

**STATE CODES AND STANDARDS COMMITTEE
MINUTES**

October 13, 2010

1. The 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:**

- John Butkus, Panel Chair
- Donald Harwood, Secretary
- Christopher Cozzi
- Thomas DiBlasi
- Louis Free
- Robert Hanbury
- George Iskra
- John Jackman
- David McKinley
- Henry Miga
- Glenn Neilson
- Andrew Rizzo, Jr.
- Marjorie Shansky
- Michael Sinsigalli
- Fred Wajcs, Jr.
- William Zoeller

Also Present:

- Janet Ainsworth, DPS Legal Counsel
- Lisa Humble, OSBI
- Joseph Kingston, OSFM
- Barry Rickert, OSFM
- 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 September 8, 2010 meeting. All in favor. None opposed.

4. COMMUNICATIONS

a. **A-45-10. Request for appeal from Douglas Golden re State Building Inspector's decision re M-585-10 re Royal Bank of Scotland, Castlerock GBM Building, 600 Washington Blvd., Stamford, CT. On September 20, 2010 appellant withdrew appeal.**

- b. A-37-10. Correspondence from Robert Mocarsky re 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. See Appeal Hearings 8.l. On September 13, 2010 appellant withdrew appeal.**
- c. 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.**
- d. A-44-10. Correspondence from Mark Blackburn re 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. See Appeal Hearings 8.q. On September 15, 2010 documentation received from appellant. On September 27, 2010 information received from Lisa Humble.**
- e. A-25-10 (A&B). Correspondence from Glenn Arbonies re appeal from Glenn Arbonies re State Building Inspector's decision re M-230-10 (B&C) re UCONN-Wilbur Cross Student Services Center, 233 Glennbrook Road, Storrs, CT. See Appeal Hearings 8.e. On September 15, 2010 appellant withdrew appeal.**
- f. A-19-10. Correspondence from Edward Smith II re appeal from Edward Smith II re State Building Inspector's decision re M-231-10 re 25 Bainton Road, West Hartford, CT. See Appeal Hearings 8.c. On September 17, 2010 appellant withdrew appeal.**
- g. 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.i.**
- h. A-42-10. Correspondence from Lisa Humble re appeal from Frank Bainer, Jr. re State Building Inspector's decision re M-332-10 re 381 Watertown Road, Middlebury, CT. See Appeal Hearings 8.o. On September 23, 2010 correspondence received from Lisa Humble.**
- i. A-43-10. Correspondence from Lisa Humble re appeal from George Davis re State Building Inspector's decision re M-521-10 re 34 Crescent Drive, East Hartford, CT. See Appeal Hearings 8.p.**

- j. **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.**

- k. **A-28-10. Correspondence from Robert Spitzler re 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. See Appeal Hearings 8.f.**

5. SUBCOMMITTEE REPORTS

Codes Amendment Subcommittee: Subcommittee met on September 8 and 22, 2010. Subcommittee reviewed the proposed International Energy Conservation Code (IECC) in reference to "green" references. Lisa Humble discussed the International Residential Code (IRC) with reference to sprinklers. John Butkus endorsed Lisa Humble's proposal specific to the language added to the IECC update that makes us compliant with the sustainability statute. This subcommittee will begin the IRC review process.

The next meeting is scheduled for **Wednesday, October 27, 2010, at 1:00 p.m.** in room 348.

Ethics/Procedural Regulations Subcommittee: Meeting was not held on October 6, 2010 re appeal hearing issues. The meeting was rescheduled for **Wednesday, December 8, 2010 at 12:00 p.m. in room 348.**

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

There was no report from the Office of the State Building Inspector or the Office of the State Fire Marshal. Janet Ainsworth stated the procedural regulations are now effective. Items discussed included December elections, February was added as a monthly meeting date and the Office of the State Fire Marshal's review process is now the same as the Office of State Building Inspector's resolution process.

- b. **Fire Prevention Code Advisory Committee** There was no report.
- c. **Fire Marshal Training Council** Don Harwood advised that the council will be meeting next week.

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. 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]. Decision was sent out on September 29, 2010. Remove from agenda.**
- c. 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. On September 10, 2010 certified letter sent to appellant requesting status of appeal and to respond in writing by Friday, September 24, 2010. On September 17, 2010, appellant withdrew appeal. Remove from agenda.**
- d. 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. **Hold on agenda.**

- e. **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. On September 10, 2010 certified letter sent to appellant requesting status of appeal and to respond in writing by September 24, 2010. On September 15, 2010 appellant withdrew appeal. Remove from agenda.**

- f. **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.**

- g. **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]. Decision was sent out on September 22, 2010. Remove from agenda.**

- h. 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]. Hold on agenda.**
- i. 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 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. 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. Hold on agenda.**
- j. 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. Hold on agenda.**
- k. 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. Hold on agenda.**

- l. A-37-10. Request for appeal from Robert Mocarisky, 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. On September 13, 2010, appellant withdrew appeal. Remove from agenda.**
- m. 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. Hold on agenda.**
- n. 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. Hold on agenda.**
- o. 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. Hold on agenda.**
- p. 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. Hold on agenda.**

- q. **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. Hold on agenda.**
- r. **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. Hold on agenda.**

9. GOOD OF THE ORDER

Robert Hanbury was recognized for his "EPA Lead Paint Rule" example with was highlighted in *Fine Home Building* magazine. Louis Free was named Design Professional of the Year by the Connecticut Association of General Contractors. Marjorie Shansky, Donald Harwood and John Butkus were wished happy birthday.

A reminder to members that the vote for officers is set for the December meeting.

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, November 10, 2010, at 1:00 p.m.**

Donald Harwood, Secretary