

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

In-person regular meeting September 9, 2022

Members Present:

Philip Sherman, P.E., Chair

Roger Maynard, P•FGF•HVAC of NH

Tedd Evans, Mechanical Licensing Board

Med Kopczynski, NH Municipal Association

Jeffrey Trexler, Board of Engineers (Structural Engineer) (term currently expired, nonvoting at this time)

Art Guadano, Board of Architects

Michael Hagan, CFM, NH Building Officials Association

James Grant, Electricians Board

Lee F. Carroll, PE, NH Board of Engineers (Electrical Engineer)

Dean Sotirakopoulos (James Grant alternate), Electricians Board

Arthur Rose, Associated General Contractors of NH, Inc.

Absent:

Mark Tetreault, Fire Chief, NH Association of Fire Chiefs

Robert Wentworth (Michael Hagan Alternate), NH Building Officials Association

Peter Lennon, Fire Marshal - Manchester, NH Association of Fire Chiefs

William Fraser, NH Electrical Contractors Business Association

Michael Hasbrouck, (Roger Maynard Alternate) P•FGF•HVAC of NH

Beverly Kowalik, P.E. Mechanical Engineer

John Tuttle, Vice-Chair, NH Home Builders Association

Michael Soucy, NH Department of Energy

Also Present:

Erica Webb, Administrative Supervisor, NH State Fire Marshal's Office

Guests:

Philip LaMoreaux

William McKinney

Joe LeSage

Jennifer Gilbert

Chris Skoglund

The meeting, held in-person, was called to order at 10:02am by the Chair. The Chair proceeded with roll call. A quorum was declared.

The Chair discussed the status of any members whose terms expired over the course of the summer, resignations, and stated that he would be looking at the terms more closely to update members as their term expirations get close. Current status is as follows:

Mr. Grant has been reappointed, with thanks for his continued service.

Mr. Tetreault's term has expired, and is thanked for his service, and the NH Association of Fire Chiefs has been requested to identify a new candidate.

Mr. Trexler's term has expired, and he is in the process of being reappointed with thanks for his continued service.

The Chair requested a motion to accept the June meeting minutes.

Motion to accept the meeting minutes from June 10, 2022; Michael Hagan

Seconded: Art Guadano

Abstained: Lee Carroll, Dean Sotirakopoulos

No one opposed, Motion Carried

LEGISLATIVE STATUS

Chair Sherman gave an update on the pending legislation;

HB398 – Abolished the joint committee on code enforcement. This means that in order to address any conflicts between other regulations, such as the Fire Code, the work needs to be done either by an ad hoc committee working with other agencies. The new, standing legislative committee will mostly likely not be appointed until after the beginning of next year.

HB1681 – Having to do with the NH State Building Code. Updated 155-A. As of yesterday, the General Court website is not up to date and still shows the 2015 codes so in order to read the current 155-A, you need to go to the actual HB1681 bill to see the updates.

SB443 – Related to municipal amendments. Becomes active on January 1, 2023 and the Building Code Review Board will need to do some work before then to prepare.

HB1312 – Related to grease interceptors and DES not being permitted to write any code more stringent than the NH State Building Code. The NH House committee requested members of the BCRB and DES to work together to try and straighten things out, resulting in a report to be presented to the House committee later in September. All parties seem to be satisfied with the proposals at this time. One of the changes to the IPC is that the building sewer would be regulated by DES for septic systems and municipal sewer authorities for their sewer systems; the plumbing code would 5 ft. from the building wall or at the first fitting, matching the plumbing license limits. an IPC amendment will also resolve a problem with the type of drain from rinse and wash sinks, and various DES regulations will be amended. See the report in the meeting package for the details. Chair Sherman asked for volunteers to draft the amendment to the IPC; Roger Maynard and Tedd Evans stepped forward to complete this task.

Fall Amendments – Chair Sherman pointed out that we are assuming that any amendments to the 2018 code need to be through the Board’s process by December 1st, 2022 in order to make the December deadline creating a bill in the legislature. In order to process the Amendments for December the board will need to vote to hold public hearings at the next BCRB meeting in October, therefore proposed amendments are due by the October meeting.

OLD BUSINESS

Website Status: The website is still in the pipeline however in general the 2018 codes have been uploaded to the BCRB website, and while there are many changes and updates that need to be made and the State Fire Marshal’s Office is aware and working with DoIT as best as they can.

Potential Amendments; Med Kopczynski addressed the board regarding potential amendments that assist with the lack of housing in the State and the conversion of large homes to multi-family units, including sprinkler requirements and energy compliance, as they relate to existing buildings. Art Rose brought up the fact that multi-family homes are much tighter than they have ever been in regard to energy codes.

2021 Code Adoption: IEBC/IRC Reports will be rescheduled for next month’s BCRB meeting.

The Chair asked the board whether or not they thought that keeping the individual code committees in place to review the amendments. The consensus seemed to be that standing committees would be valuable, and the board discussed holding the committee meetings on the same day and will look into that next month.

The Chair asked Michael Hagan to look into the IBC sections that refers to the International Fire Code, which we do not adopt, but to look into the NFPA to see if the NFPA addresses what is in the IBC.

Municipal Amendments: Chair Sherman read an email from DOJ attorney Michael Grandy with regard to whether or not it is legal for a governing body/municipality to adopt a later model code edition of a code that is part of the state code. This was specifically in regard to Durham, who has adopted the 2021 Energy Code. Mr. Grandy did not think that the Supreme Court that would look at legislative history due to the fact that the verbiage is clear. Legislative history reviews are reserved for instances where there may be confusing or conflicting language. Mr. Grandy’s opinion is that the Durham approach would likely be deemed legal if challenged in court.

What is an amendment?: Chair Sherman discussed what responsibilities the municipalities have in regard to amendments and what can, should, and is considered an amendment.

Administrative Rules Review: Chair Sherman addressed that RSA 155-A needs to be updated, and that there might be some interest in the legislature in this, however; at the moment it is only an idea. If there is any interest in this, please let the Chair know.

NEW BUSINESS

ICC Emails: Chair Sherman asked Med Kopczynski to give a brief overview of the ICC work he has been doing and send a link to all the board members if they are interested in getting involved in the ICC development process.

Veterans Day Meeting: The second Friday in November falls on November 11, Veteran's Day. The board was asked which day, they would prefer meeting, before or after Veteran's Day. The board expressed that meeting on November 4th would be preferred, as November 18th gets close to the Thanksgiving holiday and if there is a need for any special meetings due to the December Legislative Report Deadline that there would still be a small window of extra time available.

The next meeting is scheduled for October 14, and is expected to be held at 33 Hazen Drive, Concord NH 03305 in the second floor conference room.

Chair Sherman adjourned the meeting at 11:52 am.

MEETING ADJOURNED