

Minutes of the February 16, 2018

Building Code Board of Appeals

23 Union Street, Norwich, CT

Present: Chairman, Robert Phoenix, Scott Barbarossa, Hank Olender and Tom Cummings

Absent: Peter Procko

Also Present: Greg Arpin, James Troeger, Dave Couglin, Mark Gilot, Michael Driscoll

On February 16, 2018, The Building Code Board of Appeals meeting convened at approximately 2:00 p.m.

It was determined that there was a quorum.

There was a motion to elect a chairman of the board and Robert Phoenix was nominated. A Motion was made to approve the nomination, it was seconded. All were in favor.

The Chairman proposed that a motion be made that the Board postpone the review of the minutes from January of 2016.

The Appellant, James Liang, stated his name and address. Mr. Liang stated he wrote a six page appeal but he also wrote something for this meeting. He wished a happy new year to everyone and made the following statements:

He stated the contractor and the Building Official didn't do a good job. He stated that there was a conspiracy to get him to pay more money to the contractors. He stated Greg passed a bad installation on November 17th. He said the inspector was very rough on the stair inspection. He also said the condemnation was malicious and inappropriate. He said Greg told a news reporter the house was condemned due to no heat and hot water. He said Greg condemned the house before there was an inspection and that the health inspector didn't issue any violations and the fire marshal's report was inaccurate. He stated Greg carelessly misdated the letter to him and that Greg didn't have access to the inside rooms but stated there were violations in there. He said spring requirements were Greg's fabrication of the code or his own interpretation. He stated pictures taken on January 8th do not reflect the condition of the property on January 2nd. He stated Riley's purposely did a bad job.

He also stated he previously had someone come in and clean the apartments for him, as well as, an exterminator, a person to cut grass and a person to shovel. Tenants were invited to eat out every month because they were family. He stated he spent over 200,000 on the house due to previous violations. He said he had the most popular boarding house in town. In addition to the new boiler, he said he bought new heaters for everyone. He stated in the past, he never failed to fix violations. He also stated he made major investments in Norwich with regard to taxes, utilities and repairs.

Mr. Liang made the following demands:

Revoke the condemnation, remove all liens, compensation for income loss, revise the violations and punish the greedy contractors. He stated many benefits would come to the city if those things were done.

Mr. Phoenix stated that there were many points made by Mr. Liang that were beyond the scope of the board. He asked if Mr. Liang understood and he answered yes. Mr. Phoenix asked if Mr. Liang had any witnesses and Mr. Vincent Fazzone

came forward. He stated his name, address and that he didn't represent Mr. Liang but was a witness. He stated he was a tenant until the condemnation. He stated

Mr. Liang usually fixed any problems with the house.

The question of oaths came up and Mr. Phoenix asked that all witnesses would swear to tell the truth and oaths were given.

Mr. Phoenix called Mr. Arpin. Mr. Arpin stated he had been the house several times for heating complaints. Most pictures for the condemnation were taken by the Fire Marshal because he had a better camera. After the inspection, Mr. Arpin stated he called Rileys, they fixed it, it was reinspected and passed.

Mark Gilot was then called to speak. He stated Greg asked him to go to the property because he felt there might be fire code violations along with building code violations. He stated that after the inspection, he did find several fire code violations. He said he took photos. The report he made after the inspection was sent to Mr. Liang. He was called to the property again on the 8th of January by Mr. Arpin to do a more thorough inspection. He said they found major violations. The pictures were entered as exhibits A, B and C. He stated they followed the CT Fire Safety Code.

Mr. Phoenix asked Mr. Arpin about amendments to the State Building Code. A member asked Mr. Gilot to clarify what broken heat pipes meant. Mr. Gilot explained. Mr. Phoenix questioned Greg Arpin about the newspaper and whether or not they approached him. Mr. Phoenix asked that the health department be called. David Coughlin stated his name. He said he went on January 2, 2018 to do a joint inspection with Greg Arpin. He said he found various violations. Mr. Phoenix asked any about common area violations. He stated various violations. Mr. Phoenix asked about a domestic animal ordinance.

Mr. Phoenix asked if there were any other questions. Mr. Phoenix then asked Mr. Liang to come forward. He asked if he had any questions for the officials on their comments. He again clarified what is relevant to this hearing.

Mr. Liang stated the condemnation was done before the officials inspected the property. Mr. Olender questioned why Mr. Arpin didn't condemn the building himself since he had the power to do that. Mr. Arpin stated that on something major like that, he wanted to make sure he was 100 percent correct.

Mr. Phoenix asked Mr. Liang is he had any further questions for the officials. Mr. Liang questioned the door violations. He asked Dave if he ever failed to fix violations. He stated George Gardner sent him violations every week from 2008 to when he retired. He questioned why he wasn't given notice of condemnation when he always fixed previous violations. He lives in fear of condemnation.

Mr. Phoenix thanked him for the information. Mr. Liang said he might file a lawsuit against the officials. He said he had a second speech. He stated there was persecution and torture from previous land owners and if this condemnation was lifted he would make sure Norwich would become a great city again.

Mr. Phoenix asked if anybody wanted to speak in favor or against the condemnation. Nobody asked to speak and a motion to close the hearing for discussion was made. Mr. Olender stated he would like to know why Mr. Liang isn't fixing the violations. The motion was withdrawn and Mr. Olender asked Mr. Liang about it. Mr. Liang complained about the tenant's stealing things, etc. Mr. Liang also stated that Mr. Arpin is not doing his job. Mr. Olender stated that he had empathy for Mr. Liang but he has responsibilities as a landlord.

Mr. Phoenix told Mr. Liang that the board is here to see if your appeal has merit. He asked if Mr. Liang was willing to fix the violations. He stated he would.

Mr. Phoenix stated that the appeal process is to make sure the condemnation is justified and correct based on the questioning of it. He asked again if Mr. Liang would make the repairs needed. Mr. Liang made his demands again. He also said if he makes the repairs, it could just get condemned in a couple of months. Mr. Phoenix explained that Mr. Arpin will issue violations by what he sees at the time of inspection.

A board member asked if the heating system was operating. Mr. Liang stated he couldn't go back in because it's condemned. They agreed he could as the owner. Mr. Liang again stated there was extortion and Mr. Phoenix reminded him that those claims are beyond the Board's scope.

Mr. Olender stated that the Board's job was to make sure the officials did their job. Mr. Phoenix asked Mr. Liang if he had any other questions. Mr. Liang questioned Mr. Arpin about the condemnation. Mr. Arpin stated he was there many times with complaints. He also stated that the heating system is not working because the boiler was off.

Mr. Phoenix asked Mr. Arpin if the list was taken care of would he lift the condemnation. Mr. Arpin stated for the most part he would. There was a discussion about whether there were tenants in there after the condemnation and about the cats.

Mr. Phoenix asked about space heaters. Mr. Driscoll talked about relocation liens.

Mr. Troeger asked to make some comments. He stated his name and an oath was given. He explained the condemnation process and about how the Building Officials try to determine how long it will take the owner to make the repairs and if it they couldn't in a reasonable amount of time, they needed to file the condemnation.

Mr. Phoenix asked if Mr. Liang had any questions for Mr. Troeger. He stated he has a good reputation and should not be punished. Mr. Phoenix repeated what Mr. Troeger said about the condemnation process. Mr. Liang stated the officials did not give him a chance to fix the violations. Mr. Liang stated that he could not pay his NPU bill and his tax bill.

A motion was made to close the hearing, a member seconded that motion and all were in favor. The Board and Michael Driscoll discussed that the decision had to be made within the next five days. It was decided to schedule for next Thursday at 4:00. A motion was made to adjourn, the motion was seconded and all were in favor. The meeting adjourned at approximately 3:44 p.m.