

APPROVED MINUTES

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

(Remote) Regular Meeting – January 8, 2021

Members Present:

Lee F. Carroll, PE, NH Board of Engineers (Electrical Engineer)
Peter Lennon, Fire Marshal - Manchester, NH Association of Fire Chiefs
Mariellen MacKay, Governor's Commission on Disability
Frederick Matuszewski, Board of Architects
John Tuttle, (Vice-Chair), NH Home Builders Association
Kenneth Walsh, NH Public Utilities Commission
William Fraser, NH Electrical Contractors Business Association
Tedd Evans, Mechanical Licensing Board
James Grant, representing the Electrician's Board
Roger Maynard, P•FGF•HVAC of NH
Med Kopczynski, NH Municipal Association
Jeffrey Trexler, Board of Engineers
Michael Hagan, CFM, NH Building Officials Association

Absent:

Mark Tetreault, Fire Chief, NH Association of Fire Chiefs
Carl DuBois, Associated General Contractors of NH, Inc.

Also Present:

Sean P. Toomey, P.E., Deputy State Fire Marshal
Heather Neville, Assistant Attorney General
Lisa M.T. Woods, Administrative Assistant I, NH Dept. of Safety

Guests:

David Smith
Dean Sotirakopoulos
Bill Nash
John Pelowade
Jerry Tepe
William McKinney
Peter Kelly
John Ramsay
Chris Skogund

The meeting, held remotely, was called to order at 10:14am by Chairman, Shawn Bergeron. A quorum was declared. Chairman Bergeron, for the record, read the checklist to ensure meeting compliance with the Right-to-Know Law during the State of Emergency. Members were introduced by roll call.

MOTION made by Kenneth Walsh to approve the October 09, 2020 meeting minutes, as written.
Seconded by: Mariellen MacKay

Motion Carried (2 Abstentions)

PUBLIC HEARING:

MOTION made to read by title only from James Grant

Motion to open public hearing made by Mariellen MacKay

Seconded by: Vice-Chairman, John Tuttle

EL-17-06-20 is open to the public at 10:26am, Jerry Tepe comment/question as to why and Mark Hilbert spoke on his proposal and tried to answer Jerry Tepe's comment

250.140 Frames of Ranges and Clothes Dryers. Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers

Carl DuBois made a Motion to close the public hearing, seconded by John Tuttle. Motion Carried
MOTION made by Tedd Evans to approve, with clarifications, exhibit RE-15-46-20. Seconded by:
Mariellen MacKay Motion Carried Unanimously

OLD BUSINESS

Legislation Discussion:

Chairman Shawn discusses

HB 20 Relative to building codes for tiny houses, he has not seen the text on this particular bill.

Shawn states that this bill is important, HB 31 which is relative to ratification of the state building code and state fire code this bill which is sponsored by Carole Maguire, cleans up the 2015 codes that were approved by the legislature that were approved back in September 2015. HB 31 would clean these up.

HB 60 Shawn states this bill doesn't pertain to us

SB 974 adopting changes to the state fire code and building codes. That prime sponsor is Sharron Carson and Shawn states he hasn't seen the text for the bill yet. Shawn spoke with Fire Marshal Parisi

SB 1045 the sponsor is Jay Kahn it is also relative to building code for tiny houses and Med chimes in stating that he has seen the writing for this

Shawn asks what the intent of this bill is. Med replies that legislators believe that tiny houses are going to be a better alternative for workforce housing and that this bill was meant to follow the ADU. Continuing, Med Kopczynski spoke about tiny homes and an amendment that was voted on by the Building Code Review Board but didn't end up in any present bills in relation to Appendix Q. There would be follow up conversations and a list made by prior Chairman would be looked into.

Shawn continues that are there any other bills that the Board should be aware of and Med states that he would get back with Shawn once he narrows down everything.

Ken Walsh corrects Shawn saying that HB 31 is actually HB 72 and Kenneth Walsh continues that this ratification bill is only part of another bill 1714 in that they were trying to ratify the code amendments. Kenneth asks as he reads HB 72 is the ratification process in HB 72 in relation to SB 1714 just with less information, it is part of a prior bill or is this part of other bills and does Shawn have any sense of what the sponsor was trying to accomplish.

Shawn states that he doesn't know the answer to that specific question.

Questions from Bill McKinney, He would like to bring it to the attention of the board a rather troubling bill, HB 189 this bill proposed to amend 674.47 involving accessory dwelling units and trying to move up to 3 accessory dwelling units within a single family home.

According to the codes more than 3 dwelling units would make the single family home an apartment complex and so forth these are being added without application of the codes and by taking a single family home and adding up to 3 extra dwelling units to it and claiming it is still a single family home is keeping this issue in the IRC which is where it doesn't belong

Shawn states, that he will keep an eye on it.

Mariellen questions, with ADU are you saying that the HB 189 would change requirements when it comes to who lives in these dwellings because they can't be rented out and who is the sponsor.

Bill McKinney replies that, the owner has to live in one ADU not the main building and the sponsors are Kaplan and Strafford.

Jerry Tepe was asked to speak and then Lee Carroll joined the meeting but Jerry Tepe commented that once you get up to 4 dwelling units it could trigger the Fair Housing Act it was put into law in 1974 and it deals with accessibility issues. Bill McKinney chimes in discussing that once you go to 4 dwelling units it no longer becomes a single family home. Shawn asks if the Legislature is even open and when or what type of meeting will it be.

Shawn asked if there is any other legislation that needs to be discussed and no replies.

Ken Walsh, mentions a letter sent to the board from Tim Sappington he has concern in what to do.

Shawn states, he needs to spend more time in the codes and should propose amendments and it will be an effort that takes some time.

Walsh: it's just a document and the BCRB has no power to respond to his letter.

OTHER BUSINESS

2018 Code Subcommittees:

All subcommittees have completed their work and provided their information. Shawn asked Lisa some questions about adding subcommittee paperwork reports to the website

Jeff Trexler asked if the subcommittee reports should be presented before the board and be put under draft on the website

That concludes the subcommittee updates.

Ken Walsh IECC subcommittee if we as a subcommittee if they were looking to make an amendment to the IECC residential side you almost have to carve out the IRC because it is going to apply to all residential structures and he has a concern and he doesn't like the fact that the residential definition is only applicable to the IECC.

Bill Fraser states they have gone over amendments and should have updated reports by the 21st

Shawn wants to go over the international energy conservation code, one of the members made him aware that there is some talk at the ICC level to converge the energy conservation code to a standard, for those of us who work in codes and standards every day we are familiar, there is one person in our group that knows way more than us

Med- he just found out about this and there was controversy over energy code where there were a lot of contested votes based on others opinions and memberships. In the end it is up to the members to vote online and the problem is and based on the controversy they are trying to get that cleaned up. As of right now there are suggestions of an investigation and they will get feedback by Monday. He continues to talk about how the IETC is more like the legislation when it comes to voting on the code becoming more like standards.

At this point Shawn wants a motion to approve the amendment to the national electric code EL-17-06-20

Mariellen motions to approve and it is seconded by Kenneth Walsh

Motion to close the public meeting made by Shawn and moved by Bill Fraser and seconded by Lee Carroll

Roll call vote for motion to close the public hearing

ALL APPROVED

Public hearing now closed

Before voting on exhibit Med spoke on the cost factor and because there is no specific cost outlined he won't be supporting the exhibit.

Jim Grant- he states that you wouldn't have to present all the factors that you did before.

Med retracted his non favorable vote.

ALL APPROVED

No further business to address, MOTION to adjourn by Kenneth Walsh. Seconded: Bill Fraser. Motion Carried.

ALL APPROVED

John Tuttle: absent for vote

MEETING ADJOURNED