

**MINUTES**  
**BUILDING BOARD OF APPEALS MEETING**  
**April 20, 2022**

**Call to Order and Roll Call**

The meeting was called to order at 7:02 p.m. by Building Board of Appeals (BBA) Chairperson Thomas Bredfeldt.

Roll was called. Present: Chairperson Tom Bredfeldt, BBA Members Brian Beck, Christopher Clark, Matthew Rooney and Barrington Pope. Absent: Robert Stahr and Thomas Tuscher. Also present were Village Board Trustee Liaison Kelly Kalinich, Building & Zoning Official Steve Witt, and Recording Secretary Barbara Dutton-Thomas

**Public Comment Non-Agenda Items**

There was no public comment pertaining to non-agenda items.

**Approval of Minutes**

Following a motion by BBA Member Clark, seconded by Member Beck, draft minutes of the March 16, 2022 meeting were approved unanimously by roll call vote.

**Old Business**

Building & Zoning Official Witt reported that progress is being made in addressing input items gleaned from the building community listening session recently hosted by the BBA, and that a full update would be provided at the next BBA meeting.

**New Business**

**International Residential Code**

Official Steve Witt, who'd related having received a letter from local contractor Pete Ladesic with comments pertaining to the evening's code discussion, introduced the International Residential Code (IRC), explaining that the Village is looking to move from the 2009 to the 2018 version (as noted in Item A). He said Item #B1 is solely a formatting issue. He explained that Item #5 references the modification factor to be applied relative to the size of a project based on alterations and cost of construction when determining whether fire sprinklers are required, and said Item #6 is formatting only.

Mr. Witt indicated that Staff is looking to expand the list in Item #7 – which identifies work exempt from a building permit – to include sealcoating existing driveways, and sealcoating of parking lots with less than five stalls and that don't require accessible stalls. He named the following maintenance-related items as also to be added to the list of work not requiring a permit: wood treads; risers and treads; existing wood deck boards on porches and decks; and replacement of existing handrails on stairs in residential buildings not more than four dwelling units in size; if materials are replaced in kind. Additionally, he named fence repairs, and the erection of temporary tents (i.e., those less than 200SF in size). Also exempt, he said, are window replacements that are put into the same size opening and don't reduce the emergency escape and rescue opening sizes. Member Clark asked if permits are required for re-roofs, to which Mr. Witt replied affirmatively.

Mr. Witt identified items being clarified in Sections D3 and D5. Replacement of multiple receptacles and breakers may trigger the need for a permit, he said, adding that a minor mechanical repair or the installation of, say, a new pump, wherein a circuit needs to be brought from the panel to the location would require a permit, so the Village can inspect the electrical work. Item #7, said Mr. Witt, concerns alterations to piping, requiring a permit if hard pipe is modified or if an electrical connection is required. Item #8, he said, is a formatting issue, and Item #9 clarifies that, on a case-by-case basis, the Building Official has the right to request a signed contract for construction to verify the scope of work. Item #10 is formatting. Item #11, explained Mr. Witt, reduces the timeframe for validity of a permit from 180 days to 90 for small scopes of work that are not part of a larger project. The proposed work items are limited to building demolition, driveway or approach replacement, emergency generator installation, exterior siding replacement, fence installation or replacement, and furnace/boiler/water heater/air conditioning system component installation or replacement. The provision also applies to irrigation systems, radon systems and roof replacements, he said, explaining that the goal is tighter control on closing out projects. It is also hoped it will speed projects along, explained Mr. Witt. Item #12, he said, is a formatting issue.

Item #13, continued Official Witt, adds to the amendments requirements of the State Fire Sprinkler Act and Professional Engineering Act; he said that when a fire suppression system is required, a technical submission outlining the scope is specified, as are shop drawings for comparison purposes. Item #14, he said, is a clerical change to endorse the generic term, “fire protection system.” Item #15, pointed out Mr. Witt, puts into words the fee schedule for work exceeding the scope of the permit, and Item #16 is a formatting issue. Item #17, explained Official Witt, is a reminder to contractors that work can’t go past the point of the requisite inspection. Inspections must proceed in order, he explained, noting that contractors will get billed if they are a “no show” for an inspection, as well as for excessive inspections, to compensate for Village staff time. Item #18, continued Mr. Witt, clarifies the documents that have to be onsite for the inspector: copies of the approved permit drawings (and any drawing addenda), a copy of all previously issued inspection reports, and manufacturer instructions for items that are hardwired into walls, cabinetry, casework, etc. Items #19, 20 and 22, he said, are formatting issues, and explained that Item #21 references the fee schedule for issuance of a temporary certificate of occupancy. Items #23-25 are items that are struck related to the BBA, he said, so avoid a conflict with the Municipal Code establishing the body and the obligations and duties thereof. Item #26 is an administrative amendment, said Mr. Witt. He said Items #27 and #28 amend definitions of crawl space and underfloor space, affecting instances where people want to build habitable space without having to rip up an existing concrete slab to construct over. Item #29 has updated design criteria, largely related to structural and mechanical systems, he said, giving detail. Manual J criteria, he explained, deals with design of mechanical systems for single-family homes, with material taking efficiency into account. Item #30, he said, was added to reference FEMA flood plain maps, which pertain to the County Stormwater Ordinance, to which the Village adheres. Item #31, he stated, establishes a 10 PSF lateral design load for the walking surface of a deck. Item #32, he said, restores requirements for protecting supported beams as part of a fire-rated configuration.

Item #33, he said, is looking to require, for fire-protection purposes, any exposed wooden structure be covered with drywall in additions or basement renovations that exceed a \$15,000 cost. Member Rooney asked if this applies to ceiling joists in an unfinished basement of a house undergoing an addition, to which Mr. Witt replied affirmatively. Member Rooney asked what happens with the mechanical systems in the basement. Mr. Witt responded that these have to get boxed up. To Mr. Rooney’s concern that doing

so could make the ceiling height lower than allowed, Mr. Witt said that a lot of situations where mechanical ductwork running underneath floor joists for the first floor likely put that ceiling height into violation to start with, but consideration is given, and the goal is to increase the volume of air in an area. Citing projects to expand older homes, Member Rooney said he doesn't think it's possible to drywall the ceiling, and that the requirement is excessive in a town with houses with an older housing stock. Mr. Witt suggested further discussion, with local contractors and the Fire Company. Calling the proposed, "onerous," Chief Clark agreed with Mr. Rooney's assessment. Mr. Witt said the item could be struck. Member Clark said that in past, Code didn't allow I-joists and floor trusses in un-sprinklered buildings. Mr. Witt said a provision coming up says these must be sprinklered or covered. Member Rooney agreed that truss joists or trusses should be covered. Member Clark observed that all penetrations expected in a typical basement would make it difficult to effectively provide a drywall ceiling (in an otherwise unfinished basement). Mr. Witt suggested modifying the section to achieve a compromise – allowing specified elements from Item #71 to be installed and covered (with drywall) in lieu of sprinklers – and that he'd be glad to re-write it to incorporate these items; Mr. Rooney said the plan "sounds good." Mr. Clark said it makes sense to discourage people from using light-weight joists in a small addition, and Mr. Witt noted that dimensional lumber would remain unprotected unless the sprinkler threshold is reached.

Item #34, continued Mr. Witt, adds a provision to prohibit the use of an awning or hopper-style window for emergency escape and rescue openings. Item #35 is a formatting issue, he noted. Item #36, he explained, specifies that cables in a cable-rail system should have a spacing of not more than 3 in. apart. Items #37 and #39, he said, concern formatting, and Item #38 references the Fire Code with regard to fire sprinkler systems for additions, alterations or remodeling of townhomes. Item #40, he pointed out, clarifies that sprinkler systems need to be in conformance with NFPA 13D (as established in the IFC).

Item #41 concerns one of the points on which Mr. Ladesic commented upon; With regard to IFC addition threshold limits relative to size and cost, Mr. Ladesic requested that dollar amounts be adjusted to reflect inflation, recommending a minimum 35 percent increase applied to the triggers. Mr. Witt said that before the current inflationary period, Staff was talking about lowering dollar amounts to encourage more single-family homes to be sprinklered. Though he acknowledged materials costs "have gone crazy," Mr. Witt wondered if it should be adjusted at all, not knowing if inflation would continue or calm down. Calling the costs commodity driven, Mr. Rooney observed that builders are not lowering their prices. Mr. Witt, however, said he has no data to validate any number to make a recommendation on percent, but noted that the thresholds could be changed at any point. He said he could do some research to aid in making a recommendation. Member Clark said that in past, actual projects were looked at and costs compared, and that it's hard to have accurate real-time numbers, given the various inputs. Mr. Witt asked if the Board is open to adjusting the number upward. After further discussion of researching costs, Mr. Witt noted that, while information sources are lagging indicators, they can at least serve as a basis for discussion. He said he'd put together a memo for consideration at the next meeting.

Official Witt moved on to Item #42, which, he explained, features references to criteria within the IFC. Added with Item #43, he continued, is a new chapter added for safeguards during construction, including safety and security fencing, which is discussed in Item #45, edited to except situations involving drilling piers. The height, he elaborated, is being raised from 4 ft. to 6 ft., and use of plastic fabric or wood slats deleted, and a requirement added that posts be driven into the ground, instead of sandbags used (where possible). The gate, he added, is to be locked, not just secured. He noted a request from Mr. Ladesic for a temporary allowance of sandbags in utility replacement/installation, a suggestion Mr. Witt called

“reasonable.” Mr. Witt acknowledged that during certain time periods sandbagging will be required, and said the Village can tweak the requirement for latitude. Member Clark suggested intermediately placed sandbags to allow heavy equipment in and out of a site. Mr. Witt indicated Staff will work on this. He said Staff wishes to add requirements for tree preservation and earth retention systems, and onsite maintenance of a fire extinguisher (for which he’d said he’d confirm the rating).

Item #48 directs that public walks and streets and adjoining properties be kept free of construction gravel, dirt, debris, etc., said Official Witt. In addressing a proposed provision directing stockpiled material be kept outside of the side yard setback, he related that Mr. Ladesic took issue with this requirement, citing it as a restriction when, to economize, delivery of product must be taken in advance of its use. Mr. Witt said that if this change is not put in the amendments, or the Village adopts a term of permitted storage (as was suggested), the Zoning Ordinance would have to be amended. Though expressing that some material storage rules are harsh, Member Rooney said he only partially agrees with Mr. Ladesic. Mr. Witt voiced concern about stormwater drainage, and floated a storage arrangement to consider. He emphasized that the provisions don’t restrict the front yard use, but instead involve side property lines. Mr. Beck reported not hearing many complaints about this. Mr. Witt suggested leaving the text as is, and dealing with the issue through zoning, so to change both Codes concurrently. Mr. Rooney said to leave the text as is.

Mr. Witt said Item #49 requires a soils report from a geo-tech firm, if foundation design is based on an assumed soil bearing capacity greater than 1,500PSF. Items #50-52, he said, specify that wood or masonry foundations are not permitted. Item #53, he continued, calls for a licensed structural engineer to oversee design of underpinning work. Item #54, he said, concerns detached garages, and increases the slab turn-down from 10 in. to 12 in., as well as imposes rebar standards. Items #55 and #56, said Mr. Witt, concern the requirement to anchor accessory structures, gazebos or pergolas, and codify permitted foundation systems for doing so. Items #57, #59 and #62 are formatting issues, he noted, while Item #58 deletes the reference to masonry foundation walls. Item #60 requires a structural engineer to design foundation and retaining wall underpinning, and #61 prohibits wood foundations walls. Expressing the requirement for a licensed design professional to design retaining walls, Item #63, he said, specifies that manufacturers of segmental walls provide adequate product information to ensure that the design is safe for the wall height. Item #64, he continued, clarifies the surcharge load used in designing retaining walls which is generally taken as 2 x the soil density.

Item #65 requires that window wells have drainage when they are considered an emergency exit. Items #66-69, he said, deal with crawl space. Item #69 describes how to prep the under-floor space when floor systems have 16 in. or less clear space to the floor slab, he continued, saying there should be no gas piping, water piping or ductwork underneath. Insulation requirements for meeting the Energy Conservation Code are also presented, he said. Item #70, he said, states that access to underfloor spaces with a clear height of 16 in. or less isn’t required. It is proposed, he noted, to merge Item #71 into Item #33. Items #72 and #73 look at lateral restraint for floor joists in bearing conditions, said Official Witt, who distributed photos depicting conditions that are the impetus of the provisions outlined. He added that a provision to allow the blocking to be positioned to allow for utilities to be run vertically through the wall above a support beam has been provided, and said the IRC confirmed his interpretation of blocking location requirements.

Items 74-76 concern wood trusses, continued Mr. Witt, with Item #75 looking for the truss manufacturer to provide more information than they do, and Item #74 attempting to resolve an issue between truss manufacturers and designers concerning who executes the placement diagram. Mr. Witt explained that

Item #76 requires the truss manufacturer to submit a placement diagram (unless the architect/structural engineer wants to do it – something he hasn't seen happen).

Item #77, continued Mr. Witt, addresses helical piers for deck foundations, and requires that the manufacturer/engineer provide information on the engineering (e.g., torque) behind the application. Item #78, he said, embellishes the IRC's requirements for design of vertical support at the ledger beam as well as the lateral supports. Item #79 requires tying a deck structure into the house, he said, offering an alternative by allowing for different options (e.g., braces). Items #82-84 treat roof trusses the same as floor trusses, he said, and noted that Items #81 and Items #85-90 are formatting issues. Items #91-92 get rid of the plumbing provisions that are based on the International Plumbing Code (which has been replaced by the State's). Items #93-94, he said, take the bulk of all the electrical provisions out of the IRC, and reference the NEC, which is used for design. With respect to Items #95-96, Mr. Witt reported that Staff looked at surrounding communities' and the County's provisions concerning radon control systems. He noted that the State, which is more explicit than the IRC, requires such in all new construction, as well as has provisions for existing homes, so it is proposed that the Village refer to the Illinois statutes. He added that he'd like to see the incorporation of a radon mitigation system when a basement remodel for habitable space tests at Level 4.0 or greater. He said this would only apply to new basement (i.e., raw space) remodels, and would not be a requirement if the test comes in at less than 4.0. Other local communities examined, he noted, don't have a set criteria on the books for a radon mitigation system, though the Village of Lombard expects to entertain adding language to this effect to their amendments.)

Mr. Witt said he'd be pleased to rewrite Sections 45 and 47 and present them for BBA review, as well mentioned revisiting the dollar figure in Item #33 and the relevant passage in the Fire Code. Chairperson Bredfeldt confirmed carrying over discussion of the IRC to the next meeting.

### **Trustee Report**

Trustee Kalinich reported that the three-year streetscape project is underway, with Phase I on Main Street between Hillside and Duane. Phase II, she said, will be effected on portions of Duane. She related that when the project is complete, twice as many trees will be in place as previously, explaining that a large percentage of the trees designated for removal were diseased. Other components of the project, she said, are storm, sanitary and water line and sidewalk replacement, and the addition of planters with attached seating. A pedestrian tunnel by the train station is to be installed later.

### **Chairperson's Report**

Chairperson Bredfeldt did not have one.

### **Staff Report**

Building & Zoning Official Witt thanked the BBA for their discussion. He related that the sidewalk is now open between the pedway for Apex and Santa Fe, and that Apex is looking at first occupancy on May 15<sup>th</sup>. He said the BBA is to next meet May 18<sup>th</sup>, with discussion of the Municipal Code.

### **Adjournment**

Chairperson Bredfeldt adjourned tonight's meeting at 9:13 p.m., following a unanimous roll call vote on a motion made by Board Member Clark and seconded by Member Beck.

Respectfully submitted,

*Barbara Dutton-Thomas*  
Recording Secretary