



**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**MIKE KENNEALY**  
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**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
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**EDWARD A. PALLESCHI**  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS  
REGULATION

**LAYLA D'EMILIA**  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**BOARD OF BUILDING REGULATIONS AND STANDARDS**

March 8, 2022

**AGENDA**

**Roll Call, by BBRS Chair:**

Kerry Dietz, Chair  
Michael McDowell, Vice Chair  
Richard Crowley  
John Couture  
Lisa Davey  
Steve Frederickson  
Susan Gleason

☒ present ☐ absent  
☒ present ☐ absent  
☒ present ☐ absent  
☒ present ☐ absent  
☒ present ☐ absent  
☒ present ☐ absent  
☒ present ☐ absent

Cheryl Lavalley  
Kent Vinson  
Layla D'Emilia, or designee  
Peter Ostroskey, or designee  
Patrick Woodcock, or designee

☒ present ☐ absent  
☒ present ☐ absent  
☒ present ☐ absent  
☒ present ☐ absent  
☒ present ☐ absent

*\* Richard Baldacci participated as the designee for Commissioner of the Division of Occupational Licensure, Layla D'Emilia. 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.*

**Regular Meeting Agenda**

1. **Review \Vote** approval of February 8, 2022, BBRS draft minutes  
A **Motion** was made by Michael McDowell to approve the minutes of the BBRS minutes of February 8, 2022 **Seconded** by Susan Gleason. A Roll Call vote was **unanimous**.
2. **Review \Vote** approval of January 18, 2022 and February 3, 2022, BCAB draft minutes  
A **Motion** was made by Michael McDowell and was **seconded** by Kent Vinson to approve the BCAB draft meeting minutes of January 18, 2022 and February 3, 2022. A Roll Call vote was **unanimous**.
3. **Review \Vote** approval of February 1, 2022, BOCC draft minutes  
A **Motion** was made by Rich Crowley and was **seconded** by Michael McDowell to approve the draft meeting minutes of the BOCC for February 1, 2022. A Roll Call vote was **unanimous**.
4. **Discuss \Vote** 10<sup>th</sup> edition proposed amendments submitted by the Structural Advisory Committee. A **Motion** was made by Kent Vinson **seconded** by John Couture to table this discussion until a future meeting. A Roll Call Vote was **unanimous**.





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5. **Discuss \Vote** 10<sup>th</sup> edition proposed amendments to the IRC

As a structural engineer, Lisa Davey was tasked to examine closely some issues regarding wind speed and seismic criteria in the 2021 IRC Chapter 3. The goal of which would be to help the board decide what language would be recommended for the 10<sup>th</sup> edition of the IRC. There was discussion regarding wind speed charts and how they would need to calculate them correctly, as well as the concern of wind born debris. Rich Crowley expressed concern that the language presented could affect the cost of construction in coastal communities especially when referring to high impact glass for windows. He suggested putting this section on hold for the time being. Lisa Davey expressed that she did not see that Massachusetts is any different from any other areas of the country as we still deal with tornados, northeasters, hurricanes and the like. Jen Hoyt stated that we need language that clarifies what Massachusetts requires. After a lengthy discussion, Greer Spatz Croxford redirected the conversation and asked if Massachusetts wants to accept the ICC language for wind born provisions.

A **Motion** was made by Lisa Davey and was **seconded** by Jen Hoyt to accept the original ICC language for wind provisions in the 2021 IRC. A Roll Call vote was held with the following votes: Michael McDowell voted NO, Rich Crowley voted NO, John Couture voted NO, Lisa Davey voted YES, Steve Fredrickson voted YES, Susan Gleason voted NO, Kent Vinson voted YES, Richard Baldacci voted YES, Jen Hoyt voted YES, Ian Finlayson voted YES, Kerry Dietz voted YES, **The Motion passes 7/4.**

Still discussing item #5, Lisa Davey pointed out to the board that most states need to follow seismic design requirements under the IRC. She also stated that there is a small part of the state that, under the IRC, would need to follow seismic design requirements and recommended using a map to identify those areas. David Holmes disagreed with the map and stated there should be a list of the affected communities. Jen Hoyt pointed out that we need to either accept the seismic language from the 2021 ICC or reject it.

A **Motion** was made by Lisa Davey to accept the ICC language on seismic design as it exists, and that Motion was **seconded** by Kent Vinson. A **Roll Call** Vote showed Michael McDowell voted NO, Rich Crowley NO, John Couture NO, Lisa Davey YES, Steve Frederickson YES, Susan Gleason NO, Kent Vinson YES, Richard Baldacci NO, Jen Hoyt YES, Ian Finlayson YES, Kerry Dietz YES. **Motion passed 6/5.** Lisa Davies said she would coordinate any discrepancies.





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**Regular Meeting Agenda (cont'd)**

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On behalf of the Department of Fire Services (DFS), Jen Hoyt presented some code change proposals to the 2021 IRC. Specifically, she defined what DFS would like to see regarding defining short-term rentals. Additionally, she spoke about garage separation and the acceptable materials to be used. She also spoke about the need for fire sprinklers R3.113.1 in town houses referring to NFPA 13D, NFPA 13 R, and NFPA 13.

R314.3 touched on the locations of smoke detectors specifically focusing on installations near cooking appliances, which can cause homeowners to become complacent when receiving many nuisance alarms. Finally, she addressed the issue that combination alarms smoke and CO detectors need to be interconnected and that UL has changed the criteria regarding the technology of detectors. No more ionization. John Couture stated that he would come up with some language to propose while trying to address the installation of detectors in close proximity to cooking areas. On another note, Jen stated she would address the issue of residential sprinklers at a future meeting.

Jen presented final recommendations from DFS for Section 328. Energy Storage systems were discussed as presenting concerns especially when the systems are inside of structures. There were also differences of opinions as to who had authority over energy storage systems.

Break: 10 minutes

6. **Discuss \Vote** 10<sup>th</sup> edition proposed amendments for Ch. 9 submitted by the Fire Protection and Fire Prevention Committee

The discussion and vote on the Fire Protection and Fire Prevention Committee was moved to the March 24, 2022 BBRS meeting, therefore no vote was taken.

7. **Discuss** New Construction Supervisor Licenses (CSLs) issued in the month of February 2022  
There were 70 new licenses and 4 reinstatements, 1,498 licenses for the month





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8. **Discuss \Vote** Potential role of CORI review in licenses issued. **This item was tabled until the March 24, 2022 BBRS meeting.**

9. **Request for Evaluation of Exam Scores**

A **Motion** was made by Rich Crowley to allow exam scores requests to be determined by DPL staff unless it was a medical reason that needed to be discussed privately. Motion was **seconded** by John Couture. A Roll Call vote was **unanimous**.

10. **Request for Medical Reinstatement** (Deliberations in Closed Session)

Staff reported a request from a construction supervisor to be reinstated without examination due to medical issues. Staff further notified the BBRS that if the individual's medical information had to be discussed, the BBRS should go into closed session. However, it was noted that this type of request is typically approved without extensive deliberation. The Chair opened the floor to motions. A **Motion** was made by Michael McDowell to approve the reinstatement without further deliberation and **seconded** by John Couture. A Roll call vote was **unanimous**.

11. **Other Matters not reasonably anticipated 48 hours in advance of the meeting.**

John Nunnari, representing the Massachusetts Chapter of the American Institute of Architects, requested that the BBRS address the recent ordinance passed in Quincy relative to restrictions on the use of certain building materials. The BBRS agreed to hear this at their April 12, 2022 meeting.

At 12:58 p.m., the chair noted that the only remaining agenda item was to take place in a closed session. The public was advised that the BBRS would enter closed session and then adjourn.

A **motion** was made by Mr. Finlayson to close the open session and enter into quasi-judicial session, **seconded** by Jen Hoyt. A Roll Call vote was taken, and the motion was approved **unanimously**.

12. **Request for Discretionary Appeal** Docket No. C21-00034 (Deliberations in Closed Quasi-Judicial Session)





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This matter was deliberated upon in a closed quasi-judicial session. The BBRS reported the following result for the record:

The request for appeal was denied (no recorded opposition)

**Adjournment**

At 1:06 p.m., the chair noted that the BBRS had addressed all agenda items and called for a motion to adjourn.

A **Motion** was made by Michael McDowell to adjourn the meeting **seconded** by Jen Hoyt.

A Roll Call vote was taken, and the result was **unanimous** to adjourn the meeting.

