

**STATE CODES AND STANDARDS COMMITTEE
MINUTES**

June 10, 2015

1. The Chair called to order the regular meeting of the State Codes and Standards Committee. The meeting was held in the conference room (room G38) at 165 Capitol Avenue, Hartford, Connecticut.

2. **In Attendance:**

- Keith Flood, Chair
- Anthony Bruno
- Paul Costello
- Donald Doeg
- Louis Free
- Donald Harwood
- George Iskra
- David McKinley
- Henry Miga
- Michael Sinsigalli
- Carlton Smith
- Fred Wajcs, Jr.

Also Present:

- Joseph Cassidy, OSBI
- Terry Brouwer, OSFM
- Joseph Kingston, OSFM
- Bruce Spiewak, AIA CT
- Don Vigneau

3. Attendance was taken and a quorum was present. A motion was made and seconded to accept the minutes of the May 13, 2015 meeting. All in favor. None opposed. Motion carried.

4. COMMUNICATIONS

- a. **A-12-14 (A&B). Correspondence from John Dembishack, OSFM, re appeal from Natalie Huey Min Lee re A) Norwich Building Official and B) Norwich Fire Marshal decisions re 270 Broadway, Norwich, CT. See section Appeal Hearings 8.e. On 5/14/15 supplemental report received from the Office of the State Fire Marshal (OSFM).**
- b. **A-12-14 (A&B). Correspondence from Natalie Huey Min Lee, re appeal from Natalie Huey Min Lee re A) Norwich Building Official and B) Norwich Fire**

Marshal decisions re 270 Broadway, Norwich, CT. See section Appeal Hearings 8.e. On 5/13/15 correspondence received from appellant.

- c. **A-1-15. Correspondence from Joseph Kingston, OSFM, re appeal from Alfred Xhuti re Waterbury Fire Marshal's decision re 359-361 Highland Avenue, Waterbury, CT. See section Appeal Hearings 8.f. On 5/20/15 information received from OSFM.**
- d. **A-5-15. Request for appeal from George McGoldrick re Deputy State Building Inspector's decision re M-317-15 re Stay Fresh Foods, 65 Chamberlain Highway, Meriden, CT. Panel consists of Louis Free, Panel Chair; Donald Harwood and Michael Sinsigalli. Carlton Smith will be the alternate. Hearing was set for Wednesday, July 8, 2015 at 11:00 in room 532.**
- e. **C-1-15. Correspondence from Terry Brouwer, OSFM, re complaint request from Steven Edelman re CGS 29-262(d) petition re license revocation of Henry Miga. John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson, and Henry Miga are recused. See section Appeal Hearings 8.j. On 6/5/15 OSFM's investigative report was received. Discussion will be held under section Appeal Hearings.**
- f. **Correspondence from David LaFond was received re automatic fire sprinklers in new residential construction. A discussion followed. Codes Amendment Subcommittee had received also.**

5. SUBCOMMITTEE REPORTS

- a. **Codes Amendment Subcommittee: (Free)**
This subcommittee met on May 13 and 20, 2015 and will meet today.
[The June 24, 2015 meeting was cancelled.]
- b. **Ethics/Procedural Regulations Subcommittee: (Harwood)**
There was no report.

6. OLD BUSINESS

a. Correspondence received from Robert DeMarco, Stamford Building Official, re 2003 IBC, Section 909.20.6.1. On 5/13/15 a brief discussion was held regarding legal standing. On 5/13/15 Legal Counsel will draft response letter to Mr. DeMarco. On 5/18/15 letter sent to Mr. DeMarco.

7. NEW BUSINESS:

a. Staff Report

Joe Cassidy discussed his memo of 6/8/15 re Bonding of Corrugated Stainless Steel Tubing (CSST) was sent to Building Officials and Fire Marshals. This is also posted on the Office of the State Building Inspector's website. He stressed the importance of following the manufacturer's installation instructions.

b. Fire Prevention Code Advisory Committee (Harwood)

A discussion was held regarding representation on this subcommittee and to have 2 members represent C&S. A discussion was held regarding the Fire Code being enforceable effective the date of passage (May 7, 2015). OSFM will post the Fire Code once an Errata is complete. OSFM wants to post both at the same time to eliminate confusion.

c. Joint Building Code Training Council (Musco)/ Fire Marshal Training Council (Harwood)/ (aka Joint BCTC/FMTC) There was no report.

d. Report on Bills

HB 6838 - AN ACT CONCERNING THE ENCOURAGEMENT OF LOCAL ECONOMIC DEVELOPMENT AND ACCESS TO RESIDENTIAL RENEWABLE ENERGY. Joe Cassidy advised that this bill is regarding photovoltaic installations. There was a discussion regarding the upcoming "Sun Shot" rebate.

8. APPEAL HEARINGS

- a. **A-28-11. Appeal from Steven Edelman re Acting State Building Inspector's decision re 29-252(d) re Town of Windham Building permit application re 202 Scotland Road, Windham, CT.** John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson and Marjorie Shansky are recused. **Panel consists of Henry Miga, Panel Chair; Anthony Bruno and George Iskra. David McKinley will be the alternate.** Panel will review 29-252(d) as it applies to this appeal. If panel determines aggrievement, then appeal hearing may immediately follow to consider the merits of this appeal. Hearing set for June 16, 2014, was not held; on 6/12/14 appellant requested postponement. Aggrievement hearing set for November 12, 2014 was not held; on 11/10/14 appellant requested postponement.

Hearing was held and closed on February 4, 2015. The parties were given 7 working days [until February 17, 2015] to submit briefs. **On 2/17/15 received Motion for Continuance and CGS 29-262(d) Petition from appellant. Deliberations were held on 4/8/15. Decision will be sent out within 90 days [by 7/8/15]. Hold on agenda.**

- b. **A-8-14. Appeal from Joe Asklar re State Building Inspector's decision re 350/356 North Main Street, Marlborough, CT.** Panel consists of Henry Miga, Panel Chair; William Zoeller and George Iskra. Thomas DiBlasi will be the alternate. Hearing was set for Wednesday, September 10, 2014 at 11:00 in room G38. On 9/2/14 correspondence received from appellant requesting postponement; Lawrence Stannard, Marlborough Building Official, granted appellant a 30 day extension (until 10/8/14). Hearing was held on November 12, 2014. **Decision will be sent out within 90 days [by 2/12/15.] Send status request to DAS Legal Counsel.**
- c. **A-10-14. Appeal from Bruce Spiewak re State Fire Marshal's decision re FM-0263-14 re Sandy Hook School, Building 2, 12 Dickinson Drive, Newtown, CT. Appeal panel was not set.** On 10/8/14 appellant requested appeal be tabled until the November meeting. **On 12/10/14 appellant requested this appeal be postponed until a draft determination is made by the Codes Amendment Subcommittee re what parts of Chapter 10 (Fire Code and Building Code) will be recommended for approval. Reason for modification denial stated in part that, "C&S had not addressed that section of the code yet." Hold on agenda.**
- d. **A-11-14. Appeal from Harry Narine re Waterbury Fire Marshal's decision re 269 Wilson Street, Waterbury, CT.** Panel consists of Michael Sinsigalli, Panel Chair; Anthony Bruno and Donald Harwood. Fred Wajcs, Jr. will be the alternate. On 11/18/14 forwarded to the Office of the State Fire Marshal (OSFM) for review. On 11/19/14 additional information received from appellant. On 12/9/14 correspondence received from Chuck Kiessling, OSFM, requesting appeal be tabled for 30 days [until January 14, 2015]. On 2/9/15 correspondence received from Chuck Kiessling, OSFM. On 3/4/15 correspondence received from Chuck Kiessling, OSFM, indicating appellant wishes to pursue the appeal. There may be a timeliness issue related to this appeal. If good cause is shown, then an appeal hearing may immediately follow. **Timeliness and appeal hearing were held on April 8, 2015. On 4/9/15 certified letter sent to appellant advising that briefs are to be filed by 5/6/15. On 4/13/15 briefs received from appellant. On 5/4/15 briefs received from Lt. Ballou, Waterbury Fire Department. Deliberations set for, 5/13/15 were postponed; on 5/11/15 panel member requested deliberations be postponed due to schedule conflict. Deliberations were held on 6/10/15. Decision will be sent out within 90 days [by September 10, 2015.]**

- e. **A-12-14 (A&B). Request for appeal from Natalie Huey Min Lee re**
A) Norwich Building Official and
B) Norwich Fire Marshal decisions re 270 Broadway, Norwich, CT
Panel consists of Keith Flood, Panel Chair; *David McKinley and Henry Miga.
Paul Costello will be the alternate. *Due to schedule conflict on 6/10/15, Paul
Costello will serve and David McKinley will be the alternate. On 1/9/15 appellant requested postponement pending review from her consultant. On 2/24/15 certified letter sent to appellant requesting her to respond, in writing by 3/9/15, clearly stating what issues she is appealing. On 2/11/15 correspondence received from appellant providing additional information and advising she no longer has a consultant. On 2/24/15 certified letter sent to appellant requesting clarification of what she is appealing and to respond in writing by 3/9/15. On 3/9/15 additional information and correspondence received from appellant. **There may be an issue of timeliness re A-12-14(B). On 3/16/15 appellant's code change proposal was forwarded to the Codes Amendment Subcommittee. On 3/11/15 additional information received from appellant. The hearing set for 5/13/15 was rescheduled to 5/15/15 due to schedule conflict of a panel member. On 5/11/15 appellee, James Roberts, requested postponement of the hearing set for 5/15/15. Hearing was rescheduled and held on 6/10/15. Decision will be sent out within 90 days [by September 10, 2015.]**
- f. **A-1-15. Request for appeal from Alfred Xhuti re Waterbury Fire Marshal's decision re 359-361 Highland Avenue, Waterbury, CT. No panel was set. On 2/4/15 additional information received from appellant. On 2/11/15 referred to the Office of the State Fire Marshal (OSFM). On 5/15/15 status letter sent to OSFM. On 5/20/15 information received from OSFM re corrective action being taken at the property. Send status letter to appellant.**
- g. **A-2-15. Request for appeal from Max Case, Esq., re Milford Building Official's decision re 354 Woodmont Road, Unit 3 & 4, Milford, CT. Panel consists of Glenn Neilson, Panel Chair; Louis Free and Fred Wajcs, Jr. Carlton Smith will be the alternate. Hearing set for March 11, 2015 was not held; on 2/23/15 appellant requested postponement. On 3/4/15 correspondence received from Attorney Jonathan Berchem, Milford City Attorney, requesting file copies. Hearing was rescheduled and held on 4/8/15. Decision will be sent out within 90 days [by 7/8/15]. Hold on agenda.**

- h. A-3-15. Request for appeal from Heather Van Deusen re Office of State Building Inspector and Office of Protection and Advocacy's decision re W-78-14 re H. H. Ellis Technical High School, 613 Upper Maple Street, Danielson, CT. Panel consists of John Butkus, Panel Chair; Louis Free and Robert Hanbury. Fred Wajcs, Jr. will be the alternate. On 3/24/15 additional information received from appellant. On 5/11/15 additional information received from appellant. Hearing held on 5/13/15. Decision will be sent out within 90 days [by 8/13/15.] Hold on agenda.**
- i. A-4-15. Request for appeal from William Letson re State Fire Marshal's decision re FM-0046-15 re Voluntown Elementary School, 195 Main St., Voluntown, CT. *Panel consists of Donald Harwood, Panel Chair; Michael Sinsigalli and Carlton Smith. Louis Free will be the alternate. *Due to schedule conflict on 6/10/15, panel revised to: Michael Sinsigalli, Panel Chair; Carlton Smith and Henry Miga. On 3/11/15 correspondence received from appellant. Hearing set for 5/13/15 was postponed due to schedule conflict of panel member. Hearing was rescheduled and held on 6/10/15. Decision will be sent out within 90 days [by September 10, 2015.]**
- j. C-1-15. Complaint request from Steven Edelman re CGS 29-262(d) petition re license revocation of Henry Miga. On 5/13/15 referred to the Office of the State Fire Marshal (OSFM) for investigation. On 6/5/15 investigative report received from Terry Brouwer, OSFM. John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson, and Henry Miga are recused. On 6/10/15 conclusion of investigative report was read. Motion to dismiss petition was made and seconded. All in favor. None opposed. 3 abstentions: Free, Harwood, Miga. Motion carried.**

9. GOOD OF THE ORDER

Don Harwood thanked Mike Sinsigalli for recent appeal hearing coverage. A brief discussion regarding representation and appointment to the Fire Prevention Code Advisory Committee was held.

The next Codes and Standards Committee meeting is set for **August 12, 2015** and will be held in conference room **G38**, at 165 Capitol Avenue, Hartford, Connecticut.

David McKinley, Secretary