



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

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Division of Occupational Licensure
Office of Public Safety and Inspections
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REGULATION

LAYLA D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

BOARD OF BUILDING REGULATIONS AND STANDARDS
Public Minutes

In accordance with the provisions of G.L. c. 30A § 20, notice is hereby given that the Board of Building Regulations and Standards (BBRS) will convene a regular monthly meeting and public hearing in accordance with G.L. c143 § 97 on:

May 10, 2022 @ 10 a.m. until approximately 1 p.m.
One Ashburton Place – Cafeteria Conference Room Boston, MA 02108

Roll Call, by BBRS Chair:

Michael McDowell, Vice Chair	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent	Atiya Rahim	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
John Couture	<input type="checkbox"/> present <input checked="" type="checkbox"/> absent	David Riquinha	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Darien Crimmin	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent	Kent Vinson	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Lisa Davey	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent	Layla D'Emilia, or designee	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Steve Frederickson	<input type="checkbox"/> present <input checked="" type="checkbox"/> absent	Peter Ostroskey, or designee	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Tarica Leskiw	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent	Patrick Woodcock, or designee	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Betsy Pettit	<input type="checkbox"/> present <input checked="" type="checkbox"/> absent		

Regular Meeting Agenda

Vice Chair Mike McDowell called the meeting to order at 10:13 AM

- Review \Vote** approval of April 28, 2022, BBRS draft minutes
A **Motion** was made by David Riquinha to approve the minutes from the April 28, 2022 BBRS meeting and was **Seconded** by Kent Vinson. A **Roll Call** vote was taken where Michael McDowell voted **YES**, Lisa Davey voted **YES**, Kent Vinson voted **YES**, Ian Finlayson voted **YES**, David Riquinha voted **YES**, Atiya Rahim voted **YES**, Richard Baldacci voted **YES**, Peter Ostroskey voted **YES**, and Tarica Harris Leskiw voted **YES**.
- Review \Vote** approval of March 22, 2022 & April 7, 2022, BCAB draft minutes
A **Motion** was made by Lisa Davey to approve the minutes from the March 22, 2022 and the April 7, 2022 BCAB meeting and was **Seconded** by Kent Vinson. A **Roll Call** vote was taken where Michael McDowell voted **YES**, Lisa Davey voted **YES**, Kent Vinson voted **YES**, Ian Finlayson voted **YES**, David Riquinha voted **YES**, Atiya Rahim voted **YES**, Richard Baldacci voted **YES**, Peter Ostroskey voted **YES**, and Tarica Harris Leskiw voted **YES**.





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3. **Review \Vote** approval of April 5, 2022, BOCC draft minutes
A **Motion** was made by Lisa Davey to approve the minutes from the April 5, 2022 BOCC meeting and was **Seconded** by Kent Vinson. A **Roll Call** vote was taken where Michael McDowell voted **YES**, Lisa Davey voted **YES**, Kent Vinson voted **YES**, Ian Finlayson voted **YES**, David Riquinha voted **YES**, Atiya Rahim voted **YES**, Richard Baldacci voted **YES**, Peter Ostroskey voted **YES**, and Tarica Harris Leskiw voted **YES**.
4. **Review\Discuss** 10th edition proposed amendments to 780 CMR 101.4.13 submitted by Code Red
Carl Nelson presented his proposed amendments to 780 CMR 101.4.13 where he proposes to relocate the passage to Section 431.1. After the presentation Ian Finlayson asked if state inspectors had been consulted on the changes proposed. Mr. Nelson and Gordon Bailey confirmed that there is support from state inspectors. Mike McDowell then confirmed to the board that no votes would be made on the proposed items at this meeting.
5. **Review\Discuss** 10th edition proposed amendments to IBC, Section 406 submitted by Christopher Towski
Christopher Toswki, a member of the Board of Elevator Regulations presented his proposed amendments to enhance language gaps in various sections of Section 406 of IBC. Ian Finlayson asked for specification on if the proposed changes in Section 406.6.4.4. are meant for emergency personnel or vehicles. Mr. Towski clarified that there is no current language in the regulations, but this proposed language is meant for personnel access. Vice Chairman Mike McDowell opened the topic to public comment, where there was a fulsome discussion of the most accurate language to use in the proposed changes.
6. **Review\Discuss** 10th edition proposed amendments to IEBC, Section 708, Chapter 4 submitted by Douglas Cardinale
Mr. Cardinale was not in attendance, and the presentation was tabled for a future meeting.
7. **Review\Discuss** 10th edition proposed amendments to 780 CMR regarding swimming pool maintenance and construction licensing submitted by the Pool and Hot Tub Alliance





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Charles Stefelini presented a proposal for two special licenses for swimming pool maintenance and construction. Gianne Mendelson presented a portion of the presentation where she provided an in-depth explanation for how the continuing education would be administered and the licensure process. Vice Chair Mike McDowell asked what the cost of obtaining the license would be and what the Continuing Education requirements would be. Gianne said that each license would be \$200 and 24 hours of continuing education would need to be completed in 3 years. David Riquinha then asked if someone wants to maintain and construct swimming pools, would they need to get both licenses. Gianne confirmed that a licensee would need to get both types of licenses to do both, and the intent behind having two licenses is to allow someone who only wants to repair pools to be licensed to do so.

8. **Review\Discuss** 10th edition comments to 780 CMR regarding swimming pool code submitted by Frederick Soule
Mr. Soule was not in attendance, and the presentation was tabled for a future meeting.
9. **Review\Discuss** 10th edition proposed amendments to 780 CMR 110.R5.1.3.2 and 110.R4 submitted by John Couture
Mr. Couture was not in attendance, and the presentation was tabled for a future meeting.
10. **Review\Discuss** 10th edition proposed amendments to 780 CMR 110.R5.4.3 submitted by James Lee
James Lee from Tech Training presented his proposed amendments where all hours for licensure continuing education can be obtained from online classes. His intent is not to change anything to do with in person learning, but only to provide an alternative to licensees for accessibility and cost purposes
Vice Chair Mike McDowell opened the discussion to the public. Jeff Clemons expressed that he is opposed to a fully online continuing education, there should be a hybrid model where some classes are in person and some classes are online.





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11. **Review\Discuss** 10th edition proposed amendments to 780 CMR submitted by the Conservation Law Foundation and reviewed by the Coastal Subgroup

Ali Hiple presented the Conservation Law Foundation's proposed amendments were the variance granting process for coastal matters would be strengthened, climate change would be better addressed, and Appendix G Section 106. Vice Chair Mike McDowell asked if the proposed amendments would be for new construction only, and Ms. Hiple confirmed that they would. Ian Finlayson asked what the opinion of the Coastal Zone Management state agency was. Ms. Hiple indicated that Coastal Zone Management was in support of the proposed amendments. Executive Director Greer Spatz Croxford informed the board that Richard Cowley was in attendance to provide comment on the proposed changes on behalf of the Coastal Subcommittee Group. Richard Crowley provided the Group's suggestions for the proposed amendments. His two chief suggestions were that a local option would undermine the uniformity of the state building code, and he also noted that Massachusetts requirements for minimum freeboard/elevation are already 2 feet above FEMA requirements and that further increasing them would need first be justified by additional data and review of potential impacts. Dave Riquinha informed the board that in many parts of Massachusetts the requirement is 3 feet above the minimum FEMA requirements.

12. **Discuss** 95 new Construction Supervisor Licenses (CSLs) issued in the month of April 2022
It was reported by Executive Director Greer Spatz Croxford that there are 95 new Construction Supervisor Licenses (CSLs) issued in the month of April 2022
13. **Discuss \Vote** Elections
Vice Chair Mike McDowell explained to the Board that Board elections are held every January. Due to the former Chair no longer being on the board, a new election would need to be held today, and subsequently a new Vice Chair would need to be voted. Executive Director Greer Spatz elaborated that there would need to be a motion to nominate someone for chair to have a vote. Richard Baldacci made a **Motion** to nominate David Riquinha for Chair and was **Seconded** by Lisa Davey. Darien Crimmin made a **Motion** to nominate Mike McDowell for Chair and was





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Seconded by Atiya Rahim. A **Roll Call** vote was taken and awarded the Chair to David Riquinha as indicated below:

In favor of David Riquinha: Lisa Davey, Tarica Leskiw, David Riquinha, Kent Vinson, Richard Baldacci, Ian Finlayson, and Peter Ostroskey.

In Favor of Michael McDowell: Atiya Rahim, Darien Crimmin, and Michael McDowell.

On a majority vote, David Riquinha ascended to Chair.

Ian Finlayson made a **Motion** to nominate Lisa Davey for Vice Chair and was **Seconded** by Kent Vinson. No other board member was voted for the position of Vice Chair. A **Roll Call** vote was taken and awarded the Chair to Lisa Davey as indicated below:

In favor of Lisa Davey: Lisa Davey, Tarica Leskiw, David Riquinha, Kent Vinson, Richard Baldacci, Ian Finlayson, Peter Ostroskey, Atiya Rahim, Darien Crimmin, and Michael McDowell

On a **Unanimous** vote, Lisa Davey ascended to Vice Chair.

14. **Discuss\Review** BBRS meeting dates for the remainder of 2022

Executive Director Greer Spatz Croxford indicated to the board that with new members having been appointed this meeting would be a good time to discuss potentially changing the meeting dates the board has for the remainder of the year. She informed the board that the open meeting Law allocation of holding meetings virtually as opposed to in person is set to expire July 15, 2022 and if the days the board meets are to change, the shift back to in person meetings should be taken into consideration.

It was determined by the board that the May 26, 2022 meeting should be held from 10 AM-2 PM.

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

Guy Webb of the Massachusetts Housing Association presented some clarifications to the 1 and 2 family new construction sprinkler amendments proposed by DFS at the 4/28 meeting. He first indicated that the cost of sprinkler system has many influencing factors. He also addressed that in most systems the water used in plumbing and the reserve used by the sprinklers would be two separate systems. He stressed that as Massachusetts is in a housing crisis and is already the third





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most expensive state to live in, and as such, putting fire sprinklers should remain a voluntary decision left to the homeowner.

Executive Director Greer Spatz Croxford clarified that sprinklers in 1 and 2 family homes were discussed at the April 28, 2022 meeting and will be on the May 26, 2022 meeting. This discussion was not on the May 10th agenda and as a result there should not be a discussion of the topic at this meeting. Fire Marshal Peter Ostroskey did voice his support for adopting the proposed amendments. Michael Young commented that fire sprinklers would be a more active help in handling fires, and that smoke alarms, while helpful maintain a mostly passive role in mitigating house fires. Christopher Towski commented that there are more factors to consider that validate the need to implement the amendment for new construction sprinklers in 1 and 2 family homes. Charles Picard from Tesla indicated that when the energy storage systems are built by the company, they construct them under the presumption that there are fire sprinklers in the home/garage. Jeff Clemons indicated that the issue of fire sprinklers belongs in the building code as it pertains to home as they are built and remodeled, the proposed changes should not be in the fire code. Peter Ostroskey suggested that the matter be put to a subcommittee for review or be voted on at this meeting. Board Counsel Charles Kilb informed the board that as there is no item on the agenda to be voted, to vote or deliberate on any proposal at this meeting could be deemed a violation of open meeting law.

Kent Vinson made a **Motion** to adjourn the meeting at 12:24 PM. Richard Baldacci **Seconded** the motion. The motion passed **Unanimously**.

