

STATE CODES AND STANDARDS COMMITTEE (C&S)

Wednesday, March 13, 2024 – 1:00 PM (Teams-online)

[Instructions for attending the meeting can be found as an attachment of the agenda]

AGENDA

1. CALL TO ORDER

2. ATTENDANCE

3. APPROVAL OF MINUTES OF THE February 14, 2024 MEETING

4. COMMUNICATIONS:

SUBJECT & DATE RECEIVED	FROM - TO	DESCRIPTION
a. Request for Appeal received 2/26/24	Attorney Robert C. Leitze rleitze@leitze.com Paul & Michelle van Duinen CS	A-24-02 RE: [12 Bradley Street, Stonington, CT] denial to remove builder – Concept Home Builder removed from current approved permit for remodel. Having permits changed to us as homeowners. ACTION: <u>On 3/5/24 Appellant withdrew appeal</u> _____ _____
b. Request for Appeal received 2/28/24	Jarvis & Jennifer Ryan, Owner ryanjarvis39@gmail.com jcjarvis86@yahoo.com CS	A-24-03 RE: [11 Cornwall Drive, Windsor Locks, CT] State Building Inspector's denial of Section R905.1.1 of the 2021 IRC to allow the installation of an asphalt recovery without the required 4-inch-wide tape on plywood roof sheathing seams. ACTION: _____ _____
c. Request for Appeal received 3/6/24	Robert B Hurd, AIA – Architect 56 Arbor Street – Suite 403 Hartford, CT 06106 rbhurd@thearchitects.comcastbiz.net CS	A-24-04 RE: [213 Lawrence Street, Hartford, CT] OSFM denial 2022 CT State Fire Safety to allow two (2) sleeping rooms to remain without a secondary means of escape. ACTION: _____ _____

5) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)**
- b) **Ethics/Procedural Regulations Subcommittee (Harwood)**

6) OLD BUSINESS

Complaint Process Abbreviations

C&S: Codes & Standards Committee
CAC: Complaint Assessment Committee
CP: Compliance Panel
HP: Hearing Panel

7) NEW BUSINESS

- a) **Staff Report**
 - i) **Omarys Vasquez, State Building Inspector**
 - ii) **William Abbott, State Fire Marshal**
 - iii) **Anne Peterson/Rebecca Tamborra, Staff Counsel**
- b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)**
- c) **Training Councils**
 - i) **Building Code Training Council (Musco)**
 - ii) **Fire Marshal Training Council (Harwood)**
- d) **Report on Bills (Vasquez)**

8) APPEAL HEARINGS

- a) **C-22-02 RE:** Complaint regarding Town of Chester, Richard Leighton, Building Inspector & Fire Marshal. This is in reference to the building permits issued for buildings located RE: **[189-191 Middlesex Avenue, Chester, CT]** received 5/3/22 from Mr. Thomas A. Gribbin A.I.A Noyes Vogt Architects. Referred to OSBI. OSBI investigated and submitted a report to the Committee. **Compliance Panel assigned (CP):** Donald Harwood, Lou Free, Henry Miga. Admin received notarized complaint form on 10/12/23. Compliance conference to be scheduled. On 11/13/23 the C&S Chair states that he will seek a Panel Chair for this meeting at our December Meeting. Admin to coordinate. CP date confirmed. Thursday, February 29, 2024 at 9:00 a.m. **Await direction from the C&S Chair and Counsel regarding scheduling of this meeting.**
- b) **C-22-03** Correspondence received 9/27/22 from Patricia A. Cofrancesco, Esq., Law Offices of Patricia A. Cofrancesco RE: **[60 Pinehurse Drive, East Haven, CT – Elaine Cioffi (Owner)]**; Seeking Revocation of East Haven Building Official's License (James Bassett). Referred to OSBI for investigation. The **Complaint Assessment Committee (CAC)** will make a recommendation to the full Committee. **(CP) assigned:** Henry Miga, Paul Costello, William Zoeller. Admin mailed out complaint form on 10/5/23. Per Chair, when completed complaint form is received, Admin to schedule CP Meeting. On 10/12/23 Admin reached out to Attorney to check status on complaint form – Attorney confirmed receipt and will get the form back to admin. Tim Mikloiche has stepped in place of Henry Miga. CP meeting date: Tuesday, 12/19/23 11am.-meeting held. CP waiting for more information. Once information is received, CP members will notify the admin to schedule another meeting. OSBI placed legal documents in SharePoint folder for CP review. Admin to coordinate CP meeting - **Meeting confirmed, Thursday, March 14, 2024 – 9:00 a.m.**

- c) **C-23-01 RE:** Complaint received 2/28/23 from Heide Mizak, **RE: [69 Lohse Road, Willington, CT]** James Rupert, Willington Building Official. **CP assigned:** David McKinley, Tim Mikloiche, Mike Sinsigalli. On 10/20/23 received the completed complaint form. Hearing date: Thursday, November 9, 2023 at 1:00pm. CP meeting held; panel to provide recommendation to full Committee. CP reports there is a consensus that the matter does not warrant a hearing panel. Staff Counsel will put together a written recommendation from the Compliance Panel and submit it to full C&S Committee prior to the January 10, 2024 meeting. CP recommendation sent to full committee on 2/14/24. **(DM) motion that matter not be referred to HP and seconded (HM). All in favor. None opposed. Motion carried. Counsel will draft decision to be mailed out. Hold on agenda.**
- d) **C-23-02 RE:** Correspondence received 8/19/23 from Adam P. McNiece, Niantic, CT **RE:** Complaint against town of Montville Building Official-David Jensen. Referred to CAC. Admin sent out packet on 10/5/23. Per Chair, when the completed complaint form is received, set up CAC meeting. Completed Complaint form received. CAC meeting scheduled: Tuesday, 10/31/23 at 9:00a.m. OSBI to follow up and provide feedback to Panel. OSBI will meet with Building Official to gather more information. OSBI received David Jensen's contact information for future correspondence of follow-up documentation. OSBI sent CAC updates. Admin to schedule CAC meeting to review updates from OSBI. CAC Meeting 1/16/24 - 1:00 PM. Meeting held. Admin to scheduled CAC meeting for recap and make a recommendation. **CAC scheduled Monday, March 11, 2024 at 9:00 a.m.**
- e) **A-23-15** Request for appeal received 10/6/23 from Attorney James C. Winters c/o William Conroy, S.P.A.C.E. Systems, LLC **RE: [210 Realty Drive, Cheshire, CT]** Abatement Order of Fire/Life Safety Hazards dated 9/1/23 issued by Michael Kazlowski, Fire Marshal of the Town of Cheshire, CT. Referred to the OSFM to gather more information. OSFM will work on resolving. Hold on agenda. **OSFM reached out to the local fire marshal – unable to resolve. Panel assigned:** Keith Flood, Chair; Tim Mokloiche, panel; Henry Miga, panel; William Zoeller, alternate. **Admin to coordinate hearing.** Hearing Date: Monday, January 29, 2024; 9:00 a.m. **Hearing Held. Status from Counsel:** Both parties were at the hearing this morning and agreed to having both appeals merged. A decision was issued for both appeals today. No need to number/schedule the second appeal. I will note in the decision that both parties agreed to having the appeals merged and that the decision applies to both. **Decision will be mailed out in 90 days (4/29/24).**
- f) **A-23-16** Request for appeal received 10/6/23 from Joseph V. Cassidy, P.E. **RE: [215 Elm Street, Old Saybrook, CT]** Seeking to reverse the decision by the State Building Inspector to deny the use of the Limited-Use Limited Application in lieu of a standard elevator in a small two-story building. Panel assigned: David McKinley, Chair; Johnny Carrier, Panel; Fred Wajcs, Panel; Jack Butkus, Alternate. Hearing scheduled: Wednesday, November 15, 2023 10:00 a.m. Hearing held. Decision to be mailed out in 90 days (2/13/24). Decision is drafted by counsel. **Decision was mailed out on 3/4/2024.**
- g) **C-23-04 RE:** Correspondence received 9/11/23 from Melisa Moone, Brooklyn, CT **RE: Complaint about Brooklyn Building Official-John Berard.** Admin to coordinate CAC Meeting. CAC meeting scheduled: Tuesday, November 28, 2023 – 11:00am. Referred to OSBI to investigate further. OSBI received info from the parties Official. **CAC will meet to review.** Admin will schedule CAC meeting. CAC scheduled to discuss on Monday, March 11, 2024 at 9:00 a.m. **CAC met on 3/11/24 at 9:00am. Per C&S Chair meeting scheduled for April 1, 2024 at 3:00 P.M.**

- h) **C-23-05 RE:** Correspondence received 10/17/23 from Kenneth LeClerc, DEEP, Emergency Response Unit, Supervising Emergency Response Coordinator, Southern Region **RE: Complaint about Newton Building Official-John Poeltl.** Admin sent a complaint form to Mr. LeClerc. Chair – Once form is received - Admin to coordinate CAC Meeting. On 11/9/23, Admin reached out to Mr. LeClerc to check status on complaint form. Received completed complaint form on 11/13/23. Admin to coordinate CAC meeting. CAC Meeting scheduled: Thursday, November 30, 2023 at 9:00 a.m. Referred to OSBI to investigate further. Admin will schedule CAC meeting. **CAC scheduled to discuss on Monday, March 11, 2024 at 9:00 a.m.**
- i) **A-23-17** Request for Appeal received from Steven Montgomery 10/26/23 RE: [422 Sport Hill Road, Easton] 2018 and 2022 Building Code sections 111.1; 8-12; Ch.3 Town of Easton Building Code section 252.1 – appealing decision of Peter Howard, Easton Building Official. **Panel assigned: Lou Free, Chair, Anthony Cinicola, panel; Timothy Mikloiche, panel; Paul Costello, alternate.** Hearing date: Tuesday, January 23, 2024 – 9:00 a.m. Panel members asked to reschedule hearing. New Hearing Date: Tuesday, January 30, 2024 – 9:00 a.m. **CP had an aggrievement hearing to establish whether the party bringing the appeal was aggrieved. We upheld the Appellants request to overturn the Certificate of Occupancy that was issued. We are just waiting for the Certificate of Occupancy to be issued. Decision will be mailed out in 90 days (4/30/24).**
- j) **A-23-18** Request for Appeal received from Attorney Majorie Shansky 11/14/23 RE: [198 Commerce Street, East Haven, CT] of East Haven Fire Marshal, C.G.S. Section 29-309. Abatement Order of Fire/Life Safety Hazards – change of use. Refer to OSFM. OSFM reached out to Attorney Shansky and are coordinating a site inspection to review violations the week of January 15. **Attorney Shansky asked that we hold it until she receives a report from her Code Consultant. After we receive the report, we will schedule a site inspection.**
- k) **A-23-20** Request for appeal received from Ike Uzoka on 12/16/23 RE: **[48 Kimball Drive, New Britain, CT]** Richardson Masson, Fire Inspector/New Britain Fire Marshal - Abatement Order of Fire/Life Safety Hazards. **Referred to OSFM. We have an inspection scheduled for 2/27/24 at 10:00 a.m.**

9) GOOD OF THE ORDER

The next Codes and Standards Committee meeting is set for **Wednesday, April 10, 2024, 1:00 p.m.** Meeting format (on-line or in person) will be determined prior to the meeting (SEE TEAMS LINK ON NEXT PAGE TO ENTER MEETING).

10) ADJOURNMENT

Online Meetings

Codes and Standards Committee

January 2024 – December 2024

Overview

Due to the COVID-19 situation and pursuant to Governor Lamont's Executive Order 7B issued on March 14, 2020, the regularly scheduled meetings of the Codes and Standards Committee and the Codes Amendment Subcommittee will be held online using Microsoft Teams.

How to Join the Meetings

The meetings can be joined in the following ways:

1. **Video and voice** through a computer or smartphone.
 - If using a computer, no Teams account is required – just your regular browser.
 - If using a smartphone, the Teams app and a free account will be needed.
2. **Voice only** using a landline or cell phone.
 - No special equipment is required.

Please join by clicking the link or calling the number that follow:

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 259 291 320 891

Passcode: sXc39T

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 860-840-2075](#) Phone Conference ID: 560 563 701#

Meeting Etiquette

Teams Users or Non-Users:

- Existing Microsoft Teams users will join using their existing accounts, which will ensure their name is displayed.
- If joining the meeting as a non-Microsoft Teams User, please ensure you enter your full name and committee, company or industry affiliation when joining.

The meeting admin may mute all users' microphones at the commencement of the meeting.

- Committee members and assigned staff members may unmute at any time.
- Public attendees and non-assigned staff members should not unmute unless called upon. One or more public comment periods may be included at the chairperson's discretion.