

1. CALL TO ORDER

2. ATTENDANCE

3. APPROVAL OF MINUTES OF DECEMBER 8, 2010 MEETING

Note: Due to a snowstorm, the January 12, 2011 meeting was rescheduled to January 19, 2011.

Motion for Executive Session:

Discussion of pending litigation: The State Building Inspector v. Codes and Standards Committee, regarding CV-10-6007512, Judicial District of New Britain

4. COMMUNICATIONS

<u>SUBJECT & DATE RECEIVED</u> (mm/dd/yy)	<u>FROM - TO</u>	<u>DESCRIPTION</u>
a. Correspondence 12/13/10	George Davis C & S	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
	ACTION: <u>See Appeal Hearings 8.e.</u> <u>On 12/13/10 appellant withdrew appeal</u>	
b. Correspondence 12/7/10	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: <u>See Appeal Hearings 8.f.</u>	

c. Request for appeal
12/8/10

Bruce Spiewak
C & S

A-1-11 – Request for appeal from
Bruce Spiewak re Deputy State
Building Inspector’s decision re
M-794-10 re Yale University
School of Management, 165
Whitney Avenue, New Haven, CT

ACTION: _____

d. Request for appeal
12/8/10

Joseph Pierz, AIA
C & S

A-2-11 – Request for appeal of
Deputy State Fire Marshal’s
decision re FM-0260-10 re 156
Blakeman Place, Stratford, CT

ACTION: _____

e. Correspondence
12/15/10

Adam McNiece
C & S

A-50-10 – Correspondence re
appeal from Adam McNiece re
Waterford Board of Appeals
decision re Waterford Building
Official’s conduct

ACTION: See Appeal Hearings 8.h.

f. Request for appeal
12/15/10

Bonnie Nichols
C & S

A-3-11 – Request for appeal from
Bonnie Nichols re East Hartford
Building Board of Appeals decision
re 28 Highland Street, East
Hartford, CT

ACTION: _____

g. Correspondence
12/23/10

Barbara Sladek, Office of
Secretary of State
C & S

Correspondence re agency
regulation concerning Codes and
Standards Committee Procedures

ACTION: _____

h. Request for appeal
1/3/11

Stephen Sorrow
C & S

A-4-11 – Request for appeal from
Stephen Sorrow re State Building
Inspector’s decision re M-787-10 re
532 Hill St., Suffield, CT

ACTION: _____

i. Request for appeal
1/3/11

Bruce Anderson
C & S

A-5-11 – Request for appeal from
Bruce Anderson re State Building
Inspector’s decision re M-819-10
re 541 Indian Field Road,
Greenwich, CT

ACTION: _____

j. Correspondence
1/5/11

Rick Martin
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: See Appeal Hearings 8.f.

k. Correspondence
1/5/11

Paul Farnsworth
C & S

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

ACTION: See Appeal Hearings 8.b.
On 1/5/11 appellant withdrew appeal

l. Correspondence
1/6/11

Terry Brouwer, OSFM
C & S

Correspondence re Proposed Change – CT State Fire Safety Code

ACTION: _____

5. SUBCOMMITTEE REPORTS:

Codes Amendment Subcommittee: Next meeting is set for January 19, 2011.

Ethics/Procedural Regulations Subcommittee:

6. OLD BUSINESS

a. 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

d. Building Code Training Council

- e. **Residential Sprinkler Work Group** (Rob Ross) First meeting will be on January 19, 2011, from 9:00-11:00 am in room 245.

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. **On December 22, 2010 certified letter sent to appellant requesting status of appeal and to respond in writing by January 5, 2011. On January 5, 2011 appellant withdrew appeal.**
- c. **A-41-10 (A&B). Request for appeal from Larry Wenzel, PE re A) Milford Fire Marshal's decision and B) Assistant 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. On December 1, 2010, certified letter sent to appellant requesting status of appeal and to respond in writing by December 7, 2010. On December 7, 2010 correspondence received from Mark Blackburn requesting appeal go forward. **On December 9, 2010 referred to OSFM for review.**
- d. **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. *Robert Hanbury replaced Marjorie Shansky as Panel Chair due to schedule conflict. 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. On November 12, 2010, briefs received from appellant. On November 16, 2010 correspondence received from Lisa Humble, State Building Inspector. Deliberations were held on January 6, 2011. **Decision will be sent out within 90 days [by April 6, 2011].**

- e. **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. Hearing continued to December 8, 2010 was not held; on December 8, 2010 appellant gave verbal withdrawal as Lisa Humble, OSBI, granted reconsideration. Appellant will follow up with withdrawal in writing. **On December 13, 2010 correspondence received from appellant withdrawing appeal.**

- f. **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.** Panel consists of Robert Hanbury, Panel Chair; Andrew Rizzo, Jr. and David McKinley. Irving Moy will be the alternate. On December 7, 2010 correspondence received from appellant. **Hearing was held on December 8, 2010 and recessed pending possible resolution. On January 5, 2011 correspondence received from Rick Martin.**

- g. **A-49-10 (A&B). Request for appeal from Joseph Pierz, AIA, re Deputy State Fire marshal's decision re A) FM-0385-09 re 313 Washington Street, New Britain, CT and B) FM-0386-09 re 313 Washington Street, New Britain, CT.** Panel consists of Henry Miga, Panel Chair; Donald Harwood and Michael Sinsigalli. Irving Moy will be the alternate. **Due to snowstorm, hearing that was set for January 12, 2011 was rescheduled to Wednesday, January 19, 2011, at 11:00 a.m. in room 348.**

- h. **A-50-10. Request for appeal from Adam McNiece re Waterford Board of Appeals decision re Waterford Building Official's conduct. Related appeal is A-47-10.** Panel consists of Marjorie Shansky, Panel Chair; Robert Hanbury and Andrew Rizzo, Jr. Irving Moy will be the alternate. On December 8, 2010 correspondence received from appellant. **Hearing was held on January 6, 2011. Decision will be sent out within 90 days [by April 6, 2011].**

- i. **C-1-10. Correspondence from Mark Sommaruga, Esquire, re complaint request for revocation investigation re Shelton Building Official's license (Elliott Wilson).** Panel was set on November 10, 2010. Panel consists of Donald Harwood, Panel Chair; Louis Free and Andrew Rizzo, Jr. Irving Moy will be the alternate. 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.

On November 10, 2010, Rob Ross submitted the Office of State Fire Marshal's investigative report regarding the Shelton Building Official [re C-1-10] to Codes and Standards for appropriate action. **Barry Rickert advised the Committee that his office is working on an addendum to this report and should provide it approximately the first or second week of December. Janet Ainsworth advised a compliance conference (per CGS 4-182(c)) should be scheduled prior to a hearing. Barry Rickert advised that Investigator John Sawyer, OSFM, will do the compliance conference and Barry will notify John Sawyer of same. As of December 22, 2010, no additional information received.**

9. GOOD OF THE ORDER

All ID badges are being replaced. Please plan to have your photo taken on **Wednesday, January 19, 2011, between 11:30 – 1:00 p.m.** at the Office of Education and Data Management.

The next Codes and Standards Committee meeting is set for **February 9, 2011**, at 1:00 P.M.

10. ADJOURNMENT