



STATE OF MICHIGAN

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

STANLEY "SKIP" PRUSS
DIRECTOR

STATE PLUMBING BOARD
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
Conference Room No. 3
2501 Woodlake Circle
Okemos, Michigan 48864

AGENDA
May 13, 2009
10:00 a.m.

- 1. Call to Order and Determination of Quorum D. Branch
- 2. Construction Code Appeals Request (Pages 2 - 8)
 - A. Shepherd Public Schools – High School Football Field, 10:00
Concession Stand CCC-PLBG-09-006
- 3. Public Comment
- 4. Next Meeting – June 9, 2009
- 5. Adjournment

The meeting site and parking is accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services in order to participate in the meeting should call Michele Ramsey at (517) 241-9330 at least 10 work days before the event. DELEG is an equal opportunity employer/program.

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April 30, 2009

TO: Members of the State Plumbing Board
FROM: Robert G. Konyndyk, Chief, Plumbing Division 
SUBJECT: Construction Code Appeal Request for Shepherd Public Schools, High School
Football Field, Concession Stand, CCC-PLBG-09-006

APPLICANT REPRESENTATIVE:

Mr. Rob Courter
Tower Pinkster
242 E. Kalamazoo Ave.
Kalamazoo, Michigan 49007

PROJECT:

High School football field
100 Hall Street
Shepherd, Michigan 48883

AUTHORITY:

Section 15 of 1972 PA 230 being section 125.1515 of the Michigan Compiled Laws.

APPEAL REQUEST:

Allow the use of restrooms located in the High School rather than providing all the required fixtures in the Field Concession Stand Building.

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APPLICABLE CODE SECTION:

Section 403.4.1 - Discusses the 500 foot distance limit
Section 403.1 - Outlines the fixture number count
The stand's occupancy load is 2500

Which requires the following:	Male	17 WC, 7 Lavs	/ Female	32 WC, 9 Lavs
Fixtures which are provided:	Male	8 WC, 4 Lavs	/ Female	10 WC, 4 Lavs

(At the new concession building)

Shortage of	Male	9 WC, 3 Lavs	/ Female	22 WC, 5 Lavs
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Provided at the High School	Male	10 WC, 5 Lavs	/ Female	22 WC, 6 Lavs
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RECOMMENDATION:

Please review the questions which I have asked the applicant which address simultaneous use and availability this year.

RGK/mkr

**MICHIGAN STATE PLUMBING BOARD
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle
Okemos, Michigan 48864

Appeal Docket No.
CCC-PLBG-09-006

Petitioner, Mr. Rob Courter, Tower Pinkster, 242 E. Kalamazoo Ave., Kalamazoo, Michigan 49007, for the High School football field at 100 Hall Street, Shepherd, Michigan 48883.

vs

Respondent, Michigan Department of Energy, Labor and Economic Growth, Bureau of Construction Codes

NOTICE OF HEARING

Date: May 13, 2009
Time: 10:00 a.m.
Location: 2501 Woodlake Circle, Conference Room #3, Okemos, Michigan

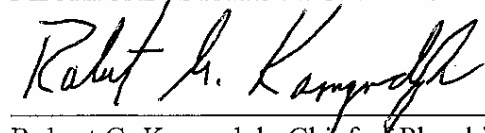
Pursuant to the authority contained in Section 16 of 1972 PA 230 the Stille-DeRossett-Hale Single State Construction Code Act (MCLA 125.1516).

A Hearing will be held in response to the request of Mr. Rob Courter, Tower Pinkster, 242 E. Kalamazoo Ave., Kalamazoo, Michigan 49007 for the High School football field at 100 Hall Street, Shepherd, Michigan 48883 to appeal for relief from the requirements of Section 403.1 and 403.4.1 of the Michigan Plumbing Code.

Exhibits:

Exhibit A A copy of the application received from Mr. Baker dated April 27, 2009.

MICHIGAN STATE PLUMBING BOARD



Robert G. Konyndyk, Chief of Plumbing Division

04/30/09
Date

Appeal Docket No.
CCC-PLBG-09-006

NOTE

The parties shall be given an opportunity to present oral and written arguments on issues of law and policy and an opportunity to present evidence and arguments on issues of fact.

Parties are expected to be prepared to present all competent evidence on all disputed issues. If a necessary witness will not appear voluntarily at this hearing, parties are entitled to subpoenas compelling their attendance and subpoenas duces tecum for submission of documentary evidence. A request for same must be made with the Bureau at the above address, Attention: Chief of Plumbing Division.

All proceedings shall be conducted in accordance with procedures applicable to the trial of contested cases under 1969 PA 306 being the Administrative Procedures Act of 1969.

A CONSTRUCTION CODE APPEAL WILL BE GRANTED ONLY UPON A SHOWING OF GOOD CAUSE.

**EXHIBIT A - MR. ROB COURTER, TOWER PINKSTER, 242 E. KALAMAZOO AVE.,
KALAMAZOO, MICHIGAN 49007, FOR THE HIGH SCHOOL FOOTBALL FIELD AT
100 HALL STREET, SHEPHERD, MICHIGAN 48883.**



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

STANLEY "SKIP" PRUSS
DIRECTOR

April 30, 2009

Mr. Rob Courter
Tower Pinkster
242 E. Kalamazoo Ave.
Kalamazoo, Michigan 49007

Dear Mr. Courter:

Attached is a Notice of Hearing regarding an appeal from the requirements of Section 403.1, and 403.4.1 of the Michigan Plumbing Code.

This hearing is in response to your request to appeal for relief from the requirements of the above referenced code section.

Please be prepared to address the board's concerns and provide any information, which will aid in their decision. Also please be prepared to address the following questions:

1. What are your plans for sign identification and locations for the stand's occupants who may not be familiar with the high school facility?
2. Provide documentation from the school authorities to assure the board that the facilities within the school will be available at all times during the sporting events.
3. Will the facilities discussed at the High School be available for the 2009 fall season games? It is our understanding that the high school is undergoing remodeling and will not have the restrooms which you have discussed completed this fall, please confirm.
4. Provide information on the past attendance numbers and existing fixtures.
5. Provide documentation from Superintendent, Mr. Baker, to assure the additional school faculties will be open and available.
6. Will the possibility exist where the field will be in use and the school may have additional functions for us to consider simultaneous use?
7. What is the status of construction on the field concession stand and high school remodeling structures?

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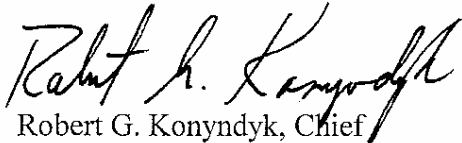
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Tower Pinkster
Page 2

The Plan Review Division has informed this division that the High School is undergoing a remodel project which includes a new gymnasium and auditorium on each side of the appeal considered restrooms. Correspondence indicates that insufficient fixture numbers have been provided based upon simultaneous use. Please be prepared to address those numbers as they have a bearing on this field appeal request. Plan review correspondence on the field facilities was initiated in December of 2008.

If you have any further questions prior to the meeting, contact me at (517) 241-9330.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert G. Konyndyk". The signature is written in a cursive style with a large initial "R".

Robert G. Konyndyk, Chief
Plumbing Division

RGK/mkr