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BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS

September 3, 2025

BOARD MEETING AGENDA

**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 WILL CONVENE A REGULARLY SCHEDULED MONTHLY BOARD
MEETING:**

**Wednesday, September 3, 2025, starting at 10:00 a.m. at the Taunton, MA Town
Hall, 15 Summer Street, Taunton, MA 02780.**

**This meeting will be hybrid, in addition to the above location, the meeting
may be attended via telephone/video conference:**

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Meeting ID: 286 369 743 134 9

Passcode: 9Xp9CB2h

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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. Bruce Johnson	Associate Deputy Commissioner	X	
Mr. Michael Guida Sr.	Plumbing & Gas Code Consultant	X	
Mr. Scott Padden	State Plumbing & Gas Inspector	X	
Mr. James O'Reilly	State Plumbing & Gas Inspector	X	
Mr. James Myette	State Plumbing & Gas Inspector	X	
Mr. Marc Zade	State Plumbing & Gas Inspector	X	

Informational note: All votes were taken by roll call vote; unanimous votes indicate each member voted yes

10:00 A.M. AGENDA REVIEW:

By Chairman Joe MacNamee

APPROVAL OF PREVIOUS MEETING MINUTES

August 6, 2025, Regular Session

Vote: DK to approve, JC seconded

Results: Unanimously approved

PROPOSED REGULATION CHANGES

Review/Discuss/Vote: - Final 248 CMR Proposed Regulation Changes from June 2025.

Overview provided by Charles Kilb - No comments from board

Vote: JC to approve, HK seconded

Results: Unanimously approved

EXECUTIVE DIRECTOR'S REPORT

Associate Deputy Commissioner – Acting ED Bruce Johnson

277 plumbing licenses issued in July 2025

- Plumbing Apprentice-133
- Plumbing Journeyman -91
- Plumbing Master -34
- Plumbing Corporation or Professional Corporation (PC)-7
- Plumbing Limited Liability Corporation (LLC)-12

LEGAL REPORT- CHARLES KILB

Possible Challenge to 248 CMR 3.05 (1) (b) 10 e

- Section of the code says that an inspector may not deny a permit application unless they meet one of a series of rules, one of which being that the licensee applicant owes property taxes

Legal Counsel indicated that he had been contacted by an outside attorney representing a municipality who disagrees with this regulation and threatened litigation against the Board, he believes the outside attorney will hold off litigation and will be submitting a code change form so the Board can review. Counsel notes that the regulation in question has been on the books for many years and has not been the subject of any appeals or disciplinary matters, including currently.

No action taken.

DISCUSSION

- **Gary Gauthier from New England Construction Center** is seeking Board approval to conduct hybrid instruction for Plumbing & Gas tiers 1-5.
 - Syllabus is in line with what the Board has adopted in the past. – MG
 - Vote: WT to approve, JC seconded
 - Results: Unanimously approved

Investigative Update

- **Board Staff and State Investigators O'Reilly, Myette, and Zade** will update Board Members on the installation of Portland Loos.
 - MG & JR – visited three sites that were installed without product acceptance; Cambridge Crossing/Harvard Square/Central Square, all installed within the 2015-2018 time frame. Issues at all of them, all concerning safety and code compliance
 - Currently in process of installing additional units in Provincetown and Greenfield
 - Product Acceptance:
 - Vote: to table we see video + mass engineer drawings, WT

- motion; DK seconded
 - Results: Unanimously approved to table
- Notifying towns that installed units are not compliant:
 - Vote: DK to approve, WT seconded
 - Results: Unanimously approved
- Two that are under construction, notify towns and plumbers they are not compliant:
 - Vote: DK to approve, WT seconded
 - Results: Unanimously approved

PRODUCTS

23-PA-59- Evan Madden of Madden Fabrication, The Portland Loo- The petitioner would like to discuss their product, a single-occupancy prefabricated unit featuring an integrated water closet and lavatory designed to serve as an external, stand-alone public restroom connected to the plumbing system. This product is not currently listed on the Massachusetts Plumbing Accepted Products Database. **The Board previously reviewed this product on August 2, 2023, and again on October 4, 2023; however, the matter was tabled due to concerns regarding potential pipe freezing and the adequacy of handwashing provisions.**

- See Investigative update – no additional action taken.

24-PA-423-Upstart Power Inc- Josh Chellappa- The applicant is requesting product acceptance for the Upgen NXG Fuel Cell System. The Board approved 10 test sites for a six-month period, with reports submitted to the Board office each month. However, members expressed concerns regarding the absence of applicable gas testing standards.

- MG – granted 10 test sites, have been giving test reports every month and they are meeting all of the requirements. MG concerned about the gas testing standards, as they have not provided the full report to the Board yet
- Vote: WT to delegate approval to board staff upon receipt of gas testing, DK seconded
- Results: Unanimously approved

VARIANCES

25-SPP-91-Carrie Peperdine, 10 Chandler St, Boston.

The petitioner is seeking special permission to install a combination waste & vent system for trench and floor drains in a kennel facility.

- Only concern would be piping of the trap, compliant with the 2in pipes - MG
- Vote: JC motion to approve with horizontal to be 3in, drop can be 2, WT seconded, JM abstain
- Results: Unanimously approved

25-SPP-92- Jonah DeCola, 11 Kilsyth Rd, Medford.

The petitioner is seeking special permission to install a gray water recycling system and to utilize

the treated water to supply two washing machine water connections.

- Concerns about health and safety with it being a shared home. Tenants know what they're using, but don't know what the other occupants in the unit are putting down the drain.
- Vote: HK motion to Deny, JC seconded
- Results: Unanimously denied

25-PV- 89812- Daniel Sweeney, 40 Dean St, Taunton.

The petitioner is seeking relief from 248 CMR 10.10, Table 1 – Minimum Facilities, requesting permission not to install the required restroom for an 800-square-foot unconditioned garage. In lieu of an on-site facility, the petitioner proposes utilizing an existing restroom located in a separate building within 60 feet of the garage. The Local Inspector and the Board of Health have been notified of this arrangement.

- Inspector has no issues with request
- Vote: DK motion to approve, RA seconded
- Results: Unanimously approved

25-PV- 89919-Dave Rykbost, 479 River Road, Hudson.

The petitioner is seeking relief from 248 CMR 10.10, Table 1 Minimum Facilities, requesting permission not to install the required number of bathroom fixtures for a 4,800-square-foot auto body shop. The applicant proposes installing a half-bathroom and installing the rough plumbing for a second half-bathroom within the shop area. The facility will be staffed by no more than two employees at any given time. The Local Inspector and the Board of Health have been notified of this proposal. Some members indicated concern with the amount of reduction based on the size of the space.

- Vote: DK motion to approve, RA seconded
 - JC no, BK no, WT no, SB no, KG no
 - Motion fail 4-5
- Vote: WT motion to deny, JC seconded
 - JM no, RA no, DK no, HK no
 - Results: Motion passes 5-4, the request for variance is denied.

25-PV- 89991-Angelo Pistoftzian, 55 Leonard St, Belmont.

The Petitioner is seeking relief from 248 CMR 10.10 Table 1, Minimum facilities, not to install a required shower for a 1000 square foot Pilates studio with a maximum occupancy of eight individuals at any one time. The Local inspector and Board of Health have been notified.

- Inspector is in favor of this variance
- Vote: HK motion to approve, WT seconded
- Results: Unanimously approved

25-PV-90297- Tim Scarfe, 1070 Iyannough Rd, Suite C 10, Barnstable.

The Petitioner is seeking relief from 248 CMR 10.10 Table 1, Minimum facilities, not to install a required shower for a 2400 square foot Pilates studio with a maximum occupancy of less than twenty individuals at any one time. The Local inspector and Board of Health have been notified.

- Inspector thinks two showers are excessive, would be in favor of one
- Members noted this is far larger than previously granted variances
- Vote: JC motion to deny relief for 2 will approve install of one shower, HK seconded
 - SB no

- Results: Passed 8-1

25-PV-90136-Fernando Coelho, 3821 Falmouth Rd, Barnstable.

The petitioner is seeking relief from 248 CMR 10.10, Table 1 Minimum Facilities, requesting approval to provide employee-only bathroom facilities through a shared space. The proposed ice cream shop is 640 square feet and will operate with two employees and eight outdoor seats. The Local Inspector and the Board of Health have been notified of this request.

During discussion, it was unclear whether the bathroom facilities would be accessible when the business was open or whether the bathroom was under the control of another business.

- Legal counsel recommended taking no action until lease documentation is provided to verify bathroom arrangements.
- Vote: HK motion to table, WT seconded
 - DK no
- Results: Tabled 8-1

25-PV-BLA-90068-Andrew Falkenstein, 1046 Beacon St, Brookline.

The petitioner is seeking relief from 248 CMR 10.10, Table 1 Minimum Facilities, requesting approval to reduce the number of required toilet facilities for a restaurant with an occupancy of 34 and a total area of 846 square feet. The Local Inspector and the Board of Health have been notified of this request.

- When taking into account the seats being removed to accommodate the ADA accessible restroom that they're looking to put in, it comes to 1.2 restrooms for the space.
- Vote: HK motion to approve, DK seconded
- Results: Unanimously approved

25-PV- 90184- Steven Hine, 37 Doty St, Wareham.

The petitioner respectfully seeks relief from 248 CMR 10.10(15)(c)4 Developed Lengths to Required Facilities. The applicant is renovating an existing building into an indoor-outdoor training facility, where the distance to the furthest required restroom exceeds the 400-foot maximum developed length permitted by code. The Local Inspector and the Board of Health have been notified of this request.

- Inspector - applicant was made aware a month prior and they ignored and continued paving. The Architect should have known this from the get-go, but after being made aware they should have stopped work and worked it out with the inspector
- MG – they can just put in composting toilets with hand sanitizer for compliance
- Vote: HK motion to deny, WT seconded
- Results: Unanimously denied

25-PV- 90191- Aneil Mehta, 75 East Main St, Orange.

The petitioner is seeking relief from 248 CMR 10.16(1)(e), Automatic Vent fitting, air admittance valve. The applicant is requesting permission to install an AAV for the required bar fixtures in a historical mansion instead of conventional venting. The Local Inspector and the Board of Health have been notified of this request.

- Members noted this would be inconsistent with previous decisions and that the Board has never approved this kind of request.
- Vote: HK motion to deny, JC seconded
- Results: Unanimously denied

25-PV- 90199- Sarah Lamb, 5 Corn Hill Landing, Truro.

The petitioner is seeking relief from 248 CMR 3.04 Product, Design, and Standards, requesting permission to install a composting toilet with urine diversion that is not currently listed on the Massachusetts Accepted Plumbing Products List. The Local Inspector and the Board of Health have been notified of this request.

- Applicant needs to provide product documentation
- Vote: HK motion to table, WT seconded
- Results: Unanimously tabled

25-PV- 90239- Michelle Sousa, 420 Haverhill St, Reading.

The petitioner is seeking relief from 248 CMR 10.10, Table 1 Minimum Facilities, requesting permission not to install the drinking water station and mop sink required by code for preschool facilities. The Local Inspector and the Board of Health have been notified of this request.

- Inspector is in favor of the variance
- Vote: WT motion to approve, HK seconded
- Results: Unanimously approved

25-PV-90302- Michael Trzcinski, 117 Montgomery Rd, Westfield.

The Petitioner is seeking relief from 248 CMR 10.10, Table 1 Minimum Facilities, not to install permanent toilet facilities for a proposed outdoor high school athletic field with a seating capacity of 1,300 spectators. The Local inspector and Board of Health have been notified.

- Similar variances have been approved in the past
- Vote: WT motion to approve, JC seconded
- Results: Unanimously approved

Board Delegated Staff Approvals- Special Permission

- **25-SPP-49- Tom Stretton-181 Presidents Dr, Amherst.**
Approved a gray water treatment system at the above address.

FYI – Board Delegated Staff Approvals – Board Vote Not Required

- **24-DAGV-178- 25 Main St, Stockbridge, Bruce MacRitchie, P.E.**
Approved full operation of an unlisted Kiln at the above address.
- **24-DAGV-211- John Ross, 4 Barten Ln, Woburn.**
Approved full operation for an unlisted oven at the above address.

**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: HK to enter Executive Session at 1:25 p.m. to discuss applicants character, rather than competence, JC seconded. The motion passed unanimously. The chair noted that the Board would not entertain any other open business.

See separate minutes

ADJOURNMENT

At 10:50 a.m., a motion was made by JC to adjourn, this motion was seconded by RA and was approved unanimously.

Items relied upon in meeting

Agenda

Draft Minutes

Variance Applications