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

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**CHARLES BORSTEL**  
DIRECTOR, DIVISION OF  
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**OCTOBER 5, 2016 BOARD MEETING MINUTES**

<b>MEMBERS</b>	<b>APPOINTMENT</b>	<b>PRESENT</b>	<b>ABSENT</b>
Mr. Paul Kennedy Sr.	Chairman, Journeyman Gasfitter	<b>X</b>	
Mr. Joseph McNamee	Member, Master Gas Fitter	<b>X</b>	
Mr. Bahig A. Kaldas, P. E.	Member, Plumbing Engineer		<b>X</b>
Open Seat	Consumer Member		
Joseph V. Waskiewiez	Member, Master Plumber	<b>X</b>	
Ms. Ruth Alfasso	Member, Dept. of Public Health	<b>X</b>	
Mr. John Cruz	Member, LP Installer	<b>X</b>	
Mr. Harold Knight	Member, Journeyman Plumber	<b>X</b>	
Mr. Dan Kilburn	Member, Public Safety	<b>X</b>	

**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:**

- The August 31, 2016 Board Meeting Minutes

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

*Result: Unanimous*

- The August 31, 2016 Executive Session Meeting Minutes

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

*Result: Unanimous*

- The September 7, 2016 Board Meeting Minutes

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

*Result: Unanimous*

- The September 7, 2016 Executive Session Meeting Minutes

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

*Result: Unanimous*



**BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS – DECEMBER 30 , 2015**  
**VARIANCES**

**PV092 – HIGH TECH TURNING – 16 BRIDGE STREET – WATERTOWN**

Mr. David Pelletier is requesting a variance from 10.10 (18) Table 1 to allow one shower in the men's room and one shower in the ladies room. 10.10 requires 1 shower per 15 in an industrial application. There will be 26 men and 6 women employees. The Billerica Board of Health is not opposed to this variance request. .

*Meeting Notes: There are currently no showers. They would like to install one in the men's room and one in the ladies room. The*

*A motion was made to allow the installation of one shower in the men's room and one in the ladies room by Mr. McNamee and seconded by Mr. Cruz*

*Result: Unanimous*

**PV093 – LADY M CONFECTION INC – 304 NEWBURY STREET – BOSTON**

Myoungkeun Kim is requesting a variance to allow the patrons to access the existing ADA compliant rest room located in the back of the shop where the cakes are stored. There are currently no seats in this facility but the applicant is looking to add 14 seats which would require public accessible rest rooms. Due to the small and the narrow nature of the space, it would require major construction work with the removal of the walk in freezer too provide a separate route for the customer to get to the existing toilet. Boston Inspectional Services was properly petitioned

*Meeting Notes: None*

*A motion was made to Table by Mr. Knight and seconded by Mr. Cruz. (Applicant did not appear)*

**GV094 – JANEEN BARNETT – 32 BRACKENBURY LANE - BEVERLY**

Ms. Janeen Barnet is seeking a variance from 248 CMR 3.04 for an old standing pilot Garland gas stove which is) to be brought up to safety standards and re-installed in the building. Pilots are to be rebuilt and new safety devices with electronic ignition added. As this is a gas variance, no Board of Health petitioning is required.

*Meeting Notes: This is an existing old range. Renovations to the kitchen made it necessary to remove and re-install the stove.*

*A motion was made to allow the installation of this unlisted stove with the necessary upgrades by Mr. Cruz and seconded by Mr. Knight*

*Result: Unanimous*

**GV100 – FAITH ASSEMBLY OF GOD CHURCH – 154 BEARSES WAY – HYANNIS**

Mr. Dale Ormon is seeking a variance from 248 CMR 3.04 to allow a Blodgett steam kettle, model #KLS-306 be installed that is not on the list of approved gas appliances. The petitioner notes there are hundreds to a thousand of these in use in Massachusetts. He also notes the business is a local soup kitchen trying to get up and running. The business is a small version of the Pine street Inn which has 6 of these steam kettles in use. As this is a gas variance, no Board of Health petitioning is required.

*Meeting Notes: This product was purchased at a used equipment store in New York.*

*A motion was made to allow this installation by Mr. Cruz and seconded by Ms. Alfasso.*

*Result: Unanimous*

**BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS – DECEMBER 30 , 2015  
PV095 – HARVARD UNIVERSITY-STANDISH HALL – 48 MILL STREET – CAMBRIDGE**

Mr. Stephen Fitzgerald is requesting a variance from 248 CMR 10.15(11) (a)1 to allow the installation of a backwater valve on the main sanitary line exiting the building. The existing MWRA sewer runs through the courtyard between Standish Hall and Gore Hall. The owner reports long standing flooding issues due to surcharging sewers during inclement weather events. The local plumbing inspector supports this request and the Cambridge Board of Health was properly petitioned.

*Meeting Notes: Complete renovation to an existing building.*

*A motion was made to allow the installation of a backwater valve on the main with a pit and pump to discharge to the street side of the main by Mr. McNamee and seconded by Mr. Kaldas*

*Result: Unanimous*

**PV096 – HARVARD UNIVERSITY-GORE HALL – 32 MILL STREET – CAMBRIDGE**

Mr. Stephen Fitzgerald is requesting a variance from 248 CMR 10.15(11))a)1 to allow the installation of a backwater valve on the main sanitary line exiting the building. The existing MWRA sewer runs through the courtyard between Standish Hall and Gore Hall. The owner reports long standing flooding issues due to surcharging sewers during inclement weather events. The local plumbing inspector supports this request and the Cambridge Board of Health was properly petitioned.

*Meeting Notes: Same as PV095*

*A motion was made to allow the installation of a backwater valve on the main with a pit and pump to discharge to the street side of the main by Mr. McNamee and seconded by Mr. Kaldas*

*Result: Unanimous*

**PV098 – THOMAS GRIGLUN & CAMILLE VELEZ – 205 FEDERAL HILL ROAD – OXFORD**

Mr. Robert George is seeking a variance from 248 CMR 10.06 (2) (o) to allow the use of PVC in the kennel area. The piping will carry canine urine and other waste through the system. Per the recommendation of the plumbing inspector, PVC piping should be used to avoid the corrosive effects of urine waste on cast iron piping. Please note the September 13, 2016 letter from the plumbing inspector (Paul Mazeika). The Oxford Board of Health was properly petitioned.

*A motion was made to allow PVC for use only in the kennel area by Mr. McNamee and seconded by Mr. Waskiewicz*

*Result: Unanimous*

**PV102 – JOSEPH & KATHLEEN BONVIE – 74 COMINS POND ROAD – WARREN**

The petitioners (Joseph & Kathleen Bonvie) are seeking a variance from 248 CMR 10.09. The petitioners note they inherited previously used to house dump truck for a business and now used as two non-commercial wood working hobby shops and personal storage. There was no issue until they decided to put in a bath room in each shop. The building in question is not located on our house property. It has 2 overhead doors. When they first got it, it was basically empty. They put the building up for sale, but they had difficulty selling it as is. They decided to keep it for personal storage and two family woodworking shops. They were unaware of the requirements related to the plumbing Code. They would like to be allowed to put in water for 2 washrooms. They seek relief from requiring the installation of separators. No vehicles are going to be in inside. The Warren Board of Health was properly petitioned.

*Meeting Notes: This is a dry storage are for two boats and no gasoline is intended to be stored. There is a deed restriction on this property that states that it is “residential”, however, for code purposes, the building is commercial.*

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

*Result: Unanimous*

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

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

PV097 – SAINT VINCENT PHYSICIAN SERVICES 10-K SHOPS WAY-NORTHBOROUGH

### **PUBLIC HEARING REGARDING EO-562**

*The public hearing portion of the meeting began at 9:45am. The following is a summary of the comments made, the hearing itself was recorded:*

- 1. Marc Zade (Canton Plumbing Inspector) spoke regarding 248 11:02 to allow an apprentice to complete tiers 1 and 2 at the same time. This would be a hardship on the schools. Paperwork issue. Also does not agree with the allowance to have unlicensed individuals attend Tier 1*
- 2. Edward Adelman (MSCBA) addressed the Board regarding the proposed changes and their impact at the State school level. Mr. Adelman thanked the Board for revising the requirements for laundries in dormitories. He also thanked the Board regarding the new gender neutral regulation. Mr. Adelman also mentioned that future code revisions should include allowances for staff and students to utilize the same rest rooms.*
- 3. Frank Teebagy wanted to thank the Board for getting these regulations revised in a timely manner.*
- 4. Richard McMillan addressed the Board regarding 10.10 Table 1 and the fact that it does not require drinking fountains in arenas. This was overlooked back in 2005 and should be changed now. He also noted that the smoke test should be eliminated from the code.*
- 5. Curt Warren mentioned regarding the dedicated vent on a gas/oil separator. It appears it has been removed*

*No members of the public requested to address the Board thereafter, thus the chair declared that the public hearing was closed at 10:00am.*

*Staff provided the Board a document suggesting three minor changes which arose as a result of further in office review, which also took into account feedback from local inspectors of plumbing made at continuing education classes. Specifically, the following three changes were proposed:*

- 1. In 248 CMR 10.02, the Board proposed removing a requirement that two family dwellings have a washing machine connection “per unit”. Post hearing, staff suggest that the single connection must be in a common area accessible to all units (to avoid one of the two families not having access).*
- 2. In 248 CMR 10.03, the Board tweaked its definition of plumbing to reflect a longstanding exemption that allowed unlicensed people to install standard water piping that travels underground from outside a given property to buildings and structures within the property, since that work was deemed not to require the skill of a plumber. However, the new language unintentionally ended that exemption after any meter or control device, which sometimes is located underground far away from buildings or structures. Accordingly, staff suggested tweaking the language to clarify that, while piping serving an exterior plumbing fixture isn’t covered by the exemption, for piping just going from a property line to a building or structure, the meter or control device that marks the end of the exemption is located in a building or structure itself.*
- 3. In 248 CMR 10.09, the Board clarified requirements for gas/oil separators. Part of both the old and new regulations was a reference to Figure 15 in 248 CMR 10.22, which provides specifications for a Gasoline, Oil and Sand Separator, which is one of several options for complying with requirements in 10.09. The Board has since been aware that Figure 15 needs to be updated in that certain components of the Figure are no longer commercially available, making it impossible for licensees to utilize it. However, because 10.22 was not included in the original regulation changes, it cannot be updated during this regulation update. As a work-around, 10.09, which was subject to amendment, can be amended to allow the Board itself to create other specifications, thus the Board can, outside of the regulation process, provide additional Gasoline, Oil, and Sand Separator’s that are commercially viable.*

**BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS – DECEMBER 30 , 2015**

*Legal counsel discussed the regulation process with the Board. Some of the members were disappointed that the Board could not make regulation changes beyond the scope of the original suggested amendments, but legal counsel noted that such changes would need to be subject to their own public hearing. Counsel noted that, after this process was complete, the next round of regulation changes could begin.*

*The Chairman suggested the Board see if it wanted to vote today or next meeting.*

*A motion was made to accept the regulation changes with the proposed changes provided by staff, by Mr. Kilburn and seconded by Mr. Knight.*

*Results: 6 for and 2 against: Motion carries*

**ADJOURNMENT**

*A motion was made to adjourn the meeting by Mr. Kilburn and seconded by Ms. Alfasso*

*Results: 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