

Evidence from a NYS licensed inspectors
that striker plates are needed for
CSST gas line (flex pipe) installations

This page is an addition to the code violation report that was delivered to the Town Supervisor in June of 2020. Below is an email response verifying the standard requirement of striker plates to be used with CSST gas lines.

The screenshot shows an email message. The sender is mark washburn <markwashburn2019@gmail.com> and the recipient is vanwade01@yahoo.com. The date is Tue, Dec 22, 2020 at 6:04 AM. The message content is:

The striker plate for the csst gas line is a safety item. It to protect the line from screw or nail Penetration into the gas line . I recommend calling a qualified contractor to further instruct you on installation.

Sent from my iPhone

Below the message are standard iOS-style navigation icons: back, forward, and more options.

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Please note, it appears that the correct code violated below is **19 CRR-NY 1224.2** instead of
19 CRR-NY 1224.1 cited in the code violation report.

*

June 8th, 2020

William Van Wade
1000 Eagle Ridge Cir. #2001
Rochester, NY 14617

David Seeley, Town Supervisor
Town of Irondequoit
1280 Titus Avenue
Rochester, New York 14617

RE: Code violations/complaint

Mr. Seeley:

As a Husband, Man and a Minister of God , I have never witnessed such a disgraceful disregard for the Law. In Numbers 15:16, the scripture teaches, "***One law and one manner shall be for you, and for the stranger that sojourneth with you.,***" yet my Landlord is apparently working by his own rules that appear to be in direct conflict with codes, rules and regulations that are designed to keep the residents and the public safe. Mr. Seeley, you were sworn into office April 18, 2016 saying, "Town Hall's No. 1 responsibility is to provide residents a solid return on their hard-earned tax dollars, and we will continue to do just that at Town Hall. I am contacting you directly for your help with ongoing issues with my apartment complex at Eagle's Landing (Eagle's Ridge).

The goal with this complaint is for the proper authorities to identify, validate, and cause to correct all violations, so that the violations will no longer pose a threat to the residents and the public. Please help correct these issues Mr. Seeley. This complaint may be amended to ensure accuracy. In no way is this complaint filed with the intent to be misleading, to defame or to be illegal or unlawful. I do ask if any Man or Woman disagree with any of what is written within this complaint, they shall respond to me in writing point by point with evidence and/ or facts rebutting the information in dispute within a timely manner or it shall remain as Truth. My address to rebut this complaint is 1000 Eagle Ridge Cir., #2001, Rochester, NY, 14617.

I was injured in my apartment due to months of a gas leak and thankfully, through an anonymous whistleblower, the Fire Marshal, and guidance by the Holy Spirit, I was able to uncover what appear to be some serious code violations that are responsible for my injury. The same unsafe conditions still exist in this apartment building and instead of leaving after repair, I made the conscious decision to stay and to try to make sure something is done about this issue. I have intimate details to this issue and being present will help witness if anything will be done to resolve this issue for the safety of this community. The whistleblower provided information that many code violations exist, including the improper use of CSST flex pipes for the gas lines, the builder's negligence to build according to the law

and how the Landlord's construction contract would not allow a challenge to the code violations after one year of construction. I later learned that there are no main safety shutoff valves for the gas lines when the first RG&E tech answered to a gas leak call. I requested the layout of the gas lines and made an impromptu visit to the Town Building and Codes department where I discovered that these flex pipes are, "As Built", as explained by the Fire Marshal. The Fire Marshal explained that the current pipes installed were not based on the approved Architect design with the department and that they were not approved. I am thankful for the Fire Marshals explanation and "this notion" that guided me over to his office that day; some will call it a hunch, but I say it is the Holy Spirit which led to that impromptu visit to receive such valuable information. Also, the first RG&E Technician ("RG&E Tech") that answered to the gas leak communicated that the CSST piping was not properly installed. He said, "Usually there's like a floor adapter that keep's it so that it doesn't move". The RG&E Tech also explain how he was told that, "all of these apartments are installed this way....". With this information, I have conducted an investigation and my quotes provided in this document are from direct sources, which I can provide upon request. The following include but are not limited by codes my Landlord appears to be in violation of:

Direct violation of the Uniform Fire Prevention and Building Code 19 CRR-NY 1224.1 (N.Y. Comp. Codes R. & Regs. tit. 19 § 1224.1);

Irondequoit Building Construction and Fire Prevention Code, Chapter 98:

Section 98-1, A; B (2): Direction violation by not following codes. Because of this code violation, it also violates **Town Resolution No. 2016-250, filed 9/16/2016**, an Ordinance for a Special Use Permit that is now invalid because of the many code violations that were and still are a significant adverse environmental impact, specifically 11. under the ***Short Environmental Assessment Form Part 2 – Impact Assessment.***

Section 98-2 Adoption of standards. Engineer of this construction project based the construction standard on the International Fuel Gas Code, "IFGC", (publication date: May 30, 2014, third printing), published by the International Code Council, Inc. Evidence of this is referenced in his attached letter below (see "attachment(s)" section) It is my opinion that these pipes were installed by insufficient certified installers. Direct violations of the Uniform Code/ IFGC (Chapter 4) and manufacture's guide (**IFGC section 411.1.2 grants manufacture's guide as law**) to prevent hazards are as follows:

IFGC Section 403.7 Workmanship and defects. There were and still are many defects from the pipes to the threads of which repairmen used thread glue/dope, which evidence of this violation can still be clearly seen. This is also against the manufacture's guidelines. See page 55 of the attached PDF, "Do not over tighten or use any pipe dope".

55 / 112



4. Finish cutting through the sleeve down to the stainless corrugated pipe using a sharp utility knife. Figure: 4-50

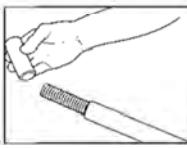


Figure: 4-51

5. Using a twisting motion, remove the black sleeve from the pipe. Figure: 4-51. It may be necessary to cut sleeve longitudinally and peel off for larger sizes. **Inspect stainless pipe for scoring from the tubing cutter.**

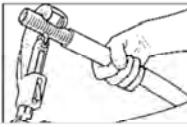


Figure: 4-52

8. Holding the black coupling, slide fitting up to capture split rings into nut. Be sure split rings slip all the way to the base of the internal threads. Assembly is now ready to be attached to the adapter on the equipment. Figure: 4-54

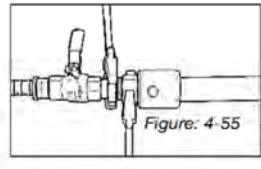


Figure: 4-55

9. Thread nut onto adapter previously installed on the equipment. Using appropriate wrenches, hold adapter and tighten nut to proper torque specified. Figure: 4-55. **Do not over tighten or use any pipe dope or thread sealants on this connection. This is a metal-to-metal seat and will not seal if pipe dope or thread sealants are used. Sealants are to be used on the NPT connection to the equipment only!**

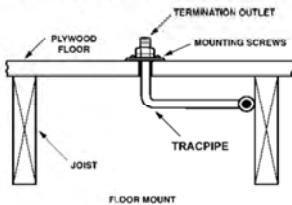
I don't think the contractor used the manufactures parts with the CSST pipes as recommended because there were leaks not only from beneath the floor board but at the connection between the CSST pipe and black iron pipe used to connect to the furnace. The defective pipe was not replaced but repaired multiple times before officials were called. I witnessed more than one occasion of a repairman trying to tighten the connections with dope. The owner mentioned that he thought it was fixed and that they had been working on this issue before we moved in.

IFGC section 404.7 No protection against physical damage, as the pipes still to this day are not fastened, bolted or secured to the wall or floor (**it was explained that all units, such as this one, are incorrectly installed this way**). The pipes just come from below the floor board without any flange or recommended mounting



Or plate shall be securely fastened in place during rough-in. It may be attached to a brace spanning between studs for a wall location, or directly to the floor Figure: 4-26. The flange may also be mounted with a flange L-bracket, which is nailed or screwed to a stud.

As an alternate to using a listed termination outlet for moveable appliances, a rigid termination can be made by transitioning the **TracPipe® CounterStrike®** to rigid black pipe at a suitable location. The rigid pipe stub-out must be securely-



2. FIXED APPLIANCE CONNECTIONS MAY BE DIRECTLY CONNECTED TO THE FLEXIBLE GAS PIPING SYSTEMS (in most jurisdictions). When the fixed appliance is located in a secure, dedicated space, such as a basement, attic, garage or utility closet, the flexible piping may be directly connected to the appliance shut-off valve without installation of a flange fitting or flexible appliance connector.

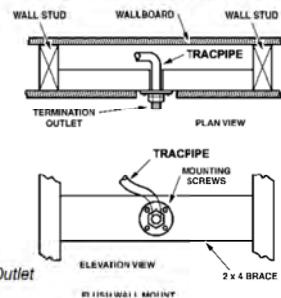


Figure: 4-26
Support Device Flange Termination Outlet

Mounting and screws are missing to hold CSST in place securely. Notice how sealant was used to incorrectly secure the pipe. See above illustration and more on page 40 of the manufacturer's guide.

there should be no more than $\frac{1}{2}$ to 1 thread showing behind the nut.

5. USE A SECOND ADJUSTABLE END WRENCH ON THE FITTING BODY AS A BACK UP WHILE TIGHTENING THE NUT. HOLDING THE NUT AND TIGHTENING BY TURNING BODY MAY CAUSE THE PIPE TO TWIST. OVER TIGHTENING THE NUT MAY CAUSE DEFORMATION THAT WILL NOT ALLOW THE FITTING TO BE REUSED.

INSTALLING FLANGE TERMINATION FITTINGS

- MOUNT FLANGE:** Mount flange to desired location on wall stud or floor using appropriate size screws to provide a firm mount. Figure: 4-10. Do not attach the fitting to the flange at this point. This will be done after the fitting to pipe connection has been completed. Insert pipe through the back of the flange after preparing pipe in accordance with steps 1 thru 3, **making sure to strip jacket to expose FIVE corrugations.**
- PIPE TO FITTING CONNECTION:** Attach fitting to pipe following all instructions in step 5. Figure: 4-11 Once the fitting has been tightened to the pipe, slightly loosen this connection until the fitting can be rotated on the pipe. Figure: 4-12 Screw the fitting on to the flange and tighten. Holding the flange fitting nut, re-tighten the body. Figure: 4-13

CAUTION: This step must be followed to avoid excessive twisting of the pipe when tightened.

DIA	THICKNESS
3/8"	25
1/2"	30
3/4"	40
1"	45
1 1/4"	55
1 1/2"	75
2"	90

Table 4-5

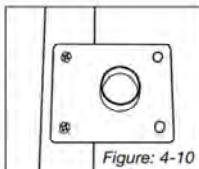


Figure: 4-10

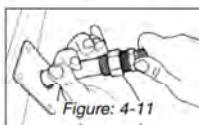


Figure: 4-11

Proper mounting with a Flange would invalidate the use of sealants at the hole of the CSST coming out of the floor. Again, please bear in mind this improper use of sealant is a violation against IFGC section 403.7. Flange instructions are on page 32 of the PDF.

INSTRUCTIONS FOR USING FITTINGS

The Town Fire Marshal explained that the leak probably occurred due to the jerking of the flex pipes without any thing to hold it firm. It appears that movement without the fasteners caused the hole within the CSST flex pipes beneath the floor board.



This bubble is where the leak was also coming from. It appears that this leak has been under the floor board for a very long time. Apparently these unit pipes are installed close to objects that can rub and cause enough friction to pierce the CSST.

It did not matter how many times they tried to fix the top connectors, it would not work because it was punctured from below. Other units share the same hazard, which could potentially rupture the pipes like how it happened in this apartment unit.

IFGC Section 407.2 Still no straps, brackets or hangers etc to hold pipes in place which would cause friction against objects beneath the floor board. This falls in line with the Marshal's theory of how the leak happened.



Pipes not secure to anything. They just come from beneath the floor at an angle into the furnace, which could also damage the unit internally due to physical contact.

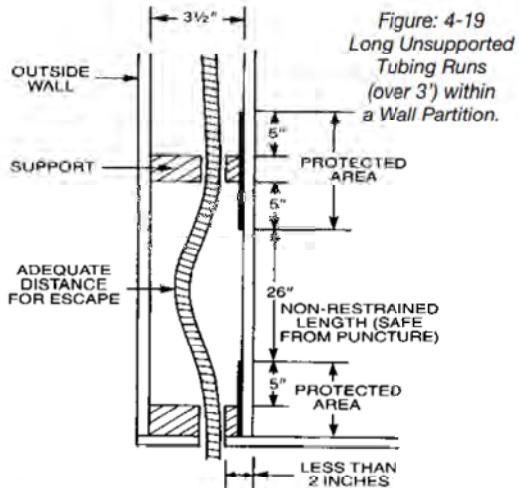
IFGC Section 409.3.1, 409.1.2 and 409.1.3, Are still in violation, as the shutoff valve for the furnace is in a concealed and prohibited location behind a locked door. There is no tenant access to the shutoff valve for the furnace and main (overall) gas supply. **IFGC Section 411.1.3.4,** there is no shutoff valve ahead of

the connector flowing upstream (IFGC Section 409.5.1). The valves where it belongs which is prohibited (see orange circle in picture above).

IFGC Section 404.4: Flex pipes are not installed in a chase or casing to guard against electrical wire shock or physical harm. There are no striker plates, mountings or anything to protect pipe surfaces.



is required at the area of support and within 5 inches of each side (if appropriate). Use a half striker or a full striker plate in these locations. Figure: 4-19.



It appears that the pipe comes out of a hole opposite of the direction of the approved drawing and there is nothing to guard these pipes against friction. Notice how the CSST is resting directly on another object without any casing, guard or separation. Examples of striker plates are below taken from the manufacturer's guide.

1. New ceilings in unfinished rooms/base- ments.

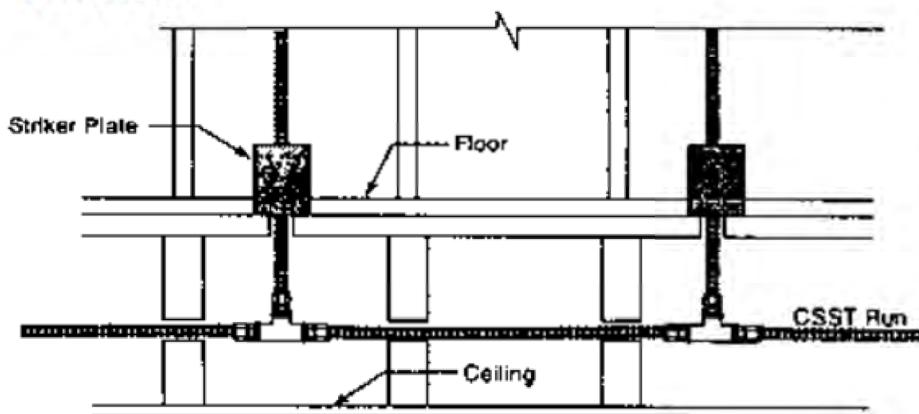
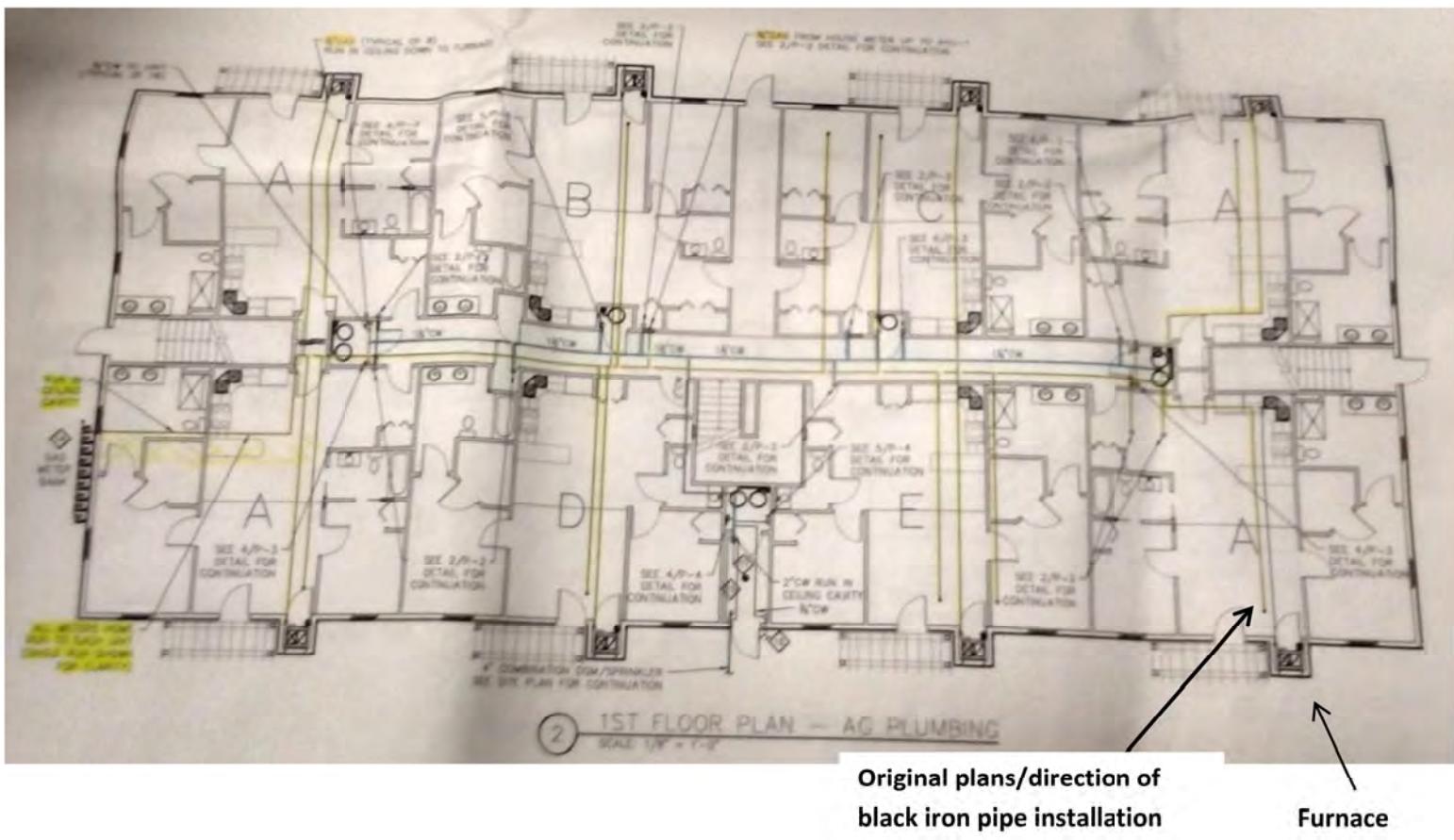


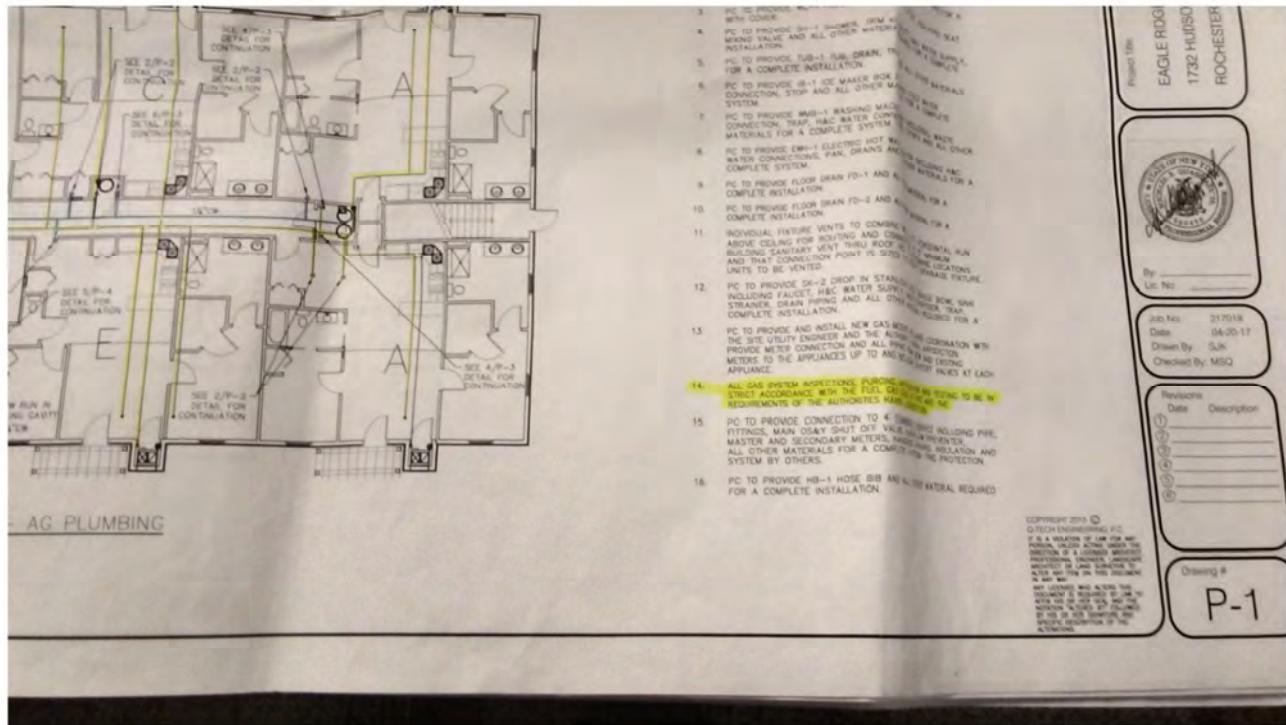
Figure: 4-16 Multiple outlets along main tubing run

This is an illustration of what is supposed to be installed in my apartment building, every unit. The RG&E Tech said that he thought it was not installed properly because it was "missing a metal base to hold it sturdy". He said out of all of the inspections he did, this one stood out, as it is missing something like a metal base to hold the CSST firm so that it would not move.

Below is the layout of what the Fire Marshal explained as the original approved plan that was improperly deviated from. This was explained to me the day I made the impromptu visit on 1/7/20. The drawing illustrates pipes that are in the opposite direction of how the current pipe is installed. The current pipe appears to go in the direction of the bedroom next door to the furnace closet. The arrow in the picture on last page looks to be in the direction of what the pipes should be routed based on the original approved plans.



Notice the yellow highlighted lines on this layout. This is where the lines were highlighted to indicate the original approved directions of the pipes. The Marshal explained this drawing of how the pipes are supposed to be and its now "as built" nature, when I made the visit. I took this picture after he explained the pipes.



IFGC Section 404.8.1: The conduit is not extending at least two inches beyond the emerging of the floor

IFGC Section 406.1: Pipes were never inspected and pressure tested according to the prescribed parameters of this section.

IFGC Section 406.1.5 and 410.1: There are no regulators, no line pressure regulator, so if there is a surge in pressure there is nothing to regulate the pipes which can cause excess gas for leaks. **IFGC Section 416.1** may also be in violation, as current gas pressure may be greater than 2 psi which requires regulators. The RG&E technician who performed the 10 minute pressure test mentioned that 20 psi is feeding the lines.

IFGC Section 416.2.4, 416.2.5 and 416.3: No failure detection or relief valves. There are no devices to monitor or prevent over pressure.

IFGC Sections 406.6.2, 406.6.3, 406.4.2 and 406.4: Violations of proper testing for leaks. We were told that the smell of gas before we moved in was due to the appliances not being in use for a long time. Again, the owner stated that they had tried to fix the leak before we moved in. Prior to RG&E coming to test 11/7/19 and 11/22/19, the Landlord tried fixing the leak multiple times. RG&E came 11/7/19 and allowed the landlord to try to fix it. The leak persisted even further to 11/22/19 which is a direct violation of **IFGC Section 406.6.4**. I gave constructive notice of the smell of gas and the actual leak, well over a few times prior to the RG&E and the Fire Department being called by the Landlord. Some of the approximate dates of my notices are 4/1/19, 7/17/19, and 10/24/19. On the 4/1/19, I sent an email of a complaint of gas asking management to bring a detector to test for gas of which they refused. After that date through many encounters with maintenance and management, I gave notice of gas and discomfort

but they denied it. On 7/17/19, I sent an email stating to, "please bring a filter for the A/C unit. We have been coughing and sneezing a lot lately."

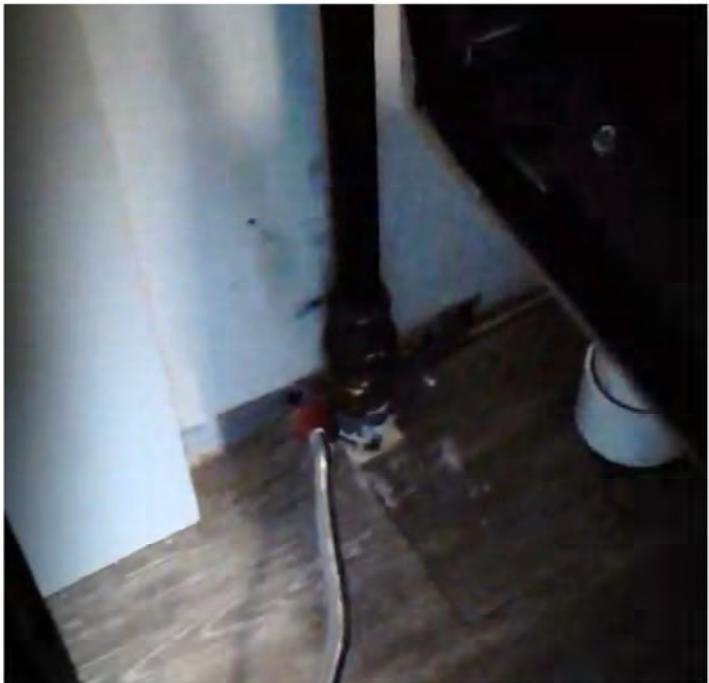
Seeing that the Landlord would not do anything about my notices and complaints, I purchased a gas detector/meter to prove my suspicion. On 10/24/19, I sent an email complaining of the smell of gas with videos showing the actual leak out of the pipe. I already had issues with the maintenance crew entering my apartment without my consent, and someone had been there without my presence and left the furnace closet door open. I was able to pinpoint the gas leak with my detector/meter and send the Landlord video proof. That is when the Landlord began to send uncertified repairman over to attempt to fix the leak without the presence of RG&E and the Fire Department yet in my presence. Video proof can be provided. Here are some of the pictures of the gas leak detected by my detector/meter:



Video proof of the leak detected outside of the furnace closet and from the HVAC vents. Gas was actually coming out of the vents in small trace amounts.





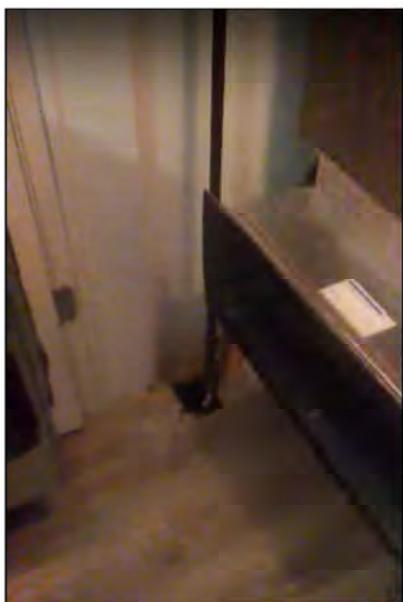


IFGC Section 406.7.1.1: Violation because the CSST flex pipe is outside and is encased behind the walls.

This picture directly to the left is from one of the first videos sent to the Landlord on 10/24/19. Please bear in mind that it took the Landlord about a month to fix this leak once I sent tangible evidence of this leak. It appears to be evident that prior to this video, the Landlord had been working on this leak, as there is caulking (code violation) all around the base of this connection.

It was so much gas that the detector/meter could pick it up outside of the furnace with the furnace door closed. When the maintenance crew would come over and open the door, I would tell them that I smell gas but they would say that it wasn't a leak and that it is normal for a unit to smell the way it did when the door was opened.

Other: After the leak was fixed, they purposely left a hole in the floor of the furnace room for about 2 months which didn't warrant the air quality violating IFGC and the Property Maintenance Code.



To the left is the hole that was left unrepaired for approximately two months violating codes including the 10 day property maintenance code violation the Director Ms. Ivers explained.

To the right is when the maintenance man installed insulation against the present HVAC technician's recommendations, thus more violations. I actually had to plead the Landlord to rip this out of the floor due to the insulation fibers we suffered breathing.



Section 98-5, K and Section 98-6, A: Town Marshal and Landlord were given notice of leaks and hazards. Even after the gas leak was fixed, the Landlord left a hole in the floor maintaining risk for over two months. Director of Community Development has already informed me that repairs are to take 10 days per the Maintenance Code. I tried to have the Marshal make an inspection visit when I made a complaint in person on 1/7/20 and over the phone. The Marshal said he would make the inspection but refused to do so.

Section 98-9 Permit required: In part A, it specifically addresses the need for permits for an “alteration”. State law **19 CRR-NY 1203** dictates that no work should be done with an expired permit. Any work outside of the scope of the permit will invalidate that permit, thus making it expire. This also falls right in line with what the Marshal explained of how the change of hard pipes to CSST pipes was not permitted and how the builder changed plans without permission, thus the “as built” status explained by the Marshal. Prior to meeting the Marshal, I never heard of the term “as built”. When a permit for the site change was FOIL requested, none was returned because it does not exist.

Here's an email from the day I met Mr. Merrick, thanking him for explaining the pipe situation:

■ Thank you Yahoo/Sent 

 vanwade01@yahoo.com  Wed, Jan 8 at 10:55 AM 

To: Gmerrick@irondequoit.org

Greeting Mr. Merrick,

I just want to say thanks for explaining the "as built" situation with my landlord of how they changed plans and built my apartment building without Town approval. I will reach out to you Friday to see if you can meet us here.

By the way, that bible verse I was referencing yesterday is Matthew 5:25. Again, thanks for your help and take care.

It appears that the builder had already installed the CSST in a rushed fashion without obtaining permission and before Town officials could intervene. The project engineer explained the change when he stated, "Actual Installation" in the attached letter. There is more on this change in the Inspection Section of this Complaint. The "As built" status of these gas lines is one of the major violations and reasons to the gas leak in my unit.

Section 98-10, E: No amendments to the application or to the plans were supplied when I FOIL requested proof. This section makes it clear that any amendments to the project shall, "be filed at any time prior to completion of the work and shall be filed before the affected portion of the work is commenced".

Section 98-11, C; D; G (5): His Permit was only limited to the original black iron pipes and any changes required a new permit. If the project engineer had to explain what the actual piping was after installation, then it is evident the work was not exposed until inspected and accepted by the Building Inspector or other authorized inspector.

Section 98-45 Inspections.

Fuel gas installation was not inspected at appropriate stages; there are no records of the fuel gas system inspection or evidence of a passing inspection when it was FOIL requested, which fall in line with what the Fire Marshal initially explained about the gas lines being "as built". New York State law action incorporates this principle in order to ensure safety in, **19 CRR-NY 1202.4 part (a)** it says:

"Work shall be inspected prior to enclosing or covering any portion thereof and upon completion of each stage of construction or demolition"

Here is a checklist from the manufactures guide, which was not adhered to or supplied when such documents were requested:

FGP_001_DL_Guide.pdf	58 / 112
<p>SECTION 5.1 – MINIMUM INSPECTION REQUIREMENTS</p> <p><u>TracPipe® CounterStrike® Inspection Checklist</u></p> <p>All installations shall be inspected by the authority having jurisdiction in accordance with state and local mechanical/plumbing codes or the National Fuel Gas Code NFPA 54 (ANSI Z 223.1), IFGC or UPC.</p> <ul style="list-style-type: none"><input type="checkbox"/> Installer has TracPipe® CounterStrike® Training Certification card.<input type="checkbox"/> Inspection and pressure test completed at rough in.<input type="checkbox"/> Strike protection in place where required.<input type="checkbox"/> TracPipe® CounterStrike® tubing is supported at proper interval.<input type="checkbox"/> No damaged tubing dents or defects. (See 5.2).<input type="checkbox"/> Inspect for electrical bonding where required.	

Looking down the hole of where the CSST comes out in the furnace room, I could see what appears to be the pipe at an angle that is directly in conflict with the Manufactures guide. Page 57 of the attached guide clearly states to keep these pipes at a minimum bend radius. Because of the pipes improperly installed at bend radiiuses, it also may have led to the damage and puncture of the CSST beneath the floorboard.

A line splice can be made using a **TracPipe® CounterStrike® AutoFlare®** or **AutoSnap®** coupling. If the tubing run is short and easily accessible, the preferred repair method is to replace the entire length. Tubing run can often be replaced faster than repairing the damaged section with a splice as this does not add any additional fitting joints to the system.

- Where repairs or replacements involve corrugated stainless steel tubing systems of different manufacturers, the systems can be joined again through standard pipe couplings and the appropriate CSST fittings. Figure: 5-4,

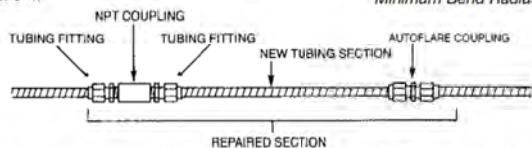


Figure: 5-4 – Repair of Damaged Tubing with a New Section of Tubing and a joint splice or a **TracPipe® CounterStrike® AutoFlare®** or **AutoSnap®** Coupling

Figure: 5-2 – Repair Necessary. Significant Damage to the Tubing Due to Impact or Crushing

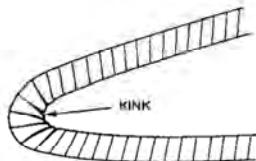


Figure: 5-3 – Repair Necessary. Damage Due to Bending Beyond Minimum Bend Radius

There are no details, such as a punch list and/or checklist on how these pipes were installed. The Director of Community Development of the Town of Irondequoit ("Ms. Ivers"), actually initially stated that there was no information on the installed pipes to identify the type used and that this information was unavailable, yet weeks later, a letter from the Engineer was supplied which conflicts what she stated earlier.

I asked the Landlord for evidence of compliance at least a few times to show that these pipes were installed correctly but the Landlord has refused to provide proof; even after I appealed to the Landlord for the requested information. When the Landlord was asked what type of pipes were installed, the Landlord did not even know or could not even identify the pipes used in the building. The Landlord will not even tell me who installed these gas lines, does not have any supporting evidence that these pipes were installed correctly and failed to provide any evidence that the changes were approved by Town code officials. When I FOIL requested the Final Building Inspection, the Town Building department responded without one because the Landlord/builder did not pass the Final Building Inspection (see inspection report). Evidence of the switch from the original iron pipes to an unapproved mix of CSST is in the Engineer's attached letter dated 4/5/18 under section 2. where he said, **"Piping size was based on black iron pipe. Actual installation is a mix of black iron pipe and Corrugated Stainless Steel Tubing (CSST)."** When he stated, "Actual installation", this shows that indeed there was a switch from the original plans and that there is no permission or an updated/changed permit granted from the Town to cover such deviation. In this letter the Engineer states the type of CSST used but when asked who installed the pipes, he replied, **"Q-Tech did not install the gas lines. I do not know who the contractor was."** What is troubling is that this Engineer has intimate details to the pipes being used yet does not know who installed them. More troubling, is that the owner and Town are refusing to state who installed these pipes. Please note that the P-7 drawing in the Engineer's attachment, which the engineer mislabeled H-7 in his letter, was not included in the original approved plans (**Section 98-46 violation**), which were sent to me as a response to my FOIL request. The change of plans from all black iron pipes to CSST was explained to me by the Fire Marshal on 1/7/20 when I made that impromptu visit

(pictures of original pipes layout are above). I received the original plans that day via my first FOIL request and this P-7 drawing is not included in that email; also proving it was a change. Again, **Section 98-10, E and Section 98-11, C; D; G (5)** clearly dictates changes of the plan.

Please note, Ms. Ivers had informed me that the gas line inspection was included in the Rough Plumbing Inspections which passed on 2/9/18. Also, the Rough Heating Inspection passed on 2/15/18, yet the letter supplied by her (which she implied didn't exist) references outstanding issues on 2/26/18. She didn't supply any notations of these outstanding issues dated 2/26/18 of which the Engineer addresses in his letter involving the gas lines despite my previous FOIL request for all notations and documents.

1700 Hudson_Inspection List.pdf				Page 1 of 2
Insulation (conv)	01/16/2018	John Nitti	Passed	Nitti _____
Rough Plumbing	02/09/2018	John Nitti	Passed	2nd floor insulation only. 10:30 APPOINTMENT....PER JOHN _____
Rough Heat	02/15/2018	John Nitti	Passed	1st floor plumbing tested and complete. Per John Nitti.
Final Electric (Third Party)	05/01/2018	New York Electrical	Passed	See Cert in Images/Docs
Final Building Inspection	05/23/2018	Gregory Merrick	Failed	12:30 APPOINTMENT PER JOHN Greg Merrick & George Nalivko did final inspection, which failed. FDC has to be changed to accept a 2.5 inch NST hose. Fire rated doors do not all work properly Driveway was not paved or striped Signage in parking lot was not installed (contractor has not completed punch list)

These outstanding issues on 2/26/18 referenced in the Engineer's letter are not even on the list of documents (above) she sent in response to my 2/10/20 FOIL request, of which I made clear:

I HEREBY APPLY TO: OBTAIN A COPY (\$0.25 per 8 1/2" X 11" per page, per side. All other sizes based on the town fee schedule)
 INSPECT A COPY

OF THE FOLLOWING RECORD(S): (See second page if you are requesting records pertaining to the Police Department)

Hello,
I am requesting copies of the following items for the property located at 1000 Eagle Ridge Circle, Rochester, NY 14617, legal address 1700 Hudson Avenue:
*Documents/information listing the type and identification number of natural gas lines or gas pipes installed that was inspected.
*The list of items that were inspected for HVAC including all Inspection Notations
*The list of items that were inspected for the Rough Plumbing Inspection(s) including all Inspection Notations
*All Inspection Notations for the natural gas lines
*All field change notations for HVAC, Rough Plumbing, and for the natural gas lines.

Whatever these outstanding issues are, they were present on 2/26/18, of which the Engineer has referenced and responded to in the Engineer's letter dated 4/5/18. These issues appear to be kept off of the Town's official records because the Inspection list states a Rough Heat inspection on 2/15/18 and then the Final Electric Inspection on 5/1/18, with both passing with nothing in between these dates to

indicate these issues on 2/26/18. With the Rough Plumbing Inspection passing on 2/09/18, it would include inspecting the gas lines as explained by the Ms. Ivers. According to the Ms. Ivers, "Gas line(s) are inspected as part of the HVAC and/or rough plumbing inspection(s).", yet there are still undocumented issues involving gas lines that were addressed on 2/26/18, which in the Engineer's letter he is responding to. There would be no need for this letter if all was truly well and there were no issues with the gas lines. This is more evidence backing what the Marshal informed me when I made a visit to the Town office. The Final Building Inspection on 5/23/18 failed and no proof of it passing has been supplied when I made a FOIL request on 2/26/20:

OF THE FOLLOWING RECORD(S): (See second page if you are requesting records pertaining to the Police Department)

Hello,

I am requesting copies of the following items for the property located at 1000 Eagle Ridge Circle,

Rochester, NY 14617, legal address 1700 Hudson Avenue:

*Documents and notations on "as built" status and final inspection

*Architects updated plans used to approve stairway change

*Final Building Inspection documents and notations

*Field change documents and notations

*All documents and notations on gas lines installed

*Documents and notations confirming FDC compliant installation (include dates)

With no Final Building inspection that passed along with the proof of the unauthorized changes listed above, this shows that code violations have occurred and that these gas lines were improperly installed, which in turn appear to be responsible for the gas leak that occurred in my apartment.

More proof what appear to be direction violations:

Town code Section 192-3; 192-4; 192-18; 192-20:

Landlord was not recycling materials and was in direction violation of **Solid Waste laws** including but not limited by **Chapter 192 Solid Waste, 192-3 Solid Waste Management Law** of the Town of Irondequoit; specifically **Sections 192-4; 192-18; 192-20**. Landlord did not use a vendor who recycles at the time I moved in. When I inquired by email of recycling, I got a reply back on 4/8/19, "**we do not have a recycling option for the Landing.**" Multiple times I inquired about recycling and even asked if I could sit my recyclables out at the older Eagle Ridge phase apartment and management denied my request. From 4/9/19 to 12/12/19 is direct proof from the Landlord there was no recycling. I received an email on 12/12/19 where as the owner notified me of the change to the new vendor who would start to recycle Eagle's Landing's material saying, "**we have gotten a recycling dumpster that you and other Tenants of Eagle's Landing can use.**" It is my opinion that since operation they never provided recycling for their residents at Eagle's Landing. This is, at least, about eighteen (18) months of not recycling materials causing a harmful impact on our environment. We only have one Earth and this in itself is a direct violation of the Special Use Permit passed by the **Town Resolution No. 2016-250**; the resolution with intentions that the apartment building/project would not have an adverse impact on the environment invalidated. It also violated **6 NYCRR 617**, which is also cited in said Resolution as having the requirements met.

Additional laws that appear to be in violation:

Town code Section 98-19 and 98-21, C: Fire Lanes are to have a, "minimum of 25 feet in width in multiple residence districts". No fire lane signs or designated lane of 25 feet in width are at this building. There are two parking spaces on each side of the FDC with one designated as a handicap space. Looking at the notations of the failed Final Building Inspection, it appears to be more issues of why it also failed.



More evidence of improper pipes missing mounting:



This is behind the gas stove. Notice the small cheap strap which does not hold the CSST firm in all directions and the holes in the wall with patching, which suggest confusion for a new construction. The only thing that appears correct is the use of the valve, which is not correctly placed in the furnace closet.

Multiple Residence Law:

103; Lack of sufficient number of windows (for floor apartment models). Resident(s) have complained to me about having only one very small window that is in the door which is the only window for their living room.

105(2c); There is no window or fan in the Kitchen to furnish what appears to be at least 6 air changes per hour. Lack of this may have compounded the effects of the gas leak.

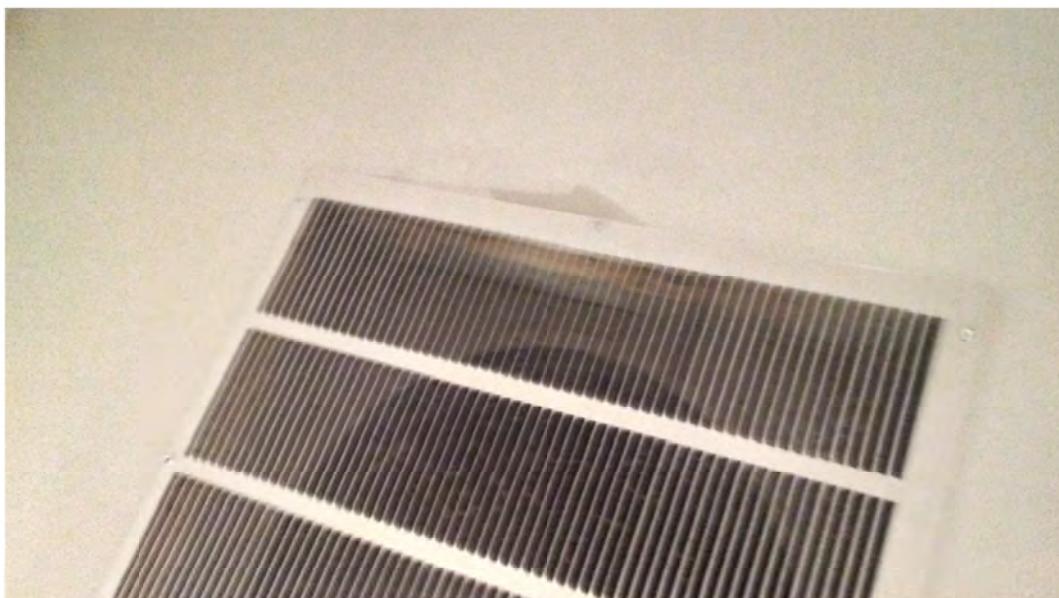
No fire safety plan provided to the tenants by landlord.

Hazards in Unit# 1001

One of our neighbors in Unit# 1001 has a major leak in their HVAC unit. Water is pooling within the unit and on the floor. Water damage has warped the walls and is incased with mold. Water below and gas at the top is very dangerous. See picture below:



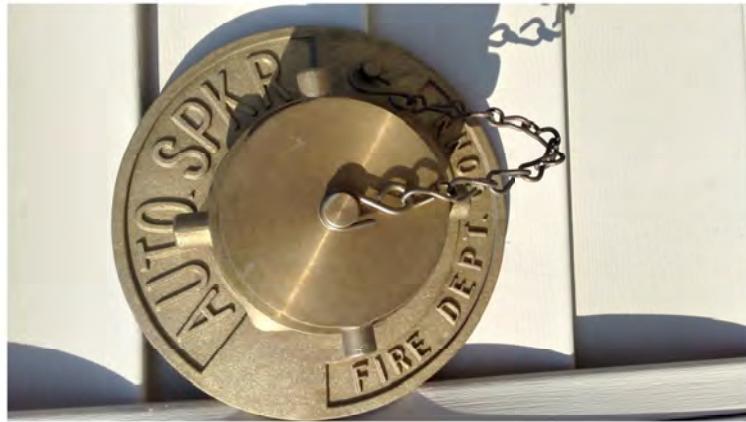
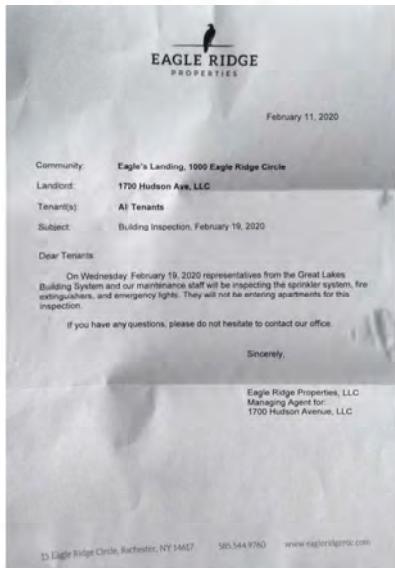
On the second floor, there is a leaking roof/ceiling:



Carpet from leaking roof/ceiling:



Finally, dealing with inspections there something interesting I will like to point out, the very day after my FOIL request made on 2/10/20; the owner sent this letter indicating an inspection for the sprinkler system, fire extinguishers, etc.



Around this time I noticed a plumbing van parked in front of the building for work. The above picture of the FDC appears to be a newly installed connection and it appears that the FDC has been installed to ensure that the owner is now up to code per the FDC that failed inspection back in 5/23/18. I FOIL requested for FDC compliant documentation and none was delivered because it is not on file because it never passed.

Closing remarks

Again, my goal and hope is that corrective action is taken to rectify the issues within this building. Should you have any questions or concerns, feel free to contact me.

Sincere regards,



William Van Wade

Attachment(s):

The manufacture's guide for the CSST installed can be found at:

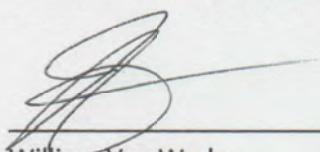
https://www.tracpipe.com/wp-content/uploads/FGP_001_DI_Guide.pdf

I, William Van Wade, the live Man declare and state that the following facts are true to the best of knowledge and belief and of which, I have firsthand knowledge of the matters stated herein. I, William Van Wade, am of the age of majority and competent to testify on the matters stated herein. If any man or woman desires to answer me, William Van Wade, do so in the manner of this instrument point by point. Answer by Notarized Affidavit using your family name with signature and mail to 1000 Eagle Ridge Circle, #2001, Rochester, NY, 14617 within a timely manner of receipt of this instrument or facts will remain as Truth. Your natural wet ink hand written signature is required; please do not use a typed, stamped or other signature. From Truth:

Affidavit

1. Based on the inspection and investigation conducted, the codes identified in the attached Complaint have been or are in violation. Those defects identified that are not attached to a code violation are general safety violations.

Further, I say not and so it is.



William Van Wade

6/8/20
Date

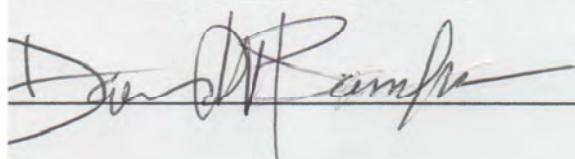
Notary Certification

State of: New York

County of: Monroe

This Affidavit was acknowledged before me on 6/8/2020 by David Samuelson

Who is personally known to me or who provided Valid NYS Driver License as positive identification.



My Commission Expires:

August 4, 2023

DAVID M. SAMUELSON



217 West Commercial Street
East Rochester, NY 14445
585/385-1450 • Fax: 585/385-1482
www.q-techpc.com

April 05, 2018

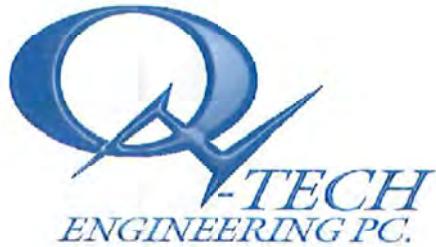
Gregory D. Merrick
Fire Marshal
Town of Irondequoit
1280 Titus Avenue
Rochester, NY 14617

Project Name: Eagle Ridge Apartments
Address: 25 Eagle Ridge Circle, Rochester, NY 14617

Re: February 26, 2018 meeting outstanding issues.

1. First floor dryer vent runs do not exceed manufacturer's maximum run lengths. The instances where the duct run was jogged from one cavity with multiple elbows have been rerouted to a straight run.
2. Changes from electric kitchen ranges to gas fueled ranges.

- ~~* Pipe sizing was based on black iron pipe. Actual installation is a mix of black iron pipe and Corrugated Stainless Steel Tubing (CSST). Black iron pipe is only used from the meter to the wall cavity. It does not significantly affect the gas flow calculation.~~
- TracPipe CounterStrike CSST by Omega Flex, Inc. is used throughout the project. CSST sizing is based on the tubing equivalent hydraulic diameter (EHD) compared to standard black pipe inside diameters. 1" size TracPipe has an EHD of 31. $\frac{1}{2}$ " size TracPipe has an EHD of 19. 1" CSST is home run from the meter wall cavity to each individual unit. At the unit the 1" line splits to two $\frac{1}{2}$ " lines feeding the 36 MBH furnace and 56 MBH stove. Pipe size was calculated per Chapter 4 Gas Piping Installations from the 2015 International Fuel Gas Code (3rd Printing as adopted by New York State) Pipe run length are based on the worst case run to the furthest unit. Per table 402.4(16) Corrugated Stainless Steel Tubing (CSST) the CSST tubing will handle the furnace and stove gas loads for the longest run unit.
3. H-7 drawing attached with added detail #3 illustrating the pipe and tubing routing from the gas meter to the hallways.
 5. H-2 and H-4 drawings attached showing how the duct is routed and sized for the first floor units.



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East Rochester, NY 14445
585/385-1450 · Fax: 585/385-1482
www.q-techpc.com

Please let me know if you need additional information and/or have any questions.

Thank you,
Scott J. Kantar
Sr. Mechanical Engineer
(585) 385-1450 x15
skantar@q-techpc.com

