



**TOWN OF ISLIP
DEPARTMENT OF PLANNING AND DEVELOPMENT
DIVISION OF BUILDING**

One Manittion Court, Islip, New York 11751

Administration.....631-224-5464	Plumbing Inspectors...631-595-3756
Permits.....631-224-5466	Records/Inspections...631-224-5470
Plans Examiner.....631-224-5467	Zoning.....631-224-5438

C Building Permit Requirements – COMMERCIAL Shell / Vacant Building 2020 NYS Uniform Code

Applications, forms and fee schedules are located at <https://islipny.gov/departments/planning-and-development>

A shell building is a special category of structure that, when completed, cannot be issued a Certificate of Occupancy (CO). A shell building permit allows construction of a structure which does not yet have an occupant identified and therefore cannot be legally occupied upon completion. Instead, a shell building will receive a Certificate of Compliance (CC) upon completion. A CO can be sought via a building permit (select “Interior Arrangement”) once the occupancy/use/tenant is identified; all other requirements of the permit (fire protection, MEP’s, structural, etc.) must be submitted for review.

The requirements listed herein address typical shell and speculative shell building permits (office, retail, warehouse and industrial). Atypical situations may require modifications to these general guidelines; the Building Department will work with applicants as needed to facilitate the permitting process.

SHELL BUILDING CLASSIFICATIONS:

A shell building permit may include site work, foundations and differing levels of building completion, but as stated above, the building cannot be occupied upon completion. Since there is no universal definition of shell structures, the Town of Islip Building Division has defined them as follows:

1. Shell Building - A building that is in shell condition is in the barest condition available. A shell is effectively a skeleton of the building. It will have no insulation or finishes and no true electrical wiring or plumbing. Multi-story shell buildings include all elevated floor assemblies, mezzanines, stairways and elevators, and core restrooms. Notably, shells are usually bought rather than rented because of the extensive nature of the build-out and building completion that would be required in order to make the building legal for occupancy.

A completed shell building would consist of:

- A roof
- All exterior walls
- An unfinished concrete floor (OPTIONAL)
- A fire sprinkler system based on construction type (heat may be required to protect system)
- Required fire rated wall assemblies such as party walls and fire walls and exterior walls

The following elements would usually not be found in a completed shell building:

- HVAC system
- Plumbing
- Interior walls
- Lighting
- Ceilings
- Elevators

Requirements are subject to change – refer to our website for the most up to date information.

2. **“Speculative” Shell Building:** An enclosed building with unfinished interior space; the future occupancy/use/tenant **is unknown**. A speculative shell assumes a code compliant single or multi-tenant structure with tenant/interior spaces established by associated demising walls and other improvements. Restroom facilities are typically constructed and rough plumbed, with wall and floor finishes applied; the associated plumbing fixtures may or may not be installed. HVAC/ductwork and area lighting are generally roughed in for each space; suspended ceilings may or may not be complete. Fire sprinkler systems/alarms are installed (if required), and required exits are established. A speculative shell building will typically have at least a partial HVAC system installed, ready for distribution by the eventual tenant. There may be a fully functioning core, including electrical closets, mechanical rooms, lobbies, and restrooms. Common speculative shell buildings include strip malls, offices, warehouses and industrial buildings.
3. **“White Box” or “Vanilla Box”:** An enclosed building with partially finished interior space; the occupancy/use is known, but the actual tenant may not yet be identified. The interior space may only be minimally finished. Typically, this type of space has exterior walls that have been finished with drywall, interior walls, basic flooring and ceilings, minimal lighting, plumbing, and basic fixtures.)

In all three scenarios, once the shell building is complete, work must stop and the certificate of compliance must be obtained. The buildout must be filed under a separate permit. All buildout work must be done in accordance with the 2020 New York State Uniform Code, **NOT** the 2020 Existing Building Code of NYS. Each ensuing tenant space will be issued its own Certificate of Occupancy.

MINIMUM CODE REQUIREMENTS FOR SHELL BUILDING PERMITS:

It is the responsibility of the Registered Design Professional (RDP) to provide a clear narrative to identify the type of building being proposed and its intended future use, if known. The RDP must show compliance with all the applicable provisions of the 2020 NYS Uniform Code for the proposed work, including construction type, occupancy classification, whether mixed use or single use, heights, areas and separation; Structural importance factors including design loads, structural methodology and analysis; Means of egress, accessibility, fire prevention and life safety systems (sprinklers-alarms-emergency responder radio coverage-monitoring, standpipes), water service, electrical and all other required systems for the proposed work.

There are potential situations that may need to be addressed ahead of time to avoid having to remove or add systems or features at a later stage such as wall separation, accessibility, elevators, sprinklers systems, standpipes, alarms and plumbing fixtures rough-ins to name a few.

The following list of code requirements is not all-inclusive, but are **commonly asked** of the Building Dept:

- Fire sprinkler systems shall be provided and installed at the shell stage for projects that are required to be fire sprinklered per the 2020 NYSUC. The building permit plans must include/show appropriate electrical supervision per the 2020 NYSFC and mechanical heating where needed for freeze protection per NFPA 13. For mercantile, warehouse and industrial shell buildings, the fire sprinkler system design criteria is to be provided for the shell permit review (including design area and density, type of fire sprinklers, minimum sprinkler operating pressure(s), maximum storage height and arrangement of speculative commodities, etc.).

For some speculative shell buildings, it may be uncertain if a fire sprinkler system will be required since the future occupant/use/tenant is unknown. The design team may decide not to install a fire sprinkler system at the shell building stage in which case the owner and RDP must acknowledge in writing that they understand fire sprinklers may be required at the tenant finish-out permit stage. Installation of Fire Sprinklers cannot be deferred if it's known that fire sprinklers are required for allowable height and area, exiting, fire area size, minimum fire flow and fire hydrants, etc.

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- Fire alarm systems are typically occupancy specific and installed with the tenant finish-out permit(s). Full fire alarm systems need not be installed to obtain a CC. However, where fire sprinkler systems are installed and required to be monitored per 2020 NYSFC section 903.4 as amended, the sprinkler monitoring system is required to be installed at the shell permit stage prior to the issuance of the CC.
- Minimum parking, minimum plumbing fixtures, and minimum fire flow requirements will be reviewed at the shell stage based upon the proposed speculative occupancy classifications identified by the RDP. Each of these items may be reviewed again at the tenant finish-out permit(s) to ensure that the proposed parking, plumbing, and fire flow compliance provided at the shell design are adequate for the actual tenant finish-out(s).
- HVAC/MEP/Energy
 - **For speculative and white box buildings:** All building systems related to the building thermal envelope will need to be designed, constructed and inspected per 2020 NYSECCC Section C402 and C401.2 item 2 or ASHRAE 90.1 2016 during the shell permit process. All mechanical, electrical and plumbing (MEP) systems will need to be designed, constructed and inspected per 2020 NYSECC 401.2 or ASHRAE 90.1 2016. They may be postponed until the interior finish out building permit(s); however, the MEP systems will need to be designed and submitted as part of the ComCheck report during the shell permit process. Future tenants will be responsible to permit, install and inspect the MEP systems that meet the adopted energy code as designed under the shell.
 - **For shell buildings:** Where permits are being phased for whatever reason, the building thermal envelope and MEP's may be postponed until the interior finish out stage. Please note, features such as skylights, vestibules, etc. may have to be retrofitted if not addressed accordingly. If the thermal envelope and MEP's are submitted as part of the scope of work, they must meet the same provisions as speculative shell buildings and white box buildings requirements.

The following table is for reference only; please check the 2020 NYSUC for all requirements.

PLAN REQUIREMENTS	SHELL BUILDING	SPECULATIVE SHELL	WHITE/ VANILLA BOX
Designed for a specific Tenant	NR	NR	R
Designed for a specific Use	NR	NR	R
Exterior walls, property line firewalls, roof structure designed	R	R	R
Elevated floor assemblies, mezzanines, stairways, elevators (multi-story buildings)	R	R	R
Interior slab/floor	NR	R	R
Fire suppression and fire alarm systems (if required)	R	R	R
Plumbing (drain, waste, vent, potable water piping and fixtures)	NR	NR	R
Heating, Ventilation, Air Conditioning, Exhaust	NR	R	R
Interior walls	NR	R-if code required	R
Electrical service for the main building <i>(Note: in Speculative Shell buildings, the house panel which feeds the circuits for the main building, fire alarm control panel, required exit signs, emergency lighting and the site electrical will be allowed to be energized)</i>	NR	R	R
Fire resistant corridor	NR	NR	R
Stair or elevator shaft walls	R	R	R
Suffolk County Board of Health	R	R	R
Site Plan	R	R	R
Building Permit required to obtain a Certificate of Occupancy <i>(Change of Tenant and Interior Arrangement, as applicable)</i>	R	R	R
R = Required NR = Not required at this time (but can be included)			

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APPLICATION SUBMISSION REQUIREMENTS:

1. Approved Site Plan: In order to apply for a building permit, there must be an approved site plan.
2. Method of submittal:
 - a. Electronic Submittal (preferred) – Please refer to the [Building Permit – Electronic Submittal Process](#) flyer on our website. No hardcopies of documents are required with the initial electronic submission unless otherwise referenced in the flyer. Our staff will advise you on the total number of hardcopy documents required prior to permit issuance.
 - b. Hardcopy Submittal – Applications can be mailed or placed in our drop-off bin; see our [webpage](#) for normal business hours. We will advise you on the total number of hardcopy documents required prior to permit issuance. Documents must also be uploaded prior to permit review.
3. Application: A Building Permit Application (select “Shell Building”, “Speculative” or “Vanilla/White Box”) must be completed in its entirety.
4. Fee: A non-refundable [fee](#) is due at time of application.
5. Commercial Plan Intake Checklist-New Building – RDP must fill out the [Intake Checklist](#) in its entirety. If the plans do not conform with the requirements, the application will not be accepted for processing.
6. Survey: An accurate survey, signed and sealed by a NYS licensed surveyor, showing existing site structures and improvements. Survey shall include names of adjacent roadways; property line bearings and distances; tie distance to nearest street corner; lot area; tax lot information; dimension of existing structures; heights of perimeter improvements (fences, walls, etc.); distances from existing structures and perimeter improvements to property lines; and road improvements abutting the site. The survey must be drawn to scale and be less than one (1) year old.
7. Deed: A copy of the deed is required if the Towns records do not match the application.
8. Suffolk County Health Department Approval: Suffolk County Health Department approval is required for shell building permits; applicants are responsible to contact this agency directly for their requirements. If the “Use” on the plans approved by the Suffolk County Health Department does not match the plans submitted to the Town, a new application will need to be filed with the Suffolk County Health Department.
9. Letter of Use / Letter of Intent: ALL requested details on the Building Permit [Letter of Use-Letter of Intent Requirements form](#) must be provided.
10. Truss Permit: If wood floors and roof trusses are proposed, a Truss Sign Permit is required. A separate building permit application (select “Truss Sign”) should be submitted to the Building Department along with an actual sample of the truss sign, the \$50.00 application fee, and signed and sealed truss drawings with bracing requirements, connections and placement plans.
11. Construction Documents:
 - a. Plans must be signed and sealed by a NYS Registered Design Professional (RDP).
 - b. The cover sheet must clearly state “These plans have been prepared for a building shell only. Construction will cease at the completion of the shell building and the owner shall only obtain a Certificate of Compliance. This building is not to be occupied until Building Permits are applied for and obtained for each new occupancy and the building is completed, inspected and issued a Certificate of Occupancy”.
 - c. Plans must be marked “*For Construction*”. Drawings marked with any of the following will not be accepted: “*Preliminary*”, “*For Bidding Only*”, “*Not for Construction*”, “*See Code Section xxx*”, “*For Diagrammatic Use Only*”.
 - d. Plans must be drawn to scale on sheets no larger than 24” x 36”. Plans must be folded; if the plan sets are too large to fold, rolled sets will be accepted.

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- e. The title page of each trade set of plans submitted for review must contain the following note:

The Town of Islip Building Plans Examiner shall review the enclosed document for minimum acceptable plan submittal requirements of the Town of Islip as specified in the Building and/or Residential Code of the State of New York. This review does not guarantee compliance with that code. The seal and signature of the design professional has been interpreted as an attestation that, to the best of the licensee's belief and information, the work in the document is:

- accurate
- conforms with governing codes applicable at the time of submission
- conforms with reasonable standards of practice and with view to the safeguarding of life, health, property and public welfare
- is the responsibility of the licensee

- f. Pre-manufactured steel building plans when applicable.
- g. Signed and sealed structural calculations are required for buildings of 2 stories or more.

12. Compliance Forms – Please refer to the 2020 [RDP Instruction and Compliance Forms for New Commercial Buildings and Additions](#) handout:

- a. Town of Islip Structural Design Affidavit 2020
- b. Town of Islip NYS Building Code Evaluation Summary (TOIBES) 2020
- c. TOIBES Attachment 1
- d. TOIBES Attachment 2

APPLICATION REVIEW:

Applications will be reviewed by various Town of Islip departments and outside agencies including Building (Zoning, Plans Examiners), Engineering and Fire Prevention. Additional approvals, variances or permits may be required, such as:

- Plumbing/HVAC permits
- Fire Prevention permits
- Planning Board, Town Board or Zoning Board of Appeals approval
- Town, County or State work permits
- Wetlands permits (if construction is within 100' of freshwater wetland or 300' of tidal wetland)
- Federal Aviation Administration approval

CERTIFICATE OF COMPLIANCE REQUIREMENTS:

When you receive your building permit, you will be provided with a list of items needed before a Certificate of Compliance can be issued. Additional items may be required as requested by the inspectors.

As previously mentioned, a Shell Building Permit will be issued a Certificate of Compliance and cannot be occupied; A Change of Tenant and Interior Alteration Permits will be required before a Certificate of Occupancy can be issued.

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