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BOARD OF BUILDING REGULATIONS AND STANDARDS

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

October 21, 2024

10am to 12pm

Virtual Special Meeting Minutes

Lisa Davey	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Tarica Leskiw	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent
Dave Riquinha	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent	Luke McKneally	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Michael McDowell	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Atiya Rahim	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent
John Couture	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Sy Nguyen	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Jeffrey Clemons	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Sarah Wilkinson, or designee	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Jason Ferschke	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Jon Davine, or designee	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Darien Crimmin	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent	Elizabeth Mahony, or designee	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent

1. **Review \Vote** - Possible regulation change to 780 CMR 1.00 and 51.00 to change end of concurrency period from January 1, 2025, to April 11, 2025.

Lisa Davey informed the board she wanted to review and vote on a possible regulation change to 780 CMR 1 and 51 to change the end of the concurrency period from January 1st, 2025, to April 11th, 2025. Charles Kilb let the board know they called this special meeting to give the board the option of changing the concurrency period via the regulation change process, which would require a vote to move forward. He also informed the board a hearing would need to take place at the end of November 2024 or early December 2024.

Lisa Davey raised concerned about delays from past experiences during the regulatory process and would not get passed before January 1st, 2025.

Charles Kilb indicated it was his understanding that there should not be a delay, however, he turned the matter over to former Executive Director and current General Counsel Greer Spatz Croxford. She reaffirmed that it has been communicated to her that there should be no delay during this regulatory process.

Richard Baldacci made a motion to extend the concurrency period to June 30th, 2025. John Couture seconded the motion. The chair opened the floor to discussions.



Members went on to discuss the motion made by Mr. Baldacci. Jeffrey Clemons asked Mr. Baldacci why he chose this date. Mr. Baldacci explained that this date will help the building community and the education part of it giving them more time.

Ian Finlayson stated at the last BBRS meeting, the board voted to commence processes to move refrigerant amendments to a public hearing and was hoping that can be combined with this discussion and vote. Charles Kilb noted that refrigerant amendments are subject to different processes such as the Building Code Coordinating Council and could not be combined with the concurrency period.

Michael McDowell disagrees with the suggested timeline for extension because the building industry was operating based off the established expiration date. He stated a contract with Prometric runs out at the end of the year causing issues for students testing using the 9th edition as a guide. He mentioned they are using a new company for testing based off the 10th edition come January 1, 2025. Greer Spatz Croxford stated the concurrency period is more for permitting to get through large scale projects that have been designed for years and as far as testing is not a concern using the 10th edition.

Jonathan Cosco, General Counsel of the Executive Office of Economic Development was recognized. He indicated his office had calls from members of the development community that felt a longer concurrency period would assist them in getting critical housing and commercial projects built in Massachusetts.

Charles Kilb thereafter spoke to clarify for Board members that 10th edition is effective right now and has been effective since October 11, 2024, that the concurrency period merely allowed a choice of one code or the other, just not a combination. In response, Jacob Nunnemacher indicated that the concurrency period may have caused problems for some building officials who are seeing designs or projects submitted using the combination of the 9th and the 10th Edition.

Thereafter, the discussion concluded, Michael McDowell noted in light of the extended discussion which included non-members that someone should restate or start a new motion. Rich Baldacci made a motion to extend the 10th edition concurrency period until June 30th, 2025, seconded by John Couture. A roll call vote was conducted:

Michael McDowell voted no
John Couture voted yes
Jeffrey Clemons voted yes
Jason Ferschke voted yes
Luke McKneally voted no
Sy Nguyen voted yes
Rich Baldacci voted yes
Jacob Nunnemacher voted yes
Ian Finlayson voted yes
Lisa Davey voted yes

The motion carries.

Motion to adjourn made by Jeffrey Clemons at 10:34 am seconded by John Couture.

2. Discuss other matters not reasonably anticipated 48 hours in advance of meeting – NONE

Items Relied upon
Agenda