

FIRE PREVENTION AND BUILDING SAFETY COMMISSION

MEETING MINUTES

Meeting Details

Date: February 7, 2023

Time: 9:00 AM

Location: MADE @ Plainfield – 1610 Reeves Road, Plainfield, IN 46168

Member Attendance

Name	Present		Means of Participation
	Yes	No	
Mike Beard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Logan Cook	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
David Henson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NA
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Zehner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

Notes

Additional information may be available at the [Commission's Web Page](#).

Also in attendance:

Dustin Dyer, Director of Boards and Commissions, IDHS

1. Call to Order – Meeting was called to order at 9:09am.
2. Roll Call – All were present but Commissioner Henson, who was absent.
3. Review and Action on January 2023 Meeting Minutes – No corrections requested. Commission **approved** the minutes as submitted 10-0.
4. IDHS Reports and Updates
 - i. IDHS Variance Determinations Report as required by 675 IAC 12-5-6.2(f) – Denise Fitzpatrick.
5. State Building Commissioner Interpretations – Craig Burgess, State Building Commissioners,

read the following interpretations into the record:

- i. [2022-33 – CEB-2022-33-2014 IBC-714.4.1.2 Exc.7](#)
- ii. [2022-39 – CEB-2022-39-2020 IRC-N1102.4.1.1](#)
- iii. [2022-40 – CEB-2022-40-2041 IBC-310.1](#)
- iv. [2022-41 – CEB-2022-41-2020 IRC-R106](#)
- v. [2022-45 – CEB-2022-45-2020 IRC-M1505.2](#)
- vi. [2022-46 – CEB-2022-46-2014 IBC-1027.5](#)
- vii. [2022-47 – CEB-2022-47-2014 IBC-1103.1](#)
- viii. [2022-52 – CEB-2022-52-2014 IFC-T5003.1.1\(1\)](#)

6. Rulemaking Update(s)

- i. Fuel Gas code change proposals must be submitted by 4:30pm.
- ii. Move the May meeting to May 5th – Commission moved to reschedule the May meeting to the 5th. Commission approved the change 10-0. Business ends at 4:00pm

7. Variances

a. Tabled

- i. **22-09-40 Broad Ripple Mixed Use(a) – Indianapolis** – Logan Cook and Joe Heinsman recused. Ralph Gerdes presented. Commission requested that a deed restriction be put on the property to prevent the sale of one parcel and not another, since the variance crosses property lines. Since then the High School has dropped out of the project, resolving the exiting issue through the parking garage. Commission approved variance (a) 8-0.
- ii. **22-10-28 Ruby’s Little Red Barn –Woodburn** – Motion to table. Commissioner Cook not present. Tabled 9-0.
- iii. **22-12-33 Red Bicycle Hall – Madison** – Motion to table. Table 10-0.
- iv. **22-12-41 The Trojan Horse – Bloomington** – Derek Holman, RTM presented. Restaurant in Bloomington. Cited for not having a Type I Hood System over range in basement. Electric system in place prior to 1986. Prior owner submitted a statement that range was intalled and in use circa 1982. Mechanical code not applicable due to existing range. Codes in effect prior to July 1 1984 cannot be enforced after June 30, 1986. Commission determined that it is outside of Commission jurisdiction to grant a variance, therefore No Variance Required 10-0. Bobby Larue asked if range could be replaced and still be in compliance. Vice-Chair Pannicke indicated that he believes a like device could be installed without issue. Chairman Popich believed it would be a like-for-like exchange as well. Commission could not provide an exact answer without further factual information.
- v. **22-12-44 Transformer 1 – Scottsburg** – No proponent. Commission tabled 10-0.
- vi. **22-12-47 Pass Fire Inspection with Variance – Fort Wayne** – No proponent. Commission tabled 10-0.

- vii. **22-12-81 Fastenal – Indianapolis** – Jon Westerfeld presented. Proponent met with Jonathan Kempler of Pike Township Fire Department, which withdrew its opposition to the variance. Commission **approved** 10-0.

- viii. **22-12-83 RH – Indianapolis, Indianapolis** – Ralph Gerdes presented. Architect present on the line. Commissioner Heinsman asked whether changing the building to Type 5 affected the Chapter 34 scoring. Ralph indicated that it did change the analysis but additional points would be required. Occupancy limited on second floor with staff on second floor to monitor. Limited to 20 persons. Commissioner Murua asked if the system was 13 or 13D. Ralph indicated at 13 was in the basement, 13D through the rest of the building. Architect indicated that there is approximately 1 gallery staff person per two or three patrons. Vice-Chair Pannicke asked if proponent would be amenable to a fire watch for the first month. Architect indicated RH staff would have no problem with a fire watch as a condition for approval. Commission **approved** the variance 10-0 with the following conditions: 1) egress doors are switched to all swing in the direction of egress. 2) a fire watch is provided for 30 days during business hours with any required compensation for fire watch paid by owners. Evaluated after 30 days at discretion of IFD 3) detection in the attic for smoke and fire.

Commission took a break from 10:39-10:53am.

b. New

- i. **23-01-31 BW Fusion – Logansport** – Christina Collester presented. Plans filed were for building A and B. A third building is coming in the future which will require an additional filing. F1/S1 storage for biostimulants, which limit the need for fertilizers. 5B construction by design. Asking to not sprinkler the building due to possible product loss from water mixing with stored product and chemical contamination. Commissioners Cook and Murua asked if any part of the building would be sprinklered. Christina indicated that no part of the building would be sprinklered, office space is tiny with high visibility, approximately 20x70 feet with restrooms, offices, and break room. Commissioner Murua asked if there is some sort of system to notify the employees in the event of a fire. Vice-Chair Pannicke suggested potentially conditioning pull stations at the exits. Commissioner Cook asked if all areas of the building were susceptible to water contamination. Ms. Collester indicated that all areas of the building would present the same flooding issue. Mr. Cook noted that, per his reading of the code, you could exclude areas presenting contamination from sprinklering if sprinklering is provided to the rest of the building. Ms. Collester indicated that the cited code would only be for areas where water contamination presented an explosion hazard, and that a notice that the State Chemist does not want the substance mixing with water was not sufficient to meet that area of code. State Building Commissioner confirmed that interpretation. Ms. Collester indicated that manual pull station is not a problem. Approved 10-0 with the following condition: Approved with pull-station fire-alarm system per NFPA 72.

- ii. **23-01-32, 33, 34, 35, 36 The District at Latimer Square Building 2-6** –

Bloomington – Commissioners Heinsman and Cook recused. Ralph Gerdes presented. No smoke damper at ceiling outlets. Owner disagreed with prior decision, variances refiled. Smoke dampers in corridors on fans also sound building fire alarm. Commission approved 10-0.

- iii. **23-01-37 The Barn(a)(b)(c) – Peru** – Dan Kaiser presented. Existing facility that was used for ag business, converted to event space. One-hour rating normally required. No alcoholic beverages permitted on site per owner. All events are catered, no cooking facilities. Commission **approved** variances a-c 10-0.
- iv. **23-01-38 Geodis – Clayton** – Christina Collester presented. General storage warehouse that wants to take on Dr. Scholls as a client. Small bottles of oxidizers. 240 gallons of hazardous liquid allowed under 1B without special suppression system or becoming hazardous occupancy. Asking to comply with NFPA 30 to allow additional storage not allowed by building code. Commission **approved** 10-0.
- v. **23-01-39 Founders Square Senior Apartments – Speedway** – Mark Fraser presented. Single-structure three-story low income senior apartment building. 5B and 13R. Small lobby and amenities gym, leasing office, small commercial area separated. Using allowable area increase requires full 13 system, using 13R system which is not in the budget. Asking to use 13 in commercial areas and 13R in residential areas. Approaching 5A construction due to one hour ratings. Three stairs, three-hour masonry protected. 20 units per floor, no attic spaces. Commissioner Popich asked what the cost increase would be to go from different systems, proponent indicated it would be \$180k, overall project cost is approximately \$10M. Foundations and slab poured, elevator pit, framing will start soon. Cost falls under normal thresholds for financial hardship (10% of overall project cost), but Vice-Chair Pannicke noted that this is low-income housing, which is being pushed in the state quite hard. Chairman Popich asked if this would kill the project, proponent indicated it would not. Commissioner Beard expressed concern that allowing this variance would create unsafe conditions for senior citizens, who might not be able to exit as quickly. Commission **approved with the following conditions**: Approved as a 5B with enhanced flow rate per NFPA 13.
- vi. **23-01-40 and 41(a)(b)(c)(d)(e) Stellantis-Samsung SDI Battery Cell Bldg 1 – Kokomo** – Battery cell manufacturing facility and forming facility. F1 and H3 occupancies, 300k square feet. Separated from the rest of the facility by a firewall. Rest of the facility is over 1M sq ft. a) Occupant load. Asking to use owner count. b) Travel distance. Travel distance limited to 250 feet with current sprinkler system. Most areas meet those numbers, with a few areas outside of the range due to operations layout and size of equipment creating additional travel distance. c) Construction type unlimited area building. Requesting 2B for unlimited area using 3-hour firewall separation. Formation building exceeds building height limitations at penthouse due to the nature of the equipment that is housed there. Anticipated occupancy of penthouse is 0 with occasional service technician, multiple means of egress. d) Termination of egress passageway. Proposing to cap top of egress passageways with horizontal assembly, similar to shaft enclosures. Vice-Chair Pannicke asked if there was any risk of heavy equipment falling through and blocking

passage. Commissioner Beard suggested maybe shoring ceiling at crossover points. Proponent indicated that there is minimal crossover points that could create a risk of heavy equipment falling through ceiling and blocking passage. e) Smoke and heat removal. Wanting to not apply a smoke and heat removal system in favor of quick-response sprinkler system. Any sort of venting could create process contamination. Samsung has been in contact with local fire official, who did not express concerns. Commission **approve 23-01-40(a-e) with no additional conditions**. Commissioner Heinsman abstained. Approved 9-0-1.

Approve 41(a-e) as submitted. Approved 9-0-1, Commissioner Heinsman abstained.

- vii. **23-01-42 Founders Pointe – Franklin** – No proponent. Commission tabled 10-0.
- viii. **23-01-43 Classic Cleaners – Zionsville** – Ed Rensink presented. Pickup and dropoff machines. Cited under general scoping requirement in building code for accessibility. Customers have four options to pick up and drop off clothing. Cost to make machines accessible would create costs of approximately \$90k. Entry area is open 24/7 for pickup/dropoff, customers in wheelchairs can utilize dropoff lockers. Commission noted that a variance would be specifically for the Indiana accessibility requirements, not the Americans with Disabilities Act. Commission **approved** 9-1.
- ix. **23-01-44 C3 Restaurant and Bar – Bloomington** – Ed Rensink presented. Buildout of a covered patio structure at an existing restaurant. Restaurant is on a multi-plot site. Variance extends into common area plot. Fixed, known exposure. Bobby Larue presented, noting that common area cannot be developed and so there is no real disruption to other buildings/areas. Proponent indicated that sidewall sprinklers were available for covered area. Commission approved 10-0.

c. Local

- i. 110 S. Delaware St – Indianapolis
- ii. 415 E 22nd St – Indianapolis
- iii. 515 E 22nd St – Indianapolis
- iv. 2136 Central Ave – Indianapolis

Commission **approved** all four variances 10-0.

8. Industrialized Building Systems Renewals

- i. PFS Teco – Commission approved the renewal 10-0.

9. Report on Administrative Review

- i. The Depot – Proposed Order of Dismissal – Commission affirmed the order 10-0.

10. Commission Review of Local Ordinances

- i. No post-adoption ordinances have been submitted at this time.

11. Plumbing Code Change Proposals – Commission discussed how to handle tabled proposals. Commission confirmed that tabled proposals should be heard at the beginning of code proposals for the next meeting.

- i. **107 – 419.5 – Tempered Water for Public Hand-washing Facilities** – William J. Ciriello presented. Carryover amendment from previous code. A question arose as to fiscal impact, given that the fiscal impact was limited as neutral because it's an existing amendment, but the fiscal impact would need to be calculated for the model code. Commissioners Cook and Hite questioned whether the proposed valve substitution would function in the same anti-scald capacity given that they operate in substantially different ways. Mr. Popich asked if it had presented a problem before, since the exception has been in use in a decade. Mr. Cook noted that the ASSE 1017 performance requirements don't match the intent of the code requirements to prevent scalding. Commissioner Cook suggested adding a requirement that the set point be within the intended code range to prevent scalding. Mr. Hite noted that, depending on engineering, there may be times when it's desirable to allow for higher temperatures (e.g. when there is significant travel from the master mixer to the output point). Shelly Wakefield notes that temperature controls are already in other parts of code. Mr. Popich notes that this amendment relieves one part of code, but does not address other standards where similar devices are required. SBC questioned to what benefit is this change being proposed? Commission **denied** the amendment 8-2.

Director Dyer suggested that language be added to the website indicating that fiscal impacts should be calculated in comparison to current model code when proposing carrying amendments forward.

- ii. **108 – 605.21.3 – Solvent Cementing** – Wanting to use clear primer instead of purple to avoid staining. Shelly Wakefield notes that the clear primer smudges any printing on the pipe, so inspectors can still tell it's been used. Commission **approved** the proposal 10-0.
- iii. **109 – 705.10.2 – Solvent Cementing** – Commission **approved** the proposal 10-0.
- iv. **110 – 710 – Drainage System Sizing** – Moving to carry forward the amendment to make 2" pipe the minimum size for underground sanitary drainage system for purposes of serviceability. Commission **approved** the proposal 10-0. Commission determined that the average cost would be \$30 per building, baseline average numbers of 960 buildings, approximate fiscal impact \$25,000.
- v. **111 – 901.2.1 – Trap Seal Protection – Venting Required** – Proponent indicates that most drains back up due to siphoning. Water evaporates long before suction of pipe is required. Mr. Pannicke estimates that there would be on average three floors drains per building – a mechanical room and two restrooms. Fiscal impact - 348,000.00. Proposal **approved** 10-0.

- vi. **112 – 903.1.1 – Vent Terminal Required – Roof Extension Unprotected** – An amendment to provide a hard number to a code section asking local jurisdictions to fill in the blank. Commissioner Cook suggested an 8” minimum rather than 6”. Public comment suggests that northern Indiana gets more than 8” of snow on a roof (203.2mm). Commission **approved as amended**: 12 inches, 304.8mm.
- vii. **113 – 1002.1 – Trap Requirements – Fixture Traps – Exception 2** – Commission **approved** as submitted. No fiscal impact, as proposal adds clarification, no new requirements.
- viii. **130 – Appendix B and D** – Commission **approved 10-0**.
- ix. 114 – Chapter 1 Scope and Administration – Commission **denied** 10-0.

No action taken on:

- x. 115 – 311 – Toilet Facilities for Workers
- xi. 116 – 312.1 – Tests and Inspections – Required Tests
- xii. 117 – 312.5 – Tests and Inspections – Water Supply System Test
- xiii. 118 – 312.10.1 – Tests and Inspections – Inspection and Testing of Backflow Prevention Assemblies – Inspections
- xiv. 119 – 312.10.2 – Tests and Inspections – Inspection and Testing of Backflow Prevention Assemblies – Testing
- xv. 120 – 401.2 – Prohibited Fixtures and Connections
- xvi. 121 – 708.1.3 – Cleanouts Required – Building Drain and Building Sewer Junction
- xvii. 122 – 714.1 – Backwater Valves – Sewage Backflow
- xviii. 123 – 918.1 – Air Admittance Valves – General
- xix. 124 – 918.3 – Air Admittance Valves – Where Permitted
- xx. 125 – 918.4 – Air Admittance Valves – Location
- xxi. 128 – Appendix A
- xxii. 129 – Appendix F

12. Final Comments/Closing Remarks

13. Next Meeting – March 7, 2023, at 9:00 a.m. Eastern Time at the MADE @ Plainfield facility, 1610 Reeves Road, Plainfield IN 46168. Virtual meeting details TBA.

A public notice with specific details regarding the format of the meeting will be provided on the [Commission main web page](#) in advance of the meeting date.

14. Adjournment – Meeting adjourned at 4:35pm.