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BOARD OF BUILDING REGULATIONS AND STANDARDS
NOTICE OF VIRTUAL MEETING

Fire Prevention and Fire Protection Subcommittee

In accordance with the provisions of G.L. c. 30A § 20, notice is hereby given that the Fire Prevention and Fire Protection Subcommittee of the Board of Building Regulations and Standards (BBRS) convened a meeting in accordance with G.L. c143 § 97 on:

Meeting called to order on Wednesday, November 12th, 2025, at 9:31 AM
Meeting Minutes

Roll Call

David LeBlanc, Fire Protection Engineer	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Luke McKneally, BBRS Member	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Jake Nunnemacher, BBRS Member	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Carissa Lisee, DOL Appointee	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Tom Farland, Municipal Fire Official	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Gail Kubik, Municipal Building Official	<input type="checkbox"/> present <input checked="" type="checkbox"/> absent
Michael Yanovitch, Building Contractor	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Eric Svahn, Architect	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent post initial roll
Matthew Bourque, Developer	<input type="checkbox"/> present <input type="checkbox"/> <input checked="" type="checkbox"/> absent

1) **Review/Vote** Meeting minutes for October 8, 2025

Jake Nunnemacher motioned to accept the October 8, 2025, meeting minutes, seconded by Luke McKneally. Chair LeBlanc addressed minor edits for locking arrangements and exit access door comments. A roll call vote was held incorporating the two changes, none opposed, none abstained. Motion passed unanimously for the amended meeting minutes.

2) **Review/Discuss/Vote** Control Area Interpretation

Chair LeBlanc introduced the interpretation being reviewed that included the specific question, can rooms and spaces where chemicals are not directly stored, used, and/or handled be permitted to be included within a given control area's boundary? Joe Ostrowski spoke about the interpretation request. He stated Code Red is seeing some inconsistency with how multiple jurisdictions are interpreting and driving for the control area separation ratings in various buildings. Mr. Ostrowski referred to Section 414 permitting control areas to be an entire building or a portion thereof and stated some jurisdictions are requiring control area separation to be specifically between chemical areas and non-chemical areas. Mr. Ostrowski is looking for clarification as Code Red believes the intent of this



code section allows for control areas to include both chemical and non-chemical spaces versus a more conservative approach of the control area boundaries between two specific use and handling areas, inclusive of any other space on the floor. Chair LeBlanc reviewed IBC commentary which allows for parts of a building or a whole of a building. He noted Figure 2 is an acceptable approach and for Figure 3, could do it this way yet not obligated to. Chair LeBlanc shared a document of proposed interpretation language. Concern was shared of not wanting to issue an interpretation that would prohibit other considerations such as atriums. Further discussion was held including how to use control areas. This discussion led to ensuring the interpretation from the subcommittee includes a longer response than just what is acceptable vs not acceptable as to not create confusion.

Jake Nunnemacher raised concern about chemicals being exposed to people not within the lab.

Janna Serafim addressed Jake Nunnemacher concern with occupants being exposed to chemicals.

Ms. Serafim noted there is additional commentary in the building code that explains the entire premise of the exempt amounts is that these amounts are low enough that they are recognized as not substantially increasing the risk to the occupants in that space, which is why it allows you to maintain the occupancy classification based on how the space functions. It goes on to explain that the intent of the fire ratings for control areas is that you are separating the spaces where you have up to the exempt amounts of chemicals for the purpose of ensuring that you're not involving any more chemicals than the exempt amounts in a fire scenario.

Chair LeBlanc shared his screen with proposed wording of the interpretation request. The draft response was reviewed.

Jake Nunnemacher proposed that a clarification be noted that the control area would have to be subject to everything that is coming through the loading dock and could it be added in a separate paragraph. After further discussion, this was not added to allow for a more concise and clean interpretation.

Eric Svahn commented on the importance of keeping it simple for control areas to be designed, built and constructed on what they're supposed to do and secondly, understanding the code and the areas of where chemicals are placed and who has access to them.

Luke McKneally motioned to move forward with the interpretation document reviewed to the BBRS, seconded by Michael Yanovitch. A roll call vote was held, none opposed, none abstained. Motion passed unanimously.

Michael Yanovitch posed a question about if and where this interpretation will be posted. Chair LeBlanc responded it will be decided by the BBRS.

3) **Review** Assigned code sections – Chapters 4, 7, 9, 33, A2L and code proposals from 10th

Chair LeBlanc shared via his screen the front-end amendments for Chapter 33 Safeguards During Construction. Discussion followed on two notes recommended to be added. Note 1: Reference in Chapter 33 to the International Fire Code shall be applied in accordance with subsection 101.4.5 of this code. Note 2: References to Chapter 33 of the International Fire Code shall mean 527 CMR 1.00. Board Counsel Kilb stated to the subcommittee that Note 2 might be problematic as the building code cannot regulate 527 CMR 1.00, specifically he noted that 780 CMR is adopted by the BBRS and regulates what building officials approve and don't approve; if 527 CMR 1.00, which governs fire officials, does not regulate a specific area, 780 CMR 1.00 cannot delegate things to it. He noted the language in Chapter 1, although not perfect, was very carefully written to try and address these jurisdictional issues. Chair LeBlanc noted that 10th edition, in many front end amendments, still apparently references 527 CMR 1.00. Board Counsel Kilb noted this is one of the issues that the BBRS continues to work with regarding the 10th edition. The BBRS is hoping that the 11th edition could clean this up. Chair LeBlanc reiterated his option that notes would be utilized only as pointers for readers, such as design teams.

Chair LeBlanc recognized Gordon Bailey. Mr. Bailey stated if there is a conflict between the International Fire Code language and something that's regulated by 527 CMR 1.00, building officials are hands off and it becomes the fire department's call. If it's not regulated in 527 CMR 1.00, then building

officials enforce sections of the IFC that are not covered with 527 CMR 1.00. Building officials do adopt sections of the code and not, not the book.

Jake Nunnemacher noted during the writing of the 10th edition, considerable effort was given to make the building code a little bit more understandable and readable for the user. As part of this effort, he opined that all the requirements to 527 CMR 1.00 were referenced in as well as the IFC requirements for the ease of the user to use chapters 1, 33, the IFC, and 527 CMR 1.00.

Chair LeBlanc then highlighted Note One (on the screen) that references Chapter 33 and explained his intent for it being upfront to remind users of the application of Chapter 1. Board Counsel Kilb noted that Chapter 1 has not been assigned by the BBRS for any subcommittees, however, he noted that this is a technical subcommittee and would be best not spending much time on jurisdictional matters as versus matters needing the expertise of the subcommittee's members. He further indicated that if the subcommittee identifies an area they feel like that 527 CMR 1.00 specifically regulates, they should flag it rather than attempt to adopt it to create a duplication. In particular, he noted that the subcommittee shouldn't create generic references to 527 CMR 1.00, instead it should determine what 780 CMR should regulate. If the subcommittee feels like there is nothing for 780 to regulate, then the subcommittee should say so.

Chair LeBlanc further opined that the building code is not written just for building officials, it's written for everyone involved in the building process.

Board Counsel Kilb reiterated that the building code can only regulate building officials, thus the subcommittee needs to avoid language that building officials have no authority to regulate.

There was further discussion to remove note 2. Jake Nunnemacher stated he thought it is better to have it in there but if it should not be there based on the other discussions, he had no problem removing it. Luke McKneally agreed note 2 could go away and note 1 is sufficient. Eric Svahn commented clarity is for the better. By unanimous consensus, note 2 was removed from the draft.

Discussion commenced with another Section 3301.1.1 Except as otherwise provided for in 780 CMR, fire safety during construction and the protection of adjacent public and private properties shall comply with the provisions of 527 CMR 1.00 as enforced by the fire code official. Board Counsel Kilb stated from a legal perspective, this statement should seem to suggest there is a conflict between the two codes but does not specify what that conflict was. Jake Nunnemacher noted the intention of this is to show the reader to also go to 527 CMR 1.00 yet the wording is a bit clunky. Chair LeBlanc asked if the scope paragraph as written worked. Michael Yanovitch noted the 2024 Chapter 33 is much different than 2021 asked where construction fire safety plan requirements submitted at time of application reference is. He noted the importance of submitting construction fire safety plans. He went on to state that in the 10th edition there is 3301.3 construction documents, and it specifies that the fire safety plan shall be submitted to the building official and the fire code official as required in Chapter One. He went on to say it is important to make sure that we're getting these for the reasons that we started this whole conversation. The building official still needs to be involved and stated the importance of including in the 11th edition the citation, that part of the required construction documents is the construction fire safety plan. Board Counsel Kilb encouraged the subcommittee to review Chapter 1 again for the purpose of avoiding creating redundant language in Chapter 33 and to ensure if the type of documents referenced in the two chapters are different, that be made explicit for users. Counsel suggested that the subcommittee use the 10th edition's version of Chapter 1 at this time as the BBRS has not authorized any changes. He further suggested if the subcommittee feels a change should be made to Chapter 1 to address construction

documents, it is free to flag the matter for the BBRS but again noted that Chapter 1 is largely outside the scope of this subcommittee.

Further discussion about the numbering of 3301 and it is currently in the 10th as 3301.3.

Jake Nunnemacher suggested changes the naming of the documents from construction documents to fire safety documents. He also suggested verbiage for these documents belonged in Chapter 33 instead of Chapter 1. Board Counsel Kilb indicated the subcommittee can certainly do so, but they also need to ensure their language is consistent. He noted that Chapter One language for Fire Protection systems uses construction documents as a generic term and cautioned there should be clarity between requirements that must be satisfied before a permit is issued as versus before work is performed.

Carissa Lisee and Luke McKneally provided further comments on adding a note regarding the fire safety plan requirements of Chapter 33 to Chapter One Construction Documents.

Michael Yanovitch noted there are two sections the subcommittee will have to address if the name changes. It would be added in under construction/fire safety documents and then in demolition.

Therefore, there are now two citations to just construction documents.

Eric Svahn stated that if people think back to who needs to submit what, then maybe the direction or sentence for each clarifies the intent of what's being asked or what is required here.

Chair LeBlanc asked the subcommittee for their thoughts on the term construction documents. Members weighed in to keep the term construction documents suggested by Jake Nunnemacher. Discussion about timeline for building permit applications. Gordon Bailey was called on by the Chair to speak to the process and the 30-day timeline.

The subcommittee discussed a recommendation to be added to Chapter 1. Chapter 1 FFPF recommendation to BBRS to add section 107.2.10 as follows 107.2.10 Safeguarding Construction Fire Safety Plan / Program. *Construction documents* and a schedule for the work to be performed shall be submitted to the *building official* and the *fire code official* in accordance with 780 CMR 1. The *construction documents* shall include the fire safety program, as required by Chapter 16 of 527 CMR 1.00, and shall be submitted to the fire code official for approval. Work shall not be performed until such *construction documents* are approved.

Note 1. Reference in Chapter 33 to the International Fire Code shall be applied in accordance with subsection 101.4.5 of this code and section 107.2.10.

Luke McKneally motioned to make the recommendation to the BBRS to add 107.2.10 Safeguarding Construction, seconded by Michael Yanovitch. No further discussion. None opposed. None abstained. Motion passed by unanimous vote.

The subcommittee went back to the discussion of draft language for section 3301.1.1. Board Counsel Kilb indicated he found this draft section to be legally problematic as it is suggesting that 780 CMR is going to tell you when 527 CMR 1.00 may apply or not. He indicated that Section 3301.1.1 is doing something that the building code can't do, stating when a different code with its own authority may apply. By unanimous consent this language was removed.

4) **Discuss** Future meeting dates

November 26 meeting will be canceled due to Thanksgiving and scheduling conflicts with subcommittee members.

Next meeting will be held December 10th.

The December 24th meeting will be moved to December 17th to allow for A2L discussion.

5) **Discuss** Other matters not reasonably anticipated 48 hours in advance of meeting
none

Jake Nunnemacher motioned to adjourn meeting, seconded by Michael Yanovitch seconded. A roll call vote was held, none opposed, none abstained. Motioned passed.

Meeting adjourned at 12:21 PM.

Items relied upon

Agenda

Meeting Minutes

Code Change Proposals