

**NEW YORK STATE DEPARTMENT OF STATE
DIVISION OF CODE ENFORCEMENT AND ADMINISTRATION
TECHNICAL SUBCOMMITTEE - RESIDENTIAL CODE**

Minutes of the second meeting of the Technical Subcommittee reviewing the 2009 and 2012 *International Residential Codes* for adoption by New York State, commencing at 10:00 a.m. on Tuesday, October 2, 2012, at the Albany office of Department of State and by teleconferencing.

PRESENT:

Julie Nemeth-Weisser (Chair)
Nicholas Carparelli
Kevin Ezell
John Hofelich
William Knickerbocker
Erika Krieger (DOS)
Miriam McGiver (DOS)
Gil Moniz
W. Roy Scott

ABSENT: none

Acronyms: Following is a list of Acronyms that attenders used during the meeting, and which are in these minutes.

CC Codes Council of NYS (which votes to implement NYS building codes)
DCEA Division of Code Enforcement and Administration
ICC International Code Council
IRC International Residential Code
RC Residential Code of New York State – proposed 2014 unless otherwise stated
Uniform Codes New York State Uniform Fire Prevention and Building Code

MEETING MINUTES:

1. The chairman opened the meeting at 10 a.m. Members listed were present by teleconference link. A quorum was present.
2. The chairman discussed the need to limit digression and discussion that is not moving forward, due to the accelerated timeframe. She reiterated that the sprinkler issue will be part of a separate task force, to allow the subcommittee to focus on the rest of the Residential Code, and that anyone interested in being on the Sprinkler Task Force should contact Ron Piester.
3. The subcommittee proceeded to discuss items in the second chapter. The chairman presented information on Item 2-1, a NYS language modification to the definition of "Addition." Some members expressed concerns about the portion of the definition related to Chapter 11, Energy Conservation, and the impact of calling an increase in conditioned space an addition. The chair called a vote on approval to continue the modification, and it passed 5 to 2 (aye – Nick, Kevin, Gil, Bill, Erica; nay – John, Miriam.)
4. Items 2-2 through item 2-4. With no discussion, these were approved by consent of the committee.
5. Item 2-5. The chair recommended removing the NYS definition of "Aspect ratio" and replacing it with a new IRC definition. Upon call to vote, the committee approved this unanimously.
6. Item 2-6. The committee discussed the definition of "Attic, Habitable," which allows an attic to be habitable, but not count as a story. There was concern for the possible number of habitable levels of construction, including in unprotected wood frame construction, this definition would allow. The chair called for a vote to remove this definition, which the committee confirmed by unanimous vote.
7. Item 2-7. The 2009 IRC deleted the definition of 'Balcony, Exterior'. The committee discussed the value of this definition in highlighting the difference between an exterior balcony and a deck, and their differences in construction support and attachment to the main structure. The chair called a vote to maintain the definition in the RC. The committee voted in approval, ayes – Nick, Kevin, John, Bill, Erika, Miriam and Gil; Nay – Roy.

8. Item 2-8 through item 2-11. With no discussion, these were approved by consent of the committee.
9. Item 2-12 through 2-14. The chair introduced the modifications to the language of the three definitions related to carbon monoxide proposed by Gil Moniz. Committee members discussed whether this would change what equipment could be used, and determined that it would not. The proponent also added that NYS would be ahead of the curve by acknowledging that only fuel-burning fireplaces should trigger CO requirements. Upon a call to vote for each of these three items, the committee unanimously approved the proposals for modification by Gil Moniz.
10. Item 2-15. The 2009 IRC deleted the definition of "Deck." In accordance with the discussion of item 2-7, the chair called a vote to maintain the definition in the RC. The committee voted unanimously to retain the definition.
11. Item 2-16. The chair noted that this definition is required by law in NYS. Approved by consent of the committee
12. Item 2-17. Item 2-17 appears to be a cut and paste error. There was some discussion of what may have been intended to be in that row, including the definition of fireblocking. The subcommittee will disregard the row for now.
13. Item 2-18 through item 2-27 were approved by consent of the committee after a short discussion regarding "Fire-retardant-Treated Wood."
14. Miriam McGiver left the meeting.
15. Item 2-28. The definition of "Guestroom," related to owner-occupied lodging houses, now allowed under the scope of the IRC, was the cause of concern for several subcommittee members. While lodging houses are limited to five guestrooms, the definition of "guestroom" places no limitation on the number of occupants in guestrooms. After some discussion of how the lack of limits on the number of guestroom occupants could create problems, and how to possibly address that, the item was tabled for future consideration.
16. Item 2-29 through item 2-32. With no discussion, these were approved by consent of the committee.
17. Item 2-32a. This item was created as the result of action by the Technical Subcommittee at the 9/25 meeting. No further action necessary.
18. Item 2-33. Related to item 2-28, action on the definition of "Lodging House" was tabled.
19. Item 2-34 and item 2-35. With no discussion, these were approved by consent of the committee.
20. Item 2-36. The chair recommended removing the NYS definition of "Plastic, Thermosetting." After limited discussion, the committee voted unanimously to delete the definition.
21. Item 2-37 and item 2-38. With no discussion, these were approved by consent of the committee.
22. Item 38. The chair spoke about the definition of "Repair" and how it may no longer be same as the definition found in the *2012 International Existing Building Code*. The Chair promised to provide both definitions for the Subcommittee to compare at the next meeting. The item was tabled until then.
23. Item 2-39. With no discussion, this was approved by consent of the committee.
24. OPEN BUSINESS: There were no public visitors, nor any additional written or submitted documents to consider.
25. The subcommittee adjourned at 12:00 p.m. The next meeting will be via teleconference call on October 9, 2012, at 10:00 a.m., with the phone set up at the DCEA conference room at 99 Washington Avenue, Albany. The public and those subcommittee members located nearby are invited to attend. Those members that cannot attend in person will phone in to participate.