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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

MAY 6, 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

PRODUCT DISCUSSION

William Batten CEO of Thermaco Inc. would like to address the Board regarding the recent re-engineering and 3rd party test of their Big Dipper product line.

NOTES: The top cover is now completely redesigned. The complete unit has been successfully smoke tested by a 3rd party (documentation enclosed). Mr. Batten said he would like to use the same model number as before. The Chairman expressed his concern that inspectors would not be able to determine which is the redesigned unit, and which is the old. Mr. Batten agreed to add a SS designation at the end of the model number to designate the new unit. They are only asking to get 3 units approved at this time. The others will follow as they get 3rd party tested. The cover is the only item they have changed. They can be retrofitted the new cover onto the previous generation appliances.

A motion was made by Mr. McNamee to allow a 6 month test site at the Charlton School location with the model number change and seconded by Mr. Harold. Unanimous (Absent Mr. Hanley)



VARIANCE REQUESTS

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.

***A motion was made to table until the applicant appears by Mr. McNamee and seconded by Ms. Alfasso:
Unanimous***

(Absent Mr. Hanley)

The local plumbing inspector sent notice that he was in favor of this request. There is a 4600 square foot building going up consisting of locker rooms etc. as part of the construction. They are seeking a 43% reduction regarding the fixture requirements based on the seating count in the stadium. This is under the 50% variance commonly allowed by the Board.

A motion was made to approve as requested by Mr. McNamee and seconded by Mr. Knight: Unanimous

PV256) FIVE GUYS BURGERS & FRIES – 769 IYANNOUGH ROAD - HYANNIS

Michael Baldwin is requesting a variance from 248 CMR, Section 10.10 (9). The Petitioner states the establishment does not use china, washable utensils and all food waste is disposed of in the trash. The Barnstable Board of Health has been properly petitioned.

The applicant stated that they have no need for a disposer because most of their food is served on paper plates. There are 50 seats at this location.

A motion was made to deny by Mr. McNamee and seconded by Mr. MacDonald:

Unanimous (Absent Mr. Hanley)

PV263) GUIDO MUSCH RESIDENCE – 1100 BROADWAY - SOMERVILLE

The Petitioner is requesting a variance from 248 CMR, Section 3.04 (1) seeking relief to allow the installation of two (2) items sold in the U.S, by Porcelanosa that are not Product Accepted. The Somerville Board of Health supports this variance request

The homeowner stated that they have a floor level entry shower. The sink and shower trays are made of a resin called CRYAN. Mr.

A motion was made to approve as requested by Mr. McNamee and seconded by Mr. Knight:

6 yes and 3 no: Motion carries

PV265) DOMINO'S PIZZA – 646 WASHINGTON STREET - EASTON

Robert Rivard is requesting a variance from 248 CMR, Section 10.10 (18) Table 1. The Petitioner seeks relief from the requirement to provide two handicapped accessible restrooms for patrons. Petitioner proposes install one unisex handicapped restroom. Petitioner notes there is an existing non-handicapped restroom for employees only. The petitioner provided the Board office with a copy of the petition letter sent to the Easton Board of Health.

The total square footage of this restaurant is just over 1,400 and there are only 8 seats.

A motion was made to approve as requested by Mr. McNamee and seconded by Mr. MacDonald:

Unanimous

PV266) NOKONA BASEBALL – 60 PLEASANT STREET SUITE 5 - ASHLAND

Tabitha Reynolds, Operations Support is requesting a variance from 248 CMR, Section 10.15 to allow the installation of a commercial grade pump for two individual rest rooms and one sink for a new tenant. The Ashland Board of Health has been properly petitioned.

A motion was made to table by Mr. McNamee and seconded by Mr. Hanley

It appears the Board office may have failed to notify the applicant. Nokona will be invited to the next Board meeting

**BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS MAY 6, 2015
PV267) HAPPY FISH BAKERY, Ltd. – 173 ROUTE 6A – YARMOUTH PORT**

Ms. Emily Burbank is requesting a variance from 248 CMR, Section 10.10 (18) Table 1 to allow the installation of one unisex handicapped accessible rest room for employees and patrons. Petitioner will provide seating for up to seventeen patrons. The Yarmouth Board of Health is in favor of this request due to building constraints and limited seating.

This is a building constructed in 1830. They are only allowed up to 20 seats as a condition of approval for the new septic system. The local Plumbing Inspector was present and endorsed this request.

A motion was made to approve as requested by Mr. McNamee and seconded by Mr. Harold: Unanimous

PV268) GENZYME CORPORATION – 31 NEW YORK AVENUE - FRAMINGHAM

James Polando, P.E requests a variance from 248 CMR, Section 10.13. Petitioner is seeking relief from the requirements regarding piping and treatment of Special Hazardous Wastes. The Framingham Board of Health has been properly petitioned.

They would like to hold the special waste onsite and have it hauled away by a hazardous waste removal company. The tank will be double wall with level sensors. All piping will be code compliant.

A motion was made to approve as requested by Mr. McNamee and seconded by Mr. Hanley: Unanimous

PV277) MWRA QUABBIN DISINFECTION FACILITY – 735 BELCHERTOWN ROAD - WARE

Amandan Navanandan from MWRA is requesting a variance to eliminate the requirement of rest room facilities at this location. As this is a State project, no Board of Health petition is required

There is an existing secure facility with rest rooms and showers located approximately 120 feet away from the new proposed turbine generator building. The new building (vault) has been designed to be built above ground and is approximately only 920 square feet. There is nobody going into the new vault on a regular basis. They have proposed no water and sewer to be supplied to the new vault. Dennis Driscoll has no issues with this request.

A motion was made to approve as requested by Mr. McNamee and seconded by Ms. Alfasso: Unanimous

DISCUSSION

The Chairman brought up a recent issue with traditional side-arm and interior style tank less water heaters and the fact that they are typically built as custom unit consisting of one single piece of copper tubing. There would really be no need to have these 3rd party tested. The Board's jurisdiction over these heaters would only fall on the domestic water side and not the hydronic heating portion of the heater.

Motion to eliminate the approval requirement for tank less water heaters by Mr. Hanley and seconded by Mr. Knight: 8 in favor and 1 abstained: Motion carries

Mr. Hanley was seeking guidance regarding when we should or shouldn't be allowing variances granting installation of non Product Accepted products.

Proposed revisions to the Overhead Door Interpretation

Revisions to the existing Board Interpretation regarding buildings utilizing overhead doors was presented to Board members for discussion. The new interpretation encompasses exceptions to the floor drain requirements for car showrooms, permanent bollards and the alternative method of containment. While still requiring a variance, these applications may now be approved by the Board's Executive Director through authority delegated by the Board. The showroom exemption will be limited to one (1) floor and six (6) vehicles

A motion was made to approve by Mr. McNamee and seconded by Mr. Kilburn: Unanimous

Reminder: Central Massachusetts Plumbing & Gas Fitting Inspector Code Seminar – May 12, 2015 - Worcester

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

Drinking fountain requirements waiver in medical and office buildings.

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

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

DA PV264 – FLEET PRIDE – 32 CENTURY STREET - AGAWAM

Waiver regarding the installation and testing of unlisted gas equipment.

DA GV261 TWIN RIVER TECHNOLOGIES – 780 WASHINGTON STREET – QUINCY

DA GV262 MBTA-CHARLESTOWN YARD COMPLEX – 21 ARLINGTON AVENUE - CHARLESTOWN

Waiver regarding Authorization for full operation of unlisted gas equipment.

DA GV54 – CLOVER FOODS – 1075 CAMBRIDGE STREET – CAMBRIDGE

DA GV121 – LIFOAM INDUSTRIES, LLC – 2 FIFTH STREET - PEABODY

DA GV127 – VALLEY MALT LLC – 27 MIDDLE STREET - HADLEY

A motion was made to enter into executive session by Mr. McNamee and seconded by Mr. Kilburn at 10:30am: Unanimous (absent Mr. McNamee)

Board Meeting reconvened at 10:45am

Board Counsel Charles Kilb briefed the Board regarding Executive Order 562 issued by Governor Baker regarding current regulations.

Each Board must completely review their regulation and also must also hold a public meeting giving the public the opportunity to offer input. The board decided the August 5, 2015 meeting would be the best time to hold the Public Meeting. The Executive Director will take care of notifying the proper parties.

A motion was made to adjourn the meeting by Mr. Harold and seconded by Mr. Kilburn: Unanimous

List of documents used:

1. Meeting Agenda
2. Minutes for the prior meeting
3. Variance applications for the 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, Sr., Chairman

Board of State Examiners of Plumbers and Gas Fitters