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BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS

BOARD MEETING MINUTES

Wednesday, November 1, 2023, 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:

Member and Staff Attendance

: MEMBERS	APPOINTMENT	PRESENT	ABSENT
Mr. Joseph McNamee	Chairman, 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	
Mr. Kenneth Peterson	Executive Director	X	
Mr. Michael Guida	Board Code Consultant	X	

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

Reminder – Public Hearing on 248 CMR 10.00 - November 17, 2023, Details on [mass.gov](https://www.mass.gov)

9:00 A.M. AGENDA REVIEW:

By Chairman Joseph McNamee

Discussion

Sean Burger of SCRUBZONE discussed his handwash combination product, as an alternative to a traditional lavatory sink. After explaining the basic functions of the ScrubZone, Board members asked several questions about its operation and cleanliness and requested more information from the Department of Health before making a decision on the product.

Vote: WT to table, RA seconded

Results: Unanimously approved

Variances

23-PV-1177, Kosta Laci, 23 Buckley Avenue, Ashland

The petitioner is seeking relief from 248 CMR 10.15 Table 2, Maximum Load in Fixture Units for Horizontal Drain, to allow the installation of fourth bathroom on an existing 3 inch drain line. The local inspector and the Board of Health have been notified.

Vote: JC to approve, HK seconded

Results: Unanimously approved

23-PV-1163, Paul Dionne, 1 Kendall Square, Cambridge

The petitioner is seeking relief from 248 CMR 10.15(10)(a)(2), Sumps and Ejectors, to allow the use of an ejector pump for sinks servicing lab waste that is located above the building drain. The local inspector and the Board of Health have been notified.

Vote: BK to approve, JW seconded

Results: Unanimously approved

23-PV-1205, Gerard Owerka, 191 Tudor Road, Needham

The petitioner is seeking relief from 248 CMR 10.15(10)(a)(2), Sumps and Ejectors, to allow the use of a sewage ejector pump for a kitchen sink located above the building drain. The local inspector and the Board of Health have been notified.

Vote: HK to approve, JC seconded

Results: Unanimously approved

23-PV-1207, Zak Charette, 83 Phillips Road, Lynnfield

The petitioner is seeking relief from 248 CMR 10.10 Table 1 to allow the use of a single gender-neutral bathroom with a toilet, lav and shower in lieu of separate gendered facilities. The local inspector and the Board of Health have been notified.

Vote: RA to approve, JC seconded

Results: Unanimously approved

23-PV-1208, Nathan Frigard, 215 Spring Street, Florence

The petitioner is seeking relief from 248 CMR 10.10 (B)(F) allowing them to omit the required bollards in their warehouse/building space. The local inspector and the Board of Health have been notified.

Vote: WT to deny, JC seconded

Results: Unanimously denied

23-PV-1209, Sal Pinzone, 1758 Trapelo Road, Waltham

The petitioner is seeking relief from 248 CMR 10.15 Table 2, Maximum Load in Fixture Units for Horizontal Drain, to allow the installation of a third bathroom group- a seasonal bathroom, via ejector pump on an existing 3" drain. The local inspector and the Board of Health have been notified.

Vote: HK to approve, JW seconded

Results: Unanimously approved

23-PV-1246, Michael Gillis, 64 Industrial Parkway, Woburn

The petitioner is seeking relief from 248 CMR 10.10 (B)(F) allowing them to omit the required bollards in their warehouse/building space. This is a post-installation variance. The local inspector and the Board of Health have been notified.

Vote: WT to approve, JW seconded

Results: Unanimously approved

23-PV-1164, Michael Blomereth, 18 Rainbow Circle, Peabody

The petitioner is seeking relief from 248 CMR 10.10 (7) (c), Shower Compartments, to allow the installation of a shower base that does not meet the 30" finished interior dimension requirements. The local inspector and the Board of Health have been notified.

Vote: HK to deny, JW seconded

Results: HK, JW, JC, BK, RA to deny, JM, WT, SB to approve- variance is denied

23-PV-1165, Michael Blomerth, 51 Pleasant Street, Charlestown

The petitioner is seeking relief from 248 CMR 10.10 (7) (c), Shower Compartments, to allow the installation of a shower base that does not meet the 30" finished interior dimension requirements. The local inspector and the Board of Health have been notified.

Vote: WT to approve, RA seconded

Results: WT, RA, HK, SB to approve, JC, BK, JW to deny- the variance is approved

23-PV-1166, Michael Blomerth, 25 Arlington Street, Newton

The petitioner is seeking relief from 248 CMR 10.10 (7) (c), Shower Compartments, to allow the installation of a shower base that does not meet the 30" finished interior dimension requirements. The local inspector and the Board of Health have been notified.

Vote: HK to approve, JC seconded

Results: Unanimously approved

23-PV-1167, Michael Blomerth, 132 Marshall Street, Methuen

The petitioner is seeking relief from 248 CMR 10.10 (7) (c), Shower Compartments, to allow the installation of a shower base that does not meet the 30" finished interior dimension requirements. The local inspector and the Board of Health have been notified.

Vote: HK to approve, JC seconded

Results: Unanimously approved

23-PV-1168, Michael Blomerth 21 Juliette Road, Saugus

The petitioner is seeking relief from 248 CMR 10.10 (7) (c), Shower Compartments, to allow the installation of a shower base that does not meet the 30" finished interior dimension requirements. The local inspector and the Board of Health have been notified.

NO ACTION TAKEN

Applicant withdrew Variance request

23-PV-1169, Michael Blomerth, 66 Christopher Road, Waltham

The petitioner is seeking relief from 248 CMR 10.10 (7) (c), Shower Compartments, to allow the installation of a shower base that does not meet the 30" finished interior dimension requirements. The local inspector and the Board of Health have been notified.

NO ACTION TAKEN

Applicant withdrew the Variance request

23-PV-1170, Michael Blomerth, 286 Peekskill Avenue, Springfield

The petitioner is seeking relief from 248 CMR 10.10 (7) (c), Shower Compartments, to allow the installation of a shower base that does not meet the 30” finished interior dimension requirements. The local inspector and the Board of Health have been notified.

NO ACTION TAKEN

Applicant withdrew Variance request

23-PV-1171, Michael Blomerth, 200 Wood Avenue, Hyde Park

The petitioner is seeking relief from 248 CMR 10.10 (7) (c), Shower Compartments, to allow the installation of a shower base that does not meet the 30” finished interior dimension requirements.

The local inspector and the Board of Health have been notified.

NO ACTION TAKEN

Applicant withdrew Variance request

QUASI JUDICIAL SESSION

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

Appeal of Inspector’s Decision:

23-AID-1172 Felix Zemel, Skyline Drive (19 Buildings), Braintree

The Board allowed the parties to make presentations regarding their appeal in the matter of 23-AID-1172 – Felix Zemel (19 buildings) Braintree. The appellant was appealing three matters:

- 1- Repair/replacement of vacuum breakers and repair/replace of condensate pumps and/or filters
- 2- Pipe insulation installation
- 3- Remedy faucet that did not have an air gap

Thereafter, the Board engaged in deliberations in quasi-judicial closed session.

Upon conclusion of deliberations, the Board identified its decision for the record:

Vote: HK voted in favor of the Inspector on matter 1, and against the Inspector on matter 2, the appellant agreed that item 3 was no longer valid, seconded by JC, thus denying matter 1, and approving matter 2 of this appeal.

Results: This appeal was unanimously decided. A written decision will be sent to the parties

ADJOURNMENT

Vote: JC motion to adjourn, HK seconded

Results: Unanimously approved at 12:05 P.m.

Items relied upon in Meeting

Agenda
Correspondence
Variance Applications