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ECONOMIC DEVELOPMENT

**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 27, 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 29, 2015 Board Meeting Minutes

*A motion was made to approve the minutes by Ms. Alfasso and seconded by Mr. Knight: Motion Carries  
Abstained Mr. MacDonald*

- The May 6, 2015 Board Meeting Minutes

*A motion was made to approve the minutes by Ms. Alfasso and seconded by Mr. Knight: Motion Carries  
Abstained Mr. MacDonald*

**DISCUSSION(S):**

**D1)** William Callahan, Burlington Plumbing & Gas Inspector addressed the Board regarding code language which currently allows smoke as an acceptable form of testing the sanitary drainage system.

*Mr. Callahan explained that while out doing an underground inspection for 180 residential units being done by Superior Plumbing, he noticed they were using smoke as a test medium. Mr. Callahan said that the drainage system should be subject to a water test rather than smoke. Mr. Callahan largely based this opinion on a plumbing installation manual (aka "Starbuck") used in the 1970's. Mr. Callahan further noted that he felt the 2005 plumbing code amendments mistakenly failed to restrict smoke tests to repair work. Mr. Callahan further noted that this may not be an issue in the present job because the plumber may be contractually required to utilize a water test. Legal counsel advised the Board that based upon the current regulation, smoke must be accepted by inspectors as an acceptable testing method. The Chairman reminded the members that a code change would be required to restrict smoke testing in the future and told Mr. Callahan he is welcome to make such a suggestion for future Board review. In the meantime, Mr. Thomas*



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*will notify the inspector community of the current code requirements allowing the smoke test, which will be added to the next inspector continuing education class. No formal action.*

**D2)** Shawn McGaffigan appeared to discuss his Journeyman Plumber exam attempts  
*A motion was made allowing Mr. Gaffigan to take the exam two more times after completing another 30 hour code prep class by Mr. MacDonald and seconded by Mr. McNamee: Unanimous*

**D3)** Michael Perry (apprentice) and Michael Hoadley (John Hoadley Plumbing & Heating Inc.) are appearing to get a determination from the Board what would be considered as acceptable apprentice time.

*Michael Perry addressed the Board regarding his work hours while an apprentice for Hoadley Plumbing. He was only credited 104 hours for the time he worked there, but he believed, based upon his pay stubs, that he should have been credited for more than 1000 hours. Mr. Perry got his apprentice license in March of 2012. Mr. Hoadley said that he was hired prior to 2012 for work other than plumbing by his father, based in part on a high school HVAC co-op program. After Mike Hoadley's father passed away, Mike registered him as an apprentice plumber but continued to utilize Mr. Perry for non-plumbing work. He was employed until February of 2014 but was also in high school during that time. Mr. Hoadley felt his records accurately segregated Mr. Perry's plumbing and non-plumbing hours, but agreed to re-review his hours and contact the Board if there were any changes.*

*A motion was made to deny the request for the Board to mandate the crediting of additional work hours beyond those certified by the Master by Mr. Knight and seconded by Mr. Kilburn: 7 for and 2 opposed: Motion Carries*

**D4)** Bob Torbin from Omegaflex would like to discuss the recent gas code change regarding 248 CMR 5.07 (3), Table 7.3.4.1 and the requirement to shield 1" CSST in a concealed 2" x 4" wall.

*Mr. Torbin explained to the Board that, in his opinion, it was a mistake to revise Table 7.3.4.1, which, in his view, required an unnecessary amount of protection for certain CSST installations. Chairman Kennedy advised Mr. Torbin that, like any member of the public, he is welcome to submit his suggested code changes to the Board in writing, or attend the "Listening Session" in August. No formal action.*

**D5)** Lawrence Dulac from Dulac Plumbing Innovations Corp. would like to address the Board regarding the installation of T&P relief valves on water heaters with a tee fitting his interpretation that this type of installation does not comply with the standard.

*Mr. Dulac is a master plumber. He advised the Board that, in his opinion, there are some deficiencies in the current installation of T&P valves on indirect fired water heaters due to the fact that there are no tappings dedicated to the T&P valve. Mr. Dulac further stated that he has developed a product which would bring these heaters into compliance with manufacturer standard's, which he believes are widely non-compliant. Mr. Dulac showed the Board his product and explained how it can be incorporated into installations in the future.*

*Mr. Kennedy stated that the Board would take this matter under advisement and attempt to determine if the present installations are code compliant. No formal action.*

**D6)** BABFAR – Presentation @ the Fire Prevention Association of Massachusetts regarding their liquid withdraw propane/natural gas heaters. June 9, 2015

*Mr. Thomas distributed an email inviting Board members to this presentation in June. No formal action.*

## **PRODUCTS**

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

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

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*Mr. David Mongeau addressed the Board regarding their alternative technology storm separators. Chairman Kennedy mentioned that he would like have an opportunity to review this product further before making any decisions. No formal action.*

**P2) CHEVIOT PRODUCTS – CAST IRON TUBS – REQUEST FOR RE-INSTATEMENT**

Cheviot has provided the Board with 3<sup>rd</sup> part test reports showing compliance with ASME A112.19.1 (standard for cast iron tubs)

*A motion was made to approve reinstatement of these products as requested by Mr. Hanley and seconded by Mr. Knight: Motion Carries*

**VOCATIONAL SCHOOL PROJECTS**

**V1) J. P. KEEFE TECHNICAL HIGH SCHOOL – 750 WINTER STREET - FRAMINGHAM**

*Residential Project: Applicant is not required to attend. (299 Beacon Street - Natick)*

*A motion was made to approve as requested by Mr. Hanley and seconded by Ms. Alfasso: Motion Carried unanimously.*

**V2) WORCESTER TECHNICAL SCHOOL – 1 SKYLINE DRIVE - WORCESTER**

*Project on School Property: Applicant is not required to attend.*

Installation of a washing machine connection within the Veterinary Technical Assist Program of the school

*A motion was made to approve as requested by Mr. Hanley and seconded by Ms. Alfasso: Motion Carries unanimously.*

**VARIANCE REQUESTS:**

**GV273) INDEPENDENT FERMENTATIONS BREWING – 127-3 Camelot Drive – Plymouth**

Mr. Paul Nixon, P.E. requests a variance from 248 CMR, Section 3.04(1) to allow the re-installation of gas equipment for which the Board granted a variance another location (54 Pawtucket Road/Plymouth). The equipment will be reinstalled in exactly the same way and for exactly the same purpose as documented in the original variance (GV153). As this is a gas variance, no Board of Health letter is required.

*Chairman Kennedy explained that the unlisted gas product was initially installed down the street with Board approval back in January and now simply being moved down the street to a new larger location.*

*A motion was made to approve as requested by Mr. Hanley and seconded by Ms. MacDonald: Motion Carries unanimously*

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

*Rescheduled from the April 29, 2015 meeting*

Mr. Douglas Anderson requests a variance from 248 CMR, Section 10.10 (18) Table 1 to allow the installation of one unisex handicapped accessible rest room for staff and one unisex handicapped accessible rest room for patients. A petition letter has been sent to the Haverhill Board of Health.

*This is a small internal medical office where there will be a maximum of 7 staff and 14 patients at one time.*

*The request is for one unisex rest room for staff and one unisex handicap rest room for patients.*

*A motion was made to approve as requested by Mr. McNamee and seconded by Mr. Kaldas: Motion Carries unanimously*

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

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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.

*The applicant explained that, because of the age and construction of the building, it would be very destructive to gain access to the main drain.*

*A motion was made to approve as requested by Mr. McNamee and seconded by Mr. Harold: Motion Carries unanimously*

**PV269) DURSO & JANOWSKI INSURANCE – 11 SAUNDERS STREET – NORTH ANDOVER**

*Post-Installation variance:* Mr. William Harrington, Master Plumber requests a variance from 248 CMR, Section 10.06 (2) (o) to allow the existing PVC building drainage/waste/vent system and existing Flow Guard Gold water piping to remain. The project only consists of converting the existing restroom to a handicapped accessible restroom. The North Andover Board of Health has no issue with this variance request.

*The building was renovated previously by someone else a few years ago with PVC. They want to make the existing rest room handicapped but don't want to completely re-pipe the system. Chairman Kennedy said the only way the Board should allow this installation would be with approved materials.*

*A motion was made to allow the existing PVC to remain but the commercial material must be installed from behind the branch where the lavatory had previously been taken off and extended through the roof off by Mr. Hanley and seconded by Mr. Kilburn: Motion Carries unanimously*

**PV271A) SHRILEY MEETING HOUSE – 41 BROWN ROAD - SHIRLEY**

Mr. Robert Adam requests a variance from 248 CMR, Section 10.10 (18) Table 1 to allow the installation of one unisex handicapped accessible restroom in lieu of the required two. The Shirley Board of Health has no issue with this variance request.

*This is a non-profit association and the building is typically used for historic events and meetings.*

*A motion was made to approve as requested by Ms. Alfasso and seconded by Mr. McNamee: Motion Carries unanimously*

**PV271B) SHRILEY MEETING HOUSE – 41 BROWN ROAD - SHIRLEY**

Mr. Robert Adam requests a variance from 248 CMR, Section 10.06 (2) (o) to allow the use of PVC for drains, waste and vent piping and PEX for water piping. The Dartmouth Board of Health has no issue with this variance request.

*Mr. Hanley stated that a product (Aquatherm) could be a good option where it can withstand cold temperatures*

*A motion was made to deny by Mr. McNamee and seconded by Mr. Knight: Motion Carries unanimously*

**PV272) ROUND THE BEND FARM – 92 ALLEN'S NECK ROAD – SOUTH DARTMOUTH**

Ms. Desa Van Laahoven, Director requests a variance from 248 CMR, Section 10.10 (5) (f) to allow the installation of composting toilets. The petitioner notes recycling humanure through composting toilets will allow RTB to manage the material as resource rather than waste product. The Dartmouth Board of Health stated that the installation does not require special consideration by the Board as prescribed in 310 CMR 15.00. Therefore, the intent to install the fixture is allowed.

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*Liz Wiley stated that they have a farmhouse and a barn on the property. The farmhouse has two bathrooms. They would like to retrofit the downstairs bathroom to a composting toilet. This is a very similar variance to the one the Board allowed in Falmouth about a year ago.*

*A motion was made to approve as requested by Mr. McNamee and seconded by Mr. Hanley: Motion Carries unanimously*

**PV274) MIDDLESEX COMMUNITY COLLEGE – 240 CENTRAL STREET - LOWELL**

Mr. Anthony Petrillo requests a variance from 248 CMR, Section 10.15 (11) (A) 1 to allow the installation of a 6” backwater valve on the main in the basement as opposed to individual valves on each branch line. The plumbing inspector (Norman Card) informed them that the sewers in this part of town frequently experience surcharge conditions during rain fall events. The intent is to minimize the number of slab openings which could compromise the radon system. As this is a state project no Board of Health petition is required.

*Tony Petrillo stated that they would like to install a 6” backwater valve on the main drain leaving the building. The single valve they are proposing will have an alarm built in. The Chairman suggested they should install a solenoid on the water service connected to the alarm.*

*A motion was made to approve this installation with the addition of a solenoid valve by Mr. Harold and seconded by Mr. McNamee: Motion Carries unanimously*

**PV275) MUNICIPAL PARKING FACILITY – 15 LEONARD STREET - TAUNTON**

Mr. Christopher Jones, P.E. requests a variance from 248, Section 10.09 (1) (a). The Petitioner is seeking relief from the requirement of 248 CMR 10.09 to install an interceptor on the existing storm-water drainage system for the upper level of this parking deck. . The petitioner provided the Board office with a copy of a petition letter sent to the Taunton Board of Health.

*A motion was made to approve as requested by Mr. Harold with no second: Motion Fails*

*A motion was made to deny as requested by Mr. Kilburn and seconded by Mr. Knight: 7 for, 1 against and 1 abstention: Motion Carries*

**PV276a) NORTHEAST REHAB HOSPITAL NETWORK–413 BROADWAY, SUITE 100 - METHUEN**

Mr. Joseph LaGrasse requests a variance from 248 CMR, Section 10.10.18 Table 1. The Petitioner notes that due to the limited area of the existing space and the services required by the tenant program and 521 CMR, the inclusion of an additional toilet facility would cause an impact to the therapy room area and office area, which would reduce the number of patients allowed for treatment. The Methuen Board of Health has no issues with this request.

*This is a 3000 square foot space. They would like to install three unisex rest rooms. 1 for the public, 1 for the patients and 1 for the staff. The total patient load would be 24.*

*A motion was made to approve as requested by Mr. Kilburn and seconded by Mr. Harold: Motion Carries unanimously*

**PV278) McCORMICK BUILDING GARAGE – ONE ASHBURTON PLACE - BOSTON**

Mr. Lou Caraglia requests a variance from 248 CMR, Section 10.09 (b) 1 to allow the installation of a sump in an area where drains are above the building drain. The Petitioner notes all piping is encase in four to five feet of concrete and modifying the piping arrangement would be a hardship. Part of the scope of the project will be to replace the existing pumping system in the pump chamber downstream of the G/O/S separator. As this is a state building no Board of Health letter is required.

*A motion was made to approve as requested by Mr. Hanley and seconded by Mr. Knight: Motion Carries unanimously*

*Another issue was brought up about the replacement of the pumps and the re-painting of the interior of the chamber. During the time they will be doing this, they will have a plumber pump the fluid to a holding tank if necessary and removed from the site.*

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*A motion was made to approve as requested by Mr. Hanley and seconded by Mr. Knight: Motion Carries unanimously*

**PV279) SURFARI, INC. – 208 MAIN STREET - GLOUCESTER**

Ms. Nancy Twomey requests a variance from 248 CMR, Section 10.10 (18) (i) to allow the installation of one handicap accessible rest room. The Gloucester Board of Health does not object to this variance request.

*A motion was made to table as the applicant failed to appear by Mr. Hanley and seconded by Ms. Alfasso: Motion Carries unanimously*

**PV282) TURNER FARM REALTY TRUST – 214 EASTERN AVENUE - GLOUCESTER**

The Petitioner (Ryann C. Flynn, (Trustee) requests a variance from 248 CMR (Code of Massachusetts Regulation) 10.00, the Uniform State Plumbing Code, Section 10.10 (18) (b) (ii) (c). The Petitioner notes the unit was constructed with a single unisex handicapped restroom. Also noted this is a slab on grade with no drainage plumbing lines where a second restroom could be constructed. The petitioner requests a variance to allow the pre-existing handicapped restroom and not require the installation of second restroom. The Gloucester Board of Health has no objection regarding this variance request.

*This is a 1500 square foot retail space with no easy way to extend the plumbing.*

*A motion was made to approve as requested by Mr. MacDonald and seconded by Mr. Kilburn: Motion Carries unanimously*

**PV284) CREATIVE DENTAL – 160 RODNEY FRENCH BOULEVARD – NEW BEDFORD**

The Petitioner (Mr. Stephen Gooding, Wooding Construction) requests a variance from 248 CMR (Code of Massachusetts Regulation) 10.00, the Uniform State Plumbing Code, Section 10.10 (18) Table 1. The Petitioner is proposing having one female, one male and one staff unisex ADA restrooms. The New Bedford Board of Health has no issues with the proposal to provide three (3) restrooms.

*A motion was made to approve as requested by Mr. Harold and seconded by Mr. Kilburn: Motion Carries unanimously*

**PV290) MA DOT – 145 HAVRE STREET - BOSTON**

The Petitioner (Mr. Christopher Garcia, Garcia-Galuska-DeSousa) requests a variance from 248 CMR (Code of Massachusetts Regulation) 10.00, the Uniform State Plumbing Code, Section 10.01. The Petitioner proposes to renovate the existing building to provide for an accessible MassDot EZ\_Pass service center. Due to limited proposed work area, the petitioner requests to perform the plumbing upgrades required in the garage work area only. The applicant requests the existing combined storm sewer in the single story with basement portion of the building remain as no work is proposed in this area. As this is a state project, no Board of Health letter is required.

*While the new plumbing work will connect to a sanitary system, there is currently other piping within the building that is a combined storm and sanitary system.*

*A motion was made to approve with the condition that if the other part of the building is ever renovated, it will be corrected at that time by Mr. Hanley and seconded by Mr. Harold: Motion Carries unanimously*

**PV291) MA DCR – 165 DAY BOULEVARD - SOUTH BOSTON**

The Petitioner (Mr. Thomas Scarlata) requests a variance from 248 CMR (Code of Massachusetts Regulation) 10.00, the Uniform State Plumbing Code, Section 10.18. The Petitioner notes the proposed project is an addition that adds four (4) locker rooms (changing areas with toilets and showers) and two (2) team rooms (changing only) to replace two team rooms that are being demolished. As this is a state project, no Board of Health letter is required.

*A motion was made to table as the applicant failed to appear by Mr. Hanley and seconded by Mr. Knight: Motion Carries unanimously*

**PV292) CARIOVASCULAR CONSULTANTS – 18 OLD COLONY WAY – ORLEANS**

Mr. Davis Walters is requesting a variance from 248 CMR 10.10 (18) table 1 to allow the installation of one unisex handicap rest room for patients and one unisex restroom for staff. Additionally, the applicant is requesting allowance to install a water dispenser in lieu of a drinking fountain. The Orleans Board of Health does not have an issue with this request.

*A motion was made to approve as requested with the addition of rough plumbing for a future drinking fountain by Mr. Hanley and seconded by Ms. Alfasso: Motion Carries unanimously*

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

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

DA PV196 – RELIANT MEDICAL/ MILFORD READYMED -214 WASHINGTON STREET –HUDSON

DA PV259 – BI MEDICAL – 215 SUMMER STREET - HAVERHILL

DA PV283 – TD BANK – 2 HARBOR LOOP - GLOUCESTER

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

DA PV197 – RELIANT MEDICAL/ MILFORD READYMED -214 WASHINGTON STREET –HUDSON

DA PV276b – NORTHEAST REHAB HOSPITAL NETWORK - 413 BROADWAY – METHUEN

DA PV259 – BI MEDICAL – 215 SUMMER STREET – HAVERHILL

DA PV287 – BOSTON AMERICA – 42-55 SIXTH ROAD - WOBURN

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

DA PV281 – NEW 180 LIBERTY STREET, LLC – 180 LIBERTY STREET – FALL RIVER

DA PV286 – BOSTON AMERICA – 42-55 SIXTH ROAD - WOBURN

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

DA GV280 – ACME LAUNDRY – 124 RIDGEWOOD AVENUE - HYANNIS

**Waiver regarding Authorization for full operation of unlisted gas equipment.**

GV62 – MIT BUILDING #4 – 182 MEMORIAL DRIVE – CAMBRIDGE

GV205 – UNION COFFEE ROASTER – 25 MAIN STREET – AYER

GV244 – CLEAN ENERGY – 14 COTTAGE STREET – EAST BOSTON

GV179 – U.S. TSUBAKI – 106 LONZACK DRIVE - CHICOPEE

Matters not reasonably anticipated by the Chair 48 hours prior to the meeting:

**PV288) BOSTON MEDICAL CENTER – 840 HARRISON AVENUE – BOSTON**

Derek Sylvia is requesting a variance from 248 CMR 10.10 (18), table 1 to allow the following rest rooms:

**PUBLIC**

one unisex handicap rest room

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one female handicap rest room

one male handicap rest room

**STAFF**

one unisex handicap rest room

one female handicap rest room

one male handicap rest room

***A motion was made to approve as requested by Mr. Harold and seconded by Mr. Kilburn: Motion Carries***

***A motion was made to adjourn the meeting by Mr. Kaldas and seconded by Mr. Kilburn: 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;

*Paul Kennedy Sr.*

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