

1. CALL TO ORDER
2. ATTENDANCE
3. APPROVAL OF MINUTES OF OCTOBER 13, 2010 MEETING
4. COMMUNICATIONS

<u>SUBJECT & DATE RECEIVED</u> (mm/dd/yy)	<u>FROM - TO</u>	<u>DESCRIPTION</u>
a. Correspondence 10/18/10	Adam McNiece C & S	A-47-10 – Correspondence re appeal from Adam McNiece re Waterford Building Official’s conduct.
	ACTION: <u>See Appeal Hearings 8.n.</u>	
b. Correspondence 10/18/10	Donald Breuler C & S	Correspondence from Donald Breuler re Outdoor Wood Furnaces/wood smoke
	ACTION: _____	
c. Correspondence 10/22/10	George Davis C & S	A-43-10 - Correspondence re appeal from George Davis re State Building Inspector’s decision re M-521-10 re 34 Crescent Drive, East Hartford, CT
	ACTION: <u>See Appeal Hearings 8.k.</u>	
d. Correspondence	Neil Parille,	A-2-10 (A-E) – Summons re

10/25/10 Commissioner of Superior Court
C & S Appeal from Ron Nadeau re State Building Inspector's decision re:
a) M-957-09, 279 Dennison Ridge Drive, Manchester, CT
b) M-958-09, 99 Lorraine Road, Manchester, CT
c) M-959-09, 229 Jenny Cliff, Manchester, CT
d) M-960-09, 264 Kennedy Road, Manchester, CT
e) M-961-09, 68 Adelaide Road, Manchester, CT

ACTION: See Appeal Hearings 8.a.
On 11/10/10 Affidavit re Service of Appeal received

e. Request for appeal
10/25/10 Denise Sullivan
C & S **A-48-10** – Request for appeal from Denise Sullivan re State Building Inspector and Office of Protection and Advocacy's decision re W-52-10 re Naugatuck YMCA, 284 Church Street, Naugatuck, CT

ACTION: On 10/28/10 correspondence from from Lisa Humble;
On 10/28/10 correspondence from Lisa Humble
advising Dan Vernonick will represent her

f. Correspondence
10/27/10 Lisa Humble
C & S **A-44-10** – Request for appeal from Mark Blackburn and Lawrence Wenzel re State Building Inspector's decision re S-7-10 re Carriage Green, 77 Plains Road, Milford, CT

ACTION: See Appeal Hearings 8.l.

g. Correspondence 10/29/10	Robert Spitzler Donald Harwood	A-28-10 – Appeal of Robert Spitzler re Deputy State Fire Marshal’s decision re FM-0325-09 re Sixteen (16) Unit Apartment Building, 80 Hillside Avenue, Middletown, CT
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ACTION: See Appeal Hearings 8.c.
On 11/4/10 correspondence rec’d from appellant

h. Correspondence 11/1/10	Barry Rickert, OSFM C & S	A-41-10 – Appeal from Larry Wenzel, PE re Milford Fire Marshal’s decision re Carriage Green, 77 Plains Road, Milford, CT
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ACTION: See Appeal Hearings 8.i.

Motion for Executive Session:

Discussion of pending litigation: The State Building Inspector v. Codes and Standards Committee, representation and procedures

5. SUBCOMMITTEE REPORTS:

Codes Amendment Subcommittee:

Meeting was held on October 13, 2010. The meeting set for October 27, 2010 was cancelled due to lack of a quorum. Next meeting is set for **November 10, 2010 at 1:30 p.m.**

Public hearing re Amendment to the 2005 State Building Code to adopt the 2009 International Energy Conservation Code is set for **Wednesday, December 8, 2010 at 9:00 a.m.** in room 245.

Ethics/Procedural Regulations Subcommittee:

6. OLD BUSINESS

Janet Ainsworth and Marjorie Shansky are developing information to share with newest C& S members. Date/time to be determined.

7. NEW BUSINESS

- a. Staff Report**
- b. Fire Prevention Code Advisory Committee**
- c. Fire Marshal Training Council**

8. APPEAL HEARINGS

- a. A-2-10 (A-E). Request for appeal from Ron Nadeau re State Building Inspector's decision re:**
 - a) M-957-09, 279 Dennison Ridge Drive, Manchester, CT**
 - b) M-958-09, 99 Lorraine Road, Manchester, CT**
 - c) M-959-09, 229 Jenny Cliff, Manchester, CT**
 - d) M-960-09, 264 Kennedy Road, Manchester, CT**
 - e) M-961-09, 68 Adelaide Road, Manchester, CT**

Panel consists of John Butkus, Panel Chair; *Christopher Cozzi and Fred Wajcs. George Iskra is the alternate. *George Iskra will replace Christopher Cozzi due to schedule conflict. On January 6, 2010, correspondence received from Christopher Laux on behalf of Ron Nadeau. On January 11, 2010, supporting documentation received. On February 1, 2010, correspondence received from Lisa Humble, State Building Inspector. On February 2, 2010, letter sent to Lisa Humble, requesting copies of documents she referenced in her February 1, 2010 letter. On February 3, 2010, referenced documents received from Lisa Humble. On February 5, 2010, correspondence received from Lisa Humble. On February 4, 2010, correspondence received from Christopher Laux requesting 60 day postponement. On February 17, 2010, correspondence received from Lisa Humble. Hearing set for, February 16, 2010, was postponed at the request of Christopher Laux. On February 22, 2010, correspondence received from Jean Rexford, The Zac Foundation. On February 26, 2010, correspondence re formal objection received from Christopher Laux. On April 12, 2010, correspondence received from Christopher Laux and Lisa Humble. Hearing was held on April 14, 2010 and continued to May 4, 2010. Deliberations were held on May 11, 2010. Decision to be sent out within 90 days [by August 11, 2010]. Decision was sent out on August 10, 2010. On August 25, 2010 petition for reconsideration request received from Lisa Humble, State Building Inspector. On September 2, 2010, correspondence received from Christopher Laux. Special meeting re petition for reconsideration was held on September 14, 2010 at the Connecticut Forensic Science Laboratory. Decision to be sent out within 90 days [by December 14, 2010]. **Decision on Petition for Reconsideration was sent out on October 7, 2010. On October 25, 2010 Summons received from Neil Parille, Commissioner of Superior Court. On November 10, 2010, Affidavit re: Service of Appeal was received.**

- b. **A-20-10. Request for appeal from Paul Farnsworth re State Building Inspector and Office of Protection and Advocacy's decision re L-5-10 re 532 Boston Post Road, Milford, CT. No panel was set. As of May 12, 2010 hold pending reconsideration by State Building Inspector. On September 8, 2010, Lisa Humble, OSBI, stated their file was closed. On September 10, 2010 certified letter sent to appellant requesting status of appeal and to respond in writing by Friday, September 24, 2010. As of October 13, 2010 no information received from appellant. On October 13, 2010, Lisa Humble, Office of State Building Inspector advised she is reviewing a reconsideration request.**
- c. **A-28-10. Request for appeal from Robert Spitzler re Deputy State Fire Marshal's decision re FM-0325-09 re Sixteen (16) Unit Apartment Building, 80 Hillside Avenue, Middletown, CT. Panel consists of *Marjorie Shansky, Panel Chair; William Zoeller and John Jackman. Donald Harwood will be the alternate. Due to schedule conflict, Donald Harwood served as Panel Chair. On May 24, 2010 correspondence received from appellant. Hearing was held on June 16, 2010 and recessed. On 6/21/10 correspondence received from the Office of State Fire Marshal. Continuation hearing date set for July 13, 2010 was not held; on July 6, 2010, appellant requested postponement until September. Continuation hearing was held on September 22, 2010. Decision will be sent out within 90 days [by December 22, 2010]. On September 28, 2010, correspondence received from appellant; on September 29, 2010 certified letter sent to appellant requesting clarification and to respond in writing by October 8, 2010. Decision was sent out on September 29, 2010. As of October 13, 2010 no response received from appellant. A discussion of the full committee was held. Motion was made and seconded to close this appeal due to lack of action. All in favor, none opposed. Motion carried. On October 15, 2010, letter sent to appellant advising the Findings of Fact and Conclusions of Law decision remained in effect and that the appeal was now closed. On November 4, 2010 additional correspondence received from appellant.**
- d. **A-32-10. Request for appeal from Evan Hall re State Building Inspector's decision re M-322-10 re 522 Canterbury Turnpike, Norwich, CT. Panel consists of Glenn Neilson, Panel Chair; Louis Free and Robert Hanbury. Donald Harwood will be the alternate. On June 9, 2010, Lisa Humble advised additional information was submitted to her for reconsideration. On July 16, 2010, correspondence received from appellant requesting if hearing date had been set. On August 20, 2010 correspondence received from Lisa Humble advising Daniel Tierney will represent her for this appeal. Hearing was held on October 13, 2010. Decision will be sent out within 90 days [by January 13, 2011]. Decision was sent out on October 28, 2010.**

- e. **A-34-10. Request for appeal from Adam McNiece re Waterford Building Board of Appeals decision re 184 Oswegatchie Road, Waterford, CT.** Panel consists of Marjorie Shansky, Panel Chair; Andrew Rizzo, Jr. and Robert Hanbury. George Iskra will be the alternate. **Hearing was held on September 8, 2010. On August 25, 2010, correspondence received from appellant and was forwarded to appeal panel. On August 30, 2010 correspondence received from Frank Hoagland, Waterford Building Official. Deliberations are set for Wednesday, November 10, 2010 at 12:00 noon in room 348. On September 21, 2010 appellant requested deliberations date be rescheduled.**

- f. **A-35-10. Request for appeal from Christopher Laux re State Building Inspector's decision re M-271-09(C) re Mansions II, Buildings 49, 50, 52, 54, 56, 58, 59 and 60, 75 Hockanum Blvd., Vernon, CT. (Cross reference with fire code appeal A-36-10). Thomas DiBlasi is recused.** Panel consists of John Jackman, Panel Chair; Michael Sinsigalli and David McKinley. Donald Harwood will be the alternate. On June 23, 2010, secondary appeal (A-36-10) re Deputy State Fire Marshal's decision was filed. Appellant requested both appeals be heard at the same time. **On July 28, 2010 additional information received from Christopher Laux. On July 30, 2010 additional information received from Lisa Humble. This hearing will be heard concurrently with A-36-10. Hearing was set for Wednesday, November 10, 2010, at 11:00 a.m. in room 348.**

- g. **A-36-10. Request for appeal from Christopher Laux re Deputy State Fire Marshal's decision re FM-0152-09 re Mansions II, Buildings 49, 50, 52, 54, 56, 58, 59 and 60, 75 Hockanum Blvd., Vernon, CT. (Cross reference with building code appeal A-35-10).** Panel consists of John Jackman, Panel Chair; Michael Sinsigalli and David McKinley. Donald Harwood will be the alternate. **On June 23, 2010, secondary appeal (A-35-10) re State Building Inspector's decision was filed. Appellant requested both appeals be heard at the same time. On July 28, 2010 additional information received from Christopher Laux. This hearing will be heard concurrently with A-35-10. Hearing was set for Wednesday, November 10, 2010, at 11:00 a.m. in room 348.**

- h. **A-40-10. Request for appeal from Dennis Tetreault re State Building Inspector's decision re M-501-10 re Faith Tabernacle, 110 Utopia Road, Manchester, CT.** Panel consists of Michael Musco, Panel Chair; John Jackman and George Iskra. William Zoeller will be the alternate. **On August 17, 2010 correspondence received from Lisa Humble, State Building Inspector. On August 20, 2010 correspondence received from Lisa Humble advising Daniel Tierney will represent her for this appeal. Hearing was set for Wednesday, November 10, 2010 at 10:00 a.m. in room 348.**

- i. **A-41-10. Request for appeal from Larry Wenzel, PE re Milford Fire Marshal's decision re Carriage Green, 77 Plains Road, Milford, CT. Related appeal A-44-10. No panel was set. On June 10, 2010 referred to Barry Rickert, Office of State Fire Marshal (OSFM). On October 12, 2010 Legal Counsel sent status letter to OSFM. On November 1, 2010 correspondence received from Barry Rickert, OSFM.**
- j. **A-42-10. Request for appeal from Frank Bainer, Jr., re State Building Inspector's decision re M-332-10 re 381 Watertown Road, Middlebury, CT. Panel consists of Marjorie Shansky, Panel Chair; Robert Hanbury and Andrew Rizzo, Jr. Henry Miga will be the alternate. On September 22, 2010 correspondence received from Lisa Humble advising Daniel Tierney will represent her for this appeal. On September 23, 2010 additional information received from Lisa Humble. Hearing was held on October 13, 2010. On October 13, 2010 certified letter sent to interested parties stating briefs are to be received by close of business on November 12, 2010.**
- k. **A-43-10. Request for appeal from George Davis re State Building Inspector's decision re M-521-10 re 34 Crescent Drive, East Hartford, CT. Panel consists of Glenn Neilson, Panel Chair; Louis Free and Robert Hanbury. Christopher Cozzi will be the alternate. On August 26, 2010 correspondence received from Lisa Humble. On September 22, 2010 correspondence received from Lisa Humble advising Daniel Tierney will represent her for this appeal. Hearing was held on October 13, 2010 and recessed pending additional information. On October 13, 2010 certified letter sent to appellant to provide additional information by close of business on Tuesday, November 9, 2010. On October 22, 2010 correspondence received from appellant.**
- l. **A-44-10. Request for appeal from Mark Blackburn and Lawrence Wenzel re State Building Inspector's decision re S-7-10 re Carriage Green, 77 Plains Road, Milford, CT. No panel was set. Related appeal A-41-10. On September 1, 2010 documentation received from Lisa Humble, State Building Inspector. On September 15, 2010, documentation received from appellant. On September 27, 2010 information received from Lisa Humble. As of October 15, 2010, State Building Inspector is reviewing reconsideration request. On October 27, 2010, correspondence received from Lisa Humble.**
- m. **A-46-10 (A&B). Request for appeal from Donald Vaccaro re State Building Inspector's decision re M-488-10 re Ticket Network, 135-137 Bolton Road, Vernon, CT. On September 28, 2010 correspondence received from appellant. A discussion was held regarding timeliness. A motion to deny was made and seconded. All in favor, none opposed, no abstentions. Motion carried. On October 15, 2010 letter sent to appellant advising appeal was not processed as it was not timely filed.**

- n. **A-47-10. Request for appeal from Adam McNiece re Waterford Building Official's conduct. (Related appeal A-34-10).** Panel consists of Marjorie Shansky, Panel Chair; Andrew Rizzo, Jr. and Robert Hanbury. George Iskra will be the alternate. On September 27, 2010 correspondence sent to appellant requesting clarification; on October 5, 2010 correspondence received from appellant. **Hearing on aggrievement was set for Wednesday, November 10, 2010 at 12:00 and will be held at the same time as A-34-10 deliberations. On October 18, 2010 correspondence received from appellant.**

- o. **C-1-10. Correspondence from Mark Sommaruga, Esquire, re complaint request for revocation investigation re Shelton Building Official's license (Elliott Wilson).** No panel was set. On February 8, 2010, letters were sent to Robert Ross (Director, Division Fire Emergency and Building Services) and Attorney Dawn Hellier (Dept. Public Safety Legal Affairs) requesting staff assistance to conduct an investigation. On February 24, 2010, Barry Rickert, Deputy State Fire Marshal, advised an investigator (Sgt. Christopher Guari) had been assigned to this investigation. On February 26, 2010, correspondence received from Attorney Hellier, DPS, advising staff assistance was granted to conduct an investigation. **As of October 13, 2010, no additional information received. On October 13, 2010, Barry Rickert, OSFM, advised investigation is on-going.**

9. GOOD OF THE ORDER

Vote for officers will be held at the December meeting.

The next Codes and Standards Committee meeting is set for **December 8, 2010**, at 1:00 P.M.

10. ADJOURNMENT