

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 9, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Waiver of Town Code Section 42-199, For Extended Working Hours at 259 Worth Avenue
– Second & Third Floor Buildout of the Tiffany Building – Third Request

Date: November 30, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council consider a request for an extension of work hours for the buildout of the second and third floors of the Tiffany Building, 259 Worth Avenue. If approved, staff recommends that it be conditioned upon the November 30, 2020 letter (attached) from Maura Ziska, Esq., along with the updated CPM construction schedule prepared by Shawmut Construction, which shows construction now revised to conclude on or about March 5, 2021.

Staff has notified the applicant that granting of extended working hours is the sole discretion of the Town Council.

GENERAL INFORMATION

The applicant is requesting to continue the project throughout the winter season with a new completion date on or about March 5, 2021. The Town Council approved this project starting two weeks early at your April 15, 2020 meeting, and then further allowed a brief time extension to complete the project to the beginning of December 2020 [at your October 14, 2020 meeting].

Ordinance 03-2018, passed by the Town Council on second reading on February 13, 2018, modified the construction working hours in the Town as follows:

Sec. 42-199. - Hours for construction work.

- (b) *Limited. Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday, and legal holidays, when all construction work is prohibited. In no event shall heavy equipment or other construction-related noise be permitted before 9:00 a.m. At all other times such work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and legal holidays,*

including the Friday immediately after Thanksgiving, when all construction work is restricted or prohibited. Construction work is permissible on Saturdays from May through the Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature during which all of the noise and machinery prohibitions identified in section 42-198 are applicable; material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restriction due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending on October 31, except Sundays and legal holidays, when all construction work is prohibited.

(c) Exceptions.

- (5) The town council, in its discretion, for the benefit of the health, safety and welfare of the residents of the town may, by resolution, temporarily amend the hours for construction work referenced herein.

The applicant was asked to notify surrounding property owners of the request and of the date of this meeting, as required.

Attachments – November 30, 2020 letter from Maura Ziska with the proposed construction schedule.

Staff Memo dated September 23, 2020

Staff Memo dated March 26, 2020

WRB

KOCHMAN & ZISKA PLC

Ronald S. Kochman*
Maura A. Ziska

Amy D. Bahl

*Also admitted in New York

Esperanté
222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960
Facsimile: (561) 802-8995

November 30, 2020

VIA EMAIL

wbergman@townofpalmbeach.com

Mr. Wayne Bergman, Building Official
Town of Palm Beach
360 S County Road
Palm Beach, FL 33480

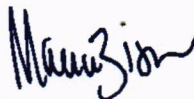
Re: Extension for construction time frame /259 Worth Avenue, Palm Beach, FL

Dear Wayne,

This letter shall serve as formal notice of the request for a waiver of the time schedule for completion of construction by the owner of 259 Worth Avenue, Palm Beach, Florida. This is to allow continued work on the 2nd and 3rd floor residential unit. Also enclosed is a construction schedule from Batten Construction. The reason for the delay and request for an extension is due to unforeseen events due to COVID-19. The new completion date would be the beginning of March 2021. I have also included a copy of the letter that will be sent notifying the abutting property owners and the owners across the street from the project.

Please place this request on the December 9, 2020 Town Council agenda.

Respectfully,



Maura Ziska

MZ/jc
Enclosures
cc: Client

KOCHMAN & ZISKA PLC

Ronald S. Kochman*
Maura A. Ziska

Amy D. Bahl
*Also admitted in New York

Esperanté
222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960
Facsimile: (561) 802-8995

November 30, 2020

RE: 259 Worth Avenue, Palm Beach

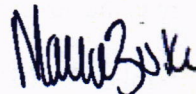
To Whom It May Concern:

A waiver of Town Ordinance 42-199, Hours of Construction, is being requested by 259 Worth Avenue, to allow work on the 2nd and 3rd floor residential units to continue during normal seasonal hours from November 1, 2020 through March 6, 2021. We would discontinue work during peak holiday times which includes December 23-27, 2020, and from December 30, 2020-January 1, 2021.

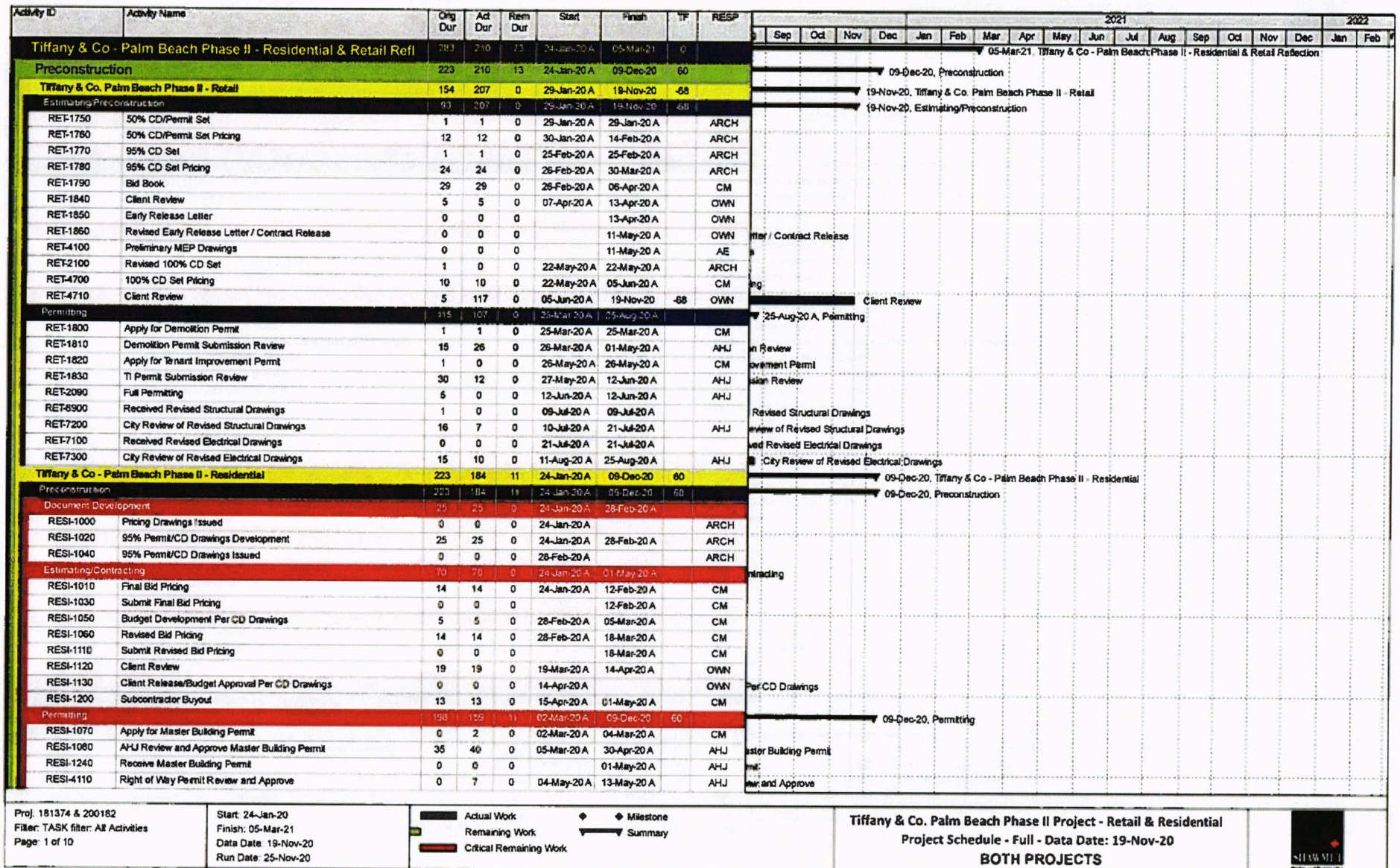
This matter will be presented to the Town Council at the regularly-scheduled meeting on December 9, 2020. Any concerns regarding this matter should be expressed at this meeting.

This notice is required to be postmarked no later than 10 days prior to the regularly scheduled meeting.

Respectfully,



Maura Ziska



Activity ID	Activity Name	Orig Dur	Act Dur	Rem Dur	Start	Finish	TF	RESP	2021												2022			
									Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
RESI-8820	Town of Palm Beach Council Meeting - Time Extension Request	0	0	0		14-Oct-20 A		AHJ																
A1260	** Water Meter Permit - Timeline TBD **	3	0	3	23-Nov-20*	25-Nov-20	-40																	
A1220	** Pool Permit - Timeline TBD**	10	0		23-Nov-20*	07-Dec-20	-46																	
A1370	Town of Palm Beach Council Meeting - Time Extension Request	0	0	0		09-Dec-20*	60																	
Procurement		215	158	63	08-Apr-20 A	19-Feb-21	10																	
Tiffany & Co. Palm Beach Phase II - Retail		92	98	0	07-May-20 A	25-Sep-20 A																		
Shower Provided		70	75	0	07-May-20 A	28-Aug-20 A																		
Structural		24	24	0	18-May-20 A	19-Jun-20 A																		
RET-1030	Structural Steel Submittal	10	4	0	18-May-20 A	22-May-20 A		STR																
RET-1080	Structural Steel Review & Approval	5	5	0	22-May-20 A	29-May-20 A		STR																
RET-1090	Structural Steel Fabrication & Shipping	15	15	0	01-Jun-20 A	19-Jun-20 A		STR																
Drywall / Plaster		28	35	0	20-May-20 A	09-Jul-20 A																		
RET-4820	Security Mesh Submittal	10	25	0	20-May-20 A	25-Jun-20 A		DW																
RET-4830	Security Mesh Review & Approval	3	10	0	25-Jun-20 A	09-Jul-20 A		DW																
Entry Tile		10	3	0	22-Jun-20 A	25-Jun-20 A																		
RET-6560	Flooring: Entry Tile Submittal	10	3	0	22-Jun-20 A	25-Jun-20 A		FLR																
Electrical / Lighting		36	79	0	07-May-20 A	28-Aug-20 A																		
RET-4790	LED Track Light Submittal	10	8	0	07-May-20 A	19-May-20 A		ELEC																
RET-4800	LED Track Light Submittal Review & Approval	5	17	0	19-May-20 A	12-Jun-20 A		ELEC																
RET-4810	LED Track Light Fabrication & Shipping	20	54	0	12-Jun-20 A	28-Aug-20 A		ELEC																
HVAC Procurement		70	70	0	18-May-20 A	26-Aug-20 A																		
RET-1010	HVAC Equipment Submittal (Per 100% CD Set)	5	6	0	18-May-20 A	26-May-20 A		HVAC																
RET-1060	HVAC Sheet Metal Submittal	10	5	0	18-May-20 A	26-May-20 A		HVAC																
RET-1020	HVAC Equipment Review & Approval	5	9	0	26-May-20 A	08-Jun-20 A		HVAC																
RET-1100	HVAC Sheet Metal Review & Approval	11	21	0	26-May-20 A	24-Jun-20 A		HVAC																
RET-6900	RTU Equipment Fabrication & Shipping	50	58	0	28-May-20 A	19-Aug-20 A		HVAC																
RET-1050	FCU Equipment Fabrication & Shipping	30	56	0	08-Jun-20 A	26-Aug-20 A		HVAC																
RET-1170	HVAC Sheet Metal Fabrication & Shipping	10	7	0	17-Jun-20 A	26-Jun-20 A		HVAC																
RET-8910	Identified Issue with Existing Condenser Water Lines Through BOH	0	0	0	11-Aug-20 A			HVAC																
RET-8920	Redesign of Condenser Water Lines	10	5	0	11-Aug-20 A	18-Aug-20 A		HVAC																
RET-8930	Shop Drawing Review - Per Redesign	5	1	0	18-Aug-20 A	19-Aug-20 A		HVAC																
Plumbing		26	26	0	18-May-20 A	23-Jun-20 A																		
RET-4010	Plumbing Shop Drawings Submittal	10	17	0	18-May-20 A	11-Jun-20 A		PLMB																
RET-4020	Plumbing Shop Drawings Review & Approval	5	1	0	11-Jun-20 A	12-Jun-20 A		PLMB																
RET-4030	Plumbing Rough Material Acquisition	8	5	0	17-Jun-20 A	23-Jun-20 A		PLMB																
Flooring pkg		11	20	0	06-Jul-20 A	31-Jul-20 A																		
RET-1270	Flooring: VCT Submittal	10	1	0	06-Jul-20 A	07-Jul-20 A		FLR																
RET-1390	Flooring: VCT Review & Approval	5	2	0	07-Jul-20 A	09-Jul-20 A		FLR																
RET-1440	Flooring: VCT Fabrication & Shipping	10	17	0	09-Jul-20 A	31-Jul-20 A		FLR																
Owner Provided Materials on site dates		23	23	0	24-Aug-20 A	25-Sep-20 A																		
Wall Covering		6	6	0	24-Aug-20 A	24-Aug-20 A																		
RET-1400	WC Acquisition	6	6	0		24-Aug-20 A		PAIN																
Low Voltage		13	0	0	25-Sep-20 A	25-Sep-20 A																		
RET-1640	Low Voltage Equipment	0	0	0		25-Sep-20 A		AV																
RET-1650	Security System	0	0	0		25-Sep-20 A		SEC																
RET-1660	Loss Prevention	0	0	0		25-Sep-20 A		ELEC																
RET-1670	Burglar System	0	0	0		25-Sep-20 A		SEC																

Proj: 181374 & 200182
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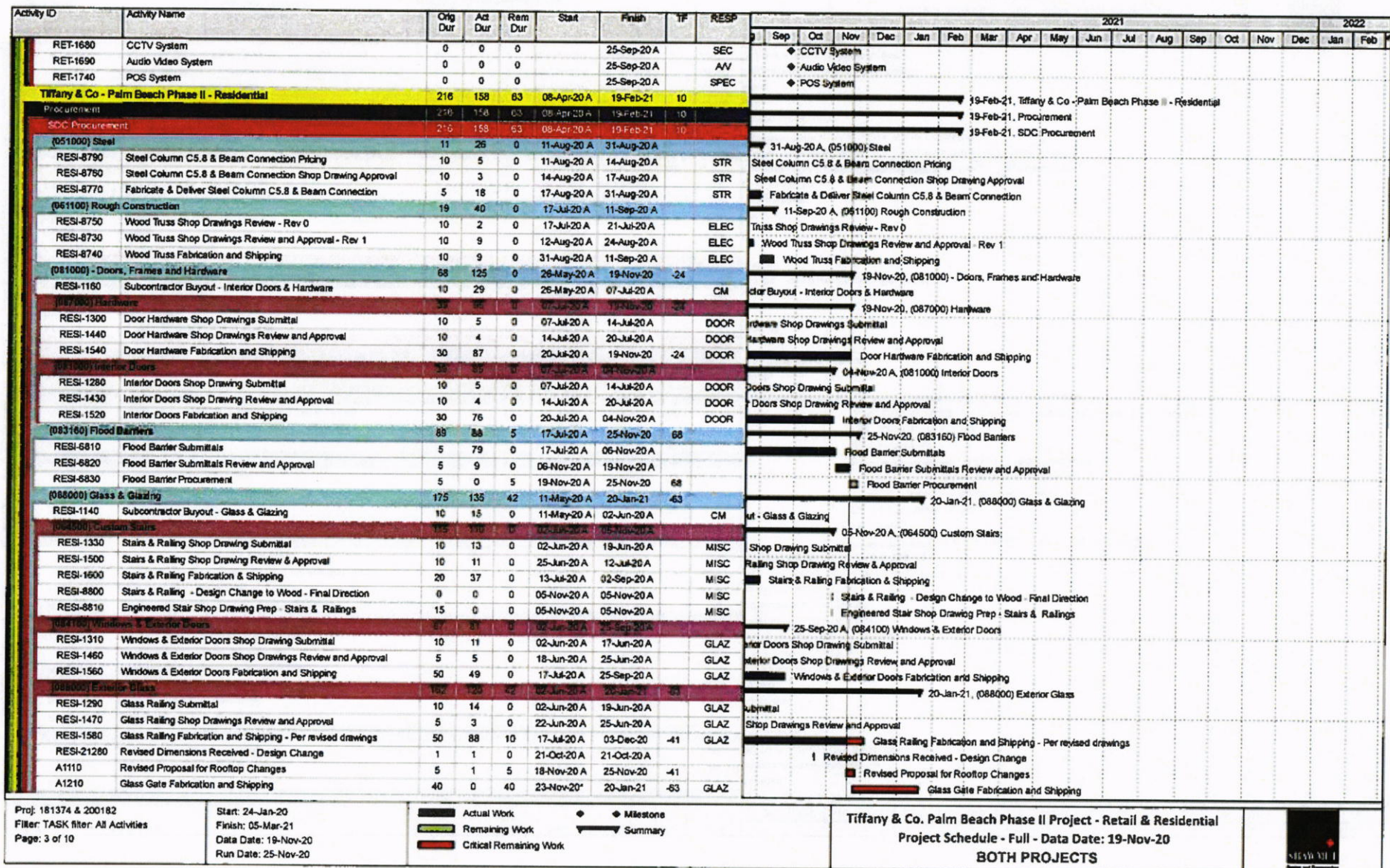
Start: 24-Jan-20
Finish: 05-Mar-21
Data Date: 19-Nov-20
Run Date: 25-Nov-20

Actual Work
Remaining Work
Critical Remaining Work

Milestone
Summary

Tiffany & Co. Palm Beach Phase II Project - Retail & Residential
Project Schedule - Full - Data Date: 19-Nov-20
BOTH PROJECTS





Activity ID	Activity Name	Orig Dur	Act Dur	Rem Dur	Start	Finish	TF	RESP	2021												2022			
									Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
(210000) Fire Sprinkler		23	43	0	30-Jun-20 A	28-Aug-20 A																		
RESI-6840	Sprinkler Submittals	5	4	0	30-Jun-20 A	07-Jul-20 A		FP																
RESI-6850	Sprinkler Submittals Review and Approval	5	3	0	08-Jul-20 A	13-Jul-20 A		FP																
RESI-6860	Sprinkler Engineering & Permitting	20	25	0	27-Jul-20 A	28-Aug-20 A		FP																
(230000) HVAC		112	46	0	12-May-20 A	17-Jul-20 A																		
RESI-4580	Subcontractor Buyout - HVAC	15	5	0	12-May-20 A	19-May-20 A		CM																
RESI-4620	HVAC Shop Drawings Submittals	7	3	0	20-May-20 A	26-May-20 A		ELEC																
RESI-4590	HVAC Equipment Submittals	4	4	0	20-May-20 A	26-May-20 A		ELEC																
RESI-4630	HVAC Shop Drawings Review and Approval	10	8	0	27-May-20 A	08-Jun-20 A		ELEC																
RESI-4600	HVAC Equipment Review and Approval	10	23	0	27-May-20 A	26-Jun-20 A		ELEC																
RESI-4610	HVAC Equipment Fabrication and Shipping	60	13	0	29-Jun-20 A	17-Jul-20 A		ELEC																
(255000) Lighting		90	95	0	08-Apr-20 A	20-Aug-20 A																		
RESI-1210	Subcontractor Buyout - Electrical & Lighting Fixtures	15	33	0	08-Apr-20 A	26-May-20 A		CM																
RESI-1400	Lighting Fixtures Shop Drawings Submittals	10	17	0	01-Jun-20 A	23-Jun-20 A		ELEC																
RESI-1490	Lighting Fixtures Shop Drawings Review and Approval - Rev 0 & 1	10	15	0	04-Jun-20 A	25-Jun-20 A		ELEC																
RESI-1590	Lighting Fixtures Fabrication and Shipping	40	40	0	25-Jun-20 A	20-Aug-20 A		ELEC																
Pool Equipment & Finishes - Added Scope		49	0	47	17-Nov-20 A	29-Jan-21	-66																	
A1380	Pool Delivery	5	0	0	17-Nov-20 A	17-Nov-20 A																		
A1160	Pool Tile (Owner Vendor)	9	0	9	23-Nov-20*	04-Dec-20	-35																	
A1170	Landscaping (Pending Plan Receipt)	15	0	15	08-Dec-20	29-Dec-20	-44																	
A1310	Artificial Turf (Vendor Availability)	1	0	1	29-Jan-21*	29-Jan-21	-73																	
Precast Window Return		61	0	61	23-Nov-20	19-Feb-21	-87																	
A1320	Submittal Prep	5	0	5	23-Nov-20*	30-Nov-20	-87																	
A1330	Submittal Review & Approval	5	0	5	01-Dec-20	07-Dec-20	-87																	
A1150	Precast Window Returns - Procurement & Sub Availability	51	0	51	08-Dec-20	19-Feb-21	-87																	
Construction		226	153	73	15-Apr-20 A	05-Mar-21	0																	
Mobilization		37	38	0	15-Apr-20 A	08-Jun-20 A																		
Tiffany & Co - Palm Beach Phase II - Retail		0	0	0	01-May-20 A	01-May-20 A																		
Mobilization		0	0	0	01-May-20 A	01-May-20 A																		
RET-1450	Pre-Site Coordination and LL Kick-off	0	0	0	01-May-20 A			CM																
RET-1460	Mobilize to site	0	0	0	01-May-20 A			CM																
RET-1990	Safety Kick off meeting	0	0	0	01-May-20 A			CM																
Tiffany & Co - Palm Beach Phase II - Residential		37	38	0	15-Apr-20 A	08-Jun-20 A																		
Mobilization		37	38	0	15-Apr-20 A	08-Jun-20 A																		
RESI-1250	Assess Site Conditions	4	11	0	15-Apr-20 A	30-Apr-20 A		CM																
RESI-4100	Mobilize	0	0	0	04-May-20 A			CM																
RESI-1230	Recorded Notice of Commencement	0	0	0		12-May-20 A		CM																
RESI-1350	Temporary Field Office Setup/Signage	1	1	0	22-May-20 A	22-May-20 A		CM																
RESI-1340	Fence off Sidewalk and Parking Lot	5	5	0	02-Jun-20 A	08-Jun-20 A		CM																
Rough Construction		207	140	54	04-May-20 A	05-Feb-21	-68																	
Tiffany & Co - Palm Beach Phase II - Retail		129	127	0	04-May-20 A	02-Nov-20 A																		
Rough Construction		129	127	0	04-May-20 A	02-Nov-20 A																		
RET-2000	Electrical and Low Voltage Casework Disconnect	2	1	0	04-May-20 A	05-May-20 A		ELEC																
RET-2010	Casework Relocation/Protection	2	2	0	04-May-20 A	05-May-20 A		CASE																
RET-2060	Carpet and Carpet Pad Removal	3	1	0	05-May-20 A	06-May-20 A		CRPT																
RET-2020	Selective Demolition (Concrete Column and Existing Elevator Shaft)	7	3	0	05-May-20 A	08-May-20 A		DEMO																
RET-4110	RFI #1 Requesting Revised Architectural Sketch for Entry	0	14	0	06-May-20 A	27-May-20 A		ARCH																

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Filter: TASK filter: All Activities
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Start: 24-Jan-20
Finish: 05-Mar-21
Data Date: 19-Nov-20
Run Date: 25-Nov-20

Actual Work
Remaining Work
Critical Remaining Work

Milestone
Summary

Tiffany & Co. Palm Beach Phase II Project - Retail & Residential
Project Schedule - Full - Data Date: 19-Nov-20
BOTH PROJECTS



Activity ID	Activity Name	Orig Dur	Act Dur	Rem Dur	Start	Finish	TF	RESP	2021												2022			
									Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
RET-2050	Casework Enclosure Installation	2	2	0	06-May-20 A	07-May-20 A		CASE																
RET-4510	** Uncovered Beam on 2nd Floor CL F- Meeting Held on 5/18, Final	5	10	0	15-May-20 A	29-May-20 A		CM																
RET-4200	Selective Demolition of Ceiling	7	7	0	18-May-20 A	27-May-20 A		DEMO																
RET-2140	Demolition of the Existing Elevator Shaft	15	5	0	22-May-20 A	01-Jun-20 A		DEMO																
RET-4210	Ductwork Demolition	5	3	0	25-May-20 A	29-May-20 A		DEMO																
RET-4220	Demolition of Existing Grilles and Diffusers	5	3	0	25-May-20 A	29-May-20 A		DEMO																
RET-4520	** Electrical Conduit Removal at Ceiling **	3	3	0	25-May-20 A	29-May-20 A		DEMO																
RET-4860	** Uncovered Existing Conditions at 1st Floor Concrete Ceiling, Meet	5	6	0	26-May-20 A	02-Jun-20 A		CM																
RET-2120	Shoring of the Existing Elevator Shaft	1	1	0	26-May-20 A	26-May-20 A		SHOR																
RET-4610	** Demo of Existing Beam on CL F -2nd Floor**	4	4	0	28-May-20 A	03-Jun-20 A		DEMO																
RET-4560	Millwork Removal (or Salvage) at Storefront Entry	3	3	0	28-May-20 A	01-Jun-20 A		DEMO																
RET-2070	Shoring for the New Steel Columns	3	0	0	29-May-20 A	29-May-20 A		SHOR																
RET-3000	Disconnect Fire Alarm from Existing Units (Johnson Controls)	5	0	0	29-May-20 A	29-May-20 A		ELEC																
RET-2040	Slab Infill at Entry	8	2	0	08-Jun-20 A	10-Jun-20 A		CONC																
RET-2130	FOH Concrete Column Work - Demo, Foundation & Column Install	10	4	0	08-Jun-20 A	12-Jun-20 A		CONC																
RET-2230	Disconnect and Remove Existing AC Units - 3rd Floor	10	4	0	08-Jun-20 A	12-Jun-20 A		MECH																
RET-6530	** Electrical & FA Rough - Tracing & Repair - FOH **	15	48	0	08-Jun-20 A	14-Aug-20 A		ELEC																
RET-4570	Post Installation at Storefront Entry	5	2	0	10-Jun-20 A	12-Jun-20 A		STR																
RET-2160	Concrete Infill at Elevator Shaft	5	0	0	11-Jun-20 A	11-Jun-20 A		CONC																
RET-2080	FOH Chemical Grouting Complete (LL Work RESI - 1480)	0	0	0		22-Jun-20 A		CONC																
RET-2240	2nd Floor Deck Complete (LL Work RESI - 6580)	0	0	0		23-Jun-20 A																		
RET-2260	Provide Temporary Cooling Throughout the Space	2	2	0	29-Jun-20 A	30-Jun-20 A		CM																
RET-2270	HVAC Ductwork Relocation	10	34	0	29-Jun-20 A	14-Aug-20 A		HVAC																
RET-2450	FOH Framing	4	11	0	06-Jul-20 A	21-Jul-20 A		DW																
RET-6510	Inwall Rough Inspections: Framing & MEP - FOH	3	19	0	08-Jul-20 A	31-Jul-20 A																		
RET-8000	** Tiffany Security Team Onsite to Review Existing Conditions **	1	1	0	09-Jul-20 A	09-Jul-20 A																		
RET-2150	Plumbing Rough FOH Complete (LL Work RESI - 1630)	0	0	0		17-Jul-20 A		PLMB																
RET-8800	** Tiffany Security Team - Rough Overhead LV Cleanup **	5	6	0	21-Jul-20 A	28-Jul-20 A																		
RET-7400	** Final Structural Inspection and Infill per Revised Structural Set **	5	5	0	22-Jul-20 A	28-Jul-20 A																		
RET-6540	Temp Wall Separating Retail and Residential Core Work Complete (LL Work RESI - 6530)	0	0	0		31-Jul-20 A																		
RET-4540	** Waterproofing at 2nd Floor Ceiling Around Elevator Core **	5	4	0	03-Aug-20 A	07-Aug-20 A		WPRF																
RET-6520	Electrical & Fire Alarm Rough - BOH	5	57	0	10-Aug-20 A	28-Oct-20 A		ELEC																
RET-8960	HVAC Layout Team Meeting	0	0	0	01-Sep-20 A			HVAC																
RET-8970	HVAC Layout Direction by Henderson & TCO	5	5	0	02-Sep-20 A	10-Sep-20 A		HVAC																
RET-2170	AC Unit Support Installation at Elevator Shaft	5	0	0	03-Sep-20 A	03-Sep-20 A		MECH																
RET-2280	FCU Installation at Elevator Shaft	4	0	0	03-Sep-20 A	03-Sep-20 A		HVAC																
RET-8990	** Revised Structural Drawings from Engineer - RTU Support **	0	0	0		11-Sep-20 A		AE																
RET-9000	** Revised Shop Drawings Prep for RTU Support **	5	5	0	15-Sep-20 A	22-Sep-20 A		STR																
RET-9010	** Revised Shop Drawings Review & Approval for RTU Support **	5	1	0	23-Sep-20 A	24-Sep-20 A		AE																
RET-9020	** RTU Support Steel Fabrication **	5	5	0	24-Sep-20 A	30-Sep-20 A		STR																
RET-9030	** Install RTU Support Steel **	5	2	0	30-Sep-20 A	02-Oct-20 A		STR																
RET-4230	Plumbing Rough at Retail Space (BOH Bathroom)	8	18	0	30-Sep-20 A	23-Oct-20 A		PLMB																
RET-9040	** Sketch for RTU Additional Steel **	0	0	0	05-Oct-20 A	05-Oct-20 A		AE																
RET-9050	** Additional Cross Members for RTU Support Fabrication **	4	4	0	05-Oct-20 A	08-Oct-20 A		STR																
RET-9060	** Install Additional Cross Members for RTU Support **	2	3	0	09-Oct-20 A	14-Oct-20 A		STR																
RET-6550	RTU Installation & Final Connections at Roof	10	13	0	14-Oct-20 A	02-Nov-20 A		HVAC																
RET-2220	Rough Inspections: Mechanical Rough, Framing, Structural - BOH	3	4	0	19-Oct-20 A	23-Oct-20 A																		

Proj: 181374 & 200182
Filter: TASK Filter: All Activities
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Start: 24-Jan-20
Finish: 05-Mar-21
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RET-2210	BOH MEP Repairs (LL Work)	3	10	0	19-Oct-20 A	02-Nov-20 A																										
RET-2420	Final Connection to FCU at Elevator Shaft	3	6	0	19-Oct-20 A	26-Oct-20 A		ELEC																								
RET-2190	LL Elevator Shaft Wall Completed/Perimeter Walls (LL Work Resi - 1610)	0	0	0		20-Oct-20 A		DW																								
RET-2180	Removing the Shoring Complete (LL Work RESI - 1650)	0	0	0		20-Oct-20 A		SHOR																								
Tiffany & Co - Palm Beach Phase II - Residential		207	140	64	04-May-20 A	05-Feb-21	-68																									
Concrete Core - Elevator, Stair & Shear Wall		187	139	54	05-May-20 A	05-Feb-21	-68																									
Demo/Excavation		105	43	0	05-May-20 A	07-Jul-20 A																										
RESI-1370	Demolition - 1st Mobilization (Elevator Lobby & 2nd Floor)	5	35	0	05-May-20 A	02-Jun-20 A		DEMO																								
RESI-4510	** RFI #11 - Structural Steel in Conflict with Elevator Shaft Construction	5	8	0	06-May-20 A	18-May-20 A		AE																								
RESI-1380	Remove and Salvage Wood Joist	3	4	0	11-May-20 A	15-May-20 A		DEMO																								
RESI-3100	Chemical Grouting for 18 Footers - BOH - Concrete Core	5	19	0	26-May-20 A	22-Jun-20 A		CONC																								
RESI-4500	Shoring of Second Floor Rafters (Post Engineering Approval)	15	4	0	15-Jun-20 A	18-Jun-20 A		DEMO																								
RESI-1760	Demolition - 3rd Floor - BOH - Concrete Core	5	9	0	23-Jun-20 A	07-Jul-20 A		DEMO																								
Below Grade Shell Scope		86	84	0	22-Jun-20 A	20-Oct-20 A																										
RESI-1420	Elevator Pit & Mat Soil Stabilization	10	24	0	22-Jun-20 A	21-Jul-20 A		SITE																								
RESI-8600	** Waterproof cofferdam / water in Elevator Pit **	5	11	0	22-Jul-20 A	03-Aug-20 A																										
RESI-8610	** Weather - Non Work Days (Hurricane Issues)**	5	3	0	30-Jul-20 A	03-Aug-20 A																										
RESI-1550	Install Cast-In Place Elevator Pit & Mat Foundation (Baseline)	5	23	0	03-Aug-20 A	29-Aug-20 A		CONC																								
RESI-8630	Reinforcing Bottom Elevator Pit, Pedestal & Vertical Walls (2ft)	3	1	0	04-Aug-20 A	05-Aug-20 A		CONC																								
RESI-8650	Drawing Revisions for Inspection	6	4	0	10-Aug-20 A	10-Aug-20 A		CONC																								
RESI-8710	Procure, Place and Inspect Additional Steel per Revised Drawings	6	4	0	11-Aug-20 A	14-Aug-20 A		CONC																								
RESI-8640	Pour Elevator pit (18" mat and walls from -6'-6" to -2'-10")	1	2	0	15-Aug-20 A	18-Aug-20 A		CONC																								
RESI-8670	Excavate Mat Foundation (0 to -3ft)	5	7	0	15-Aug-20 A	22-Aug-20 A		CONC																								
RESI-8680	Chip Cofferdam Walls	5	5	0	17-Aug-20 A	22-Aug-20 A		CONC																								
RESI-8690	Install Mat Reinforcing Steel	3	6	0	22-Aug-20 A	28-Aug-20 A		CONC																								
A1000	Changes to the dwgs for 1 pour (-2'-10" to -0'-2")	6	5	0	24-Aug-20 A	28-Aug-20 A																										
7	Cut down helical piles and install cap plates	2	1	0	24-Aug-20 A	24-Aug-20 A																										
8	Reinforcement of 18" mat & elev Pit wall to -0'-2"	7	3	0	25-Aug-20 A	28-Aug-20 A																										
9	Inspect Mat & elev Pit wall reinforcing (from -2'-10" to -0'-2")	1	0	0	28-Aug-20 A	28-Aug-20 A																										
10	Pour 18" mat foundation, walls & s.o.g. to elev -0'-2" (one shot)	1	0	0	29-Aug-20 A	29-Aug-20 A																										
RESI-1680	Install Steel Column C5.8 & Beam Connection	2	0	0	21-Sep-20 A	21-Sep-20 A		STR																								
RESI-1650	Remove 3rd Floor Shoring (down to the ground)	2	1	0	19-Oct-20 A	20-Oct-20 A		SHOR																								
Structural		46	25	10	15-Oct-20 A	03-Dec-20	-66																									
RESI-1640	Roof conc. Slab inspection & pour	5	2	0	15-Oct-20 A	18-Oct-20 A		CONC																								
RESI-6620	3rd FL Concrete Curing Time (7d avg= 5,250 psi using mix 60540401)	5	5	0	16-Oct-20 A	20-Oct-20 A		CONC																								
RESI-21140	** Received RFI#77 Response S-1	5	0	0	21-Oct-20 A	21-Oct-20 A																										
RESI-6590	Install Ledgers or Angles for Wood Joists at 3rd Floor - Concrete Core	5	0	0	21-Oct-20 A	22-Oct-20 A		STR																								
RESI-1730	Entry Foyer Enclosure - RFI#77	10	17	0	22-Oct-20 A	04-Nov-20 A		GLAZ																								
RESI-6600	Structural Wood Framing 3rd Floor - Concrete Core	9	2	0	23-Oct-20 A	24-Oct-20 A		CARR																								
RESI-6610	Sheathing 3rd Floor - Concrete Core	5	0	0	24-Oct-20 A	24-Oct-20 A		STR																								
RESI-1780	Pour Concrete Slab for Elevator Lid	5	2	0	27-Oct-20 A	28-Oct-20 A		CONC																								
RESI-1670	Steel Hoist Beam	5	0	0	03-Nov-20 A	03-Nov-20 A		STR																								
A1120	** Revised Layout for Main Stair **	3	0	3	19-Nov-20 A	23-Nov-20	-65	MISC																								
A1130	** Form & Pour Slab at Main Stair **	3	0	3	24-Nov-20	30-Nov-20	-67	MISC																								
RESI-1720	Install Main Stairs (1st to 2nd Floor)	3	0	3	01-Dec-20	03-Dec-20	-67	MISC																								
Vertical Construction		43	42	0	31-Aug-20 A	20-Oct-20 A																										
16	New - 1st fl of SW (8") (Reinf., inspect, pour)	3	5	0	31-Aug-20 A	04-Sep-20 A																										

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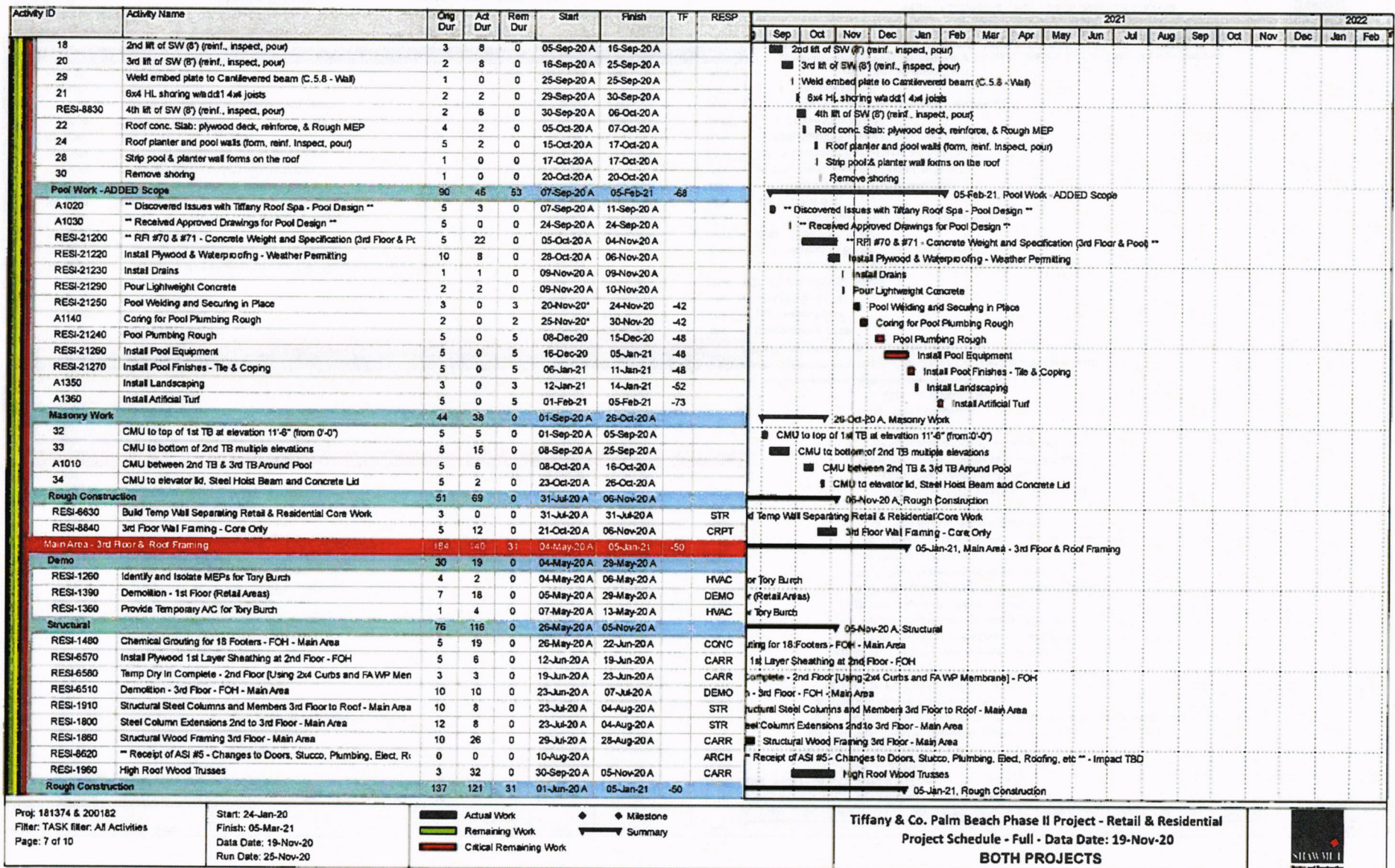
Start: 24-Jan-20
Finish: 05-Mar-21
Data Date: 19-Nov-20
Run Date: 25-Nov-20

Actual Work
Remaining Work
Critical Remaining Work

Milestone
Summary

Tiffany & Co. Palm Beach Phase II Project - Retail & Residential
Project Schedule - Full - Data Date: 19-Nov-20
BOTH PROJECTS

STWAVE
Building and Construction



Activity ID	Activity Name		Orig Dur	Act Dur	Rem Dur	Start	Finish	TF	RESP	2021												2022															
										Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug				
RESI-1630	Install Underground Plumbing Rough (Trenching to Patching) (FOH)		10	33	0	01-Jun-20 A	17-Jul-20 A		PLMB	Underground Plumbing Rough (Trenching to Patching) (FOH)																											
RESI-1900	Install Plywood Sheathing at 3rd Floor		5	39	0	06-Aug-20 A	04-Sep-20 A		CARR	Install Plywood Sheathing at 3rd Floor																											
RESI-2040	Floor Drains at High Roof		1	1	0	12-Oct-20 A	13-Oct-20 A		PLMB	I Floor Drains at High Roof																											
RESI-2020	3rd Floor Wall Framing - Main Area		5	8	0	13-Oct-20 A	23-Oct-20 A		CRPT	3rd Floor Wall Framing - Main Area																											
RESI-21160	** RFI#73 - Mech Unit Support Clarification **		5	8	0	14-Oct-20 A	26-Oct-20 A			** RFI#73 - Mech Unit Support Clarification **																											
RESI-21150	** RFI#76 - North Roof Partition Wall Rebaton for Pool Equipment		5	10	0	19-Oct-20 A	02-Nov-20 A			** RFI#76 - North Roof Partition Wall Rebaton for Pool Equipment (VOID - proceeding per plans)**																											
RESI-1770	Electrical Rough In 3rd Floor		20	24	10	20-Oct-20 A	04-Dec-20	-31	ELEC	Electrical Rough In 3rd Floor																											
A1060	Install 3rd Floor Waterproofing 1st Layer		5	4	0	29-Oct-20 A	04-Nov-20 A			Install 3rd Floor Waterproofing 1st Layer																											
RESI-2010	High Roof Sheathing		2	1	0	05-Nov-20 A	05-Nov-20 A		CRPT	I High Roof Sheathing:																											
A1040	Main deck (3rd Floor) drainage procurement		10	12	7	05-Nov-20 A	01-Dec-20	-67		Main deck (3rd Floor) drainage procurement																											
A1240	** RFI #90 - Roof Parapet Detail for Handrail **		5	3	4	16-Nov-20 A	24-Nov-20	-68		** RFI #90 - Roof Parapet Detail for Handrail **																											
RESI-1940	Install Equipment Curbs and Stands on 3rd Floor		2	0	2	19-Nov-20 A	20-Nov-20	-58	HVAC	Install Equipment Curbs and Stands on 3rd Floor																											
RESI-2050	Install High Roof & Elevator Roofing		5	0	5	23-Nov-20*	30-Nov-20	-60	ROOF	Install High Roof & Elevator Roofing																											
A1250	** Change order per RFI #90 - Review and Approval **		5	0	5	25-Nov-20	02-Dec-20	-67		** Change order per RFI #90 - Review and Approval **																											
A1230	** Install Parapet Coping Waterproof Detail **		6	0	6	25-Nov-20	04-Dec-20	-70		** Install Parapet Coping Waterproof Detail **																											
RESI-1930	Floor Drains at 3rd Floor		3	0	3	02-Dec-20	04-Dec-20	-67	PLMB	I Floor Drains at 3rd Floor																											
A1070	** Pour Lightweight Concrete Topping Slab - Added Scope **		5	0	5	02-Dec-20	07-Dec-20	-67		** Pour Lightweight Concrete Topping Slab - Added Scope **																											
RESI-1950	Install 3rd Floor Waterproofing 2nd Layer		4	0	4	08-Dec-20	14-Dec-20	-67	ROOF	Install 3rd Floor Waterproofing 2nd Layer																											
A1050	Install 3rd Floor Roofing (North)		5	0	5	10-Dec-20	17-Dec-20	-70		Install 3rd Floor Roofing (North)																											
RESI-2000	Install HVAC Equipment - Pending RFI #73		3	0	3	18-Dec-20	05-Jan-21	-43	HVAC	Install HVAC Equipment - Pending RFI #73																											
A1200	Pour Concrete on 2nd Floor		3	0	3	18-Dec-20	05-Jan-21	-70		Pour Concrete on 2nd Floor																											
Water Meter - Added Scope			15	0	16	30-Nov-20	04-Jan-21	-42		04-Jan-21, Water Meter - Added Scope																											
A1290	Demo Sidewalk & Excavate to Locate Utility Lines		2	0	2	30-Nov-20	01-Dec-20	-42		I Demo Sidewalk & Excavate to Locate Utility Lines																											
A1280	Run Lines		2	0	2	02-Dec-20	03-Dec-20	-42		I Run Lines																											
A1300	Testing & Inspection		10	0	10	04-Dec-20	17-Dec-20	-42		I Testing & Inspection																											
A1270	Install Water Meter		2	0	2	18-Dec-20	04-Jan-21	-42		I Install Water Meter																											
Finishes			145	96	68	07-Jul-20 A	26-Feb-21	5		26-Feb-21, Finishes																											
Tiffany & Co - Palm Beach Phase II - Retail			62	91	5	07-Jul-20 A	25-Nov-20	65		25-Nov-20, Tiffany & Co - Palm Beach Phase II - Retail																											
Finishes			62	91	5	07-Jul-20 A	25-Nov-20	68		25-Nov-20, Finishes																											
RET-2300	Drywall Repairs at FOH		5	33	0	07-Jul-20 A	20-Aug-20 A		DW	Drywall Repairs at FOH																											
RET-2290	BOH Millwork Repair		5	14	0	03-Aug-20 A	21-Aug-20 A		MILL	BOH Millwork Repair																											
RET-6900	Close Ceilings at FOH		5	4	0	12-Aug-20 A	18-Aug-20 A		DW	Close Ceilings at FOH																											
RET-4580	Storefront Entry Refinishing		5	10	0	17-Aug-20 A	31-Aug-20 A		STOR	Storefront Entry Refinishing																											
RET-8600	** 2nd Floor Leak - Damage to Storefront Entry, Entry Foyer, & Mech		0	0	0	31-Aug-20 A			DW	** 2nd Floor Leak - Damage to Storefront Entry, Entry Foyer, & Mech Rm **																											
RET-8610	** Dehumidifiers Brought to Site - 2nd Floor Leak **		5	5	0	31-Aug-20 A	04-Sep-20 A		DW	** Dehumidifiers Brought to Site - 2nd Floor Leak **																											
RET-2310	Carpet Re-Installation		3	11	0	02-Sep-20 A	18-Sep-20 A		CRPT	Carpet Re-Installation																											
RET-4550	Demo of Trim Boarder Tile & Install Transition at Entry		2	2	0	02-Sep-20 A	03-Sep-20 A		DEMO	I Demo of Trim Boarder Tile & Install Transition at Entry																											
RET-2320	FOH Painting		5	6	0	02-Sep-20 A	11-Sep-20 A		PAIN	FOH Painting																											
RET-8980	** Unclog 2nd Floor Drain @ Storefront Entry **		1	0	0	03-Sep-20 A	03-Sep-20 A		DW	I ** Unclog 2nd Floor Drain @ Storefront Entry **																											
RET-8940	** Building Inspector Walk-Through for TCO **		0	0	0	03-Sep-20 A			DW	** Building Inspector Walk-Through for TCO **																											
RET-8950	** Storefront Repairs - Due to 2nd Floor Leak **		3	4	0	06-Sep-20 A	12-Sep-20 A		STOR	** Storefront Repairs - Due to 2nd Floor Leak **																											
RET-2350	Tiffany IT, Data, Security Onsite		5	43	0	14-Sep-20 A	11-Nov-20 A		OWN	Tiffany IT, Data, Security Onsite																											
RET-2330	Casework Re-Installation		2	0	0	16-Sep-20 A	16-Sep-20 A		CASE	I Casework Re-Installation																											
RET-2340	Electrical and Low Voltage Casework Reconnection		2	2	0	16-Sep-20 A	18-Sep-20 A		ELEC	I Electrical and Low Voltage Casework Reconnection																											
RET-4850	Install Light Fixtures		7	1	0	18-Sep-20 A	21-Sep-20 A		ELEC	I Install Light Fixtures																											
RET-2380	Tiffany Marketing Team		5	0	5	19-Nov-20	25-Nov-20	68	OWN	I Tiffany Marketing Team																											
Tiffany & Co - Palm Beach Phase II - Residential			104	43	68	21-Sep-20 A	26-Feb-21	-97		26-Feb-21, Tiffany & Co - Palm Beach Phase II - Residential																											

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Start: 24-Jan-20
 Finish: 05-Mar-21
 Data Date: 19-Nov-20
 Run Date: 25-Nov-20

Actual Work
 Remaining Work
 Critical Remaining Work

Milestone
 Summary

Tiffany & Co. Palm Beach Phase II Project - Retail & Residential
 Project Schedule - Full - Data Date: 19-Nov-20
 BOTH PROJECTS

Activity ID	Activity Name	Orig Dur	Act Dur	Rem Dur	Start	Finish	TF	RESP	2021												2022																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
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Interior and Exterior Finishes For Residential									28-Feb-21, Interior and Exterior Finishes For Residential																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
RESI-1920	Install 1st Floor Entry Flooring	5	4	0	28-Sep-20 A	02-Oct-20 A		FLR	■	Install 1st Floor Entry Flooring																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											

Proj: 181374 & 200182
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Start: 24-Jan-20
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Data Date: 19-Nov-20
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Actual Work
Remaining Work
Critical Remaining Work

Tiffany & Co. Palm Beach Phase II Project - Retail & Residential
Project Schedule - Full - Data Date: 19-Nov-20
BOTH PROJECTS



Activity ID	Activity Name	Orig Dur	Act Dur	Rem Dur	Start	Finish	TF	RESP	2021												2022			
									Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
54	2nd floor temporary dry-in with TPO	1	0	0	04-Nov-20 A	04-Nov-20 A																		
56	Install missing joist & DW to comply w/ UL rated assembly	2	0	0	04-Nov-20 A	04-Nov-20 A																		
58	Drywall ceilings, tape & finish (By Retail) (VOID Leave as is)	5	0	0	04-Nov-20 A	04-Nov-20 A																		
55	Cut TPO, Plywood, & shoring to install joist in conflict w/it	1	1	0	04-Nov-20 A	04-Nov-20 A																		
57	Ceiling Inspections before closing (VOID leave as is)	1	1	0	04-Nov-20 A	04-Nov-20 A																		
Restore Tiffany's BOH Storage		23	32	0	21-Sep-20 A	04-Nov-20 A																		
62	Frame 2nd floor (ledgers & joist)	2	5	0	21-Sep-20 A	26-Sep-20 A																		
63	2nd floor plywood 1st layer	1	5	0	21-Sep-20 A	26-Sep-20 A																		
64	2nd floor temporary dry-in with TPO	1	5	0	21-Sep-20 A	26-Sep-20 A																		
65	Drywall bottom of 2nd floor joists (fire tape) (work around shoring)	3	19	0	30-Sep-20 A	22-Oct-20 A																		
RESI-2510	Restore 1st Floor BOH to Temp Conditions (Wall, Ceiling and Flooring)	20	25	0	30-Sep-20 A	04-Nov-20 A																		
66	Ground FL Ceiling MEP exposed	3	3	0	26-Oct-20 A	28-Oct-20 A																		
69	Paint ceilings (By Retail)	2	2	0	29-Oct-20 A	31-Oct-20 A																		
Elevator Install - By Owner Vendor		30	0	30	18-Dec-20	09-Feb-21	-65																	
A1190	Install Elevator - Rough, Rails, & Cab Finishes	30	0	30	18-Dec-20	09-Feb-21	-65																	
Final Inspection/Walk Through/Closeout		92	15	31	23-Oct-20 A	05-Mar-21	-87																	
Tiffany & Co - Palm Beach Phase II - Retail		15	15	0	23-Oct-20 A	13-Nov-20 A																		
Final Inspection/Walk Through/Closeout		15	15	0	23-Oct-20 A	13-Nov-20 A																		
RET-2370	Create Punchlist	1	0	0	23-Oct-20 A	23-Oct-20 A																		
RET-2530	Execute Punchlist	3	9	0	23-Oct-20 A	05-Nov-20 A																		
RET-2390	Final Clean	1	8	0	03-Nov-20 A	13-Nov-20 A																		
RET-2360	Final Inspections	3	7	0	04-Nov-20 A	13-Nov-20 A																		
RET-2400	Substantial Completion	0	0	0		13-Nov-20 A																		
RET-2410	Turn Over to Client	0	0	0		13-Nov-20 A																		
Tiffany & Co - Palm Beach Phase II - Residential		31	0	31	21-Jan-21	05-Mar-21	-87																	
Final Inspection/Walk Through/Closeout		31	0	31	21-Jan-21	05-Mar-21	-87																	
RESI-2130	Pre-Walkthrough Cleaning	1	0	1	21-Jan-21	21-Jan-21	-63																	
RESI-2140	Create Punch List	1	0	1	21-Jan-21	21-Jan-21	-63																	
RESI-2160	Punch List Corrections	5	0	5	22-Jan-21	28-Jan-21	-63																	
RESI-2170	Final Clean	1	0	1	29-Jan-21	29-Jan-21	-63																	
RESI-2150	Final MEP and Building Inspections for CC	5	0	5	01-Mar-21	05-Mar-21	-87																	
RESI-2180	PROJECT COMPLETE / TURNOVER	0	0	0		05-Mar-21*	-87																	

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 14, 2020

Second
Request

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Waiver of Town Code Section 42-199, For Extended Working Hours at 259 Worth Avenue

Date: September 23, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council consider a request for an extension of the days for construction work that is underway at 259 Worth Avenue (Tiffany & Co. Palm Beach). If approved, staff recommends that the approval is conditioned upon the September 3, 2020 letter and attachments from Maura Ziska, Esq., in which she describes the details of the request.

Staff has notified the applicant that granting of extended working hours is the sole discretion of the Town Council.

GENERAL INFORMATION

The applicant is requesting an extension of time to complete renovations at 259 Worth Avenue. The project involves interior and exterior work, converting the second floor to a single residential dwelling unit and adding a small third floor for the dwelling unit. The applicant is requesting work hours throughout the prohibited winter season, which begins on November 1, through the end of April. The proposed completion date is the beginning of December, 2020.

Ordinance 03-2018, passed by the Town Council on second reading on February 13, 2018, modified the construction working hours in the Town as follows:

Sec. 42-199. - Hours for construction work.

- (b) *Limited. Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday, and legal holidays, when all construction work is prohibited. In no event shall heavy equipment or other construction-related noise be permitted before 9:00 a.m. At all other times such work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and legal holidays, including the Friday immediately after Thanksgiving, when all construction work is restricted or prohibited. Construction work is permissible on Saturdays from May through the Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m.*

and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature during which all of the noise and machinery prohibitions identified in section 42-198 are applicable; material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restriction due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending on October 31, except Sundays and legal holidays, when all construction work is prohibited.

(c) Exceptions.

(5) The town council, in its discretion, for the benefit of the health, safety and welfare of the residents of the town may, by resolution, temporarily amend the hours for construction work referenced herein.

The applicant is requesting an extension of these working days to complete the renovation. The applicant was asked to notify surrounding property owners of the request and of the date of this meeting.

Staff recommends the Town Council consider the construction hour extension, as requested. For reference, the conditions attached by the Town Council for similar requests are:

- Saturday interior work only.
- The PZB Director has the authority to shut down work if problems or complaints arise.
- All contractor parking and deliveries of materials to be made from the side streets or from the Apollo or similar parking lots, not from Worth Avenue.
- Valet parking takes precedence over contractor parking in the Apollo parking lot, meaning if they ask the contractor to leave, the request must be followed.
- The contractor will take off the week of Thanksgiving (11/21 – 11/29) and during the Christmas / New Year holidays (12/19 – 1/3/21).
- Staff also requests that the contractor stop work on Hanukkah, Friday, 12/11.

Attachment – Letter, with attachments, from Maura Ziska, Esq., dated September 3, 2020

WRB

cc: Ben Alma, Police Department

TOWN OF PALM BEACH

First
Request

Information for Town Council Meeting on: April 15, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Acting Director of Planning, Zoning & Building

Re: Waiver of Town Code Section 42-199, For Extended Working Hours at 259 Worth Avenue
– Second & Third Floor Buildout of the Tiffany Building

Date: March 26, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council consider a request for an extension of work hours for the buildout of the second and third floors of the Tiffany Building, 259 Worth Avenue. If approved, staff recommends that it be conditioned upon the March 26, 2020 letter (attached) from Maura Ziska, Esq., along with the draft CPM construction schedule, which shows construction to begin on or about April 15, 2020 (two weeks early), and to conclude October 31, 2020.

Staff has notified the applicant that granting of extended working hours is the sole discretion of the Town Council.

GENERAL INFORMATION

The applicant is requesting to start the work in the Worth Avenue zoning district two weeks prior to the normal May 1 start date. This addition two weeks of construction work would allow the completion of the project by the normal stop date for Worth Avenue work on October 31.

Ordinance 03-2018, passed by the Town Council on second reading on February 13, 2018, modified the construction working hours in the Town as follows:

Sec. 42-199. - Hours for construction work.

- (b) *Limited. Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday, and legal holidays, when all construction work is prohibited. In no event shall heavy equipment or other construction-related noise be permitted before 9:00 a.m. At all other times such work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and legal holidays, including the Friday immediately after Thanksgiving, when all construction work is restricted or prohibited. Construction work is permissible on Saturdays from May through the Monday preceding*

Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature during which all of the noise and machinery prohibitions identified in section 42-198 are applicable; material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restriction due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending on October 31, except Sundays and legal holidays, when all construction work is prohibited.

(c) Exceptions.

- (5) The town council, in its discretion, for the benefit of the health, safety and welfare of the residents of the town may, by resolution, temporarily amend the hours for construction work referenced herein.

The applicant was asked to notify surrounding property owners of the request and of the date of this meeting, as required.

Attachments – March 26, 2020 letter from Maura Ziska and the proposed construction schedule.

WRB