

# BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

October 3, 2022

9:00 A.M.

Glen Allen, Virginia

Public Comment Link - <https://www.youtube.com/watch?v=xGAyD2Q1i2I>

## Members Present

Louie Berbert  
Claudia Cotton  
Susan Dewey (arrived late)  
Sean Farrell  
Richard Gregory  
Sylvia Hallock (arrived late)  
Mark Jackson  
Abigail Johnson  
Keith Johnson  
Brett Meringoff  
Larry Murphy (arrived late)  
J.M. Snell  
Mark Trostle

## Members Absent

Patricia “Patty” Shields

## Call to Order

Mr. Brett Merignoff, Chairman of the Board of Housing and Community Development, called the meeting of the Board to order at 9:00 am.

## 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.

## Public Comment

Mr. Meringoff indicated that virtual comment would be offered first, followed by in-person comment and that each speaker would have two minutes to speak with one hour total allotted for virtual comment.

Mr. Dwayne Garriss, representing the National Association of State Fire Marshals and the National Fire Equipment Manufacturers Association, spoke in support of his proposal regarding portable fire extinguishers.

Mr. Ross Shearer spoke in support of proposals to increase wall insulation and reduce air changes as well as changes to incorporate sprinklers in townhouses.

Mr. Travis Folden spoke in opposition to the non-consensus items. He noted that non-consensus proposals would have a negative cost impact on providing diverse, low-cost housing.

Mr. Dan Sandoval of Republic Homebuilders spoke in opposition to non-consensus proposals, noting a negative cost impact in homes in rural areas.

Mr. Scott Williams indicated that building codes set a minimum standard, noting that individuals are welcome to choose certain options. He spoke in opposition to proposals exceeding model code and current code.

Mr. Jeremiah Horstick of Corelock Homes, spoke in opposition to non-consensus proposals noting their impact on starter homes.

Ms. Alicia Smith spoke in support of consensus proposals and in opposition to non-consensus proposals, citing a need to focus on housing affordability.

Mr. Mark Snesavage spoke in opposition to the non-consensus proposals, associating himself with Mr. Sandoval and Mr. Horstick.

Mr. Cody Hastings spoke and noted the importance of affordable housing options and spoke in opposition to the non-consensus proposals.

Mr. Lyle Solla Yates spoke in favor of proposal B1006.3.4-21 permitting single staircase residential construction in certain use groups.

Mr. Jeh Hicks of Gerald Properties associated himself with Dan Sandoval, Jeremiah Horstick, and Alicia Smith in opposing the non-consensus proposals.

Ms. Mary Koban of the Air Conditioning, Heating, and Refrigerant Institute (AHRI) spoke on behalf of proposals regarding EWP flammable refrigerants.

Mr. Sean Halsey spoke in opposition to the non-consensus proposals noting a need to analyze most recent changes before enacting new changes.

Mr. Robert Glass spoke on behalf of Daikin Comfort Technologies and Daikin Applied Americas regarding a new definition of flammable gas.

Mr. Ernie Campbell of Evermore Construction spoke in favor of disapproving non-consensus agenda items citing concerns with increased costs.

Mr. Bryan Holland, representing the National Electrical Manufacturers Association, spoke in support of proposals regarding smoke alarms and Arc fault protection.

Mr. Stephen Spletzer spoke in support of proposals noted by Mary Koban regarding refrigerants.

Mr. Ben Rabe of the New Building Institute spoke in support of energy strengthening amendments, particularly, the Electric Vehicle proposal.

Mr. John Bloom spoke on behalf of energy efficiency proposals, indicating the importance of long-term cost savings and indicating the importance of EV proposals.

Mr. Mike O'Connor representing Petroleum and Propane marketers thanked staff for their professionalism in the stakeholder process and noted concerns with the State Fire Marshal's Office Fee proposal. He also opposed non-consensus proposals.

Ms. Joy Loving spoke on behalf of the Climate Action Alliance of the Valley in support of the Sierra Club recommendations, in particular, those supporting EV readiness.

Mr. Eric Goplerud, representing the Faith Alliance for Climate Solutions spoke in support of wall insulation and air exchange proposals meeting the 2021 IECC standards.

Mr. Jay Riat, spoke on behalf of Fairfax County in support of adopting non-consensus energy code items and adopting the 2021 IECC.

Mr. Wyatt Gordon spoke in favor of single-staircase residential buildings up to six stories.

Mr. Luca Gattoni Celli, spoke on behalf of Yes in My Backyard (YIMBY) of Northern Virginia, in support of single staircase residential buildings and in opposition to sprinklers in townhomes.

Mr. Robert Melvin speaking on behalf of the Virginia Restaurant Lodging and Travel Association spoke in opposition to proposal FP107.11-21 relating to the State Fire Marshal's Office fee increases.

Ms. Morgan Whayland spoke on behalf of Virginia Natural Gas opposing non-consensus items restricting the use of natural gas.

Mr. William Abrahamson spoke in support of the single staircases in residential buildings proposal.

Mr. Meringoff noted the conclusion of virtual comment and opened the in-person comment portion.

Mr. Steve Shapiro, representing the Virginia Apartment Management Association and the Apartment and Office Building Association, spoke in opposition to non-consensus proposals regarding in-building communications, portable fire extinguishers, the energy code, and electric vehicle charging.

Mr. Bill Penniman, representing the Virginia Sierra Club, spoke in support of energy efficiency proposals. He indicated support for removing weakening amendments and adopting additional amendments regarding heat pumps and EV readiness.

Mr. Andrew Clark, representing the Home Builders Association of Virginia, noted the progress and compromise that had been achieved regarding energy proposals and indicated this process should continue through the workgroups.

Mr. Shariar Amiri, of Arlington County, spoke on behalf of the proposals he submitted regarding energy storage systems.

Ms. Susan Stillman spoke in support of EV proposals noting the high expense in providing this option after construction.

Mr. John Walser spoke on behalf of Fairfax County in support of in-building emergency communication systems and EV proposals and spoke in opposition to the single staircase proposal.

Mr. Kris Bridges, the Building Official for Martinsville, noted that Virginia is well respected for its code update process. He noted that maintaining affordability in housing was a key.

Mr. Mike Eutsey, President of the Virginia Building and Code Officials Association spoke in opposition to non-consensus changes and in favor of maintaining affordability.

Mr. Jason Laws, Deputy Building Official for Chesterfield County spoke in opposition to the requirement for sprinklers in townhouses.

Mr. Andrew Milliken, Deputy Fire Marshal for Stafford County spoke in support of using the model code when considering non-consensus items, referencing sprinklers, in-building emergency communication systems, and staircases.

Dr. Susan Miller spoke on behalf of the Virginia Clinicians for Climate Action in support of the proposals submitted by the Sierra Club regarding electrification, heat pumps, EV charging, and discontinuance of using gas appliances.

Mr. Bob Shippee speaking on behalf of himself, spoke in support of solar readiness proposals.

Mr. Glen Besa speaking as a private citizen, spoke on behalf of the Sierra Club proposals. He noted the environmental and economic benefits of the Sierra Club recommendations.

Mr. David Owen spoke in opposition to the non-consensus proposals, indicating that homeowners still had the opportunity to select certain options.

Mr. Eric Lacey, representing Responsible Energy Codes Alliance spoke in support of adoption of the 2021 IECC, specifically noting increased wall insulation and air tightness.

Ms. Lee Williams spoke in support of adopting the Sierra Club's proposals and adopting the 2021 IECC for the benefit of consumers.

Mr. Joe Brancoli spoke in support of the Sierra Club's proposals, particularly in support of air leakage standards.

Mr. Kevin Cianfarini spoke in support of adopting the Sierra Club proposals regarding electric heat pump installation.

#### Adjournment

A motion was made and seconded to adjourn the meeting until the conclusion of the committees. The meeting was adjourned at 10:38 a.m.

#### Reconvene

Mr. Meringoff, reconvened the meeting of the Board at 2:20 p.m.

The roll was called by Mr. Flanders. Mr. Flanders reported that a quorum was present.

#### Approval of Minutes

A motion was made and properly seconded to approve the minutes of the July 18, 2022, meeting of the Board; the motion passed on a voice vote.

#### Report of the Codes and Standards Committee

Mr. Rick Gregory, Chairman of the Codes and Standards Committee, summarized the recommendations of the Codes and Standards Committee for the Board.

The committee recommendation in the form of a standing motion to approve code changes as recommended by the Committee for inclusion in the proposed regulations was presented to the Board. The motion passed on a voice vote.

#### AGTAC Appointments

A motion was made and seconded to appoint members to the Agritourism Event Structure Technical Advisory Committee as

presented in the Board Package. The motion passed on a voice vote.

Resolution A motion was made and seconded to adopt resolutions commending former Board of Housing and Community Development members Sonny Abbasi, Andy Friedman, and Paykon Sarmadi. The motion passed on a voice vote.

VFSB Report Ms. Claudia Cotton noted that the Fire Services Board met in August and noted that they actively assist in auditing local fire service organizations around the state.

Virginia Housing Report Ms. Susan Dewey, CEO of Virginia Housing, reported that Virginia Housing would begin utilizing the next iteration of the State Housing Opportunity Tax Credit and that program regulations would be available in the near future. Upon additional questions from the Board, Ms. Dewey noted the benefits of the state tax credit in relation to other Virginia Housing programs.

Report of the Director Mr. Bryan Horn, Director of DHCD, noted that the Rent Relief Program was winding down and there could potentially be upcoming funding opportunities with the Affordable and Special Needs Housing program. Mr. Horn thanked the Board and staff for their work in preparing the meeting.

Unfinished Business There was no unfinished business to be discussed.

New Business There was no new business to be discussed.

Board Matters Mr. Horn noted the Governor's Housing Conference in November and invited Board members to attend.

Future Meetings The next meeting of the Board will be December 12, 2022.

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