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**DIANE M. SYMONDS**  
COMMISSIONER, DIVISION OF  
PROFESSIONAL LICENSURE

January 14, 2020 Meeting  
50 Maple St, Milford MA

## Board of Building Regulations and Standards (BBRS)

Chairman Couture, opened the regular meeting at approximately 10:15 a.m.

Chairman Couture took roll call as follows:

John Couture, Chair	✓ present <input type="checkbox"/> absent	Peter Ostroskey**	✓ present <input type="checkbox"/> absent
Kerry Dietz, Vice Chair	✓ present <input type="checkbox"/> absent	Michael McDowell	<input type="checkbox"/> present ✓ absent
Richard Crowley, Second V. Chair	✓ present <input type="checkbox"/> absent	Susan Gleason	✓ present <input type="checkbox"/> absent
Kevin Gallagher	<input type="checkbox"/> present ✓ absent	Lisa Davey	✓ present <input type="checkbox"/> absent
Cheryl Lavalley	✓ present <input type="checkbox"/> absent	Steve Frederickson	✓ present <input type="checkbox"/> absent
Diane Symonds *	✓ present <input type="checkbox"/> absent		

\* David Sullivan participated as the designee for DPL Commissioner, Diane Symonds.

\*\* Jen Hoyt participated as the designee for State Fire Marshal, Peter Ostroskey.

### General notes on format of these minutes

- These minutes represent general points of discussion by members and audience participants during the regular meeting session. 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 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.

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### Regular Meeting Portion

1. **BBRS Minutes Review\Vote** approval of December 17, 2019 BBRS draft meeting minutes. On a **MOTION** by Kerry Dietz, seconded by Jen Hoyt, it was a majority vote to approve as submitted the December 17, 2019 meeting minutes for the Board of Building and Regulations and Standards (**EXHIBIT B**). Cheryl Lavalley and Lisa Davey abstained.
2. **BOCC Minutes Review\Vote**. On a **MOTION** by Kerry Dietz and seconded by Jen Hoyt, it was a unanimous vote to approve December 5, 2019, Building Official Certification Committee (BOCC) meeting minutes (**EXHIBIT C**).

3. **Update** 2018 IECC implementation. Board Counsel Charles Kilb reported he had received the final version from A&F. Given the Secretary of State's publishing schedule, he projected it should be in effect February 7, and the concurrency period voted by the Board would then end August 7, 2020. Richard Crowley asked if any other amendments the board sent through the approval process have been released. Board Counsel Charles Kilb indicated he did not receive any other changes. Ian Finlayson from DOER advocated for July 1 as an end to the concurrency period. Chairman Couture recognized John Nunnari, who said AIA Mass. members have been informed the energy code would have a 6-month concurrency period, consistent with the decision made at last month's BBRS meeting. Kerry Dietz spoke about having a code change update as part of each monthly meeting.
4. **Review\Vote** variance extension for implementation for all Walmart stores in accordance with 780 CMR 901.2(2) (b) (2nd paragraph). Dan Walsh explained the request that has been submitted and directed the Board to a previously issued variance for Walmart Stores, Inc. granting the use of sprinkler heads on a list published by an organization that is acceptable to the authority having jurisdiction for the Walmart store building in Oxford MA. (**EXHIBIT D**). He also directed the Board to an October 2, 2019 letter (less the mentioned full set of documents presented to the BCAB) authored by Ernest D. Yonkers, P.E. requesting the BBRS grant the use of Section 901.2(2) (b) (**EXHIBIT E**). Chairman Couture recognized Mr. Yonkers, who explained the fire sprinkler head, which is the subject of his request, has been tested by UL and qualified for what is known as "UL verified". Jen Hoyt spoke about the UL verified process. Chairman Couture pointed out that should this request be granted; the Board's approval would apply to the 9th edition. Steve Fredrickson asked if this request the result of the MA amendments. On a **MOTION** by Jen Hoyt, seconded by Kerry Dietz, it was a unanimous vote grant the application by way of 780 CMR 901.2(2) (b) utilizing BCAB Docket Number 19-0043, dated July 17, 2019, which granted a variance to NFPA 3, Sec. 3.2.3 incorporated in 780 CMR 427.5. This granting to utilize the issued variance to the state building code, describe in BCAB Docket Number 19-0043, dated July 17, 2019, limited to Walmart store buildings, installing sprinkler heads on a list published by an organization that is acceptable to the authority having jurisdiction.
5. **Review\Vote** EAC charged with respect to zero-energy design approach. Look at: examine the feasibility, determine the cost impacts, is code change proposal 11-6-2019 legal in terms of what it is requiring, and identify all the technical implications. Dan Walsh explained the Board voted these EAC tasks on December 17, 2019. John Nunnari spoke about a net-zero proposal submitted to ICC and told the Board the process almost complete. Kerry Dietz thinks the energy requirements in the code change proposal provides a path for the BBRS to use.
6. **Discuss** 77 new Construction Supervisor Licenses (CSLs) issued in the month of December 2019. Staff reported everything is in order. Jen Hoyt asked about the CSL complaint process. Dan Walsh explained the process for these complaints includes Patty Berry and DPL hearings officer.
7. **Discuss** 92 new Construction Supervisor Licenses (CSLs) issued in the month of November 2019. Staff reported everything is in order. No discussion ensued and action needed.
8. **Discuss\Vote** CSL Average Passing Score\Medical\Military\Age or Continuing Education Requirements. On a **MOTION** by Kerry Dietz, seconded by Lisa Davey it was unanimously voted to reinstatement

Kapleye Krikorian CS-082404 due to a medical issue (**EXHIBIT F**) and reinstate William Pye CS-005316 due to age (**EXHIBIT G**).

9. **Vote** BBRS chair and vice-chair. Kerry Dietz offered the John Couture should hold a 1st Vice-Chair position to help the new president transition, and the group agreed. Lisa Davey nominated Kerry Dietz for Chair. John Couture nominated Richard Crowley for Chair. On the **MOTION** for Richard Crowley, the yeses, Cheryl Lavalley, Susan Gleason, John Couture, Ricard Crowley, and Dave Sullivan. John Couture nominated Lisa Davey for Vice-Chair. On that **MOTION** for Lisa Davey for Vice Chair, the yeses; Kerry Dietz, Steve Frederickson, Jen Hoyt, Lisa Davey, and Dave Sullivan. Richard Crowley **MOTIONED** for John Couture as 1st Vice-Chair, unanimous vote.
10. **Adjourn.** On a **MOTION** by Kerry Dietz, seconded by Lisa Davey it was unanimously voted to adjourn the regular meeting at about 11:30 am and enter Quasi-Judicial Session.

**EXHIBITS:**

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- A. Meeting Agenda.
- B. Minutes for the December 17, 2019 Board of Building and Regulations and Standards (BBRS) meeting.
- C. Meeting minutes for the December 5, 2019 Building Official Certification Committee (BOCC).
- D. Variance Granted July 17, 2019, Docket Number 19-0043.
- E. Ernest D. Yonkers, P.E. October 2, 2019 letter.
- F. Kapleye Krikorian CS-082404 medical reinstatement.
- G. William Pye CS-005316 age reinstatement.