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BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS

BOARD MEETING MINUTES

Wednesday, August 6, 2025, starting at 9:00 a.m.

**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 REGULARLY SCHEDULED MONTHLY BOARD 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. 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	
Mrs. Kimberly Garside	Member, Master Plumber	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

DISCUSSION

- 1- Greater Lowell Vocational Technical High School request to conduct Tier education online.
Members reviewed the school's proposal to allow virtual classes for tiers 3, 4, and 5.
During discussion, members noted that the request appears to be consistent with previous versions approved.
Vote: JC to approve, HK seconded
Results: JC, HK, BK, SB, RA, DK, KM to approve, JM abstained
- 2- 24-PA-367, Kevin Mayer, McGuire Manufacturing Company
Mr. Mayer gave members a review of the company and specific product looking for product acceptance. Counsel Kilb noted for the Board that the matter was previously denied by staff as not being code compliant, if the Board finds the matter is not code compliant it may still approve a test site. The applicant did not dispute the product would not comply with the current code but that he felt the product would be safe and effective.
Vote: HK to approve a test site at Logan International Airport, JC seconded
Results: Unanimously approved
- 3- 25-PA 149, 150- Shelley Gibson, Xerxes Corporation Product acceptance application.
Shelley Gibson appeared as she was unable to get product acceptance from Board staff. Plumbing Code Consultant Mike Guida discussed his concerns regarding the testing reports submitted with the product acceptance application, in particular, a lack of any testing by any third parties. Mrs. Gibson expressed confusion on which testing standards need to be satisfied. Members advised Mrs. Gibson that the Board does not mandate specific testing as major associations each test to their own standards. She was advised she should contact these standard associations for assistance, as the

products in question are relatively standard and the associations generally have appropriate testing standards. No formal action taken.

VARIANCES

25-PV-89819, Frederick Thomas, 300 Charles F. Colton Road, Taunton

The petitioner is seeking relief from 248 CMR 10.10 Plumbing Fixtures(15) Minimum Facilities, (C) Establishing Fixture Requirements to allow the construction of a warehouse with restroom facilities approximately 600 feet from personnel working area. The Board of Health and local inspector have been notified.

Members noted this type of variance has been approved in the past.

Vote: DK to approve, RA seconded

Results: JM abstained, DK, RA, JC, RA, SB, HK, BK to approve

25-PV- 89879, Jeffrey Noble, 50 Spring Street, Williamstown

The petitioner is seeking relief from 248 CMR 10.10 to allow the renovation of and existing cinema into two venues with a reduction in the required fixtures. The Board of Health and local inspector have been notified.

In this matter, the petitioner indicated the space was 2 bathrooms short, however due to space issue and it being an old building, no further bathrooms can be added. The Local inspector is in favor. It was acknowledged that the prior use was not code compliant, however, occupancy is being reduced so while still not compliant, the extent of non-compliance is being lessened.

Vote: DK to approve, SB seconded

Results: DK, SB, JC, RA, KG to approve, HK, JM, BK, to deny, motion passes

25-PV-89911, Daniel McIntyre, 24 Fort Avenue, Salem

The petitioner for National Grid is seeking relief from 248 CMR 10.10(15)(c)(19) to allow the construction of a 2,240 sq. ft. electric substation that utilizes a restroom in a separate building located 75 ft away. The Board of Health and local inspector have been notified.

In discussion, members noted this request is very close to parameters which would have allowed staff to approve without full Board review.

Vote: DK to approve, JC seconded

Results: JM abstained, DK, RA, JC, RA, SB, HK, BK to approve

25-PV-89900, Daniel McIntyre, 1224 South Street, Wrentham

The petitioner for National Grid is seeking relief from 248 CMR 10.10(15)(c)(19) to allow the construction of a 2,464 sq. ft. equipment enclosure that utilizes a restroom in a separate building located 210 ft away. The Board of Health and local inspector have been notified.

In discussion, members noted this request is very close to parameters which would have allowed staff to approve without full Board review.

Vote: DK to approve, JC seconded

Results: JM abstained, DK, RA, JC, RA, SB, HK, BK to approve

25-PV-89933, Todd Cellura, 109 Medeiros Way, Westfield

The petitioner is seeking relief from 248 CMR 10, to allow the construction of a multi-building storage unit facility with a reduction in the required restrooms. The Board of Health and local inspector have been notified.

During discussion, the applicant noted that the request is for two buildings to not have any fixtures. No specific hardship was presented.

Vote: DK to deny, HK seconded

Results: Unanimously denied

25-PV-89947, Louis Cella, 476 Johnson Street, North Andover

The petitioner is seeking relief from 248 CMR Drum Traps, to be allowed to renovate a kitchen without updating the existing drum trap. The Board of Health and local inspector have been notified.

Members noted that this would be considered a safety issue.

Vote: HK to deny, DK seconded

Results: Unanimously denied

25-PV-89956, Robert Conry, 550 Walden Street, Concord

The petitioner for the Concord-Carlsie Regional High School is seeking relief from 248 CMR 10.10 Table 1, to allow the construction of a new amenities building to support the Stadium Field Complex, with a reduction in the required lavatories. The Board of Health and local inspector have been notified.

During discussion, it was noted that the petitioner would need to install six bathrooms to be code compliant, the request was to install five. In review, the petitioner indicated a misunderstanding in code requirements and that since the only distinction was one bathroom, a variance would not be needed.

Variance Withdrawn by Applicant

No action taken

25-PV-90000, Robert Johnston, 453-463 Franklin Street, Melrose

- This variance was denied by the Board in July; however this request has been modified. The petitioner is seeking relief from 248 CMR 3.00 – 11.00, to allow the construction of Franklyn Wine and Spirits without the required bathroom facilities. The Board of Health and local inspector have been notified. Previously the petitioner had sought to have two facilities share a bathroom, however, the bathroom was not readily accessible, since then, separation between the two facilities have been removed so no exiting buildings or going through lockable doors is required.

Vote: DK to approve, HK seconded

Results: Unanimously approved

ADJOURNMENT

Vote: DK to adjourn at 10:30 a.m., JC seconded

Results: Unanimously approved

Items relied upon for this meeting

Agenda

Variance Applications