

**MINUTES**  
**BUILDING BOARD OF APPEALS MEETING**  
**March 16, 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, Robert Stahr and Barrington Pope. Absent: Thomas Tuscher. Also present were Village Community Development Director Staci Springer, 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 February 16, 2022 meeting were approved unanimously as amended by a roll call vote.

**Old Business**

Director Staci Springer delivered a status report on issues raised at the Building Community Listening Session and that had been updated since the last meeting. Referring to item #3 claiming that engineering reviews and inspections are overly restrictive, she explained that Du Page County requires strict code enforcement, and if stormwater reviews aren't conducted properly and the Village isn't following the codes/County stormwater ordinance, the County can pull the Village's "full waiver status," causing the building community to have to go to the County to get stormwater reviews, which, she said, would be double the time of the Village. She added that the checklist the Village uses has been the same for some 15 years. Regarding item #6, she said the Village will ask a consultant to update the local area depression map, which is envisioned to be added to the interactive GIS map on the Village website.

Regarding item #7, a complaint that new home permits take too long to get, Ms. Springer said other communities were found to be consistent with Glen Ellyn's performance. She went on to recount results of random permits pulled prior to the listening session, saying that these show that the Village's turnarounds are very quick (and that builders had permits a much greater portion of the durations). Referencing item #20 suggesting the Village should hire a consultant to perform stormwater reviews in 10 days, Ms. Springer pointed out that when the Village had a staff engineer, it wasn't consistently meeting that turnaround time goal during the busy construction months of the year, and now, with the consultant, a five-day review time is typical, and using the consultant affords the ability to complete final reviews faster (though builders often contribute to delays).

Item #22, she related, claims the engineer and the building official overreach their authority. She said both are certified and careful not to design things, but rather try to offer suggestions for meeting Code, which, she said maybe people consider as "designing it." Relative to item #28, Ms. Springer said the Village changed positions on tying downspouts in to the storm sewer, though considers situations on a case-by-case basis and is judicious in permission so as not to overtax the system.

To item #29, which asks why a stamped engineering drawing is necessary for retaining walls, she said other communities have similar requirements, and that Village Staff is proposing an increased minimum for having a sealed drawing to 4 ft. or greater or if there's a surcharge load on the wall, and any licensed design professional can stamp the drawings.

## **New Business**

### **International Fire Code**

Building & Zoning Official Steve Witt presented text changes drawn from the February 16<sup>th</sup> meeting to the International Fire Code (IFC): Concerning item #21, Mr. Witt (who had earlier reported that Staff hadn't received responses from four vendors, but that Groot indicated they don't provide dumpsters with metal lids) asked if the Board would like to specify that dumpster bodies be metal regardless of lid material. Chief Clark (who'd also reported not having heard back from a source to which he'd reached out) recommended that. Mr. Witt said language requiring a metal lid would be removed, but a requirement to have metal bodies would be reflected. He went on to discuss item #32, concerning combustible goods at retail stores, specifically a request by Chief Clark to look at propane tanks (i.e., quantity). Mr. Witt said he changed text to read "combustible or flammable" materials, and does include propane tanks, but added that he does not want a new provision to be retro-active (though doesn't want to see large displays), unless Chief Clark sees a definitive need for it, and cited success with outdoor displays. Chief Clark asked if monitoring could be handled administratively. Mr. Witt replied it could if the Chief ceded authority to do so, and added that the Building Official (which technically covers this in the Chief's absence) could manage the process, seeking the Chief's opinion as necessary. Chief Clark said that allowing the Code Official to make the call in individual circumstances offers flexibility. Mr. Witt asked to whom Chief Clark wishes to rest authority, to which Mr. Clark replied that the Building and Code Official is fine. Mr. Witt acknowledged this. Mr. Pope asked if the language could merely express "Village official," to which Mr. Witt replied that the doing so could yield various opinions, so he would prefer to channel the task to one or two individuals. Chief Clark agreed with this approach.

Discussion moved on to reviewing items #36-#37, with Mr. Clark saying he didn't know if he's comfortable requiring key boxes to have individual dwelling unit keys, and would make it optional. Mr. Witt said he's fine striking language specifying it as a requirement. Mr. Stahr articulated that having keys to units is a liability, and also that since locks change frequently, managing keys would be "a nightmare." Mr. Witt suggested removing the exception from item #36, and confirmed maintaining a requirement for key boxes to access common areas in multi-family buildings. In response to discussion of keys for roof access, Mr. Witt pointed out that item #37 references rooftop level in multi-family buildings, and said there's a provision for commercial buildings, as well. Chief Clark said he didn't know if he'd require a set of keys for the rooftop level, but noted that the bigger the building the more sets of keys are recommended to enhance the efficiency of a response crew. Mr. Witt said he'd strike language in item #37 so access to individual dwelling units is prevented.

Pursuant to item #40, Mr. Witt said language solely about change of occupancy in the same use group was removed in requiring fire sprinklers, which, he said, would typically result in a change of ownership, but not a higher hazard situation (as the risk factor shouldn't be any different). Mr. Pope asked if there would be an exception for moderate- or high-hazard storage. Mr. Witt referenced hazard categories and classifications in item #16 that were proposed for addition into the Code, which specifies that industrial or

storage occupancies with low-hazard content remain at the lowest hazard level and are based on what is being stored.

Item #45 language concerning exterior alarm bells, said Mr. Witt, was changed to show split up strobe lights, to display a blue lens on the strobe when there is an activation of water flow on the fire sprinkler system. Item #55 specifies a white lens when there is fire alarm system activation but no water flow. Chief Clark said this is fine, and that he'd be okay with not making it retroactive. Mr. Witt said the Village is trying to get rid of alarm bells in which critters nest, so he prefers to keep the language in the provision. Item #57, Mr. Witt said, provides clarification regarding a DU-COMM remote station. Item #64, he explained, has been updated to list the presence of boilers to require sprinkler heads be installed in a basement remodel exceeding \$15,000. Item #69, he noted, is a renumbering issue. On the subject of tents, he said, it was decided to strike the provision for tents less than 700SF in area, with these to be handled administratively as special event applications come in. He said the Village has published a comprehensive guideline for requirements, and has a good package for distribution.

A motion to accept the IFC as amended made by Member Clark; seconded by Member Beck, passed unanimously by voice vote.

#### International Building Code

Introducing the International Building Code (IBC), Mr. Witt stated that proposed changes are not contemplated to be retroactive. He pointed to notation offering a "jump" from the 2009 to the 2018 IBC. Items (B)1-7, he added, reflect formatting changes, and deletion of International Plumbing Code references (with one exception), as the State has its own plumbing code. Item #8, he said, is to let people know that permits expire and a fee is necessary to extend them, and refers to the fee schedule, which also is noted in item #9. Item #10 reflects a change to the number of drawings required to at least four sets. Explaining that item #12 clarifies a requirement in the Professional Engineering Act of Illinois pertaining to any building requiring a fire alarm sprinkler system, Mr. Witt said that before a municipality is allowed to grant a permit, the design team must submit a technical submission. Since, however, pipe size isn't engineered until after a permit is issued, the Village is looking to get this information before shop drawings are provided, so to ensure correlation with the architect's program requirements and allow the engineer to design the system accordingly.

Mr. Witt said that Staff wants to remove from item #13 the section on relocatable buildings, such as mobile homes, that the Village doesn't want to see in town. Discussion ensued as to what defines such, with Mr. Witt noting that construction trailers fall under "means and methods" and saying trailers used for classrooms can be considered on a case-by-case basis. He also noted the difficulty in verifying whether structures built out of state meet local code. Member Stahr observed that healthcare and hotel concerns are pushing for pre-fab units, but Mr. Witt indicated that the proposed revisions don't concern these. Declaring intent to synch code with the Zoning Code, Official Witt thought the BBA might give this section further thought and revisit it later. He referenced Section 3113, which he noted requires manufacturer data plates that produce conformance with the book. Mr. Clark suggested it's probably beneficial to keep the language to prevent ducking standards by claiming a structure is mobile so doesn't have to meet codes. Mr. Witt said he'd strike the two sections in question, taking it back to Zoning for review to see how to regulate it. Suggesting that items #14 and #15 go together somewhat, Mr. Witt explained that the Building Department has internal requirements for preparation of site management plans which are requested for large commercial developments to understand a contractor's use of the site,

and the use's effects on traffic. He said the approach has worked well, and Staff merely wants to codify it. Similarly, he said, Item #15, concerns a fire safety plan for certain commercial buildings (e.g., hospital renovations). In response to a question from Mr. Rooney, Mr. Witt said he'd add language pertaining to horizontal assemblies.

Item #16 is a formatting issue, he said, and Item #17 is to codify the permit fee that appears in the fee schedule. Item #18, he said, is an attempt to educate contractors that there is sequence of inspections that have to occur. Member Clark asked how a large project with multiple areas that have separate inspections would be handled. Mr. Witt replied that the Village would perform two inspections per area covered. Items #19, #21 and #22 reflect formatting changes, he noted, and Item #20 (pertaining to temporary occupancy), a reference to the fee schedule.

Item #23 reflects the addition of a definition of co-working facilities, said Official Witt, who explained that over the past year the Village has seen such proposed with business plans that include serving alcohol, and so when occupancy reaches a certain point the Village wants to treat the use as "assembly" (like a restaurant). He said there's a notation to get this into the business use group. Mr. Witt said Item #27 picks up an IRC requirement to give at least a 20-minute rating on any garage doors that are between a garage and a dwelling unit. The section, "Special Detail Requirements Based on Occupancy and Use" was added to Item #28, he said, explaining that the text relates requirements for adding fire sprinklers when the size of an addition or alterations on a project either exceed \$15,000 in hard costs or meet other criteria.

Modification of Item #36, said Mr. Witt, is an attempt to require fire separation conditions for multiple tenancies in the Downtown District and other areas (e.g., shopping centers). Items #38 through #50 display formatting changes, he said, and noted that multiple deleted items were picked up in the Fire Code. To a query from Mr. Pope, Mr. Witt said a fire command room is only in a high-rise situation, something he doesn't anticipate in Glen Ellyn. Mr. Clark said pertinent language could be left in. Item #51, continued Mr. Witt, addresses concerns about guard rails and handrails that use cable rails as pickets to provide fall protection, so in lieu of making a design load requirement, he said Staff doesn't want to see cables further apart than 3 inches so that the openings cannot be spread out to greater than the maximum allowed 4 inches. Item #53, he said, is intended to ensure design meets accessibility acts and codes requirements.

To ensure wheelchair access to charge electric vehicles, Mr. Witt said Item #54 specifies at least one parking stall out of every 25 charging stations is to be accessible. Discussion of configuration, including reach range, followed. Item #55, said Mr. Witt, establishes a minimum clear height for crawl spaces (a requirement carried over from the Residential Code), Item #56 presents language concerning the temperature reading zone in-synch with the Property Maintenance Code, and Item #57 involves a formatting issue. Official Witt directed attention to proposed language to amend Item #59 to reference the International Plumbing Code on the design of vertical or horizontal runs of piping relative to roof/storm drainage, as well as to present the following exception:

"The size of the vertical conductors and leaders, building storm drains, building storm sewers and any horizontal branches of such drains or sewers shall be based on the 100-year hourly rainfall rate indicated in the Illinois State Water Survey Bulletin 75 Precipitation Frequency Study for Illinois, and the DuPage County Countywide Stormwater & Floodplain Ordinance. Any reference in this Code to the International Plumbing Code Figure 1106.1 shall be deleted."

He said the idea is to have the design of buildings correspond with the County's stormwater ordinance. Item #60 is a formatting issue, said Mr. Witt, who went on to describe Item #61 as codifying a process the Village already does in re-roofing instances and which involves examining a roof core sample to check for moisture and verify the number of roof systems in place. Mr. Witt gave a synopsis of Items #62-#64, which he indicated, convey requirements for the design of attached decks. Explaining that the International Residential Code requires these have a minimum two tie-downs, which he contended is problematic when there's a difference between inside and outside floor levels, he proposed requiring a minimum design horizontal load of 10 psf on the deck's walking surface – a specification that, he said, seems even more critical on a commercial building.

In item #65, an exception under handrails and guards on single- and two-family dwellings was deleted, said Mr. Witt, as these dwellings are not covered by the IBC. Item #66 amends snow load from 25 psf to 30. Item #67 is to establish a minimum surcharge load for retaining walls, he said, and Item #68 is to clarify design of inlets for secondary drains to ensure adequate capacity. Item #69, said Mr. Witt, is a formatting issue.

Moving on to Item #70, he outlined proposed criteria for requiring retaining walls to be designed by a licensed design professional (e.g., walls over 24 inches in height that resist a surcharge load). Mr. Witt listed provisions proposed for segmental retaining walls, and (in response to a query from Mr. Stahr) said wood retaining walls are allowed but not recommended due to rot. Items #72-7#5 are formatting issues, he said.

Items #76 and #77 concern wood trusses, said Mr. Witt, who explained that language is proposed to ensure condition details absent from the architectural drawings are presented by requiring that the truss placement diagram be part of the design package that is signed and sealed by a structural engineer. Items #84 and #86 show formatting issues, said Mr. Witt, who noted that Item #85 concerns relocatable buildings and will be stricken. In Item #87, he said, Staff wants to modify the section on safety and security fence at job sites to require opaque fabric, as well as to require fence posts be driven into the ground and not held in place by sandbags (unless approval is granted otherwise). There was subsequent discussion of the duration a construction site fence is permitted to stand.

Item #88, said Mr. Witt, specifies that when a contractor cannot do an excavation to in accordance with published OSHA Standards pertaining to shelving and slopes, use of an earth retention system designed by a licensed structural engineer is required. Having this be part of the site management plan was debated, with Mr. Witt saying that plans are reviewed on a case-by-case basis.

Mr. Pope indicated that the Chicago Porch and Deck Code had similar language to Items #62-#64 relative to lateral loads, to which Mr. Witt replied he's not aware of such a provision. He opined that current Code still doesn't adequately address the dynamic effect of people on a deck. Chairperson Bredfeldt asked if deleted sections in items numbered 38-50 are covered elsewhere. Mr. Witt replied they are covered in the Fire Code, explaining that the intention is to eliminate duplicative language. Mr. Bredfeldt said he thinks codes should apply to portable/temporary buildings. Discussion ensued regarding the change of categorization of co-working space from business occupancy to A2, with Mr. Clark saying he thought the way it is presented makes sense.

A motion to accept the IBC as amended was made by Mr. Beck, seconded by Mr. Stahr, and passed unanimously by roll call vote.

**Staff Report**

Mr. Witt said the Residential Code will be reviewed at the next meeting, which is scheduled for April 20<sup>th</sup>. He said that two titles in the Municipal Code will be taken up, along with a review of regulations for telecom sites, and estimated that two or three more meetings would be all that is needed to conclude the BBA's current charge. A comprehensive package, he said, will be presented to the Village Board.

**Adjournment**

Chairperson Bredfeldt adjourned tonight's meeting at 9:41 p.m., following a unanimous voice vote on a motion to do so made by Board Member Clark and seconded by Member Rooney.

Respectfully submitted,

*Barbara Dutton-Thomas*

Recording Secretary