

Technical Codes and Standards Board Meeting Minutes
Department of Public Safety, Office of State Fire Marshal (via Zoom)
March 16, 2023, 9:00 a.m.

Board Members Present:

Marc Veilleux,
representing the State Fire
Marshal's Office

Mark Stambach, CEO representing a
Municipality that is not a Service Center
Community

Tom Lister, CEO representing a
Municipality that is a Service Center
Community

Carl Chretien, representing
Residential Builders

Randy Poulton, representing Commercial
Builders

David Matero, representing Maine
Chapter of the American Institute of
Architects

Eric Dube, representing
Structural Engineers

Mike Pullen, representing the Maine
Historic Preservation Commission

Kim Cheslak, Energy Efficiency
Representative

Steve Martel, Mechanical
Engineer

Jay Horr, Lumber Material Dealer

Michael Stoddard, Representing
Efficiency Maine

Staff Present: Rich McCarthy, Paul Demers, Shannon Quintal

1. Call to Order – Determination of Quorum

Meeting started at 9:04 AM. Quorum confirmed.
Introduction of board members.

2. Approval of Agenda

Motion to approve agenda.
Motion by Randy Poulton, second by Mike Pullen
Passed unanimously

3. Review and approval of the minutes.

A. **November 17, 2022 Minutes** – review of corrections noted last meeting.
Motion to accept minutes as corrected.
Motion by David Matero, second by Mike Pullen.
10 in favor, 0 opposed

B. January 19, 2023 Minutes

Randy Poulton requested correction in #8B to “egress capacity factor” and add “inches” label
to measurements.

Motion to approve minutes.
Motion by Randy Poulton, second by David Matero.
8 in favor, 0 opposed, Eric Dube and Steve Martel abstained.

4. Report from Board Chair:

A. Financial Update, \$795,268

5. Legislative update: List of bills covered by the Fire Marshal's Office sent to Board, Richard
McCarthy briefly went over status of bills, opportunity to discuss any questions or concerns.

- I. LD207 – scheduled to be heard Monday, Richard McCarthy has meeting with the sponsor today to discuss the bill for possible amendment before testifying in opposition and will update the Board by email and if needed, the Board can request an emergency meeting to discuss the results of the meeting with the sponsor. Board members can give testimony either as individuals or representing their group. There is general agreement with the Board that the bill contains beneficial aspects such as staffing and financial pieces, but there is concern over the disruptiveness of moving it to another agency again.

Motion that the Board vote on an informal or straw poll basis to direct the chair to inform whoever that the Board feels that increase staffing would help the performance of the Board and the people in Maine.

Motion by Randy Poulton, second by David Matero

Passed unanimously

Michael Stoddard suggested conveying the request in a way that if positions can't be filled that staff from other agencies could fill in.

- II. LD647- bill to amend the Life Safety Code regarding when sprinkler systems may be shut off. Currently in the code is if a sprinkler system is installed and is not required in a new building, it could be removed, creating concerns for fire protection in more condensed areas. The Office of State Fire Marshal will support the bill as it prohibits shutting off a sprinkler system in a building that is within 25 feet of another building except as required for maintenance/repair.
- III. LD 975 –MUBEC is mentioned in LD975 Elevator law. Some conflicts in older language, section is already adopted in MUBEC, so it's primarily just a reference in the Elevator Law to the building code. May receive request to add a piece regarding having a standardized key for the fire departments.

6. Staff Report:

- A. Energy training application collaboration (State of VA, ICC) – working with Maine Indoor Air Quality, Ross Anthony from the Governor's Energy Office, ICC and NEEP on training and grant applications for funds for training. Aiming to get the 2021 codes understood before adoption.
- B. Training Update
 - i. Recent Training – Have been working on several programs for Shoreland Zoning with Floodplain Management.
 - ii. Upcoming Training (scheduled) – Next week Gil Rossmiller of Shums Coda, code consultants out of Colorado, will be doing a two-part webinar on IBC Significant Changes and the following week another two-part webinar on IRC Foundations, webinars will be recorded.
 - iii. Future Topics (pending) – working on trying to secure Legal Issues training to bring back 80K presentation. Working on another program with local land surveyor Jim Nadeau on the different surveys a code official may encounter.

7. Unfinished Business:

- A. Chapter 1 review – previously run through, outstanding items need to complete is to plug in the codes (ASHRAE, Stretch Code.)

- B. Discuss Chapter 2 – After the December revision that was sent to the Board, there is a minor correction to a varied use “non-compliant” and “non-conformance” to be consistent. Once corrected, the Board can review for finalization.
- C. Chapter 6 update of IECC 2021 (Chair update) – Kim Cheslak shared document draft of progress with the Energy TAG. Further discussion needed on 20+5 insulation, bulkhead door air sealing, and change of occupancy. With approval from the Board, changes made can be moved into Chapter 6 rule making, update remaining items once finished, and then do final vote.

Motion to move the recommended changes from the Energy TAG, except for the discussed items of 20 +5 insulation, bulkheads, and occupancy changes.

Motion by Randy Poulton, second by Mark Stambach.

10 in favor, 0 opposed.

- D. Chapter 5 Preliminary review – Tom Lister went through the draft document of Chapter 5, identifying the changes. Items for more discussion:
 - 1. Section 4, #1.B. should mirror Energy Code and the intent was to leave it in the IRC, section noted for revisit to check Chapter 11 and Chapter 15 Section 1505 match the energy code.
 - 2. Section 4, #1.H- Board to look at Appendix AF and the radon provisions statute – could be deleted and replaced with State Statute, replace Appendix AF with ASTM 1462-08.
 - 3. Section 5, #8
 - Exception 1 – Randy Poulton suggested “not more than” instead of “limited to less than.”
 - Exception 2 – Revisit the note regarding “separate cooking facilities.”
 - 4. Section 5, #22 and 23 – Deletion of Section R313.2 and R313.2.1 – reword to remove requirement for the sprinkler but leave “Design and Installation” for guidance if someone chooses to install.
 - 5. Section 5, #27- revise to state anything adopted under Title 25, §2452 and reference the Oil and Solid Fuel Board because they have NFPA 58 and 54 adopted, and Electrical has NFPA 70.
 - 6. Section 5, #28 – Find a better place for AF101, possibly under “Chapter 3 Building Planning”

Discussion of Accessory Dwelling Units and how best to identify it as a “dwelling unit” either by definition in the chapter or state law or creating a separate guidance document that clarifies.

Motion to move everything discussed into a Chapter 5 combined document for review.

Motion by Kim Cheslak, second by Carl Chretien

10 in favor, 0 opposed.

E. Portland interpretation – Letter went out to the City of Portland.

F. Chapter 3 Update (missing from agenda) – Marc Veilleux and the IBC TAG have gone through the first 10 chapters of the code and redlined and will be rescheduling TAG meetings to continue process. Time not available to go through progress, will be added on next agenda.

8. New Business/Code Update:

A. Schedule TAG meetings additional Chapters – Paul Demers will work with Marc Veilleux and Kim Cheslak to get the next IBC and Energy TAG meetings scheduled and will work on setting up a time with Pete Holmes, Dale Hersey, and Steve Martel to discuss IMC and prepare for another IMC TAG.

B. Amendment proposal to IECC from ACI (referred to IECC TAG) – amendment proposal received from the Concrete Institute of America in reference to the 2021 – put on the agenda to have full Board consider referring it to the Energy TAG.

Motion to refer the amendment proposal to the IECC TAG.

Motion by Randy Poulton, second by Mike Pullen.

Passed unanimously

9. Public Comments:

Greg Gilbert (reference Chapter 6 Table R402.1.3 revision): There should be a certain level of simplicity to energy code, so that the average homeowners are able to do this without necessarily requiring an engineer for every step of the process. To a certain degree the code is getting much more complicated, so if able to simplify it in certain areas for people is definitely a good thing. They do have the option to go to the UA alternative or to the performance pathway or the ERI pathway to still use this method, but in your base pathway it would be removed.

Next Scheduled Meeting: Thursday, April 20, 2023 at 9:00am

Meeting adjourned at: 11:56 AM

Respectfully submitted,
Shannon Quintal, Administrative Assistant