



Town of North Castle
Building Department
17 Bedford Road
Armonk, N.Y. 10504
914-273-3000 ext. 44 Fax 914-273-3554
Building@northcastleny.com

NOTICE OF VIOLATION/ ORDER TO REMEDY

Complaint #: 2020-502

Notice Date: 06/26/2020

Comply Date: 07/28/2020

SBL: 122.12-1-11

Certified Mail No.: 70192970000205310301

Occupant:

Growth Products LTD.
80 Lafayette Ave
White Plains, NY 10603

Site Address: 80 LAFAYETTE AVE

On 06/03/2020 a lawful inspection was conducted of the above referenced premises and the following violation(s) of the Town of North Castle and the 2020 NYS Uniform Code was observed and still remain:

ORDINANCE CODE:

TOWN OF NORTH CASTLE CODE 127-4 A - Building Permit

Building permits required. Except as otherwise provided in Subsection B of this section, a building permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Building Inspector.

TO WIT: It has been found that a lab has been constructed inside the warehouse consisting of electric, plumbing, four walls and a door.

REMEDY: File for and obtain the required permit(s) and or approval(s).

ORDINANCE CODE:

TOWN OF NORTH CASTLE CODE 127-5 A - Construction Inspections.

Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Building Inspector or by an inspector authorized by the Building Inspector. The permit holder shall notify the Building Inspector when any element of work described in Subsection B of this section is ready for inspection.

TO WIT: The property owner or tenant has not called for any inspections during the construction of the lab.

REMEDY: Failure to call and schedule the required inspection(s).

ORDINANCE CODE:

2020 Property Maintenance Code of NYS 105.2 - Building Permits.

No person or entity shall commence, perform, or continue any work that must conform with the Uniform Code and/or Energy Code unless: 1. Such person or entity has applied to the authority having jurisdiction for a building permit, 2. The authority having jurisdiction has issued a building permit authorizing such work, 3. Such building permit has not been revoked or suspended, and 4. Such building permit has not expired.

TO WIT: It has been found that a lab has been constructed inside the warehouse consisting of electric, plumbing, four walls and a door.

REMEDY: File for and obtain the required permit(s).

ORDINANCE CODE:

TOWN OF NORTH CASTLE CODE 127-10 A - Operating permits required.

(1) Operating permits shall be required for conducting the activities or using the categories of buildings listed below: (a) Manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Table 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled "Fire Code of New York State" and incorporated by reference in 19 NYCRR 1225.1; (b) Hazardous processes and activities, including but not limited to commercial and industrial operations which produce combustible dust as a by-product, fruit and crop ripening, and waste handling; (c) Use of pyrotechnic devices in assembly occupancies; (d) Buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and (e)

Buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Town Board of this Town.

TO WIT: The company Growth products did not file for the required operating permit with the Town of North Castle.

REMEDY: File for and obtain the required operating permit.

ORDINANCE CODE:

TOWN OF NORTH CASTLE CODE 152-4 - Electrical Permit.

No electrical work shall be done without a permit. No wiring, devices or equipment for the transmission, distribution or utilization of electric energy for light, power or heat shall be installed within or on any structure, nor shall any alteration or addition be made in any existing wiring, devices or equipment without first securing a permit therefor, except as follows: A. For the replacement of lamps or fuses or the connection of portable devices to suitable permanently wired receptacles.

TO WIT: It has been found that a lab has been constructed inside the warehouse consisting of electric, plumbing, four walls and a door.

REMEDY: File for and obtain the required permit from the Town of North Castle.

ORDINANCE CODE:

2020 Property Maintenance Code of NYS 105.3 - Construction Inspections

Any person or entity performing work for which a building permit has been issued shall keep work accessible and exposed until the work has been inspected and accepted by the authority having jurisdiction, or its authorized agent, at each element of the construction process that is applicable to the work and specified in the stricter of the authority having jurisdiction’s Code Enforcement Program or a Part 1203—Compliant Code Enforcement Program.

TO WIT: The property owner or tenant has not called for any inspections during the construction of the lab.

REMEDY: Schedule the required inspection(s) with the Town.

ORDINANCE CODE:

TOWN OF NORTH CASTLE CODE 355-41 - Site Plan approval required

No building permit shall be issued, and no structure or use of land shall be established or changed, other than for one single-family dwelling approved in accordance with the procedures specified in Article VII of this chapter, except in conformity with a site development plan approved and endorsed by the Planning Board with its date of approval, and no certificate of occupancy for such structure or use of land shall be issued until all the requirements of such site plan and any conditions attached thereto have been met. The continued validity of any certificate of occupancy shall be subject to continued conformance with such approved plan and conditions. Revisions of such plans shall be subject to the same approval procedure.

TO WIT: Growth Products has installed a storage container at the left side of the building, (2) 18 wheeler storage boxes located at the loading docks for the past 3 years and is storing materials in the required parking spaces. Also there is no site plan of record for this property.

REMEDY: File for and obtain the required Site plan approval by the Planning Board.

ORDINANCE CODE:

2020 Fire Code of NYS 105.6 - Operating Permits

Where the stricter of the authority having jurisdiction’s Code Enforcement Program or a Part 1203 Compliant Code Enforcement Program requires an operating permit to conduct an activity or to use a category of building, no person or entity shall conduct such activity or use such category of building without obtaining an operating permit from the authority having jurisdiction. The procedures for applying for, issuing, revoking, and suspending operating permits shall be as set forth in the stricter of the authority having jurisdiction’s Code Enforcement Program or a Part 1203 Compliant Code Enforcement Program.

TO WIT: The company Growth Products has not filed for the required operating permit to store hazardous materials.

REMEDY: File for and obtain the required operating permit.

ORDINANCE CODE:

TOWN OF NORTH CASTLE CODE 127-7A - Certificates of occupancy/certificates of compliance.

Certificates of occupancy/certificates of compliance required. A certificate of occupancy/certificate of compliance shall be required for any work which is the subject of a building permit and for all structures, buildings or portions thereof which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure or portion thereof for which a building permit was previously issued shall be granted only by issuance of a certificate of occupancy/certificate of compliance.

TO WIT: It has been found that a lab has been constructed inside the warehouse consisting of electric, plumbing, four walls and a door.

REMEDY: File for and obtain the required Certificate of Occupancy or Compliance.

NOTICE: Full compliance with this order to remedy is required by **07/28/2020** which is thirty (30) days after the date of this order. If the person or entity served with this order to remedy fails to comply in full with this order to remedy within the thirty (30) day period, that person or entity will be subject to a fine of not more than \$1000.00 per day, per violation, or imprisonment not exceeding one year, or both. You are hereby notified that you have (30) calendar days to remove/ restore and make safe the above noted violations in the prescribed manner and/ or to provide evidence that the apparent unlawful improvements were completed in accordance with the Code. Further, you are hereby directed to bring the referenced violations into compliance and **arrange for a re-inspection** within the aforementioned time frame. Failure to comply will result in alternative action as prescribed by Law in order to gain compliance including, but not limited to: a summons to appear in court. In addition to those penalties prescribed by state law, any person who violates any provision of the Uniform Code, the Energy Code or the code of the Town of North Castle or any term or condition of any building permit, certificate of occupancy/certificate of compliance, temporary certificate, stop-work order, operating permit or other notice or order issued by the Building Inspector shall be liable to a civil penalty of not more than \$500 for each day or part thereof during which such violation continues as prescribed by Part II General Legislation, Chapter 127-15 C.

Respectfully,



Rob Melillo
Building/ Fire Inspector

**THIS NOTICE MUST BE ATTACHED TO ANY PERMIT APPLICATIONS
INTENDED TO CORRECT THE VIOLATIONS ENUMERATED HEREIN.**



Town of North Castle
Building Department
17 Bedford Road
Armonk, N.Y. 10504
914-273-3000 ext. 44 Fax 914-273-3554
Building@northcastleny.com

NOTICE OF VIOLATION/ ORDER TO REMEDY

Complaint #: 2020-563

Notice Date: 09/25/2020

Comply Date: 10/20/2020

SBL: 122.12-1-11

Certified Mail No.: 7019 2970 0002 0531 1452

Occupant:

Growth Products LTD.
80 Lafayette Ave
White Plains, NY 10603

Site Address: 80 LAFAYETTE AVE

On 06/03/2020 a lawful inspection was conducted of the above referenced premises and the following violation(s) of the Town of North Castle and the 2020 NYS Uniform Code was observed and still remain:

ORDINANCE CODE:

TOWN OF NORTH CASTLE CODE 169-3 B - Fire Prevention, Building access; location and contents. (Key Box)

B. Key boxes shall be required on all existing commercial buildings which generate three false alarms while under the control of the same owner, as determined by the respective fire chief or his/her designee. The location and contents of the key box must be approved by the respective fire chief or his/her designee.

TO WIT: Building access for emergency services. As per the Building Inspector a Knox Box is required for the structure.

REMEDY: Please log onto site below and order the required Knox key box. If you have any questions, please contact the Fire Inspector at 914-273-3000 ext.175 or email vcosta@northcastleny.com Note: The installation location of the Knox key box shall be determined by the Fire Chief and Fire Inspector.

<https://www.knoxbox.com/store/departmentsSearch.cfm>

ORDINANCE CODE:

2020 Property Maintenance Code of NYS 705.1 - Carbon Monoxide Alarm and Detectors

Carbon monoxide alarms and carbon monoxide detection systems shall be installed and maintained in accordance with Section 915 of the Fire Code of New York State.

TO WIT: No carbon monoxide detection observed throughout the entire structure

REMEDY: Install/maintain the carbon monoxide detectors in accordance with the code.

ORDINANCE CODE:

2020 Fire Code of NYS 107.1 - Maintenance of required safeguards.

Where any device, equipment, system, condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of this code, or otherwise installed, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously maintained in accordance with this code, the Property Maintenance Code of New York State and applicable referenced standards.

TO WIT: All back up emergency illumination failed throughout the entire structure.

REMEDY: Repair, replace, maintain the required device.

ORDINANCE CODE:

2020 Fire Code of NYS 1031.4 - Exit signs

Exit signs shall be installed and maintained in accordance with the building code that was in effect at the time of construction and the applicable provisions in Section 1104. Decorations, furnishings, equipment or adjacent signage that impairs the visibility of exit signs, creates confusion or prevents identification of the exit shall not be allowed.

TO WIT: All back up exit sign lighting failed throughout the structure

REMEDY: Install and maintain exit signs according to the code. Remove any items that impairs the visibility of exit signs.

ORDINANCE CODE:

2020 Fire Code of NYS 906.2 - Fire Extinguishers Maintained

Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.

TO WIT: All Fire Extinguishers throughout the entire structure are required to be inspected

REMEDY: Maintain portable fire extinguishers in accordance with the code.

ORDINANCE CODE:

2020 Property Maintenance Code of NYS 605.1 - Electrical Equipment Installation

Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

TO WIT: 1- All electrical panel circuits are not properly labeled 2- Left side Exterior Loading Dock Area - Flood light fixture above the exit door is hanging off the wall with electrical wiring exposed 3- Right side Exterior above exit door- Open electrical box with wiring exposed. 4- Middle Storage Room (Bulk & Staging Area)- Electrical panel closest to the loading dock has open knockouts

REMEDY: Immediately remove all hazardous electrical installations; and, Furnish and/or obtain all required building, and/or electrical, permits necessary to bring electrical system into compliance with the code, complete all work, and supply appropriate Certificate of Occupancy and/or Electrical Underwriters Certificate of Inspection in accordance with the code.

ORDINANCE CODE:

2020 Fire Code of NYS 1104.3 - Exit sign illumination

Exit signs shall be internally or externally illuminated. The face of an exit sign illuminated from an external source shall have an intensity of not less than 5 foot-candles (54 lux). Internally illuminated signs shall provide equivalent luminance and be listed for the purpose.

TO WIT: 1- Office- Exit sign above door to warehouse is not illuminated 2- Right Storage Room- Exit sign above egress door is not illuminated

REMEDY: Maintain the Exit signs so that they are internally or externally illuminated.

ORDINANCE CODE:

2020 Property Maintenance Code of NYS 702.1 - Means of Egress

A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the Fire Code of New York State.

TO WIT: 1- Office- Exit to loading dock from office has a multiple slide locks 2- Office- Main egress controlled by push button magnetic release 3- Loading Dock- Empty boxes stored near office exit door 4- Right Storage Room- Exit door to exterior is blocked by storage 5- Right Storage Room- Exit door to exterior is inoperable 6- Left Interior Loading Dock Area (Packaging Area)- Exit door contains multiple locks

REMEDY: Maintain a safe, continuous and unobstructed path of travel from any point in a building or structure to the public way.

ORDINANCE CODE:

2020 Fire Code of NYS 906.7 - Hangers and Brackets

Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions.

TO WIT: Right Storage Room- Fire extinguisher is on a file cabinet and not mounted properly

REMEDY: Install the portable fire extinguisher as required by the code.

ORDINANCE CODE:

2020 Fire Code of NYS 315.3.1 - Ceiling clearance

Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or not less than 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.

TO WIT: 1- Right Storage Room- Storage too close to the ceiling 2- Middle Storage Room (Bulk & Staging Area)- Storage too close to the ceiling 3- Left Interior Loading Dock Area (Packaging Area)- Storage too close to ceiling above the Lab

REMEDY: Maintain storage two (2') feet or more below the ceiling in a non-sprinklered building or a minimum of eighteen (18") inches below sprinkler head deflectors in sprinklered areas of buildings.

ORDINANCE CODE:

2020 Property Maintenance Code of NYS 703.1 - Fire-resistance-rated assemblies.

The provisions of this chapter shall govern maintenance of the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.

TO WIT: Middle Storage Room (Bulk & Staging Area)- Left wall opposite packaging area- Penetrations through wall containing electrical conduit-Fire rating compromised

REMEDY: Apply for and obtain any necessary permits; maintain the required fire-resistance rating of fire-resistance-rated construction including walls, fire stops, shaft enclosures, partitions and floors

ORDINANCE CODE:

2020 Fire Code of NYS 315.3.3 - Equipment rooms

Combustible material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms or in fire command centers as specified in Section 508.1.5.

TO WIT: Loading Dock- Storage in gas meter area behind the chain link fence

REMEDY: Remove all combustible storage from the equipment room.

ORDINANCE CODE:

2020 Fire Code of NYS 315.3 - Storage in buildings

Storage of materials in buildings shall be orderly and stacks shall be stable. Storage of combustible materials shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur.

TO WIT: Left Interior Loading Dock Area (Packaging Area)- Water heater next to closet- Combustibles stored too close to exhaust vent

REMEDY: Maintain storage of combustible materials in buildings in an orderly fashion; and/or separated from heaters or heating devices by distance or shielding so that ignition cannot occur.

ORDINANCE CODE:

2020 Property Maintenance Code of NYS 504.1 - Plumbing Systems & Fixtures

Plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. Plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

TO WIT: 1- Left Interior Loading Dock Area (Packaging Area)- Eyewash station hanging off the support- Broken support 2- Left Interior Loading Dock Area (Packaging Area)- Eyewash station does not have a proper drain

REMEDY: Apply for and obtain any necessary permits to maintain all plumbing in a safe, sanitary and functional condition, kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed.

ORDINANCE CODE:

2020 Property Maintenance Code of NYS 302.1 - Sanitation

Exterior property and premises shall be maintained in a clean, safe condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

TO WIT: Garbage, debris and construction material strewn about the property.

REMEDY: Maintain property and premises in a clean, safe and sanitary condition so as to not cause a blighting problem or adversely affect the public health or safety in accordance with the code.

ORDINANCE CODE:

2020 Plumbing Code of NYS 504.6 - Water Heaters (Relief valves discharge)

The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:
1. Not be directly connected to the drainage system. 2. Discharge through an air gap located in the same room as the water heater. 3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap. 4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment. 5. Discharge to the floor, to the pan serving the water heater or storage tank, to a waste receptor or to the outdoors. 6. Discharge in a manner that does not cause personal injury or structural damage. 7. Discharge to a termination point that is readily observable by the building occupants. 8. Not be trapped. 9. Be installed so as to flow by gravity. 10. Terminate not more than 6 inches (152 mm) above and not less than two times the discharge pipe diameter above the floor or flood level rim of the waste receptor. 11. Not have a threaded connection at the end of such piping. 12. Not have valves or tee fittings. 13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1. 14. Be one nominal size larger than the size of the relief valve outlet, where the relief valve discharge piping is installed

with insert fittings. The outlet end of such tubing shall be fastened in place. If you have any questions or concerns, feel free to contact me anytime.

TO WIT: Water heater next to closet- Blow off safety valve is improperly installed

REMEDY: Properly pipe the relief valve within 6 inches of the floor

ORDINANCE CODE:

2020 Property Maintenance Code of NYS 302.4 - Weeds

Except as provided for in statute, local law, ordinance, or other regulations, all developed areas of a premises that are intended to be used by building occupants or the public shall be maintained free from weeds in excess of 10 inches (254 mm). Noxious weeds shall be prohibited.

TO WIT: Weeds/Grass around the entire structure not maintained as per code

REMEDY: Maintain exterior property keeping it free from weeds and all grasses or plant growth in excess of 10 inches (254mm) and/or keeping exterior property free from all noxious weeds in accordance with the code.

ORDINANCE CODE:

TOWN OF NORTH CASTLE CODE 241-4 B - Property Maintenance (Fence and minor construction)

Fences and other minor construction shall be maintained in a safe and substantial condition.

TO WIT: The fence located in the rear of the structure on the roof is in disrepair

REMEDY: Repair or replace the damaged fence. Maintain the construction area in a safe condition.

ORDINANCE CODE:

2020 Property Maintenance Code of NYS 302.7 - Accessory Structures

Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

TO WIT: The fence located in the rear of the structure on the roof is in disrepair

REMEDY: File for and obtain the necessary permit to repair or restore accessory structure.

NOTICE: Full compliance with this order to remedy is required by **10/20/2020** which is thirty (30) days after the date of this order. If the person or entity served with this order to remedy fails to comply in full with this order to remedy within the thirty (30) day period, that person or entity will be subject to a fine of not more than \$1000.00 per day, per violation, or imprisonment not exceeding one year, or both. You are hereby notified that you have (30) calendar days to remove/ restore and make safe the above noted violations in the prescribed manner and/ or to provide evidence that the apparent unlawful improvements were completed in accordance with the Code. Further, you are hereby directed to bring the referenced violations into compliance and **arrange for a re-inspection** within the aforementioned time frame. Failure to comply will result in alternative action as prescribed by Law in order to gain compliance including, but not limited to: a summons to appear in court. In addition to those penalties prescribed by state law, any person who violates any provision of the Uniform Code, the Energy Code or the code of the Town of North Castle or any term or condition of any building permit, certificate of occupancy/certificate of compliance, temporary certificate, stop-work order, operating permit or other notice or order issued by the Building Inspector shall be liable to a civil penalty of not more than \$500 for each day or part thereof during which such violation continues as prescribed by Part II General Legislation, Chapter 127-15 C.

Respectfully,



Vincent Costa

Fire Inspector

**THIS NOTICE MUST BE ATTACHED TO ANY PERMIT APPLICATIONS
INTENDED TO CORRECT THE VIOLATIONS ENUMERATED HEREIN.**