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

1000 Washington Street • Boston • Massachusetts • 02118

JOHN C. CHAPMAN
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

MARCH 25, 2015 BOARD MINUTES

MEMBERS	APPOINTMENT	PRESENT	ABSENT
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. Harold Knight	Member, Journeyman Plumber	✓	
Mr. Dan Kilburn	Member, Public Safety	✓	

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

- Emergency Egress and Cell Phone Policy

Code books were distributed to Board members. The Chairman made it clear that the Books are property of the State. You are allowed to take them with you and use them as necessary.

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

- The March 4, 2015 Board Meeting Minutes

Motion to Approve by Mr. Hanley and seconded by McNamee

Abstained Mr. Knight

Correction(s): None

- The March 4, 2015 Executive Session Meeting Minutes

Motion to Approve by Mr. Hanley and seconded by McNamee

Abstained Mr. Knight

Correction(s): None



VOCATIONAL SCHOOL PROJECTS

This is being revisited from the February 25, 2015 Board meeting:

Non-Residential Project – School Representative Required to Attend

V3) Bay Path Regional School – 57 Old Muggett Hill Road – Charlton

This is a non-residential project located at the Rutland Fire Brigade. Work will include:

First Floor: A handicapped accessible rest room and replacement of an existing toilet and sink

Second Floor: A handicapped accessible rest room and a kitchen sink.

There will be six students working on this project and one instructor.

Motion to Approve by Mr. MacDonald and seconded by Mr. Kilburn

Abstained Mr. Harold and Mr. Hanley

Motion Carries

Condition(s): None

Meeting Note(s) Mr. Montville said that he appreciated the opportunity to be heard again.

VARIANCE REQUEST(S):

PV189) 7 DAYS FOOD MART – 164 DURFEE STREET – FALL RIVER

The Petitioner (Mr. Faraz Ishaq, Owner) requests a variance from 248 CMR, Section 10.10 (18) (i) to allow the continued use of the existing single employee rest room instead of supplying two employee restrooms. The Fall River Board of Health and the plumbing inspector recommend that the variance be approved.

Motion to approve by Mr. Hanley and seconded by Mr. Harold

Abstained 0 Recused 0 Opposed 0

Unanimous

Condition(s): None

Meeting Note(s) The building was bought with one bathroom. Inspector noticed this as a violation. They are only planning on having one or two people working there at one time. 1300 sq ft. There is no seating in the store. Employee rest rooms only.

PV210) MEDICAL FACILITY – 242 SUTTON STREET – NORTH ANDOVER

The Petitioner (Mr. Matt Juros, Architect) requests a variance from 248 CMR, Section 10.10 (18) Table 1. Also noted is that due to the small size of the building and antique timber frame, providing 2 toilet rooms and showers present a technical and financial hardship. In an email, the North Andover Board of Health confirmed receipt of a petition letter for this variance request. The North Andover Plumbing Inspector, James Hurley, indicated in an email that he is not in opposition to this request.

Motion to approve by Mr. Harold and seconded by Mr. Hanley

Abstained 0 Recused 0 Opposed 0

Unanimous

Condition(s): None

Meeting Note(s) There is not enough room inside the facility to provide two rest rooms and two showers. There is no work being done on the 2nd floor. There is only about 800 sq ft on the 1st floor.

PV211) NEW DPW FACILITY – ONE LYMAN PLACE - NORWOOD

The Petitioner (Mr. John Carroll, General Manager) requests a variance from 248 CMR, Section 10.10 (18) (i) to allow the installation of one unisex employee rest room. The petitioner is also seeking relief from the 300' maximum traveling distance to the restroom. The Norwood Board of Health supports this variance request. The Board of Health requests the contractor installs rough plumbing for a second rest room.

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

Abstained 0 Recused 0 Opposed 0

Unanimous

Condition(s): None

Meeting Note(s): Building is about 26,000 sq ft. There are only 3 people assigned to work in this building at one time.

PV212) UNDERWOOD SWIMMING POOL – 320 CONCORD AVENUE - BELMONT

The Petitioner (Mr. Thomas Scarlata, Principal) requests a variance from 248 CMR, Section 10.10 (18) Table 1. In lieu of identifying 3 Men’s Individual Toilet/Shower Rooms and 3 Women’s individual Toilet Shower/Rooms, the Town would like to identify the 6 rooms as Family/Changing Rooms. In lieu of providing the required 3 urinals, the petitioner proposes installing two (2). The Belmont Board of Health was notified by the petitioner on February 25, 2015.

Motion to approve by Mr. Kilburn and seconded by Mr. Alfasso

Abstained 0 Recused: Mr. MacDonald Opposed 0

Motion carries

Condition(s): Must be designated “UNISEX”

Meeting Note(s) They are proposing to make 6 of the rest rooms unisex. The total fixture count complies with the requirements of 10.10 Table 1.

PV213) PEET’S COFFEE – 48/50 SALEM STREET - BOSTON

The Petitioner (Mr. Doug Anderson, Manager, Code Advisory Group) requests a variance from 248 CMR, Section 10.10 (18) to allow the installation of one AAB compliant unisex rest room for staff and patrons. Boston Inspectional Services is aware of this variance request.

Motion to approve by Mr. Hanley and seconded by Mr. Alfasso

Abstained 0 Recused Mr. McNamee Opposed 0

Motion carries

Condition(s): None

Meeting Note(s) There are existing toilets in the basement level. You will need to take an elevator down 2 floors from the upper level to access the fixtures. Variance is strictly for the two levels.

PV214) BERKLEY COLLEGE OF MUSIC – 150 MASSACHUSETTS AVENUE - BOSTON

The Petitioner (Mr. John Rattenbury, PE AKA Group) requests a variance from 248 CMR, Section 10.17 (7) (c). The building has an existing combined storm and sanitary drainage system. Relief to allow minor plumbing work in the area of the building that appears to be dedicated to sanitary waste and the confluence of storm water occurs only downstream. Boston Inspectional Services is aware of this variance request.

Motion to approve by Mr. Harold and seconded by Mr. Hanley

Abstained 0 Recused Mr. McNamee Opposed 0

Motion carries

Meeting Note(s) During demolition they noticed that storm and sanitary connected together on the lower level. There is a dedicated sanitary line that runs along the street in the back of the building but it ties into the storm about 2 blocks away so it won’t do any good to connect to it. They are eliminated some of the plumbing and roof areas during renovations so it’s already making it a better situation. The Board voted to allow the renovated plumbing and storm piping for this project to connect back to the existing combined storm / sanitary system within the building.

PV215) CHERRY VALLEY PROPERTIES, LLC – 21-69 MAIN STREET – CHERRY VALLEY

The Petitioner (Mr. Donald Peloquin, Manager/Co-Owner) requests a variance from 248 CMR, Section 3.04 (1). The Petitioner wishes to install a sewage pump station in the basement of the building. This new installation

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will replace a 40-50 year old system. The proposed pump station is not listed on the Board’s product accepted website. The Leicester Board of Health and Plumbing Inspector are in favor of this variance request.

Motion to deny by Mr. Hanley and seconded by Mr. McNamee

Abstained 0 Recused 0 Opposed 0

Unanimous

Meeting Note(s) Old mill building that has 14 toilets that come down to a central pump which pumps it out to the street. The manufacturer isn’t interested in getting it approved because their product is usually installed outside underground and doesn’t fall within the Board’s jurisdiction. The manufacturer could apply for product acceptance as long as it is 3rd party tested.

PV216) MIDDLESEX COMMUNITY COLLEGE ARTS CENTER – 240 CENTRAL ST. - LOWELL

The Petitioner (Mr. Vladimir Yarmarkovich) requests a variance from 248 CMR, Section 10.10 (18) (i) (h).

There are currently Men’s and Women’s public restrooms located on the 2nd floor and the basement levels.

There are designated rest rooms currently located in the non-public are of the building on the second floor and basement levels. Because the theater is on the entry floor and takes up most of the footprint, only a single toilet is feasible on that floor. Consequently, a staff member must travel more than one floor if they are in the basement, or use the public restroom. The first floor single toilet room is designated as a Men’s restroom, so a female student must travel down one floor to use the restroom. The petitioner notes the building meets the fixture count for public, student and staff fixtures. As this is a state project, no Board of Health letter is required.

Motion to approve by Mr. Harold and seconded by Mr. McNamee

Abstained 0 Recused 0 Opposed 0

Unanimous

Meeting Note(s) 1876 train station that became a telephone company in 1900. The place has been empty since the mid 90s. The college now wants to make it an art center. Scott said that, in his opinion, they are OK with the fixture count. 1st floor doesn’t contain enough fixtures to support what is there. There is an elevator in this building that is accessible to everyone. To allow designated public and private rest rooms on the second floor, a single student unisex room on the first floor, and designated public and private rest rooms on the basement level

PV220) SAINT ELIZABETH’S HOSPITAL – 736 CAMBRIDGE STREET - BRIGHTON

The Petitioner (Mr. David Divris, V.P. Medford Wellington Services Inc.) requests a variance from 248 CMR, Section 10.09 (2) (f). The Petitioner requests this variance for the replacement of a dishwasher without the installation of a grease interceptor at the point of disposal. Boston Inspectional Services is aware of this variance request.

Motion to approve by Mr. Hanley and seconded by Mr. Harold

Abstained 0 Recused: Mr. McNamee Opposed 0

Motion carries

Condition(s): To allow the dishwasher discharge into a grease interceptor greater than the maximum of 25 feet. Heat trace tape must be installed on the drain from the dishwasher to the interceptor.

Meeting Note(s) Same size dishwasher as before. They replaced the piping with stainless some years ago.

PV221) GORDON FOOD SERVICES – 630 JOHN HANCOCK ROAD - TAUNTON

The Petitioner (Mr. Mark Broomel, P.E.) requests a variance from 248 CMR, Section 10.10 (18) Table 1.

Currently the Gordon Food Service facility provides one shower for men and one shower for women. The petitioner seeks relief from providing one shower per 15 employees. The petitioner provided the Plumbing Board office with a copy of the petition letter sent to the Taunton Board of Health.

Motion to approve by Mr. MacDonald and seconded by Mr. Alfasso

Abstained 0 Recused 0 Opposed 0

Unanimous

Meeting Note(s) 418,000 sq ft facility consisting of freezer, warehouse, docks and office area. They are building a new additional freezer and dock. The addition is purely warehousing. The current showers in the existing building are never even used. This variance would allow the elimination of showers in the new addition

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PV223) FOLIAGE BEAUTY INC. – 444 HARVARD STREET - BROOKLINE

The Petitioner (Mr. Khanh Nguyen, Owner) requests a variance from 248 CMR, Section 10.02 (2) (b). The Petitioner requests a variance for an extended product acceptance to the pedicure bowls and pro flow faucets to be used at the Harvard street location in Brookline. The Brookline Health Department acting as the Board of Health has no objection to the request for a waiver at 444 Harvard Street.

Motion to approve by Mr. Hanley and seconded by Mr. Kilburn

Abstained 0 Recused Mr. McNamee Opposed 0

Motion carries

Condition(s): This approval would be for the bowl only. The faucet must be product accepted

PV224) LONG ISLAND SHELTER – 112 SOUTHAMPTON STREET - BOSTON

The Petitioner (Mr. Belkis Roman, Assistant Director, Property Management, BPHC) requests a variance from 248 CMR, Section 10.10 (18) to allow the elimination of urinal screens/privacy partitions and reduce the fixture requirements of Table 1. The Boston Inspectional Services Department is in full support of the Boston Public Health Commission (BPHC).

Motion to approve by Mr. Hanley and seconded by Mr. MacDonald

Abstained 0 Recused 0 Opposed 0

Unanimous

Condition(s): None

Meeting Note(s) The Boston Building Commissioner addressed the Board. They are rebuilding a shelter for the homeless. We reviewed the drawing s and, even though it is a code violation, the building department is in favor. Plumbing code doesn't specifically address shelters in the Table. Also the partitions are a security issue.

PV227) HAROLD NELSON RESIDENCE 69 BARTLETT AVENUE - ARLINGTON

The Petitioner (Mr. Kevin Cashman, MP) requests a variance from 248 CMR, Section 10.06. The Petitioner notes the homeowner purchased a tub from the Granite Group and he installed it believing it was product accepted and to remove it and install a new accepted tub would require a great deal of work. The Arlington Board of Health refrains from offering an opinion regarding this variance request. The Arlington Plumbing Inspector, Kevin McConnell, has no issues with the tub other than it is not product accepted.

Motion to deny by Mr. Kilburn and seconded by Mr. Hanley

Abstained 0 Recused 0 Opposed 1

Motion Carries

Meeting Note(s) Acrylic oval tub. Mr. Thomas noted that Barclay currently has other bathtubs listed with the Board.

PV228) LITTLE TOWER PROPERTIES, LLC – 1179 MAIN STREET - WAKEFIELD

The Petitioner (Mr. Michael McCarthy, Attorney) requests a variance from 248 CMR, Section 10.10 918) Table 1 to allow the use of a unisex handicap accessible restroom for employees and patrons. In addition to the existing restroom, the petitioner proposes the installation of a unisex handicapped restroom. The Wakefield Board of Health acknowledges receipt of the petition for this variance request.

Motion to approve by Mr. McNamee and seconded by Mr. Hanley

Abstained 0 Recused 0 Opposed 0

Unanimous

Meeting Note(s) There are serious space restrictions and installing another one would cut into the seating space. There is no basement or attic so storage space is at a minimum. The space is 1200 square feet with 20 seats inside and 8 outside.

PV230) JOHN ADAMES – 3 LINCOLN CIRCLE - WELLESLEY

The Petitioner (Ms. Katrina Szabo) requests a variance from 248 CMR, Section 3.04 to allow the installation on an unlisted Kraus vessel sink. The Wellesley Board of Health is aware of this variance request.

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Motion to approve by Mr. McNamee and seconded by Mr. Kilburn

Abstained 0 Recused 0 Opposed 2

Motion Carries

Meeting Note(s) Originally were going to install a vanity and had to down size and install this smaller sink. The applicant provided proper documentation

PV231) CLAUDINE ORMSBY – 330 MAIN STREET - HYANNIS

The Petitioner (Ms. Claudine Ormsby) requests a variance from 248 CMR, Section 3.04 to allow the installation of two unlisted shampoo back wash chairs and two pedicure chairs. The Hyannis Board of Health is aware of this variance request.

Motion to deny by Mr. Kilburn and seconded by Mr. Hanley

Mr. Kilburn rescinded his motion

Motion to deny by Mr. Hanley, no second

Motion fails

Motion to approve by Mr. McNamee and seconded by Mr. Harold

Abstained 0 Recused 0 Opposed 1

Motion Carries

Meeting Note(s) Purchased 2 pedicure chairs from Dallas and 2 backwash sinks from Oregon. Purchased the products, had them shipped to the beauty shop and then found out that they were not approved. To send them back would be a financial hardship.

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

Drinking fountain requirements waiver in medical and office buildings.

DA-PV225 – W. B. MASON CORPORATE HQTS. – 159 CENTER STREET - BROCKTON

DAPV219 - TIMOTHY NORTON – 203 TURNPIKE STREET – SUITE 125 – NORTH ANDOVER

Shower requirements waiver in medical and dental office buildings.

DAPV219 - TIMOTHY NORTON – 203 TURNPIKE STREET – SUITE 125 – NORTH ANDOVER

Dormitory Laundry Tray Waiver

DA-PV218 FRAMINGHAM STATE UNIVERSITY – 42 MAYNARD STREET - FRAMINGHAM

Waiver regarding the installation and testing of unlisted gas equipment.

DA-GV208 PHILLIPS ACADEMY – BENNER HOUSE KILN GARAGE – 19 SALEM ST. - ANDOVER

DA-GV209 VACUUM BARRIER CORP. – 4 BARTEN LANE – WOBURN

DA-GV229 DRS TECHNOLOGIES – 166 BOULDER DRIVE, SUITE 201 - FITCHBURG

EVENT(S)

The Central Massachusetts Plumbing and Gas Inspector Association has invited the Board to their Annual Dinner Meeting and Training Seminar on Tuesday, May 12, 2015 at Leo’s Restaurant in Worcester.

Mr. Carter addressed the Board stating that it has been a pleasure serving as a board member for the past 6 years and promised he will still be around and would like to continuing offering his facility for Board use in the future.

BOARD WILL CONSIDER ANY MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR:

ADJOURNMENT:

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MOTION TO ADJOURN by Mr. Hanley, seconded by Kilburn.

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

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

Respectfully Authorized by;

Paul Kennedy, Sr.

Paul Kennedy Sr., Chairman
Board of Examiners of Plumbers and Gasfitters