

Building and Facilities Committee  
Minutes of 2-6-20  
Whipple Hall Conference Room; 6:30 p.m.

Members Present: Bowers, Bianchi, Cardillo, Beasley, Lewis, Cross,  
Sherman, Cannon

Absent: Hogle

The meeting was called to order at 6:30 p.m.

*1. Approval of Minutes*

The minutes of the previous meeting of January 30, 2020 were reviewed by the Committee and were then approved unanimously.

*2. Reports*

Mr. Sherman reported that he had met with Dennis Mires on Tuesday, February 4. Mr. Mires is drawing up a proposed contract for review by the Subcommittee and Ms. Hallquist. Members of the Subcommittee will participate in an informational meeting with Mr. Mires, Ms. Hallquist, Chief Andersen, and Lt. Cobb at the Police Department on February 14. The purpose of the meeting is information gathering only.

*3. Discussion building inspector*

The Chair opened the floor to discussion on building inspector issues, noting that the Committee had received a copy of the 2019 Town Report chart of building permits issued; and copies of the various documents supplied by Nicole Gage, Zoning Administrator, as well as the documentation distributed for the last meeting. Discussion followed, and included a brief review of some of the pros and cons of having a building inspector as referenced in the materials. It was noted that under the Code, the contractor is responsible for adhering to Code requirements, and that a building inspector in no way certifies to the quality of the work performed. The significant issues, from both the Town's perspective and a homeowner's perspective, would appear to be a possible catastrophe due to a fire-related event or a major collapse, neither of which would necessarily be prevented by an inspection by a building inspector, and simultaneously could

raise the possibility of potential Town liability if a building inspector had inspected the premises.

There then followed discussion on the use of the term “Building Permit,” when it does not deal with building construction as generally defined in safety codes, and may imply a greater review by the Town than in fact occurs. There was general consensus that this issue may need to be revisited, but that at present the Committee was not prepared to weigh in on what change, if any, should occur. One thought expressed was that the current process might include a signed certification on the application that the homeowner/contractor was aware of the State Building Code and its requirements, and acknowledged that the Town was not responsible for, nor liable for, any failure to adhere to that Code by the homeowner and/or the contractor(s).

The Committee also expressed concern as to the level of understanding, background and education which would be required, and noted that some of the job descriptions in the materials reviewed don’t seem to provide an adequate definition of the job requirements. There was also a question of what would actually be attended to under the Building Code beyond those issues addressed by the Fire Chief, the Town Health Officer, the Zoning Administrator, and the Conservation Commission. The Committee felt it needed to know what those offices were responsible for, and the system of enforcement, to better understand what might be involved in the hiring of another review and enforcement position.

The Committee concluded its discussion by noting that it would like answers/information as to the following in order to better understand some of the issues involved:

- a. What do the Fire Chief, the Town Health Officer, the Zoning Administrator, and the Conservation Commission do to review issues within their purview, and what do they do to enforce decisions/ensure compliance?
- b. What specific inspections/certifications would a building inspector review/perform not covered by the Fire Chief, the Town Health Officer, the Zoning Administrator, and the Conservation Commission?

b. Do the Selectmen/Planning Board/Zoning Board have the authority with regard to commercial properties to require commercial properties to certify compliance with the Building Code through third-party review paid for by the applicant; and, if so, is there a procedure established for doing so and following through to assure compliance?

c. If the foregoing procedure is adopted, what would a building inspector add to the process as to review of commercial properties?

d. Can the Selectmen/Fire Chief expand the current role of the NLFD for inspections as to fire-related code matters to include code enforcement under the State Fire Code related to one- and two-family residences as to matters of serious concern? If so, does that provide more safety value than a building inspector would provide as to fire safety concerns related to such construction? And, if so, does the NLFD, with its new hire, have sufficient manpower to perform such inspections where the Town had 21 new home construction permits in 2019, and lower numbers in the eight preceding years?

e. What work/construction/certification does the Town's current "building permit" process cover?

f. What data exists that demonstrates that the Town has a significant problem related to serious safety issues by not having a building inspector?

*4. Other items to come before the Committee*

None.

*5. Action Items.*

None

The next meeting is in the Whipple Hall Conference Room, on Thursday, February 13, at 2:00 p.m.

The meeting adjourned by unanimous consent at 8:07 p.m.

Respectfully submitted,  
Robert Bowers, Chair