

BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS

August 10, 2022 BOARD MEETING

Minutes

Board of State Examiners of Plumbers and Gas Fitters requires your presence at a remote Board meeting on **Wednesday, August 10, 2022, starting at 9:00 a.m.**

Member and Staff Attendance

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		
Mr. Dan Kilburn	Member, DOL Designee	X	
STAFF			
Mr. Charles Kilb	Board Legal Counsel	X	
Brian O'Connell	Deputy Commissioner	X	
Mr. Christopher Ryan	Board Code Consultant	X	
Mr. Kevin Casey	Board Staff	X	

9:00 A.M. AGENDA REVIEW: By Chairman Joseph McNamee

INFORMATIONAL NOTE: All votes were taken by roll call. Where each member voted in favor, the vote will be reported as unanimous.

APPROVAL OF PREVIOUS MEETING MINUTES

6/23/2022 & 7/6/2022 –

6/23 Minutes Vote: A motion was made by AR to approve and seconded by HK.

Result: Passed Unanimously

7/6 Minutes Vote: A motion was made by HK to approve and seconded by RA.

Result: Passed unanimously

Discussion

Proposed code changes –

The chair noted that the changes had been on previous agendas and called for the members to bring up any final matters. BK noted a concern with how “engineers” are utilized in the Code. WT noted that the word “Massachusetts” was removed but that the Engineering licensing Board would still regulate when a Massachusetts license was needed for an engineer. BK reiterated that his opinion that the code should explicitly require a Massachusetts license. Legal counsel indicated that the building code uses a definition for registered design professional that could be informative, he will investigate further and consult with engineering board legal staff to see if a good resolution can be found.

No formal action was taken, the chair moved the meeting to the next agenda items.

FOLLOW-UP – After all other items but before going into closed session, legal counsel asked to bring up this topic again for planning purposes only with his recommendations on how to proceed. Board members who had further concerns with the draft code should send those concerns to legal counsel. Those matters needing discussion will then be placed on the next agenda. Otherwise, the code will be ready for a final discussion and vote on September 7th. By unanimous consent, the members agreed to this approach.

VOCATIONAL PROJECT APPLICATION

22-VSP-586 - VOCATIONAL PROJECT – FRANKLIN COUNTY TECHNICAL SCHOOL, 53-55 Petty Palin Rd.
Students will Install Plumbing and heating (minisplits) for entire project. All DWV and water supply piping. Providing the students with real world experience to apply the theory they learned in the classroom. 24 students will be involved in the project. A maximum of 8 will be on the project at any given time

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

Result: Unanimously approved

VARIANCES

22-SPP-543 – STEVEN ENGLER – ONE CITY HALL SQUARE, BOSTON

The applicant applied for Special Permission to install a gray water system and states that the “exterior below grade tank will not need to be recirculated since there will be no light in the tank.”

Vote: JM recused. A motion was made by DK to deny and seconded by JC

Result: Unanimously denied.

22-PV-571 – KONSTANTIN ALEKSANDROV – 18 HUNTINGTON AVE., SOUTH YARMOUTH

The Petitioner is removing two of the four existing bathrooms and is seeking a variance from 248 CMR 10.09 and to avoid installing the required floor drains and separator in a 3,200 square foot commercial building with two garage doors during the renovation project. The local board of health has been notified.

Vote: A motion to deny the request was made by HK to deny the request and seconded by JC

Result: Unanimously denied

22-PV-572 – WONZY / BARBER & ASSOC. INC. – 85 GREEN STREET, WORCESTER

The Petitioner is seeking a variance from 248 CMR 10.6.7 (a) (i) to use PEX tubing in the residential areas of 7 story podium structure. Petitioner refers to the building code's horizontal building separation allowance, stating, "A building shall be considered as separate and distinct buildings for the purpose of determining... number of stories." Petitioner states that the building meets the requirements noted for horizontal building separation and recognized as a five story over two buildings.

Vote: A motion was made by WT to deny and seconded by JC

Result: Unanimously denied

22-PV-574 – PORT ONE COMPANIES – 9 CAPE ROAD, TAUNTON

The Petitioner is seeking relief from 248 CMR 10.10 to install two unisex bathrooms 1 used exclusively by staff and 1 used by staff and patrons. The Petitioner is citing the limitations of the L-shaped, 2,442 square foot existing building as the reason for their request. The local board of health and plumbing inspector have been informed.

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

Result: Unanimously approved

22-PV-578 – PROCON LLC – 158 SHREWSBURY STREET, BOYLSTON

The Petitioner is seeking a variance from 248 CMR 10.10 Table 1 and 10.10 (18) (j) 4, distance to a toilet facility. The Petitioner is requesting to reduce the number of fixtures due to the actual number of employees being less than the building occupancy, to reduce the number of showers to two and increase the distance to bathroom facilities beyond 300' due to the cleanliness of the facility and the limitations on foot traffic in the warehouse. The local board of health and plumbing inspector have been notified.

Vote: A motion to approve was made by JC and seconded by HK

Result: Unanimously approved

22-PV-579 – WICKED PARTNERS NORTHEAST – RESTORE, 544 LEGACY PLACE, DEDHAM

The Petitioner returns to request a variance from 248 CMR 10.10 (18) K, bathrooms in a medical facility. The Petitioner states that installing three bathrooms would require the removal of a "modality," in this case a hyperbaric chamber. The petitioner also states that occupancy of the facility is limited by their scheduling practices, and they have not seen a wait time for bathrooms at their other facilities. The local board of health has been notified.

Vote: JC Recused A motion to deny was made by DK and seconded by BK

Result: Unanimously denied

22-GV-590 – BRUCE MACRITCHIE – 22 HIGH STREET, BROOKLINE

The Petitioner is seeking a variance from 248 CMR 5.12 (3) (c), "seven times rule," to replace three gas-fired, atmospheric, steam boilers with new boilers of the same make and model. The chimney sweep inspection report provided states, "The brickwork within the flue appears to be structurally sound at this time." The property is a HUB funded, public housing facility. Heat must be available on 9/15/2022.

VOTE: A motion to approve was made by JC and seconded by DK

Result: HK and WT voted No. Motion was approved on the condition that a stamped drawing goes to the Town of Brookline and the Board office

22-PV-584 – CHARLES M. MORAN PLUMBING & HEATING – 5 GOYA DRIVEM WEBSTER

The Petitioner is seeking from 248 CMR 10.10 (i) 2, distance to a toilet facility. The petitioner is requesting to locate a bathroom group at the corner of the, 13,000 square foot, building to keep it out of the flow of the automated fork truck traffic. Providing safety but placing the bathroom 360' to the furthest distance away. The local board of health and plumbing inspector

have been notified.

Vote: A motion was made by HK and seconded by DK to table the discussion because the petitioner did not attend the meeting.

Result: Unanimously tabled

22-PV-588 – HANK WU – 60 FENO STREET, CAMBRIDGE

The Petitioner is requesting a variance from 248 CMR 3.4 (1) to install a custom, heirloom, unlisted Ofuro soaking tub. The Petitioner states that factory complete Orfuro tubs are not energy efficient and not faithful to the traditional design. The local board of health and plumbing inspector have been notified.

Vote: A motion to deny was made by DK and seconded by BK

Result: Unanimously denied (regretfully)

22-PV-591 – SEA DAR CONSTRUCTION – 10 UNION PARK, BOSTON

The Petitioner is seeking a variance from 248 CMR 10.10 to install 5 custom sinks. Custom Concrete in the gym, Mitered Stone in the kitchen, Custom Stone Vanity Top in the powder room, and Custom Corian countertop with integral sink and overflow in bathrooms 308 and 312. The board of health has been notified.

Vote: A motion to approve custom made products only and they must be conventional P-Traps was made by WT and seconded by JC

Result: Unanimously approved

22-PV-597 – ADAMS FARM SLAUGHTERHOUSE LLC – 854 BEARSDEN ROAD, ATHOL

The petitioner is requesting a variance from 248 CMR 3.04 to install an unlisted replacement smokehouse required to meet Federal inspection requirements. The smokehouse is a freestanding structure that is housed within a slaughterhouse building. The plumbing components preinstalled in the smokehouse include a spigot for cleanout and sprinklers for cooling that attach to a 3/4" water line with a backflow preventer. The petitioner states that the smokehouse is essential to their business operations. The local board of health and plumbing inspector has been notified.

Vote: A motion of no action needed was made by WT and seconded by DK

Result: Unanimous. No action needed. The smokehouse is not a fixture

22-PV-609 - STV Incorporated, 9 Codfish Way, Boston

The Petitioner is seeking a variance from 248 CMR 10.06 (2) (g) (o) 3 to install PVC due to corrosive salts involved in food processing and daily cleaning operations.

Vote: A motion to approve conditionally was made by WT and seconded by JC

Result: Unanimously approved conditionally must use Polypropylene

22-PV-607 – IPD Engineering – 10 Cod Fish Way, Boston

The Petitioner is requesting a variance from 248 CMR 10.06 (1) (a) 2 (9) (i) (j) to be allowed to install schedule 40 Polypropylene piping for the DWV system due to the systems exposure to salt water while processing fish at Boston Sword and Tuna. This is a state project. The Board of Health and State Inspector have been notified.

Vote: A motion to approve conditionally was made by WT and seconded by JC

Result: Unanimously approved conditionally must use Polypropylene

22-PV-608 – Araujo Brothers Plumbing, 2240 Iyannough Road, Barnstable

The Petitioner is seeking a post installation variance from 248 CMR 10.02 Principal No. 7 to allow Scuppers to remain more than 60" above grade. The Petitioner states that terminating the Scuppers as required will create an unsightly nuisance that may tempt the students to climb, damage or harm themselves on. This is a State Project. The Board of Health and State Plumbing Inspector have been informed.

Vote: A motion to deny was made by HK and seconded by JC

Result: Unanimously denied

Approved Special Permission Applications

22-SPP-605 – KENNY HONG – 30 TALCOT AVENUE, WATERTOWN

22-SPP-606 – KENNY HONG – 500 NORTH BEACON STREET, WATERTOWN

FYI – Board Delegated Staff Approvals – Board Vote Not Required

Continued use of 1-1/2” tub drain for shower conversion.

22	DAPV	541	Lyris McCray	96 Lawn Street	Boston
22	DAPV	542	Maureen and Leeanne McDonald	34 Bradford Commons Lane	Braintree
22	DAPV	544	Cecilia Yu	56 Rawson Road	Quincy
22	DAPV	545	Linda DiMare	220 Martins Landing #104	North Reading
22	DAPV	546	Sandra Fiumefreddo	7 Executive Drive	Stoneham
22	DAPV	547	John Payne	17 Bennett Road	Marblehead
22	DAPV	548	Elisabeth Piquet	31 Fifer Lane	Lexington
22	DAPV	549	Kathleen Prosser	8-2 Victoria Drive	Auburn
22	DAPV	550	Luis Ortega	315 Cambridge Street Unit 201A	Worcester
22	DAPV	551	Jennifer Roberts	9 Cobb Lane	Foxboro
22	DAPV	552	Robert Ludwig	17 Shelly Road	Norton
22	DAPV	553	Sabrena Worrell	40 Moultrie Street	Dorchester
22	DAPV	554	Sarah Gilbert	9 Spruce Pond Road	Franklin
22	DAPV	555	Linda Morse	36 Village Road #410	Middleton
22	DAPV	556	Yan J. Liu	11 Saint George St. 14B	Boston
22	DAPV	557	John Purpura	1216 Furnace Brook Parkway	Quincy
22	DAPV	558	Kelli Bryant	100 Mid Iron Way, Unit 7010	Mashpee
22	DAPV	559	John Putukian	21 Wake Robin Road	Sudbury
22	DAPV	560	Arline Levine	9 Park Avenue Unit 207	Hull
22	DAPV	561	Magery Richman	250 Hammond Pond Parkway 1413 North	Newton
22	DAPV	563	Marc Fernandez	308 Querry Street #103	Quincy
22	DAPV	565	Mike Roy	48 Camp Street Unit 11	Hyannis
22	DAPV	566	June Cobb	310A Ridgefield Circle	Clinton
22	DAPV	567	Galina Elbert	280 Boylston Street #1008	Newton
22	DAPV	568	John Biggens (Lexington Housing)	1475 Mass Avenue Unit 339	Lexington
22	DAPV	569	Jennifer Morrison	1515 Hyde Park Avenue	Boston
22	DAPV	570	Elaine Wallace	40 N Street	South Boston
22	DAPV	573	Michael Long/Mr. And Mrs. Patalano	666 Main Street, Unit 309	Winchester
22	DAPV	575	David Torchiana	165 Pleasant Street, #403	Cambridge
22	DAPV	576	Valerie Comerford	1 Stall Brook Road	Milford
22	DAPV	577	Kathleen Gorman	7 Cochrane Road	Wilmington
22	DAPV	581	Judith Broadman	414 Mount Hope Street Unit 308	North Attleboro
22	DAPV	582	Jean Tolland	148 Highwood Drive	Franklin

22	DAPV	583	Diane Monteiro	906 Front Street	Weymouth
22	DAPV	585	Melinda Halliday	16 Williamsburg Court Unit 11	Shrewsbury
22	DAPV	586	Nicholas Murray	111 Pemberton Street	Walpole
22	DAPV	587	Jared Bailey	6 Beal's Cove Road, Unit K	Hingham
22	DAPV	593	Robert Johnson	68 Highland Crossing Road	Scituate
22	DAPV	594	Chris bentivoglio	174 Lowell Road, Unit 72	Mashpee
22	DAPV	595	Layla Kiani	86 East Howard Street, Unit 407	Quincy
22	DAPV	596	John Mutrie	15 Rose Hill Road	West Barnstable
22	DAPV	598	Sandra Disarro	173 Oak Street, Unit 206	Newton
22	DAPV	599	Susan Hechler	20 Rockland House Road, Unit 206	Hull
22	DAPV	600	Bonnie Dale	102 Chestnut Circle	Brewster
22	DAPV	601	Anna Gomes	143 Francine Road	Raynham
22	DAPV	602	Dan Twomey	206 West Union Street	Ashland
22	DAPV	603	Bettye Jarrett	42 Starbird Avenue	Roslindale
22	DAPV	604	Joanne Powers	1603 Tuckers Lane	Hingham

EXECUTIVE SESSION

CHARACTER REVIEW(S)

A motion was made by HK and seconded by JC at 10:49 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 adjourn at the end of Executive Session.

See separate minutes

BOARD WILL CONSIDER ANY MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

QUASI JUDICIAL SESSION

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

EXECUTIVE SESSION

ADJOURNMENT

At 11:09, DK made a motion to adjourn, it was seconded by JC and was approved unanimously via a roll call vote in which each member voted yes.