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BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS

March 5, 2025

BOARD MEETING MINUTES

**IN ACCORDANCE WITH THE PROVISIONS OF G.L. C. 30A § 20, NOTICE IS
HEREBY GIVEN THAT THE BOARD OF STATE EXAMINERS OF PLUMBERS AND
GAS FITTERS CONVENED A REGULAR MONTHLY BOARD MEETING
MEETING VIA TELEPHONE/VIDEO CONFERENCE:**

Member and Staff Attendance

: MEMBERS	APPOINTMENT	PRESENT	ABSENT
Mr. Joseph McNamee	Chairman, Master Gas Fitter	X	
Mr. Harold Knight	Vice-Chairman 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	

9:00 A.M. AGENDA REVIEW:

By Chairman Joe MacNamee

NOTICE

“DOL will be moving in March of 2025 to One Federal Street, Boston. Logistics and outreach for the move are currently being addressed and planned.”

DISCUSSION

Discussion 1- Review proposed language on a policy to allow a reduction in required public restrooms in certain facilities.

Legal counsel apologized in not getting a draft out earlier, he indicated he would want it to be on the next agenda to be finalized. However, the chair indicated that the matter was simple enough that he wanted to see if it was possible to vote on that day. Counsel shared his screen with the draft and read the delegation language to Board, which was focused on restaurants providing take out services. Upon reading the language, several members indicated they had comfort with voting.

Vote: HK to approve, DK seconded

Results: Unanimously approved

Conditions: Counsel requested and members agreed that the approval was contingent on any agency approvals. Members also indicated that the vote should be used to approve a variance request from Taunton on the agenda.

Discussion 2- State Inspector Padden has requested the Board's interpretation of 248 CMR 7.00, regarding Winco Generators and their gas connections that do not meet code requirements.

Inspector Padden discussed some factory installed parts of the Winco Generator and asked the Board if they would be covered under 248 CMR section 7.00.

Members indicated that these parts would be subject to the requirements of section 7.00. The manufacturer, who was present, indicated that they will be modifying there product. The Board did not take a formal vote on the matter.

Appeal Of Product Denial

25-PA-19, Tim O'Connor, ABS material used in this product does not meet the requirements of 248 CMR 10.06.

This applicant asked to reschedule their appeal until April. No action was taken.

VARIANCES

25-PV-45, Ralph Mulcahy, 700 Commonwealth Avenue, Boston

The petitioner for Boston University is seeking relief from 248 CMR 10.10(15)(C)17.c.III, 10.10(9)(a) to allow the renovation of laundry rooms in a dormitory building with a reduction in the required laundry sinks. The Board of Health and local inspector have been notified.

JM recused himself and did not take part in this variance discussion.

Vote: DK to approve, JW seconded

Results: Unanimously approved

25-PV-40, Daniel McIntyre, 50 Grafton Street, Millbury

The petitioner for National Grid is seeking relief from 248 CMR 10.10(15)(c)(19) to allow the construction of a 600 sq ft addition to an equipment enclosure without the required bathroom facilities. Bathroom facilities are located approximately 1000 feet away in another building. The Board of Health and local inspector have been notified.

JM recused himself and did not take part in this variance discussion.

During the discussion, members questioned the possibility of locating a compost toilet closer to the facility. It was also noted that the Board had never approved a variance with the nearest facilities 1000 feet away.

Vote: DK to deny, JW seconded

Results: Unanimously approved

25-PV-38, Dennis Screnci, 450 Maple Street, Hawthorne

The petitioner is seeking relief from 248 CMR 3.04 to allow the installation of a pipe liner product in an unapproved manner. This is a post-installation and state inspector O'Reilly has been notified.

JM recused himself and did not take part in this variance discussion.

Vote: JC to table, RA seconded

Results: Unanimously approved

25-PV-46, Trevor Medeiros, 593 Acushnet Avenue, New Bedford

The petitioner for the MBTA is seeking relief from 248 CMR 10.09(5)(a) to allow the installation of a chamber vent from a separator to be installed on the exterior of the building, using stainless steel piping material. State inspector Myette has been notified.

Vote: JC to approve, DK seconded

Results: Unanimously approved

25-PV-35, Patrick Harold, 599 Burgin Parkway, Quincy

The petitioner is seeking relief from 248 CMR 10.09 to allow the installation of a oil/water separator that is not on the product accepted database. State inspector Myette has been notified.

In discussion, members noted that product accepted options were available.

Vote: JW to deny, HK seconded

Results: Unanimously approved

25-PV-36, Patrick Harold, 66 Galen Street, Watertown

The petitioner is seeking relief from 248 CMR 3.04 to allow the installation of a custom made storage tank that is not on the product accepted database. The Board of Health and local inspector have been notified.

Vote: JC to approve the installation with the requirement that the drain and vent piping be labeled "Independent Acid Waste/Do not connect," DK seconded

Results: Unanimously approved

25-GV-41, Cyril Kavanugh, 51 Marsh St., Belmont

The petitioner is seeking relief from 248 CMR 5.09(67), NFPA 54, 12.9.1.22 to allow the installation of a gas fireplace with venting material not approved by the manufacturer. The Board of Health and local inspector have been notified.

HK recused himself and did not take part in this variance discussion

During discussion members noted a concern that the venting proposed does not comply with the manufacturer's installation instructions.

Vote: DK to deny, JW seconded

Results: Unanimously approved

25-PV-44, Caryn Connarton, 55 Brighton Street, Belmont

The petitioner is seeking relief from 248 CMR 10.10 to allow the construction of a physical therapy/pilates studio without the required shower facilities. The Board of Health and local inspector have been notified.

Vote: JC to approve, DK seconded

Results: JC, DK, BK, JW, RA, SB to approve, JM, HK to deny.

Motion passes 6 to 2

25-PV-37, Angela Correia, 322 Bay Street, Taunton

The petitioner is seeking relief from 248 CMR 10.10 (15)(M), 10.10 (15)(C)(4) to allow the construction of a bakery without the required public restroom. The Board of Health and local inspector have been notified.

This variance was approved as part of the vote on Discussion #1

25-PV-39, Spencer Leman, 23 Chestnut Street, North Attleboro

The petitioner is seeking relief from 248 CMR 10.09 to allow the construction of Pete's Tire Barn without the required floor drain and gas trap due to the financial burden the installation presents. The Board of Health and local inspector have been notified.

Vote: HK to deny, JC seconded

Results: Unanimously denied

25-PV-48, Jeffrey Krula, 379 Hix Bridge Road, Westport

The petitioner is seeking relief from 248 CMR 10.10(1)(d)(4) to allow the installation of a shower base that does not meet the required minimum size.

The Board of Health and local inspector have been notified.

The applicant was initially not present

1st Vote: HK to table, DK seconded

Results: Unanimously approved

The applicant thereafter appeared, the members closely reviewed the accompanying photograph of the space.

2nd Vote: JW to approve, JC seconded

Results: Unanimously approved

APPEAL OF INSPECTORS DECISION

25-AID-43, A. Spolidoro & Sons Inc., 680 Worcester Road, Wellesley. Note: Per M.G.L. c. 30A, s. 18, post hearing deliberations will be in a closed session.

Members listened to testimony from the applicant and the inspector. Thereafter, the chair closed the hearing, a quasi judicial session would be held after all appeals concluded for deliberations.

Results as a result of deliberations:

Vote: HK for the applicant, DK seconded

Results: Motion unanimously approved – A written decision will be issued.

25-AID-42, Logan Robertson, 698 Salem Street, Groveland. Note: Per M.G.L. c. 30A, s. 18, post hearing deliberations will be in a closed session.

Members listened to testimony from the applicant and the inspector. Thereafter, the chair closed the hearing, a quasi judicial session would be held after all appeals concluded for deliberations.

Results as a result of deliberations:

Vote: JW for the inspector, HK seconded

Results: Unanimously approved – A written decision will be issued

Board Delegated Staff Approvals- Special Permission

24-DAGV-105- Tim O’Sullivan-27 Elm St Auburn.

Full operation of 3 unlisted gas appliances in accordance with 248 CMR 3.04 (1) at the above-listed address by Delegated Authority.

FYI – Board Delegated Staff Approvals – Board Vote Not Required

25-VSP-32 –Stephen Calzini- Essex North Shore TVHS- The request is to allow students to install rough and finish plumbing & gas fitting for a commercial washer and dryer. **Located on Campus 565 Maple St Danvers.**

25-VSP-33- David Marriott- Cape Cod RVTHS- The request is to allow students to install an indirect water heater. **Located at 395 Stony Brook Rd Brewster.**

25-VSP-34- David Marriott- Cape Cod RVTHS- The request is to allow students to install a gas generator. **Located at 31 Cherokee Rd Harwich.**

Fixtures

25-DAPV-21- Lynette Abney 43 Laurel Park Northampton.

BOARD WILL CONSIDER ANY MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

No matters raised

At 12:00, the chair noted that all open session items were completed and called to enter into closed sessions for deliberations and Executive Session to discuss applicants character rather than competence.

HK moved to enter quasi-judicial session followed by Executive Session, the motion was seconded by JC and was approved unanimously.

QUASI-JUDICIAL SESSION

Results reported in the Section above regarding Inspector Appeals

EXECUTIVE SESSION

See Separate minutes

ADJOURNMENT

At 12:39 the Board returned to open session for purposes of adjournment

Vote: HK to adjourn at 12:39 p.m., DK Seconded

Results: Unanimously approved

Items relied upon in meeting

Agenda

Variance Applications

Winco Generator information

Draft Policy

Appeal documents