



**ANDREWS  
BUILDING  
CORPORATION**

666 Broadway  
New York, N.Y. 10012  
Tel: (212) 529-5688  
Fax: (212) 529-7987

**SPEARS BUILDING**

GUIDELINES FOR APARTMENT ALTERATIONS

January 2012

**A. General**

- I. Discuss your plans for Alterations/Decorating/Cosmetic work with the Property Manager for guidance. No Alteration or Decorating/Cosmetic Work may proceed until either an Alteration or Decorating Agreement has been approved by the Spears Building. Only emergency and very minor repairs or replacement of appliances are exempted from these requirements.
- II. Renovations and Alterations which require evaluation by the Building's Architects and Engineers and Approval by the Board of Managers.
  1. Any changes that affect water, gas, plumbing, heating system, telephone and/or electric lines. Please be aware that when changes are made which affect water pipes, branch-plumbing lines must also be replaced.
  2. Any renovations that require breaching the outside wall of the building. Breaching the exterior walls of the building is not permitted.
  3. Any renovation to existing fireplaces. Building has permitted owners to convert to gas fireplaces.
  4. Demolition or cutting into existing interior walls or the construction of new interior walls.
  5. Demolition, channeling or cutting into existing floor. However, with consent of downstairs owner building has permitted work to be done to adjust existing water pipes.
  6. Terrace structures and/or installations (e.g., planters). Building has adopted guidelines for terrace work.
  7. Installation of new air conditioning systems or units and modification of existing units. Building has permitted installation of central air utilizing existing openings or through access to top of window.
  8. The use of jackhammer and other pneumatic tools.

9. Channeling into exterior or supporting walls (for any reason, i.e. water, cable, or electric lines).
10. The removal or modification of interior walls which support the building. The building does not normally approve removal or modification of interior walls which support the building.
11. Adding to “wet” areas such as adding to or enlarging or moving bathrooms or kitchens. The building has permitted additions of “wet” areas.
12. Changes to or adding any cabinets or shelves which are fixed to walls.

To obtain approval for the aforementioned alterations, you must submit an executed copy of the Alteration Agreement, Certificate of Insurance for the Contractor, complete set of building plans and a copy of the executed contract (if applicable) to the property manager for review by the Spears Building’s architects and engineers and submittal to the Board of Managers for its approval.

III. Minor renovations which DO NOT require approval by the building’s architects and engineers, nor approval by the Board of Managers, but require the approval of the Property Manager.

The following minor alterations merely require property manager approval:

1. Painting, wallpapering and similar decorative work.
2. Installing carpeting or similar floor covering.
3. Sanding and staining existing wood flooring.
4. Replacing existing appliances with new models.

To obtain property manager approval for the aforementioned you must submit an executed copy of the Decorating Agreement, Certificate of Insurance for the Contractor.

IV. How to Obtain Approval of Alterations and Decoration

1. Call the Property Manager and request an Alteration or Decorating package. The set of materials will provide the details of the plans, contracts, and documents that need to be filed with the managing agent. The package also details the specific licenses and insurance certificates that must accompany the application as well as the documents to be executed.
2. Review the Alteration or Decorating Agreement Application with your prospective contractor/vendor before signing a contract with them. The contractor/vendor must be aware of and agree to the conditions of the Alteration or Decorating Agreement including insurance coverage, indemnification and other requirements of the Spears Building.
3. Submit your request to the Property Manager.

4. If you are doing alterations: A) the Property Manager will submit your plans to the building's architect and engineer who will determine if the work you have in mind conforms to the building's legal, safety, convenience and esthetic concerns. Be as complete and thorough as possible. If plans are incomplete or present design problems, the building's architect and engineer may require modifications. The more often plans must be revised or amended, the longer the approval process will take. There is a fee for the review of your plans by the building's engineer and architect. B) The Property Manager will provide to the Board of Managers the information necessary for the Board of Managers to review requests for alterations. C) The property manager will communicate the Board of Manager's decision to the applicant. (The Board of Managers does not meet monthly and Board approval between meetings is subject to Board members being able to be contacted and the property manager receiving responses from all Board members concerning the matter communicated in order for Board action to be authorized.)
5. If you are doing decorative work the Property Manager will review your application and when it is complete will communicate the managing agent's decision to the applicant.
6. You should only execute your contractor/vendor's contract after your request has been approved. After the Spears Building approval you will receive a start date from the property manager and you may then schedule your contractor/vendor to begin your work. The alteration agreement will include a required completion date for the work. If the work is not completed in the number of days after the start date the unit owner shall pay a late completion penalty as described in the alteration agreement
7. The Board's review of an application will also consider the need for use of the building facilities, including elevator and attention of building staff, by persons in residence as well as by other jobs in progress or previously approved. The Board may require rescheduling of an otherwise approvable project if it believes the proposed scheduling would result in excessive demand for those facilities that would cause undue inconvenience to persons in residence or undue interference with other jobs in progress or previously approved.
8. The start date scheduled by the property manager therefore may depend on the number of ongoing apartment alterations and decorations being undertaken in the building.

## **B. Description of Process Where Alteration Agreement is required**

1. Applicants who wish to renovate their units are required to follow the Building's Renovation Guidelines spelled out in this document as well as other limitations and Board requirements which are listed in the Alteration Agreement and Guidelines for Roof Terrace Work.
2. All proposed work must conform to the regulations of the New York Building Code and all other governing agencies.

3. Plans must be submitted to the Property Manager. Documents will be forwarded to FSI Architecture, the building's architect, for review by the Property Manager. The Property manager is expected to transmit the Applicants' submission to FSI within two to three working days. FSI logs the documents in and begins the review process, typically the documents are reviewed and a report is generated within five to ten working days.
4. FSI will review documents for:
  - a. Code compliance
  - b. Building and Industry Standard Rules and regulations
  - c. Filing requirements for regulatory agencies. Self certification of projects is not permitted.
  - d. Submission of required paperwork (insurance certificates, schedules, etc.)
  - e. Adequate understanding for and inclusion of Proper protection of the Common areas of the Building and proper separation of the Work area from Common areas in the Building.
  - f. Proper understanding of Delivery and removal of Men and Materials.
  - g. Impact on any Common element at the property.
  - h. Impact on Exterior Architecture, i.e. Windows, Doors, Roof elements etc....
  - i. Impact on Buildings mechanical systems. Ventilation, AC, Heat.
  - j. Impact on Buildings Plumbing Systems.
  - k. Impact on Buildings Electrical Systems.
  - l. Impact on Fire Protection Systems.
  - m. Impact on Buildings Structure.
  - n. Compliance with Codes related to Sound Transmission and Multiple Dwelling Laws.
  - o. Duration of project and impact on Unit Owners.
  - p. Overall compliance and proper closeout of Project.

In addition to addressing all of the issues above, FSI will review the proposed design and proposed changes in an attempt to identify items or issues which may prove to be detrimental to the building or other Unit Owners. This may include the evaluation of a proposed wet area (Laundry, Kitchen, and Bathroom) over what was a dry area, or issues related to noise in areas that are typically quiet. Changes to exterior building features, or penetrations in exterior construction. Modifications to the structure, and or modifications to the building's mechanical, electrical, plumbing and fire protection systems. The reviews are conducted in an attempt to prevent conditions which would be detrimental and to minimize the adverse affects to the property that any construction project could have. FSI's review is to the Board who has the ultimate decision with respect to the impact and approval process.

5. If the documents submitted are inadequate, FSI will returned the submission to the property manager and the property manager will notify the Applicant, so that a more detailed set of documents can be provided. In the event that documents submitted to FSI are reviewed and appear to be inadequate FSI will issue a report and request additional information and clarification. The FSI report is normally provided by the property manager to the Applicant for response by the Applicant's architect.
6. Typically the Applicant or the Applicant's architect will submit a written response along with revised construction documents. FSI will review the response and issue a second report. This process will continue until all questions or issues have been resolved to the satisfaction of FSI and then the Board.
7. The level and quality of the Plans and Specifications and their completeness will have direct bearing on the review and approval process. The more complete the documents the faster the Board will have the opportunity to review and determine how or if the project will be permitted to proceed.

8. The Board of Managers does not meet every month. Responses to applicants are facilitated between meetings by email communications. Responses from the Board can vary from fifteen to thirty days, but on occasion, due to the unavailability of board members, responses may take a longer time. It is the Board's practice to facilitate applicant's requests where ever possible.
9. All proposed work that goes beyond regular maintenance of the property will require filing with the NYC Building Department. Applicant's design professionals must prepare a complete and comprehensive set of construction documents including plans and specifications as well as filing forms. The level and quality of the plans and specifications and their completeness will have direct bearing on the review and approval process. The more complete the documents the faster the Board will have the opportunity to review and determine how or if the project will be permitted to proceed.
10. The building and FSI requires that all documents be submitted in electronic format, or the Applicant will be responsible for the costs associated with scanning of documents. For filing purposes. FSI will maintain the files for all projects electronically but cannot store rolled drawings and large paper files.
11. FSI will prepare and issue to the Board a comprehensive report which will include comments and recommendations. Often times because of the inadequacy of the documents submitted for review, FSI will ask a series of questions to better understand what is being proposed so that a recommendation can be made to the Board. If the submission is not clear it may be necessary to request a re-submission of documents for clarification. Often times FSI discover that the Design Architect/Engineer had not fully developed or thought out the process and corrections are warranted. FSI mandates that all revisions are "Bubbled" so that the second and subsequent reviews can be performed quickly. If the applicant fails to comply it results in additional time and cost.
12. Typically the applicant will submit a written response along with revised construction documents. FSI will review the response and issue a second report. This process will continue until all questions or issues have been resolved to the satisfaction of FSI and then the Board.
13. FSI corresponds with the Applicant's design professionals and reviews their responses to the comments in the report. Ultimate approval is granted by the Board and is accomplished in the form of a Letter stipulating any conditions or requirements issued by the Property Manager.
14. Once the proposed project has been accepted by the Board and the applicant has been notified, Department of Building Forms submitted to the property manager and then submitted to FSI for review and comment. These forms are typically reviewed within a few days and recommendations are made for revision or the Forms will be signed by the appropriate person and returned.
15. Once a project has been filed and approved the Applicant should present approvals and permits which should be delivered to FSI for the file. The permits will be posted at the property.
16. Typically, a Pre Construction meeting will be held after the installation of the protection required in the apartment so that FSI can assure compliance with the documents on behalf of the Board.
16. FSI will inspect the progress of the work. The building's superintendent will monitor the progress and notify the Board if deviations occur or unforeseen conditions arise. Weekly superintendent inspections and FSI periodic inspections will be performed during construction and a final inspection will be performed by FSI.

17. The Applicant is responsible to close the project and deliver as-built drawings for the building's records.

### **C. Rules for contractors doing work in the building**

All contractors shall recognize that the Building is a fully operational, first class condominium apartment building and shall, at all times, take all reasonable measures to minimize disruption of and interference with the quality of life in the Building. The Contractor shall cause all laborers, material men, suppliers and other employees or agents of the Contractor to enter the Building only at such times as their presence is required for the performance of the Work and shall cause all such persons to promptly leave the Building upon the completion of their work therein. The Contractor shall cause no laborer or material man to enter the Building prior to the commencement of the day's work, and to work Mondays through Fridays (excluding holidays) during the work hours permitted by the Building.

No laborer or material man shall visit any portion of the Building other than those where his presence is immediately required in the performance of the Work.

The Contractor further agrees to cause all such laborers, material men, suppliers, employees and agents to comply at all times with all Building rules and regulations.

Inspections to ensure that the work is in compliance with specifications shall be performed periodically by the Building's architect and superintendent. Inspection by the Building's architect will be charged to the Unit Owner. In the event work performed is found to be unacceptable, the building may issue a stop order directing that all work cease immediately. The Unit Owner and their representatives agree to immediately comply with all such stop orders and acknowledge that permission to perform the alteration work was contingent upon these rules and the Alteration Agreement.

Any damage to the interior or exterior of any building component (including damage from water infiltration on interior) that is caused by a Unit Owner or his Contractor or as a result of the Unit Owner's work will be repaired at the Unit Owner's expense.

#### General Rules

1. There must be a designated foreman in the apartment at all times with whom the superintendent can discuss any work issues. In addition, the superintendent should be given the beeper number and/or cellular telephone number for the contractor and designated foremen should there be an urgent reason to reach them.
2. All contractors shall provide a list of personnel, including a list of personal for all subcontractors and suppliers personnel to be present in the building and list shall be updated when and if personnel are changed.
3. Work must be confined to the apartment being altered and must not create dust, dirt or any other type of nuisance to other apartments or common areas.

4. Entrance doors to the apartment being altered and the apartment's ventilation registers must be sealed to prevent dust, etc., from entering elevator/service halls, foyers and other apartments.
5. During construction, all openings, registers, etc., within the apartment connected to the Building's ventilation system are to be covered and all other necessary measures employed to prevent fumes and odors from escaping the apartment and entering other areas of the building.
5. The building's shafts and ductwork are not to be penetrated nor are they to be used for the routing of conduit, BX, or other lines.
7. Movement of materials or supplies within the buildings in quantities or dimensions so as to impose hazards on common area finishes is prohibited. Divide large or heavy loads into smaller units to permit ease of transport and maneuverability in confined spaces.
8. Boom boxes, radios, etc. are not to be played at a volume that they can be heard in other units. Volume of such items loud enough to be heard over the noise of saws, hammers, etc. is clearly unacceptable.
9. The use of hoists and hoisting equipment is not permitted without the express written approval of the Board. Such application for permission shall be granted only to a licensed, bonded and insured contractor who evidences same.
10. Contractors shall not perform any Work in the common areas such as hallways or stairwells. This includes such items as painting, sawing, hammering, cutting, and drilling.
11. All stair egress fire doors shall be kept clear of rubbish and shall not be kept or held in the "open" position.
12. Common areas shall be kept free from accumulation of debris and trash related to the Unit Owner's Work.
13. Common area hallways soiled by dust or dirt due to Work related to the Unit, shall be left in a neat, clean, safe, and fully serviceable condition at the end of each day's work.
14. Any contractors or sub-contractors working on behalf of the Unit Owner will take all precautions to prevent dirt and dust from permeating other parts of the building during the full duration of the work.
15. All contractors will cover the hallway on the floor of the Building with masonite to protect the floor.
16. Materials, rubble and rubbish will be placed in barrels, bags or mini-carts before being taken out of the unit. At no time may any debris be "stored" in any common area of the Condominium.
17. If the Unit Owner fails to comply with the above, the Condominium will do so at the expense of the Owner.

18. Unit Owner's Contractors shall provide their own cleaning materials.
19. Refuse removal times must be approved by the superintendent. No refuse may be left in the halls, basement or sidewalks.
20. The superintendent has the authority to order work suspended, in part or entirely, if he has reason to believe that any aspect of work being done is unauthorized or unsafe, or if he believes that there is a failure to cooperate with house work rules. The suspension shall continue until all responsible parties can agree to an acceptable solution.
21. The Unit Owner and their contractors are responsible for daily cleaning and maintenance of all common areas affected by their alteration work, and for the removal of all rubbish and construction debris.
22. Whenever it becomes necessary for the house staff to perform cleanup work or dispose of trash in connection with an Alteration, the Unit Owner will be charged for the Building staff's time and any other costs incurred including, but not limited to, costs of private carting.
23. During the course of all alterations, the Unit Owner will ensure that their contractor maintains a fully charged, properly sized ABC fire extinguisher within the apartment.
24. The Unit Owner will maintain toilet facilities for all construction personnel and persons connected with the alterations. When all toilet facilities are scheduled for replacement, the work must be scheduled in a manner that will provide adequate toilet facilities at all times.
25. The Building's intercom system is interconnected. Disconnecting or attempting to modify an individual unit may interrupt service to other apartments. The building's intercom contractor must be used for all intercom work and should be consulted in regard to upgrading apartment units.
26. The Building reserves the right to prohibit/restrict the use of hazardous and toxic types of materials. Qualified supervision and adequate ventilation must be provided at all times during the use or storage of these types of materials.
27. Contractors must use wheeled conveyances to transport materials in common areas of the buildings. Contractors may not drag containers across common area floor surfaces.

#### **D. Roof/terrace Work Guidelines**

1. Applicants who wish to renovate the outdoor space at their units are required to follow the Building's Renovation Guidelines spelled out in this document as well as other limitations and Board requirements which may be listed in the Alteration Agreement.
2. All proposed work must conform to the regulations of the New York City Building Code and all other governing agencies.



3. Plans must be submitted to the Property Manager or Board of Managers for review and approval. Documents will be forwarded to FSI for review. FSI logs the documents in and begins the review process, typically the documents are reviewed and a report is generated within three to ten working days. FSI will review the proposed design and proposed changes in an attempt to identify items or issues which may prove to be detrimental to the property or other unit Owners. If the documents submitted are inadequate, they will be returned to the Property Manager and then to the Applicant so that a more detailed set of documents can be provided. In the event that documents submitted to FSI are reviewed and appear to be inadequate, FSI will issue a report and request additional information and clarification. Typically the Applicant will submit a written response along with revised construction documents. FSI will review the response and issue a second report. This process will continue until all questions or issues have been resolved to the satisfaction of FSI and then the Board.

4. All proposed work that goes beyond regular maintenance of the property will require filing with the NYC Building Department. Applicant's design professionals must prepare a complete and comprehensive set of construction documents including Plans and Specifications as well as filing forms. The level and quality of the Plans and Specifications and their completeness will have direct bearing on the review and approval process. The more complete the documents the faster the Board will have the opportunity to review and determine how or if the project will be permitted to proceed.

5. FSI requires that all documents be submitted in electronic format, or the Applicant will be responsible for the costs associated with scanning of documents. For filing purposes, FSI will maintain the files for all projects electronically but can not store rolled drawings and large paper files.

### **Design Guidelines**

1. Applicant must demonstrate that proposed work will not have a detrimental effect on the building's roof system and will not affect its warranty.

2. All electrical, gas and plumbing work must be performed by licensed contractors in New York City.

#### **3. Terraces and Roof Decks**

a. Applicant must demonstrate that proposed materials used in terraces or roof decks comply with the NYC Building Code. Code limits wood decks to no more than 20% of the roof area. Calculations must be included in submission.

b. Non combustible materials such as precast concrete pavers can extend beyond the 20% limitation. However, Applicant must demonstrate through structural engineer's calculations that the building structure is capable of supporting the additional weight.

c. All terraces and roof decks must be designed so the supports are not bearing directly on the roof membrane, but a drainage mat is installed underneath the supports.

d. Terraces and roof decks must be modular (palletized) so it can be demounted easily for access and maintenance of roof membrane and roof drains.

e. Terraces must not impede the flow of water to the drains.

#### **4. Structures**

a. Structures such as trellis etc. must be self supporting and free standing. Structural calculations need to be provided.

- b. Only under certain circumstances the Board may allow free standing structures to be attached to the building. If this is permitted, details need to demonstrate proposed waterproofing and finishes of the building's components that will match existing.
- c. Canopies and awnings if installed must be approved for snow loads, and be self retractable when wind velocity reaches a certain limit. Canvas must be fire retardant. Canopies and awnings cannot extend beyond the lot line.

## 5. Landscaping

- a. Free standing planters are allowed subject to weight limitations. A light weight planting medium is required. Applicant must demonstrate through structural engineer's calculations that the building structure is capable of supporting the additional weight. Planter's drainage must be filtered so no planting medium particles find their way to the roof drains.
- b. Trees and shrubs are limited to no more than 5 feet in height.
- c. Green roofs are only allowed subject to the re-roofing with a compatible roof system with a system warranty of a minimum of 20-year no-dollar limit warranty. Applicant must demonstrate through structural engineer's calculations that the building structure is capable of supporting the additional weight of the green roof.
- d. Applicants are solely responsible for the maintenance of the planting material and to keep all roof drains clear of leaves at all times.

## 6. Lighting

- a. All lighting must comply with NYC Building and Energy Code.
- b. All light fixtures must not create reflection and other inconveniences that may affect other unit owners.

## 7. Audiovisual and Sound Systems

- a. The installation of outdoor speakers and audiovisual equipment is not permitted in the building.

## 8. Gas and Plumbing

- a. If outdoor sinks are proposed, indicate connections to water and sewage. Sinks cannot discharge onto roof. A frost-proof shut-off must be provided.
- b. Hose bibs must be frost proof.
- c. No cooking appliances are permitted on the roof or terraces.

## 9. Roof Replacement

When the Board determines that the roof membrane of the roof has to be replaced, all fixtures, structures and personal property on the roof will have to be removed in order for the roof surface to be replaced. The Applicant will be responsible, at the applicant's cost, to remove any deck surface, structures or enclosures and personal property (including planters and other landscaping) in order to facilitate the replacement of the roof surface.