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BOARD OF BUILDING REGULATIONS AND STANDARDS
Public Meeting Minutes
Solar Setback Subcommittee
September 27, 2024

Meeting called to order at 9:02 am

1. Roll Call

Luke McKneally- present
John Couture- absent
Mark Durrenberger- present
Ian Finlayson -Present
Darren Crimmin- present
Patty Sheehan- present
Jake Nunnemacher -present
Sam Pillsbury- present
Jason Ferschke -absent

2. Approval of meeting minutes from July 16, 2024

Ian Finlayson motion to approve meeting minutes from July 16, 2024, as amended seconded by Jake Nunnemacher. A roll call was conducted, and motion passed unanimously.

3. Work product to be created by this subcommittee.

- a. Review solar setback language used/proposed in non-building codes.

Luke McKneally commenced the discussion by noting that this subcommittee is charged with building code changes only, thus the only code changes to be discussed would be located in 780 CMR, which has its own appeal and enforcement processes. He then reported to the subcommittee that the 10th edition has now been promulgated, thus the starting language they are reviewing, subject to a concurrency period, is now in effect.

Jake Nunnemacher went over non-building code language found in the fire code at length with the committee. Members discussed the importance of roof access for fire services when it comes to different roof styles and pathways available. Board members discussed the BFPR Proposals specific to roofs with 2 in 12 pitch or less and the limitations those regulations place on solar panel placement. Jake Nunnemacher explained from a fire services side why those proposals could be important to fire safety. Luke McKneally asked members to create a rough draft proposal to address possible exceptions to these



requirements when roof ridge access is granted using a different plane of the roof. Mark Durrenberger volunteered to draft this language. Charles Kilb reminded the members that one of the primary goals of this subcommittee is to decide whether they prefer the adopted ICC language or other language such as that found in NFPA codes. If the subcommittee likes the NFPA language better, they can make amendments and then propose that completed code language to the BBRS as an amendment to the 10th Edition. The board members discussed that any amendments to the NFPA language could lead to further discrepancies between the fire and building codes, and potential ways to avoid these conflicts.

Jeffrey Clemons, a BBRS member not on this committee, was permitted to address the group. He explained that building officials cannot cite the fire code as a reason for denying a building permit. Building officials are looking for that language to be in the building code for enforcement. He acknowledged that there are issues where Building Officials are approving building permits with no solar setbacks because it is not mentioned in the building code, which leads to later problems since the fire code has been violated.

Jake Nunnemacher raised concerns when the building officials review permits regarding solar projects that do not meet other codes, which can raise costs for post installation corrections. Members discussed simplifying the code language consistently to be interpreted by building and fire officials.

Members discussed ways of bringing the building code and the fire code closer into alignment. Sam Pillsbury suggested changing the format to a bullet list of pathway locations instead of a paragraph format.

Members then discuss in detail how in their opinion the I codes as currently written can have negative impact on the solar industry and fire safety operations. Members confirmed a few areas they would like to address such as exceptions to the perimeter pathway, ladder access and grand level access to the access pathways. Chris Rogers informed the subcommittee that the 11th Edition Procedure Subcommittee meeting they decided each subcommittee should delegate a scribe to document the proposed changes to the codes. Luke McKneally volunteered to be the scribe for this group and will put together a document that addressed the I code language that is in the 10th edition and how it can be improved.

Members then went on to discuss the access pathways and the location of solar panels-with respect to fire department access and potential improvements to the BFPR language. Ian Finlayson proposed designating a graphic artist for the fact of presenting images while discussing codes and guidelines. Mark Durrenberger volunteered to take on that role.

Members talked about moving the perimeter pathway proposed amendment into the access pathways section of the code, also adding an exception regarding the shed dormers.

- b. Draft guidance clarifying permitting requirements for solar installations.

This agenda item was not reached

4. Other matters not reasonably anticipated 48 hours in advance of meeting. None

The next meeting will be Tuesday October 18, 2024, 9am to 11am

Ian Finlayson made motion to adjourn meeting at 11:03 am seconded by Jake Nunnemacher

Items relied upon
Agenda