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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

**SEPTEMBER 2, 2015 BOARD MEETING 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	✓	Arrived Late
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

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

- August 5, 2015 Board Meeting Minutes

*A motion was made by Mr. McNamee and seconded by Mr. Kaldas to accept the minutes as submitted.  
Unanimous*

- August 5, 2015 Executive Board Meeting Minutes

*A motion was made by Mr. Kaldas and seconded by Mr. McNamee to accept the minutes as submitted.  
Unanimous*

- August 26, 2015 Board Meeting Minutes

*A motion was made by Mr. McNamee and seconded by Mr. Kaldas to accept the minutes as submitted.  
Unanimous*

- August 26, 2015 Executive Board Meeting Minutes

*A motion was made by Mr. Kaldas and seconded by Mr. McNamee to accept the minutes as submitted.  
Unanimous*



**BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS – SEPTEMBER 2, 2015**  
**DISCUSSION(S):**

**D2) CODE REVISIONS (SECTION 10.06)**

Board staff discussed the present regulatory review process per Executive Order 562. Staff, in consultation with the Chairman, are preparing a draft of the plumbing code for ultimate Board review. However, staff report needing Board direction regarding section 10.06, which was the subject of extensive public comment. A plan of action was discussed seeking third party input before any decisions are made. Accordingly, Mr. Kaldas will contact the engineering community, Mr. Kennedy will contact professionals at MIT, Mr. Thomas will contact plumbing inspectors, Mr. McNamee will contact the Boston Fire Department, and Mr. Kilburn will contact the State Fire Marshall's office.

No formal action taken

**D3) INSPECTOR AUTHORITY**

Attorney Kilb passed out an outline of how the statute and regulation deals with the authority of the local plumbing and gas inspector. Inspectors do not have the authority to require code compliance unless they are authorized by code to be in the building. They need to work with their local authorities, Building, Health to fix any code violations that create a public nuisance. Dan McDonald explained his situation in Watertown where he works hand in hand with the building and health inspectors when there is a change of use or change of occupancy.

No formal action taken.

**D4) DELEGATED AUTHORITY ISSUED TO THE EXECUTIVE DIRECTOR**

The Board reviewed an updated list of items where the Board has delegated authority to the Board staff over the years. The Board will review and possibly vote on this at the next meeting.

No formal action taken.

**VARIANCES**

**PV029) CROSSFIT ONE NATION – 221 BEAR HILL ROAD - WALTHAM**

Mr. JC Del Real is requesting a variance from 248 CMR Section 10.10 (18) Table 1 to use a bottled water filtration system rather than a conventional drinking fountain. The petitioner notes it is the same water filtration system in used at their Needham and Canton locations. The Waltham Board of Health and the Waltham Plumbing Inspector are not opposed to this request, providing rough plumbing is installed for a future drinking fountain.

*Meeting Notes: The applicant agreed that he will install rough plumbing for a future drinking fountain. Mr. Hanley asked if they would be providing cups. YES*

*A motion was made by Mr. Harold and seconded by Mr. Knight to allow the use of Bottled water dispensers with rough plumbing for a future drinking fountain.*

*Unanimous*

**PV042) NANCY YANG – 66 BRIDGE STREET - LEXINGTON**

The Petitioner (Ms. Nancy Yang,) requests a variance from 248 CMR 10.06 (2) (o)..The Petitioner is requesting the Board to consider that the current SDR pipe can remain and all new waste drains can connect to the SDR main.. The Lexington Board of Health does not support the request to deviate from an approved material for a sanitary drain, (SDR) pipe.

*A motion was made by Mr. Harold and seconded by Mr. McNamee to table the application as the applicant was not present.*

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**PV044) CITY LINE AUTO BROKERS – 497 BROADWAY - MALDEN**

The Petitioner (Mr. Edward Colameta, President) requests a variance from 248 CMR Section 10.10 (18) Table 1. The Petitioner is requesting a variance to house ten (10) vehicles indoors.. The petitioner properly petitioned the Malden Board of Health.

*A motion was made by Mr. Harold and seconded by Mr. McNamee to table the application as the applicant was not present.*

**PV053) AUSTIN PREPARATORY SCHOOL – 101 WILLOW STREET - READING**

The Petitioner (Mr. Anthony Pimentel, President) requests a variance from 248 CMR 10.10 (18) Table 1..The Petitioner is seeking a variance from the plumbing code to provide toilet facilities within the separate structures and allow Austin Prep to restrict access into the school building.. The Reading Board of Health supports this variance request for providing bathroom facilities in two buildings at the school, in accordance with the plans by Cornerstone Architects.

*Meeting Notes: The applicant stated that they filed a variance at the direction of the Plumbing Inspector because they are using two separate buildings. They are basing this on a total occupancy of 1,112.*

*A motion was made by Mr. Hanley and seconded by Mr. Harold to allow the 50% reduction of plumbing fixtures while utilizing both buildings.*

**PV057b) AIRPORT SOLUTIONS GROUP – 39 WINN STREET - BURLINGTON**

The Petitioner (Mr. Barry Ganek, AIA-Ganek Architects, Inc.) requests a variance from 248 CMR Section 10.10 (18) Table 1.. The Petitioner seeks relief from the requirement to install a mop sink in this new office building. The petitioner properly petitioned the Burlington Board of Health.

*Meeting Notes: There is carpeting in the building with the exception of rest rooms and kitchen.*

*A motion was made by Mr. Harold and seconded by Mr. Kaldas to allow the elimination of a mop sink requirement at this location.*

**PV061 – FERRARI MASERATI NEW ENGLAND – 441 PROVIDENCE HIGHWAY - NORWOOD**

Mr. Michael Clemmey is requesting a variance from 248 CMR Section 10.10, Table 18 to eliminate the requirement for rest rooms at this facility. The petitioner states that customers will not be allowed in this area. The Norwood Board of Health supports this variance request.

*Meeting Notes: They are adding a 4,000 square foot addition. The local plumbing inspector stated that he was in complete support of this.*

*A motion was made by Mr. Kaldas and seconded by Mr. Knight to allow the elimination of rest rooms for the addition to this facility.*

**PV062 – MARK SWEENEY – 730 PLANTATION STREET - WORCESTER**

Mr. Mark Sweeney is requesting a variance from 248 CMR Section 10.10, Table 18 to eliminate the requirement for designated rest rooms at this facility. The petitioner wishes to install one unisex employee rest room. The Worcester Board of Health supports this variance request

*Meeting Notes: This is a self serve Laundromat with no employees. The facility is in excess of 1200 square feet.*

*A motion was made by Mr. Kaldas and seconded by Mr. Knight to allow the installation of one unisex employee rest room.*

**BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS – SEPTEMBER 2, 2015**

*Additional Notes: The applicant addressed the Board regarding capturing rinse water from some of the washing machines and re-using it. There will be a 750 gallon pressurized storage tank after the filtration system. Mr. Kennedy advised the applicant that he needed to file for special permission plumbing.*

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

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

PV054 - BOSTON SOLAR – 42-55 SIXTH ROAD - WOBURN

PV055 – LOCKE REALTY TRUST – 131 AVCO ROAD – BRADFORD

PV057a – AIRPORT SOLUTIONS GROUP – 39 WINN STREET - BURLINGTON

**Unlisted sink carved from stone**

DA PV060 – PETER JOHANNSON – 22 IRVING STREET – BROOKLINE

*The Board took a short recess at 10:20am*

*The Board returned to open session at 10:30am at which time the Chairman stated that the applicant who was supposed to be in for a character review was not in attendance.*

**EXECUTIVE SESSION**

**CHARACTER REVIEW(S)**

CR1) LLG

**QUASI-JUDICIAL SESSION**

*The Chairman then entertained a roll call to enter into Quasi Judicial session. A motion was made by Mr. Hanley and seconded by Mr. Kaldas. Thereafter, the roll call was summoned and the following is the result:*

MEMBER	YEA	NAY	ABSENT	RECUSED	ABSTAINED
Mr. Kennedy	✓				
Mr. McNamee	✓				
Mr. Knight	✓				
Mr. MacDonald	✓				
Mr. Harold	✓				
Ms. Alfasso	✓				
Mr. Kaldas	✓				
Mr. Hanley	✓				
Mr. Dan Kilburn	✓				

*PL-15-046 – Board deliberation and decision*

*The Board returned to open session at 10:45 a.m.*

**BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS – SEPTEMBER 2, 2015**  
**ADJOURNMENT**

*A motion was made by Mr. McNamee and seconded by Mr. Knight to adjourn the meeting at 10:50am*

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