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

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CONSUMER AFFAIRS AND  
BUSINESS REGULATION

**CHARLES BORSTEL**  
DIRECTOR, DIVISION OF  
PROFESSIONAL LICENSURE

**OCTOBER 26, 2016 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	✓	
Open Seat	Public Member		
Mr. Joseph Waskeivicz	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

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

- The September 28, 2016 Board Meeting Minutes  
*A motion was made to accept the Board Meeting Minutes as submitted by Mr. Knight and seconded by Ms. Alfasso: (Recused: Mr. Kaldas-Absent) Unanimous*
- The September 28, 2016 Executive Session Meeting Minutes  
*A motion was made to accept the Board Meeting Minutes as submitted by Mr. Knight and seconded by Mr. Cruz: (Recused: Mr. Kaldas-Absent) Unanimous*
- The October 5, 2016 Board Meeting Minutes  
*A motion was made to accept the Board Meeting Minutes as submitted by Mr. Knight and seconded by Mr. Kaldas: Unanimous*



**BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS – OCTOBER 26, 2016**  
**DISCUSSION(S)**

Stacey Bloom from DYS will be presenting the Board with their plans for replacement of the potable water piping at their DYS Facility in Brewster

*(From the minutes of the August 31, 2016 Board meeting)*

**PV354) DYS – 456 FLAX POND ROAD – BREWSTER**

The Petitioner, Timothy Cabral is seeking a variance from 248 CMR 248 2.06 (2). The petitioner notes the water main below grade is "PVC" pipe feeding all outer buildings. Piping is believed to be installed in 1978. Petitioner is requesting a variance to maintain the pre-existing, non-conforming conditions. To replace the existing lines would disrupt the facility and be a hardship. As this is a state project, no Board of Health petitioning is required.

***Meeting Notes: The PVC piping was discovered during renovations.***

***A motion was made to allow this request with conditions by Mr. Kilburn and seconded by Mr. Kaldas***

***Conditions: The water will be tested 4 times within the next 60 days. The schedule for complete pipe replacement will be presented to the Board within 60 days.***

***Result: Unanimous***

***Meeting Notes: DCAM presented their plan to replace the existing underground piping with an estimated completion time of eight months. During the next eight months, they would like to reduce the testing of the existing mains to once per month. The Board agreed that would be acceptable. The underground piping will be copper.***

***A motion was made to accept this proposal by Mr. Knight and seconded by Ms. Alfasso.***

***Result: Unanimous***

**D1) Apprentice 10 Year Policy**

***Meeting Notes: The Chairman asked Board members to review the Policy for discussion and a vote for next week. No formal action taken.***

**VARIANCES**

**PV099 – MULTI TENANT BUILDING – 267 BOSTON ROAD, SUITE 16 – NORTH BILLERICA**

Mr. John Brennan is requesting a variance from 10.10 (18) Table 1 to allow an increase in the square footage of this rental area without adding the additional rest room required by 248 CMR. The Billerica Board of has been notified of this variance request.

***A motion was made to table this request by Mr. Knight and seconded by Mr. Kaldas. Unanimous***

***Condition(s): Applicant did not appear***

***Meeting Notes: They are adding to the square footage of the space bringing it above 1200 square feet. There is currently one existing unisex rest room.***

***A motion was made to allow the existing single user unisex rest room to remain without adding a second by Mr. Knight and seconded by Mr. Cruz***

***Result: Unanimous***

**PV105 – LILLOET CHEESERY – 42 TOPSFIELD ROAD – BOXFORD**

The petitioner (Nathaniel Higley is seeking a variance from 248 CMR 10.10 (18). The building in question is a dairy farm barn and creamery, where sheep will be kept and cheese will be made. The business is run by the Owner's which are husband and wife, there are no other employees. The building is not accessible to the public. The applicant is requesting one unisex rest room for staff use. The applicant also request relief from the requirement that a mop sink be provided. The applicant also requests relief from the requirement of installing an

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indoor grease interceptor at the 2-bay sink. This facility is not a restaurant, no cooking is performed and no grease is created. An exterior grease trap has been provided for the small amount of milk waste that will be created.

*Meeting Notes: This is a husband and wife operation and it will not be open to the public. They would like to install one unisex rest room.*

*They would also like to eliminate the need for an internal grease interceptor. Upon review with the Board, they demonstrated that there was a space hardship due to the small size of the room in question and the location of the sink, the only area a grease interceptor could be installed was outside. It was noted that an external grease interceptor was a dedicated system that would need to be installed by a plumber, follow the plumbing code, which included installing a chamber vent, and the whole installation would need to be approved by the plumbing inspector.*

*A motion was made to allow the elimination of the internal grease interceptor so long as a code compliant external grease interceptor is installed by Mr. Cruz and seconded by Ms. Alfasso.*

*Results: 4 for and 1 against*

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

*Unanimous*

*A motion was made to eliminate the mop sink by Mr. Cruz and seconded by Ms. Alfasso.*

*Result: Unanimous*

**PV106 – GEORGE & SIDNEY MARSHMAN – 15 ANGEVIN’S LANE – EDGARTOWN** – The petitioner (Mark Tonnesen) is requesting a variance from 248 CMR 3.04. The owner purchased a sink that is not currently listed as approved on the Board’s products website. The owner of the house would like to use this sink in a guest bathroom. The owner and supplier of the sink were not aware of it not being listed.

*A motion was made to table this request by Mr. Cruz and seconded by Ms. Alfasso. Unanimous*

*Condition(s): Applicant did not appear*

**PV107 – AMERICAN CAMPUS COMMUNITIES – 10 BURKE STREET - BOSTON**

Keith Flanders is seeking a variance from 248 CMR 10.10 Table 1 to allow on gender neutral single user rest room in the first floor amenity area. Accordingly, the design team seeks relief from the requirements for separate toilet Facilities and offers an alternative design which will accommodate all users of the space. The petitioner properly petitioned Boston Inspectional Services.

*Meeting Notes: The partitions will be floor to ceiling in this space. Only the lavatories will be communal.*

*A motion was made to allow this rest room with multiple toilets and lavatories to be designated for use by everyone by Ms. Alfasso and seconded by Mr. Knight*

*Condition(s):*

- 1. There will no door on the entrance to the rest room*
- 2. Each toilet stall will be completely enclosed from floor to ceiling with a lock on the door*
- 3. Only the lavatories shall be in the communal area*

*Result: Unanimous*

**PV108 – MIA BELLA SPA – 33 PLEASANT STREET - GARDNER**

Camie Dondero is requesting a variance from 248 CMR 10.10 (18) Table 1 to allow the installation of one unisex single user handicapped restroom instead of the required two. The space is 2000 square feet. The total restrooms will be 1 handicapped and 1 unisex. The Gardner Board of Health notes there is currently one bathroom for men and women at the same location where the new restroom will be constructed.

*A motion was made to table this request by Mr. Knight and seconded by Mr. Cruz.*

*Condition(s): Applicant did not appear*

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***Result: Unanimous***

***Meeting Notes: They would like to install one unisex handicap rest room for patrons and one unisex rest room for staff. The total square footage would be 1590***

***A motion was made to allow the installation one unisex handicap rest room for patrons and one unisex rest room for staff by Ms. Alfasso and seconded by Mr. Knight: Result: Unanimous***

**PV110 – STOP & SHOP PHARMACY – 1 TROWBRIDGE ROAD – BOURNE**

The Petitioner is seeking a variance from 248 CMR 10.10 (18). The proposed toilet room is handicapped accessible and designated for employees of the pharmacy only. The proposed maximum number of employees serving this facility is 4. The net usable area for the employees work area is 803 sf. The usable area for the customer is 763 sf. The net usable are for the entire space is 1,568 sf. The hardship is owing to the limited space available to the employees based on the net usable area after deducting fixed shelving and fixtures. The maximum employee count is limited to 4 and most times will be 2 or 3. Having a second toilet room would limit space and the ability of the pharmacy to adequately stock product and goods for customers. The applicant properly petitioned the Bourne Board of Health.

***Meeting Notes: There will be a maximum of seven employees in this area at one time.***

***A motion was made to allow one single user employee rest room by Mr. Knight and seconded by Mr. Cruz***

***Result: Unanimous***

**PV111 – CARY MEMORIAL LIBRARY – 1874 MASSHACHUSETTS AVENUE - LEXINGTON**

Hannah Levine is seeking a variance from 248 CMR 10.10 (18) to re-designate the existing single user men's and ladies rooms to " unisex" (or other gender neutral terms). The relabeling will not affect the overall access to bathroom facilities, but will instead create an equitable access to bathrooms for all patrons on these levels. The multi-stalled restrooms on the Lower level shall have the existing "women and men" labels remain. The Lexington Board of Health was properly petitioned.

***A motion was made to all the re-designation of the existing two single user rest rooms as either unisex or gender neutral by Ms. Alfasso and seconded by Mr. Knight***

***Result: Unanimous***

**PV112 - WINE GALLERY-SPARK COFFE - 400B WASHINGTON AVENUE – BROOKLINE**

The Petitioner (Igor Ostrovsky) seeks a variance from 348 CMR 10.10 (18 ) b.(iii) The Wine Gallery opened a wine store in August 2013, comprised of 3,348 sf in total area of which 2,200 sf. are used for retail of wine, beer and spirits, and the rest is used for storage and a bathroom in the rear of the building. As part of the renovations done prior to the 2013 opening, one unisex handicapped accessible restroom was built for employee use only. The Wine Gallery applied for a Common Victualler license for this location in order to operate a small coffee bar which will occupy 200 sf of existing retail space and if approved will have 15 seats. There will be no more than 3 employees on duty. The petitioner requests a variance to operate with one existing unisex handicapped accessible restroom which will make available to coffee bar customers. The petitioner properly petitioned the Brookline Board of Health (See Board of Health Letter).

***A motion was made to table this request by Mr. Knight and seconded by Mr. Cruz***

***Condition(s): Applicant did not appear***

***Result: Unanimous***

**PV113 – 1812 PAINT AND BODY – 130 SPRING STREET – FLORENCE**

Thomas Pease is requesting a variance from 248 CMR 10.10 (18) to allow the installation of a single user unisex rest room for employees. This rest room would be located in the waiting area. The Northampton Board of Health was properly petitioned.

***A motion was made to table this request by Mr. Knight and seconded by Mr. Cruz***

***Condition(s): Applicant did not appear***

***Result: Unanimous***

**PV114 – UMASS DARTMOUTH – RODNEY FRENCH BOULEVARD – NEW BEDFORD**

Steven Marcoux is seeking a variance from 248 CMR 10.09 to not provide a garage waste system or Gas/Oil Separator. The reason for the variance is because vehicles are not permitted inside the building. Overhead doors are for only moving large tanks and other seawater equipment in and out of seawater lab. This equipment is large and will be rolled in on dollies. As this is a State project, no Board of Health petitioning is required.

*Meeting Notes: The purpose of the doors is to move the seawater tanks in and out of the building. It was noted that there are other alternatives other than simply not having a Gas/Oil Separator which would not require a variance. A motion was made to deny this request by Mr. Knight and seconded by Mr. Cruz*

*Result: Unanimous*

**PV116 – SMITH COLLEGE – 47 BELMONT AVENUE - NORTHAMPTON**

Julia Weatherby, P.E is seeking variance from 248 CMR 10.10 (18) Table 1. This is a renovation to a three story, 3240 square foot building being converted to academic department offices. Because each floor of the building is very small, the petitioner requests a variance to omit one required service sink on the 3<sup>rd</sup> floor and one required drinking fountain on the 3<sup>rd</sup> floor, as well as to substitute a glass filling accessory at the 1<sup>st</sup> floor kitchenette sink in lieu of a drinking fountain. The applicant would also like to install one accessible unisex toilet room on the 1<sup>st</sup> floor and one single use toilet room on the 2<sup>nd</sup> floor. The Northampton Board of Health was properly petitioned.

*Meeting Notes: They would like to omit a drinking fountain and mop sink on the 3<sup>rd</sup> floor. There is no elevator. They would also like to put in a bottle filler in the first floor kitchenette in lieu of a drinking fountain. They would also like to install one single user gender neutral rest room on the first floor and one on the second floor. A motion was made to allow the elimination of a mop sink on the third floor by Mr. Cruz and seconded by Mr. Knight: Unanimous*

*A motion was made to allow the drinking water station on the second floor and water filler for the kitchenette on the first floor in lieu of drinking fountains by Mr. Cruz and seconded by Ms. Alfasso: Unanimous*

*A motion was made to allow a single user gender neutral rest room on the second floor and a single user gender neutral accessible rest room on the first floor by Ms. Alfasso and seconded by Mr. Cruz: Unanimous*

**PV119 – DONGKIL CHUNG – 168 PLEASANT STREET - BROCKTON**

The Petitioner, One-Tae-Kim is requesting a variance from 124 CMR, Section 10.10. Table 1 to allow the installation of one unisex rest room in lieu of the required men's and ladies rooms. The Brockton Board of Health has been properly petitioned.

*Meeting Notes: There will be 23 seats and 2 staff.*

*A motion was made to allow a single user accessible rest room by Mr. Knight and seconded by Mr. Cruz*

*Result: Unanimous*

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

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

DAPV120- DR VINEET AWASTHY – 1673 MIDDLESEX ST – LOWELL

DAPV122 – DR PRAMEL PATEL – 978 GORHAM STREET – LOWELL

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

DAPV120- DR VINEET AWASTHY – 1673 MIDDLESEX ST – LOWELL

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DAPV122 – DR PRAMEL PATEL – 978 GORHAM STREET - LOWELL

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

**DA PV115 – STORAGE BLDG. #1 – 76 TREBLE COVE ROAD – NORTH BILLERICA**

**Alternative method for small installations - gas/oil/sand separator**

**DA PV117 – 74 COMINS POND ROAD - WARREN**

## **ADJOURNMENT**

*A motion was made to adjourn the meeting by Ms. Alfasso 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

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