MINUTES
BUILDING BOARD OF REVIEW
Monday, December 9, 2019 at 1:00 p.m.
Omaha/Douglas Civic Center – 1819 Farnam
Third Floor – Jesse Lowe Conference Room

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

Certification of Publication: Board Secretary certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, December 2, 2019.

THE OWNER, OR A REPRESENTATIVE OF THE OWNER, MUST HAVE SIGNED THE APPLICATION OR BE PRESENT AT THE MEETING FOR THE CASE TO BE HEARD.

NOTE: THIS BOARD DOES NOT HAVE THE AUTHORITY TO WAIVE ANY REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT, FEDERAL FAIR HOUSING ACT, OR THE N.F.P.A. 101 LIFE SAFETY CODE; BUT DOES HAVE THE AUTHORITY TO HEAR APPEALS OF THE INTERNATIONAL FIRE CODE, NEBRASKA ACCESSIBILITY GUIDELINES AND THE NEBRASKA FAIR HOUSING ACT.

Mr. Jack Ryan called the meeting to order at 1:01 p.m.

I. Roll Call

Jack Ryan
Ron Feuerbach
Cheryl Kiel – Arrived Late
Michael Naccarato
Kent Therkelsen
Thomas Thibodeau – Absent
Dennis Van Moorleghem

Others Present:
Anna Bespoyasny, Superintendent of Permits and Inspections
Tom Phipps, Chief Mechanical Inspector
Autumn Drickey, Board Secretary

II. Approval of Minutes: Approval of November 18, 2019 minutes.

Motion by Mr. Ron Feuerbach to approve the minutes from the November 18, 2019 meeting. Second by Mr. Kent Therkelsen.

AYES: Feuerbach, Kiel, Naccarato, Therkelsen, Van Moorleghem
ABSTAIN: Ryan

Motion carried: 5-0-1, Approved
At the Building Board of Review meeting held on December 9, 2019, Mark Sanford and Mike Bogard appeared before the Board in regards to the above request at the above address. Tom Phipps appeared on behalf of the City.

Mr. Sanford summarized the request and their hardship for wanting the ventless hood. Mr. Bogard clarified that there are four filters in the ventless hood they want to utilize. Mr. Sanford explained that they understand the concern about the odors. He stated they have supplemental information for the board as well. Mr. Bogard explained that the griddle is utilized minimally but allows for continuity between locations. Mr. Sanford explained that they do not have any fried foods or grease laden products.

Mr. Phipps explained what other restaurants in the building utilize. He detailed the complaints on another building that utilized a similar ventless hood. He acknowledged that this location is landlocked as far as the exhaust is concerned. He detailed other situations where the ventless hood does not filter out the food smells where complaints have been made. Mr. Ryan asked if in similar complaints if the products are the same. Mr. Phipps confirmed that this would be the third attempt with the similar products. He explained that there is a fire suppression system and asked how it would be controlled. He asked about the restroom exhaust. Mr. Sanford stated there was existing exhaust in place. He explained that there had been some demo done and it was discovered that the restroom exhaust system was ducted.

Mr. Feuerbach asked Mr. Phipps if there were any safety concerns. Mr. Phipps detailed concerns with the fire suppression pull and its integration with the fire alarm. Mr. Feuerbach asked about specifics to the model. Mr. Phipps explained concerns as they pertain to the current code requirements. Mr. Feuerbach stated that he has done his own research and presented Exhibit 2 with the installation specifications. Mr. Feuerbach asked about utilizing other equipment instead of a griddle. Mr. Bogard stated that they were trying to be consistent among all the Gandolfo’s locations so the menu can be consistent. He detailed his research in regards to ventless hoods. Mr. Feuerbach stated this one is difficult to keep clean. He echoed the concern about the odors. Ms. Cheryl Kiel echoed the concern about the odors and that if there is another option, looking into those.

Mr. Kent Therkelsen asked about venting externally. Mr. Sanford detailed what they would need to do as far as research and getting it done. He clarified about the fire suppression. Mr. Phipps stated that work would need to be completed by a licensed professional and that the manufacturer would need to approve the placement of the pull. Mr. Mike Naccarato asked how they are landlocked. Mr. Sanford detailed the layout. Ms. Kiel asked about being able to vent out the same way as the restroom. Mr. Sanford stated the cost would be prohibitive. Mr. Phipps detailed the venting process.

Mr. Feuerbach asked if the owner of the building is on board with this plan. Mr. Bogard stated that they submitted the plans with the ventless hood and have received no other feedback. Mr. Feuerbach read the case analysis into the record, that there was incomplete information submitted. He asked if having the full information would change the recommendation. Mr. Phipps stated it would not. He detailed how they would get that complete information. Ms. Kiel asked if the space is being leased or purchased. Mr. Bogard stated that they are leasing. Mr. Therkelsen asked about the restroom exhaust. Mr. Phipps clarified that they are different types of exhaust.

Mr. Naccarato asked about the other installations and how they received a waiver. Mr. Phipps explained that the code official’s decision to deny was overturned by a superior.
Motion by Mr. Feuerbach to layover to the January 2020 meeting with the understanding that more information is presented to the City of Omaha to allow more definition in regards to installation and how it would connect to fire alarm and fire suppression and Captain Thornburg weigh in. Second by Mr. Therkelsen.

AYES: Feuerbach, Kiel, Naccarato, Ryan, Therkelsen, Van Moorleghem

Motion carried: 6-0, Laid over to the January 2020 meeting

IV. Adjournment

Motion by Mr. Therkelsen to adjourn. Second by Mr. Dennis Van Moorleghem

AYES: Feuerbach, Kiel, Naccarato, Ryan, Therkelsen, Van Moorleghem

Motion carried: 6-0, Adjourned at 1:27 p.m.