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

BOARD OF BUILDING REGULATIONS AND STANDARDS

Aug 25, 2022 @ 10 a.m. until approximately 2 p.m.

Virtual Meeting

Public Minutes

Roll Call, by BBRS Chair:

David Riquinha
Lisa Davey
Michael McDowell
John Couture
Steve Frederickson
Kent Vinson
Darien Crimmin

☐ present ☐ absent
☐ present ☐ absent
☐ present ☐ absent
☐ present ☐ absent
☐ present ☐ absent
☐ present ☐ absent
☐ present ☐ absent

Tarica Leskiw
Betsy Pettit
Atiya Rahim
Sy Nguyen
Layla D'Emilia, (Baldacci)
Peter Ostroskey, (Hoyt)
Patrick Woodcock, (Finlayson)

☐ present ☐ absent
☐ present ☐ absent
☐ present ☐ absent
☐ present ☐ absent
☐ present ☐ absent
☐ present ☐ absent
☐ present ☐ absent

All members present

The meeting was called to order at 10:03 AM

1. **Review \Vote** approval of BBRS July 28, 2022 and August 9, 2022 Meeting Minutes

A **Motion** was made by Michael McDowell to approve the July 28, 2022 and August 9, 2022 Meeting Minutes and Lisa Davey **Seconded** the motion. A **Roll Call** vote was made where David Riquinha voted **YES**, Lisa Davey voted **YES**, Michael McDowell voted **YES**, John Couture voted **YES**, Steve Fredrickson voted **YES**, Kent Vinson **ABSTAINED** Darien Crimmin voted **YES**, Tarica Leskiw voted **YES**, Betsy Pettit voted **YES**, Atiya Rahim voted **YES**, Sy Nguyen voted **YES**, Richard Baldacci voted **YES**, Ian Finlayson voted **YES**, and Jen Hoyt **ABSTAINED**. The motion passed **Unanimously**.

2. **Review \Vote** Proposed amended language in Chapter 1 regarding citations to 527 CMR

The members reviewed the scoping language in Chapter 1 found at 101.4.5 to determine if further amendment was appropriate. Legal counsel noted that where a matter was governed by 527 CMR 1.00, overlapping/conflicting language in 780 CMR would generally not apply, however, it was important for the code to spell out those areas. He indicated a concern that the existing language indicated a list of areas of the IFC that would be specifically adopted had never been created and that language sending all IFC references to 527 CMR 1.00 might be problematic if 527 CMR did not regulate those specific topics. Some members debated this point and noted that there was a lot of discussion regarding the existing scoping language previously voted on and that some of the code may have been drafted based on that language. In response, legal counsel indicated that in his





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opinion the ultimate legal authorities wouldn't be changed by the different language, but recommended the Board adopt whichever language is clearest. A **Motion** was made by Lisa Davey to approve the language in Section 101.4.5 as presented by staff and Michael McDowell **Seconded** the motion. A **Roll Call** vote was made where David Riquinha voted **YES**, Lisa Davey voted **YES**, Michael McDowell voted **YES**, John Couture voted **YES**, Steve Fredrickson voted **YES**, Kent Vinson voted **NO**, Darien Crimmin voted **YES**, Tarica Leskiw voted **YES**, Betsy Pettit voted **YES**, Atiya Rahim voted **YES**, Sy Nguyen voted **YES**, Richard Baldacci voted **YES**, Ian Finlayson **ABSTAINED**, and Jen Hoyt voted **NO**. The motion **PASSED** 11-2. Further discussion was had regarding any reference to the IFC contained within 527 CMR, and that a pinpoint citation would be preferable to assist code users.

3. **Review \Vote** Proposed amended language for Appendix Q submitted by DOL staff

Gordon Bailey explained that a minor modification had been previously discussed regarding egress in tiny houses to be consistent with other code sections. After a few clarifying questions, a **Motion** was made by Michael McDowell to approve the staff proposal for Appendix Q. Ian Finlayson **Seconded** the motion. A **Roll Call** vote was made where David Riquinha voted **YES**, Lisa Davey voted **YES**, Michael McDowell voted **YES**, John Couture voted **YES**, Steve Fredrickson voted **YES**, Kent Vinson voted **YES**, Darien Crimmin voted **YES**, Tarica Leskiw voted **YES**, Betsy Pettit voted **YES**, Atiya Rahim voted **YES**, Sy Nguyen voted **YES**, Richard Baldacci voted **YES**, Ian Finlayson voted **YES**, and Jen Hoyt voted **YES**. The motion passed **Unanimously**.

4. **Review \Vote** Proposed amended language for Appendix J submitted by DFS

Using screensharing technology, Executive Director Greer Spatz Croxford displayed Appendix J for the board to review. John Couture asked about some of the language choices within the proposal for the Appendix, and if separate language choices may be a better fit. This prompted a fulsome discussion where multiple alternatives were proposed to the board as alternative language to use within the proposal. Jen Hoyt made a **Motion** to approve the proposal for Appendix J except for Section AJ102.3.4 to be held under a second vote. Kent Vinson **Seconded** the motion. A **Roll Call** vote was made where David Riquinha voted **YES**, Lisa Davey voted **YES**, Michael McDowell **ABSTAINED**, John Couture voted **YES**, Steve Fredrickson voted **YES**, Kent Vinson voted **YES**, Darien Crimmin voted **YES**, Tarica Leskiw voted **YES**, Betsy Pettit voted **YES**, Atiya Rahim voted **YES**, Sy Nguyen voted **YES**, Richard Baldacci voted **YES**, Ian Finlayson voted **YES**, and Jen Hoyt voted **YES**. The motion passed **Unanimously**.





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Ian Finlayson made a **Motion** to strike AJ102.3.4.2 and amend the language to: "Installation of an energy storage system within an attached garage or dwelling unit shall require a hard-wired powered heat or smoke detection device within the immediate vicinity of the energy storage system in accordance with R314." Darien Crimmin **Seconded** the motion. A **Roll Call** vote was made where David Riquinha voted **YES**, Lisa Davey voted **YES**, Michael McDowell **ABSTAINED**, John Couture voted **NO**, Steve Fredrickson voted **NO**, Kent Vinson voted **YES**, Darien Crimmin voted **YES**, Tarica Leskiw voted **YES**, Betsy Pettit voted **YES**, Atiya Rahim voted **YES**, Sy Nguyen voted **YES**, Richard Baldacci voted **YES**, Ian Finlayson voted **YES**, and Jen Hoyt voted **NO**. The motion **PASSED** 10-3.

John Couture left the meeting, and a 10-minute break occurred. The meeting was called back to order at 12:07 PM.

5. **Review \Vote** Revised Energy Storage Systems Subcommittee Proposed Amendments

Staff Gordon Bailey presented the changes made by the Energy Storage Systems Subcommittee. He explained the clarifications made by the subcommittee regarding permitting and what would belong to each jurisdiction. Specifically, he indicated that the energy storage system installation would require a fire permit, and anything impacted by the installation, but not the installation itself, would require a building permit. The example provided included a rated wall put in before the energy storage system installation would be permitted by the building official.

Jen Hoyt made a **Motion** to accept the Energy Storage System Subcommittee's recommendations to R328 with no amendments made to Appendix J. A **Roll Call** vote was made where David Riquinha voted **YES**, Lisa Davey voted **YES**, Michael McDowell **ABSTAINED**, Steve Fredrickson voted **YES**, Kent Vinson voted **YES**, Darien Crimmin voted **YES**, Tarica Leskiw voted **YES**, Betsy Pettit voted **YES**, Atiya Rahim voted **YES**, Sy Nguyen voted **YES**, Richard Baldacci voted **YES**, Ian Finlayson voted **YES**, and Jen Hoyt voted **YES**. The motion passed **Unanimously**.

Darien Crimmin left the meeting after this vote.

6. **Review \Vote** Proposed amended language for Chapter 9 submitted by FPPF

Chair David Riquinha led the discussion of Chapter 9 by asking questions related to certain sections within the chapter he wanted clarification on the 903.2 table. Some members indicated concern that the table as originally amended by FPPF should have been given greater scrutiny before rejection, and that the remainder of chapter 9





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was built around that table. A **Motion** was made by Kent Vinson to send table 903.2 to FPPF for further review: Jen Hoyt **Seconded** the motion. A **Roll Call** vote was made where David Riquinha voted **NO**, Lisa Davey voted **YES**, Michael McDowell voted **NO**, Steve Fredrickson voted **YES**, Kent Vinson voted **YES**, Tarica Leskiw voted **NO**, Betsy Pettit voted **YES**, Atiya Rahim voted **NO**, Sy Nguyen voted **YES**, Richard Baldacci voted **NO**, Ian Finlayson voted **YES**, and Jen Hoyt voted **YES**. The motion **PASSED** 7-5.

7. **Review \Vote** Proposed amended language for Chapter 4 submitted by DFS/BFPR

Due to time constraints, this item was tabled for a future meeting.

8. **Discuss** other matters not reasonably anticipated 48 hours in advance of meeting

Legal Counsel requested the Board return to the discussion of Chapter 9, he was not asking for any change in the decision to send it to FPPF, but requested that the referral provide FPPF a specific charge. Jen Hoyt made a **Motion** to task FPPF to reformatting back to the 9th edition, to fix errors, to incorporate the 2015 to 2018 edits and the 2018 to 2021 edits, and, to review for technical concerns and have the completed Chapter 9 for review by the BBRS board on the October 11, 2022 meeting. Lisa Davey **Seconded** the motion. A **Roll Call** vote was made where David Riquinha voted **NO**, Lisa Davey voted **YES**, Michael McDowell voted **YES**, Steve Fredrickson voted **YES**, Kent Vinson voted **YES**, Tarica Leskiw voted **YES**, Betsy Pettit voted **YES**, Atiya Rahim voted **YES**, Sy Nguyen voted **YES**, Richard Baldacci voted **NO**, Ian Finlayson voted **YES**, and Jen Hoyt voted **YES**. The motion **PASSED** 10-2

Board Counsel clarified that this direction would also require there to be no copyright infringement to be a complete document.

The meeting adjourned at 2:18 PM

Documents Used During Meeting:

BBRS July 28, 2022 and August 9, 2022 Meeting Minutes

Chapter 1 proposed amendments

Appendix Q proposed amendments

Appendix J proposed amendments

Revised Energy Storage Systems Subcommittee Proposed Amendments

Proposed amendments for Chapter 9 submitted by FPPF

