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**Commonwealth of Massachusetts**  
**Division of Professional Licensure**  
**BOARD OF STATE EXAMINERS OF PLUMBERS**  
**AND GAS FITTERS**

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**JOHN C. CHAPMAN**  
UNDERSECRETARY OF  
CONSUMER AFFAIRS AND  
BUSINESS REGULATION

**CHARLES BORSTEL**  
DIRECTOR, DIVISION OF  
PROFESSIONAL LICENSURE

**MARCH 4, 2015 BOARD MINUTES**

<b>MEMBERS</b>	<b>APPOINTMENT</b>	<b>PRESENT</b>	<b>ABSENT</b>
Mr. Paul Kennedy Sr.	Chairman, Journeyman Gasfitter	✓	
Mr. Joseph McNamee	Member, Master Gas Fitter	✓	
Mr. Bahig A. Kaldas, P. E.	Member, Plumbing Engineer	✓	
Mr. Greg Hanley	Consumer Member	✓	
Mr. Steve Harold	Member, Master Plumber	✓	
Mr. John MacDonald	Member, LP Installer	✓	
Ms. Ruth Alfasso	Member, Dept. of Public Health	✓	
Mr. Richard Carter	Member, Journeyman Plumber	✓	
Mr. Dan Kilburn	Member, Public Safety	✓	

**9:00 A.M. AGENDA REVIEW:** By Chairman Paul Kennedy

**9:05 A.M.: APPROVAL OF PREVIOUS MEETING MINUTES:**

- The February 25, 2015 Board Meeting Minutes

Motion to Approve by Mr. Carter, seconded by McNamee: 3 abstentions

Motion Carries

- The February 25, 2015 Executive Session Minute

Motion to Approve by McNamee, seconded by MacDonald: 3 abstentions

Motion Carries

The new Director of the DPL (Charles Borstel) was introduced by Chairman Paul Kennedy. Mr. Borstel briefly addressed the Board.



**VARIANCE REQUESTS:**

*At the February 4, 2015 meeting the Board voted to continue this variance.*

*The applicant would return to a future Board meeting with documentation from the manufacturer stating what year this appliance was manufactured and that the cover is sealed tight to the main body of the unit.*

**PV177) NEW BALANCE CORPORATION BUILDING – 86 HILL STREET – BRIGHTON**

The applicant (Jeffrey Horn) seeks a variance from 248 CMR 3.04 (1) to allow the installation of Big Dipper grease recovery systems that are not on the current product acceptance list. The applicant has three units in stock and is requesting Board approval to install the units at this location.

Notes: Jeff Horn passed out additional information on the Big Dipper to the Board members. Discussion followed regarding the differences between the current and old machine. Many questions were asked about the product. It appears that the Board approved Big Dipper had been altered numerous times without approval, thus it was not certain whether the version requested by the applicant was the approved version. As a result, the chairman noted that there could be a public health issue. For safety, the Board discussed instead approving the installation as a test site to ensure proper monitoring.

Motion to allow as a Test Site by Mr. Hanley, seconded by Mr. McNamee

Unanimous

Condition(s) The applicant must produce the 3<sup>rd</sup> party test certificate when this unit was approved in 2005.

*The variance below was originally heard by the Board on November 5, 2014. The school has made a small design change and would like to revise the existing approval.*

**PV126) NORTH MIDDLESEX REGIONAL HIGH SCHOOL – 19 MAIN STREET - TOWNSEND**

Minutes from the Meeting of November 5, 2014

~~The Petitioner, Ms. MARRISA RAMIREZ requests a variance from 248 CMR, Section 10.10 to reduce the facility requirements at a stadium by 50%. The Townsend Board of Health is not in favor of this request.~~

~~MEETING NOTES:~~

~~Motion to Approve by Mr. Hanley, seconded by Mr. Harold~~

~~Unanimous~~

~~Conditions: School facilities must be made available for all events and the door between locker room and facilities must remain locked during events. The allowance is for a 50% reduction from the stadium requirements in Table 1.~~

Notes(s): Tony Pruner who is the project manager. They would like an added condition from the original approval. The Town now does not want to utilize the locker room rest rooms. They would now like to switch and utilize other common rest rooms. The distance now will be about 100' further to these rest rooms than the original locker room rest rooms.

Motion to approve by Mr. Kilburn, seconded by Mr. Harold

Unanimous

Conditions: Applicant must provide the Board with a letter from the school stating the re-designated facilities within the school will be made available for all events.

**GV204) CAFUA MANAGEMENT COMPANY – 280 MERRIMAC STREET - METHUEN**

The Petitioner (Mr. William Creed III, PE) requests a variance from 248 CMR (Code of Massachusetts Regulation) 7.00, the Uniform State Fuel Gas Code, Section 7.6.2. The Petitioner notes a variance is required where the vents are approximately 17" lower than required by code. Mr. Creed notes that each of the four (4) roof top units would be supplied with a carbon monoxide detector within the supply duct and upon detection of unsafe levels, the unit shall shut down and an alarm shall sound. As this is a gas variance, no Board of Health letter is required.

Notes: Bill Creed: The manufacturer does not allow extensions of the vents to a point where they would be code compliant. Chairman: Could they extend the curbs. YES. Inspector Quinlan: There are several issues regarding this submittal:

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1. This is not a pre-installation variance. They said on the application that they notified the inspector in January about the variance. They also stated that the work had not begun. As work had been installed, but a post-installation variance had not been requested, the Board should not even be hearing this variance.
2. The inspector felt that there were other problems due to the fact that there is only one roof drain and no secondary roof drainage.
3. The Plumber and the General contractor were not involved in this variance request.

The applicant admitted that the work had been performed, thus, as the pre-installation variance form was submitted, the Chairman stated that the Board could not even vote on this variance request as it was improperly submitted. The only way the Board could do anything with this, would be if the Post-Installation variance was used.

No Board action necessary: An improper application was filed

**PV203) BUCKINGHAM BROWNE & NICHOLS SCHOOL—46 BELMONT STREET-WATERTOWN**

The Petitioner (Mr. Jonathan Austin, Architect) requests a variance from 248 CMR (Code of Massachusetts Regulation) 10.00, the Uniform State Plumbing Code, Section 10.10 (18) (b)( i) 2 & 5. The Petitioner proposes to re-assign the existing adult men’s & women’s gang bathrooms on lower level, and the first floor level for use by the students. Also proposed is that teachers and staff use the existing two unisex bathrooms on the second floor level. Petitioner notes there is an elevator connecting all three levels. The Watertown Board of Health is not opposed to this variance request.

Motion to approve by Mr. Carter, seconded by Mr. McNamee, Mr. MacDonald abstained: Motion Carries  
Conditions: As requested for maximum one year usage.

**PV206) COPLEY SQUARE EXPANSION – 100 HUNTINGTON AVENUE - BOSTON**

The Petitioner (Mr. William Brady, Vanderweil Engineer) requests a variance from 248 CMR (Code of Massachusetts Regulation) 10.00, the Uniform State Plumbing Code, Section 10.10 (1) Table 1. The Petitioner is seeking an alternate method for minimum required fixtures, specifically toilets for this project. Mr. Brady provided the Board office with a copy of the petition letter he sent to Boston Inspectional Services.

Notes: Copley Place Tower consisting of apartments and condos with retail space below. Need 7 women’s toilets on the 5<sup>th</sup> floor amenities level and they would like to provide only 4. Mr. Brady stated that this level is not opened to the general public. Only the residents will be using these.

Motion to approve by Mr. Hanley, seconded by Mr. Kaldas. Mr. McNamee abstained: Motion Carries

**PV207) WOMEN’S INDEPENDENT LIVING - 355 MASSACHUSETTS AVENUE - CAMBRIDGE**

The Petitioner (Ms. Leah Greenwald, Architect) requests a variance from 248 CMR (Code of Massachusetts Regulation) 10.00, the Uniform State Plumbing Code, Section 10.09 (2) (f). The Petitioner notes the Cambridge DPW requires garbage disposals to drain through a solids interceptor then drain through a grease trap. The petitioner notes their plumbing engineer has specified equipment but, the arrangement seems to conflict with 248 CMF 10.09 (2) (f) The Cambridge Board of Health notes that the plumbing inspector, Frank Atchue finds it to be in conflict with the state plumbing code and thus cannot support this petition.

Notes: Ms. Greenwald stated that a number of years ago, the building was set up with a commercial kitchen. They are no longer using it in that capacity. The residents now all cook for themselves in a residential setting. They would like to install residential disposals and empty them into a solids interceptor and then go through a grease interceptor. The building is listed as an E2.

Motion to Deny by Mr. Hanley, seconded by Mr. Kilburn

Unanimous

**FYI – Staff Approvals per Board Delegation – Board Vote Not Required**

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**Waiver regarding the installation and testing of unlisted gas equipment.**  
**DA GV205 - UNION COFFEE ROASTER – 25 MAIN STREET – AYER**

The Board recessed at 10:20am

The Board reconvened at 10:30am at which time they entered into executive session

Motion to enter into Quasi Judicial Session by Mr. Hanley and seconded by Mr. Carter.

**QUASI JUDICIAL SESSION:**

PL-12-055 – Separate written decision issued.

The Board returned to open session at 11:10am

Mr. Hanley wanted to make a special mention to thank all of the individuals who attended the wake and funeral for past Executive Director and Board Consultant Lou Visco.

Motion to adjourn by Mr. Hanley and seconded by Mr. Kaldas

**LIST OF DOCUMENTS USED:**

1. Meeting agenda
2. Minutes from prior meeting
3. Variance applications for above referenced agenda items

Respectfully Submitted by;



Wayne E. Thomas, Executive Director  
Board of State Examiners of Plumbers and Gasfitters

Respectfully Authorized by;



Paul Kennedy, Chairman  
Board of State Examiners of Plumbers and Gasfitters