

**STATE CODES AND STANDARDS COMMITTEE  
MINUTES**

**February 9, 2011**

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:**

- Louis Free, Chair
- Henry Miga, Vice Chair
- John Butkus
- Thomas DiBlasi
- Donald Harwood
- George Iskra
- John Jackman
- David McKinley
- Irving Moy
- Michael Musco
- Glenn Neilson
- Andrew Rizzo, Jr.
- Michael Sinsigalli
- Fred Wajcs, Jr.
- William Zoeller

**Also Present:**

- Robert Ross, DFEBs
- Lisa Humble, OSBI
- Barry Rickert, OSFM
- Terry Trentholm, OSFM
- Bruce Spiewak, AIA CT
- Diane Harp Jones, AIA CT
- Janet Ainsworth, DPS Legal Counsel

3. Attendance was taken and a quorum was present. A motion was made and seconded to accept the minutes of the January 19, 2011 meeting. All in favor. None opposed. Motion carried.

#### **4. COMMUNICATIONS**

- a. **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. Send status letter to appellant. Hold on agenda.**
- b. **A-41-10. Correspondence from Barry Rickert, OSFM, re request for appeal from Larry Wenzel, PE re Milford Fire Marshal's decision re Carriage Green, 77 Plains Road, Milford, CT. See Appeal Hearings 8.a. Hold on agenda.**
- c. **A-49-10 (A&B). Correspondence from Joseph Pierz re request for appeal from Joseph Pierz, AIA, re Deputy State Fire Marshal's decision re:  
A) FM-0385-09 re 313 Washington St., New Britain, CT  
B) FM-0386-09 re 313 Washington St., New Britain, CT  
See Appeal Hearings 8.d. On February 2, 2011 briefs received from appellant.**
- d. **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.**
- e. **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.**
- f. **A-5-11. Correspondence from Bruce Anderson re request for appeal from Bruce Anderson re State Building Inspector's decision re M-819-10 re 541 Indian Field Road, Greenwich, CT. See Appeal Hearings 8.j. On February 7, 2011 appellant withdrew appeal. Remove from agenda.**

## **5. SUBCOMMITTEE REPORTS**

**Codes Amendment Subcommittee:** Meeting was held on January 19, 2011. Meetings were cancelled on January 26<sup>th</sup> and February 2, 2011 due to weather. Louis Free advised the subcommittee will meet today at the conclusion of the Codes and Standards meeting and will review the 2009 International Energy Conservation Code.

The next meeting is scheduled for **February 16, 2011 at 1:00 p.m.** in room 348.

**Ethics/Procedural Regulations Subcommittee:** Janet Ainsworth advised she is reviewing the training manual for Codes and Standards members.

## **6. OLD BUSINESS**

- a. Janet is updating the training manual. A paper copy and a scanned version may be available for members at a later date.

## **7. NEW BUSINESS:**

### **a. Staff Report**

Robert Ross briefly discussed recent roof failures due to snow loads. A map, *Building Roof Collapses and Issues Reported as of Feb. 8, 2011*, was distributed. This map was developed by the Connecticut Department of Emergency Management and Homeland Security, Connecticut Department of Agriculture and the Connecticut Department of Environmental Protection. Irving Moy advised that Lenny Guercia at the Connecticut Department of Public Health was also compiling statistics on this subject. Lisa Humble advised she had developed and distributed a form, *Roof Structural Failures Report Form*, to building officials. She plans to develop a spreadsheet based on the information submitted.

Barry Rickert discussed a number of topics. He distributed information on a propane tank recall (U.S. Consumer Project Safety Commission, *Aux Sable Liquid Products Recalls to Inspect Propane Gas; Can Pose Fire and Burn Hazards*) and an organizational chart of the Office of the State Fire Marshal (OSFM). He advised he has been working with the American Red Cross on a pilot program regarding recovery efforts and code compliance after a disaster. He and Lisa Humble (OSBI) have been jointly teaching continuing education classes. The next class regarding means of egress and sprinklers will be held at Naugatuck Valley Community Technical College. Precertification classes are also being scheduled.

Barry Rickert is soliciting opinions on future changes to the Fire Code. Codes and Standards members requested this also be posted to the Office of the State Building Inspector's (OSBI) website, emailed to building officials and regulators for their review and comment. Barry Rickert and Lisa Humble agreed with this suggestion.

- b. **Fire Prevention Code Advisory Committee** Barry Rickert advised this committee is soliciting for members. A meeting will be scheduled in the near future.
- c. **Fire Marshal Training Council** (Representative: Don Harwood) Don Harwood advised the next meeting is set for February 10, 2011.
- d. **Building Code Training Council** (Representative: Michael Musco) There was no report.
- e. **Residential Sprinkler Work Group (Representative: Rob Ross)** A meeting will be held at Connecticut Valley Hospital on **Tuesday, February 22, 2011** regarding residential sprinklers; representatives from NFPA and ICC will be present.

## **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 is set for Wednesday, March 9, 2011 at 11:00 a.m. in room 348. Hold on agenda.**

- b. 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]. Decision was sent out on January 25, 2011. Remove from agenda.**
- c. 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). Send status letter. Hold on agenda.**
- d. 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]. Hold on agenda.**
- e. 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]. Hold on agenda.**

- f. 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.**
- g. 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 set for Wednesday, February 16, 2011 at 11:00 a.m. in room 348. Hold on agenda.**
- h. 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 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.**
- i. 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].**
- j. 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.** Panel consists of Donald Harwood, Panel Chair; Irving Moy and Fred Wajcs, Jr. Marjorie Shansky will be the alternate. **Hearing set for February 16, 2011 was not held; on February 7, 2011 appellant withdrew appeal. Remove from agenda.**

- k. 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**

Joanne will be out of the office the week of February 22, 2011.

A motion was made and seconded to go into Executive Session to discuss the State Building Inspector vs. Codes and Standards Committee, docket number CV-10-6007512, pending in the Judicial District of New Britain. No discussion. All in favor. None opposed. Motion carried. Executive Session participants present were Codes and Standards members only.

Motion was made and seconded to return to Open Session. All in favor. None opposed. No abstentions. Motion carried.

**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, March 9, 2011, at 1:00 p.m.**

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Donald Harwood, Acting Secretary