

Technical Codes and Standards Board Meeting Minutes
Department of Public Safety, Office of State Fire Marshal
June 26, 2025, 9:00 a.m. via Microsoft Teams

Board Members Present:

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| <input type="checkbox"/> Michael Sauschuck, Commissioner of Public Safety, Board Chair/ <input checked="" type="checkbox"/> Chair delegate Greg Day | | |
| <input checked="" type="checkbox"/> Marc Veilleux, representing the State Fire Marshal's Office | <input checked="" type="checkbox"/> Mark Stambach, CEO representing a Municipality that is not a Service Center Community | <input checked="" type="checkbox"/> Tom Lister, CEO representing a Municipality that is a Service Center Community |
| <input checked="" type="checkbox"/> Carl Chretien, representing Residential Builders | <input checked="" type="checkbox"/> Randy Poulton, representing Commercial Builders | <input checked="" type="checkbox"/> David Matero, representing Maine Chapter of the American Institute of Architects |
| <input checked="" type="checkbox"/> Eric Dube, representing Structural Engineers | <input checked="" type="checkbox"/> Mike Pullen, representing the Maine Historic Preservation Commission | <input checked="" type="checkbox"/> Michael Pulaski, Energy Efficiency Representative |
| <input type="checkbox"/> Steve Martel, Mechanical Engineer | <input type="checkbox"/> Jay Horr, Lumber Material Dealer | <input checked="" type="checkbox"/> Michael Stoddard, Representing Efficiency Maine |

Staff Present: Greg Gilbert, Shannon Quintal

1. Call to Order – Determination of Quorum
Meeting started at 9:00 AM. Quorum confirmed.
Introduction of board members.
2. Review and approval of the minutes:
 - A. April 17, 2025 Meeting minutes
Corrections: Check off Tom Lister as present to the meeting, add summary detail under 6-D on the Ross Anthony grant update. Randy Poulton provided language for minutes modification.
Motion to table the minutes.
Motion by Randy Poulton, second by Carl Chretien.
Motion withdrawn.

Language for minutes modification reviewed during meeting.
Motion to accept the minutes with the information added under 6-D.
Motion by Randy Poulton, second by Carl Chretien.
8 in favor, 0 opposed, Michael Pullen abstained.
3. Approval of Agenda –
Add under new business: board access to the online codes/2021 code books.
Motion to accept the agenda as modified by David Matero.
Motion by Michael Pullen, second by Marc Veilleux.
9 in favor, 0 opposed.
4. Report from Board Chair:
 - A. Financial Update – No exact number available, around \$900,000. \$130,000 went to DPS to cover expenses until grant payment is received.
5. Legislative update:
Update provided on the status of the following bills:
 - A. LD 161 - Resolve, Directing the Department of Agriculture, Conservation and Forestry to Convene a Stakeholder Group Tasked with a Comprehensive Overhaul and Modernization of the State Subdivision Laws – Carried over to next session.

- B. LD 365 - An Act to Respond to the Housing Affordability and Accessibility Crisis in Maine – referred to HED committee – Did not pass.
- C. LD 427 - An Act to Prohibit Mandatory Parking Space Minimums in State and Municipal Building Codes – Enacted with an amendment, gives MOCA responsibility of making new rules.
- D. LD 659 - An Act to Reduce Housing Costs by Not Requiring Fire Sprinkler Systems for Single-family Homes and Duplexes – Did not pass.
- E. LD 741 - An Act to Increase Preparedness for Solar Power Adoption in Maine – Did not pass.
- F. LD1143 – An Act to Update Language on Setback Variances for Single-family Dwellings and Variances from Dimensional Standards – Enacted, however shoreland zoning was removed from bill.
- G. LD 1179 - An Act to Establish Minimum Safety Standards for the Construction and Use of Temporary Emergency Shelters – Enacted, left buildings alone and required the Fire Marshal’s Office to adopt NFPA 1192.
- H. LD 1181 - An Act Regarding the Designation of Short-term Rental Units as Commercial or Residential in Use – Did not pass.
- I. LD 1184 - An Act to Require Municipal Reporting on Residential Building Permits, Dwelling Units Permitted and Demolished and Certificates of Occupancy Issued – Passed but makes it optional.
- J. LD 1226 - An Act to Protect Consumers by Licensing Residential Building Contractors – Passed but placed on appropriations desk.
- K. LD 1232 - An Act to Require Radon Testing for Certain Commercial and Residential Construction – Did not pass.
- L. LD 1247 - An Act to Restrict Municipal Ordinance Requirements Regarding Housing Developments – Carry over to next session.
- M. LD 1272 - An Act to Address the Housing Crisis by Reducing Barriers to Building More Accessory Dwelling Units (Modify ADU language, remove sprinkler requirements & modify subdivision requirements) – Voted ought not to pass.
- N. LD 1375 - Resolve, to Establish a Working Group to Address Regulatory Barriers to Housing Construction - Passed
- O. LD 1396 - An Act to Amend Maine's Municipal Subdivision Standards to Increase the Number of Dwelling Units on or Divisions of a Tract of Land Before the Tract is Considered a Subdivision – Not passed.
- P. LD 1417 - An Act to Strengthen the Authority of Local Officials to Enforce Provisions Regarding Dangerous and Nuisance Properties that Constitute a Threat to Public Health and Safety – Did not pass.
- Q. LD 1453 - Resolve, to Establish the Innovative Factory-made Housing Working Group – on the study table, reviewing on if to move forward with a study or resolve.
- R. LD 1662 - An Act to Amend the Laws Regarding Zoning and Land Use Restrictions to Limit Certain Requirements to Municipalities with Populations of More than 10,000 – Voted ought not to pass, died.
- S. LD 1829 - An Act to Build Housing for Maine Families and Attract Workers to Maine Businesses by Amending the Laws Governing Municipal Land Use Decisions – Passed. Greg Gilbert recommended the Board review the full bill details. The Office of State Fire Marshal will look at final version for any action needed by the Board.

6. Staff Report:

- A. Training Update – Greg Gilbert gave update on training.
 - Commercial building code trainings open to CEOs and contractors- 6/16 at SMCC had 37 attendees, 6/17 at KVCC had 19 attendees.
 - Accessibility training, comparison of ADA and the IBC Chapter 11 accessibility, on 6/24 was online and in-person, total of 50 attendees.

-Code update for Midcoast section, 6/25 with 15 attendees, general overview of commercial code and existing commercial code, and residential energy and construction code.

Working getting additional training set up with for a radon training in the next two weeks, more land use and shoreland zoning for August, and teaming up with AGC and HBRA to get more contractors involved.

B. MOCA

- i. Update working with PFR to look at Manufactured housing requirements – a discussion that came up with MOCA transfer team, hasn't happened yet.
- ii. With the end of legislative session more time will be available to narrow down on details of the transition, looking at website and training platform updates, software, etc. Date for transfer will be mid to late September, in about 90 days. This is a possibility of transitioning a little earlier with an MOU. Working on additional MOUs, getting rules changed over, and RPO to get testing updated from the 2009 edition.
- iii. LD1453-Randy Poulton asked if someone from the board be on the study group. It does not appear to indicate who will be on the resolve study, the FMO will look into it and let the Board know.

7. Training and Certification Committee:

A. Report from Committee – Chair, Eric Dube –one of this to focus on the process – how CEOs navigate the 2021 code. With not enough time for CEOs to be in the office and out doing inspections, what are the priorities of CEOs/for the code? Going to work on determining what the biggest priorities are, bring to the board on the two priorities focusing efforts on, and should tailor training and website around that, making information is easily found to utilize. The other piece to work on is standardized forms. Tom Lister uses standardized forms, and it seems to work well. Residential doesn't have the same level as professional knowledge as commercial and puts a lot on the CEOs knowledge. Need to put the time and money into the right places.

8. Unfinished Business:

A. Energy TAG Report – Chair, Michael Pulaski. The Board reviewed the four items from energy TAG that were recommendations for board comment, review and approval. Some of the changes may open it up to the rulemaking process. Any perspective modification needs to be put on a rulemaking agenda to the SOS by Sunday. Mike Stoddard suggests sending all rules to say, “we may address them.”

- i. Discussion of language in MUBEC Rule Chapter 6, Section 5.2: Buildings certified in compliance with PassiveHouse or PHIUS programs or buildings that meet the requirements identified in Table C407.2 shall be considered in compliance with the Energy Code

Motion to modify the language as written under the errors and omissions part of rule, changing “or/and” and to eliminate the words “buildings that”.

Motion by David Matero, second by Mark Stambach.

Question about whether these changes would open to rulemaking and need to check with the Attorney General's Office.

Motion withdrawn.

Motion to modify the “and” and the “or”.

Reference to "Section C102.1.1

Delete all language from section; *and*

Insert "Buildings certified in compliance with PassiveHouse ~~or~~ and PHIUS programs or buildings that meet the requirements identified in Table C407.2..."

Motion by David Matero, second by Marc Veilleux.

6 in favor, 2 opposed (Randy Poulton and Michael Pulaski opposed)

Eric Dube left meeting prior to discussion.

The Board also considered changing to: "Buildings certified in compliance with Passive House Institute (PHI) or Passive House Institute U.S. (PHIUS) programs and or buildings that meet the requirements identified in Table C407.2 shall be considered in compliance with the Energy Code."

The Board determined that this bigger change would likely trigger the full rule making process and thus agreed to make only the minor change of "or" to "and"

- ii. Stretch Code Application – Stretch Code Application: The Board discussed the Stretch Code portion of the Chapter 6 Rule. The Board agreed their intent was for the Stretch Code to apply to new construction and new additions only.
Motion that a memo be written regarding that the stretch code should be reviewed under new construction and new additions as was the intent of the Board.
8 in favor, 0 opposed.
- iii. Review of residential air changes from 5 to 3. TAG recommended staying with 3 ACH as written.
Motion to leave the language as written originally.
Motion by David Matero, second by Marc Veilleux
8 in favor, 0 opposed.
- iv. Review of Table R402.1.3 amendment
Motion to put it back the way it is in the 2021 code.
Motion by Carl Chretien, second by Mike Pullen
4 in favor, 4 opposed (Michael Pulaski, David Matero, Randy Poulton, and Marc Veilleux opposed). Tie broken by chair delegate vote of opposed. Motion does not carry.

B. Custom Code – No Update, still issues with contracts, should have more traction after transition to MOCA.

9. New Business:

Board access to online codes/copy of the books – The grant was written to purchase code books for the towns, so they will not be distributed to Board members, however one of the shared digital subscription seats is intended for the Board. Greg Gilbert is working on getting the digital access information out, goal is for beginning of next week. Bill Nash, ICC, offered to work with the Fire

Marshal's Office on looking into getting the board members a separate membership, that would provide premium access.

10. Public Comments:

Carly, NEEP, asked if LD1226 licensing of contractors would require energy code training.

Greg Day provided that it has not passed, on the appropriations list and has a financial note, so details are unknown currently.

Next Scheduled Meeting: July 17, 2025

Motion to adjourn.

Motion by Marc Veilleux second by Carl Chretien

8 in favor, 0 opposed.

Meeting adjourned at 10:58 AM.

Respectfully submitted,

Shannon Quintal, Administrative Assistant