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Commonwealth of Massachusetts
Division of Professional Licensure
BOARD OF STATE EXAMINERS OF PLUMBERS
AND GAS FITTERS

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UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

SEPTEMBER 7, 2016 BOARD MEETING 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 | Arrived 9:30 prior to variance PV062 | |
| Joseph V. Waskiewicz | Member, Master Plumber | | ✓ |
| Ms. Ruth Alfasso | Member, Dept. of Public Health | ✓ | |
| Mr. John Cruz | 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

VARIANCES

PV053 – SHAWSHEEN VALLEY TECH HIGH SCHOOL – 100 COOK STREET – BILLERICA

The Petitioner, Timothy Broadrick, Superintendent is seeking a variance from 248 CMR 10.10 (18) Table 1 to allow a 50% reduction in the number of plumbing fixtures required for the new stadium. The Billerica Board of Health supports this variance request

A motion was made to table this request as the applicant had yet to appear by Mr. Knight and seconded by Ms. Alfasso.

A motion was made to allow a 40% reduction (8 toilets for ladies and a combination of 8 toilets and urinals for men) in the rest room facilities from the requirements of 248 CMR 10.10 (Table 1) for the new stadium facility by Mr. Knight and seconded by Mr. Hanley

Result: *Unanimous*

PV054 – BILLERICA MEMORIAL HIGH SCHOOL – 35 RIVER STREET – BILLERICA

The Petitioner, Carl Nelson from Code Red Consultants is seeking a variance from 248 CMR 10.10 (18) Table 1 to allow a 50% reduction in the number of plumbing fixtures required for the new stadium. The Billerica Board of Health supports this variance request

Meeting Notes: The new stadium will have 1600 seats. 27 FM and 14 M required by 248 CMR. 14 FM and 7 M

A motion was made to table this request as the applicant had yet to appear by Mr. Knight and seconded by Ms. Alfasso.



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A motion was made to allow a 50% reduction (14 toilets for ladies and a combination of 7 toilets and urinals for men) in the rest room facilities from the requirements of 248 CMR 10.10 (Table 1) for the new stadium facility by Mr. McNamee and seconded by Mr. Cruz

Result: *Unanimous*

PV057 – WYNN BOSTON HARBOR RESORT – 1 HORIZON WAY - EVERETT

The Petitioner, Dan Yerkes from Jacobs Consultants is seeking a variance from 248 CMR 10.10 (18) Table 1 to address the plumbing fixtures counts within the new casino area. 248 CMR currently does not appear to have a relevant category. The Everett Board of Health has been notified of this variance request

Meeting Notes: They are looking to follow this for the gaming area only. All other parts of the facility will be having their own rest rooms. Total fixtures for this area would be Women's 51 toilets Men's 29. A motion was made to allow the rest room count in the casino be determined by the egress count by Mr. McNamee and seconded by Mr. Knight

Result: *Recused: Mr. Kaldas: Unanimous*

PV058 – WYNN BOSTON HARBOR RESORT – 1 HORIZON WAY - EVERETT

The Petitioner, Dan Yerkes from Jacobs Consultants is seeking a variance from 248 CMR 10.15 (10) to allow the installation of sewer ejectors for service to the casino area. The Everett Board of Health has been notified of this variance request

A motion was made to allow the gravity sewer and grease drain be discharged into a sewer ejector system and pumped to the available gravity drain by Mr. Knight and seconded by Mr. McNamee

Result: *Recused: Mr. Kaldas: Unanimous*

PV061 – PRESIDENT'S CITY SERVICE – 570 ADAMS STREET – QUINCY

The Petitioners, Gregory and Brian Egan are seeking a variance from 248 CMR 10.09 to allow this facility not to reactivate the floor drains capped off in the 1990's. The Quincy Board of Health supports the opinion of the local inspectors that the floor drains and oil/water separator be reactivated.

Meeting Notes: Have had the facility since 2000 when the existing floor drains were blocked off. The EPA recommends no drains in the service bays. Mr. Kennedy stated that DEP does require drains and a separator or a holding tank. MWRA came by based on a complaint that there was grease and oil going into the sewers. Mr. Kennedy also stated that the Board has never strayed from the current code requirements.

A motion was made to deny this request by Mr. McNamee and seconded by Mr. Cruz

Result: *Unanimous*

PV062 – DIAMONT REALTY LLC – 50 LOG BRIDGE ROAD - MIDDLETON

The Petitioner, John Diamont is seeking a variance from 248 CMR 10.10 (18) Table 1 to allow the installation of single user unisex rest rooms for the small rental areas in lieu of the required designated rest rooms. The Middleton Board of Health supports this variance request. This request is also for the elimination of the shower requirements

Meeting Notes: There will be 3 to 6 rental spaces. Spaces will vary from 1200 to 2500. They are requesting a unisex rest room for each unit.

A motion was made to allow the installation of single user unisex rest rooms for the individual rental units by Mr. Cruz and seconded by Ms. Alfasso

A motion was made to allow the elimination of the shower requirement for the individual rental units by Ms. Alfasso and seconded by Mr. Hanley

Conditions: Floor drains with a separator must be installed if overhead doors are utilized.

Result: *Unanimous*

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PV064 – FRAMINGHAM UNION HOSPITAL – 99 LINCOLN STREET - FRAMINGHAM

The Petitioner, Joseph Davey is seeking a variance from 248 CMR 10.15 (10) to allow the installation of sewer ejectors pump in an area where there is a gravity drain. The Framingham Board of Health has been notified of this variance request

Meeting Notes: There is an existing ejector under a hand sink. They are now installing a sink in the oncology area sitting on 20' thick concrete.

A motion was made to allow the existing point of use ejector at a hand sink to remain and installation of a new hand sink with a point of use ejector by Mr. Hanley and seconded by Ms. Alfasso.

Result: Unanimous

PV067 – SIMON PROPERTIES 769 IANNOUGH ROAD - BARNSTABLE

The Petitioner, Adam Buss is seeking a variance from 248 CMR 10.10 (18) Table 1 to allow the installation of single user unisex rest rooms in lieu of the required designated rest rooms. The Hyannis Board of Health has been properly notified

A motion was made to allow the installation of a single user unisex rest room in lieu of the required men's and ladies rooms by Mr. Hanley and seconded by Mr. McNamee

Result: 7 for and 1 against: Motion carries

FYI – Board Delegated Staff Approvals – Board Vote Not Required

Drinking fountain requirements waiver in medical and office buildings.

DA PV065 – U.S. VENTURES LLC. – 41 INDUSTRIAL PARKWAY - WOBURN

Shower requirements waiver in medical and office buildings.

DA PV064 – FRAMINGHAM UNION HOSPITAL – 99 LINCOLN STREET - FRAMINGHAM

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

DA PV063 – BBE OFFICE INTERIORS – 1595 MAIN STREET - PITTSFIELD

DA PV066 – U.S. VENTURES LLC. – 41 INDUSTRIAL PARKWAY - WOBURN

Full Authorization for operation of unlisted gas equipment.

DA GV245 – ALLIED RESIN TECHNOLOGIES – 25 LITCHFIELD STREET - LEOMINSTER

DA GV132 – HOME MARKET FOODS – 140 MORGAN STREET - NORWOOD

At approximately 9:55am the Chairman stated the Board would enter into an Executive Session to discuss applicant's character, rather than competence. Participants were asked to leave the room.

EXECUTIVE SESSION

A motion was made to enter Executive Session by Mr. Knight and seconded by Ms. Alfasso

Roll Call

| MEMBER | YEA | NAY | ABSENT | RECUSED | ABSTAINED |
|----------------|-----|-----|--------|---------|-----------|
| Mr. Kennedy | ✓ | | | | |
| Mr. McNamee | | | ✓ | | |
| Mr. Hanley | ✓ | | | | |
| Mr. Waskiewiez | | | ✓ | | |
| Mr. Kaldas | ✓ | | | | |
| Ms. Alfasso | ✓ | | | | |

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|-----------------|---|--|--|--|--|
| Mr. Cruz | ✓ | | | | |
| Mr. Knight | ✓ | | | | |
| Mr. Dan Kilburn | ✓ | | | | |

The Board returned to Open Meeting at 10:25 a.m.

A motion was made by Mr. Kaldas, seconded by Mr. Hanley, to close the open session and enter quasi judicial session per M.G.L. c. 30A, §18. Result: Unanimous.

QUASI JUDICIAL SESSION

PL-13-072

Upon conclusion of quasi-judicial session, the Board reported the following for the record:

A motion was made by Mr. Hanley, seconded by Mr. Kilburn, to issue a final decision in the above captioned matter. Result: Unanimous.

ADJOURNMENT

At 10:30am, a motion was made to adjourn the meeting by Mr. Knight and seconded by Mr. Hanley
Result: 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.

Paul Kennedy Sr., Chairman
Board of Examiners of Plumbers and Gasfitters