



## Industry Meetings

| Question  | Answer  | Borough  | Meeting Date |
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| We need to have a plan examiner re-review an entire application. How do we figure out the fee for re-review and when it will be paid?   | Send question directly to BC, special case  | Bronx    | 9/8/2021     |
| The owner received a work without permit ECB violation, but we have a "defense". How can I submit and process the "defense" for the ECB violation so that it's dismissed? Do I present my "defense" at the upcoming hearing and it will get dismissed there? How does it work and what is the process?  | Yes, attend the hearing. A summons can be dismissed as a result of a hearing. If the violation is not dismissed at the hearing, a Certificate of Correction must be submitted to DOB. If there is a Cure date on the summons, you do not have to attend the hearing or pay a penalty if an acceptable Certificate of Correction is submitted to DOB before the Cure date. <a href="http://nyc.gov/AEU">nyc.gov/AEU</a> for more information.  | Bronx    | 9/8/2021     |
| Installation job; DOB NOW requires TR5? Failing QA review; TR5 usually required after installation. Trying to get permit for foundation, but requirement for TR5 prior to permit being asked. TR5 is a report on piles installation - special inspector would report on installation. Cannot install until permit issued.   | Submit PER-11 to set up an appointment with the BC; not sure why this is required prior to permit, unless it's asking for special inspector.  | Bronx    | 9/8/2021     |
| A four story, 1938 code multiple dwelling walk-up apartment building wishes to create a roof deck for use by all tenants. Must this roof deck be accessible? Per the building code, only buildings that are five or more stories are required to have an elevator. In four story buildings without an elevator, only the dwellings on the first floor are required to be accessible. Also, can the roof deck be filed as a General Construction (GC) application per BB 2018-002? While structural alterations will be required for the roof deck, the building would not have to update the C of O as no C of O exists. Refer to E. Alteration type 2 (Alt-2) filing for existing buildings., item (i)(4).<br><br>Are there scenarios where you don't need roof deck accessory, building roof deck to be accessible from public way? | New roof deck will be created for the entire building and dwelling units on the first floor are accessible units. So new roof deck shall be accessible to the tenants of the first floor. Roof deck shall be accessible. Occupant load of the roof will be changed. Means of egress from the roof may be modified for new use. It shall be done through an alteration job to establish new Schedule of Occupancy.<br><br>It's not possible, through the public way to not have it accessible. Roof deck through building will be asked. | Brooklyn | 9/15/2021    |

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| Does DOB have a less punitive alternative than a Stop Work Order to address site safety issues - in particular for sites where a Site Safety Supervisor has been hired for daily visits?   | CSE may issue a PSWO or summons depending on scope of safety issues. CSE always tries to issue PSWO rather than a FSWO in order to try and keep site working. A PSWO is always not possible. Inspectors instructed to limit issuing of stop work orders  | Brooklyn | 9/15/2021 |
| Has the DOB considered the impact of neighborhood value on the ability of small building owners to make changes to their property without triggering accessibility, fire protection and flood resistance upgrades? The DOB uses a cost threshold to determine if proposed renovations should require upgrades to meet current codes. Due to the underlying value of the surrounding neighborhood this cost threshold can be radically different for buildings that are essentially the same. | <p>The process as it now exists does not take geography [Neighborhood / Borough] into account because the replacement cost [§[C26-103.5] 27-119] of a building is always the same in NYC. Whether you build in the Bronx or in Manhattan, RS Means does not distinguish. Differences occur based on the state you are building in. A 3-story single family building in Manhattan is calculated at the same rate as a 3-story single family building in the Bronx.</p> <p>If you use the formula outlined in the referenced section, the assessed value is quite often the same regardless of geography for buildings of similar use and design. The difference occurs when buildings are newer or have been renovated. Then you will find that newer buildings or renovated buildings will have a higher assessed value. This higher value is not specific to geography. [This assessment process is the purview of the DOF, not the DOB]</p> <p>The other problem with this premise is that if you begin to look at areas which are perceived as being of lower value, and decide to exempt those areas from complying with the safety issues you mentioned, you would probably then find less safe [Sprinklered], less accessible [Handicapped] , and less flood resistant buildings in the areas perceived as having a lower "underlying value". What members of our community would be impacted by that diminished process? This is not something that can</p> | Brooklyn | 9/15/2021 |

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|   | <p>be justified by the Department.</p> <p>The issue is looked at in terms of wording used. If you're building in Manhattan/Queens, it will be same cost. Program distinguishes between states. Replacement costs will be the same. DOF assess value of building, not DOB. Assesses property for sprinklers, accessibility, etc.</p>  |          |           |
| How to delineate between alteration (formerly Alt2) and alteration CO (formerly Alt1) and how to do alteration CO no work permit – why is there not a specific option for that including scheduling the construction inspection for same. | <p>The questions answered when a DOB NOW application is first created determine whether the application is an Alteration or an Alteration CO. An Alt No Work application is still submitted in BIS. There are no changes to the inspection process; inspections are scheduled through DOB NOW: Inspections.</p>  | Brooklyn | 9/15/2021 |
| Please clarify if for accessory Multilevel Open (stacker or automated rotary carousel) parking systems we have to apply the same bulk regulations as for a building - rear yard and height obstructions, setbacks, etc.                   | <p>Pursuant ZR23-44 [Permitted Obstructions in Required Yards or Rear Yard Equivalents], Multilevel Open (stacker or automated rotary carousel) parking systems are currently not a permitted obstructions in the required rear yard, and they cannot obstruct the required residential open space, ZR 23-86 [Minimum Distance Between Legally Required Windows and Walls or Lot Lines].</p> <p>Obstructions of ZR23-44 - not a permitted obstruction and cannot obstruct open space. For commercial, ZR23-C, need to be fully enclosed. Cannot be open. Submit drawing to BCs office.</p> | Brooklyn | 9/15/2021 |
| When changing registered email for GC, will permit renewals be considered a renewal with change? Are we superseding the current GC even though it is the same license? Please explain process and downside to changing registered email.  | <p>We encourage licensees to avoid changing their email addresses as much as possible. A GC number can only be associated with one eFiling account. A new email address can be added as a secondary email address on an existing eFiling account. But when the permit is renewed it will still be considered a renewal with change – the email address triggers this, not the GC registration number.</p>  | Brooklyn | 9/15/2021 |



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| Why did DOB change the PW1 in DOB NOW to exclude the approval of Condo Board on permit filing forms (previously line 26A)? This undermines the Condo Board and allows individual unit owners to do an end-run around Condo review and approval. | answer pending  | Brooklyn | 9/15/2021 |
| Requesting an appointment with the examiner if we see objections are not being resolved.  | The applicant should make every effort to respond to the first round of objections without an appointment. If there is a second round of objections, plan examiners are advised to require an appointment. For DOB NOW and BIS jobs, the plan examiner will indicate if an appointment is required when issuing the objections. If the plan examiner did not indicate an appointment was allowed, the applicant should respond to the objections and resubmit the filing (for DOB NOW jobs, reupload any documents that were rejected and resolve any objections). In the response to the objections, the applicant can indicate that an appointment is wanted. The job needs to be resubmitted for the plan examiner to then issue objections again and at that time can indicate that a meeting is allowed. If an appointment is allowed, proceed with scheduling it in DOB NOW or the Appointments system. | Brooklyn | 9/15/2021 |
| Requested items waived or added by examiner at time of approval. Smoke detector, sprinkler sign off, etc.   | In DOB NOW, documents cannot be added by plan examiners. The plan examiner can issue an objection and the applicant can add an additional supporting document. The required documents listed in DOB NOW are based on the business rules of the application. The selection that triggers the document needs to be changed to add the document.   | Brooklyn | 9/15/2021 |
| Request waiver of required items prior to permit after approval rather than waiting for PW2 to be submitted then rejected then allowing applicant to request waiver then contractor re submits PW2  | We are working to update DOB NOW to allow for waivers to be submitted without having to create the PW2. Currently the PW2 needs to be created to submit the waiver. The PW2 should be submitted and the waiver will be reviewed at that time.   | Brooklyn | 9/15/2021 |

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| Is it possible to create a print friendly option when viewing all job filings in DOB NOW: Build public portal? or export in an excel file from the public portal? The screen does not allow you to capture all the filings and it is very difficult to communicate to attorneys, banks, owners on what jobs are active vs. signed off in the current system set up. | This option is not available in the public portal. We will look into your suggestion. There are options to create an excel document from the filings on your dashboard when logged in.   | Brooklyn | 9/15/2021 |
| I submitted a help request to supersede a TR1 applicant which was eventually done in the system, but I was never notified, but I eventually saw it in the system in my daily review. Can the help desk email confirm that the request has been processed when it is done?   | Applicants are notified when supersede requests are processed. Staff have been reminded to ensure this.  | Brooklyn | 9/15/2021 |
| When can subdivision applications allowed to be filed in DOB NOW.   | There is no specific timeline for this yet. It is not being considered for submission in eFiling because there is a very low volume of applications.   | Brooklyn | 9/15/2021 |
| Energy questions: Can DOB provide confirmation the energy examinee received plans for review by the lead plan examiner. There have been many circumstances where the lead plan examiner did not submit the plans for energy review.   | Energy plan review is being built into DOB NOW and is set to launch by the end of the year. In the meantime, ACPE will be reminded to assign secondary plan examiners.   | Brooklyn | 9/15/2021 |
| Can DOB create a system where we can schedule virtual energy reviews with our energy examiner to resolve open objections  | Energy plan review is being built into DOB NOW and is set to launch by the end of the year.  | Brooklyn | 9/15/2021 |
| Application reinstatement: Can DOB create an expedited process to reinstate old applications for sign off only? Can DOB update eFiling system to allow reinstatement payment of \$100 or other amounts indicated on PW1 to be paid online rather than coming to the borough?  | As more jobs are transitioned to DOB NOW, we expect the number of reinstatement requests to decrease. However, we are looking into these suggestions.  | Brooklyn | 9/15/2021 |
| Request for plan examiners to be more familiar with WebEx, they all use telephones. It is helpful to share screens, not being able to look at the drawing together is very inefficient. Are there plans for applications to auto populate?  | We are providing more training to staff. The goal is to auto populate info to make DOB NOW applications more efficient. Every time examiner finishes a review, they have option to either allow and make mandatory or not an appointment. In many cases, 1st review will say no appointment necessary. In 2nd or 3rd review, will have | Brooklyn | 9/15/2021 |



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|  | appointment enabled. We will look into making it editable in the future.  |          |           |
| Ongoing issue, landscape/architecture for public space, do a lot of site work, when we don't have a building associated, existing or proposed, there is a lot of confusion with examiner about when we need to file a site project and submit? Example, Green renovation intervention, suggested to file with SOE, contractor wanted to file due to deeper than 5 feet (trigger for filing). When it goes to examiner, there was a lot of confusion. We can't get approval. Excavation for simple manhole for drain. | We don't have a good answer but will distribute widely the solution when we do. Right now, we find the nearest space that exists with building and use that instead. Shouldn't hold up approval of excavation process. We will remind the examiners.                            | Brooklyn | 9/15/2021 |
| Is there updated procedure for temporary use permits? Does it need to be submitted in BIS or DOB NOW?  | The bulletin was not updated. Alteration application should be submitted in DOB NOW. Once it's all in place, we schedule inspections. Make sure you follow the bulletin, fire alarms and all is good, etc. Alt type 2 must be submitted in DOB NOW. Afterward print and submit. | Brooklyn | 9/15/2021 |
| DOB NOW new building applications have lots of requirements that need a waiver or something uploaded. Is there way to submit without needing all these requirements?   | You can submit and ask for a waiver at the same time. Need a complete application before you can submit. You can also submit a deferral for many documents, too.  | Brooklyn | 9/15/2021 |
| In the Certificate of Occupancy review process, we have a lot of issues where after Project Advocate review, it's just sitting there and there is no update of the status. Is there a way we can be informed of how long it takes in each stage? We are also getting objections that require changes in BIS that would be more helpful to get when the Schedule of Occupancy is initially reviewed.<br>Reviewer needs to do a better job with initial review.  | Good suggestions to be considered and we are working to train plan examiners more.  | Brooklyn | 9/15/2021 |

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| Regarding uploading drawings for post approval amendments, how should they be submitted? Upload full set instead of amended set? | We have a drawing number and standard that was published 15 years ago. The initial drawing should have sequential numbering, and if there's an amendment to one of those drawings, if an amendment is needed, the amended drawing will show the sequential number. The system will not recognize it's 2 separate sets, but we at the Department will know. We are working to see if there's a fix. There's no need to submit old plan if it's approved. We will come back with a clearer answer. | Brooklyn | 9/15/2021 |
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