

**Construction Codes &
Licensing Division**

**Minutes of the State Appeals Board
Appeal #06-01
Thursday October 5, 2006**

I. Called to order:

- Appeals Board members included Donald Olson, Building Official for the city of Andover; Duane Johnson, an architect with Rottlund Homes; Thomas Downs Jr., a structural engineer with BKBM Engineers; Steve Kothman, Operations Manager for Hanson Builders; Gary Hagedorn, Building Official for the city of Blaine; Ex-officio member Scott McLellan, and Doug Nord, both with the State's Construction Codes & Licensing Division.
- Chairman Tom Downs called the meeting to order at 1:00 PM.
- Those present in the audience were David Krings of the division; Lyle Oman, Building Official for the city of Orono; Jim Taylor of Stairbuilders, Inc; Collins O.Y. Ofori-Amanfo, PE of WJE Engineers, Molly C. Kramer, an attorney of Foley & Mansfield, representing the owner; James Lura, Pillar Homes.

II. Introduction of the Appeal:

- Tom Downs explained protocol of the meeting and summarized the subject of the appeal, that the city of Orono believes that the stairway is a non-complying circular stair.

III. Discussion:

- Jim Taylor: Clarified an error on the top of page 2 of his submittal. He showed on a grease board a comparison of a straight stair with a conventional winder next to his, a curved stair to his winder. The purpose was to show how his proposal is a "simple" variation from something that is done all frequently. Jim then gave some history on how his firm designs stairs and how this one got to where it is. He is asking that his stair be considered a complying winder stairway. Jim stated that he did not consult with the building official prior to constructing the stairs.
- Lyle Oman: He believes this is a non-complying circular stairway. He was also concerned that whatever is approved, could be setting a precedent. He also stated that people don't always walk along the inside of stairs, although said it walked comfortably along the inside walk line.
- Collins (Owner's engineer): Handed out a spreadsheet of all stair dimensions. Viewed this stair as 2 stair circles merged into one, each being consistent. He said he walked the stair many times and it felt very comfortable to him.
- Contractor: Described how comfortable the stairs were to walk, and said he's walked them many, many times. Said it is better than most winders because it is consistent along the internal rail, where the only continuous rail exists. On the outside, the rail terminates at the wall half way up.

- Molly Kramer, stated for the record that the owners like the stairs as they are and see no need to modify them.

IV. Board only Discussion:

- Gary: Questioned discrepancy in dimensions given between consultant and builder. The stair builder and consultant clarified.
- Duane: Jim confirmed that tread 6 will be changed to match the upper stairs.
- Don: He asked Lyle if he had difficulty walking the stairs at the outside because of the varied tread depth. Lyle said yes. Later Lyle clarified that walking was fine at the inside walk-line. Said he was impressed that no one has said they have had a problem walking the inside walk-line.
- Tom: Recited the IRC definition for winders. He also read the 3 criteria provided in the IRC commentary that a winder must satisfy and that this stair met all of them.
- Don thought this stairway was a combination of both, but it mostly resembled winders.
- Steve said it most resembles winders.

V. Deliberation:

- A motion was made by Duane Johnson that this stairway be approved as a winder complying with the 2000 IRC provided tread 6 is modified so that the width mirrors the adjacent upper treads at inside and outside walk-lines.
- The motion was seconded.
- The motion carried unanimously.
- Scott McLellan clarified that the testimony from individual board members and this approval should not be considered as establishing a precedent for all configurations of winder stairways.
- The meeting adjourned at 2:00 PM.

Respectfully submitted,

Scott McLellan