

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

MEP COMMITTEE MINUTES

October 9, 2013

10:00 a.m.

MEMBERS PRESENT: Chairman Edward Pine
Mr. Dan Rial
Mr. John Martin
Mr. Mark Mahler
Mr. Larry Bobo
Mr. Neil Case
Mr. R. J. Steer

MEMBERS ABSENT:

OTHERS PRESENT: Mr. Henry Yankowski, Building Official
Mr. Jack Arrington, Chief Plumbing/Mechanical Inspector
Mr. Russell Kauk, Senior Plans Examiner
Mrs. Pattie Bengner, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Vice Chairman Dan Rial called the meeting to order at 10:03 a.m.

Jack Arrington welcomed R. J. Steer, as a new member of the MEP Committee filling the architect's position on the Committee.

1. **CONSIDERATION OF THE SEPTEMBER 11, 2013 MEP COMMITTEE MINUTES**

John Martin stated he would like to make a correction on Item 7, that the Motion was made by John Martin and seconded by Mark Mahler. A motion was made by Mark Mahler to **APPROVE** the September 11, 2013 MEP Committee Minutes as corrected, seconded by Neil Case; the motion carried unanimously.

2. **COMPLAINT UPDATE**

A complaint has been brought against Jeremy Fitzgerald, licensee for Colorado Mechanical Services, by Regional Building for failing to correct noted deficiencies and for having an "A" Status Permit at 103 South Wahsatch Avenue, Colorado Springs, Colorado, in violation of Sections RBC105.9 and RBC109.2, 2011 Pikes Peak Regional Building Code; and for performing work at 3250 Kestrel Drive, Colorado Springs, Colorado without a license and for failing to pull a permit at this same address for the work done, in violation of Sections RBC105.1 and RBC201.3, 2011 Pikes Peak Regional Building Code. *This complaint was heard by the MEP Committee on September 11, 2013, and the Committee*

recommended that a Letter of Reprimand be put in Mr. Fitzgerald's contractor file, a 30 day extension be given to Mr. Fitzgerald to clean up all outstanding permits, and upon completion of these permits, RBD grants him a one year extension on his license. If RBD receives further complaints that Mr. Fitzgerald has not pulled a necessary permit or followed RBD procedures, it will be an automatic revocation of his license.

Jack Arrington stated Jeremy Fitzgerald has not cooperated with RBD in completing inspections, and RBD has received additional complaints about his work. He stated RBD would like to bring Mr. Fitzgerald back before the MEP Committee during the November 13, 2013 meeting. Dan Rial stated he is concerned about the homeowners of the projects that have not been completed due to Mr. Fitzgerald's negligence. Pattie Benger stated Mr. Fitzgerald currently does not have a license with RBD because he has not complied with the decision of the MEP Committee during the September meeting. Mark Mahler stated he does not want to burden the homeowners with additional fees because their contractor did not perform. A motion was made by Dan Rial to let the previous motion stand and recommends to the Board of Review **REVOCATION** of Jeremy Fitzgerald's license, seconded by Mark Mahler; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Mechanical Contractor A (Commercial)

MAGNUM EDGE, INC. – ERIC HAGER
JOE'S PLUMBING HEATING AND AIR CONDITIONING, INC. – MATTHEW
BAILEY (ADDITIONAL LICENSE)

Mechanical Contractor C-1 (Gas Piping)

TONY V PLUMBING & HEATING INC – ANTHONY VECCHARELLI
(ADDITIONAL LICENSE)

Mechanical Contractor E (Elevators/Escalators)

ELEVATORS UNLIMITED, INC. – CHARLES SICKELS

Heating Mechanic I (Fitter)

KALEB SCHEFFLER

Heating Mechanic IV (HVAC Service Tech)

RICHARD BEHNKE, JR.

A motion was made by Neil Case to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by John Martin; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

There were no License Requests to be Considered Individually.

4. CONSENT CALENDAR

There were no Consent Calendar Variance Requests to discuss.

VARIANCE REQUESTS

5. 105 North Spruce Street – Dean Doiron, Commercial Specialists of Southern Colorado, LLC, requests a variance to Section 607.3.3.2, 2009 International Mechanical Code, to allow Global Air Handler Shutdown and Damper Shutdown in lieu of providing smoke detectors at dampers.

Dean Doiron appeared and stated he is the Fire Alarm contractor for the Holiday Inn Express. He stated the mechanical design came late in the process of bidding this project and once presented, it was determined that approximately 63 fire/smoke dampers had been added to the design. He said his application of the governing Code for the fire/smoke dampers was to place a smoke detector within 5' of each fire/smoke damper. Mr. Doiron said in most cases where the ductwork extends more than 5' on either side of the damper, the correct application would be to provide a duct mounted smoke detector within 5' of the damper; and in cases where the ductwork does not extend to 5' or the damper occurs at a transfer grille, the correct application would be a spot smoke detector in strict compliance with the Code section.

Mr. Doiron said one option is to shut down all of the dampers in the building simultaneously, which would shut down all of the air circulation in the building at one time. Dan Rial stated he believes by shutting down the entire building, he is going beyond the requirements of the Code.

John Martin stated he would like to recuse himself from this issue because he feels it is a life safety issue and he is not comfortable making a decision of this nature. Ed Pine stated he also believes it is a life safety issue, and this must be kept in mind in making a decision on this variance.

Henry Yankowski stated the Code gives the MEP Committee the authority to grant minor variances, and if this is a major variance, the Committee does not have authority to act on it. Mark Mahler stated he would like to have input from the Colorado Springs Fire Department (“CSFD”) on this variance.

Mr. Doiron stated he would be willing to postpone this issue for 30 days to obtain additional information from CSFD and the Fire Suppression Engineer. A motion was made by Mark Mahler to **POSTPONE** this variance request until the November 13, 2013 MEP Committee meeting and request a representative from CSFD, a Fire Suppression Engineer and a Mechanical Engineer attend that meeting to give the Committee their input on this issue, seconded by R. J. Steer; the motion carried unanimously.

6. 8432 Tibbs Road, Permit I88530 – Melvin Key, Jr., homeowner, requests a variance to Section 405.3.1, 2009 International Plumbing Code, to allow a 17” clearance at the front a water closet where a minimum of 21” is required.

Melvin Key stated he finished his basement 4 years ago and he placed the water closet in the position where the rough-in plumbing was located. He stated he has 2½ restrooms in his house besides this one. A motion was made by John Martin to recommend to the Board of Review **APPROVAL** of the variance request because there are multiple restrooms in this home, seconded by Larry Bobo; the motion carried unanimously.

7. 262 Tanna Court – Sandra Lawson, homeowner, requests a variance to Section 405.3.1, 2009 International Plumbing Code, to allow a 12½” clearance at the side of a water closet where a minimum clearance of 15” is required.

Sandra Lawson appeared and stated she has owned this home for 40 years, and she is remodeling the master bathroom. She stated she would like to install a 34 3/8” neoangle shower, with a water closet beside the shower. She stated due to space limitations, she will only have 12½” on the sides of the water closet. Jack Arrington stated RBD staff does not oppose this variance request, because this will be the second bathroom in the home and it is located beside the master bedroom. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request because it will be the homeowner’s private bathroom and it is the second bathroom in the home, seconded by Larry Bobo; the motion carried unanimously.

8. **UNFINISHED BUSINESS**

- a) Energy Voucher Incentive Program

Dan Rial stated the Pikes Peak Mechanical Contractors Association is doing rebates for homeowners installing high efficiency equipment, i.e. furnaces, water heaters, and air conditioners. He stated they have \$150,000 to give out over the next two years, and currently they have given \$25,000 out in rebates. He stated the biggest problem is getting the contractors to fill out the paperwork for the rebate. Henry Yankowski stated RBD is trying to improve the energy efficiency of this region.

b) Solar Array

Henry Yankowski stated RBD has started the installation of the solar array on the property of the Pikes Peak Regional Development Center (“PPRDC”), which will help reduce the energy costs at the PPRDC. Mr. Yankowski stated RBD is gradually installing a more energy efficient computer for staff at RBD, as well.

9. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:19 a.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY:llg