INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

Date:	Wednesday,	January -	4, 2023
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Time: 9:00 AM

Location: MADE @ Plainfield and Microsoft Teams

Member Attendance

Name	Pres	ent	Means of Participation
	Yes	No	
Mike Beard	×		In Person
Logan Cook	×		In Person
Harold Davidson	×		In Person
Joe Heinsman	\boxtimes		In Person
David Henson	×		In Person
Todd Hite	×		In Person
Jim Murua	×		In Person
Scott Pannicke	×		In Person
Michael Popich	\boxtimes		In Person
John Watson	×		In Person
Michael Zehner	\boxtimes		Electronic Means (MS Teams)

Notes

Meeting materials for this meeting can be accessed here: <u>Commission Meeting Materials</u>. Variance applications, attachments, and action letters can be accessed here: <u>Variance Files</u>.

- 1. Call to Order Meeting was called to order at 9:02am.
- 2. Roll Call All members present. Commissioner Zehner attending electronically. Quorum was met.
- 3. Review and Action on December Meeting Minutes. Commissioner Cook submitted minor corrections. Commissioner Pannicke requested that 22-12-14 be amended to strike or finish the last sentence.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook	\boxtimes	
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	×	
Scott Pannicke	×	
Michael Popich	×	
John Watson	×	
Michael Zehner		

4. IDHS Reports and Updates

- i. IDHS Variance Determinations Report as required by 675 IAC 12-5-6.2(f) Denise Fitzpatrick.
- ii. Director Dyer provided an update on the FPBSC Website, including code comment submission process.
- 5. State Building Commissioner Interpretations Craig Burgess read the following interpretations into the record:
 - i. CEB-2022-24-ICC A117.1-2009-904 Sales and Service Counters
 - ii. CEB-2022-25-2012 IPC-1003.3.1 Grease Interceptors and Automatic Grease Removal Devices Required
 - iii. CEB-2022-26-2020 IRC-R602.10.5 Minimum length of a braced wall panel.
 - iv. CEB-2022-28-675 IAC 20-2-7(b) Indiana Swimming Pool Code, Section 20-2-7, Depths
 - v. CEB-2022-31-2014 IBC-1015.2.1-Exc 2 Two Exits or Exit Access Doorways
 - vi. CEB-2022-32-2014 IBC-202 Fire Area
 - 6. Rulemaking Update(s)
 - i. Code change submissions to the plumbing code due **today** by 4:30pm.
 - ii. Vice-Chair Pannicke suggested that Chapter 1 be considered as one effort instead of reviewing them code-by-code, which could conflict with the GAR and cause

problems. Chairman Popich indicated that he was in favor of the idea. Christina Collester suggested that changes be made on a rolling basis in the interest of safety, and that we not be restricted to a rulemaking schedule of 7-10 years. She asked that legislation be introduced to make rulemaking easier. Mr. Popich suggested that we talk to DHS Legal about moving forward with something similar.

7. Variances

- a. Tabled
- i. **22-09-40(a) Broad Ripple Mixed Use, Indianapolis** Ralph Gerdes requested that the variance be tabled as attorneys continue to work on deed restriction.

Motion: Table until the next meeting.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook (A)		
Harold Davidson	\boxtimes	
Joe Heinsman (A)		
David Henson	\boxtimes	
Todd Hite		
Jim Murua	×	
Scott Pannicke	×	
Michael Popich	×	
John Watson	×	
Michael Zehner	×	

ii. 22-10-28 Ruby's Little Red Barn, Woodburn – Proponent requests table.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook	\boxtimes	

Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	×	
Scott Pannicke	×	
Michael Popich	×	
John Watson	×	
Michael Zehner	\boxtimes	

iii. 22-12-33 Red Bicycle Hall, Madison – No proponent.

Name	Vote	
	Yes	No
Mike Beard		
Logan Cook	\boxtimes	
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	×	
Scott Pannicke	×	
Michael Popich	×	

John Watson	×	
Michael Zehner	\boxtimes	

iv. **22-12-35 Comet Kart Sales, Greenfield** – Greenfield fire department was on the line, proponent was not. Christina Collester addressed the Commission noting that the lack of spray foam could be offset by finishing the sprinkler system under the mezzanine. No proponent.

Motion: Deny.

Name	Vo	Vote	
	Yes	No	
Mike Beard	\boxtimes		
Logan Cook	\boxtimes		
Harold Davidson	\boxtimes		
Joe Heinsman	\boxtimes		
David Henson	\boxtimes		
Todd Hite	\boxtimes		
Jim Murua	\boxtimes		
Scott Pannicke	×		
Michael Popich	\boxtimes		
John Watson	×		
Michael Zehner	\boxtimes		

v. **22-12-37 XPO Logistics, Fort Wayne** – Withdrawn by proponent.

vi. 22-12-41 The Trojan Horse, Bloomington

Motion: Table until the next meeting.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook		
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	×	
Scott Pannicke	×	
Michael Popich	×	
John Watson	×	
Michael Zehner		

vii. **22-12-44 Transformer 1, Scottsburg** – No proponent.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook	\boxtimes	
Harold Davidson		\boxtimes
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	

Todd Hite	\boxtimes	
Jim Murua	×	
Scott Pannicke	×	
Michael Popich	×	
John Watson	×	
Michael Zehner	\boxtimes	

viii. 22-12-47 Pass Fire Inspection with Variance, Fort Wayne – No proponent. Vice-Chair Pannicke requested information from Commissioner Murua. Commissioner Murua indicated that this is a frat house that is requesting to not install a sprinkler system.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook	\boxtimes	
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	×	
Scott Pannicke	×	

Michael Popich	\boxtimes	
John Watson	×	
Michael Zehner	\boxtimes	

b. New

i. 22-12-79(a)(b) Third and Grant – Building A, Bloomington – (a) Melissa Tupper presented. Variance concerning smoke dampers and duct work. Code requires a smoke damper at each point that ductwork penetrates and serves the corridor. Limited space within floor to ceiling assembly makes providing smoke dampers at every penetration difficult. Asking to use a combination smoke/fire damper that would be provided in the floor, and a ceiling damper, as well as secondary dampers triggered by the first one. Bobby Larue presented as well, noting that he wishes that corridor smoke detection should initiate the building alarm and close all dampers required to be closed. (b) Concerns balconies and amended language for Indiana code requiring sprinklered balconies to be rated. Bobby Larue addressed the Commission again, noting that be believes that the rating should stand. Building Commissioner Burgess read opinion 38 into the record, as it was relevant to the proceedings. Technical discussion of fire ratings and possible alternative protections proceeded, as well as what counts as a projection and in what circumstances. Vice-Chair Pannicke notes that we have issued variances based on model code language when an Indiana Amendment creates a conflict. Commissioner Cook indicated that discussion of why the Amendment was made is outside the scope of determining whether the individual variance request is reasonable. Commissioner Heinsman questioned whether fire-treating the wood would create additional safety if the question is fire bypassing the wood. More technical discussion ensued concerning types of

balconies, siding, what stage of construction the buildings are currently in, etc. A suggestion was made that penetrations be sealed from the inside to avoid deterioration of the sealant. Ed Rensink suggested multiple layers of solid blocking in between the beams where they cantilever out.

Motion: Approve with conditions.

Conditions: (a) Corridor smoke detection will trigger building alarm per Indiana adopted NFPA 72. (b) Approved with the addition of fire-stopping at all cantilever beam penetrations through the exterior wall from the inside. Sprinkler protection at all balconies.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook	\boxtimes	
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	×	
Michael Popich	×	
John Watson	×	
Michael Zehner	\boxtimes	

- ii. **22-12-80(a)(b) Third and Grant Building B, Bloomington** Approved with conditions as per the variance above.
- iii. 22-12-81 Fastenal, Indianapolis Fastenal presented. One-story building approximately 40k square feet. Voluntary installation of a sprinkler system and existing valves being used for mop-up operations. Seeking to place valves in such a way as shutting off hose valves does not shut down sprinkler system due to the way the lines are tied in. Commissioners Cook and Murua expressed concern about approving the variance when the local fire official submitted a comment in opposition.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook	\boxtimes	
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	×	
Michael Popich	\boxtimes	
John Watson	×	
Michael Zehner	\boxtimes	

iv. **22-12-82 Advanced Turf Solutions Lot #2, Ingalls** – Ryan Fire presented. Requesting to use most current version of NFPA13 instead of 2010 in its entirety due to joist bridging not meeting obstruction rules of 2010 NFPA13, whereas 2022 version allows more leeway.

Motion: Approve.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook	\boxtimes	
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	×	
Scott Pannicke	×	
Michael Popich	×	
John Watson	×	
Michael Zehner	\boxtimes	

v. 22-12-83 RH – Indianapolis, Indianapolis – Ralph Gerdes presented. Furniture showroom with interior design office. Full kitchen with café, full restaurant experience as well. No large-scale storage or merchandise on property being held. Second-floor spaces will be guided by staff, not open to the public on their own. Majority of the occupants in the space are appointment-only, scheduled meetings to look at the gallery and find what they need with supervision. Some clients off the street but staff would be present in most spaces. Chairman Popich asked about proposed occupant load. Proponent indicated that building is limited by rezoning for major events. Application indicates 20 upstairs and 40 downstairs. Vice-Chair Pannicke asked about cost to flip the direction of swing on the egress doors. Adding smoke detection and fire alarm. Asking to use Chapter 34 for the change of use. Cost estimate for sprinkler system upgrade approximately 840k. Commissioner Heinsman would like to see legible structural plans before moving forward. Commissiners Pannicke and Popich would like to see cost estimates for door flips, minimum exiting.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook (R)		
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	×	
Scott Pannicke	×	
Michael Popich	×	
John Watson	×	
Michael Zehner	\boxtimes	

vi. 22-12-84 863 Mass Ave, Indianapolis – Ed Rensink presented. Asking for fire department connection to be located on non-address side of building in an area controlled by Indiana Historical Preservation Society. LFO opposes, expressed concern about how local fire would know to go to non-address side of the building and potential access issues for large apparatus. Ed Rensink suggested signage could be posted to direct fire or that a note could be left with dispatch.

Motion: Approve with conditions.

Conditions: Proper reflective signage must be provided. Must be accessible to largest IFD apparatus with site plan layout submitted to IFD. Building must contact fire department to set up preplan.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook	\boxtimes	
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	×	
Scott Pannicke		
(R)		
Michael Popich	×	
John Watson	×	
Michael Zehner	\boxtimes	

- c. Local
 - i. No local variances at this time.
- 8. Industrialized Building System Renewals
 - i. TR Radco Staff has no objections to this renewal.

Motion: Approve.

Name	Vo	Vote	
	Yes	No	
Mike Beard	\boxtimes		
Logan Cook	\boxtimes		
Harold Davidson	\boxtimes		
Joe Heinsman	\boxtimes		
David Henson	\boxtimes		
Todd Hite	\boxtimes		
Jim Murua	×		
Scott Pannicke	×		
Michael Popich	×		
John Watson	×		
Michael Zehner	\boxtimes		

9. Report on Administrative Review

OALP has issued no new Findings of Fact, Conclusions of Law, and Recommended Orders at this time.

10. Commission Review of Local Ordinances

i. **Batesville** – Staff has not received feedback from submitter despite multiple attempts to contact. Staff recommends denial.

Motion: Deny

Name Vote

	Yes	No
Mike Beard	\boxtimes	
Logan Cook	\boxtimes	
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	×	
Scott Pannicke	×	
Michael Popich	×	
John Watson	×	
Michael Zehner	\boxtimes	

ii. **Monrovia** – Staff has not received feedback from submitter despite multiple attempts to contact. Staff recommends denial.

Name	Vote	
	Yes	No
Mike Beard	\boxtimes	
Logan Cook	\boxtimes	
Harold Davidson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	×	
Michael Popich	×	
John Watson	×	
Michael Zehner	\boxtimes	

- 11. Final Comments/Closing Remarks
- 12. Next Meeting February 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 <u>Commission main web page</u> in advance of the meeting date.

13. Adjournment – Meeting was adjourned at 1:12.