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Minutes

**Board of Building Regulations and Standards
Fire Prevention Fire Protection (FPFP) Advisory Committee
50 Maple Street, Milford, MA 01757 – 2nd Floor Conference Room
September 16, 2015 - 9:00 a.m.**

1. Roll Call - Call to Order 9:22 pm

- | | | | | | |
|----------------------------------|----------------------------------|---------------------------------|-------------------------------------|-----------|---------------------------------|
| a. Robert Carasitti Chair (BC) | √ present | <input type="checkbox"/> absent | g. Chief Gary McCarraher (GM) | √ present | <input type="checkbox"/> absent |
| b. Dave LeBlanc V-Chair (DL) | √ present | <input type="checkbox"/> absent | h. Boston Fire Commissioner | √ present | <input type="checkbox"/> absent |
| | (Part-time: Departed at 10:30am) | | Paul Donga for BFD (PD) | | |
| c. Walter Adams (WA) | √ present | <input type="checkbox"/> absent | i. State Fire Marshal (or designee) | √ present | <input type="checkbox"/> absent |
| d. Don Contois (DC) | √ present | <input type="checkbox"/> absent | Jen Hoyt for the SFM (JH) | | |
| e. Harold Cutler (HL) | √ present | <input type="checkbox"/> absent | j. Kurt Ruchala (KR) | √ present | <input type="checkbox"/> absent |
| f. Rob Anderson (RA or designee) | √ present | <input type="checkbox"/> absent | (Part-Time: Arrived 9:45) | | |
| | | | k. Louise Vera (LV) | √ present | <input type="checkbox"/> absent |
| | | | Jeff Putnam for LV (JP) | | |

General note on format: votes are noted as (Motion by: XX, Second by: XX, Vote: In Favor-Opposed- Abstaining).

The meeting was call to order at 9:22 with 10 of 11 Members present a quorum was achieved. It was noted that several non-members were present: Deirdre Hosler, Richard Crowley and Dan Walsh (Mr. Walsh arrived approx. 10:30 am).

- Rob Anderson addressed the committee with some opening comments noting his general positions that he supports the adoption of the I-Codes with minimal amendments to the extent possible understanding that some amendments are needed and justifiable. He also thanked the committee for their efforts particularly considering the committee has been called upon to review the draft 9th on several occasions.
- Deirdre Hosler also addressed the committee echoing Mr. Anderson’s comments and adding the she would be addressing the requested legal input from the prior meeting.

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4. Review and approval of minutes from September 2, 2015

The September 2, 2015 draft minutes were reviewed. A motion to accept the minutes was made.

Motion: GM 2nd: DL Vote: 8-0-2 Walter Adams and Rob Anderson abstained since they were not present at the September 2 meeting.

5. KR arrived bring the committee voting membership in attendance to 11.

6. The committee next took up Agenda Item 3 Review and discussion on DFS comments to the Draft 9th Edition of the Massachusetts State Building Code, 780 CMR.

The discussion picked up where the committee left off from the last meeting: DFS Proposal on Section 903.3.1. This discussion expanded to further discussion of the fire area concept versus aggregate area concept for determining when sprinklers were required.

- JH identified that this proposal along with several others impacting sprinkler provisions would be necessary if the DFS proposal to retain Table 903.2 failed to be approved by BBRS.
- BC noted that the FPFP at the September 2 2015 meeting supported the DFS proposal to retain Table 903.2 and the aggregate area concept for new construction, but was open to the fire area concept being used in the application of the existing building code.
- Several members commented during the discussion with the clear majority supporting the aggregate area approach: Walter Adams was a notable dissenter. Rich Crowley also offered his support of not amending the IBC 2015 and using the Fire Area concept as contained therein.
- RA suggested a compromise being considered was to keep the aggregate area for the initial issuance of the 9th and see how it goes for a period of time.
- BC objected to the compromise having a “countdown clock” and stated that the 10th Edition should be the next time the matter is revisited.
- BC then recapped the FPFP’s activities on the issue for the past 3 years starting with the initial Model 15 effort:
 - Original instructions were to review IBC 2015 and minimize amendments without reducing the level of safety in the current 8th Edition. That effort was completed and reported back to the BBRS in 2013. That effort resulted in the elimination of 32 MA amendments and in the opinion of the committee did not reduce the level of safety. In large part, the opinion was based on the retention of the aggregate area method and Table 903.2 with its specific notes.
 - Then in 2014 and 2015 the committee was asked to review the proposed amendments again but with a keener focus on costs and reducing amendments further. During this effort it was conveyed to the committee that, given the committee’s strong position on sprinklers, the aggregate area concept would be retained and to keep that in mind when performing the review. The committee proceeded with the exercise and eliminated even more MA amendments including significant reductions in fire alarm requirements on the understanding

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that the aggregate area concept for sprinklers was being retained (in other words decisions were made based on the aggregate area being in the 9th Edition). Those efforts were reported to the BBRs.

- Sometime later, the draft 9th Edition was provided to the BBRs and that draft prepared by staff did not include retention of the aggregate area method or Table 903.2, but rather strongly supported the adoption of the fire area concept without amendment. The position of the advisory committee was not forwarded to the BBRs.
- The FPFP majority has long supported the aggregate area method for new construction.
- It was originally put into the 6th Edition in response in part to the contraction of fire departments as a result of proposition 2 -1/2 and in consideration of the extensive “On Call” departments in the Commonwealth.
- The evolution of the building has been extensive in the 20th century where it’s goal progressed from mainly a property protection to life safety. Into the 21st Century the goal has increasingly expanded to improve the safety for first responders who face new challenges with the evolution of construction materials and furnishings.
- Understanding the combined goal prioritization today of: 1) Life Safety of the Public, 2) Improving Safety for the 1st Responders and 3) Maintaining property protection (which has its own economic consideration), no feature of protection has a demonstrated better performance than sprinklers. Sprinklers are always “on duty” and actively minimize fire effects which contributes to all 3 of the objectives.
- DL, KR, GM, JH, and HC all commented echoing many of the points made in BC’s summary.
- RC noted that the property protection consideration was for the insurance companies to address.
- WA noted that the most new construction projects will pursue sprinklers for “trade-offs” in the code and sees a minimum of buildings ultimately using the fire area compartmentation process but that should be the code user’s choice.
- RA noted he supported an aggregate area concept for residential buildings to be required to have the NFPA 13 system (as in the current 8th) given the fire loss history in the commonwealth for large residential buildings protected with NFPA 13R systems. It was also noted by others that it is acknowledged that no lives were lost in those fires, but the damage was none the less extensive and resulted in numerous families losing the homes.

It was decided to vote on the DFS Proposal to retain Table 903.2, so the committee could advance and address the remaining sprinkler provision proposals.

Motion: GM 2nd: JH Vote: 10-1-0

WA voted in the negative. RA voted in the affirmative but on the understanding that it was more an issue of the large loss fire for him and not a wholesale support of aggregate area.

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7. Dave LeBlanc left the meeting so the voting membership was reduced to 10 again.
8. The committee progress through 5 more of the DFS proposals but tabled the remainder until the next meeting.
9. With DH present, the committee returned to DFS Proposal on Section 427.7 Exception 1 to use it as an example for her to provide comment on the legal issue of authority, conflict and duplication.
 - a. BC provided a summary of the issues and discussion from the previous meeting:
 - i. Section 427 is for the MA Unique Section on Bulk Merchandising that was put into the code after a large loss fire in Quincy.
 - ii. This particular exception addresses when certain features may be omitted IF a certain level of fire department apparatus access is provided.
 - iii. Since its inception, the exception has noted the required width of fire access roadways and their location relative to the building's exterior walls.
 - iv. Details for fire apparatus access roadways (width, loading, radius, etc.) has always been in 527 CMR.
 - v. The proposal looks to: a) update the required width to be consistent with the latest 527 CMR (the width proposed is the width in the current 527 CMR and is also the same width required by the IFC and NFPA 1) and b) include a reference to 527 CMR to let user's know where to go for the other details for fire apparatus access roadways.
 - vi. It was identified at the last meeting that this change and all references to 527 CMR represent a potential conflict and that proceeding with the proposal could be viewed as tacit endorsement of 527 CMR.
 - vii. It was later revealed that part of the issue is when compliance with 527 CMR's new criteria is not achievable, 527 CMR suggests that the fire department can order additional mitigation affecting construction: requiring such additional mitigation would be in conflict with the legislation that identifies 780 CMR as the sole regulation for construction criteria.
 - b. DH addressed the matter with the following comments:
 - i. There is no technical conflict in so far as only one code contains the detail criteria.
 - ii. The duplication can be avoided by being more specific in the reference to the other code. In other words, do not include the detail criteria that is in 527 CMR but provide a reference to only the applicable provisions.
 1. BC noted that as other codes can change being too specific to a particular section becomes a "moving target" relative to coordination.
 2. RA suggested for this particular case, the elimination of the phrase containing the "width" could be eliminated and the reference to 527 could be changed to "the applicable provisions of 527 CMR.
 - iii. With regard to the conflict arising when additional mitigation is required, that is something for the BCCC to address separately.
 - iv. Lastly, but proceeding in this nature there is no tacit endorsement of 527 CMR.
10. The next meeting was set for September 23 at 50 Maple Street Milford beginning at 9 am.
11. The remainder of the agenda was tabled until the next meeting.

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12. Approval to adjourn the meeting

A motion was made to adjourn.

Motion: GM 2nd: DC Vote: 10-0-0

The meeting was closed at 12:00 pm.

Exhibits

- a. DFS Proposals dated 5/5/15
- b. Staff Comments on DFS Proposals (Edited 5/8/15 and commented on by T Riley the week of 6/1/15)
- c. Powerpoint presentation by the FPFP Chair that combined each DFS proposal and Staff Comment on single slide

DRAFT