

**MINUTES
CITY OF ST. CHARLES IL
BUILDING BOARD OF REVIEW
TUESDAY, NOVEMBER 2, 2011
COUNCIL COMMITTEE ROOM**

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

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.

3. Presentation of October 11, 2011 Minutes:

A motion was made by Mr. Marshall and seconded by Mr. Lang, with a unanimous voice vote to accept the October 11, 2011 minutes as presented.

4. Continued Hearing: “BBR-A-1-2011”: Filed by Mr. Guy Sorrentino for discussion on the installation of “Type 1 Exhaust Out Exterior Wall” inside the First Street Parking Garage.

Chairman Flynn read into the record an email dated October 29, 2011 from Mr. Guy Sorrentino, requesting that the meeting be postponed so that they can have all the information for the Board. This email was marked as Exhibit B.

A motion was made by Mr. Lang and seconded by Mr. Marshall, with a unanimous voice vote to accept the email from Mr. Sorrentino as part of the application BBRA-1-2011.

The Board questioned if Mr. Sorrentino understands that at the October 2nd meeting the Board upheld the code interpretation made by Building and Code Enforcement Official on the Type 1 Exhaust Out Exterior Wall system, and that Mr. Sorrentino or Mr. Niemiec is to address all of the concerns that the Board expressed about this system, such as, ice and other conditions from weather elements, smoke, odor, noise, and other nuisances. Division Manager Vann explained that Mr. Sorrentino was present at the October 2nd meeting and has received the minutes

Building Board of Review
November 2, 2011
Page 2

along with the transcript and feels that Mr. Sorrentino has been notified on the concerns that the Board wants addressed for any system.

The Board members brought up that at the October 2nd meeting they advised Mr. Sorrentino and Mr. Niemiec that they were to provide a location that has a similar system and that they were to arrange a site visit for the Board members to witness the system. Division Manager Vann responded that he was notified that the proposed system is installed at Trump Towers; however, there has been no mention of site visit.

The Board members expressed that they want Mr. Sorrentino to fully understand that whatever system he proposes, he is to provide all documentation and information in order for them to review prior to the meeting. Division Manager Vann explained in the motion and discussion at the October 2nd meeting, Mr. Sorrentino was advised that any documentation on proposed systems were to be submitted no less than one week prior to the meeting in order for the Board members to review the information for the meeting.

Division Manager Vann provided to the Board members a copy of details for the Type 1 Exhaust System that Mr. Sorrentino had sent to him and requested that they review the document for this system and it will be discussed at the next meeting. The packet of details was marked as Exhibit C.

A motion was made by Mr. Hopkins and seconded by Mr. Marshall with a unanimous voice vote to postpone the hearing on this application until December 13, 2011 at which time the applicant and Board will discuss proposed system.

5. Additional Business.

Scope and Duties of the Board.

The Board members held a round table discussion regarding the scope of their duties and responsibilities. All agreed that the Board is to review applications and documentation that is provided to make a decision on if the Building and Code Enforcement Official made the correct interpretation on the code.

Division Manager Vann read the following from the St. Charles Municipal Ordinance:

B. At the conclusion of hearings pertaining to Appeals, the Board shall sustain, modify, or overrule the Decision. The Board shall modify or overrule a Decision only if it finds that the Decision was in error or otherwise contrary to the requirements of the Building Regulations in the following respect(s):

1. The Building Regulations have been incorrectly applied or interpreted.
2. The unique circumstances of the particular situation clearly warrant a different application or interpretation of the Building Regulations.

Building Board of Review
November 2, 2011
Page 3

3. The applicant has proposed a better standard or method that comports with the intent of the Building Regulations, and offers greater protection of the public health, safety, and welfare.

If the Board finds that the Decision is in full compliance with the Building Regulations, it shall sustain the Decision and deny the Appeal even if it finds such Building Regulation is undesirable. In that event, the Board may recommend to the City Council that the Building Regulations be amended, but it shall not modify or sustain an Appeal as an alternative to such amendment.

All members agreed that in their field of work, they are problem solvers; however, it is clear in the ordinance that the applicant is to provide testimony, present their case, and documentation to support their application; it is not the responsibility of the Board to find the solution for the applicant.

The Building Board members held a round table discussion on combustible air from dryers and the International Fuel Code.

6. Adjournment of meeting.

With no further business to discuss Chairman Flynn requested a motion to adjourn the meeting.

A motion was made by Mr. Marshall and seconded by Mr. Lang with a unanimous voice vote to adjourn the meeting at 7:40 PM.

Respectfully submitted,
John Flynn, Chairman
Building Board of Review

/dlg