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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

**APRIL 29, 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. Harold Knight          | 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 April 1, 2015 Board Meeting Minutes

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

**VOCATIONAL SCHOOL PROJECTS**

**V1) WORCESTER TECHNICAL HIGH SCHOOL – HABITAT FOR HUMANITY - WORCESTER**

***Residential Project: Applicant is not required to attend. (Wounded Warrior Home)***

**Motion to approve the project as submitted by Ms. Alfasso and seconded by Mr. Hanley**

**V2) GREATER NE BEDFORD VOCATIONAL – ST. MARY’S CHURCH - FAIRHAVEN**

Installation of a unisex handicap rest room and an on demand water heater on the first floor of the church.

***Non-Residential Project: Applicant is required to attend***

This a church which currently has designated rest rooms. They are looking to install an additional unisex rest room for convenience. They are proposing to use 6 students maximum at any one time.

**Motion to approve the project as submitted by Mr. McNamee and seconded by Mr. Hanley**

**PRODUCTS**

**P1) HYDRO INTERNATIONAL – FIRST DEFENSE SEPARATORS**



**BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS APRIL 29, 2015**

David Mongeau from Hydro International—Stormwater Solutions will discuss with the Board their First Defense Separators.

**Postponed at the request of the applicant**

**P2) AYOTTE TECHNO-GAZ – SUN SPOT CATALYTIC INFRARED HEATERS**

Jacques Villeneuve from Ayotte Techno-Gaz will discuss with the Board their Sun-Spot Catalytic Infrared Heaters

Recused: Mr. Thomas

Designed to be a radiating systems to cure paint. System can run on natural or propane gas. Just requires a regulator and orifice change. There is no ignition, just a chemical reaction. No open flame.

**Motion to approve by Mr. Hanley and seconded by Mr. McNamee. One opposed. Motion carries:**  
***Conditions: Product must be installed in compliance with 248 CMR. Gas flexible hose may not exceed 20' and must be properly protected. Proper filing regarding elevated gas pressure must be completed***

**VARIANCE REQUESTS:**

**PV233) COMMUNITY CHURCH OF EAST GLOUCSTER – 7 CHAPEL STREET - GLOUCESTER**

The Petitioner (Craig Herrmann, Designer) requests a variance from 248 CMR, Section 10.10 (15) & (16). The Petitioner notes the water in the Baptistry is not considered holy water or blessed liquid discharge after a ceremony. The baptistry is considered a standard bathtub or lavatory type plumbing fixture. The petitioner requests allowance to discharge the water to the existing building drainage system. The Gloucester Board of Health has no objection with this request.

The water is purely symbolic and no baptism oils are to be used

**Motion to approve as requested based on testimony stating the water is purely symbolic by Mr. McNamee and seconded by Ms. Alfasso: One opposed motion carries**

**PV242) CAPE COD INFLATABLE PARK – 518 MAIN STREET – WEST YARMOUTH**

The Petitioner (Mr. Joseph Marrama, Manager) requests a variance from 248 CMR, Section 10.10 (18) Table 1. The Petitioner notes the plumbing inspector said that there are sufficient facilities inside the building for the restaurant. He raised the question regarding bathroom facilities for the outside portion of the business. The applicant is proposing to locate a bathroom trailer containing three female toilets and four male toilets. The petitioner provided the board office with a copy of a petition letter sent to the Yarmouth Board of Health. They moved the location a few years ago from Dennis to Yarmouth. They are reconfiguring the park and adding 40 seats to the snack bar inside. They were proposing to use a bathroom trailer in lieu of permanent bathrooms. This same trailer was used previously in Dennis. Lee Hall. Now that they are adding seating, it becomes a restaurant.

**Motion to allow the installation of a Massachusetts DPS approved mobile facility by Mr. Hanley and seconded by Mr. Harold**

**PV243) BUZZBUS LLC– BAY 2 – 350 OLD COLONY ROAD - NORTON**

The Petitioner (Mr. Matthew Guertin, Chief Operating Officer) requests a variance from 248 CMR (Code of Massachusetts Regulation) 10.00, the Uniform State Plumbing Code, Section 10.(09) (1) (b). The petitioner seeks relief from the requirement to install floor drains and a gas/oil/sand separator. The petitioner provided the board office with a copy of a petition letter sent to the Norton Board of Health.

They don't do and service work on the buses. There is only welding, fabrication and sewing done inside the building. All of the buses are parked outside. Nothing is left inside overnight. They could only park 2 buses in at a time. This is a sewer area. Paul noted that this qualifies for the alternate technology.

**Motion to deny the elimination of floor drains by Hanley and seconded by McNamee.**

**Motion to allow the installation of an alternative method approved through the board office by Mr. Hanley and seconded by Mr. McNamee**

**BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS APRIL 29, 2015**

**PV247) BISTRO – 30 MAIN STREET - NORTHBOROUGH**

The Petitioner (Mr. Allen Arsenault, NE Design) requests a variance from 248 CMR, Section 10.10 (18). The Petitioner notes in the existing building there are men's and women's non-handicap restrooms. The petitioner proposes adding a unisex handicapped restroom. The Northborough Board of Health does not have any concerns over approval of this variance request.

The building was built in the 1860's. This building will have 50 seats.

**Motion to approve as requested by Mr. McNamee and seconded by Mr. Knight**

**PV250) VISION WORKS AT #1156 CAPE COD MALL – 793 IYANNOUGH ROAD - HYANNIS**

The Petitioner (Ms. Arlette Gallego, Store Design Mgr.) requests a variance from 248 CMR, Section 10.10 (18) Table 1. The Petitioner notes the store was built with one employee restroom. The petitioner is seeking relief from providing a second employee restroom. The establishment operates with three employees during the week and four employees on weekends. The Barnstable Board of Health does not have an issue with the granting of this variance request.

**Motion to approve as requested by Mr. McNamee and seconded by Mr. Hanley**

**PV252) NICHOLSON CLUBHOUSE/BATHROOM FACS - 47 PLEASANT VIEW ST. - METHUEN**

The Petitioner (Mr. William J. Buckley) requests a variance from 248 CMR, Section 10.10 (18) (b) 2a Table 1. The Petitioner is seeking a reduction in the number of required toilet/lavatory fixtures for men & women at the stadium. The Methuen Board of Health does not oppose this waiver request.

**Motion to table until a future meeting by Mr. Hanley and seconded by Mr. McNamee**

**Applicant failed to appear. The Board office will notify via email regarding rescheduling**

**PV254a) RADIOLOGY HARVARD MEDICAL FACILITY–1101 BEACON ST. 3<sup>RD</sup> FL. BROOKLINE**

The Petitioner (Samara Z. Tilkin) requests a variance from 248 CMR, Section 10.10 (18) (i). The Petitioner is requesting the installation of one (1) employee toilet room. The Brookline Board of Health has no objection regarding this variance request. Plumbing Inspector Tim Lynch sent an email stating he has no objection with this variance request.

**Motion to approve as requested by Mr. Harold and seconded by Mr. Knight: one opposed: Motion carries**

**PV254b) RADIOLOGY HARVARD MEDICAL FACILITY–1101 BEACON ST. 3<sup>RD</sup> FL. BROOKLINE**

The Petitioner (Samara Z. Tilkin) requests a variance from 248 CMR, Section 10.10 (18) (k) 5. The Petitioner is requesting relief from the requirement to provide one plumbed drinking fountain per each set of restrooms. Petitioner requests permission for one plumbed filtered water dispenser in lieu of two. The Brookline Board of Health has no objection regarding this variance request. Plumbing Inspector Tim Lynch sent an email stating he has no objection with this variance request.

**Motion to approve as requested by Mr. McNamee and seconded by Ms. Alfasso: One opposed: Motion carries**

**PV257) SWANSEA AMBULANCE CORP – 285 WILBUR AVENUE - SWANSEA**

The Petitioner (Mr. William Starck) requests a variance from 248 CMR, Section 10.09 (1) (b). The Petitioner notes the site is not in the Town of Swansea's Aquifer Protection District and is not subject to any Wellhead Protection or Surface Water Supply Protection. Petitioner is seeking relief from the Board to not require the installation of floor drains and a gas/oil/sand separator. The Swansea Board of Health approves this variance request due to no repair work would be performed at this facility.

There are 2 bays to house 2 ambulances. They are now proposing to add 2 more bays, one for another ambulance and one for an SUV. There will now be 4 bays. They are a 501C non-profit corporation. This will have a huge financial impact. There is no sewerage available. There will be no service done at this facility: Only storage of the 4 vehicles. Paul noted that the Board would be willing to work with you as the installation of an alternative technology.

**Motion to deny the elimination of floor drains by Mr. McNamee and seconded by Mr. Hanley**

**Motion to allow the installation of an alternative method approved through the board office by Mr. Hanley and seconded by Mr. McNamee**

**PV258) BELLA NAILS – 1815 MASSACHUSETTS AVENU – CAMBRIDGE**

The Petitioner (Mr. Joseph DeMella, Cambridge P & H) requests a variance from 248 CMR, Section 3.04 (1) . The Petitioner notes the pedicure spas were purchased by the operator and he installed them. Mr. DeMella provided the Board with the installation instructions and test data for hydro-massage bath tubs. The applicant submitted a petition request letter to the Cambridge Board of Health.

The chairs were purchased prior and then they contacted New Star. We have nothing in our database showing they have applied.

**Motion to approve as requested by Mr. McNamee and seconded by Mr. Kaldas**

**PV259) BI MEDICAL – 215 SUMMER STREET – HAVERHILL**

The Petitioner (Mr. Doug Anderson) requests a variance from 248 CMR, Section 10.10 (18) (k). The Petitioner notes separate staff and patient facilities will be provided; however, due to the low population of each, a unisex accessible toilet room is requested for each. The applicant submitted a petition request letter to the Haverhill Board of Health.

**Motion to table until a future meeting by Mr. McNamee and seconded by Ms. Alfasso.**

**Applicant failed to appear. The Board office will notify via email regarding rescheduling**

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

**Drinking fountain requirements waiver in medical and office buildings.**

DA PV246 – MATH WORKS – 3 APPLE HILL ROAD - NATICK

DA PV253 – CARDNO, INC. – 330 WASHINGTON STREET, 500 WCP - WOBURN

DA PV259a – BI MEDICAL – 215 SUMMER STREET – HAVERHILL

DA-PV255 – MASSAGE ULTRA – 149 BOSTON TURNPIKE - SHREWSBURY

**Shower requirements waiver in medical and dental office buildings.**

DA PV249 – NEW HORIZONS MEDICAL PC – 206-214 HARVARD STREET - FRAMINGHAM

DA PV254 – HARVARD MEDICAL FACILITY (3<sup>rd</sup> FL.)-101 BEACON STREET. BROOKLINE

DA PV259b – BI MEDICAL – 215 SUMMER STREET - HAVERHILL

**Floor drains and gas/oil/sand separator waiver when installing permanent bollard(s).**

DA PV260 – LANDRY’S BICYCLE SHOP – 20 JOLMA ROAD – WORCESTER

**Waiver regarding the installation and testing of unlisted gas equipment.**

DA-GV239 – HOLLINGWORTH & VOSE – 112 WASHINGTON STREET – WAST WALPOLE

DA-GV240 – ERVING PAPER – 110 MAIN STREET – ERVING

DA-GV241 – TWIN RIVERS TECHNOLOGIES – 760 WASHINGTON STREET – QUINCY

DA-GV248 – LANE CONSTRUCTION CORP - 17 NEW LUDLOW ROAD - GRANBY

## **DISCUSSION**

Car showrooms

The Chairman advised the Board that, although there was really never anything done officially, the Board has typically allowed an exemption for floor drains in showrooms. Cars that are being shown do not have much gas/oil and are in good condition. Additionally, there are often rugs installed in a showroom which would defeat the purpose of a floor drain.

Attorney Kilb will revise the existing policy to allow this and present it to the Board at their next meeting.

Mr. McNamee left the meeting just prior to entering into Quasi Judicial session (10:50am)

**QUASI JUDICIAL**

Motion to enter into Quasi Judicial Session by Ms. Alfasso and seconded by Mr. Knight 10:55am

Motion to exit Quasi Judicial Session by Mr. Harold and seconded by Mr. Hanley 11:15am

PL-15-048

PL-15-039

PL-15-053

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

**ADJOURNMENT:**

Motion to approve by Mr. Harold, seconded by Ms. MacDonald:

Unanimous

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;

*Joseph McNamee*

Joseph McNamee, Acting Chairman  
Board of Examiners of Plumbers and Gasfitters