MINUTES
BUILDING BOARD OF REVIEW
1:00 P.M., Monday, August 14, 2017
3rd Floor, Jesse Lowe Conference Room
Omaha/Douglas Civic Center - 1819 Farnam Street

Board Members:
Jack Ryan – Chairman
Ron Feuerbach – Vice Chair
Cheryl Kiel
Michael Naccarato
Ted Ramm
Thomas Thibodeau
Dennis Van Moorleghem

A current copy of the Open Meeting Act is posted in a white binder on the north wall of the Jesse Lowe Conference Room. The secretary certifies publication in the Daily Record, the official newspaper of the City of Omaha, on August 7, 2017.

Mr. Ryan called the meeting to order at 1:00 p.m., introduced the board members and staff, and explained the procedures for hearing the cases. Mr. Ryan informed the public that a copy of the Open Meetings Law was available for review on the north wall of the room. He noted that only those items on the agenda could be discussed at the public hearing.

Mr. Ryan explained that the Board does not have the authority to waive any requirements of the Americans with Disabilities Act, Federal Fair Housing Act, or NFPA Life Safety Code. The Board does have the authority to hear appeals of the International Fire Code, Nebraska Accessibility Guidelines and the Nebraska Fair Housing Act. Life Safety Regulations are administered by the State Fire Marshal.

I. Roll Call
Members Present:
Jack Ryan – Chairman
Ron Feuerbach – Vice Chair
Cheryl Kiel
Michael Naccarato
Ted Ramm
Thomas Thibodeau

Members Absent:
Dennis Van Moorleghem

Others Present:
Jay Davis – Assistant Director Permit & Inspections
Captain Steve Thornburg – Omaha Fire Department
Tom Phipps – Chief Mechanical Inspector
Stacey Hultquist – City Law
Carrin Meadows – Board Secretary

II. Approval of Minutes from June 12, 2017

Motion by Mr. Ron Feuerbach to approve the minutes for the June 12, 2017 meeting. Ms. Cheryl Kiel second the motion.
III. Approval of Minutes from July 10, 2017

Motion by Mr. Thomas Thibodeau to approve the minutes for the June 12, 2017 meeting. Mr. Ron Feuerbach second the motion.

AYES: Feuerbach, Kiel, Naccarato, Ramm, Ryan, Thibodeau

MOTION CARRIED: 6-0 APPROVED

IV. Cases

Case No. 17-14 (From 7-10-2017)  
Eric Westman  
1516 Cuming St  
Omaha, NE 68102  
LOCATION: 3608 Farnam St  
REQUEST: Waiver to use the 2012 IMC Code, Section 404.2 to allow the use of smaller .75 CFM fans with smaller outside building openings which will conserve energy for the building.

Mr. Justin Veik appeared before the Board to request a waiver to use the 2012 IMC Code, Section 404.2 in lieu of the current IMC 2006 Code to allow the use of smaller .75 CFM per square foot fans with smaller outside building openings which will conserve energy for the building.

Mr. Jack Ryan reiterated that Mr. Veik was requesting the approval of a newer code. Mr. Veik stated that yes that is what he was requesting.

Mr. Tom Phipps stated that he has no objection to this waiver.

Motion by Mr. Ron Feuerbach to approve the request of the waiver. Mr. Thomas Thibodeau second the motion.

AYES: Feuerbach, Kiel, Naccarato, Ramm, Ryan, Thibodeau

MOTION CARRIED: 6-0 APPROVED

Case No. 17-15 (From 7-10-2017)  
Eric Westman  
1516 Cuming St  
Omaha, NE 68102  
LOCATION: 3820 Harney St  
REQUEST: Waiver to use the 2012 IMC Code, Section 404.2 to allow the use of smaller .75 CFM fans with smaller outside building openings which will conserve energy for the building.

Mr. Justin Veik appeared before the Board to request a waiver to use the 2012 IMC Code, Section 404.2 in lieu of the current IMC 2006 Code to allow the use of smaller .75 CFM per square foot fans with smaller outside building openings which will conserve energy for the building.

Mr. Tom Phipps stated that he has no objection to this waiver of using the 2012 Code versus the 2006 Code. Mr. Jay Davis also did not have any objection to approving this waiver.

Motion by Mr. Ron Feuerbach to approve the request of the waiver. Mr. Thomas Thibodeau second the motion.

AYES: Feuerbach, Kiel, Naccarato, Ramm, Ryan, Thibodeau

MOTION CARRIED: 6-0 APPROVED
Mr. Ron Feuerbach abstained from the case.

Mr. Christopher Reed with Morrisey Engineering appeared before the Board to request a waiver for The Landing Apartments which are located in the former Creighton Medical Center Building located off of 30th Street.

Mr. Reed stated The 2006 Mechanical Code has amendments that allow us exhaust dryers and bathrooms vertically through the building. The Code prohibits duct offsets in vertical shafts that are going to the roof in an existing building. Mr. Reed stated, the request of this waiver is also for up to a 45º offset in the duct. Mr. Reed continued another requirement by the amendments is the vertical dryer exhaust duct shall be protected by an automatic fire sprinkler system. Mr. Reed stated that he has not been able to identify a sprinkler head that can be installed the duct that can be lint proof.

Mr. Jack Ryan asked Mr. Reed if he was aware of the recommendations made by the Chief Mechanical Inspector. Mr. Reed stated that he was not aware of these recommendations. Mr. Reed then was given the opportunity to read over the recommendations. Mr. Reed read over the comments made by the Chief Mechanical Inspector, which stated 30º offset maximum. Mr. Reed said that he did not oppose the Chief Mechanical Inspector recommendations.

Mr. Tom Phipps stated the provision of the amendment that Mr. Reed is depicting to is an amendment to 504.6.1 of the IMC. 504.6.1, which states that offsets shall not be required by the shaft and that vertical duct exhausts shall be protected by an automatic sprinkler system. Normally these sprinkler heads are not in ducts, they are in the shafts. Normally you will see the sprinkler head at the top of the shaft. Mr. Phipps then explained the requirements and the reasoning behind the requirements with the exhaust ducts and the clean outs to remove the lint in the ducts. Mr. Reed stated that in the past his company has placed sprinkler heads at the top of the shaft, but not in the duct itself. Mr. Reed stated that they run a metal dryer exhaust duct with in the shaft which turns up 22 inches to convey the dryer exhaust outside. Mr. Phipps reiterated that there needs to be a duct cleanout at the bottom of the shaft.

Mr. Thibodeau questioned exactly what Mr. Reed was requesting a waiver for. Mr. Reed stated his interpretation of the amendment was that there had to be a sprinkler head inside the duct and that duct offsets are prohibited. His company would like to make minor offsets if necessary due to the structure of the building. Ms. Cheryl Kiel questioned how the shaft and the duct would be cleaned out. Mr. Reed and Mr. Phipps stated that there are cleanouts located below the lowest dryer shaft.

Mr. Ryan asked Captain Steve Thornburg if he had any concerns about this waiver request. Captain Thornburg stated that he does not have any concerns about this request.

Mr. Thomas Thibodeau made a motion to grant the waiver. Ms. Cheryl Kiel second the motion. Mr. Naccarato questioned whether the motion needed to include the duct offsets be no more than 30º. Mr. Thibodeau then modified his motion to include the duct offsets be no more than 30º. Ms. Cheryl Kiel second the motion as modified.

AYES: Kiel, Naccarato, Ramm, Ryan, Thibodeau

ABSTAIN: Feuerbach

MOTION CARRIED: 5-1 APPROVED
Mr. Brian Howell and Ms. Megan Jarasz appeared before the Board requesting a waiver to allow an Accurex or Greenheck residential kitchen hood system in place of a Type I commercial exhaust hood to be used at Norris Middle School. Mr. Howell stated that they are going to be using these hoods within two classrooms; the ACP which is a Special needs classroom and for the Family Consumer Science classroom. Ms. Jarasz stated that within the Special needs classroom they are just teaching the students how to work a stove and within the Home Ec. classroom they are teaching basics to 11-13 year olds. Mr. Howell stated that they are going to be teaching how to boil water, make pasta and bake cookies nothing of a high intensity cooking purpose.

Mr. Phipps supports the use of the hood system submitted to the Board, but when reviewing the plans the construction design does not comply with the installation requirements of the hood system. Mr. Phipps, Mr. Jay Davis and Mr. Howell had a discussion in regards to the expectations of the installation requirements in the return air plenum, NFPA requirements and what needs to be done per testing compliance and installation per the City Code.

Mr. Feuerbach motioned that waiver be accepted provided that the fan is not installed with return air plenum and is installed with the manufacturers installation recommendations. Mr. Thibodeau second the motion.

AYES: Feuerbach, Kiel, Naccarato, Ramm, Ryan, Thibodeau

MOTION CARRIED: 6-0 APPROVED

V. Adjournment

Motion by Mr. Feuerbach at 1:30 P.M. to adjourn the meeting. Seconded by Ms. Kiel. The remaining Board members were in approval to adjourn the meeting.