

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Codes and Standards Committee

October 19, 2020

2:23 P.M.

Digital Meeting Only

Due to the COVID-19 pandemic and public health emergency and the need to provide social distancing and prohibit large gatherings, the meeting was held electronically in accordance with the State of Emergency Declared by the Governor and the 2020 amendments to the Appropriations Act. The meeting was held via Google Meets.

Members Present

Sonny Abbasi
Claudia Cotton
Sean Farrell
Andrew Friedman
Richard Gregory
Sylvia Hallock
Mark Jackson
Abby Johnson
Keith Johnson
Monique Johnson
Brett Meringoff
Patricia “Patty” Shields

Members Absent

Mimi Elrod

Call to Order

Mr. Brett Meringoff, Chair of the Codes and Standards Committee, called the meeting to order at 2:23 p.m.

Roll Call

The roll was called by Mr. Kyle Flanders of the Department of Housing and Community Development’s (DHCD) Policy Office. Mr. Flanders reported that a quorum was present.

Approval of Minutes

A motion was made by Mr. Farrell and properly seconded by Mr. Abbasi to approve the minutes of the June 26, 2020, meeting of the Committee; the motion passed (Yeas: Abbasi, Farrell, Friedman, Gregory, Jackson, A. Johnson, K. Johnson, M. Johnson, Meringoff, Shields; Abstentions: Cotton).

Code Change Proposals

Mr. Meringoff opened the floor for members of the committee to request to remove items from the workgroup consensus approval block. After discussion, TM403.3.1.1 and RB403.1.6 were removed from the block for individual consideration. A motion was made by Mr. Abbasi and seconded by Ms. A. Johnson to recommend approval of the remaining block items. The motion passed (Yeas:

Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Ms. A Johnson and seconded by Mr. Meringoff to recommend disapproval of TM403.3.1.1. After discussion, the motion failed (Yeas: None; Nays: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None). A motion was made by Mr. Farrell and seconded by Mr. Abbasi to recommend approval of TM403.3.1.1. The motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Farrell and seconded by Mr. Meringoff to approve RB403.1.6 with modifications, adding the language “centerline of the bolt”. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Farrell and seconded by Mr. Meringoff to recommend disapproval of TP403.1 (1). After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Meringoff and seconded by Mr. Farrell to recommend approval of TP403.1 (2). The motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Farrell and seconded by Mr. Meringoff to recommend disapproval of all workgroup consensus for disapproval items (Tab 3). After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Gregory and seconded by Mr. Meringoff to recommend disapproval of A113.8 (2). After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Farrell and seconded by Mr. K Johnson to recommend disapproval of B713.8. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Farrell and seconded by Ms. A Johnson to recommend disapproval of B713.11. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. K Johnson and seconded by Ms. Cotton to recommend disapproval of B905.5.3. After discussion, the motion passed (Yeas: Abbasi, Cotton, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: Farrell).

A motion was made by Mr. Farrell and seconded by Ms. A Johnson to recommend disapproval of B916. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, M Johnson, Meringoff, Shields; Nays: K Johnson).

A motion was made by Mr. Farrell and seconded by Mr. Meringoff to recommend disapproval of B918.1. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, A Johnson, M Johnson, Meringoff, Shields; Nays: Jackson, K Johnson).

A motion was made by Mr. Farrell and seconded by Mr. Meringoff to recommend disapproval of B1004.3 (2). After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Ms. Cotton and seconded by Mr. Farrell to recommend disapproval of B1612.2.1. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock

Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields;
Nays: None).

A motion was made by Ms. Cotton and seconded by Mr. Farrell to recommend disapproval of B1612.4. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. K Johnson and seconded by Ms. A Johnson to recommend disapproval B1804.8. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Gregory and seconded by Mr. Meringoff to recommend disapproval ERB101. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Gregory and seconded by Mr. Abbasi to recommend disapproval of E404.2. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Gregory and seconded by Mr. Meringoff to recommend disapproval of E405.10. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, K Johnson, M Johnson, Meringoff, Shields; Nays: Jackson, A Johnson).

A motion was made by Mr. Gregory and seconded by Mr. Meringoff to recommend disapproval of E1301.1.1.1. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: Jackson).

A motion was made by Mr. Gregory and seconded by Mr. Meringoff to recommend disapproval of RE402.1.2 (6). After discussion, the

motion passed (Yeas: Abbasi, Cotton, Farrell, Gregory, M Johnson, Meringoff; Nays: Freidman, Hallock, Jackson, A Johnson, Shields; Abstentions: K Johnson).

A motion was made by Ms. Cotton and seconded by Mr. Abbasi to recommend disapproval of RE402.4.1.2 (2). After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Gregory and seconded by Mr. Abbasi to recommend disapproval of RE403.1.2. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. K Johnson and seconded by Mr. Abbasi to recommend disapproval of RE403.1.4. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Gregory and seconded by Mr. K Johnson to recommend disapproval of RE404.2. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Ms. Cotton and seconded by Mr. Abbasi to recommend disapproval of RE407.1.1. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Farrell and seconded by Ms. Shields to recommend approval of RB302.3 (2). After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. K Johnson and seconded by Mr. Abbasi to recommend approval of RB313.1. Mr. K Johnson withdrew the motion. A motion was made by Mr. K Johnson and seconded by Mr. Freidman to recommend approval of RB313.1 with modifications. The modification was to only include Sections R313.1 and 313.1.1 (townhomes) and not include Sections R313.2 and R313.2.1 (one and two-family dwellings). After discussion, the motion passed (Yeas: Freidman, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Shields; Nays: Abbasi, Cotton, Farrell, Gregory, Meringoff).

A motion was made by Mr. Gregory and seconded by Mr. Meringoff to recommend disapproval of RB325.1. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, M Johnson, Meringoff, Shields; Nays: K Johnson).

A motion was made by Ms. Cotton and seconded by Mr. Meringoff to recommend disapproval of RB332 (2). After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Ms. Cotton and seconded by Mr. Meringoff to recommend disapproval of RB703.11.1. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Abbasi and seconded by Mr. Meringoff to recommend disapproval of EB103.2. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Abbasi and seconded by Mr. Meringoff to recommend disapproval of EB202 (2). After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Abbasi and seconded by Ms. Cotton to recommend disapproval of EB701.4. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Farrell and seconded by Ms. A Johnson to recommend approval of EB704.1. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Ms. Cotton and seconded by Mr. Meringoff to recommend disapproval of RTE390.2.16 (1). After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Abbasi and seconded by Mr. Meringoff to recommend disapproval of TM607.6.2.2. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff opened the floor for members of the committee to request to remove items from the workgroup consensus approval block (Tab 5). Hearing none, a motion was made by Mr. Abbasi and seconded by Ms. A Johnson to approve the workgroup consensus approval proposals as a block. The motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff opened the floor for members of the committee to request to remove items from the workgroup consensus approval block (Tab 6). Hearing none, a motion was made by Mr. Jackson and seconded by Mr. Abbasi to approve the workgroup consensus approval proposals as a block. The motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Farrell and seconded by Mr. Abbasi to recommend disapproval of AD20. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

A motion was made by Mr. Farrell and seconded by Mr. Meringoff to recommend approval of CS51 excluding proposed changes to Section D. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Hallock, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Report of the Statewide
Fire Prevention Code
Development Committee

Mr. Meringoff presented consensus for approval items as recommended for approval by the Statewide Fire Prevention Code Development Committee (SFPCDC) as a standing motion. The motion was seconded by Mr. Abbasi. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff presented consensus for disapproval items as recommended for disapproval by the SFPCDC as a standing motion. The motion was seconded by Mr. Abbasi. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff presented FP101 with modifications as recommended for approval by the SFPCDC as a standing motion. The motion was seconded by Mr. Jackson. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff presented FP112.5 as recommended for disapproval by the SFPCDC as a standing motion. The motion was seconded by Mr. Farrell. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff presented FP304.1.2 as recommended for disapproval by the SFPCDC as a standing motion. The motion was seconded by Mr. Farrell. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff presented FP603.3.2.7 as recommended for disapproval by the SFPCDC as a standing motion. The motion was seconded by Mr. Farrell. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff presented FP901.5.1 as recommended for approval by the SFPCDC as a standing motion. The SFPCDC recommendation included revised language adding, “by the building official” after “approved” and striking “except as provided in Section 106”. The motion was seconded by Mr. K Johnson. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff presented FP905.5.3 as recommended for approval by the SFPCDC as a standing motion. The motion was seconded by Mr. K Johnson. After discussion, the motion passed (Yeas: Abbasi, Cotton, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: Farrell).

Mr. Meringoff presented FP907.4.2.3 as recommended for approval by the SFPCDC as a standing motion. The motion was seconded by Mr. K Johnson. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff presented FP912.2 as recommended for approval by the SFPCDC as a standing motion. The motion was seconded by Mr. K Johnson. After discussion, the motion passed (Yeas: Abbasi, Cotton, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: Farrell).

Mr. Meringoff presented FP912.2.1 as recommended for approval by the SFPCDC as a standing motion. The motion was seconded

by Mr. K Johnson. After discussion, the motion passed (Yeas: Abbasi, Cotton, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: Farrell).

Mr. Meringoff presented FP1031.11 with modifications as recommended for approval by the SFPCDC as a standing motion. The modification was to replace “including the” with “based on” and add a sentence, “revocation shall be rescinded upon achieving compliance with this code and the applicable building code.” The motion was seconded by Mr. Abbasi. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff presented FP909.16.3 with modifications as recommended for approval by the SFPCDC as a standing motion. Modifications are as shown in the DHCD Note on Page 12 of Tab 4 in Book 5. The motion was seconded by Mr. Jackson. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Mr. Meringoff presented FP916.8 as recommended for disapproval by the SFPCDC as a standing motion. The motion was seconded by Mr. Farrell. After discussion, the motion passed (Yeas: Abbasi, Cotton, Farrell, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Preparation of Final Regulations

A motion was made by Mr. Abbasi and seconded by Mr. K Johnson to approve code changes as recommended by the Committee for inclusion in the final regulations. The motion passed (Yeas: Abbasi, Cotton, Freidman, Gregory, Jackson, A Johnson, K Johnson, M Johnson, Meringoff, Shields; Nays: None).

Unfinished Business

There was no unfinished business to be discussed.

New Business

There was no new business to be discussed.

Adjournment

Upon a motion duly made and seconded, the meeting was adjourned.