

THE CITY OF NEW YORK
HOUSING AND DEVELOPMENT ADMINISTRATION
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: June 28, 1977

TO: Borough Superintendents

FROM: Director of Operations, Irving E. Minkin, P.E.

SUBJECT: NEW YORK STATE URBAN DEVELOPMENT CORPORATION PROJECTS

In accordance with an agreement dated April 13, 1977 between Commissioner Jeremiah T. Walsh and the Director of Construction of the New York State Urban Development Corporation (copy attached), department memoranda dated November 4, 1971 and May 18, 1972 on the above subject are superseded by the following:

- A. The New York State Urban Development Corporation is exempt from compliance with the provisions of local laws affecting building construction when they elect to comply with the New York State Building Code. For such projects, existing or future, which comply with the New York State Building Code, this department will accept UDC approved plans (cloth or paper) as record copies. This department will function only as a depository for these plans. The borough office shall make-up an appropriate index card to indicate "Urban Development Corporation Project" and a Block and Lot folder to retain such plans.
- B. The New York State Urban Development Corporation may design and build projects in accordance with the New York City Zoning Resolution, Building Code and other applicable laws and regulations. Under such conditions, the UDC will act as agent for this department in examining and approving of plans, issuing of a Building Permit and inspection of the construction work. Upon notification that the project has been completed properly, this department will issue a Certificate of Occupancy. The following procedure shall be followed to implement this program:
 1. Completed New Building or Altered Building application forms (original and three copies) will be sent by UDC to the appropriate borough office of this department. No plans will be included. However, the application shall include the NB or Alt. spec. sheet, Statement "A", P&D sheet, and other Agency information (SD 1&2, Landmarks certification, etc.) to the extent available. No filing fees shall be required since UDC is fee exempt.

2. Upon receiving the application forms, the borough office shall:
 - a) assign and stamp the next regular application number to all copies of the application forms;
 - b) prepare a new building or altered building folder and place one copy of the forms therein, together with a CO check list;
 - c) return the original and two copies of the application forms to UDC;
 - d) the Chief Engineer - Engineering shall indicate "UDC" next to the appropriate application number in the assignment book;
 - e) the application folder is to thereafter be forwarded to the Director of Operations;
 - f) an appropriate index card shall be made up to indicate "Urban Development Corporation Project."
3. Staff members of the UDC will examine the plans for conformance with applicable New York City Building Laws.
 - a) If the plans indicate compliance with applicable laws, UDC will approve the plans and issue a UDC Building Permit. A copy of the permit, which will contain the Department of Buildings application number thereon, will be sent to the borough office Chief Construction Inspector and to the Director of Operations.
 - b) If the plans do not indicate compliance with applicable laws, UDC may:
 1. Withdraw the application by informing the borough office of such action. UDC will then require the plans to comply with the New York State Building Code and the procedure noted in "A" above will be applicable.
 2. Obtain reconsiderations directly from the Commissioner of the Department of Buildings, where specific exceptions from the New York City Building Code requirements are desired, particularly where such exceptions comply with the New York State Building Code.
 3. Obtain zoning variances where required from the Board of Standards and Appeals or the City Planning Commission, whichever agency has jurisdiction. or
 4. A combination of Items 2 and 3 above.

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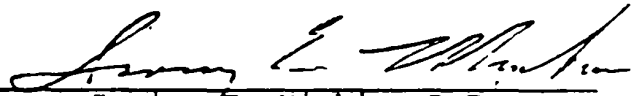
Upon obtaining relief from compliance with the applicable New York City Building Laws as indicated in 2, 3 or 4 above, UDC will approve the plans and issue a UDC Building Permit. A copy of the permit, which will contain the Department of Buildings application number thereon, will be sent to the borough office.

4. A copy of the Building Permit shall be retained by the Chief Construction Inspector upon its receipt at the borough office so that they are cognizant of a valid permit. The other copy will be retained with the folder at the Executive Offices.
5. UDC will inspect the project and be responsible for and acceptance of all inspection reports and certifications required by and in compliance with the provisions of the Building Code and other applicable laws and regulations. The Final Inspection by UDC will be together with representatives of the department upon request by UDC. Such representation by Building Department personnel shall be advisory only, conducted using Directives #33/70 and #3/75 as a guide to the extent feasible.
6. For the purpose of obtaining a Certificate of Occupancy from this department, upon completion of the project, UDC will file (at the Executive offices) the following:
 - a) A Certificate of Occupancy Application;
 - b) A cloth set of UDC approved plans;
 - c) A letter from the Fire Department indicating satisfactory inspections and tests of all such requirements under the applicable provisions of law;
 - d) A certification by a New York State Registered Architect or Professional Engineer, employed, retained or authorized by UDC, attesting to the fact that all work was performed and completed in accordance with the approved plans and with the provisions of the New York City Building Code and other applicable laws and regulations; specifically that all required inspection and test reports have been reviewed and accepted. The certification should be accompanied by required controlled inspection reports, final survey and other Agency clearances as may be required (Highway Department, Department of Water Resources, etc.).

7. Upon receipt of the items noted in 6, above, after review and concurrence by the Executive Offices, all records will be sent to the borough office and the borough office shall issue a Certificate of Occupancy. All pertinent papers shall be put into a Block and Lot folder. The Certificate of Occupancy number is to be noted on the index card.
8. At any time during this procedure and for whatever reasons, the UDC may withdraw the application and the project may be designed and built completely in accordance with the New York State Building Code and the administrative procedures of UDC for plan review, issuance of the UDC Building Permit, construction inspection and issuance of the UDC Certificate of Occupancy. The procedure noted in "A" above will be applicable.
9. If the issuance of a Certificate of Occupancy for the major use of a project indicates that certain areas ancillary to the major use are to be finished later, (for instance; a hotel where the guest rooms may be in use some time before a restaurant, ballroom, coffee shop, or other such hotel facility is ready), filed plans will designate such areas as "ancillary areas," and UDC will process those plans and applications for completion of those spaces as noted above.
10. Projects originally filed with this department may be transferred into the system described above (Procedure B - items 1-9) under the following conditions:
 - a) Applicant will fill out a special New Building or Altered Building Application identifying the project as a UDC-interest project and submit those forms to UDC.
 - b) UDC will check the forms for completeness and forward them to the appropriate borough office with a transmittal letter stating that the subject project is to be transferred to the system described above.

Upon receipt of UDC's letter the borough office shall:

1. Assign and stamp the original Building Department Application number to all copies of the application forms.
2. Into the existing New Building or Altered Building folder, place one copy of the form and a Certificate of Occupancy check list.
3. Return the original and two copies of the application form to UDC.
4. Indicate "UDC" next to the appropriate application number in the assignment book.
5. Forward the application folder to the Director of Operations.
6. Make up an appropriate index card to indicate "Urban Development Corporation Project."



Irving E. Minkin, P.E.
Director of Operations

IEM:rmr

cc: Commissioner J.T. Walsh
Deputy Commissioner, A.J. Jenkins
Assistant Commissioner, B.F. Parascandola
Executive Staff

Urban Development Corporation
Director of Construction,
Robert M. Jacobs
Mr. John D. Cooke

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