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ECONOMIC DEVELOPMENT

**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

**NOVEMBER 4, 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	✓	
Open Seat	Member, Master Plumber		
Ms. Ruth Alfasso	Member, Dept. of Public Health	✓	
Mr. John MacDonald	Member, LP Installer	✓	
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

**DISCUSSION**

**D1)** Rick Pothier from EDOS Manufacturers’ Reps, Inc. would like to discuss with the Board their current training policy regarding GASTITE CSST and their proposed training for re-certification.

**Meeting Notes:** As of April, Gastite no longer sells the yellow pipe. The new installation manual only has the black pipe. They are now re-certifying everyone every three years. They would also now like to re-certify by an online program. Their question is, do the Mass modifications need to be taught now that it’s clear in the code. Several Board members were concerned that the modifications should be part of the re-certification. In response the manufacturer stated that providing modifications as part of the online training is a hardship, as it is built for the entire country, not just Massachusetts. Mr. Kennedy stated that the Board will take it under advisement and get back to them after the members have had a chance to review the new installation guide. No formal action

**VARIANCES**

**GV112) UMASS LOWELL – FOX HALL – 100 PAWTUCKET STREET - LOWELL**

Mr. Richard W. Wood is requesting a variance from the Gas Code carbon monoxide (CO) provisions in 248 CMR Section 5.09 amended 9.1.23.for boiler replacement project at Fox Hall. There are no fuel burning appliances located above the 2<sup>nd</sup> floor in this building. Petitioner seeks relief from the carbon monoxide provision of the code. As this is a State Project, the Board of Health petition is not required



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*Meeting Notes: 1<sup>st</sup> level is a recreational area. 2<sup>nd</sup> floor there are commercial kitchens. 3<sup>rd</sup> floor has no living areas. 4<sup>th</sup> through 18<sup>th</sup> floors are the living areas.*

*There are currently 25 CO detectors in the building. Most of them are located on the 1<sup>st</sup> or 2<sup>nd</sup> floors. They are looking for relief from the requirement to install the detectors on floors 3 through 18. There are 15 devices in the basement where the boilers are located.*

*A motion was made to allow this variance as requested by Mr. Hanley and seconded by Mr. MacDonald*

*Condition(s): None*

*Result: Unanimous*

**PV119) KIT & ACE – 600 MARKET STREET – LYNNFIELD**

Mr. Doug Anderson, Code Advisory Group) requests a variance from 248 CMR Section 10.10 (18) (4). The Petitioner notes the subject store is 2,858 square feet. The petitioner is requesting a variance to install a single unisex employee restroom. The petitioner notes there will be no more than eight (8) employees. The Lynnfield Board of Health was properly petitioned. In an email, the Lynnfield plumbing inspector, Paul Donohoe, stated he is opposed to this variance.

*Meeting Notes: This is a retail English clothing store.*

*A motion was made to allow a single unisex rest room with rough plumbing installed for a possible future 2<sup>nd</sup> rest room by Mr. McNamee and seconded by Ms. Alfasso.*

*Condition(s): None*

*Result: Unanimous*

**PV120) KIT & ACE – 92-98 DERBY STREET - HINGHAM**

Mr. Doug Anderson, Code Advisory Group) requests a variance from 248 CMR Section 10.10 (18) (4). The Petitioner notes the subject store is 2,762 square feet. The petitioner is requesting a variance to install a single unisex employee restroom. The petitioner notes there will be no more than eight (8) employees. The Hingham Board of Health was properly petitioned.

*Meeting Notes:*

*A motion was made to allow a single unisex rest room with rough plumbing installed for a possible future 2<sup>nd</sup> rest room by Mr. McNamee and seconded by Ms. Alfasso.*

*Condition(s): None*

*Result: Unanimous*

**PV121) KIT & ACE – 680 LEGACY PLACE - DEDHAM**

Mr. Doug Anderson, Code Advisory Group) requests a variance from 248 CMR Section 10.10 (18) (4). The Petitioner notes the subject store is 2,273 square feet. The petitioner is requesting a variance to install a single unisex employee restroom. The petitioner notes there will be no more than eight (8) employees. The Dedham Board of Health was properly petitioned.

*Meeting Notes:*

*A motion was made to allow a single unisex rest room with rough plumbing installed for a possible future 2<sup>nd</sup> rest room by Mr. Knight and seconded by Mr. MacDonald.*

*Condition(s): None*

*Result: Unanimous*

**PV124) MINILUXE – 200 WALNUT STREET, UNIT #245 - LYNNFIELD**

Mr. Gary Sadler, Owner Upland Architects, is requesting a variance from 248 CMR Section 10.10 (18) (i). The Petitioner is requesting a variance from the requirement for separate men's and women's toilet facilities. There is

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currently an existing ADA compliant toilet room for men and women; however the employees and clientele are almost exclusively women. The petitioner would like to remove the fixtures in the existing men's room and convert it to a manager's office. The existing women's restroom would be designated as a unisex restroom. The Lynnfield Board of Health was properly petitioned. In an email, the Lynnfield plumbing inspector, Paul Donohoe, stated he is not opposed to this plumbing variance.

*Meeting Notes: 1246 square foot space.*

*A motion was made to allow this variance as requested by Mr. MacDonald and seconded by Ms. Alfasso.*

*Condition(s): None*

*Result: Unanimous*

**PV125) AMAZON FULFILLMENT – 1180 INNOVATION WAY – FALL RIVER**

Mr. Thomas Hollands, Macgregor Associates Architects is requesting a variance from 248 CMR Section 10.10

(18) (j) Table 1. The Petitioner seeks variances for the following:

- 1) To not require plumbing in the guardhouse. A toilet facility will be located in the main warehouse.
- 2) It is desired to not require showers as this facility's main occupancy S-1 consist of racked storage.
- 3) It is desired to reduce the quantity of fixtures for the main occupancy of S-1, Storage and accessory occupancy B – business and provide quantities equivalent to the requirements of the IPC.
- 4) Because the warehouse portion of this facility will consist mainly of high pile rack storage accessed by employees on fork lift traffic only. It is desired to extend toilet facilities at work areas to within 500 feet in lieu of the 300 feet requirement.

The Fall River Agent for the Fall River Board of Health reviewed the issues, including the applicable codes, with Christopher Costa, plumbing inspector, and he believes there are enough aspects in each request to defer from making a recommendation. The plumbing inspector noted in correspondence he sent to Mr. Hollands and recommended making adjustments per their conversation regarding using the IPC code.

*Meeting Notes: Numbers referenced from above*

*1) There are always 2 guards. One of them continually walks around the facility. They have access to a facility about 200' away. The guardhouse is 8' x 12'.*

*A motion was made to deny this request by Mr. Kilburn and seconded by Mr. Knight.*

*Result: Unanimous*

*2) This is not a factory but simply an air conditioned space where most of the people will be using forklifts and manually packing boxes. The applicant stated that there is really no need for showers.*

*A motion was made to allow the installation of 2 showers in the ladies and two showers in the men's room by Mr. Knight and seconded by Mr. McNamee.*

*Result: Unanimous*

*3) Request to install 16 toilets in the men's room.*

*They will install 13 urinals in the men's room*

*They would like to install 19 lavatories in the men's room*

*A motion was made to allow the variance as stated above by Mr. McNamee and seconded by Mr. Knight.*

*Result: Unanimous*

*They would like to install 28 toilets in the ladies room.*

*They would like to install 19 lavatories in the ladies room*

*A motion was made to allow the variance as stated above by Mr. McNamee and seconded by Mr. Knight.*

*Result: Unanimous*

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*4) A request to have the travel distance increased to 500'*

*A motion was made to allow the variance as stated above by Mr. Kilburn and seconded by Ms. Alfasso.*

*Result: Unanimous*

**~~PV126) MA DEPT. OF TRANSPORTATION BLDG – 8 PARK PLAZA STE. D2-B – BOSTON~~**

~~Mr. Dennis Love, Project Mgr. Falcon Construction is requesting a variance from 248 CMR Section 10.10 (18) to allow the installation of one unisex handicapped accessible restroom in lieu of the required two. There are additional core bathrooms available within the maximum linear feet travel distance. As this is a state project, no Board of Health petition is required~~

**No action taken**

**FYI – Board Delegated Staff Approvals – Board Vote Not Required**

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

DA PV122 – BI MEDICAL – 63 PARK STREET – ANDOVER

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

DA PV122 – BI MEDICAL – 63 PARK STREET – ANDOVER

**Floor drains and gas/oil/sand separator waived when installing an alternate system.**

DA PV128 – ALL CAPE BOAT RENTALS – 629 ROUTE 28 – WEST YARMOUTH

**DISCUSSION(S)**

**D2) The Board will discuss jurisdictional issues regarding roof drainage on canopies and similar structures.**

*The Board attorney discussed with the Board issues raised recently regarding the installation of piping outside of buildings but underneath a “structure”. It was noted that under the statutory definition of plumbing, plumbing takes place within a property line in both buildings and structures. However, certain pipes outside of a building become questionable jurisdiction-wise. Accordingly, the Board was advised to be cautious in making declarations in this regards. However, Board members were able to generally agree that if drainage piping for a structure connects to a storm or sanitary system, it is considered plumbing and must be installed by licensees. At this time, the Board members decided not to issue any new policies or interpretations.*

*No formal action taken.*

**ITEM NOT REASONABLY ANTICIPATED BY THE CHAIR:**

*Mr. Hanley mentioned that there may be new OSHA issues regarding lead, which may need future Board review. No formal action*

**ADJOURNMENT**

*A motion was made to adjourn the meeting at 10:45am by Mr. McNamee and seconded by Mr. Knight*

**LIST OF DOCUMENTS USED:**

1. Meeting agenda
2. Minutes from prior meeting
3. Variance applications for above referenced agenda items

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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