

**STATE CODES AND STANDARDS COMMITTEE
MINUTES**

September 8, 2010

1. The Vice-Chair called to order the regular meeting of the State Codes and Standards Committee. The meeting was held in the third floor conference room (room 348) at 1111 Country Club Road, Middletown, Connecticut.

2. **In Attendance:**

- Michael Musco, Vice-Chair
- Donald Harwood, Secretary
- Christopher Cozzi
- Louis Free
- Robert Hanbury
- George Iskra
- John Jackman
- David McKinley
- Henry Miga
- Irving Moy
- Glenn Neilson
- Andrew Rizzo, Jr.
- Michael Sinsigalli
- Fred Wajcs, Jr.
- William Zoeller

Also Present:

- Janet Ainsworth, DPS Legal Counsel
- Lisa Humble, OSBI
- Daniel Veronick, OSBI
- Barry Rickert, OSFM

3. Attendance was taken and a quorum was present. A motion was made and seconded to accept the minutes of the August 11, 2010 meeting. All in favor. None opposed.

4. COMMUNICATIONS

a. **A-30-10. Correspondence from Lisa Humble re appeal from Paul Farnsworth re State Building Inspector and Office of Protection and Advocacy's decision re L-8-10 re Greater Norwalk Area Credit Union, 12 Fitch Street, Norwalk, CT. See Appeal Hearings 8.k. Forwarded to appeal panel.**

- b. A-40-10. Correspondence from Lisa Humble re appeal from Dennis Tetreault re State Building Inspector's decision re M-501-10 re Faith Tabernacle, 110 Utopia Road, Manchester, CT. See Appeal Hearings 8.t. Forwarded to appeal panel. On August 20, 2010, correspondence received from Lisa Humble advising that Daniel Tierney will represent her for this appeal.**
- c. A-32-10. Correspondence from Lisa Humble re appeal from Evan Hall re State Building Inspector's decision re M-322-10 re 522 Canterbury Turnpike, Norwich, CT. See Appeal Hearings 8.m. On August 20, 2010 correspondence received from Lisa Humble advising Daniel Tierney will represent her for this appeal.**
- d. A-34-10. Correspondence from Adam McNiece re appeal from Adam McNiece re Waterford Building Board of Appeals decision re 184 Oswegatchie Road, Waterford, CT. See Appeal Hearings 8.n. On August 25, 2010 forwarded to appeal panel.**
- e. A-2-10 (A-E). Request for reconsideration from Lisa Humble, State Building Inspector, re appeal of State Building Inspector's decision re**
 - a) M-957-09, 279 Dennison Ridge Dr., 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 Rd., Manchester, CT**
 - e) M-961-09, 68 Adelaide Rd., Manchester, CT****See Appeal Hearings 8.a. On August 25, 2010 forwarded to appeal panel. On September 2, 2010, correspondence received from Christopher Laux.**
- f. 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. Hearing was set for Wednesday, October 13, 2010 at 9:00 a.m. in room 348.**
- g. A-39-10. Request for appeal from Gregory Gravel re State Building Inspector and Office of Protection and Advocacy's decision re W-17-10R re Whitney Center, 200 Leeder Hill Drive, Hamden, CT. See Appeal Hearings 8.s. On August 25, 2010 appellant withdrew appeal.**
- h. 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. Hearing was set for Wednesday, October 13, 2010 at 12:00 p.m. in room 348.**

- i. **A-38-10. Request for appeal from Karl and Katherine Schulze re State Building Inspector's decision re M-374-10 re 129 Stonehedge Drive North, Greenwich, CT. See Appeal Hearings 8.r. On August 27, 2010 appellant withdrew appeal.**
- j. **A-34-10. Request for appeal from Adam McNiece re Waterford Building Board of Appeals decision re 184 Oswegatchie Road, Waterford, CT. See Appeal Hearings 8.n.**
- k. **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 (See Appeal Hearings 8.u.) On September 1, 2010 documentation received from Lisa Humble, State Building Inspector. Legal Counsel to review. Hold on agenda.**
- l. **A-21-10. Correspondence from Paul Farnsworth re appeal re State Building Inspector and Office of Protection and Advocacy's decision re L-6-10 re 295 Washington Office Center, 295 Washington Avenue, Hamden, CT. See Appeal Hearings 8.g. On September 1, 2010 appellant withdrew appeal.**
- m. **A-22-10. Correspondence from Paul Farnsworth re State Building Inspector and Office of Protection and Advocacy's decision re L-7-10 re 299 Washington Office Center, 299 Washington Avenue, Hamden, CT. See Appeal Hearings 8.h. On September 1, 2010 appellant withdrew appeal.**
- n. **A-13-10. Correspondence from Paul Farnsworth re State Building Inspector's decision re M-804-09R re Waterbury PAL Learning Center, 58 Griggs Street, Waterbury, CT. See Appeal Hearings 8.d. On September 7, 2010 appellant withdrew appeal.**

5. SUBCOMMITTEE REPORTS

Codes Amendment Subcommittee: Subcommittee met on August 11, 2010 and August 25, 2010. On September 8, 2010 subcommittee will be taking technical assistance and public comment regarding the International Residential Code, R313 Residential Sprinklers.

The International Energy Conservation Code (IECC) is in the review process by the Governor's Office. A discussion was held regarding Leadership in Energy and Environmental Design (LEED) and Green Globes.

The next meeting is scheduled for **Wednesday, September 22, 2010, at 1:00 p.m.** in room 348.

Ethics/Procedural Regulations Subcommittee: Louis Free reported that a tentative October meeting is planned to discuss appeal hearing issues.

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

Lisa Humble discussed the increased correspondence she is submitting to Codes and Standards re supporting documentation from the Office of the State Building Inspector's (OSBI) files regarding appeals before Codes and Standards and OSBI staff she is assigning to represent her at hearings. She advised that she has begun training programs with the Office of Education and Data Management. She stated OSBI has 9 building projects under construction at this time.

Barry Rickert, Deputy State Fire Marshal, stated pre-certification training started on September 8, 2010. He briefly discussed that the Office of the State Fire Marshal had been inspecting state dormitories.

Janet Ainsworth discussed the IECC review. Joanne Cavaiuolo advised staff was limited this week due to vacation schedule.

b. Fire Prevention Code Advisory Committee There was no report.

c. Fire Marshal Training Council Don Harwood advised the September 9, 2010 meeting was postponed.

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 request for reconsideration received from Lisa Humble, State Building Inspector. On September 2, 2010, correspondence received from Christopher Laux. Special meeting was set for Tuesday, September 14, 2010 at 9:00 a.m. at the Connecticut Forensic Science Laboratory. Hold on agenda.**

- b. A-8-10. Request for appeal from David Reif, Esquire, re State Building Inspector's decision re M-27-10 re The Coplex Sports Domain, 147 Torrington Road, Winsted, CT.** Panel consists of Thomas DiBlasi, Panel Chair; Louis Free and *Marjorie Shansky. Henry Miga will be the alternate. *Marjorie Shansky is recused and Henry Miga will serve effective March 10, 2010. On February 23, 2010, correspondence received from Lisa Humble, OSBI, advising Daniel Tierney will represent her for this appeal. **On March 5, 2010, correspondence received from Charles Ray, Esquire. Hearing set for April 14, 2010, was postponed; on April 13, 2010, appellant requested postponement. Hearing rescheduled to June 9, 2010, was postponed; on June 6, 2010, David Reif, appellant's attorney, requested second postponement pending possible mid-June resolution. Hearing was rescheduled to July 14, 2010 and was postponed; on July 7, 2010, appellant requested third postponement. This final postponement was granted. Hearing rescheduled and was held on September 8, 2010. Decision will be sent out within 90 days [by December 8, 2010].**
- c. A-9-10. Request for appeal from Richard Canova re State Building Inspector's decision re S-02-10 re 44 Dina Lane, Griswold, CT.** Panel consists of Marjorie Shansky, Panel Chair; Louis Free and Andrew Rizzo, Jr. John Jackman will be the alternate. On March 8, 2010, correspondence received from Richard Canova. **Hearing was held on May 12, 2010. Deliberations were held on August 11, 2010. Decision will be sent out within 90 days [by November 11, 2010]. Decision was sent out on August 31, 2010. Remove from agenda.**
- d. A-13-10. Request for appeal from Paul Farnsworth re State Building Inspector's decision re M-804-09R re Waterbury PAL Learning Center, 58 Griggs Street, Waterbury, CT.** Panel consists of Michael Musco, Panel Chair; Andrew Rizzo, Jr. and William Zoeller. Christopher Cozzi will be the alternate. **Hearing set for May 26, 2010 was cancelled per Michael Musco, Panel Chair, due to lack of jurisdiction. Committee Chair advised to remove from agenda; revised to, "Hold on agenda" per Legal Counsel review. Deliberations re jurisdiction over the subject of this appeal set for September 8, 2010, was cancelled; on September 7, 2010, appellant withdrew appeal. Remove from agenda.**
- e. A-19-10. Request for appeal from Edward Smith II re State Building Inspector's decision re M-231-10 re 25 Bainton Road, West Hartford, CT.** Panel consists of Glenn Neilson, Panel Chair; Louis Free and Robert Hanbury. Christopher Cozzi will be the alternate. **Hearing was held on August 11, 2010, and recessed pending action on the Appellant's reconsideration request by the State Building Inspector. Send status letter.**

- f. 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. Send status letter.**
- g. A-21-10. Request for appeal from Paul Farnsworth re State Building Inspector and Office of Protection and Advocacy's decision re L-6-10 re 295 Washington Office Center, 295 Washington Avenue, Hamden, CT. No panel was set. As of May 12, 2010, hold pending reconsideration by State Building Inspector. On August 18, 2010 certified letter sent to appellant requesting status of appeal and to respond in writing by September 1, 2010. On September 1, 2010 appellant withdrew appeal. Remove from agenda.**
- h. A-22-10. Request for appeal from Paul Farnsworth re State Building Inspector and Office of Protection and Advocacy's decision re L-7-10 re 299 Washington Office Center, 299 Washington Avenue, Hamden, CT. No panel was set. As of May 12, 2010, hold pending reconsideration by State Building Inspector. On August 18, 2010 certified letter sent to appellant requesting status of appeal and to respond in writing by September 1, 2010. On September 1, 2010 appellant withdrew appeal. Remove from agenda.**
- i. A-25-10(A&B). Request for appeal from Glenn Arbonies, AIA, re State Building Inspector's decision re M-230-10 (B&C) re UCONN Wilbur Cross Student Services Center, 233 Glenbrook Road, Storrs, CT. Marjorie Shansky and Louis Free are recused. No panel was set. On May 10, 2010 correspondence received from Lisa Humble, OSBI, advising Daniel Tierney will represent her for this appeal. On May 12, 2010 Lisa Humble advised she is considering additional information received from appellant. On September 8, 2010, Lisa Humble stated OSBI granted the reconsideration. Send status letter.**
- j. 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 date set for Wednesday, September 22, 2010, at 11:00 a.m. in room 348. Hold on agenda.**

- k. A-30-10. Request for appeal from Paul Farnsworth re State Building Inspector and Office of Protection and Advocacy's decision re L-8-10 re Greater Norwalk Area Credit Union, 12 Fitch Street, Norwalk, CT.** Panel consists of Andrew Rizzo, Jr., Panel Chair; Henry Miga and Louis Free. Marjorie Shansky will be the alternate. **Hearing was set for Wednesday, September 8, 2010, at 9:00 a.m. in room 348. On August 17, 2010, correspondence received from Lisa Humble, State Building Inspector. Decision to be sent out within 90 days [by December 8, 2010].**
- l. A-31-10. Request for appeal from Sean O'Connor re State Building Inspector's decision re M-296-10 re 87 Welles Drive, Newington, CT.** Panel consists of Glenn Neilson, Panel Chair; Robert Hanbury and Louis Free. Thomas DiBlasi will be the alternate. **On June 11, 2010 correspondence received from appellant. On June 14, 2010 correspondence received from Lisa Humble, State Building Inspector. On June 14, 2010 correspondence received from Lisa Humble advising Daniel Tierney will represent her for this appeal. Hearing was held on August 11, 2010. Decision will be sent out within 90 days [by November 11, 2010]. Decision was sent out on August 24, 2010. Remove from agenda.**
- m. 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. **Hearing was set for Wednesday, October 13, 2010, at 10:00 a.m. in room 348. On August 20, 2010 correspondence received from Lisa Humble advising Daniel Tierney will represent her for this appeal. Hold on agenda.**
- n. 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 set for Wednesday, September 8, 2010 at 10:00 a.m. in room 348. 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. Deliberation date needs to be set.**

- o. 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. 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. On July 28, 2010 additional information received from Christopher Laux. On July 30, 2010 additional information received from Lisa Humble. Hold on agenda.**
- p. 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. 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. On July 28, 2010 additional information received from Christopher Laux. Hold on agenda.**
- q. A-37-10. Request for appeal from Robert Mocarsky, AIA, re State Building Inspector's decision re M-366-10 re Osterman and Company, 726 South Main Street, Cheshire, CT. Panel consists of Henry Miga, Panel Chair; Glenn Neilson and Robert Hanbury. Anthony Rizzo, Jr., will be the alternate. Hearing was set for Wednesday, October 13, 2010, at 11:00 a.m. in room 348. On June 30, 2010 supporting documentation and correspondence from Lisa Humble advising Daniel Tierney will represent her for this appeal. Hold on agenda.**
- r. A-38-10. Request for appeal from Karl and Katherine Schulze re State Building Inspector's decision re M-374-10 re 129 Stonehedge Drive North, Greenwich, CT. Panel consists of Thomas DiBlasi, Panel Chair; Fred Wajcs, Jr., and William Zoeller. Henry Miga will be the alternate. On June 30, 2010 supporting documentation and correspondence was received from Lisa Humble advising that Daniel Tierney will represent her for this appeal. Hearing set for October 27, 2010 was not held; on August 27, 2010 appellant withdrew appeal. Remove from agenda.**

- s. **A-39-10. Request for appeal from Gregory Gravel re State Building Inspector and Office of Protection and Advocacy's decision re W-17-10R re Whitney Center, 200 Leeder Hill Drive, Hamden, CT. Panel was not set. On August 25, 2010 appellant withdrew appeal. Remove from agenda.**
- t. **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. Hearing was set for Wednesday, November 10, 2010 at 10:00 a.m. in room 348. 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. Hold on agenda.**
- u. **A-41-10. Request for appeal from Larry Wenzel, PE re Milford Fire Marshal's decision re Carriage Green, 77 Plains Road, Milford, CT. No panel was set. On June 10, 2010 referred to Barry Rickert, Office of State Fire Marshal. Legal Counsel to review. Hold on agenda.**
- v. **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 September 7, 2010, no additional information received. Hold on agenda.**

9. GOOD OF THE ORDER

The 2011 Codes and Standards Monthly Meeting Dates have been posted to the website.

10. ADJOURNMENT

There being no further business, a motion to adjourn was made, seconded and approved unanimously. The meeting was adjourned.

The next Codes and Standards Committee meeting is set for **Wednesday, October 13, 2010, at 1:00 p.m.**

Donald Harwood, Secretary