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**BOARD OF BUILDING REGULATIONS AND STANDARDS**  
**Public Meeting Minutes**

**July 9<sup>th</sup>, 2024 @ 10 a.m. until approximately 1 p.m.**

**Virtual Meeting**

The meeting was called to order at 10: 02 am.

**Roll Call, by BBRS Chair:**

Lisa Davey	<b>Present</b>	Tarica Leskiw	<b>Absent</b>
Dave Riquinha	<b>Absent</b>	Luke McKneally	<b>Present</b>
Michael McDowell	<b>Present</b>	Atiya Rahim	<b>Present</b>
John Couture	<b>Present</b>	Sy Nguyen	<b>Present</b>
Jeffrey Clemons	<b>Present</b>	Sarah Wilkinson, or designee <b>Dan Walsh</b>	<b>Present</b>
Jason Ferschke	<b>Present</b>	Jon Davine, or designee <b>Jake Nunnemacher</b>	<b>Present</b>
Darien Crimmin	<b>Present</b>	Elizabeth Mahony, or designee <b>Ian Finlayson</b>	<b>-Present</b>

1. **Review \Vote** BBRS meeting minutes for April 30, 2024, May 14, 2024 and June 11, 2024  
Jeff Clemons motion to accept April 30, 2024, with change to item 2 to reflect support for the concurrency period, May 14, 2024, and June 11, 2024. The motion was seconded by John Couture.  
Lisa Davey, Michael McDowell, John Couture, Jeffrey Clemons, Jason Ferschke, Darien Crimmin, Luke McKneally, Atiya Rahim, Sy Nguyen, and Ian Finlayson voted in favor of the motion. Jake Nunnemacher and Dan Walsh abstained. The motion passed.
2. **Review \Discuss** Board Counsel Report



Board Counsel Charles Kilb reported that he is still waiting for 10<sup>th</sup> edition approval. He is inquiring several times a week to check on the status.

3. **Review \Discuss** Report from BOCC Designee

Executive Director Rogers reported for Andy Bobola, the BOCC did not have a July meeting so there is no update.

4. **Review \Discuss** Executive Director Report

- a. Construction Supervisor License totals for the month of June 194 issued, 1811 renewal, no reinstatements or waivers.

5. **Discuss** Status of Subcommittees

a. 11<sup>th</sup> Edition Subcommittee

Chairwoman Lisa Davey reported the 11<sup>th</sup> edition subcommittee met a few weeks ago to discuss the process for the 11<sup>th</sup> edition. The subcommittee will work on creating a complete document before sending it to the full BBRS for review. The subcommittee will be meeting in the next few weeks; the date has not been settled on.

Executive Director Rogers reported that other subcommittees have not been established or scheduled at this point. The understanding is the 11<sup>th</sup> edition subcommittee will provide clear directives to each subcommittee prior to them being scheduled and staffed.

b. Solar Setback Subcommittee

John Couture reported confusion by building officials and contractors about solar setback requirements and permitting from fire departments. Board Counsel Kilb reported some of this confusion will potentially be resolved once the 10<sup>th</sup> edition is fully in effect as the 10<sup>th</sup> edition explicitly addresses these requirements in a way not done by the 9<sup>th</sup> edition. He noted that the BBRS can issue guidance on this topic if needed. Luke McNeally reported the solar setback subcommittee is scheduled for Tuesday, July 16, 2024. Jake Nunnemacher reported that if there are reports of fire departments requiring permits, they should be forwarded to DFS for investigation. Discussion by the board members on a path forward on solar setbacks and if guidance is needed to be issued on interpretation.

Ian Finlayson made a motion to task the solar setback committee, with input by staff, to draft guidance on solar setbacks and energy storage to be presented at the next meeting. Seconded by John Couture. Board Counsel Kilb reported concerns that solar setback

subcommittee was not created to discuss energy storage. John Couture withdrew his second. Ian Finlayson withdrew his motion.

John Couture made a motion to task the solar setback subcommittee to draft a clarifying document for solar permitting only. Ian Finlayson seconded the motion. The motion passed unanimously.

6. **Discuss \Vote** 10<sup>th</sup> edition amendments

a. Refrigerants

Members noted a need to take some action to address the refrigerants issue.

Some board members expressed concern in not being familiar with all the relevant issues. In response, Board counsel Charles Kilb indicated that in the packet he created a draft amendment based upon the HTS code change proposal, which purportedly represented industry consensus. Members reviewed this document as well as a proposal from Daikin, which made additional suggested changes. Ian Finlayson indicated that DOER Staff are also reviewing these issues and may be able to provide guidance while reviews continue. He indicated that they will attempt to draft a guidance document for refrigerants for review at future meetings.

Thereafter, members indicated it would be appropriate to commence a code change process as soon as the 10<sup>th</sup> edition is finalized. Accordingly, Ian Finlayson made a motion to accept the “Post 10<sup>th</sup> Edition Amendment – Refrigerant” document presented by counsel as an amendment to the 10<sup>th</sup> Edition. Luke McKneely seconded the motion. John Couture, Sy, Jake Nunnemaker abstains. All others in favor, motion passes. Lisa Davey, Michael McDowell, Jeffrey Clemons, Jason Ferschke, Darien Crimmin, Luke McKneally, Atya Rahim, and Ian Finlayson voted in favor of the motion. John Couture, Sy Nguyen abstained. Jake Nunnemaker opposed. The motion passed.

Counsel indicated that as soon as the 10<sup>th</sup> edition is finalized, he will start the code change process.

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

The chair reported there is no August meeting, the next meeting will be in September.

Chair asked staff to put together the draft language by Daikin into a document for board review at future meetings.

John Couture made a motion to adjourn the meeting. Jake Nunnemacher seconded the motion. The motion passed unanimously.

Item Relied Upon at the Meeting

Agenda

Draft Minutes

Refrigerant Public Comments