**BUILDING CODE BOARD OF APPEALS**

**SPECIAL MEETING**

**AUGUST 4, 2021**

The Building Code Board of Appeals held a Special Meeting on Wednesday, August 4, 2021. Chairman Oliver called the meeting to order at 6:31 p.m.

**2. ROLL CALL**

Board Members Present Also Present

R. Oliver J. Berchem, City Attorney

R. Jagoe Atty. K. Curseaden

J. Attolino Atty. J. Knuff

J. Wojnarowski J. Griffith, DPLU Director

 J. Voll

Excused

L. D’Amato

**3. APPOINTMENT OF APPEALS PANEL**

Mr. Oliver stated Messrs. Jagoe, Attolino and Wojnarowski would serve on the Appeals Panel.

**4. HEARING(S)**

(a) Appeal of Harbor Walk, Inc., owner of 22 Broad Street (“Appellant”), in connection with the following:

1. June 14, 2021, plan review of Chief Building Official, Joseph Griffith.

2. July 14, 2021, decision of Chief Building Official, Joseph Griffith, requiring zoning compliance pursuant to IBC §105.3.1.1.

Mr. Oliver explained the process for tonight’s meeting. He asked old items dating back not be rehashed and stated the Board was looking to hear testimony regarding the items specific to tonight’s agenda. He recognized Attorney Kevin Curseaden.

Attorney Kevin Curseaden – 3 Lafayette Street, Milford, 06460 – stated he is here tonight on behalf of Joseph Voll, owner of 22 Broad Street (Appellant). Attorney Curseaden stated he would respect the Chair’s comments concerning the process of the hearing, however, there is a great deal of history concerning the property at 22 Broad Street. He continued with his presentation as to why his client believes he decision of the Chief Building Inspector, Joseph Griffith, as outlined in his July 14, 2021, is incorrect. He also addressed the reference to §105.3.1.1 (2015 IBC) and stated he believed Mr. Griffith’s reading of the statute is improper. Attorney Curseaden continued with his presentation.

Chairman Oliver asked if the Board members had questions for Mr. Curseaden.

Mr. Jagoe commented he did not believe this matter should be before this Board and that it should go back to Planning and Zoning. He explained the duties of this Board. Mr. Attolino agreed. Chairman Oliver stated he wished to hear from Mr. Griffith, DPLU Director.

Mr. Griffith thanked the Chairman for the opportunity to address the Board. He went on to explain the details of the July 14, 2021, letter and the reason IBC §105.3.1.1 applied. A lengthy discussion ensued as to the applicability of the statute to this particular property.

Chairman Oliver stated he would entertain a motion concerning 4a-2.

Mr. Jagoe and Mr. Attolino made and seconded a motion to uphold the decision of the Chief Building Official, Joseph Griffith requiring zoning compliance, pursuant to 2015 IBC §105.3.1.1, as outlined in his July 14, 2021, letter. Motion carried unanimously.

**5. ADJOURNMENT**

Being no further business to come before this Board, Mr. Attolino and Mr. Wojnarowski made and seconded a motion to adjourn. Motion carried unanimously.

The meeting adjourned at 7:46 p.m.

 Respectfully submitted,

 Kathleen A. Kennedy

 Recording Secretary