robert Maccarini re appeal of Robert Maccarini re Deputy State Building Inspector's decision re M-1045-15B re Chuck's Automotive, 653 Burnside Avenue, East Hartford, CT. See section Appeal Hearings 8.d. On 2/22/16 appellant withdrew appeal.
- d. A-3-16. Request for appeal from John Laudati, Esq., re Manchester Fire Marshal's decision re 49-51 Flower Street, Manchester, CT. No panel was set. Refer to Office of State Fire Marshal (OSFM) for review.
- e. A-1-16. Correspondence from Diane Whitney, Esq., re appeal from Diane Whitney, Esq., re Deputy State Building Inspector and Office of Protection and Advocacy's decision re W-93-15 re Seabury Independent Living, 200 Seabury Drive, Bloomfield, CT. See section Appeal Hearings 8.e. On 3/4/16 appellant withdrew appeal.
- f. A-7-15 (A-D) Correspondence from Amy Blume, Esq. re appeal from Amy Blume, Esq., re New Haven Building Official's decision re
  - A) 89 Union Avenue, (Great Green Building, Unit 6), New Haven, CT re no permit
  - B) 89 Union Ave., 169 Union Ave., and 94 Columbus Avenue, New Haven, CT re failed roof coverings in 17 buildings
  - C) 89 Union Avenue (aka Cinque Green Building), New Haven, CT re roof coverings & water infiltration
  - D) 89 Union Avenue (Great Green Building, Units 1-6), New Haven, CT re means of egress. See section Appeal Hearings 8.a. On 3/8/16 appellant withdrew appeal.

**5. SUBCOMMITTEE REPORTS**

- a. **Codes Amendment Subcommittee: (Free)**  
This subcommittee will meet today and review legal documents and remaining OSFM objectives. Next meeting is set for **April 13, 2016**.
- b. **Ethics/Procedural Regulations Subcommittee: (Harwood)**  
There was no report.

**6. OLD BUSINESS**

There was no report.

7. **NEW BUSINESS:**

a. **Staff Report**

Joe Cassidy, OSBI, discussed staff reductions due to budget cuts. Steve Carey, OSBI Manager, will be retiring 4/1/16. This will be a big loss for OSBI. OSFM had no report.

b. **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)**

At the 2/11/16 meeting members discussed breaking out into subgroups to review the codes.

c. **Joint Building Code Training Council (Musco)/ Fire Marshal Training Council (Harwood)/ (aka Joint BCTC/FMTC)**

Mike Musco advised there will be a meeting later this month.

d. **Report on Bills**

Discussions were held on the following proposed bills:

1. **S.B. No. 86 An Act Concerning The Fire Safety Code and One, Two and Three-Family Dwellings.**

2. **R.B. No. 5549 An Act Concerning the Codes and Standards Committee.**

Members voiced concerns for adding 2 additional Fire members to the committee, maintaining a balance of Building and Fire representation, unwieldiness of a larger membership and difficulty to obtain quorums with a larger Committee. Current makeup has the ability to learn and listen and fire marshals are well represented. Additional discussion regarding the balance of the Committee was held.

Two additional members would bring C&S Committee to 23 members. This bill was submitted by the CT Fire Marshal's Association (CFMA), Board of Directors, who voted to bring it into the legislative package again this year.

Motion was made that, based on the statements heard today, that we not support the bill [Bill 5549] based on the increased size of the Committee and complexity that would add. Motion was seconded. All in favor. Sinsigalli and Flood opposed. Motion carried.

Although Public Hearing was held on 3/8/16, Carlton Smith, C&S Chair, will submit a position paper on behalf of C&S Committee advising they are not in support of this bill.

3. **R.B. No. 5545 An Act Concerning the Applicability of Certain Provisions of the State Building Code to Fairs and Festivals.** Joe Cassidy advised that no action by Codes and Standards Committee needed at this time.

4. **R.B. No. 388 An Act Concerning the Department of Administrative Services' Recommendations Regarding the Adoption of the State Building and Fire Codes.** Joe Cassidy discussed streamlining the code adoption process. A discussion was held regarding timely communication and duplication of effort between agencies and the Codes and Standards' Subcommittees to reach the same goal.
5. **Photovoltaic Legislation** Joe Cassidy discussed energy and technology, permitting process for photovoltaics and working with CBOA and the solar industry, and working with Building Officials regarding valuation and inspection techniques to streamline the process.
6. **Accessibility Symbol** Joe Cassidy advised that this may be changed to what New York is using.
7. **Insurance and Resiliency** Joe Cassidy advised that based on discussions with DAS, DEEP, Insurance Dept. and the Governor's Office, possibly an Executive Order may be issued.
8. **R.B. No. 124 An Act Requiring Smoke Detectors in Residential Buildings.** Keith Flood discussed removing the smoke detector date [1978] to be removed from the regulation. Currently houses built before 1978, you cannot require smoke alarms. A discussion followed.
9. **R.B. 120 An Act Concerning the Authority of Deputy Fire Marshals and Fire Inspectors.** Keith Flood discussed that this expands authority of Deputy Fire Marshals and Fire Inspectors to be able to issue citations.
10. **R.B. No. 259 An Act Concerning Inspections by Fire Marshals.** Keith Flood discussed this bill. It pertains to deputizing non-certified and 'non-experts.'
11. **R.B. No. ?** Local municipalities may adopt local regulations by the Fire Marshal to put sprinklers in one- and two-family houses. Joe Cassidy discussed this might be something that is addressed through local zoning laws. The Building Code is supposed to be the same for all towns.

## 8. APPEAL HEARINGS

- a. **A-7-15 (A-D) Request for appeal from Amy Blume, Esq., re New Haven Building Official's decision re**
  - A) 89 Union Avenue, (Great Green Building, Unit 6), New Haven, CT  
re no permit
  - B) 89 Union Ave., 169 Union Ave., and 94 Columbus Avenue, New Haven, CT  
re failed roof coverings in 17 buildings
  - C) 89 Union Avenue (aka Cinque Green Building), New Haven, CT  
re roof coverings & water infiltration
  - D) 89 Union Avenue (Great Green Building, Units 1-6), New Haven, CT  
re means of egress. Panel consists of Robert Hanbury, Panel Chair; Fred Wajcs, Jr. and Henry Miga. Glenn Neilson will be the alternate. Hearing set for November 10, 2015 was not held; on 10/29/15 appellant requested 60 day postponement. **Hearing**

rescheduled to 1/13/16 was not held; on 1/6/16 appellant requested another 60 day postponement. The hearing rescheduled to 3/9/16 was cancelled; on 3/8/16 appellant withdrew appeal. Remove from agenda.

- b. **A-8-15. Request for appeal from Robert Weber, Jr., Esq., re Rocky Hill Building Official's decision re 374 New Britain Avenue, Rocky Hill, CT.** Panel consists of Glenn Neilson, Panel Chair; William Zoeller and John Butkus. Robert Hanbury will be the alternate. Hearing set for 2/10/16 was not held; on 12/15/15 appellant requested postponement. On 1/6/16 correspondence received from Rocky Hill Building Official. **Hearing was rescheduled to Wednesday, March 9, 2016, at 11:00 a.m. in room G38. On 1/13/16 deferred to Legal Counsel to draft response to appellant's postponement request. On 2/18/16 correspondence received from Jonathan Chappell, Esq., attorney representing the Town of Rocky Hill. On 2/25/16 additional information received from J. P. Langlois, appellee. Hearing was held on 3/9/16. Decision will be sent out within 90 days [by 6/9/16].**
  
- c. **A-10-15. Request for appeal from Daniel DePino re State Fire Marshal's decision re FM-0279-15 re 180 Elm Street, West Haven, CT.** Panel consists of Michael Sinsigalli, Panel Chair; Donald Harwood and Mark Mastropasqua. Carlton Smith will be the alternate. **Hearing set for February 17, 2016 was cancelled; on 2/17/16 appellant withdrew appeal. Remove from agenda.**
  
- d. **A-11-15. Request for appeal from Robert Maccarini re Deputy State Building Inspector's decision re M-1045-15B re Chuck's Automotive, 653 Burnside Avenue, East Hartford, CT.** Panel consists of \*Henry Miga, Panel Chair; Keith Flood and George Iskra. Robert Hanbury will be the alternate. \*Due to schedule conflict, Robert Hanbury will serve as Panel Chair. **Hearing was held on February 10, 2016 and adjourned pending appellant's withdrawal. On 2/22/16 appellant withdrew appeal. Remove from agenda.**
  
- e. **A-1-16. Request for appeal from Diane Whitney, Esq., re Deputy State Building Inspector and Office of Protection and Advocacy's (OPA) decision re Seabury Independent Living, 200 Seabury Drive, Bloomfield, CT.** Panel consists of David McKinley, Panel Chair; Robert Hanbury and Fred Wajcs, Jr. Keith Flood will be the alternate. On 1/25/16 additional supporting documentation received from Attorney Whitney. Timeliness meeting set for February 10, 2016, was not held; on 2/5/16 the Office of Protection and Advocacy requested postponement. Timeliness issue to be addressed prior to appeal hearing. If panel determines appeal has been timely filed, then appeal hearing may immediately follow. **Timeliness meeting was rescheduled to March 9, 2016 was cancelled; on 3/4/16 appellant withdrew appeal. Remove from agenda.**

- f. **A-2-16. Request for appeal from William Connole re Deputy State Building Inspector's decision re M-41-16 re 10 Trout Brook Terrace, West Hartford, CT.** Panel consists of Robert Hanbury, Panel Chair; John Butkus and Don Doeg. Fred Wajcs, Jr. will be the alternate. **Hearing was set for 3/2/16. On 3/2/16 appellant did not appear so appeal was dismissed for lack of prosecution. Decision will be sent out within 90 days [by6/2/16].**

**9. GOOD OF THE ORDER**

The next Codes and Standards Committee meeting is set for **April 13, 2016** and will be held in conference **room 532**, at 165 Capitol Avenue, Hartford, Connecticut.

  
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Paul Costello, Secretary