NEW HAMPSHIRE STATE BUILDING CODE
PROPOSED AMENDMENT FORM

Proposed amendment submitted by:
Name: Kris Pastori29
Date: February 8th, 2021
Company/Organization: Self
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Applicable code: ___________ Applicable code section: ___________
Select only one code: IEBC-09 IBC-09 IRC-09 IPC-09 IMC-09 IECC-09 IEBC-09 NEC-11 (NPDA 70)

Current language (including section numbers and include prior adopted amendments):

See attached

Check one: __ Delete without substitution: __ Add new section to read as follows:
__ Delete section and substitute the following: X Revise section to read as follows:
Show line through material to be deleted. Underline material to be added.

Proposed code language:

See attached

Section 17

Reason / Justification:

See attached

Financial Analysis/Fiscal Impact of proposed amendment:

See attached

For Building Code Review Board Use:
Not approved: ___ Approved: ___ Approved with modifications: ___
Scheduled Hearing Date: 04-09-2021 Exhibit #: B-15-19-21
Chair’s Signature: ___ Date: 5/10/21
Printed Name: John M Tuttle
NH BCRB Proposed Amendment Form 12/14/2012
Current language: "107.1 General.

Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exists, the building official is authorized to required additional construction documents to be prepared by a registered design professional."


Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application to the building inspector, the town and the NH State Fire Marshal. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exists, the building official is authorized to required additional construction documents to be prepared by a registered design professional."
Reason/Justification: Small towns in New Hampshire that lack Code Compliance officers, or that have uneducated or intimidated (by the Applicant) building inspectors have, in several cases, had telecommunication towers built without the required inspections and special inspections. I have submitted 91-A requests to several towns, and while Pembroke, Derry and Nashua sent me their final special inspections reports, Warren, North Woodstock, Hopkinton and Barrington reported no documents responsive to “Special Inspections” in their files. I live in Easton and there are no special inspection or regular inspection documents for the original tower, except one concrete report that was given to the Selectboard by the lawyer for the applicant 4 years after the tower was built. The extension built in 2020 also lacked the necessary inspections.

A town can be ignorant of special inspections, as Easton was with their tower built in 2016, or choose to ignore the requirement for these inspections, as Easton did with their tower extension in 2020 (with the exception of a welding inspection done by a contractor chosen by them.) I appealed the Certificates of Occupancy for the extension, joined by three other people in Easton, but because our appeals cited the lack of Code compliance, we were determined to have no standing because we were not in the fall zone of the tower and thus not in a position of likely physical harm.

Code compliance should not be so easily evaded by the telecommunications corporations, who appear to do a good job assessing which towns can have the inspections ignored without consequences to the corporation. This can be accomplished through the ignorance of the town and by intimidation (threat of a lawsuit.)

Financial Analysis/Fiscal Impact of proposed amendment:

The telecommunications companies will lose money if a department that actually understand the International Building Code is enforcing code compliance.

Increased expenses to the State for overseeing this compliance could be paid for by a state surcharge on Telecommunications building permits.