

**STATE CODES AND STANDARDS COMMITTEE
MINUTES**

April 13, 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
- Marjorie Shansky, Secretary
- John Butkus
- Christopher Cozzi
- Robert Hanbury
- Donald Harwood
- George Iskra
- John Jackman
- David McKinley
- Glenn Neilson
- Andrew Rizzo, Jr.
- Michael Sinsigalli
- Fred Wajcs, Jr.

Also Present:

- Robert Ross, DFEBs
- Lisa Humble, OSBI
- Barry Rickert, OSFM
- Joseph Kingston, OSFM
- 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 March 9, 2011 meeting. All in favor. None opposed. Motion carried.

4. COMMUNICATIONS

- a. **A-1-11. Correspondence from Doug Golden re 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. See Appeal Hearings 8.d. On April 7, 2011 correspondence received from appellant.**
- b. **A-10-11. Request for appeal from Denise Sullivan re State Building Inspector's decision re M-79-11 re YMCA of Naugatuck, 284 Church Street, Naugatuck,**

CT. On March 21, 2011 correspondence from Lisa Humble advising Daniel Veronick will represent her for this appeal. Panel consists of Robert Hanbury, Panel Chair; David McKinley and Andrew Rizzo, Jr. John Butkus will be the alternate. **Hearing is set for Wednesday, May 25, 2011 at 11:00 a.m. in room 338.**

- c. **A-11-11. Request for appeal from Michael Horn re Deputy State Building Inspector's decision re M-111-11 re 172 Mohawk Drive, West Hartford, CT.** On April 1, 2011 supporting documentation received from appellant; appellant requests electronic review. A discussion followed. Send letter to appellant denying request. Panel consists of George Iskra, Panel Chair; Fred Wajcs Jr. and Robert Hanbury. Louis Free will be the alternate. **Hearing was set for Wednesday, June 8, 2011 at 11:30 a.m. in room 348.**
- d. **A-12-11. Request for appeal from McKee Patterson, AIA, re State Building Inspector's decision re M-130-11 re 16 Hemlock Hill Road, New Canaan, CT.** On March 25, 2011 correspondence from Lisa Humble advising that Daniel Veronick will represent her on this appeal. On April 7, 2011 additional information received from appellant. Panel consists of Glenn Neilson, Panel Chair; Louis Free and Henry Miga. Robert Hanbury will be the alternate. **Hearing was set for Wednesday, June 8, 2011 at 10:30 a.m. in room 348.**
- e. **C-1-10. Correspondence from Barry Rickert, Office of State Fire Marshal (OSFM), re correspondence from Mark Summaruga, Esquire, re complaint request for revocation investigation re Shelton Building Official's license (Elliot Wilson). See Appeal Hearings 8.k.** On March 25, 2011 correspondence forwarded from Barry Rickert re Elliot Wilson, Jr.
- f. **Correspondence from Barry Rickert, OSFM, re correspondence re Windham County Fire Marshal Association's fire code survey results.**
- g. **A-7-11 (A&B). Correspondence from Rick Chambers re 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. See Appeal Hearings 8.h.**
- h. **A-13-11. Request for appeal from Doug Golden c/o Bruce Spiewak re Deputy State Fire Marshal's decision re FM-0086-11 re 135 College Street, 127-155 College Street, New Haven, CT.** Andrew Rizzo, Jr. is recused. Panel consists of Donald Harwood, Panel Chair; John Jackman and Henry Miga. Michael Sinsigalli is the alternate. **Hearing was set for Wednesday, May 11, 2011 at 9:00 a.m. in room 348.**

5. SUBCOMMITTEE REPORTS

Codes Amendment Subcommittee: Meetings were held on March 9 and 23, 2011. Louis Free advised the subcommittee will meet today at the conclusion of the Codes and Standards meeting and will review the International Existing Building Code and carbon [monoxide] detectors. The next 2 meetings will discuss International Residential Code structural review.

The next meeting is scheduled for **April 27, 2011 at 1:00 p.m.** in room 348.

Ethics/Procedural Regulations Subcommittee: (Shansky) This subcommittee will meet on **April 18, 2011 at 2:30 p.m.** to discuss transition to the Department of Construction Services. There will be a meeting to discuss electronic submission of documents.

6. OLD BUSINESS

There was no report.

7. NEW BUSINESS:

a. Staff Report

Robert Ross discussed building security screening and identification badges.

Robert Ross briefly discussed **Bill 1010** regarding the transition to the Department of Construction Services. A discussion followed.

Motion was made to have the Ethics/Procedural Regulations Subcommittee meet to discuss transition to the Department of Construction Services and draft a list of essential items to be sent to Commissioner Donald DeFronzo. [Commissioner DeFronzo, present Commissioner of the Department of Administrative Services, is taking employee comments temporarily until the new Department of Construction Services Commissioner is appointed.] Motion was seconded. All in favor, no abstentions. Motion carried. The Ethics/Procedural Regulations Subcommittee will meet on **Monday, April 18, 2011 at 2:30 p.m.** in room 348.

Janet Ainsworth advised the **Regulations Review Committee** will meet on **May 24, 2011** at the Legislative Office Building regarding the International Energy Conservation Code (IECC) amendment. Attorney Ainsworth will advise as to time. Codes and Standards members are encouraged to attend.

Lisa Humble advised the Office of the State Building Inspector has 10 projects under construction.

Barry Rickert advised 2 new employees were hired for the Office of the State Fire Marshal.

- b. **Fire Prevention Code Advisory Committee** (Hanbury/Shansky) There was no report.
- c. **Fire Marshal Training Council** (Harwood) Don Harwood advised the next meeting is set for May 12, 2011. Discussion will include Continuing Education Units (CEUs) and statute review.
- d. **Building Code Training Council** (Musco) There was no report.
- e. **Residential Sprinkler Work Group** (Ross) A meeting was held on March 25, 2011. This group will be meeting approximately 3 more times. It is felt that the May 11, 2011 deadline requested by the Codes and Standards Committee will not be met.

A discussion was held regarding handling the International Residential Code (IRC) and sprinkler legislation concurrently as one bundle to simplify and expedite the review process. Information regarding the Residential Sprinkler Work Group will be posted on the Codes and Standards website (www.ct.gov/dps). Research documents may be posted here at a future date.

Next meeting is scheduled for April 15, 2011 from 9:00-12:00 in room 348.

f. **Report on Bills**

Bill 487 addresses local codes (local zoning boards were mandating things that the State Building Code does not require). Reported out of Committee but amended in Committee to remove language that may have allowed local building codes as long as they were not in conflict with the State Building Code.

Bill 1010 addresses the transition from the Department of Public Safety to the Department of Construction Services (see Staff Report, a. above)

8. APPEAL HEARINGS

- a. **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. Hold on agenda.**
- b. **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]. Decision was sent out on March 28, 2011. Remove from agenda.**

- c. **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]. Decision was sent out on March 16, 2011. Remove from agenda.**
- d. **A-1-11. Request for appeal from Douglas Golden c/o 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. On March 9, 2011 additional information received from appellant. Hearing was held on March 23, 2011. Decision was sent out on March 30, 2011. On April 7, 2011 correspondence received from Douglas Golden, appellant. Revised decision was sent out on April 12, 2011. Remove from agenda.**
- e. **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]. Decision was sent out on March 23, 2011. Remove from agenda.**

- f. 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. On March 7, 2011 correspondence received from Daniel Lynch, Jr., Esquire. Aggrievement hearing was rescheduled and held on March 9, 2011. Decision will be sent out within 90 days [by June 9, 2011]. Decision was sent out on March 28, 2011. Remove from agenda.**
- g. 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]. Decision was sent out on March 24, 2011. Remove from agenda.**
- h. 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. **On March 25, 2011 supporting documentation received from appellant. Hearing was set for Wednesday, April 13, 2011 at 11:30 a.m. in room 348. Hold on agenda.**
- i. 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. ***Due to schedule conflict Fred Wajcs will be the alternate. Hearing was held on March 16, 2011. Decision will be sent out within 90 days [by June 16, 2011]. Decision was sent out on March 24, 2011. Remove from agenda.**

- j. 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.** Panel consists of Glenn Neilson, Panel Chair; Louis Free and Robert Hanbury. Thomas DiBlasi will be the alternate. On February 18, 2011 correspondence received from Lisa Humble, State Building Inspector, advising Daniel Tierney, Deputy State Building Inspector, will represent her for this appeal. **Hearing was set for Wednesday, May 11, 2011 at 11:30 a.m. in room 348. Hold on agenda.**
- k. C-1-10. Correspondence from Mark Sommaruga, Esquire, re complaint request for revocation investigation re Shelton Building Official's license (Elliot 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. Janet Ainsworth advised that the Office of the State Fire Marshal sent a letter to the appellant. **Appellant has until March 15, 2011 to respond regarding a compliance conference. If no response is received by that date, then Codes and Standards can proceed. On March 25, 2011 correspondence forwarded from Barry Rickert from appellant. Hold on agenda.**

9. GOOD OF THE ORDER

The Health Position will be vacant effective July 1, 2011. Recommendations of qualified candidates should be forwarded to Louis Free.

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, May 11, 2011, at 1:00 p.m.**

Marjorie Shansky, Secretary