

**MINUTES  
CITY OF ST. CHARLES IL  
BUILDING BOARD OF REVIEW  
TUESDAY, OCTOBER 11, 2011  
COUNCIL CHAMBERS**

**Present:** Chairman John Flynn  
Paul Hopkins  
Tom Lang  
Dan Marshall  
Tom Ritchie

**Also Present:** Robert Vann, Building & Code Enforcement Division Manager  
Debbie Graffagna, Recording Secretary  
Sonntag Court Reporter

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**1. Call to order.**

Chairman Flynn called the meeting to order at 7:00 pm and requested that all cell phones be placed in silent mode or turned off.

**2. Roll call.**

Ms. Graffagna called roll with all five members present and announced that there was a quorum.

**3. Appeal of Decision Application "BBR-A-1-2011" filed by Mr. Guy Sorrentino for a reverse or modification of said decision from Building and Code Enforcement in conformity with the discretionary powers of the Board to permit "Type 1 Exhaust Out Exterior Wall".**

Chairman Flynn summarized the application:

- Application BBR-A-1-2011
- A letter dated 10.03.2011 from Mr. Sorrentino in regard to his request
- A letter dated 09.23.2011 from Division Manager Bob Vann to Mr. Sorrentino with his interpretation of the code and a copy of the system that Mr. Sorrentino submitted for review.
- Four-4 color pictures of the site location at the First Street Plaza for the proposed system.

Chairman Flynn read into record the following, Mr. Sorrentino is proposing to open a new business located in the First Street parking structure. The unit is located just south of the drive entrance off of South 1st Street. Due to this location, there is no vertical access for the installation of a duct exhaust system for the discharge of cooking fumes. Mr. Sorrentino submitted a drawing of the proposed exhaust hood system and requested a code interruption on the location of discharge. Building and Code Enforcement reviewed the proposed system and determined that based on the submitted plan the location of discharge does not conform to Sections 506.3.12.2 and 506.3.12.3 of the 2009 International Mechanical Code.

**CERTIFIED  
ORIGINAL**

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STATE OF ILLINOIS )

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COUNTY OF K A N E )

BEFORE THE CITY OF ST. CHARLES  
BUILDING BOARD OF REVIEW

In the Matter of: )

)

Application of )

No. BBR-A-1-2011

Appeal filed by )

Mr. Guy Sorrentino. )

REPORT OF PROCEEDINGS had at the  
hearing of the above-entitled matter before the  
Building Board of Review of the City of St.  
Charles in the City Council Chambers, 2 East Main  
Street, St. Charles, Illinois, on October 11,  
2011, at the hour of 7:00 p.m.

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**PRESENT:**

**MR. JOHN FLYNN, Chairman;**  
**MR. PAUL HOPKINS, Member;**  
**MR. THOMAS LANG, Member;**  
**MR. DAN MARSHALL, Member; and**  
**MR. TOM RITCHIE, Member.**

**ALSO PRESENT:**

**MR. BOB VANN, Building & Code**  
**Division Manager; and**  
  
**MS. DEBBIE GRAFFAGNA,**  
**Secretary.**

1                                   CHAIRMAN FLYNN: I think we'll call  
2                                   the meeting to order. It's 7:00 o'clock. Good  
3                                   evening everybody.

4                                   My first message is please turn all the  
5                                   cell phones off so we don't have any  
6                                   interruptions with the cell phones or place them  
7                                   in silent mode.

8                                   Madam Secretary, can you do the roll call?

9                                   MS. GRAFFAGNA: John Flynn.

10                                  CHAIRMAN FLYNN: Here.

11                                  MS. GRAFFAGNA: Paul Hopkins.

12                                  MEMBER HOPKINS: Here.

13                                  MS. GRAFFAGNA: Tom Lang.

14                                  MEMBER LANG: Here.

15                                  MS. GRAFFAGNA: Dan Marshall.

16                                  MEMBER MARSHALL: Here.

17                                  MS. GRAFFAGNA: Tom Ritchie.

18                                  MEMBER RITCHIE: Here.

19                                  MS. GRAFFAGNA: All present.

20                                  CHAIRMAN FLYNN: Very good.

21                                  We're going to open the meeting with a  
22                                  hearing on the request for an appeal to the  
23                                  decision made by the building and code  
24                                  enforcement division manager.

1 I'll identify the documents presently.  
2 What I have here in front of me is a Building  
3 Board of Review application of appeal, No.  
4 BBR-A-1-2011 as the first exhibit.

5 I also have here a letter written to  
6 Mr. Guy Sorrentino from the building department  
7 in relation to the appeal, and I also have here a  
8 document from the owner in regards to Neo. I'm  
9 sorry. Is that correct Neo --

10 MR. SORRENTINO: Neo, yes.

11 CHAIRMAN FLYNN: -- Pizza.com in  
12 regard to their letter and with attachments that  
13 appear to be photographs and also a sketch of the  
14 proposed tenant work as the documents I'm  
15 entering in.

16 So this motion is called the Appeal of  
17 Decision Application, which I have mentioned,  
18 filed by Mr. Guy Sorrentino for a reverse or  
19 modification of said decision from building and  
20 code enforcement in conformity with the  
21 discretionary powers of the Board to permit Type  
22 1 exhaust out exterior wall.

23 On the Building Board of Review Application  
24 Appeal, the summary of this request would be:

1 Mr. Sorrentino is proposing to open a new  
2 business located in the First Street parking  
3 structure. The unit is located just south of the  
4 drive entrance off of South First Street. Due to  
5 this location, there is no vertical access for  
6 the installation of a duct exhaust system for the  
7 discharge of cooking fumes. Mr. Sorrentino  
8 submitted a drawing soft of the proposed exhaust  
9 hood system and requested a code interpretation  
10 on the location of discharge.

11 Building and code enforcement reviewed the  
12 proposed system and determined that based on  
13 submitted plan, the location of discharge does  
14 not conform to Sections 506.3.12.2 and 506.3.12.3  
15 of the 2009 International Mechanical Code.

16 So there we have our documents and our  
17 summary of the appeal.

18 At this point in time, what we will do  
19 is -- we've read the docs.

20 Anybody that wants to state anything in  
21 regard to this appeal who wants to speak  
22 tonight -- we would swear everybody in that would  
23 want to speak tonight.

24 Those present stand, please. We've got

1 three. Let me get my sheet to swear them in.

2 Please rise and raise your right hand.

3 (The witnesses were thereupon  
4 duly sworn.)

5 CHAIRMAN FLYNN: Okay. What we'll do  
6 is we'll take everybody one at a time. When you  
7 come on up, we'll ask you to provide for the  
8 court reporter your name and address and spell  
9 your last name.

10 We'll start on the right, Mr. Sorrentino.

11 MR. SORRENTINO: Guy Sorrentino,  
12 S-o-r-r-e-n --

13 CHAIRMAN FLYNN: I think you can  
14 stand right up here.

15 MR. SORRENTINO: Guy Sorrentino,  
16 S-o-r-r-e-n-t-i-n-o. I'm the owner of, I guess,  
17 this appeal or whatever.

18 Do you want me to just start talking?

19 CHAIRMAN FLYNN: Go right ahead.

20 MR. SORRENTINO: Okay.

21 CHAIRMAN FLYNN: You have the floor.

22 MR. SORRENTINO: So what you see  
23 behind you is just to the south of that are two  
24 units, one directly to the south of it

1 approximately 1,000 square feet, and then further  
2 south, there's an occupied building or occupied  
3 unit that we are trying to negotiate on getting  
4 and converting both units into one unit, where  
5 the exit of this exhaust that I'm talking about  
6 would be right on that wall, that brick wall that  
7 we're looking at.

8 I currently have a 2500- or  
9 2600-square-foot restaurant in the First Street  
10 Development, and who I brought with me is the  
11 actual contractor for not only the First Street  
12 Development, most of the units, but also our  
13 mechanical contractor who would be designing and  
14 who provided the sketch which you guys have in  
15 front of you on where we're proposing the  
16 exhaust.

17 Earlier we stated that there is no access  
18 to the roof, and that is correct. The only  
19 access to the roof is if we were to go -- well,  
20 you can't, but we would have to go farther north  
21 across that driveway in somebody else's unit,  
22 which you can't get to, into the mechanical room  
23 where there is a shaft, I guess, you'd call it or  
24 a chase all the way up to the ceiling, which

1           currently I occupy with my pizzeria, and I  
2           believe the Prasino restaurant also occupies. So  
3           there's not enough room to get in there if there  
4           were a way to get there. We can't go straight up  
5           because there's no chase. So we're left with  
6           this external wall.

7                     Everything in the code -- as far as we can  
8           see, we meet the criteria to actually exhaust  
9           where we're proposing to exhaust.

10                    There's a line in there where it says  
11           unless it's a public nuisance or a fire hazard,  
12           you know, it's permitted as long as it leaves --  
13           et cetera, et cetera, and I'll read that to you,  
14           but you should have it in front of you. It  
15           doesn't create a public nuisance or a fire  
16           hazard.

17                    So our exhaust that are up on the roof has  
18           the same type of fan externally that this  
19           manufacturer that we're providing or proposing to  
20           use has an internal one that meets all the codes  
21           as far as this -- and I put it in my letter.  
22           Excuse me, I can read it verbatim, but it meets  
23           all of those codes.

24                    This is an open garage. It's not an

1 enclosed garage. I've also stated in there that  
2 there are air conditioning units hanging in the  
3 public walkway, which would be, in my view, much  
4 more a nuisance than having an exhaust fan that  
5 kind of blends in with the wall.

6 There are three turbine fans heating or  
7 cooling these other things where you can't -- you  
8 literally have to walk 200 yards before you can  
9 have a conversation, you know, back over into  
10 this area from all the way on the other exit  
11 where these fans are.

12 So if there's any type of public nuisance,  
13 it would be those items more so than an exhaust  
14 fan, and as far as fire hazard, obviously, if it  
15 meets all the international and national code for  
16 mechanical exhaust, I would think it would be  
17 accepted for this type of use.

18 I mean, the design -- we're not the first  
19 restaurant trying to open in an enclosed -- or  
20 exhausting with an external wall. I mean, we  
21 can't be. Obviously, we're not. So there are  
22 mechanics designed specifically for this.

23 As far as all the other criteria, the  
24 height and width and all that, as far as I know,

1 we meet all of that. So that's really it in a  
2 nutshell.

3 I mean, we have a successful business now.  
4 We'd like to open up and bring more to the City,  
5 and we feel that this location would merit what  
6 we're trying to do, and we hope you understand.

7 I don't know what -- I've never done this,  
8 so that's all I've got to say. I mean, I'll  
9 rebut a little or whatever but --

10 CHAIRMAN FLYNN: You'll have that  
11 chance.

12 MR. SORRENTINO: -- that's  
13 my statement.

14 CHAIRMAN FLYNN: Thank you.

15 We'll go right across from right to left.

16 MR. NIEMIEC: Ed Niemiec,  
17 N-i-e-m-i-e-c.

18 Do you need my address? 420 Fox Court,  
19 St. Charles.

20 And I'm with Sun Mechanical, and I think  
21 we've done some work together over the years, but  
22 I just wanted to again say, with Guy, we did do  
23 most of the spaces in the First Street garage  
24 area, and yeah, we now have absolutely no room

1 left to run any type of black iron up to the  
2 roof. So I think I've been trying to help Guy  
3 out with at least, you know, walk through the  
4 City with the problem that he has.

5 My experience is -- you know, my company  
6 did the Wok'n Fire. We pretty much did every  
7 space in the garage itself, and at this point, I  
8 do agree with Guy that, you know, I know it's  
9 going to be a special variance to do this, but it  
10 is going to be next to impossible to get any type  
11 of black iron up to the roof again.

12 So with that being said, you know, just to  
13 go through the design of this, the hood that he  
14 has laid out right now, we're going to have black  
15 iron. It's going to be externally wrapped with  
16 firewall insulation, and the only thing you're  
17 going to see on that external wall is an actual  
18 louver. It's not going to be a real fan. We  
19 actually have an in-line fan that's going to be  
20 attached to the hood.

21 So on the discharge side of the wall, the  
22 only thing that you're going to see is a really  
23 nice louver that's going to be pretty much  
24 integrated within the space. You won't even

1 notice that it's there.

2 So coming out of that wall then, you know,  
3 really the only thing that's going to be there is  
4 whatever smell is coming out of the oven, and I  
5 personally think the smells that come out of  
6 there are pretty good, so, you know, again, I  
7 don't view that as a problem.

8 Code-wise again, you know, I don't know.  
9 Variance-wise, I'm not a code expert. I adhere  
10 to as much of the code as I can, but I'm just  
11 here to tell you that for Guy to open up a  
12 business here, it's going to be really difficult  
13 and cost prohibitive if we can't do it this way.

14 So, you know, I've done a lot of different  
15 jobs over the past 25 years. You know, I  
16 understand -- I think Regus is right above there.  
17 I don't know what their hours of operation are,  
18 but, again, I don't think -- I don't really think  
19 this is going to propose a problem at all to  
20 that.

21 So that being said, you know, if there's  
22 any questions mechanically I can answer. If  
23 there's anything we can do to help on the  
24 drawings, you know, we can take care of, and

1 we're willing to work with the City and whatever  
2 you guys need us to do, but from a mechanical  
3 engineering standpoint, it's just really  
4 difficult right now to get any extra black iron  
5 up there. There is just no space. There is no  
6 shafts.

7 Even if we were to come out the back wall,  
8 and I'm sure you guys are all familiar with the  
9 parking garage, we can actually -- if we could  
10 run the black iron above tied to the ceiling of  
11 the garage wall and over to where the other  
12 shafts for Prasino and for Neo are at, there's  
13 physically no space left in the shaft at this  
14 point.

15 So again, you know, I just -- I think it's  
16 going to be really difficult, and he makes a  
17 great pizza. So it would be nice if he could  
18 open up something else as well.

19 So that's all I've got to say.

20 CHAIRMAN FLYNN: Thank you, Ed.

21 Next.

22 MR. VANN: Bob Vann, building and  
23 code enforcement division manager, 2 East Main  
24 Street.

1           I think I'll probably start in the middle  
2           of my presentation. I thought I was going to go  
3           first, but that's okay. A lot of things have  
4           been said, but I do want to talk about the  
5           building a little bit because it's kind of  
6           important to understand how that was laid out.

7           When the building was designed and laid  
8           out, there was really some thought put into the  
9           restaurants and eating -- and storage units on  
10          either end. Actually, it was on the north end.

11          During the construction of the building,  
12          there was a shaft that was put right behind the  
13          north stair tower where Mr. Sorrentino has  
14          alluded to that that's where a lot of the duct  
15          work was going up for discharge, not only cooking  
16          appliances, but I believe there's other pipe work  
17          that goes through there for make-up air and  
18          whatnot.

19          When Wok'n Fire came in, they did not have  
20          a shaft in there. They had to actually cut a  
21          hole through the floors. Luckily, there was  
22          space on that side alongside the south stair  
23          tower where they could actually cut holes in the  
24          concrete floors, get a shaft put up there, and

1           get the discharge, and put their exhaust fans and  
2           make-up air up through that.

3           The middle units, he's correct. It's very  
4           difficult. The building was really designed for  
5           retail for those middle units. There was no  
6           really thought of any -- putting any kind of a  
7           duct system through there or any kind of shaft  
8           because the second floor is all office.

9           The third floor is parking and because of  
10          the office, there's a roof line in that second  
11          floor that occupies that space also, and then on  
12          the fourth and fifth floor is all parking.

13          So to get up there to put any kind of shaft  
14          up there would be very, very difficult. You  
15          would be taking up parking spots. You would be  
16          taking up space and the leased office space. So  
17          that is correct. I mean, there is no possible  
18          way that -- or a very hard way to put any kind of  
19          shaft up there.

20          We did ask for a simple drawing when  
21          Mr. Sorrentino came in to understand what he  
22          wanted to do as far as the type of hood he wanted  
23          to do, and basically, our understanding is it's a  
24          Type 1 hood. A Type 1 hood is a hood that

1 produces grease and smoke. A Type 2 hood is  
2 really a kind of hood that discharges either heat  
3 or moisture.

4 So we're talking about a hood that is going  
5 to be placed over a cooking appliance, whether it  
6 be grills or deep fryers or other smoke or grease  
7 producing appliances.

8 After reviewing the plans, we took a look  
9 at the building. There's a picture up here of  
10 the wall where it's coming out, and basically, my  
11 understanding is this ceiling to grade is  
12 approximately 15 feet. There's some pipe work up  
13 here, which is the pipe work for the sprinkler  
14 system, and it branches off, and it branches off  
15 all these branches here. This pipe is  
16 approximately a foot below that 15-foot ceiling,  
17 so it's about 14 feet.

18 Basically, the code -- the code that was  
19 cited Section 506.3.12 -- let me get this out  
20 here. It would be easier this way. 506.3.12.2,  
21 termination through exterior walls, and Section  
22 506.3.12.3, termination location.

23 I'd like to talk a little bit about the  
24 termination locations first.

1                   We reviewed the code regarding this kind of  
2                   an application. We looked under the exceptions  
3                   because we were looking at ways to try to make  
4                   this thing -- to try to meet the code.

5                   Under the exceptions it reads: "Exhaust  
6                   outlets shall terminate not less than 5 feet from  
7                   parts of the same or contiguous building, an  
8                   adjacent building, adjacent property line, or air  
9                   intake openings into a building where air from an  
10                  intake outlet discharges away from such  
11                  locations."

12                  Well, I spent a little time on this. What  
13                  we did is we took a look at this and tried to  
14                  make this exhaust hood kind of fit in this  
15                  section of the code because the other section of  
16                  the code was a little more restrictive. This  
17                  section of the code provides us with 5 foot -- a  
18                  5 foot -- no less than 5 feet from parts of the  
19                  same or contiguous building.

20                  The drawing shows that they exhaust  
21                  somewhere in here, I don't have the exact  
22                  measurements, but it would be safe to say it's a  
23                  little off center. So that didn't meet it as far  
24                  as the measurement of the discharge.

1                   In Section 506.3.12.2 -- I'm sorry,  
2                   506.3.12.3, it calls for that the exhaust outlets  
3                   shall be located not less than 10 feet  
4                   horizontally from parts of the same or contiguous  
5                   buildings, adjacent buildings, or adjacent  
6                   property lines and shall be located not less than  
7                   10 feet above the grade.

8                   What we're saying here is it has to be  
9                   10 feet above the grade here minimum. That would  
10                  leave us about 5 feet, less than 5 feet from the  
11                  ceiling because I'm assuming, based on the  
12                  information that we were provided, the duct  
13                  work -- well, I didn't have the information on  
14                  the duct work, but I could tell you the  
15                  information on the discharge of the fan was 26 by  
16                  almost 20 inches.

17                  We can use those measurements. I'm sure  
18                  that you could probably adjust them a little bit  
19                  to make it more horizontal on a fan discharge,  
20                  but the question is could it fit in here, and  
21                  based on that code, it can't fit in here and  
22                  still discharge away from the building. That is  
23                  really the crux of our interpretation of the  
24                  code, how we read it, how we interpret it.

1                   We looked at other parts of the building  
2                   that may work. In the back, out the front, and I  
3                   can't find a place where this discharge line  
4                   could work, especially what was submitted.

5                   The other situation that we have here is  
6                   under 506.3.12.2, termination through exterior  
7                   walls, it says, "Exhaust outlets shall be  
8                   permitted to terminate through exterior walls  
9                   where the smoke, grease, gases, vapors, and odors  
10                  in the discharge from such terminations do not  
11                  create a public nuisance or a fire hazard. Such  
12                  terminations shall not be located where protected  
13                  openings are required by the International  
14                  Building Code, and other exterior openings shall  
15                  not be located within 3 feet."

16                  Going through backwards on this, there are  
17                  no openings here, so I don't think that's an  
18                  issue here.

19                  As far as the public nuisance and fire, I  
20                  mean, obviously, that's opinionated, I guess, but  
21                  in speaking with the public works people that  
22                  clean the garage, and other situations where this  
23                  is going to be discharging, one of the situations  
24                  that we're seeing here is on this type of

1 application, being grease and fire, over a period  
2 of time probably we'll probably see staining of  
3 the wall. We'll definitely see staining of the  
4 ceiling.

5 This is a walkway right here. So, you  
6 know, people walk here. It's above a public  
7 walkway. These are, again, fire sprinklers.  
8 Discharge of grease and smoke will inhibit the  
9 heads eventually. So we're kind of using -- or  
10 trying to understand -- if that's not a public  
11 nuisance, I'm trying to understand what a public  
12 nuisance would be.

13 I agree on the fans that Mr. Sorrentino  
14 mentioned. They're very loud. A public  
15 nuisance, probably, but it's not the issue we're  
16 talking about here today.

17 If I could, I could probably move on.

18 This is the north wall. These fans here  
19 are exhaust fans from, I believe, restrooms.  
20 They're a Type 2 hood, Type 2 exhaust which is  
21 permitted.

22 Here's looking down the corridor looking  
23 south. These are the air conditioning units,  
24 permitted. Not the greatest location. We tried

1 to convince the builder to put these up on top of  
2 the roof for efficiency. He didn't want to do  
3 it, so he's dealing with the location there. The  
4 fans that were mentioned actually are cooling  
5 these units. They are further down.

6 This particular duct work here is actually  
7 a discharge coming out of Wok'n Fire, I believe,  
8 and this is -- they had a freezer and air  
9 conditioning units. This is a Type 2 hood. This  
10 is discharging actually just heat that are  
11 generated off of those coolers and freezers.  
12 Apparently, they had to put this in because it  
13 wouldn't stay cool enough, and they were having  
14 problems. Still again that's a permitted  
15 discharge.

16 This is a shot showing the west elevation  
17 of the parking garage right above the mechanicals  
18 and transformers. These are air intakes for  
19 Prasino and one is for Neo Pizza. They're  
20 make-up air units that are bringing in air for  
21 make-up for the hoods.

22 This is another shot. This is going down  
23 the hallway going to the north into the plaza.  
24 Again, this is just a Type 2 hood for discharge

1 of a fan or cooler.

2 This is a little different shot here of  
3 that wall. They're proposing to put this here.

4 This gives you a little better shot of the  
5 fire sprinkler system. Again, this is  
6 approximately 15 feet. It's about a foot down.

7 In the letter, Neo Pizza stated that they  
8 wanted to put it at least 15 feet high. That  
9 would put it right up against the ceiling, and I  
10 don't think that's what they intend, but I'm sure  
11 that they didn't know what the distance here was,  
12 but I see them probably coming in here somewhere.  
13 Even if you come in between these units, these  
14 two branches, it's going to affect these heads  
15 eventually for the discharge.

16 Again, here's a sidewalk. One of the  
17 things that I did write in my letter that the  
18 simple drawing did not address is the make-up  
19 air. The code does require make-up air on this.  
20 It doesn't show how that's going to be done.

21 You can either do it by gravity or you can  
22 do it mechanically for the make-up air. So  
23 that's another question that obviously needs to  
24 be addressed, but that was never asked in this

1 request.

2 So if you have any questions, I'd be happy  
3 to answer them for you.

4 MEMBER MARSHALL: Can I ask questions  
5 of anybody?

6 CHAIRMAN FLYNN: Bob has got the  
7 floor.

8 MEMBER MARSHALL: Okay.

9 CHAIRMAN FLYNN: We'll stick with Bob  
10 first.

11 I can see now we've got a small audience  
12 tonight, so we've got plenty of time for  
13 rebuttal.

14 MEMBER MARSHALL: Sure. This is  
15 being proposed for pizza?

16 MR. SORRENTINO: No.

17 MEMBER MARSHALL: No. Okay.

18 MR. SORRENTINO: Different types of  
19 cooking and different cuisine.

20 MEMBER MARSHALL: If this tenant  
21 moves out, somebody else could use this hood;  
22 right?

23 MR. VANN: Yes. If this is  
24 installed, sure.

1           The other thing that we have going here is  
2           if it gets installed this way, it sets a  
3           precedent for the rest of the units for putting  
4           exterior exhaust hoods through a wall. So that's  
5           an issue that we probably need to address also.

6           MEMBER MARSHALL: Most of my  
7           questions are for these guys.

8           CHAIRMAN FLYNN: Anybody else for Bob  
9           while he's on the floor?

10          MR. VANN: Okay.

11          CHAIRMAN FLYNN: So we'll ask for Ed  
12          to step up.

13          MEMBER MARSHALL: Engineering stuff.

14          MR. NIEMIEC: No problem.

15          MEMBER MARSHALL: What's the problem  
16          with putting the exhaust on the concrete block  
17          side of the wall?

18          MR. NIEMIEC: I was just asking Guy  
19          that. That shouldn't be a problem. That's fine.

20          Again, you know, the intention of the  
21          sketch was just to show, you know, rough sizes  
22          and stuff, but yeah, we can take it anywhere.

23          MR. SORRENTINO: Can I ask a question  
24          about what that question was? The concrete wall,

1 is that where all those air conditioners were?

2 MEMBER MARSHALL: Yeah. Just around  
3 the corner.

4 MR. SORRENTINO: Yeah. Around the  
5 corner and discharging it there?

6 MEMBER MARSHALL: Yes.

7 MR. SORRENTINO: That's exactly what  
8 we wanted to do, so we didn't have to come out  
9 there, but we were told --

10 MEMBER MARSHALL: How come you didn't  
11 design that first?

12 MR. SORRENTINO: We were told not to.  
13 That's an absolute no.

14 MEMBER MARSHALL: Why would that be?

15 MR. SORRENTINO: I'm not sure. Bob?  
16 I asked Bob, and he said --

17 MR. VANN: All I asked for is a  
18 sketch drawing, and he provided the sketch  
19 drawing, and I responded to that.

20 The other question was, well, where can we  
21 put it?

22 I said, well, you can't discharge it in the  
23 garage, inside the garage because you can't meet  
24 that section of the code. I could not figure a

1 way out of either on the side or in the back and  
2 still meet the intent of the code because of the  
3 separate --

4 MEMBER MARSHALL: Understanding that  
5 it doesn't meet the code perfectly, is there  
6 any -- would it be any worse on the concrete  
7 block than on the brick side?

8 MR. VANN: You'd still have the same  
9 issues.

10 MEMBER MARSHALL: The same issues,  
11 but no worse.

12 MR. VANN: You may even have more  
13 because now you're discharging in a location  
14 where you have air conditioning units, and if  
15 you've noticed in that walkway, those air  
16 conditioning units are placed up high in a space,  
17 and there's a beam there.

18 MEMBER MARSHALL: Yeah.

19 MR. VANN: It's going to carry all  
20 that heat in there. So now you've got heat. Now  
21 you've got grease, smoke, and now the  
22 efficiencies of everything is going to be shot.

23 The garage really was not designed to be  
24 dumping a lot of stuff into it. It is an

1 open-air garage. I think floor 4, 3 and -- 4, 3,  
2 and 2 are closed, considered closed under the  
3 code. So in other words, they have to exhaust  
4 fans for carbon monoxide and those kinds of  
5 things.

6 MEMBER MARSHALL: So the airflow is  
7 better on the brick side than on the concrete  
8 block side?

9 MR. VANN: I'm saying that the first  
10 floor is considered an open garage. Those other  
11 floors are considered closed garage based on the  
12 construction and the amount of opening.

13 The concern here is, you know, if we didn't  
14 have a ceiling or anything, probably you could  
15 make that work, but that's not the case here.

16 MR. NIEMIEC: Can I just offer one  
17 thing? Is it possible to go out the front of the  
18 space with exhaust?

19 MR. VANN: Well, the problem is you  
20 still have all those other nuisances and problems  
21 with discharge. The make-up air --

22 MR. NIEMIEC: The make-up air --  
23 yeah, the make-up air we brought in from Wok'n  
24 Fire is on the street side.

1 MR. VANN: I think Prasino is too.

2 MR. NIEMIEC: Prasino is too.

3 MR. VANN: You know, make-up air is  
4 not a problem. It's just the discharge.

5 MR. NIEMIEC: Right.

6 MEMBER MARSHALL: All right. So the  
7 type of cooking hasn't really been talked about.  
8 I guess that doesn't really play into this  
9 because it could change. It could change or the  
10 tenant could change. So basically the Type 1  
11 hood is for any type of cooking. It could be a  
12 deep fryer. It could be an oven. It could be  
13 anything like that. Is that what you're saying?

14 MR. VANN: Correct.

15 MEMBER MARSHALL: Ed, you said that  
16 nothing is going to be coming out of here but  
17 smells, I think you said.

18 MR. NIEMIEC: Well, yeah, I'm not  
19 sure. I mean, you know, the only thing I can  
20 attest to is it is an in-line fan, so rather than  
21 have a fan at the external wall, the fan is  
22 actually going to be back stream or, you know,  
23 between the foot itself and the outside air --  
24 I'm sorry, I mean, the exhaust louver.

1                   We are going to have to trap it depending  
2                   on what kind of cooking he does. I guess that's  
3                   ultimately the biggest question is if there is a  
4                   lot of products coming out of there, you know,  
5                   what we can do with that.

6                   I honestly -- the other person from my  
7                   office is sick today, so I'm just kind of just  
8                   getting uploaded on everything here.

9                   MR. SORRENTINO: Todd, actually, I  
10                  have been working more with, but he is sick. So  
11                  the owner came in.

12                 We were thinking -- he had mentioned and  
13                 had a conversation with somebody where there's  
14                 like a charcoal something that is all internal.  
15                 So by the time it gets to that louver, it goes  
16                 through these many processes of filtration before  
17                 it actually gets out to the exterior wall, but,  
18                 again, it's canceling the product, you know.

19                 MEMBER MARSHALL: Okay.

20                 MR. SORRENTINO: But that's what  
21                 these are designed for. It's a charcoal  
22                 filtering system.

23                 As far as the grease, you know, gushing  
24                 out, that doesn't happen, but we also have them

1 cleaned, not just for the fire department, but  
2 for an insurance company purpose. We have all of  
3 this stuff monitored and cleaned regularly.

4 MEMBER MARSHALL: If this starts to  
5 stain or --

6 MR. SORRENTINO: We would put --

7 MEMBER MARSHALL: -- are you willing  
8 to say --

9 MR. SORRENTINO: -- this to the  
10 City -- absolutely, we would put something in for  
11 the City saying that we would be responsible. If  
12 it was a bond or something that we need to set  
13 forth, I have no issues with that.

14 MEMBER MARSHALL: Okay. So really as  
15 far as noise coming out of this louver, what  
16 would you perceive with that?

17 MR. NIEMIEC: It's going to be  
18 nominal because if we place it properly, the  
19 in-line fan is going to be inside the space back  
20 by the foot rather than closer to the discharge.

21 There's stuff, Bob, we can do. We can look  
22 at, you know, the charcoal filtration system or  
23 other items that might be able to help the  
24 process as far as what comes out from the wall,

1 . you know, and take a look at different things we  
2 can do to limit the staining, you know, if it  
3 does come out, depending on what he cooks.

4 That's something that, you know, maybe we  
5 can go through and talk to him about.

6 MEMBER MARSHALL: You mentioned that  
7 there's the same type of exhaust fan on the roof  
8 that has that charcoal filter on it. If you went  
9 to look at that --

10 MR. NIEMIEC: I'm not sure.

11 MEMBER MARSHALL: -- to see if  
12 there's any staining up there.

13 MR. NIEMIEC: Yeah. I mean, you  
14 know, there's two up-blast fans -- actually,  
15 there's more than that because Prasino's is up  
16 there as well. Those are up-blast fans. They're  
17 going to be a little bit different because the  
18 reality is the up-blast fan takes all the exhaust  
19 from the space, goes up and out, and it basically  
20 shoots the air up.

21 This is a little bit different because it's  
22 going to be more of a horizontal discharge, but  
23 yeah, I mean, you can certainly go up and take a  
24 look and see if there's any staining around.

1 It's basically the same product, I would imagine.

2 MR. SORRENTINO: That's something  
3 that Todd had said. I'm sorry.

4 CHAIRMAN FLYNN: I'm going to  
5 interrupt you. Ed has got the floor. We'll keep  
6 it on Ed has got the floor.

7 MEMBER LANG: Are there any  
8 applications like this of the manufacturer you  
9 can give us that we can possibly take a look at?

10 MR. NIEMIEC: Yeah. We can find that  
11 out. Yeah. We can do a little bit more research  
12 on it, sure.

13 MEMBER LANG: A dumb question here,  
14 but I'm sure you said you explored all the  
15 possibilities to get up to the roof. I mean, it  
16 just --

17 MR. VANN: Yes.

18 MEMBER LANG: Everything was done?

19 MR. VANN: Right. I mean, you can do  
20 anything with time and money.

21 MEMBER LANG: Right.

22 MR. VANN: You know, but it's not  
23 practical to go up there to go through the roof.

24 CHAIRMAN FLYNN: There's just no room

1 in that existing chase that you had mentioned for  
2 another vertical rise?

3 MR. VANN: That I don't know.

4 MR. NIEMIEC: When we put the risers  
5 in for Neo, and I believe we did -- we didn't do  
6 the space for Prasino, but I'm almost sure we did  
7 the risers in the base building for Prasino, and  
8 at the time I remember just -- it was a really  
9 difficult install. We had to literally put piece  
10 by piece, and this is heavy black iron duct work  
11 that we had to weld, put up a space, weld, put up  
12 a space and get to the roof.

13 I'll double check again, but I'm almost  
14 positive it's going to be next to impossible to  
15 get -- it's 10-by-3, I think, it was.

16 MR. SORRENTINO: Yeah.

17 MR. NIEMIEC: 10-by-3 is  
18 approximately 3,000 CFM. Rough calculation, it's  
19 going to be, boy, I don't know, 24-by-24.

20 CHAIRMAN FLYNN: 24-by-24.

21 MR. NIEMIEC: Something like that.  
22 It's going to be really difficult. If there was  
23 space up there, it might be possible, but then  
24 again keep in mind, we're going to have to come

1 out the back wall, run tight to the ceiling of  
2 the garage first floor, get over to the -- where  
3 the risers are at, as I'm looking at this  
4 picture, north, and then go into the room up.

5 Calculations on that as far as static  
6 pressure is concerned, the size of the fan we're  
7 going to have to put on the roof is going to be  
8 huge just to get -- to suck the air from the hood  
9 up and out is going to be really difficult.

10 So if there is a way to accommodate this,  
11 you know, maybe -- it would definitely be a lot  
12 better than trying the alternative, which is  
13 going up through the roof.

14 MEMBER HOPKINS: You had a discussion  
15 about charcoal filtration. Nothing was submitted  
16 about any kind of charcoal filtration.

17 MR. NIEMIEC: Right.

18 MEMBER HOPKINS: Is there a reason  
19 you didn't? I realize you didn't do that.

20 MR. NIEMIEC: Right. Right.

21 MEMBER HOPKINS: This isn't all the  
22 information to look at.

23 MR. SORRENTINO: The charcoal filter  
24 system was an add-on after everything was

1 submitted when we talked to the manufacturer. So  
2 two things on that exhaust fan, bringing it up by  
3 floors, and, you know, horizontal 50 foot and  
4 zigzag, it was a much better exhaust fan than,  
5 you know, a 10-foot run that just goes out a  
6 little wall versus going up five floors.

7 And to correct you, they build that flat  
8 pipe on the roof --

9 MR. NIEMIEC: Oh, lower it. Okay.

10 MR. SORRENTINO: -- and we'd get a  
11 crane and then lower it through the shaft.

12 MR. NIEMIEC: Right.

13 MR. SORRENTINO: Because there is  
14 no -- it's just as tight to put that other one  
15 in. So it wasn't built to be pushed up. It was  
16 built --

17 MR. NIEMIEC: To be dropped.

18 MR. SORRENTINO: -- dropped.

19 MR. NIEMIEC: I do remember that now.

20 MR. SORRENTINO: So there is no room  
21 in that shaft.

22 MR. NIEMIEC: Okay. I stand  
23 corrected.

24 CHAIRMAN FLYNN: Anybody else for Ed?

1                   Okay. I'd ask you to sit down.

2                   Guy, I'd ask you to take the mic.

3                   MR. SORRENTINO: Yeah. Sure.

4                   CHAIRMAN FLYNN: Guy, I'm familiar  
5                   with -- so we've got your restaurant and Prasino.

6                   MR. SORRENTINO: Prasino.

7                   CHAIRMAN FLYNN: Prasino on the  
8                   north, and then there's the entranceway.

9                   So is your space going to be like south of  
10                  the Italian bakery?

11                  MR. SORRENTINO: North. It's right  
12                  on that wall.

13                  CHAIRMAN FLYNN: Right on that wall.

14                  Okay.

15                  MR. SORRENTINO: It's right on that  
16                  wall. Right on that wall adjacent to this vacant  
17                  space since the building has been constructed.  
18                  That 1,000, or I think it's like 900 and change  
19                  or roughly 1,000. If it were for retail, if it  
20                  were for -- I mean, nobody is getting it.

21                  Without saying anything, there's kind of an  
22                  agreement, but I don't want to say anything about  
23                  the other occupying space adjacent to this, but  
24                  we know that -- we feel that First Street

1           Development regardless of its original intentions  
2           and what the future buildings across the street  
3           on First Street closer to the river are going to  
4           be, if we can bring more revenue and bring a  
5           successful business plan to First Street and  
6           generate more people down here, we feel that  
7           maybe across the street may develop that much  
8           quicker.

9                   Now, 2500 square feet isn't going to change  
10           the world, but we're asking to put something that  
11           fits within what the First Street Development  
12           should be, and that is very -- you know, just  
13           businesses that make sense.

14                   If retail doesn't make sense and in four  
15           years nobody has proposed to put retail there,  
16           let's make sense. That's all we're asking for is  
17           just to make sense out of the space and utilize  
18           it. The last thing we need is vacancies.

19                   We're hoping to -- I mean, if the 10-foot  
20           clearance and there's a 3-foot exhaust, you know,  
21           and if we're off by a foot, I don't know. I  
22           mean, if we're bringing good dollars, and it's  
23           set up for or for not in the future for retail,  
24           it's there. It's there.

1 CHAIRMAN FLYNN: So the actual fan --

2 MR. SORRENTINO: Yes.

3 CHAIRMAN FLYNN: -- that takes the  
4 exhaust up from above where the deep fryers are  
5 and the ovens --

6 MR. SORRENTINO: Yes.

7 CHAIRMAN FLYNN: -- that fan is  
8 physically in the unit.

9 MR. SORRENTINO: Absolutely.

10 CHAIRMAN FLYNN: It's not on the back  
11 side of the louver. The fan is in the unit. You  
12 had mentioned some sort of a charcoal --

13 MR. SORRENTINO: The Ansul System  
14 with the fire and all that stuff, that exhaust  
15 fan is literally 3 feet above all the cooking  
16 area.

17 CHAIRMAN FLYNN: Okay. In the unit,  
18 and then it's basically duct work on the back  
19 side of the grill, back side of the louver in the  
20 brick wall is just duct work --

21 MR. SORRENTINO: That's it.

22 CHAIRMAN FLYNN: -- leading back to  
23 this fan.

24 MR. SORRENTINO: That's it.

1                   CHAIRMAN FLYNN: Does anybody have  
2                   any questions for Guy?

3                   MEMBER MARSHALL: I just wanted to  
4                   make a comment that -- I speak for myself, but  
5                   I've got a feeling that I'm speaking for Bob and  
6                   probably Brian too. We love Neo as an  
7                   establishment. You guys have done a great job.

8                   MR. SORRENTINO: Thank you.

9                   MEMBER MARSHALL: We'd love to see  
10                  you succeed in another venture in the City. So  
11                  we're trying as hard as we can to see this  
12                  happen.

13                  MR. SORRENTINO: Thank you. Yeah.  
14                  If there was a better way or an easier -- the  
15                  last thing I want to do is feel like I'm the  
16                  public nuisance. You know, I don't want that. I  
17                  want to grow more businesses in St. Charles.

18                  I could go and build more Neos or more  
19                  other concepts in different towns. We both  
20                  live -- my partner and I are here. We've got  
21                  kids in the school district. I have a home in  
22                  town. I would love three or four in St. Charles.

23                  So I'm not -- I want to build in  
24                  St. Charles, and I feel that we could. I mean,

1 if I was -- I don't know. That's just it.

2 That's just it basically.

3 MEMBER MARSHALL: Is there going to  
4 be public seating inside there as well?

5 MR. SORRENTINO: Yes.

6 MEMBER MARSHALL: This is not just a  
7 cooking establishment. This is a sit-down --

8 MR. SORRENTINO: Yeah. We'll have --  
9 it's a sit-down restaurant. It could be burgers,  
10 but I mean --

11 MEMBER MARSHALL: I didn't know if it  
12 was an off-site cooking facility.

13 CHAIRMAN FLYNN: Catering or  
14 something.

15 MR. SORRENTINO: No, no, no. It will  
16 be another full-service restaurant like Neo with  
17 a different concept.

18 MEMBER MARSHALL: We didn't hear one  
19 way or the other. I didn't want to be surprised  
20 if it was a cooking facility.

21 MR. SORRENTINO: This is step one for  
22 us. If we can get done -- we have other hurdles,  
23 if you will, that we know we're going to come by  
24 which will be the final negotiation with the

1 adjacent property, the negotiation which we've  
2 kind of already done with First Street  
3 Development, the mayor's office with a liquor  
4 license. I mean we -- but it all starts here.  
5 If we can't get this, we can't get everything  
6 else. So that's why I'm spending our time and  
7 money today to see if we can get past this.

8 I could be \$10,000 down the road with  
9 architectural drawings and everything and still  
10 not get it, but it all starts with this, and  
11 don't hold me on that number.

12 MEMBER LANG: Do you have a  
13 restaurant layout plan for the stove or the grill  
14 that you're going to put in there?

15 MR. SORRENTINO: No. When Bob and I  
16 originally spoke, he wanted to know more of the  
17 type of vent and the location of the vent. So  
18 once we determine whether it's going be on that  
19 concrete wall or if it's going to be on this  
20 brick wall or the front of the building, the  
21 restaurant will be designed around wherever you  
22 guys say.

23 So if it comes out there, whether or not I  
24 have duct work of 5 feet and I put my kitchen

1 right under that, or 15 feet, the end result is  
2 that's where the location -- you know, it will  
3 all be designed around whatever is set.

4 MEMBER LANG: But that louver --

5 MR. SORRENTINO: The louver will be  
6 wherever you say.

7 MEMBER LANG: You have to decide  
8 according to the oven and everything.

9 MR. SORRENTINO: Oh, yeah, yeah,  
10 yeah.

11 MEMBER LANG: So, I mean, that could  
12 change.

13 MR. SORRENTINO: No. Whatever size  
14 we're allowed is the oven -- the cooking -- this  
15 was designed for a 10 by 3 --

16 MR. NIEMIEC: 10-by-3.

17 MR. SORRENTINO: -- a 10-by-3 hood,  
18 which is no different than we're going to -- no  
19 bigger or smaller kitchen than we're going to  
20 have in the other location.

21 MEMBER LANG: Okay.

22 CHAIRMAN FLYNN: Bob, can I ask you  
23 to take the floor. Just a couple of questions  
24 I've got.

1                   I think Dan alluded to this. So we've got  
2 a face brick wall and a cinder block, and  
3 naturally we're right behind that wall.

4                   My first question is looking at your  
5 write-up and your comment about shall terminate  
6 not less than 5 feet from parts of the same or  
7 contiguous building, would it be -- I'm just  
8 shooting from the hip. Would it be a tough  
9 scenario where instead of having that louver on  
10 the face brick wall where you showed it before,  
11 in order to help meet code, and I think a sheet  
12 metal contractor, if you came out the wall with  
13 your sheet metal curled up to the flexicord deck  
14 and then the attached flexicord deck came out to  
15 the louver end 5 feet away from that wall, does  
16 that help you meet the letter of the law?

17                   You know you come out -- instead of having  
18 that louver in the wall, you come out, curl up  
19 and away from the sidewalk, past the walkway from  
20 the sidewalk, you would have your louver in  
21 between two sprinkler branch lines doing your  
22 exhaust. If it was 5 foot 1 inch off of that  
23 brick wall, would that meet your code?

24                   MR. VANN: Well, it certainly is an

1 interesting concept. I don't know if that kind  
2 of a design and duct work would want to be  
3 something that the planners and everybody who  
4 spent time and effort would want to see a bunch  
5 of duct work now coming across a whole bunch of  
6 ceilings. I can't answer for them, but that's  
7 something that could be looked at, sure, as far  
8 as meeting that requirement.

9 I still have a concern about the grease and  
10 everything, and there was talk about scrubbers or  
11 charcoal filters, and they're just as good as --  
12 well, to be maintained. There's no guarantee for  
13 maintaining anything.

14 I can tell you that when I spoke with the  
15 public works people, frustration for this  
16 structure is high on their list. I could go on  
17 for probably 15 minutes of what they do every  
18 weekend and the cleaning up that they do, but I'm  
19 going to save that time.

20 They were very concerned about the  
21 discharge of smoke and grease and that inside the  
22 parking garage. We spent quite a lot of time  
23 talking about if something -- this goes in, the  
24 precedent is set for all the other -- what are we

1 going to do with all those other ones that want  
2 to come out the back or the front or what those  
3 scenarios are going to be. I can't answer that.

4 You know, I mean, if that's the way that  
5 the City wants to go, that's fine. If the Board  
6 wants to grant a variation, that's your  
7 prerogative, but there's definitely something  
8 down the road that you have to really think about  
9 when you start -- you know, these codes were  
10 designed based on practice and problems. So  
11 that's something to really think about.

12 I'd like to see them in there too. This is  
13 not something that I have anything against Neo or  
14 pizza or any restaurant that wants to go in  
15 there, but I have done this long enough where we  
16 start giving variations on codes that are proven  
17 in practice, then we run into these problems such  
18 as these air conditioners. That was a variation.  
19 We've got problems. We've got a nuisance. We  
20 can't do anything about it now.

21 So, I mean, that's something that I think  
22 everybody needs to start thinking about is if we  
23 just start giving in to these codes because we  
24 want everybody to be happy, I think that's

1 something to be thought about. Again, I want to  
2 see them in there. He's very successful. I  
3 understand he's got a very good product.

4 That's not the case here. The case is  
5 whether we want to deviate from the code. Again,  
6 that's a practice code that we want to work  
7 through and try to decide. I have no problem  
8 trying to understand -- trying to make it work.  
9 I don't -- this is going to be -- this is an  
10 uphill battle for this type of application.

11 CHAIRMAN FLYNN: What Dan alluded to  
12 was coming around the corner and exiting the  
13 cinder block portion of the building, which if  
14 you look at it from that point of view, a louver  
15 on the cinder block side as much as there's a  
16 little bit of airflow there, that's where the  
17 other mechanical equipment sits -- air  
18 conditioners, duct work.

19 You know, the more you look at my idea  
20 originally, it's duct work as you're driving to  
21 the facility versus coming around the corner and  
22 doing something with the other mechanics.

23 Bob, did you say that these air conditioner  
24 units that are attached to these walls, they were

1           also a variance?

2                   MR. VANN: Well, they don't meet  
3 manufacturer's specifications --

4                   CHAIRMAN FLYNN: Okay.

5                   MR. VANN: -- on the measurements.

6                   CHAIRMAN FLYNN: Okay.

7                   MEMBER MARSHALL: It's not a code  
8 thing.

9                   MR. VANN: Well, it is a code thing  
10 because the code says you have to meet  
11 manufacturer's specifications.

12                   MEMBER MARSHALL: Okay.

13                   MR. VANN: You know, the owner  
14 basically said, you know, it isn't my problem.  
15 That's your problem now, and now we dealing with  
16 all the residuals of what's happening after  
17 putting these units on there because you didn't  
18 want to bring them up to the roof. That's the  
19 problems we run into when we start granting  
20 variations. These are the things we run into.

21                   CHAIRMAN FLYNN: So the original  
22 design was the north end restaurant, the south  
23 end by Wok'n Fire restaurant, with regular  
24 commercial retail in the center.

1 MR. VANN: Right.

2 CHAIRMAN FLYNN: And that's the  
3 reason for no existing cutout or shaft --

4 MR. VANN: No shafts, yeah, correct.

5 CHAIRMAN FLYNN: -- for a future  
6 tenant.

7 MR. VANN: Right. Right.

8 CHAIRMAN FLYNN: Okay.

9 MR. VANN: If there's a way, I'd be  
10 happy to take a look at it, I mean, its --

11 MEMBER MARSHALL: The part of the  
12 code that says 5 feet away from other parts of  
13 the building, that would be the ceiling that  
14 you're talking about being 5 feet away from;  
15 right? That's the part of the building.

16 MR. VANN: Well, part of the  
17 building -- I mean, if you look at -- if you read  
18 it just straight as it is, part of the building  
19 is this wall, this ceiling, this here, this is  
20 the back, obviously.

21 MEMBER MARSHALL: Well, discharge, I  
22 mean, any place from a side wall is going to  
23 be --

24 MR. VANN: Right.

1                   MEMBER MARSHALL: -- close to the  
2                   wall unless you have got like what you're saying  
3                   about the 5-foot duct system out, but I would  
4                   imagine that the interpretation of the code would  
5                   be something like 5 feet away from the ceiling.

6                   So I'm understanding the paradox. The  
7                   conundrum is that you want them to be 10 feet  
8                   high, but 5 feet from the ceiling, which doesn't  
9                   really leave us any room for louvers since it's  
10                  15 feet.

11                  MR. VANN: Yes. You're right. You  
12                  just can't get around -- away from the building  
13                  either. It talks about being exhaust --  
14                  discharge away from such locations. I don't know  
15                  how you can do that in this location. That's the  
16                  challenge.

17                  MEMBER MARSHALL: From the ceiling,  
18                  yeah.

19                  MR. VANN: You've got the ceiling.  
20                  If the ceiling wasn't there, I think you would be  
21                  okay.

22                  MEMBER MARSHALL: So I'm just trying  
23                  to isolate the actual variation. I mean, the  
24                  variation from the code, that to me is really

1 kind of like, you know, public nuisance being a  
2 subjective thing, and seeing that the engineer is  
3 telling us that we're not going to get grease and  
4 smoke coming out of this, that it's really just  
5 smells, that the variation is about being 5 foot  
6 from the ceiling.

7 I would think that our druthers would be  
8 that it would be as high as possible to be away  
9 from the sidewalk as far as noise and heat coming  
10 out of it, so that, you know, the variation is  
11 that it won't be the full 5 feet from the  
12 ceiling. Is that fair?

13 MR. VANN: That's a pretty fair  
14 assessment.

15 MEMBER MARSHALL: That's what we're  
16 really talking about here.

17 CHAIRMAN FLYNN: Any questions for  
18 Bob?

19 MR. VANN: The other issue is that  
20 not knowing what the scrubbers do or the charcoal  
21 will do, as good a job they do, will it affect  
22 the heads of the -- over time the heads of the  
23 sprinklers? We don't know. I don't know if  
24 anybody can even answer that question. Unless

1           there's an exact installation of this somewhere  
2           else, then we can, you know, definitely review it  
3           but --

4                   MEMBER MARSHALL: It sounds like  
5           they're looking for direction from us to see if  
6           they should continue with this process.  
7           Something could be further researched; correct?

8                   CHAIRMAN FLYNN: My interpretation is  
9           the Board of Review, based upon discussion here  
10          tonight, we would either affirm or deny the  
11          appeals process, or if need be, I think we would  
12          have the right to continue it to another meeting.

13                   MEMBER MARSHALL: I guess I wouldn't  
14          want to continue it if there wasn't a realistic  
15          chance of approving it at that point in time.  
16          They're spending money to come up and, you know,  
17          chasing --

18                   CHAIRMAN FLYNN: Right.

19                   MEMBER MARSHALL: I think we could  
20          continue it if we thought there was a realistic  
21          chance of this --

22                   CHAIRMAN FLYNN: Right.

23                   MEMBER MARSHALL: -- and we could use  
24          more information on it.

1                   CHAIRMAN FLYNN: But the basic  
2 process would be to either deny or affirm.  
3 That's the process that we're here for.

4                   MEMBER MARSHALL: Right.

5                   MR. SORRENTINO: I think that the two  
6 sprinkler heads or three sprinkler heads at \$75  
7 each, that would have to be tested annually to  
8 make sure they work from the fire department, and  
9 if it was proven that they didn't because of  
10 our -- I mean, sure, you know, I have no issue  
11 with that.

12                   But to say, you know, whether or not it can  
13 or cannot be an issue, you can say that pretty  
14 much about everything in life. Nobody knows  
15 until obviously something happens. So I  
16 understand that part too.

17                   If you isolate it, which is what I have  
18 been thinking from day one, reading this, it may  
19 be 6 inches, it may be a foot difference that  
20 we're talking. If it's 10 feet from the ground  
21 and 5 feet from the ceiling, and we have a 2- or  
22 3-foot louver in there somewhere, we're talking  
23 minimal. That's the way I look at it also.

24                   Going out the back wall, I would love to.

1           Going out the back wall, this would have been a  
2           nonissue. You know, so we found the least  
3           intrusive eyesore, if there were one, on this  
4           south wall or -- the south wall, and there's  
5           louvers and ACs and all that. Is that a public  
6           walkway more so than the utility walkways, what I  
7           would call it, where those AC units and the vents  
8           are?

9           So if we can come out from that wall with  
10          this hard pipe 5 feet and then exhaust it, you  
11          know, in the actual open parking garage, maybe  
12          that's the solution, but we thought, being that  
13          this driveway goes all the way through and the  
14          most air ventilation is through this area right  
15          here, that this would be the most -- get the most  
16          air out, you know. I mean, if there were smoke,  
17          it would have room to go. It would have places  
18          to go, as opposed to the cinder block -- the  
19          cinder block wall.

20                   MEMBER MARSHALL: One more question,  
21           I'm sorry.

22           Bob, what would you think about the bond  
23           idea for cleanup? As far as addressing your  
24           concerns about setting precedent, anyone else who

1           wanted to do a similar thing would also have to  
2           present a bond because we would be -- that would  
3           be a condition of approval for this type of  
4           thing.

5                       MR. VANN: You know, there are bonds  
6           for construction. There are bonds for streets  
7           being put in for maintenance. There's all sorts  
8           of bonds. They're maintenance for staff. You  
9           know, they're a good tool, and you have to re-up  
10          the bond. Somebody has to track it, and that's  
11          staff time, you know, and this is -- that's not  
12          what we do in this case. We don't do bonds on  
13          cleaning and those types of things.

14                     MEMBER MARSHALL: What other kind of  
15          instruments could you use for that?

16                     MR. VANN: The only instrument is  
17          violations. You know, and that's not the most,  
18          you know, customer-friendly way you want to go  
19          about it. It's a challenge.

20                     I mean, I have enough -- taken care of code  
21          enforcement, and then we have to, you know, react  
22          to cleaning up. A lot of times the public works  
23          guys will end up doing it just because there's  
24          complaints. So it's a revenue -- not a revenue

1 issue, but a cost issue.

2 I can tell you that, again, talking with  
3 public works, they spend a lot of time down there  
4 cleaning up people's messes. It was an issue for  
5 them. It's perfectly understandable.

6 But bonds and any other instruments,  
7 financial, I would not recommend it. It's a tool  
8 that when we're gone, who is going to follow it,  
9 you know. It's not on the high list of the radar  
10 screen for the owner, for the business owner, for  
11 the City. I don't think it's an appropriate tool  
12 for it.

13 MEMBER MARSHALL: Has there been any  
14 reaction to this from the owner, the First Street  
15 Development?

16 MR. SORRENTINO: I'm sorry?

17 MEMBER MARSHALL: Any kind of  
18 reaction from the building owner?

19 MR. SORRENTINO: About putting this  
20 in?

21 MEMBER MARSHALL: Yes.

22 MR. SORRENTINO: Of adding another  
23 establishment?

24 MEMBER MARSHALL: Well, putting an

1 exhaust fan on --

2 MR. SORRENTINO: Oh, no, not on that  
3 part of it. It all starts with the building  
4 code. If they allow it, they would love to have  
5 us have all different places. They have no issue  
6 with it.

7 MEMBER MARSHALL: Okay.

8 MR. SORRENTINO: No issue.

9 You know, the bond thing was almost a  
10 security thing. Once again to have a license and  
11 have insurance on restaurants, We are required to  
12 have our exhaust cleaned and checked and  
13 monitored and submit invoices, all that stuff, to  
14 have insurance. Without insurance, we get no  
15 liquor. Without the liquor, we get no money.

16 So, you know, we're required -- outside of  
17 the City, we're required, to be in business, to  
18 have those things monitored and cleaned.

19 MEMBER MARSHALL: My understanding is  
20 the wall and the ceiling -- what, I think, their  
21 worry is here is that you see a lot of exhaust  
22 fans from restaurants with grease dripping off  
23 the hood, you know, sticking on the side of the  
24 walls, and it can get pretty nasty looking.

1                   So it's hard to get -- and clean is a  
2                   subjective thing.

3                   MR. SORRENTINO:    Sure.

4                   MEMBER MARSHALL:   What might look bad  
5                   to me might not look bad to a lot of people.  
6                   They will go, you know, it looks fine to me.

7                   MR. SORRENTINO:    Right.

8                   MEMBER MARSHALL:   That area is very  
9                   public.

10                  MR. SORRENTINO:    I think the whole  
11                  goal here with this particular unit is everything  
12                  happens on the inside.  By the time it gets to  
13                  the outside, it's just smoke.  That's it.  That's  
14                  the whole point of this unit that Todd has  
15                  designed and the system that Todd has designed is  
16                  just smoke.

17                  MEMBER MARSHALL:   Isn't smoke going  
18                  to turn the ceiling black?

19                  MR. SORRENTINO:    It could very well,  
20                  and if that's the maintenance that we have to  
21                  maintain or something that we have to take care  
22                  of or whatever.  I mean, how we angle the  
23                  louvers, whatever has to be done, we're willing  
24                  to do.  But the fact that grease is going to be

1 pouring out of there and -- I don't know. I  
2 don't know if that's fair to say.

3 MEMBER RITCHIE: I think that I'd  
4 like to know more about the filtration system,  
5 Ed.

6 MR. NIEMIEC: Yeah.

7 MEMBER RITCHIE: You had mentioned  
8 trapping it. Ed, can you speak a little more on  
9 that?

10 MR. NIEMIEC: Sure. Well, I really  
11 can't speak about the filtration system because  
12 I'm not sure what Todd picked out, but, you know,  
13 as I sit here, I think there's probably three  
14 problems that I can identify, and I agree with  
15 Bob on a few of them.

16 I think the intake for make-up air and,  
17 again, looking at it as a designer and knowing  
18 what we've done in the other spaces, as I look at  
19 this drawing, you know, and again, I'm just in my  
20 head trying to design this, my intake louver for  
21 my make-up air is going to be on the First Street  
22 side on the entrance to the store, to the  
23 restaurant.

24 Then we're going to have a louver on First

1 Street with the duct work going back to the hood.  
2 So that takes care of my make-up air, and then,  
3 again, my second problem is coming off the hood.  
4 I want a filtration system too because I think as  
5 we go through this, the most important part is  
6 going to be what -- where we're cooking, what the  
7 filtration system is really going to do to it,  
8 and what's going to be the product of the  
9 discharge out on the north wall.

10 If we can show that, that filtration  
11 system, that what comes out of there is fumes  
12 with maybe a little bit of smoke or whatever and  
13 give Bob, you know, the manufacturer's  
14 recommendations or whatever, I think that's  
15 probably the place to go.

16 So in my head, from a designer's standpoint  
17 from talking to the City, you know, it seems like  
18 we should probably do a little bit more homework  
19 and work with Bob really on trying to find a  
20 solution, and if this filtration system works or  
21 doesn't work, that's kind of where we need to get  
22 to.

23 I can't sit here today and guarantee that  
24 what comes out of there without knowing what the

1 product is is not going to stain the wall or the  
2 ceiling, and I also really would like to know  
3 what the sprinkler heads are and really take a  
4 look at, you know, the duct work configuration on  
5 how we can minimize, you know, whatever comes out  
6 of that louver and what it's going to do to those  
7 sprinkler heads.

8 MR. SORRENTINO: So I guess then the  
9 answer would be if we can get past the variation,  
10 and then it just becomes an acceptance of the  
11 product that we're going to install or the  
12 filtration system. Maybe that's the next thing  
13 that we do, and then it just falls out of the  
14 Review Board back into the building and code with  
15 Bob, Mr. Vann.

16 Then if it's accepted, you know, from the  
17 manufacturer's standpoint and all that, the  
18 product, the filtration system that we're putting  
19 on the inside, as long as we can get it to come  
20 out that way, and I think that's where we are.

21 Yes or no?

22 MEMBER RITCHIE: My thought would be  
23 if we were to recommend that this proceed to the  
24 next level, we should know more about the

1           filtration system. We have already talked about  
2           that. I think that that filtration system needs  
3           to meet sort of a benchmark, but there has to be  
4           benchmarks for all different types of filtration  
5           systems out there. So what those are is to be  
6           determined.

7                     Also it can only be -- if we're going to  
8           grant a variance on this, I think it's precedent  
9           setting, the issues that we're looking at, but it  
10          has to be described as a discharge of this type.  
11          It has to be filtered to a certain level. It can  
12          discharge only into an open garage space and  
13          possibly within a certain distance of one of the  
14          entrances or an opening of that garage space.

15                    The maintenance of the exterior has to be  
16          addressed pretty clearly, and that would include  
17          the sprinkler system and then just as an added  
18          bonus, I can see that it should be exhausted  
19          beyond the public walkway. I think a driveway  
20          has less impact than right over a walkway. If  
21          you have ever walked under something that your  
22          hair parted by an exhaust fan, it's probably  
23          better to have an exhaust over the driveway,  
24          rather than over a walkway.

1                   Beyond that, I don't really have any other  
2                   comments.

3                   CHAIRMAN FLYNN: I'll give you my  
4                   thoughts. I think we've boiled it down to, you  
5                   know, the 5-foot ruling, and based upon the  
6                   concrete ceiling, that's part of the building.  
7                   So that's pretty hard to overcome.

8                   But we're all in agreement with regards to  
9                   an additional business there and a good business  
10                  and coming up with some way of making this fit  
11                  within the conformities of the City.

12                  I think my biggest concern is it's  
13                  unfortunate that this particular layout of the  
14                  spec building didn't include a couple of  
15                  knockouts for some vertical shafts because there  
16                  might be a chance of some restaurant happening  
17                  along First Street there, not just to the south  
18                  or to the north. Unfortunately, we're stuck with  
19                  that situation, so that's why we're here tonight.

20                  I can say those sprinkler heads in that  
21                  garage are normally set at 155 degrees  
22                  Fahrenheit, which would be their release point.

23                  My biggest concern is when you hear the  
24                  word "smoke." Not smoke due to fire, but smoke

1 just due to people coming to and from that garage  
2 can go to any one of those stores. Smoke is not  
3 something that you want to see. When I think  
4 about smoke, I think about going down Randall  
5 Road, and you see the smoke coming off the roof  
6 of Burger King. You know, that's a lot of smoke  
7 that's going to come out horizontal. Hopefully,  
8 it's not that type of smoke.

9 Ed, what type of -- on this Type 1 exhaust,  
10 Bob had mentioned its temperature and some fumes  
11 and grease. What type of temperature normally  
12 would exit that louver?

13 MR. NIEMIEC: That's what I don't  
14 know.

15 CHAIRMAN FLYNN: Okay.

16 MR. NIEMIEC: I need to find that  
17 out.

18 CHAIRMAN FLYNN: So I think my  
19 biggest concern then is I agree so far with Dan  
20 and Tom, but I think working out a plan on doing  
21 something aesthetically pleasing with duct work  
22 can be worked out.

23 I think the biggest concern that I don't  
24 have in front of me here tonight is I think

1           instead of doing anything in the form of bonds, I  
2           think, as Tom alluded to, that that would be a  
3           written commitment, and I do know that restaurant  
4           owners, they bring in like protective fire to  
5           steam clean the inside of these ducts.

6           So I think the concern would be if we are  
7           going to grant the variance, it would be in  
8           writing. Well, first off, the City would have to  
9           approve the so-called charcoal filtering system,  
10          that it includes a filtering system, and then if  
11          that's approved, in writing, what would be the  
12          maintenance plan for that filter replacement.

13          And also an agreement to -- if a couple of  
14          sprinkler heads had to be relocated with the  
15          sprinkler contractor, that's not a big ticket  
16          item. My biggest concern is like Bob had  
17          mentioned that if the flexicord deck is getting  
18          stained or some drippage on the wall, some kind  
19          of written comment where that tenant was  
20          responsible for that cleanup and not the City of  
21          St. Charles.

22          So I'm also on the side of where I'm  
23          concerned about smoke, which I can't answer  
24          tonight, and that maintenance commitment.

1 Tom.

2 MEMBER LANG: Yeah. I guess I agree  
3 with you guys on that. I also agree with Bob on  
4 the variance thing. You know, once you do this,  
5 you're opening doors for somebody else coming in.

6 Now, this is a situation where you're on  
7 the end unit, and there's a possibility to do it,  
8 but let's say that two or three of the other  
9 spaces open up, and they say, well, you know, we  
10 want a restaurant here. What are we going to do?  
11 So it opens up a whole other can of worms.

12 Personally, I think we need some more  
13 information to move on.

14 CHAIRMAN FLYNN: Paul.

15 MEMBER HOPKINS: There's another  
16 component that no one is talking about in terms  
17 of the smoke and so forth. What happens in the  
18 dead of winter with the subzero temperatures with  
19 the moisture content coming out? What happens to  
20 the ceiling and the sprinklers when there's ice  
21 pockets or whatever both from the automobiles  
22 that drive as well as the sidewalk.

23 I realize you're cooking with high  
24 temperatures. Certainly in this part of the

1 country, the environment, when the steam comes  
2 out as well, the steam may not be staining and  
3 objectionable, but in light of the temperatures,  
4 it's going to be an issue, and that needs to be  
5 addressed as well.

6 Again, I think there's more information  
7 needed to see if there's any chance that the  
8 variance is warranted. Right now we don't have  
9 all these other components.

10 CHAIRMAN FLYNN: Okay. Anybody else?  
11 Any more discussion?

12 (No response.)

13 CHAIRMAN FLYNN: So at this point in  
14 time, is there a motion to be made?

15 MEMBER MARSHALL: I would motion to  
16 continue the hearing or continue the application.

17 CHAIRMAN FLYNN: Do I hear a second?

18 MEMBER LANG: I'll second.

19 CHAIRMAN FLYNN: We'll take a vote.  
20 For a continuance is what we're voting on.

21 Dan.

22 MEMBER MARSHALL: Aye.

23 CHAIRMAN FLYNN: Tom.

24 MEMBER RITCHIE: Yes.

1 CHAIRMAN FLYNN: Yes.

2 MEMBER LANG: Yes.

3 MEMBER HOPKINS: Yes.

4 CHAIRMAN FLYNN: Okay. Any other  
5 additional business tonight?

6 MR. VANN: Do we want to talk about a  
7 time for the meeting so you can guys set your  
8 schedule maybe, and there can be a time  
9 commitment on --

10 CHAIRMAN FLYNN: Yeah. I do happen  
11 to know that if we stick to our regular Tuesday  
12 night, unfortunately, I know definitely I'm on  
13 vacation. If we go with our regular cycle, which  
14 is once a month, I'm on vacation in November on  
15 that second Tuesday.

16 I could make myself available for -- I  
17 don't have to be stuck with Tuesday. I can make  
18 myself available based upon a consensus.

19 MEMBER LANG: For me, November and  
20 December, both the first Tuesday is out, but,  
21 again, I'm flexible the other days.

22 MEMBER HOPKINS: So we're trying to  
23 set a date and telling these guys you have to get  
24 all this fixed and faxed by a date, and then we

1 can get a date and set the next meeting.

2 MR. SORRENTINO: I mean, whatever the  
3 day is -- the day is whatever works. Again, from  
4 a financial standpoint, being a small business,  
5 another fee, more court reporter time, more  
6 money, more money, you know, for -- I mean, I was  
7 hoping to walk out and say if we meet all of  
8 this, then it's a yes, or do I spend time and  
9 effort and money with experts and, you know, for  
10 a maybe.

11 I'm sorry if I'm being rude about this,  
12 but, you know, I mean, these are hard-earned  
13 dollars that we're trying to put back into the  
14 system here. We just want to know if there's  
15 maybe a chance.

16 Again, if the standard is for fumes that  
17 are in a nail salon that, you know, are toxic  
18 versus restaurants that are all over the world,  
19 you know, that don't have filtration systems.  
20 You know, so I'm just trying --

21 CHAIRMAN FLYNN: How much time do you  
22 need, Guy, to come back to this Board with --

23 MR. SORRENTINO: I don't know.

24 CHAIRMAN FLYNN: -- at a minimum

1 would be a review of the filtration system.

2 MR. SORRENTINO: I can submit that  
3 stuff. We can go to work on that and submit it  
4 Monday, and you guys can all have copies of those  
5 things.

6 CHAIRMAN FLYNN: We would have to  
7 review them in advance. So in theory I know for  
8 a fact if something like that could be turned  
9 around quickly, I could be here any night next  
10 week. So in theory, today is Tuesday. If you  
11 had everything in by the end of the week to the  
12 City, it gives the City a chance to distribute.

13 MR. SORRENTINO: Okay. It doesn't  
14 have to be that week or within this week. What  
15 I'm saying is if I had that filtration system,  
16 there's other concerns that you brought up,  
17 Mr. Hopkins, that I understand. I mean, I also  
18 have kids, and if there was something designed on  
19 Ed's part where it is going more over where the  
20 cars are more than the public walkway, I  
21 understand that part too.

22 I mean, it's all making sense that, you  
23 know, the underlying tone that there's an overall  
24 consensus that it is doable, but I haven't yet

1 heard that enough to spend more money to get the  
2 filtration system and the new designs and all  
3 these things to see if it's going to happen.

4 MEMBER HOPKINS: For me, I don't know  
5 that it's doable. I don't know that it's not.

6 MR. SORRENTINO: Exactly.

7 MEMBER HOPKINS: You know, we're tied  
8 up as to fumes, smoke, grease, moisture, all of  
9 that before you can even address whether or not  
10 you can get past the sidewalk or not. You really  
11 don't have the answers to all of that.

12 So I'm not speaking for anybody else on the  
13 Board, but me. I can't say that it is doable  
14 without that information.

15 MR. SORRENTINO: Perfect. So in  
16 addition to the charcoal system, we need that  
17 part addressed.

18 MEMBER HOPKINS: Sure.

19 MR. SORRENTINO: I think that's --  
20 this is what I need to understand is if I'm going  
21 to get everything, you know, your concerns which  
22 are my concerns also and Mr. Lang and  
23 Mr. Marshall, just get them all and submit it and  
24 say according to, you know, Mr. Hopkins, this

1           should suffice.

2                       You know, I mean, moisture at 20 below or  
3           whatever, I mean, happens, but whether it's on  
4           the roof and there's no ice around it. Whatever  
5           it is, you know, I mean, whatever the answer is I  
6           don't know, but if we address each and every one  
7           of these issues then, you know, then it's not  
8           become, you know, thousands of dollars for court  
9           reporters and experts and fees and all that  
10          stuff. Then I get it.

11                      But you know, I also don't want to say,  
12          listen, I want you guys to make a decision  
13          tonight, or otherwise, I'm moving on. I want to  
14          be here.

15                      MEMBER MARSHALL: It sounds like  
16          you'd like conditional approval.

17                      MR. SORRENTINO: Thank you. That's  
18          the word I was thinking of earlier, conditional  
19          approval.

20                      MEMBER MARSHALL: And I motioned to  
21          continue it because my sense was that you weren't  
22          going to get conditional approval.

23                      CHAIRMAN FLYNN: I basically think by  
24          continuing it -- basically, our direction is

1 based upon, you know, when we were formed, it's  
2 either deny or affirm. So, in theory, I think  
3 it's unusual to do a continuance, which in a way  
4 is there is a chance. Otherwise, it would have  
5 been a motion to deny or affirm, you know.

6 I think we've answered Guy's question. By  
7 us saying that if we could just get some more  
8 information to make a decision --

9 MEMBER HOPKINS: It needs to be  
10 accepted --

11 CHAIRMAN FLYNN: Right.

12 MEMBER HOPKINS: -- I mean, there  
13 needs to be standards. We don't have in the  
14 codes 15 percent moisture, 3 percent carbon  
15 content, whatever. So even if that's -- making a  
16 variance based on the information provided on the  
17 filtration is still subjective. Okay.

18 You don't have to apply a fee again for  
19 this variance if it's continued. I know you have  
20 other hearings, so you have court reporter costs,  
21 but I don't think he has to -- Bob, you would  
22 know. Does he have to reapply for the same issue  
23 on appeal?

24 MR. VANN: Well, you continued the

1 hearing based on the information that you're  
2 asking for.

3 MEMBER HOPKINS: Right. And what I'm  
4 saying is he doesn't have to make a separate fee  
5 for that --

6 MR. VANN: No.

7 MEMBER HOPKINS: -- variance, but you  
8 have costs associated.

9 MR. VANN: Correct.

10 CHAIRMAN FLYNN: So we did agree to  
11 continue. Right now based upon Bob's point,  
12 which was a good one, we just can't leave here  
13 open ended.

14 In theory, would this group be available to  
15 meet again the same time next week?

16 MEMBER HOPKINS: No.

17 CHAIRMAN FLYNN: Okay.

18 MEMBER LANG: Yes.

19 CHAIRMAN FLYNN: Yes.

20 MEMBER RITCHIE: Yes.

21 MEMBER MARSHALL: Sorry. Yes,  
22 October 18th.

23 CHAIRMAN FLYNN: I don't have the  
24 rules in front of me.

1                   Bob, do you know if four is enough?

2                   MR. VANN: Four is enough.

3                   CHAIRMAN FLYNN: Four is enough?

4                   MR. VANN: Yeah. You'll have a  
5                   quorum.

6                   CHAIRMAN FLYNN: Okay.

7                   MR. VANN: The vote would have to  
8                   be -- there's still three.

9                   CHAIRMAN FLYNN: Okay.

10                  MR. VANN: Just for the record, I  
11                  want to make sure that the Board is aware, you  
12                  know, what you heard tonight is basically  
13                  information on the code and appeal to the  
14                  decision of the building and code division  
15                  manager.

16                  I think, for the record, I'd like it to  
17                  stand as far as an understanding that the code  
18                  was interpreted correctly or not correctly.  
19                  That's just, you know, not an up or down vote for  
20                  whether it's going to go or not, but for my  
21                  understanding, for what I would like to know for  
22                  further interpretations, is I would like to ask  
23                  this Board for an interpretation on the  
24                  application that was presented to you, was this

1           interpreted correctly of the application -- or  
2           what was submitted?

3                         MEMBER RITCHIE: I have a brief  
4           question. This has gone around and around about  
5           the location of the vent on the wall.

6                         What is the thinking behind that portion of  
7           the code? Is it a fire issue, or is it the stain  
8           issue? What made the code describe those  
9           particular locations for this type of a vent?

10                        MR. VANN: If you read the letter of  
11           the code, it has a lot of components to it. It  
12           has heights. It has distances to lot lines,  
13           buildings, other structures. So if you read it,  
14           there's a lot of measurements in there.

15                        I think that what I understand on this  
16           section of the code is because the discharge of  
17           the Type 1 -- now, again, Type 1 covers  
18           everything as far as heat and grease.

19                        What I interpreted it is is that discharge  
20           usually goes up through -- goes up in the open  
21           air, and you don't have these issues. Now, when  
22           you come out of a side discharge, you've got all  
23           those components in there.

24                        You know, I can only speculate of what the

1 interpretation of that -- what the reason for  
2 that code is, and the reason for it is for those  
3 things that you just brought up tonight.

4 MEMBER RITCHIE: All right.

5 MR. VANN: You know, nuisances and  
6 fire and discharge in locations, grease, and  
7 everything else like that. So it's really a  
8 different kind of application than going straight  
9 up through a roof.

10 MEMBER RITCHIE: Okay.

11 MR. VANN: I don't know if that  
12 answers your question.

13 MEMBER RITCHIE: Yeah.

14 CHAIRMAN FLYNN: My interpretation is  
15 then -- and I think I'm going to ask Ed this  
16 question.

17 Ed, my interpretation of the International  
18 Mechanical Code, the majority of the Type 1  
19 exhaust hoods are some sort of a vertical  
20 discharge normally above the roof.

21 MR. NIEMIEC: They are. They do come  
22 on side walls, but when they come out the side  
23 walls, there is no structure.

24 CHAIRMAN FLYNN: Right. What happens

1 is your only option is you can't go vertically  
2 straight up as you're going out the roof. So all  
3 the measurements are based upon the roof being  
4 below the exhaust.

5 MR. NIEMIEC: Correct. Yes.

6 CHAIRMAN FLYNN: And then the exhaust  
7 into the air with a little bit of smoke goes up  
8 three stories.

9 MR. NIEMIEC: It goes up and out.

10 CHAIRMAN FLYNN: Then when you get  
11 into tight, congested areas, you'll see them come  
12 out the back in an alley mounted to the back  
13 wall.

14 MR. NIEMIEC: Correct, but there's no  
15 ceiling above on that.

16 CHAIRMAN FLYNN: Right. So, again,  
17 just to reiterate, I think that Dan boiled it  
18 down pretty good. We've got a situation here  
19 where -- it's tough because this is a major  
20 variance to that code. Not major in the fact  
21 that it's earth moving. It's just we've got a  
22 situation where we're bounded by a ceiling, a  
23 concrete ceiling in a parking garage.

24 When you look at the City side of the

1 fence, Tom also mentioned this, that if we grant  
2 this variance for this one deal, it opens the  
3 flood gates to the others to say, Hey, you did it  
4 over here, so there's a concern. But then the  
5 overriding concern is whether you're down 10 feet  
6 or 15 feet, if there is smoke bounding out there,  
7 what have we done to people coming out of the  
8 garage?

9 So we've boiled it down to some components  
10 that either it's affirm, deny, which didn't  
11 happen tonight, and we're moving forward with the  
12 next step, which will be next Tuesday night.

13 MEMBER MARSHALL: To answer your  
14 question, Bob, I think you interpreted it  
15 correctly in that it's, you know, by the letter  
16 of the code 5 feet from the parts of the same or  
17 contiguous building and if we could get that, but  
18 I think what's keeping us away from that is  
19 basically the size of the louver because if you  
20 can come down 5 feet and go up 10 feet and still  
21 fit a louver in that distance, I think we would  
22 be meeting that. Whether it would be a good  
23 situation or not, it could still stain the  
24 ceiling, but it would meet that part of the code.

1           Then the only thing would be the public nuisance  
2           or fire hazard.

3                   So those are -- we haven't really heard  
4           anything about the fire hazard.

5                   Does the fire chief need to swear himself  
6           in?

7                           MEMBER HOPKINS: The 5 foot is an  
8           exception. The code is 10 feet. It's 10 foot  
9           off the ground and 10 feet from parts of the same  
10          or contiguous. They allow a 5-foot exception if  
11          the exhaust is away from adjacent and contiguous,  
12          which it isn't.

13                   So, you know, you interpreted it correctly.  
14          That's what you were asking.

15                           MR. VANN: Right.

16                           MEMBER HOPKINS: You interpreted it  
17          correctly on both levels.

18                           MEMBER MARSHALL: Discharges away  
19          from such locations. You're right.

20                           MEMBER HOPKINS: And you're not  
21          discharging away from the -- the discharge away  
22          from the ceiling is you're pointing down. The  
23          discharge from the wall is out. You can't do  
24          both of that.

1 MR. BRYNE: If you want me to speak,  
2 I can speak.

3 MEMBER HOPKINS: But, again, you  
4 asked the question, so in my opinion, you  
5 interpreted the code section correctly.

6 MR. VANN: Thank you.

7 CHAIRMAN FLYNN: Okay. So then next  
8 Tuesday tonight at 7:00 o'clock in this room.  
9 I'm sorry. I shouldn't have said that, whatever  
10 room.

11 MS. GRAFFAGNA: We can't guarantee  
12 what room.

13 CHAIRMAN FLYNN: Okay. We'll try for  
14 this one. That's true.

15 MR. VANN: Pending whether the  
16 Applicant wants to proceed --

17 CHAIRMAN FLYNN: Correct.

18 MR. VANN: -- continue the hearing or  
19 not.

20 CHAIRMAN FLYNN: Correct. In theory,  
21 the backup information would have to get into  
22 Bob's office, you know, by Friday afternoon for  
23 distribution to us on Monday so we've got at  
24 least a chance to see it before Tuesday night.

1 MEMBER MARSHALL: He has to decide  
2 whether he wants to keep going with this.

3 CHAIRMAN FLYNN: Right.

4 MS. VANN: We're running real tight  
5 on that schedule. So we'd need that information  
6 probably sooner, rather than Friday.

7 CHAIRMAN FLYNN: Okay.

8 MR. VANN: If you want to hit  
9 Tuesday.

10 MR. NIEMIEC: That's good. Okay.

11 MR. VANN: Okay.

12 MEMBER MARSHALL: Or we can go to  
13 another week.

14 MR. SORRENTINO: Why don't we go an  
15 extra week instead of trying to get --

16 CHAIRMAN FLYNN: Okay.

17 MR. SORRENTINO: You know, if I don't  
18 have everything for Mr. Hopkins or Mr. Marshall,  
19 I'd rather be diligent on what is presented.

20 CHAIRMAN FLYNN: Right. Guy, you had  
21 mentioned that time was of the essence so --

22 MR. SORRENTINO: Time is of the  
23 essence.

24 CHAIRMAN FLYNN: It's in your court

1           if you want to -- if you think you need more time  
2           and you want to push it to the following month,  
3           that's in your court.

4                   MR. SORRENTINO: Thank you.

5                   CHAIRMAN FLYNN: Okay.

6                   MR. SORRENTINO: In negotiation with  
7           the other tenant, you know, she needs an answer,  
8           and if I have a good feeling that again without  
9           holding anybody to anything, you've already  
10          answered the fact that we're even allowing a  
11          continuance means that there's a flavor of  
12          interest. That's what I got out of it.

13                   So with that and if that's what I'm holding  
14          on to then, yeah, I'll spend more money on it,  
15          but if it's just the -- you know, and above that  
16          we do come in and it still becomes a decision of,  
17          you know, biasness, then that's different.

18                   If the code -- if the part of the code that  
19          we narrow down is doable within a foot or two,  
20          then -- I'm saying that loosely, and the other  
21          moisture issues and smoke issues and grease  
22          issues, if those are all addressed, there's a  
23          good chance, for sure, I'll make the time.

24                   CHAIRMAN FLYNN: So what are you

1           saying is your plan in regards to submitting to  
2           the building department right now?

3                   MR. SORRENTINO: Well, I would need  
4           that extra week --

5                   CHAIRMAN FLYNN: Okay.

6                   MR. SORRENTINO: -- to make sure that  
7           we have it. You know, I don't want it in two  
8           days. I mean, I just came from a week of  
9           Scarecrow Fest, and I still have other businesses  
10          to deal with. But, you know, this is important  
11          because the other person is looking for an  
12          answer.

13                   CHAIRMAN FLYNN: So why don't we do  
14          this, if you get these supporting documents into  
15          the building department, say, a week from  
16          tomorrow, whatever that is.

17                   MR. SORRENTINO: Yeah. Then he  
18          should let me know when the schedule is.

19                   CHAIRMAN FLYNN: Well, what we would  
20          do is if you have them into the building  
21          department a week from Wednesday, whatever that  
22          date is --

23                   MR. SORRENTINO: Sure.

24                   CHAIRMAN FLYNN: -- then it gives the

1 department a chance to process that paperwork.  
2 We could then get an e-mail from the building  
3 department requesting that we meet that week --  
4 the following week.

5 MR. SORRENTINO: Perfect.

6 CHAIRMAN FLYNN: Then through our  
7 e-mail system, we can come up with a day that  
8 week that a majority can meet. There you go. So  
9 instead of locking in a night and a time, Guy can  
10 get the paperwork.

11 MR. SORRENTINO: Mr. Flynn, is there  
12 a summary of what was just said of everybody's  
13 issue?

14 CHAIRMAN FLYNN: Bob, with regards to  
15 are the minutes of tonight's meeting public  
16 information after we're done, in regards to  
17 having Guy review what we discussed tonight?

18 MR. VANN: The meeting minutes are  
19 not going to be ready for -- they'll be voted on  
20 at the next meeting. I'm sorry. They won't be  
21 ready for a week or two.

22 CHAIRMAN FLYNN: Okay. Fine. So  
23 that's not possible.

24 MR. VANN: No.

1                   CHAIRMAN FLYNN:  So basically, the  
2                   summary, the way I see it, is that we're looking  
3                   for a way that we could get this duct work system  
4                   to work in an acceptable spot where we can  
5                   overcome -- at least come close to code, but  
6                   overcome what we discussed tonight, which is  
7                   fumes, smoke, Paul brought up moisture in regards  
8                   to 10 below in January, and the biggest issue was  
9                   we have no information whatsoever on the  
10                  so-called charcoal filtering system, and my  
11                  concern was it sounds like especially this is  
12                  going to need some TLC in regards to its  
13                  intervals for maintenance.

14                 MEMBER MARSHALL:  I think it was  
15                 mentioned you would like to see this in action  
16                 someplace, if possible.

17                 CHAIRMAN FLYNN:  No.  I did not ask  
18                 to see it in action, no.

19                 MR. VANN:  I think I would request  
20                 some locations.  I would like to have some  
21                 locations that this filtration system is  
22                 installed.  That would be our request.

23                 CHAIRMAN FLYNN:  Okay.

24                 MEMBER RITCHIE:  But, Paul, you

1           mentioned that there has to be a certain standard  
2           for the exhaust air?

3                   MEMBER HOPKINS: I think we don't  
4           have --

5                   MEMBER RITCHIE: We don't have.

6                   MEMBER HOPKINS: We don't have a  
7           standard.

8                   MEMBER RITCHIE: I have a question  
9           about the closed garage spaces and the  
10          ventilation of closed garage spaces. You must  
11          have a standard for the air quality in there for  
12          the size of the ventilation system.

13                   MR. VANN: It's called the EPA.

14                   MEMBER RITCHIE: Okay. Now, one  
15          problem is he wouldn't -- in the event that we do  
16          grant a variance for this, suddenly four or five  
17          restaurants are exhausting into the same garage  
18          space. That would be where the air standard  
19          would have to come into play.

20                   If suddenly we're exhausting multiple  
21          restaurant range hoods into the same garage space  
22          because we've created a precedent, are we going  
23          to create an issue with, you know, somewhat  
24          trapped air space? I mean, the air doesn't move

1 freely in there.

2 MR. SORRENTINO: I would say the  
3 location that we're at now would be more of an  
4 exterior wall versus where the cinder blocks are  
5 would be more considered an interior wall --

6 MEMBER RITCHIE: Right.

7 MR. SORRENTINO: -- of an enclosed  
8 garage, therefore, the precedent is no interior  
9 wall.

10 MEMBER RITCHIE: I addressed that in  
11 a point earlier, that that louver would have to  
12 be located within a certain distance of an  
13 opening to the exterior.

14 MR. SORRENTINO: Exactly.

15 MEMBER RITCHIE: Yeah.

16 MR. SORRENTINO: So, you know,  
17 eliminate -- in this particular building,  
18 eliminating that is simply by putting those  
19 footages --

20 MEMBER RITCHIE: Well, my original  
21 point was that we need to have a standard of air  
22 quality that -- you know, that those closed  
23 garage spaces meet a certain standard of air  
24 quality perhaps that, you know, somehow we would

1 use those so the exhaust air would have to meet  
2 the same standard of air quality in order to  
3 exhaust into a space like this.

4 MEMBER HOPKINS: They don't address  
5 the same things.

6 MEMBER RITCHIE: I understand.

7 MEMBER HOPKINS: It's going to be  
8 different inside closed garage versus burst air  
9 in the garage. Those are all dealing with carbon  
10 monoxide and air exchanges and breathable air, et  
11 cetera, which don't apply to an open garage. It  
12 still has a ceiling, you know, to outlet air.

13 So whatever standard applies to those other  
14 levels do not apply to this no matter what's  
15 happening.

16 MEMBER RITCHIE: I understand that.

17 MEMBER HOPKINS: But they don't set  
18 standards -- to my knowledge, they don't set  
19 standards like you have to be at 85 percent  
20 oxygen or whatever.

21 MEMBER RITCHIE: Well, I can equate  
22 it to a similar situation with sewage treatment.  
23 I mean, you can't discharge effluent directly  
24 into a body of water unless that effluent meets a

1           certain level of cleanliness, however, you can  
2           discharge that effluent into a holding pond. I  
3           think that, you know, if we're discharging  
4           exhaust air into an area that doesn't meet code,  
5           we have to describe what type, what quality that  
6           air is going to be.

7                   CHAIRMAN FLYNN: Brian, I think you  
8           need to be sworn in.

9                   Please raise your right hand.

10                           (The witness was thereupon duly  
11                           sworn.)

12                   CHAIRMAN FLYNN: State your name.

13                   THE WITNESS: Lieutenant Brian Bryne,  
14           112 North Riverside Avenue, St. Charles.

15                   CHAIRMAN FLYNN: You've got the  
16           floor.

17                   MR. BYRNE: What I was going to add  
18           is the fire code, one, really doesn't address the  
19           issue. It addresses it, but it essentially  
20           refers to the mechanical code.

21                   But to your issue as far as a standard,  
22           typically, with the installations that are in  
23           town and in the area, you know, everywhere, the  
24           distribution is not an issue, but, one, the

1           filtration systems they're talking about is  
2           generally grease particulates from .01 microns to  
3           100 microns.

4           Okay. So the filtration systems they're  
5           talking about, we generally don't see them  
6           because it's not an issue. One, the filters that  
7           are on the hood -- there's numerous different  
8           types of filters that filter the grease  
9           particulate out to a finer grease particle.

10           So that being said, you know, I think they  
11           can do it, and I think the standard could be  
12           probably set at a certain, you know, micron  
13           grease particulate.

14           Now, obviously, no system is 100 percent  
15           efficient that's going to get it down to zero,  
16           and, you know, I'm sure there's some research  
17           that this type of filter gets it down to so many  
18           microns, but still, you know -- so I think that  
19           would be a basis, you know, to Tom's question  
20           about setting some type of a standard, but that  
21           still doesn't address the issue of the public  
22           nuisance and the smells that are being created  
23           down there.

24           Thank you.

1                   MEMBER RITCHIE: Thank you, Brian.

2                   That's exactly what I was looking for is grease  
3                   particulate or something like that.

4                   CHAIRMAN FLYNN: Brian is still sworn  
5                   in.

6                   Brian, do you know of any exhaust systems  
7                   in town that are using this charcoal filter or a  
8                   charcoal filtering system?

9                   MR. BYRNE: You know, when Bob  
10                  forwarded the drawing and they showed the in-line  
11                  fan, I have not seen one of those in town or  
12                  anywhere.

13                  CHAIRMAN FLYNN: Okay.

14                  MR. BYRNE: I just have seen  
15                  reference material in regards to different types  
16                  of grease filters.

17                  CHAIRMAN FLYNN: Okay.

18                  MR. NIEMIEC: Can I say something?

19                  CHAIRMAN FLYNN: Go ahead.

20                  MR. NIEMIEC: You know, I was going  
21                  to say one of the things that I can do too is I  
22                  want to check to see if there's any other  
23                  precedent, maybe not in St. Charles, but there  
24                  has to be an application similar to this

1            somewhere.

2                            CHAIRMAN FLYNN: That's what Bob had  
3 alluded to. If we could get that information, it  
4 would be helpful.

5                            MR. NIEMIEC: Yeah. What I was going  
6 to do is, you know, we can certainly do some  
7 research and figure out if there is another  
8 application similar to this and see how they  
9 handled it. That might be the best way to do it.  
10 You know, we can look into that. That's  
11 something we can do.

12                           CHAIRMAN FLYNN: Bob, I've got a  
13 question to back up on Tom's comment.

14    It appears that it would be setting a  
15 precedent, you know, for this particular  
16 property. What we do here -- by setting a  
17 precedent, does that create a rule?

18    Would six months from now another tenant  
19 looking to put a restaurant in there and came  
20 across the same problem, wouldn't that future  
21 tenant still have to go through your department  
22 with their plans, and then if they did come up  
23 with a rear exhaust Type 1 would also have to go  
24 through the Board, through this Review Board?

1           They wouldn't automatically be granted the right  
2           to do it?

3                   MR. VANN: Right. I mean, you know,  
4           we would have that -- the conversation would go  
5           something like this. I would like to do this.  
6           They did it over there. Why can't I do it?

7                   CHAIRMAN FLYNN: Right.

8                   MR. VANN: You're right. I mean, I  
9           would have to follow what the code is. That's my  
10          job. I interpret the code, and I apply the code  
11          as the application comes in. The same thing, you  
12          would have to come through this Board for a  
13          variation.

14                   I mean, if the variation is granted here,  
15          certainly, typically what happens on variations,  
16          you stipulate the conditions. Whereas is usually  
17          what it is.

18                   CHAIRMAN FLYNN: Okay.

19                   MR. VANN: If you go down that route,  
20          that would be the recommendation that I would  
21          give you.

22                   CHAIRMAN FLYNN: So it wouldn't  
23          create a new rule is what I'm saying.

24                   MR. VANN: When you grant a

1 variation, it's granted for this particular case.

2 CHAIRMAN FLYNN: Got you. Very good.

3 MR. VANN: But that doesn't mean that  
4 it's going to be an easy road down the road. I  
5 mean, you are opening the door. I mean, if  
6 you're going to grant a variation on this, you  
7 are opening the door on that for this Board or  
8 any other people that sit on this Board to review  
9 and interpret.

10 CHAIRMAN FLYNN: Thank you, Bob.

11 Ed, one final point on Paul's comment.

12 I think -- and I get into this all time  
13 being a contractor. I think one of the biggest  
14 concerns I've got talking this out is when you  
15 get into your research, take a serious look at  
16 the situation in December, January, and February.

17 MR. NIEMIEC: Okay.

18 CHAIRMAN FLYNN: Because what happens  
19 is if we get moisture -- you know, and again,  
20 steam turns into moisture. It may not stain the  
21 wall, but we're in a bad situation if moisture  
22 becomes an ice slick on the sidewalk.

23 MR. NIEMIEC: Right.

24 CHAIRMAN FLYNN: The first person

1           that goes down on that sidewalk is going to say  
2           who put that louver up there?

3                       MR. NIEMIEC: Right.

4                       MEMBER MARSHALL: I want to make sure  
5           these guys have a good sense of where we're all  
6           standing on this a little bit.

7                       When Ed first presented this and said, you  
8           know, all we're going to get is smells from this,  
9           he had me going. But if we're going to get  
10          visible smoke from this, that's a big concern for  
11          me because I think, you know, driving through  
12          there and seeing smoke billowing out is going to  
13          be a public nuisance. Smells are one thing, but  
14          smoke, black smoke especially is going to scare  
15          people.

16                      I would think that if you're 4 feet away  
17          from the top, I would think it would be daily  
18          cleanup. I mean, I get black smoke on my, you  
19          know, screen porch when you put a barbecue under  
20          it right away.

21                      So it seems like that would be -- black  
22          smoke would stain that ceiling pretty quickly.  
23          I'm not quite understanding what this filtration  
24          is, if it actually takes the smoke out or not.

1 Do we know that?

2 MR. NIEMIEC: I'm not sure. We need  
3 to look at that.

4 MEMBER MARSHALL: That's a big  
5 difference.

6 CHAIRMAN FLYNN: Anybody else?

7 (No response.)

8 CHAIRMAN FLYNN: So going backwards  
9 and based upon our previous comment, that based  
10 upon when Mr. Sorrentino submits supporting  
11 documentation to the building department, we will  
12 be notified from the building department that  
13 they have received this documentation, and then  
14 this Board will give its best efforts within a  
15 week of that submittal date to convene again.

16 Do we have a motion to adjourn?

17 MEMBER HOPKINS: On the agenda, that  
18 last issue is additional business.

19 CHAIRMAN FLYNN: That's true. Good  
20 point. The last item is any new business  
21 tonight?

22 (No response.)

23 CHAIRMAN FLYNN: None. Okay.

24 MEMBER HOPKINS: Move to adjourn.

1 CHAIRMAN FLYNN: Do we have a second?

2 MEMBER RITCHIE: Second.

3 CHAIRMAN FLYNN: All in favor?

4 (The ayes were thereupon heard.)

5 CHAIRMAN FLYNN: Opposed?

6 (No response.)

7 (Whereupon, at 8:40 p.m., the

8 hearing was continued to a

9 future meeting.)

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1 STATE OF ILLINOIS )  
 ) SS.  
2 COUNTY OF K A N E )  
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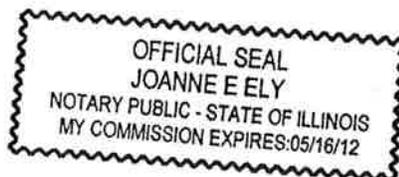
4 I, JOANNE E. ELY, Certified Shorthand  
5 Reporter No. 84-4169, CSR, RPR, and a Notary  
6 Public in and for the County of Kane, State of  
7 Illinois, do hereby certify that I reported in  
8 shorthand the proceedings had in the  
9 above-entitled matter and that the foregoing is a  
10 true, correct, and complete transcript of my  
11 shorthand notes so taken as aforesaid.

12 IN TESTIMONY WHEREOF I have hereunto set my  
13 hand and affixed my Notarial Seal this 17th day  
14 of October, 2011.  
15



16  
17 *Joanne E. Ely*  
18 \_\_\_\_\_  
19 Certified Shorthand Reporter

20  
21 My commission expires  
22 May 16, 2012.



23  
24

**Building Board of Review**  
**October 11, 2011**  
**Page 2**

Chairman Flynn requested that everyone who wished to speak and provide testimony at this meeting stand and be sworn in. Chairman Flynn swore in the following:

- Mr. Guy Sorrentino, owner of Pizzeria Neo at the First Street Plaza in St. Charles.
- Mr. Ed Niemiec, 420 Fox Court, St. Charles IL, with Sun Mechanical.
- Mr. Robert Vann, Building & Code Enforcement Division Manager with the City of St. Charles.
- Mr. Brian Byrne, Fire Lieutenant with the St. Charles Fire Department.

The attached transcript prepared by Sonntag Reporting Service, Ltd., is by reference hereby made a part of these minutes.

**A motion was made by Mr. Marshall and seconded by Mr. Lang to continue the meeting for Appeals of Decision Application "BBR-A-1-2011.**

Building & Code Enforcement Division Manager Bob Vann requested that the Board to advise if the code was interpreted correctly for this system. Board members advised that Division Manager Bob Vann did indeed interpret the code correctly and that Mr. Sorrentino will need to submit supporting documents to answer the concerns of the Board members on the different systems that he is proposing.

Mr. Sorrentino advised that time is very important to him on this decision. Chairman Flynn announced that upon when Mr. Sorrentino submits supporting documentation to the Building Division, we will be notified that they have received these documentations, and then this Board will give its best efforts within one week of that submittal date to convene again.

**4. Additional Business.**

Chairman Flynn asked if there was any additional business to discuss. There was none.

**5. Adjournment.**

**A motion was made by Mr. Hopkins and seconded by Mr. Ritchie, with a unanimous voice vote to adjourn the meeting.**

With no further discussion, the meeting ended at 8:40 p.m.

Respectfully submitted,  
John Flynn, Chairman  
Building Board of Review

/dlg