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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

**NOVEMBER 18, 2015 BOARD MEETING MINUTES**

MEMBERS	APPOINTMENT	PRESENT	ABSENT
Mr. Paul Kennedy Sr.	Chairman, Journeyman Gasfitter		✓
Mr. Joseph McNamee	Acting Chairman, 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 Acting Chairman Joseph McNamee

- Emergency Egress and Cell Phone Policy

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

- Minutes from the Board Meeting of October 28, 2015

*A motion was made to accept the minutes as submitted by Mr. Knight and seconded by Mr. MacDonald:*

- Minutes from the Executive Session Meeting of October 28, 2015

*Correction(s): None*

*A motion was made to accept the minutes as submitted by Mr. MacDonald and seconded by Mr. Knight:*

- Minutes from the Board Meeting of November 4, 2015

*A motion was made to accept the minutes as submitted by Ms. Alfasso and seconded by Mr. Kaldas:*

**DISCUSSION(S):**



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**VOCATIONAL SCHOOL PROJECT(S)**

**V1) V1) Greater Lawrence Technical School – 57 River Road – Andover**  
**Residential project – Habitat for Humanity – 60 Island Street – Lawrence**  
**Applicant is not required to attend**

**A motion was made to accept this project as requested by Mr. MacDonald and seconded by Mr. Kilburn**  
**Result: Unanimous**

**V2) Assabet Valley Technical School – 215 Fitchburg Street - Marlborough**  
**Commercial project – On Campus – Gas piping for LP generator**  
**Applicant is required to attend**

**Meeting Notes: Brian Allard LP generator will serve as a training generator for the electrical shop. Mr. Allard passed out information as to what code sections the project would cover. The seniors would be the only students involved with this project. It is approximately a 20' run. This will encompass a 6 to 1 ratio.**

**A motion was made to accept the project as requested by Mr. Knight and seconded by Mr. MacDonald**  
**Result: Unanimous (abstained Mr. Hanley. Not present during the complete presentation)**

**VARIANCES**

**PV130) GREEN APPLE CAFÉ – 57 WATER STREET – NORTH ANDOVER**

Ms. Cynthia Robinson is request a variance from 248 CMR Section 10.10 (18) Table 1. The Petitioner notes there are two existing non-handicapped restrooms. The petitioner proposes converting one restroom to a handicapped accessible unisex restroom. The petitioner seeks relief to retain the other existing restroom as a unisex non-handicapped restroom. The applicant properly petitioned the North Andover Board of Health.

**Meeting Notes: There are currently two non handicap rest rooms and a janitor closet. The Café as about 1354 square feet and has 40 seats.**

**A motion was made to allow the elimination of one rest room and allow the installation of one handicap accessible unisex rest room for visitors and staff by Mr. Hanley and seconded by Mr. Kilburn.**

**Condition(s): None**

**Result: Unanimous**

**PV131) ANODYNE – 10 GRANITE STREET - QUINCY**

The, petitioner is requesting a variance from 248 CMR Section 10.15 10 (h) 4. The Petitioner would like to install a break room sink on the 1<sup>st</sup> floor above the parking garage. Also noted is the existing structure steel beams cannot be drilled (per a letter from the structural engineer). The Quincy Board of Health noted the request is to allow an individual pump to service a break room sink, since the steel components prevent a connection by gravity. The Board of Health consulted with the plumbing inspector, who states no objection to the request.

**A motion was made to allow this system to be pumped by Mr. MacDonald and seconded by Mr. Knight**

**Result: Unanimous**

**PV133) INNOVATION DESIGN BUILDING – 21, 23, 27 DRYDOCK AVENUE - BOSTON**

The Petitioner (Mr. Frank Teebagy, Plumbing Engineer) requests a variance from 248 CMR Section 10.16 (e). The Petitioner notes the building is sectioned into 6 addresses 17, 19, 21, 23, 27, 25 & 27. The client is relocating docks 21, 23 and 27 from the front of the building to the rear. Petitioner is requesting that the required six, 4" vents for

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the three G/O/S separators be allowed to be piped outside of the building. The Boston ISD Health Division was properly petitioned.

*Meeting Notes: They would like to run the vents on the outside of the building. The building has 18” solid concrete walls and it would be very difficult to get the vent piping through the foundation wall.*

*A motion was made to allow the installation of six four inch vents on the outside of the building by Mr. Hanley and seconded by Mr. MacDonald.*

*Result: Unanimous*

**PV134) WATERTOWN GABLES, LLC – 204 ARESENAL STREET – WATERTOWN**

Mr. Keith Regan, K Regan Mechanical, Inc.) is requesting a variance from 248 CMR Section 10.06 (2) (g).. The Petitioner seeks relief from the use of cast iron for building underground engineered storm water drainage system. The Watertown Board of Health is not opposed to the submittal of this request, in regards to the requirement for certain materials for the underground drainage system.

*Meeting Notes: There is existing PVC 18’ below the ground and has been there for a number of years.*

*A motion was made to allow the existing PVC underground waste piping to remain by Mr. Knight and seconded by Mr. Hanley*

*Result: Unanimous (Recused Mr. MacDonald)*

**PV135) XYLECO – 320 AUDUBON ROAD - WAKEFIELD**

Mr. Craig Masterman, Manager) requests a variance from 248 CMR Section 10.16 (e). The Petitioner (Mr. Craig Masterman, Manager) requests a variance from 248 CMR Section 10.09 (1). The Petitioner notes the use of floor drains is an inherent risk that leaks will develop over time and go undetected. As a result, scientific facilities have been eliminating floor drains and under-slab piping. Both the holding tank for lab waste and wastewater treatment plant for Processing Waste are fed at or above the height of the generating sources .The petitioner is requesting the Board approve this variance as proposed. The Wakefield Board of Health was properly petitioned.

*Meeting Notes: They would like to be able to pump the special waste piping up overhead. The slab is structural and the engineer said you cannot cut through the slab.*

*A motion was made to:*

- 1. allow some of the special waste to be pumped overhead and down into the holding tank which will be pumped out by a special waste removal service.*
- 2. allow some of the special waste to be pumped up overhead and emptied into a separator before going into the sanitary waste system by Mr. Hanley and seconded by Mr. Kaldas.*

*Condition(s): Pumps need to be rated for this type of installation and the overhead piping must be fused and rated for this type of installation. (A plan must be submitted to the Board office for review and final approval)*

*Result: Unanimous*

**PV137) TRANSITIONAL LIVING CENTER – 189 MIDDLESEX STREET - LOWELL**

The Petitioner (Mr. Davie Murphy, President-Murphy Plumbing, Inc.) requests a variance from 248 CMR Section 10.06 (2) (o). The Petitioner notes this is a homeless shelter. The entire building is PVC and there is no cast iron nearby. Petitioner is requesting continued use of the existing material to allow the PVC drains for the bathroom in the common area. This was an existing bathroom where we were adding one sink and putting up new walls and flooring. The Lowell Board of Health was properly petitioned.

*Meeting Notes: The plumber Mr. Murphy presented this post installation variance. Mr. Murphy stated that the first floor area contains all PVC and there is no cast iron. The area of the building in question is not residential.*

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*A motion was made to allow the existing PVC to remain by Mr. Hanley and seconded by Mr. Kaldas*

*Condition(s): None*

*Result: Unanimous*

**PV139) BLACK INK RESTAURANT – 300 HARRISON AVENUE - BOSTON**

Mr. Derek Rubinoff, Architect) is requesting a variance from 248 CMR Section 10.10 (18) (18)(b)(ii) and 10. 10 (18) (m) (iii). The Petitioner proposes installing two non-accessible designated restrooms and one accessible unisex toilet room. The applicant properly petitioned Boston Inspectional Services regarding this variance request.

*Meeting Notes: They are building a 2,200 square foot restaurant with 46 seats. They may also be adding outside seating in the future.*

*A motion was made to allow this installation of the following:*

*One (1) non ADA men's room*

*One (1) non ADA ladies room*

*One (1) unisex rest room*

*All will be accessible by patrons and staff by Mr. Kilburn and seconded Ms. Alfasso. This variance granting is based on the existing seating and proposed future sidewalk seating and is good for a maximum of 120 total patrons and employees.*

*Condition(s): None*

*Result: Unanimous*

**PV141) RAYTHEON IADC – 350 LOWELL STREET - ANDOVER**

Mr. Michael Phillips is requesting a variance from 248 CMR Section 10.09 to allow the construction of an addition to the existing facility including overhead doors without installation of floor drains and a separator. The Andover Board of Health has been properly notified regarding this variance request.

*Meeting Notes: Trucks will be backing into the building to leave a flatbed trailer in the building with the radar equipment inside. Trucks will not be left inside the building. They are now adding additional bays. There is no sanitary sewer available. They would like to install a trench drain on the exterior of the areas where the overhead doors are.*

*A motion was made to eliminate the code requirement of having a floor drain inside the building and discharging into the sanitary drain and allow the installation of an outside trench drain. Said trench drain will drain to the storm system through a Stormceptor by Mr. Hanley and seconded by Mr. MacDonald*

*Condition(s): None*

*Result: Unanimous*

**PV143) TOWN OF MIDDLEBOROUGH WATER DEPARTMENT – 48 WAREHAM STREET**

Mr. Benjamin Levesque is requesting a variance from 248 CMR Section 10.10 (18) to allow a single user employee rest room in lieu of required men's and ladies rooms. The Middleborough Board of Health has been properly notified regarding this variance request.

*Meeting Notes: The building is about 3400 square feet. There is no intended staff at this location. The local Plumbing Inspector stated that he is in favor of this request.*

*A motion was made to allow the installation of one unisex rest room in lieu of the required designated men's and ladies room by Ms. Alfasso and seconded by Mr. Knight*

*Condition(s): None*

*Result: Unanimous*

**PV144) AQUACULTURAL RESEARCH HATCHERY – 99 CHAPIN BEACH ROAD - DENNIS**

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Mr. Richard Comeau is requesting a variance from 248 CMR Section 10.06 to allow the installation of PVC and CPVC at this facility. The Dennis Board of Health has been properly notified regarding this variance request

*Meeting Notes: This is a research facility for egg hatching. It's a 6600 square foot building that will grow lava and hatch eggs for distribution to shellfish farms. Site conditions are such that PVC and CPVC piping is necessary. There is a tremendous amount of salt water used inside the building which would corrode metallic piping. Mr. Hanley noted that there are other products out there that are anti microbial and will not cultivate the bacteria other than PVC for the drains. Mr. Kaldas wanted to know why they do not want to use copper for the water piping. Mr. Comeau stated that the existing copper has all deteriorated. Mr. Hanley mentioned there is Board approved potable water piping. Mr. Knight mentioned Aqua-therm is currently allowed by code in this type of facility.*

*1. A motion was made to deny the installation of PVC and CPVC by Mr. MacDonald and seconded by Mr. Knight*

*Condition(s): Aquatherm may be used for potable water. Approved special waste piping will be allowed for the sanitary drainage system .*

*Result: Unanimous*

*2. A motion was made to allow the single wash sink to drain into the trench system by Mr. Kilburn and seconded by Mr. Hanley.*

*Condition(s): Applicant must submit a letter from the BOH approving this installation to the Board office. Upon receipt, the Executive Director will issue an approval letter.*

*Result: Unanimous*

**PV145) CERULEAN FARM – 220 RIDGE STREET - MILLIS**

Ms. Nancy Ciesluk is requesting a variance from 248 CMR Section 10.06 to allow a single user rest room in lieu of required men's and ladies rooms. The Millis Board of Health has been properly notified regarding this variance request.

*Meeting Notes: Her existing rest room was destroyed by the snow last year and she is now remodeling. This is an area where up to 8 horses are boards. People only come to ride the horses.*

*A motion was made to allow the installation of one unisex rest room in lieu of the required designated men's and ladies room by Mr. Knight and seconded by Ms. Alfasso.*

*Condition(s): None*

*Result: Unanimous*

**PV146) O'MALEY MIDDLE SCHOOL – 32 CHERRY STREET - GLOUCESTER**

Mr. Christian Rose is requesting a variance from 248 CMR Section 10.10 to allow the re-designation of existing visitor/staff rest rooms to Gender Neutral. The Gloucester Board of Health has been properly notified regarding this variance request.

*Meeting Notes: They would like to re-designate existing visitor designated rest rooms to have them both designated as gender neutral.*

*A motion was made to allow the existing men's and ladies visitor rest rooms to be re-designated as gender neutral rest rooms by Ms. Alfasso and seconded by Mr. Hanley*

*Condition(s): None*

*Result: Unanimous*

**PV147) GREAT HORSE DRIVING RANGE – 128 WILBRAHAM ROAD - HAMILTON**

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Mr. Jerry Antonacci is requesting a variance from 248 CMR Section 10.10 to allow a single user handicap rest room in lieu of required men's and ladies rooms. The Hamilton Board of Health has been properly notified regarding this variance request.

*Meeting Notes: This is a golf course that is adding a driving range with a new building close to the banquet facility. They would like one single user handicapped rest room*

*A motion was made to allow the installation of one unisex handicap accessible rest room by Ms. Alfasso and seconded by Mr. Hanley*

*Condition(s): None*

*Result: Unanimous*

### **PV148) DAWG GONE PET SALON – 10 BROOK STREET - REHOBOTH**

David & Denise Webster are requesting a variance from 248 CMR Section 10.06 to allow the existing PVC in this building to remain and be utilized. The Rehoboth Board of Health has been properly notified regarding this variance request.

*Meeting Notes: Existing building is about 380 square feet. The current building is all currently piped in PVC.*

*There is an existing single user rest room. The building used to be a workshop on one side and a pool house on the other side. The only 2 people who will be working are Mr. and Mrs. Webster. There is also a tub they will be utilizing to wash the dogs.*

*A motion was made to allow the existing PVC to remain by Mr. Kilburn and seconded by Mr. Kaldas*

*Condition(s): None*

*Result: 6 for and 2 against: motion carries*

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

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

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

KANGAROO SMILES – SUITE 4, 5<sup>TH</sup>. FLOOR – 33 BARTLETT STREET – LOWELL

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

DA PV136 – HARBOR FREIGHT TOOLS – 690 MERRILL STREET - PITTSFIELD

**Full Authorization for operation of unlisted gas equipment.**

DA GV333 – TABLE TALK PIES – 120 WASHINGTON STREET – WORCESTER – ONE OVEN ONLY

DA GV327 – WYMAN GORDON – 105 MADISON STREET – WORCESTER – FURNACE #8250 ONLY

## **PRODUCT REVIEW(S)**

**P1)** Jeff Gooding will be addressing the Board regarding BUSSE Green Technologies Waste Water treatment Systems.

*Meeting Notes: This product was approved as a test site by the Board back in 2009. Never carried it forward. They now have 5 sites scheduled for installation and are asking the Board to re-confirm their original Test Site from 2009.*

*A motion was made to allow 12 test sites by Mr. Hanley and seconded by Mr. Knight*

*Condition(s): All of the original conditions must be followed*

*Result: Unanimous*

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**P3) NUPI AMERICA** will be addressing the Board regarding their NIRON PP-PCT Piping Systems for potable water

*Meeting Notes: They are manufactured to the same standard that Aquatherm is tested to.*

*A motion was made to approve the product based on the same standards required for Aquatherm by Mr. Hanley and seconded by Mr. Kilburn.*

*Result: Unanimous*

**P4) PESTAN** will be addressing the Board regarding their piping systems for potable water.

*Meeting Notes: Polyethylene piping. PPRCT product. Heat fusion joining is the preferred method. Socket fusion is allowed for smaller piping.*

*A motion was made to approve the product based on the same standards required for Aquatherm by Mr. Kilburn and seconded by Ms. Alfasso.*

*Result: Unanimous*

At approximately 11:50am. the Chairman stated the Board would enter into an Executive Session and would return to Open Session at approximately 12:10pm. Participants are asked to leave the room.

**EXECUTIVE SESSION**

**CHARACTER REVIEW(S)**

**CR-1) C.W** Motion to table by Mr. Kilburn and seconded by Mr. Hanley

**CR-2) C.B.** motion to approve by Mr. Kilburn and seconded by Ms. Alfasso

A motion was made to exit Executive Session at 12:00pm by Mr. Knight and seconded by Mr. MacDonald

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

**ADJOURNMENT**

A motion was made to adjourn by Mr. Knight and seconded by Mr. Kilburn

**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