



MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT Governor

Eric Paley
SECRETARY, EXECUTIVE
OFFICE OF ECONOMIC
DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
One Federal Street, Suite 600
Boston, Massachusetts 02110-2012

LAYLA R. D'EMILIA
UNDERSECRETARY, CONSUMER
AFFAIRS AND BUSINESS
REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

**BOARD OF STATE EXAMINERS OF
PLUMBERS AND GAS FITTERS**
BOARD MEETING MINUTES
March 4, 2026

Member and Staff Attendance

MEMBERS	APPOINTMENT	PRESENT	ABSENT
Mr. Joseph McNamee (JM)	Chairman, Master Gas Fitter	X	
Mr. Harold Knight (HK)	Vice-Chairman Journeyman Plumber	X	
Mr. John Cruz (JC)	Member, LP Installer	X	
Mr. Bahig A. Kaldas, P. E. (BK)	Member, Plumbing Engineer	X	
Mr. Wayne Thomas (WT)	Member Journeyman Gasfitter		X
Ms. Ruth Alfasso (RA)	Member, Dept. of Public Health	X	
Ms. Sarah Badway (SB)	Public Member	X	
Mr. Dan Kilburn (DK)	Member, DOL Designee	X	
Mrs. Kimberly Garside (KG)	Member, Master Plumber	X	
STAFF			
Mr. Charles Kilb	Board Legal Counsel	X	
Mr. Michael Auerbach	Executive Director	X	
Mr. Michael Guida	Board Code Consultant	X	
Ms. Caitlyn Berry	Licensing Coordinator	X	
Mr. Scott Padden	State Plumbing & Gas Inspector		X
Mr. James Myette	State Plumbing & Gas Inspector	X	

9:00 A.M. AGENDA REVIEW:

By Chairman Joe MacNamee

Time start: 9:01 AM

Informational Note – All votes taken were by roll call, where indicated unanimous, each member voted yes.

APPROVAL OF PREVIOUS MEETING MINUTES

- February 4, Regular Session
Vote: JC approve, HK second
Results: Unanimously Approved
- February 4, Executive Session
Vote: HK approve, JC second
Results: Unanimously Approved

Executive Director's Report-

- Board Staff reviewed and accepted 1,289 Products within the last month.
- All Board decisions will be sent through the eLIPSE Portal

Legal Report- Charles Kilb

- *CK- Nothing to report*

DISCUSSION

- Plumbing Board Sub-committee update. Michael Guida
- *Covered and reviewed three sections in the February meeting*
- *Please submit code change requests via the code modification form*

VARIANCES

26-PV-101383- Christopher Garcia, 200 Boylston St, Boston. The petitioner is seeking relief from 248 CMR 10.09 (1)(b)2 f Interceptors, Separators, and holding tanks to install a dishwasher on the second floor of a hotel. The proposed grease interceptor is approximately 100 feet away. The Board of Health and the local inspector have been notified.

- *Applicant seeking relief to install a grease interceptor over the allowable 25' as required by code.*
- *JM Recused and did not participate in this agenda item, Vice Chair HK presided*
- *Hardship: Disturbing guests while cleaning and servicing the interceptor and the odors when the interceptor is to be cleaned.*

- *Discussion: Members had concerns about the distance and the possibility of the drain clogging from the grease.*
- *BK to deny, JC second*
- *Voted unanimously*

JM Returned to the meeting

26-PV-101133- Michael Arria, 1 Tiger Drive, Maynard. The petitioner is seeking relief from 248 CMR 10.10 (15) Table 1, Minimum Facility requirements for an outdoor High School Stadium that seats 600. The applicant would like to utilize the bathrooms in the school that are located over 400 feet away. The Board of Health and the local inspector have been notified.

- *Applicant seeking relief to use the restrooms in the school over 400 feet away.*
- *Hardship: The school is in the process of building permanent facilities, and the use of the school was temporary.*
- *Discussion: The local Building Official was not in favor of granting the variance. The BO stated the bathrooms would be approximately 1,200feet away from the center of the field.*
- *DK- asked how long the project would take.*
- *The applicant stated it would be done in 3 to 5 years.*
- *DK and JC - had concerns about the distance,*
- *BK to deny, and HK second.*
- *Voted unanimously*

26-PV-101273- Donald Emond, 300 Canal St, Lawrence. The petitioner is seeking relief from 248 CMR 10.09 (1)(a)1b Interceptors, Separators, and holding tanks. The applicant is requesting not to install the required separator, and floor drains for an underground parking garage. The Board of Health and the local inspector have been notified.

- *Applicant seeking relief to install the required gas and oil separator for a parking garage.*
- *Hardship: The applicant stated that the ground is contaminated*
- *Discussion: The local plumbing inspector stated he was not aware of this parking garage until the final inspection.*
- *Michael Guida - asked when the project started.*
- *The applicant stated it has been over a year*
- *Michael Guida - had concerns about why this was just being discussed at the end of the project.*
- *JM SPI- stated they do make systems for this type of installation*
- *The local Plumbing Inspector brought to the Board's attention that this is next to a canal and had concerns about if there was a spill.*
- *HK to deny, and JC second.*
- *Voted unanimously*

26-PV-101328- Timothy Burke, 774 Boylston St, Brookline. The petitioner is seeking relief from 248 CMR 10.06, materials, requesting permission to use PVC for lavatory piping in a new chapel in lieu of the required commercial-grade materials. The Board of Health and the local inspector have been notified.

- *Applicant seeking relief to install PVC piping in a Chapel*
- *Hardship: The applicant stated that the entire building is done in PVC and Financial.*
- *Discussion:*
- *JC- Asked if the new bathrooms and ejector pump shown on the drawing were new*

- *The applicant stated that the installation would be new work*
- *HK- Asked if the hardship was financial.*
- *The applicant stated yes.*
- *HK to deny, and JC second.*
- *Vote: In favor of motion to deny- HK, JC, JM, BK, SB, DK, KG*
Opposed- RA
Motion to deny passed 7 to 1.

26-PV-101417- Kevin Kane, 210 Central St, Hingham. The petitioner is seeking relief from 248 CMR 10.14 6 (e) Large volume water heaters, to install three 120-gallon heat pump water heaters that are not ASME rated. The Board of Health and the local inspector have been notified.

- *Applicant seeking relief to install ASME water heaters*
- *Hardship: The applicant stated that they can't find a water heater that would meet the required efficiency.*
- *Michael Guida - Stated that they do make ASME Hybrid water heaters and the product acceptance list has ASME tanks listed.*
- *The applicant stated that they did find an ASME Water Heater, but it could violate the stretch code.*
- *Michael Guida - Asked if it would violate the stretch code if they installed the 120-gallon ASME tanks.*
- *Applicant stated he would need to do more research on the matter.*
- *Michael Guida - Asked legal counsel if they met the Board's policy, would that be sufficient to grant the variance.*
- *Legal Counsel read the Board its policy regarding non-ASME tanks and the requirements set by the Board and indicated the Board should be as consistent as possible in allowing special exceptions.*
- *JC-Asked if they could be certified by ASME*
- *DK- Stated not at this time. And that this is a public safety concern.*
- *JC to deny, and BK second.*
Voted unanimously

26-PV-101421- Mark Yanowitz, 80 Shawsheen Rd, Andover. The petitioner is seeking relief from 248 CMR 10.10 (15) Table 1, Minimum Facility requirements for an outdoor High School Stadium that seats 2,440. The applicant would like to utilize the one single user gender neutral toilet room to apply to the female count. The Board of Health and the local inspector have been notified.

- *Applicant seeking relief to use the single-user restroom towards the female fixture count*
- *Hardship: The applicant stated limited space in an existing building.*
- *DK to approve RA second.*
Voted unanimously

26-PV-101438- Kari Kuelzer, 49 Mt Auburn St, Cambridge. The petitioner is seeking relief from 248 CMR 10.10(15), Table 1, minimum facility requirements for a 1,081 square-foot restaurant with a proposed indoor occupancy of 50. The applicant is seeking permission not to install the additional bathroom required for the outdoor seating area, which will seat 50 additional patrons. The Board of Health and the local inspector have been notified.

- *Applicant seeking relief not to install additional bathrooms for the outdoor seating area*
- *Hardship: The applicant stated they have limited space to add any additional bathrooms*
- *JC- Stated that they need an additional two restrooms to be compliant.*

- *The local inspector stated that when they reviewed the plans and denied it based on occupancy, and to use the restroom, patrons would need to enter the kitchen area.*
 - *Michael Guida - Confirmed that they would need an additional two restrooms for 75 patrons.*
 - *JC to deny, and HK second.*
- Voted unanimously*

Appeal of Inspector Decision

None

Board Delegated Staff Approvals- Special Permission

None

FYI – Board Delegated Staff Approvals – Board Vote Not Required

- 26-DAGV-100- Edward Michael- 400 Constitutional Dr, Taunton. Full operation of a Baking Oven.
- 26-DAPV- 365 South Street, Marlborough. An electric sub-station to utilize a restroom in a separate building within 400 feet.

Delegated Vocational School Project Approvals.

None

BOARD WILL CONSIDER ANY MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

NONE

QUASI-JUDICIAL SESSION

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

NONE

EXECUTIVE SESSION

Upon conclusion of all open session items, the chair indicated the Board needed to enter into executive session to conduct character reviews.

Vote: DK to enter Executive Session at 10:23 a.m. to discuss applicants character, rather than competence, HK seconded. The motion passed unanimously. The Board would not entertain any other open business other than adjourning.

See separate minutes

ADJOURNMENT

End Time 10:32 AM

JC to adjourn, HK, second

Voted unanimously

Items Relied Upon in Meeting

Agenda

Draft Minutes

Variance Applications