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BOARD MEETING MINUTES

Wednesday, November 2, 2022, starting at 9:00 a.m.

In accordance with the provisions of G.L. c. 30A § 20, the Board of State Examiners of Plumbers and Gas Fitters convened a regular monthly meeting via telephone/video conference:

BOARD MEMBERS and STAFF

| MEMBERS | APPOINTMENT | PRESENT | ABSENT |
|----------------------------|--------------------------------|----------------|---------------|
| Mr. Joseph McNamee | Member, Master Gas Fitter | X | |
| Mr. Harold Knight | Member, Journeyman Plumber | | X |
| Mr. John Cruz | Member, LP Installer | X | |
| Mr. Bahig A. Kaldas, P. E. | Member, Plumbing Engineer | X | |
| Mr. Joseph V. Waskiewicz | Member, Master Plumber | X | |
| Mr. Wayne Thomas | Member Journeyman Gasfitter | X | |
| Ms. Ruth Alfasso | Member, Dept. of Public Health | X | |
| Ms. Sarah Badway | Public Member | X | |
| Mr. Dan Kilburn | Member, DOL Designee | | X |
| STAFF | | | |
| Mr. Charles Kilb | Board Legal Counsel | X | |
| Kenneth Peterson | Executive Director | X | |
| Mr. Christopher Ryan | Board Code Consultant | X | |
| Mr. Michael Guida | Board Code Consultant | | |

9:00 A.M. AGENDA REVIEW:

By Chairman Joseph McNamee

APPROVAL OF PREVIOUS MEETING MINUTES

Approval of October 5, 2022 meeting minutes.

Vote: A motion was made by WT to approve and seconded by RA.

Result: Passed unanimously

Discussion

1. Tub cut outs and effect on product acceptance and code compliance. The board discussed the impact of tubs that are being altered by cutting out a section for easier access. The board wants to see this issue covered in future continuing education for inspectors. The board asked the board office to reach out to the manufacturers of tubs for their comment about their product being altered in this manner.
2. No formal action taken
3. Peterson School, Worcester, proposes hybrid tier program classes. Chris Faucher of the Peterson School requested permission to teach Tier education classes remotely. With a total of 45 students, Faucher wants to teach approximately half of his students remotely.
4.
Vote: WT voted to approve and JC seconded.
Results: Unanimously approved

Vocational School Projects

22-VSP-764 – Diman RTVS – 237 Burnside Drive, Swansea

No actions needed

22-VSP-765 – Commercial Project- Upper Cape Tech, 220 Sandwich Road, Bourne

Tabled

Variance Applications

22-PV-704 – Anctil Plumbing – 10 Campanelli Drive, Andover

This is a post installation variance. The petitioner is seeking relief from 248 CMR 3.04 & 10.10(7)(C) to allow the installation of shower pans purchased by the property owner. The petitioner states that the specifications of the installed pans match another accepted product. The local board of health and inspector have been notified.

Vote: WT to table, seconded by JW
Results: Unanimously decided to table

22-PV-705 – Commercial Construction Consulting – 313 Congress Street, Boston

The petitioner is seeking relief from 248 CMR 10.10(18)(i)(I) to be allowed to install a single employee restroom based on the limitations of the 2,350 square foot space. The local board of health and inspector have been notified.

Vote: JC to approved, seconded by JW
Results: Approved unanimously

22-PV-757 – Hastings Consulting – 300 Mishwum Road, Woburn

The proposed project involves creating a seasonal beer garden with a capacity of 258 people. The beer garden will have access to two single user toilets located in an adjacent building approximately 150 feet from the “far end.” The applicant intends to supply and portable trailer to meet fixture demands therefor is seeking relief from 248 CMR 10.10(18) Table 1. The local board of health and inspector have been notified.

Motion: to allow portable restroom with everything complying to 248 CMR including materials and fixture count.

Vote: WT to approve, seconded by JC
Results: JM, and JW vote to deny, motion passes 7-2

22-PV-758 – LC Mechanical – 100 Shawmut Road, Canton

As required by the MWRA and MDEP, A new exterior canopy will be installed to mitigate a fruit juices contamination issue with the stormwater system. The area trench drains around new canopy areas are existing to remain and as they are exterior to the building, they tie into the stormwater system MWRA and DEP want these outside drains to remain tied into the stormwater system. The petitioner is seeking relief from 248 CMR 10.09 1(b) to avoid installing a separator that discharges into the sanitary waste conflicting with MDEP and MWRA. The local board of health and inspector have been notified.

The board discussed with the petitioner- designation of 'structure,' tight tanks and hardship of maintenance conflict with DEP and MWRA.

Vote: JW to approve, seconded by JC
Results. Unanimously approved

22-PV-759 – Scott Loikits – 12 Mall Street Springfield

The petitioner is seeking relief from 248 CMR 10.10 Table 1 to install 5 female water closets instead of the required 6 due to space limitations in the existing structure. The local board of health and inspector have been notified.

Vote: WT to table, seconded by JC

Results: Unanimously approved

22-PV-760 – Patriot Plumbing – 45 Kings Highway, Rochester

This is a post installation for a state project. The petitioner is requesting a variance to eliminate rest rooms from the temporary trailers located on site and install a canopy system. This canopy system will allow covered access to the new rest rooms located inside the building directly behind the trailers. The local board of health and state inspector have been notified.

The board had a discussion of trailers to be in place for five years.

Vote: WT to approve, seconded by RA

Results: Unanimously approved.

22-PV-761 – Code Red Consultants – 149 Franklin Street, Stoneham

The petitioner is seeking a variance from 248 CMR 10.10(18)(Table 1) & 248 CMR 10.10(18)(p)(2) to allow for the replacement of the required urinals within an educational facility with toilets. The school and design team is requesting this approach on the basis of providing an appropriate level of inclusion and equality to the students of the High School. The toilet rooms will be designated as male and female, however, will allow flexibility in the future should codes and/or laws change relative to all-gender facilities. The local board of health and inspector have been notified.

The board discussed the hardship for the proposal to remove urinals. Carl Nelson of Code Red Consultants LLC said the hardship was equity. The board also discussed some people prefer urinals, water conservation and cleanliness.

Motion: JC to deny, seconded by JW

Vote: SB and RA voted in favor, motion denied 5-2

22-PV-762 – David Renzello – 75 Susan Lane, Brewster

The petitioner is seeking relief from 248 CMR 10.10:7(c)1 to allow a finished shower compartment of less than 30 inches. The petitioner states that a 30-inch finished opening is not possible due to bathroom layout. The local board of health and inspector have been notified.

Vote: JW to table, seconded by JC

Results: Unanimously voted to table

22-PV-763 – Javy Caraballo – 256 Marigold Street, Boston

This is a state project. The petitioner seeks relief from 248 CMR 10.010 table 1 to be allowed not to install a shower in a small group / one on one gym. The local board of health and state inspector have been notified.

Vote: JW to approve, seconded by JC

Results: Unanimously approved

FYI – Board Delegated Staff Approvals – Board Vote Not Required

(Continued use of 1-1/2" tub drain for shower conversion.)

| | | | | | |
|----|------|-----|------------------|---------------------------------|--------------------|
| 22 | DAPV | 684 | Mike Blomerth | 50 Caldwell Farm Rd | Byfield |
| 22 | DAPV | 685 | Mike Blomerth | 68 Wilson St | Billerica |
| 22 | DAPV | 686 | Mike Blomerth | 82 Broad St # 4 | Lynn |
| 22 | DAPV | 687 | Mike Blomerth | 2 Winston Ct | Amherst |
| 22 | DAPV | 688 | Mike Blomerth | 1225 Pawtucket BLVD Unit 125 | Lowell |
| 22 | DAPV | 689 | Mike Blomerth | 22-26 Oakes St Unit 2 | Everett |
| 22 | DAPV | 690 | Pete DiGiano | 1002 Tuckers Ln | Hingham |
| 22 | DAPV | 691 | Pete DiGiano | 26 Westgate Rd Unit 5 | Boston |
| 22 | DAPV | 692 | Joseph Delucia | 81 Fairway Dr | Tewksbury |
| 22 | DAPV | 693 | Edward Souza | 62 Mt Vernon | New Bedford |
| 22 | DAPV | 694 | David Renzello | 69 Steeple View | Sturbidge |
| 22 | DAPV | 695 | Jeff Sanphy | 215 Cairn Ridge Rd | Falmouth |
| 22 | DAPV | 696 | Steven Lamb | 1 Charles Street South | Boston |
| 22 | DAPV | 697 | Pete DiGiano | 407 Annable Point Rd | Centerville |
| 22 | DAPV | 698 | Pete DiGiano | 7 St Catherine Ave | Hyannis/Barnstable |
| 22 | DAPV | 699 | Pete DiGiano | 287 Homeland Dr | Whitman |
| 22 | DAPV | 700 | David Renzello | 10 Mayflower Ln | Haverhill |
| 22 | DAPV | 701 | David Renzello | 123 Playstead Rd | Medford |
| 22 | DAPV | 702 | Bruno Federicono | 975 Memorial Drive | Cambridge |
| 22 | DAPV | 707 | Kevin Buckley | 210 Nahanton St Unit 216 | Newton |
| 22 | DAPV | 708 | James Read | 661 Main St | Norwell |
| 22 | DAPV | 709 | Karl Gemborys | 30 Earles Ct | Barnstable |
| 22 | DAPV | 710 | Stacy Thurlow | 6 Unicorn Cir | Amesbury |
| 22 | DAPV | 711 | David Renzello | 52 George St Unit A | Plainville |
| 22 | DAPV | 712 | David Renzello | 25 Winthrop St | Abington |
| 22 | DAPV | 713 | David Renzello | 738 East 6th St Unit 2 | Boston |
| 22 | DAPV | 714 | David Renzello | 151 Tremont St Unit 9 D | Boston |
| 22 | DAPV | 715 | David Renzello | 7 Roberta Jean Circle | E. Falmouth |
| 22 | DAPV | 716 | David Renzello | 6 Wildflower Lane | Mansfield |
| 22 | DAPV | 717 | David Renzello | 36 Fawndale Rd | Boston/Roslindale |
| 22 | DAPV | 718 | Sue Aker | 37 Woodlawn Ave | Billerica |
| 22 | DAPV | 721 | Barbra Smith | 210 Nahanton St # 308 | Newton |
| 22 | DAPV | 722 | Marc Wang | 24 Elizabeth Rd | Milford |
| 22 | DAPV | 723 | Gloria Paglione | 8 Waterville St | Grafton |
| 22 | DAPV | 724 | John Mitchell | 22 Holly Tree Lane | Wareham |
| 22 | DAPV | 725 | Mike Blomerth | 74 Tennis Plaza Rd Unit 24 | Dracut |

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|----|------|-----|---|-------------------------------------|-------------------|
| 22 | DAPV | 726 | Mike Blomerth | 100 Merrimack Ave BLD 6 Unit 139 | Dracut |
| 22 | DAPV | 727 | Peter DiGiano | 175 Leonard St Unit 7 | Raynham |
| 22 | DAPV | 728 | Peter DiGiano | 100 Cove Wat Unit 810 | Quincy |
| 22 | DAPV | 729 | Peter DiGiano | 15 Park Ave BLD 7 Unit 213 | Hull |
| 22 | DAPV | 730 | Mike Blomerth | 36 Shaume Rd | Falmouth |
| 22 | DAPV | 731 | Peter DiGiano | 427 Seaver St | Boston |
| 22 | DAPV | 732 | Mike Blomerth | 33 Knollwood Ct | Burlington |
| 22 | DAPV | 733 | Peter DiGiano | 8 ThayerPond Rd Unit 5 | Oxford |
| 22 | DAPV | 734 | Peter DiGiano | 48 Valley Beach Ave Unit 4 | Hull |
| 22 | DAPV | 735 | Jonathan Mayer | 38 Woodvill St | Boston |
| 22 | DAPV | 736 | Mike Blomerth | 11 Greystone Ct | Burlington |
| 22 | DAPV | 737 | Mike Blomerth | 655 West Lowell Ave # 2 | Haverhill |
| 22 | DAPV | 738 | John & Rainey Lennon | 171 Swanton St #57 | Winchester |
| 22 | DAPV | 739 | David Renzello | 58 Crestview Dr | Malden |
| 22 | DAPV | 740 | David Renzello | 85 Seven Hills Rd | Plymouth |
| 22 | DAPV | 741 | David Renzello | 73 Westmoreland Dr | Falmouth |
| 22 | DAPV | 742 | David Plum | 28 Freedom Trail | Orleans |
| 22 | DAPV | 743 | Peter DiGiano | 17Center Ln | Centerville |
| 22 | DAPV | 744 | Peter DiGiano | 227 Center St Unit 2 | Dorchester/Boston |
| 22 | DAPV | 745 | Chris Dalto | 248 Main St | Hudson |
| 22 | DAPV | 746 | Ann Maria Grinder & Peter Fredricson | 14 Mill Pond Rd | W Bridgewater |
| 22 | DAPV | 747 | Jerry & Karen O'Sullivan | 1141 Brook Road | Milton |
| 22 | DAPV | 748 | Theodoro Demorais | 1731 Beacon St # 407 | Brookline |
| 22 | DAPV | 749 | Jann Macomber | 5 Keene Rd | Freetown |
| 22 | DAPV | 750 | Curtis Stake | 10 Oak Hill Rd | Worcester |
| 22 | DAPV | 751 | Mike Blomerth | 74 Preston St | Everett |
| 22 | DAPV | 752 | Anthony Prince | 304 Hunnington Ave | Hyde Park/Boston |
| 22 | DAPV | 753 | Molly Colvin | 4 Townhouse Ct | Barnstable |
| 22 | DAPV | 754 | Alexander Burk | 26 Parkman St # 3 | Brookline |
| 22 | DAPV | 755 | Yessenia Henry | 15 Donna Lee Ln | Ashland |
| 22 | DAPV | 756 | John & Susan Grazer | 37 Wilkins Rd | Braintree |

EXECUTIVE SESSION

CHARACTER REVIEW(S)

BOARD WILL CONSIDER ANY MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

None reported

EXECUTIVE SESSION

A motion was made by HK and seconded by RA at 11:58 AM to conclude the Open Session portion of the meeting and enter the Executive Session portion of the meeting to discuss applicants character, rather than competence, per M.G.L. c. 30A, §21. Each member voted yes. The chair announced that the Board would only return to open session to adjourn.

QUASI JUDICIAL SESSION

(Disciplinary decisions - Closed per M.G.L c. 30A, §18)

None

ADJOURNMENT

Vote: WT, seconded by JW to adjourn the meeting. The motion passed unanimously.

Items relied upon in meeting.

Agenda

Draft of 248 CMR 10.00

Variance applications