



**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)

December 14, 2021, Meeting

*This was a virtual meeting.*

Chairman Crowley opened the meeting @ approximately 10:04 a.m. and took roll call as follows.

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

\* 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.

\*\* Cheryl Lavalley joined the meeting about 10:33 am.

### 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 or may not be in the same order as they appear on the meeting agenda.
- The meeting agenda is listed as **EXHIBIT A**; others are listed sequentially as addresses during the meeting.

### Regular Meeting Portion

1. **BBRS Minutes.** On a **MOTION** by Jen Hoyt, seconded by Michael McDowell, it was unanimously **VOTED** by **ROLL CALL** to approve the minutes for the November 9, 2021, Board of Building and Regulations and Standards (BBRS) meeting as amended (**EXHIBIT B**). The amendments included Ian Finlayson making the motion, Jen Hoyt redrafted the 1st sentence in the second paragraph, and added the last sentence under agenda item six (6). Jen Hoyt also struck "related to NFPA 241 should be referenced in 780 CMR" in the last paragraph of agenda item six (6).
2. **BCAB Minutes.** On a **MOTION** by Kerry Dietz, seconded by Michael McDowell, it was unanimously **VOTED** by **ROLL CALL** to approve October 19, 2021, and November 2, 2021, Building Code Appeals Board (BCAB) minutes as submitted (**EXHIBIT C**).

3. **BOCC Minutes.** On a **MOTION** by Kerry Dietz, seconded by Michael McDowell, it was unanimously voted to approve the minutes for the November 2, 2021, Building Official Certification Committee (BOCC) meeting as submitted (**EXHIBIT D**).
4. **Discuss\Vote** Board meeting dates and locations for the calendar year 2022. On a **MOTION** by Kerry Dietz and seconded by Lisa Davey, it was a unanimous vote to approve the BBRS Meeting Dates 2022 (**EXHIBIT D**).
5. **Discuss** updated Draft 10<sup>th</sup> Edition Schedule. The schedule allows the board to see the 10<sup>th</sup> edition progress (**EXHIBIT E**). The revised schedule reflects the Technical Advisory Committees and Study Groups that reviewing various chapters of the I-Codes will be providing their report to the Board soon. Should the Board have the codes in March 2021, this would allow holding a public hearing in April or May. No action was taken.
6. **Review\Vote** Existing Buildings Technical Advisory Committee report on the 2021 IBC Chapter 34, IEBC recommendations (**EXHIBIT F**). Mike DiMascio reviewed Chapter 1 through Chapter 10. Jen Hoyt expressed interest in providing edits to the Committee's work. Mike DiMascio explained Section 307 has new amendments that clarify when the 50% trigger updating detection is part of the work. He also explained that the Committee discussed removing Section 306 Accessibility because accessibility requirements come from 521 CMR in Massachusetts. In the end, the Committee relied on Section 101.2 Scope that guides users of the IEBC to consider Chapter 1 in the IBC, which directs the code users to 521 CMR for accessibility requirements. Mike DiMascio talked about the Committee trying to make as few changes to the IEBC as possible, which is the direction given to the Committee. The Board discussed Massachusetts has some general laws that require amending some provisions of the I-Codes. Some Board members spoke about the Governor directing all code writing boards to adopt national codes and amending the I-Codes beyond what is needed to conform to a General Law is inconsistent with the Executive Branch's direction. Due to the time, Mike DiMascio ended discussion of a new amendment that strikes exception two (2) in Section 1011.1.2.1, so the code users will not be directed to the IRC.
7. **Discuss** 93 new Construction Supervisor Licenses (CSLs) issued in the month of November 2021. Board members acknowledged the number of newly issued CSLs.
8. The Board discussed having more of the IBC and IRC chapters as soon as practical, so each Board member can review ahead of the meetings so that the chapters can be voted and made available for the public to become more familiar with the proposed 10th edition.
9. **Quasijudicial Session.** On a **MOTION** by John Couture, seconded by Michael McDowell, it was unanimously **VOTED** by **ROLL CALL** to close the public meeting @ approximately 12:20 p.m. to enter quasijudicial Session for the issuance of a final decision in an adjudicatory matter per M.G.L. c. 30A, §21. The Board voted to adopt the recommendations of the Hearing Officer and issue a Final Decision and Order in Case Record 117-00193.
10. **Investigative Conference.** On a **MOTION** by Michael McDowell, seconded by John Couture, it was unanimously **VOTED** by **ROLL CALL** @ approximately 1:31 p.m. to exit quasijudicial session and move into closed investigative conference prior to the issuance of an order to show cause pursuant to M.G.L. c. 112, §65C. During closed investigative conference, the Board referred a complaint against DL for unlicensed practice as a Construction Supervisor to prosecutions.
11. **Adjourn.** On a **MOTION** by Jen Hoyt, seconded by Michael McDowell, it was unanimously **VOTED** by **ROLL CALL** to adjourn the meeting.

#### **EXHIBITS:**

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- A. Meeting Agenda.
  - B. November 9, 2021, Board of Building and Regulations and Standards (BBRS) meeting minutes.
  - C. October 19, 2021, and November 4, 2021, Building Code Appeals Board (BCAB) minutes.
  - D. November 2, 2021, Building Official Certification Committee (BOCC) meeting minutes.
  - E. 780 CMR - 10th Edition Adoption Schedule Draft.
  - F. 2021 IEBC Recommendation Chapters 1 thru 15.