



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
1000 Washington Street • Boston • Massachusetts • 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Board of Building Regulations and Standards (BBRS)

February 8, 2022, Meeting

This was a virtual meeting.

Chairman Dietz opened the meeting @ approximately 10:05 a.m. and took roll call as follows.

Kerry Dietz, Chair	x present <input type="checkbox"/> absent	Richard Crowley	x present <input type="checkbox"/> absent
Michael McDowell, Vice Chair	x present <input type="checkbox"/> absent	Steve Frederickson	x present <input type="checkbox"/> absent
Lisa Davey	x present <input type="checkbox"/> absent	Kent Vinson	x present <input type="checkbox"/> absent
Cheryl Lavalley	x present <input type="checkbox"/> absent	Layla D'Emilia*	x present <input type="checkbox"/> absent
John Couture	x present <input type="checkbox"/> absent	Peter Ostroskey*	x present <input type="checkbox"/> absent
Susan Gleason	x present <input type="checkbox"/> absent	Patrick Woodcock*	x present <input type="checkbox"/> absent

* Brian O'Connell participated as the designee for Commissioner of the Division of Occupational Licensure, Layla D'Emilia. Jen Hoyt participated as the designee for State Fire Marshal, Peter Ostroskey. Ian Finlayson participated as the designee for Department of Energy Resources Commissioner, Patrick Woodcock.

General notes on format of these minutes

- These minutes represent general points discussed by Board members and/or attendees. The minutes are not intended to be a verbatim account of discussions.
- Votes are noted as **MOTION** by, seconded by, and whether it was a unanimous or split vote.
- Agenda topics, as numbered, may/may not be in the same order as they appear on the meeting agenda.

1. **Review/ Vote** approval of January 20, 2022 BBRS draft minutes. After a short discussion, it was mentioned that one of the board member's last names was spelled incorrectly in the minutes. Also, that item #3 "Base Code" should be referred to as the "IBC" as opposed to the "Base Code." Additionally, John Couture asked that the word "hopefully" be removed from item #6 to clarify that the position of secretary would be temporary. Noting changes to the minutes, a **MOTION** was made by [John Couture] seconded by [Kent Vinson] and it was VOTED by ROLL CALL to approve the January 20, 2022 Board of Regulations and Standards (BBRS) meeting minutes. Susan Gleason abstained, as she was not in attendance for this meeting.
2. **Review \ Vote** approval of December 21, 2021, BCAB draft minutes. Due to technical difficulties, an incomplete set of minutes had been sent to the Board. A complete set of minutes was sent to the Board to be reviewed and voted on toward the end of the meeting.

3. **Review/Vote** approval of January 4, 2022, BOCC draft meeting minutes (EXHIBIT D). **On a MOTION** made by Mike McDowell and seconded by Susan Gleason to approve the minutes of the BOCC minutes of the January 4, 2022 and it was unanimously **VOTED by ROLL CALL** vote.
4. **Discuss/ Vote** 10th edition proposed amendments submitted by the Structural Advisory Committee, Geotechnical Advisory Committee, and the Coastal Subgroup.
 - a. The Structural Advisory Committee was unable to present their proposed amendments at this meeting but will be ready to present at the March meeting.
 - b. Rob Anderson, staff for the Geotechnical Advisory Committee, assisted by Chris Erikson screen shared Chapter 18 Soils and Foundations and suggested pulling amendments from the 9th edition with some differing language. Some discussion took place regarding Ground Improvement figures for Tables at Figures 1806.4 and 1809.14 Ground Improvement. With some assistance from legal counsel Charles Kilb on preferred language for a motion, a **MOTION** was made by Lisa Davey seconded by Michael McDowell to post Chapter 18, Soils and Foundations to the website as the latest draft version. It was then **VOTED by a Roll Call** Vote and the motion passed unanimously.
 - c. Rich Crowley presented the Coastal Subgroup recommendations proposing that the 9th Edition amendments to the Coastal Zone A requirements be carried forward to the 10th Edition. John Couture expressed concern and could foresee future problems with reference to the value of repairs exceeding more than 50 percent of the value of some coastal residences. Rich emphasized that we cannot relax FEMA guidelines or we would jeopardize FEMA reimbursements. Rich does not recommend adopting 2021 IBC Appendix G unamended. Charles Kilb pointed out that Section 143, Section 95 gives the Building Code Appeals Board the authority to grant variances and that the Appeals Board would be the place to make a request for relief. A **MOTION** was made by Rich Crowley and **Seconded by** John Couture to accept the Coastal Subgroup Recommendations as presented, for posting to the website as the latest draft version. It was **VOTED by ROLL Call Vote** and passed unanimously.
5. Break 10 minutes
6. **Discuss/Vote** 10th edition proposed amendments for the International Residential Code (IRC). David Holmes (DPL), assisted at times by Gordon Bailey, presented the proposed amendments to IRC Chapters 2-10. There was quite a discussion on Wind Speed Conversion tables and Rich Crowley stated that all the maximum wind speeds in Massachusetts are 110 mph and that is part of the cost of construction and insurance.

Other topics for discussion that arose during the discussion were how to deal with life safety in *Short Term Rentals* (such as Air B&Bs). Jen Hoyt raised concerns regarding better defining *Short Term Rentals* where life safety is involved and sees potential problems with non-owner occupied dwellings. She emphasized the need for uniform inspections and better definitions. In addition, it was mentioned that these should be brought under the Building Code IRC or IBC. This thought was echoed by Jeff Clemons, a Building Inspector in Pittsfield, who stated that this is long overdue. Charles Kilb mentioned that definitions are important and that we all need to work together to put language together. Chapter 2 of the IBC is where these will be defined.

7. Break 10 minutes
8. Continuing the presentation and discussion of the proposed amendments to IRC Chapters 3-10, Jen Hoyt asked why we are allowing emergency escape openings to be ½ of what they used to be and spoke about the need to add sprinklers to one and two family homes.

There was also some debate when it came to energy storage systems as to the jurisdiction - is it through 780 CMR Building Code or 527 CMR Fire Code? John Nunnari commented that state agencies need to work together and smooth

out interagency cooperation for the greater good. John Couture expressed that we have some serious safety concerns and that public safety is being overlooked. Jen Hoyt volunteered to dig into the *Short Term Rentals* issues, definitions, and concerns. Lisa Davey stated she will be looking into seismic requirements from an engineering perspective. After a long meeting and numerous discussions, a **MOTION** was made by Mike McDowell and was **seconded** by Lisa Davey to post IRC Chapters 2-10 to the website as the latest draft version. **A Roll Call VOTE** passed unanimously.

9. After some edits to the BCAB meeting minutes a **MOTION** was made by Michael McDowell and seconded by Rich Crowley, to approve the BCAB meeting minutes of December 21, 2021 and January 4, 2022. It was **VOTED by ROLL CALL VOTE** and was passed unanimously.
10. **Discuss/Vote** 10th edition proposed amendments for Ch. 9 submitted by the Fire Protection and Fire Prevention Committee. Due to time constraints, this will be discussed at the next BBRS meeting.
11. **Discuss** 108 new Construction Supervisor Licenses (CSLs) issued in the month of January 2022. This was discussed and there were no objections.
12. **Discuss/Vote** continued necessity of certain advisory committees. A MOTION was made by John Couture and seconded by Lisa Davey. By a unanimous roll call vote, the following subcommittees were disbanded: Convention Center Fire Protection, Prescriptive Standards for Low-risk Rooftop Solar Installations, LNG Storage Facility Standards. It was discussed that they could be re-established, should there be a need in the future.
13. **Discuss** additional BBRS meeting dates: March 24, 2022, and April 28, 2022. These dates were confirmed as additional meetings for the BBRS to move the 10th Edition along.
14. **Request discretionary Appeal Docket No. C21-00034 (Deliberations in Closed Quasi-Judicial session)**. Due to time constraints, this was not addressed at this meeting.
15. **Discuss** matters not reasonably anticipated 48 hours in advance of meeting. Ian Finlayson addressed the DOER straw proposal for the Stretch Code Update and the New Specialized Stretch Code. He indicated that he would like to present to the full board at a later meeting.
16. A **MOTION** made by John Couture and **SECONDED** by Lisa Davey was to adjourn the February 8, 2022 BBRS Meeting and it was unanimously **VOTED by ROLL CALL** to adjourn the meeting at 3:12 pm.