

Steve Halleran

From: Biron, Philip <philip.biron@dos.nh.gov>
Sent: Tuesday, May 30, 2023 8:35 PM
To: 'Bill Taylor'
Cc: Steve Halleran; David Lersch; Cady, Mitchell
Subject: RE: KUA dormitories

Good evening Chief,

Sorry on the delay in getting back to you on the review of the proposed construction at KUA and Bergeron's response to the plan review.

After reviewing their document attached in regards to their findings of the initial plan review (dated May 11, 2023) and second review (dated May 18, 2023), which appears to be in code compliance with the State Building and State Fire Code according to their letter. In regards to your email, did the Town ask Bergeron Technical Services or did the Architect ask Bergeron Technical Services to review the plans on their behalf?

There are a few options on how the Town may proceed with this:

1. RSA 155A:2 VI. For any municipality which has not adopted an enforcement mechanism under RSA 674:51, the contractor of the building, building component, or structure shall notify the state fire marshal concerning the type of construction before construction begins excluding one- and 2-family dwellings. Any municipality that has adopted an enforcement mechanism under RSA 674:51 may contract with a local enforcement agency or a qualified third party for these services as an alternative to establishing the position of building inspector under RSA 674:51, III(c), and such agency or third party shall have the same authority as a building inspector as provided in that section.
 - a. This section allows the Town to contract out for a third party.
2. RSA 155A:2 IV. Except for buildings owned by the state, the community college system of New Hampshire, or the university system, the issuance of permits and certificates of occupancy pursuant to the state building code is expressly reserved for counties, towns, cities, and village districts. The state fire marshal shall issue permits, conduct inspections, and issue certificates of occupancy for buildings owned by the state, the community college system of New Hampshire, and the university system. Nothing in this section shall prohibit the state fire marshal from contracting with or authorizing a local enforcement agency or other qualified third party for these services, provided the fees for such services are paid for by the applicant. Any municipality that has adopted an enforcement mechanism under RSA 674:51 alternatively may request the services of the state fire marshal under the state building permit system, including issuance of permits, conducting inspections, and issuance of certificates of occupancy, for buildings or projects owned by the counties, town, cities, or village districts, if a project requires specialized knowledge of the fire marshal or due to staffing limitations of the municipality. Nothing in this section shall require the state fire marshal to accept a project under the state building permit system when requested by a municipality.
 - a. This option allows the Town to allow our Office to handle the review, permit issuance, inspection, and issuance of a certificate of occupancy under the State Building Permit system.

Please let me know in regards to the question above on the review of the plans for further clarification.

Regards,

Phil Biron
District Chief



Department of Safety | Division of Fire Safety |
New Hampshire State Fire Marshal's Office (FMO)

Bureau of Building Safety & Construction

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From: Bill Taylor <billtaylormvwd@gmail.com>
Sent: Tuesday, May 23, 2023 1:46 PM
To: Biron, Philip <philip.biron@dos.nh.gov>
Cc: Steve Halleran <plainfield.ta@plainfieldnh.org>; David Lersch <davejosie@juno.com>
Subject: KUA dormitories

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Phil,
Kimball Union is set to begin construction on two new dormitories next month. Early on in the project, (Jan 2023) I suggested that the architect reach out to the Fire Marshall's Office to assure compliance with the life safety codes. I do not have the necessary expertise for a project of this size and complexity. They have hired Bergeron Technical Services to review the plans. Bergeron sent a letter to your office on 5/18/23 that basically says that they believe the project as designed meets all of the necessary codes and that they would like the Town to issue the building permits. Is this enough of a review for the permits to be issued or should your office get involved and do any further review of the plans? Your advice as to how the process should work and where it needs to go from here is greatly appreciated.
Sincerely,

--
Bill

William S. Taylor
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