

STATE CODES AND STANDARDS COMMITTEE
AGENDA

March 9, 2011
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1. CALL TO ORDER
2. ATTENDANCE
3. APPROVAL OF MINUTES OF FEBRUARY 9, 2011 MEETING
4. COMMUNICATIONS

<u>SUBJECT & DATE RECEIVED</u> (mm/dd/yy)	<u>FROM - TO</u>	<u>DESCRIPTION</u>
a. Correspondence 2/16/11	Michael Sykes C & S	A-6-11 – Request for appeal from Michael Sykes re State Building Inspector’s decision re M-862-10 re 429 Cornwall Bridge Road, Sharon, CT
	ACTION: <u>See Appeal Hearings 8.i.</u> <u>On 2/16/11 appellant withdrew appeal</u>	
b. Request for appeal 2/14/11	Edward Howland C & S	A-9-11 – Request for appeal from Edward Howland re State Building Inspector’s decision re M-44-11 re 67 Dean Road, New Milford, CT
	ACTION: <u>On 2/18/11 Correspondence from Lisa Humble</u> <u>advising Dan Tierney will represent her</u>	
c. Correspondence 2/9/11	Donald Mitchell, Chatham Health District C & S	Correspondence re Radon Resistant New Construction (RRNC)
	ACTION: _____ _____	

d. Correspondence 2/17/11	Mark Blackburn C & S	A-41-10 – Request for 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.a.
On 2/17/11 appeal was withdrawn

e. Correspondence 3/3/11	Denise Sullivan Robert Hanbury	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
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ACTION: See Appeal Hearings 8.b.

f. Correspondence 3/7/11	Daniel Lynch, Jr., Esq. 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
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ACTION: See Appeal Hearings 8.g.

5. SUBCOMMITTEE REPORTS:

Codes Amendment Subcommittee: Meetings were held on February 16 and 23, 2011. Next meeting is scheduled for March 9, 2011.

Ethics/Procedural Regulations Subcommittee:

6. OLD BUSINESS

a. Janet Ainsworth is reviewing training information.

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) A presentation by NFPA and ICC representatives was held on February 22, 2011.

8. APPEAL HEARINGS

- a. **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.** Panel consists of John Jackman, Panel Chair; Thomas DiBlasi and Robert Hanbury. William Zoeller will be the alternate. 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. Joseph Kingston, OSFM, advised he would forward OSFM's decision to Codes and Standards; hearing date will be set once this is received. On January 26, 2011 correspondence received from Barry Rickert, OSFM. Hearing set for March 9, 2011 was cancelled; appellant withdrew appeal on February 17, 2011.**
- b. **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 (interested person). On February 18, 2011 certified letter sent to appellant requesting status of appeal and to respond in writing by March 4, 2011. On March 7, 2011, correspondence received from appellant requesting appeal remain open.**

- c. **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 January 19, 2011. Briefs are to be received by close of business on February 2, 2011. On February 2, 2011 briefs received from appellant. **Deliberations were held on February 9, 2011; the appeal hearing may be reopened to accept additional information. Decision will be sent out within 90 days [by May 9, 2011].**

- d. **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].**

- e. **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.** George Iskra, Michael Musco, Andrew Rizzo, Jr., and Marjorie Shansky are recused. Panel consists of John Jackman, Panel Chair; Michael Sinsigalli and Donald Harwood. Irving Moy will be the alternate. **The State Building Inspector, Lisa Humble, was reconsidering her decision. On February 9, 2011, Lisa Humble advised she reaffirmed her denial. Hearing was set for Wednesday, March 23, 2011 at 11:00 a.m. in room 348.**

- f. **A-2-11. Request for appeal from Joseph Pierz, AIA, re Deputy State Fire Marshal's decision re FM-0260-10 re 156 Blakeman Place, Stratford, CT.** Panel consists of Henry Miga, Panel Chair; Michael Sinsigalli and Louis Free. Fred Wajcs, Jr. will be the alternate. **Hearing was held on February 16, 2011. Decision will be sent out within 90 days [by May 16, 2011].**

- g. **A-3-11. Request for appeal from Bonnie Nichols re East Hartford Building Board of Appeals decision re 28 Highland Street, East Hartford, CT.** Panel consists of Marjorie Shansky, Panel Chair; *Andrew Rizzo, Jr. and Christopher Cozzi. Irving Moy will be the alternate. *Due to conflict, Irving Moy will serve as panel member. Andrew Rizzo, Jr. is recused. **On February 9, 2011 panel revised to: Marjorie Shansky, Panel Chair; Christopher Cozzi and Irving Moy. Fred Wajcs, Jr. will be the alternate. Hearing set for Wednesday, February 9, 2011 was postponed due to schedule conflict of a panel member. Aggrievement hearing was rescheduled to Wednesday, March 9, 2011 at 10:00 a.m. in room 348. On March 7, 2011 correspondence received from Daniel Lynch, Jr., Esquire.**

- h. A-4-11. Request for appeal from Stephen Sorrow re State Building Inspector's decision re M-787-10 re 532 Hill Street, Suffield, CT.** Glen Neilson is recused. Panel consists of John Butkus, Panel Chair; George Iskra and Michael Musco. Donald Harwood will be the alternate. **Hearing was held on February 9, 2011. Decision will be sent out within 90 days [by May 9, 2011].**
- i. A-6-11. Request for appeal from Michael Sykes re State Building Inspector's decision re M-862-10 re 429 Cornwall Bridge Road, Sharon, CT.** No panel was set. On January 27, 2011 correspondence received from Lisa Humble, OSBI, advising that Daniel Tierney will represent her for this appeal. **On February 9, 2011 Lisa Humble advised that she had granted a reconsideration. On February 16, 2011 appellant withdrew appeal.**
- j. A-7-11 (A&B). Request for appeal from Rick Chambers re State Building Inspector's decision re M-855-10 (A&B) re Trump Parc Stamford, 1 Broad Street, Stamford, CT.** Michael Musco is recused. On February 7, 2011 correspondence received from Lisa Humble, OSBI, advising Dan Tierney will represent her on this appeal. Panel consists of Glenn Neilson, Panel Chair; George Iskra and John Jackman. Donald Harwood will be the alternate. **Hearing was set for Wednesday, April 13, 2011 at 11:30 a.m. in room 348.**
- k. A-8-11. Request for appeal from Sara Jacob re State Building Inspector's decision re M-21-11 re 34 Intervale Road, Stamford, CT.** On February 7, 2011 correspondence from Lisa Humble advising Dan Tierney will represent her on this appeal. Panel consists of Louis Free, Panel Chair; Andrew Rizzo, Jr. and Henry Miga. William Zoeller will be the alternate. **Hearing was set for Wednesday, March 16, 2011 at 11:00 a.m. in room 348.**
- l. 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 January 18, 2011, no additional information received. **On January 19, 2011 Barry Rickert, OSFM, advised that OSFM's report was complete and could be forwarded to the appeal panel. On January 26, 2011, letter sent to Barry Rickert, OSFM, requesting clarification if a compliance conference had occurred. On February 9, 2011 the Committee verbally requested Barry Rickert, OSFM, to respond in writing to their January 26, 2011 letter re compliance conference.**

9. GOOD OF THE ORDER

The next Codes and Standards Committee meeting is set for **April 13, 2011**, at 1:00 P.M.

10. ADJOURNMENT

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