

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

APPROVED, as written – Minutes of Regular Meeting – March 13, 2015

Attendance:

Shawn Bergeron Sr., Chairman
Barbara Chalmers, AIA, Board of Architects, Licensed Architect
Stephen Eckberg, NH Public Utilities Commission
Tedd Evans, Mechanical Licensing Board
Wayne Fillion, PE, NH Board of Engineers (Mechanical Engineer)
Edward J. Gibson, PE, NH Board of Engineers (Electrical Engineer)
David Lage, Associated General Contractors of NH, Inc.
Roger Maynard, P•FGF•HVAC of NH
Linda McNair-Perry, Vice-Chair, NH Board of Engineers (Structural Engineer)
Jonathan Mitchell, NH Bureau of Electrical Safety & Licensing
Bradley Ober, NH Association of Fire Chiefs
Wayne Richardson, CBO, NH Building Officials Association
John Starr (Vice Chair) - CGB, NH Home Builders Association

Absent:

Bill Benard, NH Electrical Contractors Business Association
Thomas Clark, NH Municipal Association
Sean Toomey, NH Association of Fire Chiefs
Mary Maloney, Assistant Attorney General

Guests:

Rick Minard, NH Office of Energy and Planning
Autumn Curilla, GDS Associates
Steve Paquin, Lakes Region Safety Officials Association
Matt Labonte – NH State Fire Marshal's Office
Dean Sotirakopoulos, NH Joint Board, Electrician's Board
Ron Anstey, NH State Fire Marshal's Office
Mark Weissflog, ECBA

The meeting was called to order at 10:00 am by Chairman Shawn Bergeron, Sr. A quorum was declared. Members were introduced.

Motion was made by Wayne Richardson to approve the minutes of the February 13, 2015 meeting as written.

Seconded by John Starr.
Motion Carried

NEW BUSINESS

Information related to the installation of PV panels to be provided from Susan Thorne of the NH Office of Energy and Planning.

Rick Minard, Deputy Director of the NH Office of Energy and Planning, and Autumn Curilla of GDS Associates, provided an informative presentation on the installation of rooftop solar panels on residential homes in New Hampshire. Part of the NHOEP's mission is to help NH residents reduce their energy use by having more efficient homes. The NHOEP is encouraging the use of renewable energy systems. Guidance documents are available on the NHOEP website. In most cases the NHOEP suggests hiring an electrical engineer for the installation of PV panels. One of the impending changes that may be happening in PV installations, if the new 2015 residential code is adopted as written, is panels and modules installed on dwellings with a single ridge shall be located in a manner that provides two 3 ft. wide access pathways from the eave to the ridge on each roof slope where PV panels are located. Ron Anstey, NH State Fire Marshal's Office, commented that the 3 ft. wide access is a requirement for firefighters and fire safety. Discussions and questions followed the presentation. Mark Weissflog, ECBA, commented that it has to be installed by an electrician. There is no such thing as a solar panel installer in New Hampshire. However, there is a homeowner exemption in New Hampshire. Brad Ober discussed the hazards from a firefighter's point of view in the case of a chimney fire when the PV panels are completely snow covered. Wayne Fillion requested clarification as to whether an electrical engineer or a master electrician is required. A licensed master electrician is fully capable. Large cities may require an electrical engineer and a master electrician. Before documents are released, this should be identified.

Discussion about RSA 155-A:10 (IV) & (V)

As the board gets further into their code reviews, we have to take a look at the potential economic impact of this adoption. The board may want to consider as we are moving further into reviewing, considering, and perhaps ultimately recommending the 2015 international codes to the legislature, one of the line items that was specifically identified. Would there be cost effects, positive or negative, should we choose to adopt any specific version of the international codes? Wayne Fillion questioned whether or not we are directed to actually take the financial aspects into consideration. Tedd stated in Section V it does not say that we have to provide amendments and provide costs to each of the single amendments that we make to the codes. We won't know the economic impact of a code until it is adopted.

Wayne Fillion's question is how is the board going to advance and review. What are the priorities? Are we looking at life safety first? How are we going to attack the energy code? Is it life safety first, revolving technology 2nd? When this makes its way to the legislature and somebody tries to present it, the people on the floor don't appreciate that we're talking about what code it is going to affect, they are concerned about what economic impact this will have in their community and what their constituents are going to say about this. Wayne is trying to sort out is the board presenting to what the legislature is ultimately going to ask an analysis on, which is the cost impact in the industry, or are we trying to truly digest and understand the 2015 codes and say that this is the right code for the state going forward, and what amendments are necessary to make it applicable to NH. Shawn stated the primary goal of the BCRB is life safety. In Shawn's experience attending legislative committee hearings, he doesn't get a lot of questions about life safety, but does get a lot of questions about the cost. Not one committee member was convinced that an arc fault was safer. All they heard was that an arc fault breaker cost \$37.00 and a standard single fault breaker cost \$4.00. Economics are outweighing safety aspects.

Linda heard a statement from ICC committee members, any amendment that is submitted to the ICC has to have a cost assessment associated with it. Wayne Richardson stated that they are not looking for specifics. When a proposal is made you either say the cost will be

increased or there will be no change, but you have to state why. Roger Maynard made the statement that the minute we allow cost to get in the way of life safety we sidestep the purpose of this board – greatly, and doesn't think we should give that up. We should take a position so that we can at least be on record of saying that we've presented the facts about life safety being more important than cost.

Update on legislative items

The State Fire Code made its way through the House yesterday – still needs to go to the Senate. This bill will not come into effect until 2018.

Wayne Richardson provided the board with an update on HB 286. This bill was required that all building inspectors, before issuing permits, to verify the work was not going to be countered to any deed restrictions, which has a huge potential impact on communities.

HB 288, relative to the code for energy conservation in new building construction. This bill has been retained in committee. It is believed that the committee will be meeting in the summer on this bill. This bill permits municipalities to decide whether or not to enforce the code for energy conservation in new building construction. This bill also permits an individual to refuse to have the code for energy conservation in new building construction enforced against him/her.

Shawn is trying to facilitate legislation that is related to the Building Code, or any of the codes that the board is involved with, trying to bring them in front of the board before they make their way to committee's of the legislature.

HB 533, arc-fault circuit-breaker protection in residential construction. This bill is retained in committee.

Shawn has invited Representative Groen and Representative Gordon to visit the board and attend one of the board meetings. Speaker Jasper was also contacted.

HB 580, travel expenses for the BCRB. This bill has been ITL'd. Representative Umberger is now working towards trying to get this attached to some other legislation.

SB 18, prohibiting the use of PVC piping of flue material for venting combustion gases. Tedd has been asked to sit on a committee to research this bill, and perhaps amending the State Fire Code. This committee was formed by the Mechanical Licensing Board. This would be an amendment, coming in under Fire Codes.

The Board was in agreement that Tedd's sitting on this committee no way conflicts with his position on the BCRB.

Ongoing conversations related to the 2015 International Codes. We need to decide where this is going and when.

Wayne Richardson suggested starting two months out, the reason being is the notice can be put out from all of the groups that are ready to start. His concern is we don't want to hold hearings for two months, and then stop for two months during the hiatus. Start with the least controversial code to begin the hearings.

The Board's summer hiatus is NOT set in concrete. Only a quorum of 9 members is required.

Shawn made the **Motion** to be prepared at the April meeting to review the amendments, vote on the amendments, and initiate the first public hearing for the 2015 IRC (as amended) at the May 2015 meeting.

Seconded by Wayne Richardson

Motion Carried

Linda suggested that the IBC subcommittee have the 2015 IBC amendments available for review at the May 2015 meeting as back up to the 2015 IRC. Linda will have initial set of amendments prepared for the April meeting.

Tedd mentioned one little complication with the IRC. They dropped the swimming pool portion of that code and developed a separate swimming pool code. If the board adopts the IRC 2015 as it is, it will have nothing to do with swimming pools. Does the Board want to, in our review, include swimming pools in this hearing?

Continued discussion on website updates.

This is an ongoing issue. Need to get reference to the 2011 NEC changed to the 2014 NEC, and we still need to address the height and area table issue.

Wayne Richardson brought it to the board's attention that there is another legislative bill out there that the Board should monitor. SB 135 is a lead bill for the prevention of poisoning in children, however, they have added a section that says all building permits (or building officials) shall not issue any permit until verification has been made that the structure was not built prior to 1978, **or** that the contractor doing the work has an RRP license, **or** if the work is being done by the homeowner they will need to get a form from DHHS.

Motion to Adjourn