

NEW HAMPSHIRE STATE BUILDING CODE
PROPOSED AMENDMENT FORM

Proposed amendment submitted by:

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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 (NFPA 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: 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 #: BD-15-18-21
BD-15-19-21

Chair's Signature: John M Tuttle Date: 5/10/21

Printed Name: JOHN M TUTTLE

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."

Proposed code language:"107.1 General. Proposed addition underlined.

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."

Current language: 1704.2.4 Report requirement.

Approved agencies shall keep records of special inspections and tests. The approved agency shall submit reports of special inspections and tests to the building official and to the registered design professional in responsible charge. Reports shall indicate that work inspected or tested was or was not complete in accordance to approved construction documents Discrepancies shall be brought to the immediate attention of the contractor for correction. If they are not corrected, the discrepancies shall be brought to the attention of the building official and to the registered design professional in responsible charge prior to the completion of that phase of the work. A final report documenting required special inspections and tests, and corrections of any discrepancies noted in the inspections or tests, shall be submitted at a point in time agreed upon prior or the start of work by the owner or the owner's authorized agent to the building official.

Proposed code language: "1704.2.4 Report requirement. Proposed additions underlined.

Approved agencies shall keep records of special inspections and tests. The approved agency shall submit reports of special inspections and tests to the building official, the NH State Fire Marshal and to the registered design professional in responsible charge. Reports shall indicate that work inspected or tested was or was not complete in accordance to approved construction documents Discrepancies shall be brought to the immediate attention of tee contractor for correction. If they are not corrected, the discrepancies shall be brought to the attention of the building official and to the registered design professional in responsible charge prior to the completion of that phase of the work. A final report documenting required special inspections and tests, and corrections of any discrepancies noted in the inspections or tests, shall be submitted to the town, building inspector and State Fire Marshal at a point in time agreed upon prior to the start of work by the owner or the owner's authorized agent to the building official."

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.