

APPROVED/OFFICIAL – MINUTES

These minutes are DRAFT minutes and are posted to comply with RSA 91-A: 2 The Board has not voted to accept them. Changes may/may not be made prior to their adoption at the next Board meeting.

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

In-person regular meeting November 12, 2021

Members Present:

Philip Sherman, P.E., Chair
Roger Maynard, P•FGF•HVAC of NH
Arthur Rose, Associated General Contractors of NH, Inc.
Michael Hagan, CFM, NH Building Officials Association
Art Guadano, Board of Architects
Jeffrey Trexler, Board of Engineers (Structural Engineer)
Tedd Evans, Mechanical Licensing Board
Lee F. Carroll, PE, NH Board of Engineers (Electrical Engineer)
Dean Sotirakopoulos (James Grant alternate), representing the Electricians board
Beverly Kowalik, P.E. Mechanical Engineer

Absent:

John Tuttle, Vice-Chair, NH Home Builders Association
Mariellen MacKay, Governor's Commission on Disability
Kenneth Walsh, NH Public Utilities Commission
Med Kopczynski, NH Municipal Association
William Fraser, NH Electrical Contractors Business Association
Peter Lennon, Fire Marshal - Manchester, NH Association of Fire Chiefs
Mark Tetreault, Fire Chief, NH Association of Fire Chiefs
[James Grant, Electricians Board](#)

Also Present:

Catherine Goff, Administrative Assistant, NH State Fire Marshal's Office
Michael Stanhope, Modular Building Administrator, NH State Fire Marshal's Office
Mikael Grandy, Assistant Attorney General

Guests:

Jerry Tepe
William McKinney
Jennifer Gilbert

The meeting, held in-person, was called to order at 10:05am by Chair Sherman. A quorum was declared. Chair ~~Phillip~~ Philip Sherman, for the record, introduced members by voice attendance.

Chair, ~~Phillip-Philip~~ Sherman announced to the Board that an individual has been selected to fill the part-time position as Administrative Secretary for the board. This individual, Erica L. Webb will start on November 19, 2021.

Motion to accept the meeting minutes from September 10, 2021: Arthur Rose

Seconded: Lee Carroll

~~**Abstained:** William Fraser, James Grant, Peter Lennon and Mark Tetreault~~

No one opposed, Motion Carried

OLD BUSINESS

Legislative Update: Chair Sherman informed the board that the legislative committee has had three meetings. Individuals from this board attended. These meetings were to identify ~~where we were on the~~ the path forward for legislative approval of the 2018 codes, and to assess the general process for legislative approval of the codes. ~~cycle.~~ In conclusion, a report was issued to the general court.

The Chair read several paragraphs from the committees report to the Board and advised the board that they will be able to print copies of this report from the General Court web site for further review.

The committee recommends that the first piece of legislation be filed in the House and the second be filed in the Senate. We are tasked with ~~insuring that an~~ offering an amended version of RSA 155-A with the recommendation that it be included into this legislation.

As a group, discussions took place on legislative process and timelines, as well as, how neighboring states are handling this same effort.

NEW BUSINESS

BCR 100 and BCR 200: BCR's need to synchronize with legislation. BCR 100 was last updated in 2003, with this, there are obvious items in this BCR that are out of date. The rules need to be reviewed for housekeeping changes to bring the code into conformance with current legislative process. We no longer need to go back to look at NFPA 5000. BCR 200 likely needs another review, keeping in mind that 200 has been looked at more recently than the 100 rules – the Board needs to give consideration to identifying that codes are current - with what other state laws are dictating. BCR 300 represents the 2009 code. This ~~code-BCR~~ is expired and has been relabeled "previous". ~~carries no weight. We are currently attempting to change the labeling on this code from current to former.~~

The group discussed a "courtesy document" or "non-binding guidance document" that addresses rule changes. From a legal standpoint, the document would be a consolidated version of the current code, similar to the previous BCR300, with the ratified exhibits remaining as the legal document. ~~is this permissible, can it be relied on, what weight will these documents provide, will this information be enforceable.~~

The Chair talked to the group about forms. If the rules dictate that completion of specific forms is required, then the completion of the forms can be enforced. If a form is recommended then completion would only be voluntary. One difference between a voluntary form –vs- a form identified in the rules is the voluntary form can be updated but a mandatory form needs to go through the administrative rule process - for any changes. A board member advised that 14 items could be identified on “the form” that could be changed. All forms should be fillable.

The group talked about ~~sub-committees~~committees and timelines for getting on a code cycle schedule. Consideration should to be taken on how these codes will coincide with life safety codes.

~~Chairman~~Chair Sherman introduced a new member to the Board. Beverly Kowalik, P.E. Mechanical Engineer.

The next BCRB meeting is scheduled for December 10, 2021. At this meeting, we will establish ~~sub~~-committees.

Motion to adjourn: Mike Hagan

Seconded: Arthur Guadano

MEETING ADJOURNED