



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

**BOARD OF STATE EXAMINERS OF
PLUMBERS AND GAS FITTERS**

JULY 6, 2022 BOARD MEETING

Minutes

Board of State Examiners of Plumbers and Gas Fitters conducted a remote Board meeting on
Wednesday, July 6, 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	X	
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
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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

Discussion

Application to Conduct Inspector Continuing Education Classes

Legal counsel presented a draft application for four hour continuing education providers. At the prior meeting, the Board voted to open this provider opportunity to any interested entities but first required a complete application which outlined all the Board's requirements. Counsel reviewed the application and noted that most of its provisions were based upon 248 CMR 11.00 as applicable to licensee continuing education providers. He also directed the Board to a bond requirement, which is required by 248 CMR 11.00 but needed to be set by the Board, he suggested the Board use \$10,000, which is an amount used by other licensing boards. Once approved, Counsel indicated staff will work to distribute the application to interested entities and will process them accordingly.

Vote: A motion was made by WT Motion to approve the application as drafted and seconded by JC

Result: Passed unanimously.

COMMERCIAL PROJECT APPLICATION

VOCATIONAL PROJECT – ASSABET VALLEY RTHS, CITY OF MARLBOROUGH, 860 BOSTON POST ROAD, MARLBOROUGH

Students will rework drainage and vent piping for three bathrooms and two sinks. Students will hang and support garage heaters, this work also includes sizing, hanging, installing and testing the required gas piping.

Petitioner Brian Malone – 860 Boston Post Road, Marlborough – proposes to rearrange fixtures and install water heater. Install Modine heaters. Commercial occupancy. East side waste water treatment system. City owned.

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

Result: Unanimous approval.

VOCATIONAL PROJECT – CAPE COD TECHNICAL HIGH SCHOOL, DREAM DAY CAMP, 165 NANKE-RAFE PATH, BREWSTER

The students will be installing new copper tubing to repair splits, replace shower valves and install a water heater. Students will reattach the L.P. line to the water heater.

Petitioner did not attend the meeting

Vote: Tabled HK motion to table the issue and seconded by BK

Result: passed unanimously

VARIANCES

22-PV-286 FRANKLIN W. OLIN COLLEGE OF ENGINEERING, INC. 1000 OLIN WAY NEEDHAM

The Petitioner (Jeremy Goodman from Franklin w. Olin College of Engineering) is returning with updated plans in and is seeking a variance from 248 CMR, Section 10.10 (18) (i) and (r), to allow the college to convert existing multiuser restrooms designated as men's and women's rooms to gender-neutral restrooms.

Vote: A motion was made by DK and seconded by SB to approve as written.

A no vote by JM JC HK BK WT

Results: Motion denied.

Vote: After further discussion a second motion was made by DK and seconded by WT for one year pilot – one floor of each building changed to gender neutral. Signage as applicant proposed. Enlarged partitions as proposed.

Result: HK, JC, B, voted No

WT, DK, SB, JM voted Yes

Results: Motion Approved

22-PV-413 MIKE GILLIS, 10 WORLD TRADE CENTER, BOSTON

The Petitioner is seeking relief from, 248 CMR 10.6 Material, to use noncompliant material in the Storm Water System as they are being told 48" perforated PVC is not available.

On the exterior but under overhang, in driveway by loading dock

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

Results: Passed Unanimously

22-PV-440 – CHRIS VENTOLIERE, SOWA POWER STATION, BOSTON

The Petitioner is seeking a variance from 248 CMR, Section 10.10, required fixtures. The current occupancy of 1,080 is based on the availability of 27 public toilets under the restaurant

classification the applicant is asking that the posted occupancy be increased to 1520 without adding fixtures due to the challenges in dealing with the building's structure and historical nature.

Vote: JM Recused HK Chaired

A motion was made WT and seconded by JC to approve the variance as presented.

Result: Passed unanimously

22-PV-444 – ADAM ROBINSON, 14 MYOBER LANE, EDGARTOWN

The Petitioner is seeking a variance from 248 CMR, Section 10.10, required fixtures. The restaurant owner would like to host private events for 30 people, including employees with one unisex, handicap accessible bathroom for patrons and one basement bathroom for employees. They are currently restricted to 20 occupants.

Petitioner did not attend the meeting.

Vote to table: Motion by WT and seconded by HK

Result: Passed unanimously

22-PV-467 – KELO SPA LLC, 1639 CENTER STREET, NEWTON

The Petitioner is seeking a variance from 248 CMR, Section 10.10, required fixtures. The applicant's business model separates genders on different days of the week. Due to genders using the facilities on alternating days they are requesting relief from the requirement to install male and female shower facilities which will allow for the square footage saved to be used for required spa facilities.

Vote: A motion was made by WT and seconded by JC based on only same sex occupancy at any given time.

Result: Passed unanimously

22-PV-477 – BLW ENGINEERS, 34 PICKERING STREET, DANVERS

The Petitioner is seeking a variance from 248 CMR Principal 23, Need for Privacy. The Petitioner seeks permission to install side shields that are 30" deep and 4" off the floor to satisfy the requirements of State Licensing Guidelines for child toilet rooms.

Vote: A motion was made by WT and seconded by RA to approve based on Early Education Commission Recommendation

Result: Passed unanimously

22-GV-484 – STANLEY CHOW, GILLETTE STADIUM, 1 PATRIOTS PLACE, FOXBOROUGH

The Petitioner is seeking a variance from 248 CMR 5.07-7.1.6 to install natural gas piping below grade without a vented sleeve due to the clear height between the main concourse and club level of approximately 35'-8"

Result: Members noted that no variance would be required, 40 feet of elevated 2 PSI. 4" pipe with no sleeve is what is being proposed.

NO ACTION NEEDED.

22-PV-496 – DACON CORPORATION, 20 CREEK BROOK DRIVE, HAVERHILL

The Petitioner is requesting a variance from 248 CMR 10.10 Table 1, to reduce the number of showers required from 8 (4 male/4 female) to 4 (2 male/2 female) due to the nature of their manufacturing process and safety standards in place. The facility is primarily used for R&D, engineering and business-related activities. The manufacturing primarily consists of assembly work. Requesting 2 Showers - one male and one female.

VOTE: A motion to approve was made by DC and seconded by WT

Result: Approved unanimously

22-PV-503 – THE KRAFT GROUP, 1 PATRIOT PLACE, FOXBOROUGH

The Petitioner is a variance from, 248 CMR 10.6 Material, to use stainless steel pipe in place of copper for the grey water system in the field tunnel in the North end zone.

Vote: A motion was made to approve the variance with Stainless Steel Victaulic 304 by JC and seconded by WT

Results: Passed Unanimously

22-PV-512 – ROBYN BIGGS, 66 FREEMAN STREET, UNIT 2, ARLINGTON

The Petitioner is a variance from 248 CMR 3.04, Product Acceptance, to install and handmade, copper bathtub purchased prior to the petitioner being aware of the code requirements.

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

Result: Approved unanimously

WITHDRAWN 22-PV-513 – LYF ARCHITECTS, 55 POND AVENUE, BROOKLINE

The Petitioner is seeking a variance from 248 CMR 10.10, Fixtures, which would require 2 patient and 2 staff bathrooms. Given that the total occupancy is 36 the request is to eliminate 1 bathroom and have a unisex, handicap accessible bathroom for patients which will allow for the practice to utilize the space for patient care. No action taken

22-PV-514 -KUNAL RAO, 10 BOND STREET, WATERTOWN

The Petitioner is seeking variance from 248 CMR 10.10(18)k to reduce the number of bathrooms from 4 to 2. The Petitioner disagrees with the business being classified as medical and states that the space is not large enough to include 4 bathrooms and still offer all the services required to operate as a Restore facility.

Members noted that this is not an appeal, thus the Board would not review how the building was classified. The applicant indicated that they would not be able to expand the space to accommodate the required bathrooms.

Vote: A motion to approve the variance was made by JC and seconded RA

Result: Approved unanimously

22-PV-515 – BLW ENGINEERS, 79 RIVER ROAD, UXBRIDGE

The Petitioner is seeking a variance to install a holding tank for the discharge from a floor drain located in a 12' x 12' shed housing a diesel-fueled, fire pump. The Petitioner states that the pre-manufactured shed is located 75 feet away from an existing building where the plumbing has been enclosed and 400 feet from the nearest site sewer.

The Petitioner indicated that the non-compliant work already occurred.

Vote: A motion to deny the variance was made by JC and Seconded by WT

Result: Unanimously denied – a post installation variance must be applied before the Board can consider the matter.

22-PV-516 -CODE RED CONSULTANTS, 360 CAMPUS CENTER WAY, AMHERST

The Petitioner is requesting a variance from 248 CMR 10.10(18)(b)(1)(b), 248 CMR 10.10(18)(i)(1) and 248 CMR 10.10(18): Table 1 to allow occupants of the renovated Goodell Hall to utilize gender-neutral restrooms at Levels 3-6 of the building. Each toilet core will consist of a gang style gender neutral restroom with shared lavatories and toilet compartments enclosed with full height partitions. Additionally, two single-user gender neutral restrooms will be provided.

Vote: RA motion to approve the variance SB seconded

Result: JM voted No. BK, HK, WT, SB, RA and DK voted Yes.

JC Recused

Result: Motion to approve passed.

22-GV-517 – GLYNN MACKENZIE, 104 HARVARD ROAD, SHIRLEY

The Petitioner is planning to eliminate gas service to Building #14 “Food Service” at the MCI-Shirley facility and is seeking a variance to cut and cap the existing 4” plastic low-pressure pipe to that building. The existing service gas piping is plastic Dupont Aldyl-A, installed in the early 1980’s, and is no longer approved for use due to its increased risk of failure and leakage. Design documents for the removal of this 4” low pressure Dupont Aldyl-A pipe with instructions for isolating and venting the gas service to the building before cutting and capping with upgraded materials are included.

Vote: A motion was made by WT and seconded by HK to approve the motion with conditions.

Conditions: Approved with a signed, stamped letter from an engineer that using the two materials together is safe. Cap must be as close to the tee as possible.

Results: Unanimously approved with conditions.

22-PV-518 -WICKED PARTNERS, 544 LEGACY PLACE, DEDHAM

The Petitioner disagrees with the classification of the Restore Wellness as a medical facility and requests a variance from 248 CMR 10.10 to reduce the number of bathrooms from 4 to 2 in the

2630 square foot space. The Petitioner states that the space is needed provide all the wellness facilities to sustain a profitable business.

Vote: BK made a motion to approve the variance with the condition that there will be three bathrooms. DK seconded the motion. JC Recused

Result: Unanimously approved on the condition of three bathrooms.

**22-PV-519 – INTEGRATED PROJECT SERVICES, 25 NETWORK DRIVE,
BURLINGTON**

The Petitioner is seeking a variance from 248 CMR 10.10(18)(j) for a pharmaceutical manufacturing facility. The pharmaceutical manufacturing occurs within biological safety cabinets contained in clean rooms. Due to the clean nature of the manufacturing process the Petitioner requests to install 1 shower for each sex immediately outside the clean manufacturing site.

Vote: DK made a motion to approve the variance. SB seconded the motion.

Result: Unanimously approved.

FYI – Board Delegated Staff Approvals – Board Vote Not Required

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

22	DAPV	441	Venugopal Pingail	2 McCoun Way	Shirley
22	DAPV	442	Doug Goodick	10 Dogtown Road	Gloucester
22	DAPV	446	Adam Fouler	72 Downey Street	Hopkinton
22	DAPV	447	Michael Bohn	1 James Street	Plainville
22	DAPV	448	Daniel Toledano	110 Washington Street	Topsfield
22	DAPV	449	Robert Gustafson	200 Cove Way, Unit 903	Quincy
22	DAPV	450	Robert Jackson	40 Union Bridge Road	Duxbury
22	DAPV	451	Lorri & Michael Alexander	46 Millstone Way	Centerville
22	DAPV	452	Donna Smetana	18 Kerna Road	W. Roxbury
22	DAPV	454	Patricia Islieb	5 Blueberry Path	Yarmouthport
22	DAPV	455	Krystyna Colburn	429 Norfolk St. Unit #7	Somerville
22	DAPV	456	Jamal Elhout	14 Nadine Lane	North Andover
22	DAPV	457	Eric Baumann	635A Main Street	Falmouth
22	DAPV	458	Robert Picard	431 Washington Street, Unit 5	Brookline
22	DAPV	459	Monica Villarreal	30 Farrwood Drive	Andover
22	DAPV	460	Julia Bucci	1000 Emerald Ct Unit 1218	Tewksbury
22	DAPV	461	Jill Capodilupo	58 Chase Street	Hyannis
22	DAPV	462	Sandy Liberatore	3604 Knights Bridge Close	Worcester
22	DAPV	463	Claudia Grillo	6C Browning Ct.	Pocasset
22	DAPV	464	Thomas Cabral	62 Sawdy Pond Avenue	Fall River
22	DAPV	465	Patricia O'Leary	68 Pleasant Street, Unit 22	Oxford
22	DAPV	466	Lynda Yalmokas	100 Cove Way #310	Quincy
22	DAPV	468	Barbara Zastrea	67 Indian Road	Waltham
22	DAPV	469	Debbie Lyn Toomey	67 Albion Road	Quincy
22	DAPV	470	Luisa Rochester	211 Bellevue Street	New Bedford
22	DAPV	471	Kathleen Lee	167 Cedar Street	Milford
22	DAPV	472	Mary Cardello	19 Walnut Street	Belmont
22	DAPV	473	Chethana Gautam	9 Oneida Road	Acton
22	DAPV	474	James Stephens	21 Vaughan Avenue	Dorchester
22	DAPV	475	James Saia	6 Bittersweet Lane	Buzzard's Bay
22	DAPV	478	Lauren Johnson	480 Main Street, Unit 1	Falmouth
22	DAPV	479	Steve Papsis	124 Highwood Drive	Franklin
22	DAPV	480	John Haugh	28 French Avenue	Braintree
22	DAPV	481	Kelly Reis	37 Wheeler Avenue	Brockton
22	DAPV	482	Salah Alrakawi	924 East Squantum Street	Quincy
22	DAPV	483	Maureen Fitzgerald	48 Woodard Road	Boston
22	DAPV	485	Zarica Vateva	1281 Lawrence Street, Unit 9	Lowell
22	DAPV	486	Lisa Navarro	10 Groton Road, D2	Westford
22	DAPV	487	Thomas Jrolf	16 Buckboard Drive	Westford
22	DAPV	488	Roger Blanza	148 Vassall Street	Quincy
22	DAPV	489	Barbara Quill	600 County Street, Unit 204	Taunton
22	DAPV	491	Rosemary Takwimiire	48 Connor Court	Attleboro

22	DAPV	492	Ann Austras	546 East Sixth Street	South Boston
22	DAPV	493	Nich Blaisdell	2290 Centre Street	West Roxbury
22	DAPV	494	Karen Meadows	115 Rayburn Road	Stoughton
22	DAPV	495	Amir Samary	140 Brattle Street	Arlington
22	DAPV	497	Barbara Walsh	500 Washington Street, Apt. 18	Quincy
22	DAPV	498	Leonard Bernstein	66 Babcock Street, Unit 95	Brookline
22	DAPV	499	Zlatan Kadic	74 Preston Street	Everett
22	DAPV	500	Claire Millette	138 Main Street, Unit 1	Fairhaven
22	DAPV	501	Joan Hurton	49 Randolph Drive	Tewksbury
22	DAPV	502	Jane Cosgrove	11 Kyle Path	Scituate
22	DAPV	504	Mary Keefe	19 Hoyle Circle	Blackstone
22	DAPV	505	Susan Brown	98 Stromquist Avenue	Lowell
22	DAPV	506	Beverly Shea	49 Huntington Road	Plymouth
22	DAPV	507	Maryellen Fabiano-Stowe	54 Elbow Pond Drive	Brewster
22	DAPV	508	Gloria Minton	35 Franklin Street	Mansfield
22	DAPV	509	Sherry Owens	12 Lambert Street	Boston
22	DAPV	510	Randy NG	4 Canal Park, Unit 401	Cambridge
22	DAPV	511	Hilda Murrell	16 Lindsey Street	Dorchester
22	DAPV	520	Charles Searle	13 Rumney Road	Revere
22	DAPV	521	Alexander O'Hanley	26 Watertown Street	Lexington
22	DAPV	522	Jamely Parra	206 Arlington Street	Lawrence
22	DAPV	523	Steve Corr	13 Harwich Street	North Andover
22	DAPV	524	Marie Harrington	340 Centre Avenue, Unit 10	Rockland
22	DAPV	525	David Sharkey	172 Franklin Street, Unit 2	Watertown
22	DAPV	526	Tracey Andrews-Soter	172 Franklin Street, Unit 2	Clinton
22	DAPV	527	Julianna Uresch	113 Central Street	Auburn
22	DAPV	528	Gaston Poufong	21 John Street, 2 nd Floor	Attleboro
22	DAPV	529	Barbara Daunheimer	22 Drew Street	Newburyport
22	DAPV	530	Jeremy Pierce	35 Haen Road Bridge, Unit 8	Shirley
22	DAPV	531	Phillip Hodges	4 Elizabeth Street	Lunenburg
22	DAPV	532	Michelle Petrone	40 Marlaine Drive	Seekonk
22	DAPV	533	Tracey Berube	39 Adler Street	Fall River
22	DAPV	534	Stuart McDermott	520 Blossom Street	Fitchburg
22	DAPV	535	Elena Coffey	53 Main Street, Unit 222	Wareham
22	DAPV	536	Martha Brockway	181 Littleton Rd Bld #2 Unit 128	Chelmsford
22	DAPV	537	Michelle Buck	39 Betsey Ross Circle	Sturbridge
22	DAPV	538	John Inangelo	1030 Forrest Street	North Andover
22	DAPV	539	Deb Morton	17 Crystal Street	Webster
22	DAPV	540	David Planchard	4 Foster Avenue	Marshfield

BOARD WILL CONSIDER ANY MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

EXECUTIVE SESSION

CHARACTER REVIEW(S)

A motion was made by HK and seconded by JC at 11:35 a.m. 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

QUASI JUDICIAL SESSION

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

The Board reported for the record that it reviewed Docket no. 2016-00897-IT-ENF. A decision was rendered which legal counsel will finalize in consultation with the chair.

ADJOURNMENT

At 12:15, JC made a motion to adjourn, it was seconded by RA and was approved unanimously via a roll call vote in which each member voted yes.

ITEMS RELIED UPON IN MEETING

Agenda

Draft inspector continuing education application

Variance Applications