



April 14, 2022

Mr. David Turiano, P.E.  
Village Engineer/Building Inspector  
Village of Briarcliff Manor  
1111 Pleasantville Road  
Briarcliff Manor, N.Y. 10510  
via email: [engineer@briarcliffmanor.org](mailto:engineer@briarcliffmanor.org)

**RE: 235 Elm Street  
Supplemental Submission**

Mr. Turiano:

Labella Associates is in receipt of the supplemental submission to the Special Permit Application for 235 Elm Road, Briarcliff Manor, herein referenced to as the “project.” The submission is dated March 16, 2022 and includes updated plans and reports, as well as written responses to comments. The following represents the status of our review and includes all comments previously issued.

Chazen Companies Memorandum dated September 2, 2021:

1. The applicant has stated that utility service to the buildings that will not be occupied will be terminated. Please note that full compliance with 2020 Fire Code of New York State (FCNYS), Section 311 will be required. This includes removal of all combustible materials from the structures and development of a fire protection and maintenance plan. Please submit a copy of this plan for review.

Unoccupied buildings without utility service have a significantly greater potential for deterioration and damage which can lead to security and public safety concerns. As part of this submission the applicant should evaluate a program to keep utilities operational in the building, including minimum conditioning and life safety systems.

*Response: Comment is noted. The Applicant is continuing its review of the applicable building and fire codes and will consult with the Village and its consultants on the appropriate safeguards and building maintenance plan.*

**Comment remains open. Applicant does not have approval from Village Building Official and Fire Marshal for the decommissioning of life safety systems in any buildings on project site.**

2. Plans prepared by Max Parangi Architects, P.C. reference the 2018 International Building Code. Project shall be designed the 2020 New York State Uniform Code.

*Response: Comment is noted. Architectural Plans have been updated in conformance with the 2020 New York State Uniform Code.*

Response acknowledged, comment closed.



3. Please note that per Chapter 305 of the EBCNYS, a facility that is altered shall comply with Chapter 11 of the 2020 Building Code of New York State (BCNYS). Please ensure alterations to restrooms and buildings undergoing change of occupancy are designed to meet the accessibility requirements of the BCNYS.

*Response: Comment is noted. Architectural Plans have been updated in conformance with the 2020 New York State Uniform Code.*

**Please note that this review does not constitute an approval of the submitted documents and a detailed review of compliance with the NYS Uniform Building and Fire Code will be performed during Building Permit Application. Comment closed.**

4. Partial occupancy of buildings is not addressed in the Existing Building Code of New York (EBCNYS). Please provide additional detail on how life safety systems will be maintained in the occupiable space within Dow Hall Southern Wing C, as well as how the occupiable space will be separated from the unoccupied space.

*Response: Please see enclosed Architectural Plans prepared by Max Parangi Architects P.C. for the Dow Hall (dated February 11, 2022), Tead House (dated February 11, 2022), Dining Hall (dated February 11, 2022), and Valley Dorm (dated February 11, 2022) which provide details on proposed occupancy, occupant loads, egress paths, and travel distances for all building areas proposed to be occupied during the Applicant's initial occupancy. There is only one hallway area (at each floor) that needs to be separated between the occupied portion of Dow Hall and the area to remain unoccupied. Details on the fire-rated CMU partition can be found on Detail #1 on Sheet DOW-M-A/3. Please note that we are still at the schematic/design development phase of this project and construction documents will incorporate all necessary notes, details and code sections.*

**Please note that this review does not constitute an approval of the submitted documents and a detailed review of compliance with the NYS Uniform Building and Fire Code will be performed during Building Permit Application. Comment closed.**

5. Review of floor plans shows that the isolation of the Dow Hall Southern Wing C creates a building without an accessible means of egress. Please provide additional detail to ensure that the proposed space meets accessibility requirements.

*Response: Please see enclosed Architectural Plans prepared by Max Parangi Architects P.C. which provide details on accessibility and egress for the Dow Hall Southern Wing C including a proposed handicap lift and egress paths.*

**Please note that this review does not constitute an approval of the submitted documents and a detailed review of compliance with the NYS Uniform Building and Fire Code will be performed during Building Permit Application. Comment closed.**

Chazen Companies Memorandum dated December 22, 2021:

1. All comments issued in our September 2, 2021 remain open, pending formal response.



*Response: Comment is noted. See [above] line item responses.*

Acknowledged, see above.

2. Building Inspection Report for New Dorm, Section 7.2 Conclusion: The conclusion states that the buildings that are not part of proposed improvements will be left vacant. Based on our previous review and a meeting with the applicant on Monday December 6th, this has not been approved at this time.

*Response: Comment is noted. The Applicant is continuing its review of the applicable building and fire codes and will consult with the Village and its consultants on the appropriate safeguards and building maintenance plan.*

**Comment remains open. Applicant does not have approval from Village Building Official and Fire Marshal for the decommissioning of life safety systems in any buildings on project site.**

3. Mechanical Engineering Report, Section III, Plumbing Infrastructure: Water: The report states that “buildings with sprinkler systems have a fire protection takeoff from the buildings domestic service.” Fire protection water service is required to be separate from domestic service, unable to be shutoff and protected with backflow prevention device.

*Response: The Applicant submits its revised Utility Infrastructure Evaluation Report prepared by Mehendes Engineering dated February 9, 2022 (Exhibit C) which has been updated to confirm that the sprinkler system take-offs will be protected from backflow in accordance with the applicable backflow requirements and that the sprinkler systems will be protected against shutoff via tamper switches interlocked with the fire alarm system or another permitted method. The proposed water connections to each building and water service take-offs are permitted by the NFPA 13-2022, Sections 5.1.3.3 and A.5.1.3.*

Response acknowledged, comment closed.

4. Sheet DOW-A/2, A/3, A/4, A/5 & A/6: Please provide a detailed wall section for each wall type that shows the fire separation between the portion of Dow Hall to be used and the portion that will be vacant.

*Response: Please see enclosed Architectural Plans prepared by Max Parangi Architects P.C. for the Dow Hall (dated February 11, 2022), Tead House (dated February 11, 2022), Dining Hall (dated February 11, 2022), and Valley Dorm (dated February 11, 2022) which provide details on proposed occupancy, occupant loads, egress paths, and travel distances for all building areas proposed to be occupied during the Applicant’s initial occupancy. There is only one hallway area (at each floor) that needs to be separated between the occupied portion of Dow Hall and the area to remain unoccupied. Details on the fire-rated CMU partition can be found on Detail #1 on Sheet DOW-M-A/3. Please note that we are still at the schematic/design development phase of this project and construction documents will incorporate all necessary notes, details and code sections.*

Response acknowledged, comment closed.



5. Sheet DOW-A/2: Please provide proposed occupancy, occupant loads, egress paths, and travel distances to confirm code compliant egress is provided from the basement level of Dow Hall without use of the vacant portion of the building.

*Response: Please see enclosed Architectural Plans prepared by Max Parangi Architects P.C. for the Dow Hall (dated February 11, 2022), Tead House (dated February 11, 2022), Dining Hall (dated February 11, 2022), and Valley Dorm (dated February 11, 2022) which provide details on proposed occupancy, occupant loads, egress paths, and travel distances for all building areas proposed to be occupied during the Applicant's initial occupancy.*

**Response acknowledged, comment closed.**

6. Sheet DOW-A/6: it appears that only a single means of egress is provided from the level based on the removal of the vacant portion of Dow Hall. Please provide proposed occupancy, occupant loads, egress paths and travel distances to confirm code compliant egress is provided.

*Response: Please see enclosed Architectural Plans prepared by Max Parangi Architects P.C. for the Dow Hall (dated February 11, 2022), Tead House (dated February 11, 2022), Dining Hall (dated February 11, 2022), and Valley Dorm (dated February 11, 2022) which provide details on proposed occupancy, occupant loads, egress paths, and travel distances for all building areas proposed to be occupied during the Applicant's initial occupancy.*

**Response acknowledged, comment closed.**

#### Summary

Based on our review of the latest submission, nine (9) comments have been closed and/or deferred to the Building Permit Application phase of the project. The remaining two (2) comments that require acknowledgment and a response from the applicant pertain to how the buildings on the project site that are not included in the first phase of development will be maintained in a safe and compliant manner. The applicant should provide written responses and updated or additional documentation necessary to address the two (2) remaining comments.

Respectfully submitted,

**LaBella Associates**



Edward P. Larkin, PE, NYSCEO

Regional Manager Buildings Engineering and Code Services