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# **BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS**

## **September 4, 2024** **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 BOARD MEETING  
MEETING VIA TELEPHONE/VIDEO CONFERENCE:**

### **Member and Staff Attendance**

<b>: MEMBERS</b>	<b>APPOINTMENT</b>	<b>PRESENT</b>	<b>ABSENT</b>
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	
<b>STAFF</b>			
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

### **APPROVAL OF PREVIOUS MEETING MINUTES**

May 1, 2024 Regular Session

Vote: HK to approve, RA seconded

Results: JM abstained, all others approve

July 3, 2024 Regular Session

Vote: RA to approve, HK seconded

Results: JM abstained, all others approve

July 3, 2024 Executive Session

Vote: HK to approve, RA seconded

Results: JM abstained, all others approve

August 7, Regular Session

Vote: JC to approve, HK seconded

Results: JM abstained, all others approve

August 7, Executive Session

Vote: RA to approve, HK seconded

Results: JM abstained, all others approve

### **Discussion**

Discussion 1- Policy regarding product acceptance of water dispensers

The Board members discussed a policy on the website which incorrectly suggested that water dispensers should not be product accepted.

Vote: HK to require water dispensers to be product accepted, JC seconded

Results: Unanimously approved

## **Variances**

### **24-PV-200, Charlie Cashin, 492 Sutton Street, North Andover**

The petitioner is seeking relief from 248 CMR 10.10 Recreational Facilities, to allow the construction of a children's lacrosse program facility without the required showers. This is a post-installation variance, and the Board of Health and local inspector have been notified.

The petitioner initially was not present when the matter was called by the chair.

Vote: HK to table, DK seconded

Results: Unanimously tabled

The petitioner later appeared, he indicated that the relief was sought because the engineers hired to design the installation failed to adhere to the plumbing code.

2<sup>nd</sup> Vote: HK to deny,

Results: Unanimously denied

### **24-PV-201, Gerald Sullivan, 271 Church Street, Clinton**

The petitioner for the Council on Aging is seeking relief from 248 CMR 10.10 Table 1, to allow a reduction in the fixtures required for their proposed fitness area renovation project. The Board of Health and local inspector have been notified. Members debated whether a sufficient number of fixtures were provided for the installation.

Vote: HK to approve, JC seconded

Results: HK, JC, BK, JW, WT, RA, SB, DK to approve, JM to deny, approved by majority vote of 8 to 1.

### **24-PV-202, Dave Taggart, 140 First Street, Cambridge**

The petitioner is seeking relief from 248 CMR 10.15 (9) (a), to allow the installation of a discharge pump for a RODI system that cannot drain by gravity.

The Board of Health and local inspector have been notified.

The local inspector appeared and told the Board that this request was being sought due to designer preference, there was no hardship in his opinion.

Vote: HK to deny, JW seconded

Results: Unanimously denied

### **24-PV-203, David Flynn, 53/55 Watertown Street, Lexington**

The petitioner is seeking relief from 248 CMR 10.05 (2), 10.08(g)(1) and 10.17(9) to install a running trap on a sanitary drainpipe. The Board of Health and local inspector have been notified.

Vote: WT to approve with cleanouts and an engineered stamp drawing, HK seconded  
Results: Unanimously approved

**24-PV-204, Davis Patel, 266 Washington Street, Attleboro**

The petitioner is seeking relief from 248 CMR 10.10 Table 1, to allow a reduction in fixtures for their 2,000sqf retail marijuana establishment. The Board of Health and local inspector have been notified.

It was noted that the establishment can monitor bathroom usage for security purposes.

Vote: DK to deny, JW seconded.

Results: WT, DK, JW, HK, JC, SB to deny; BK, RA, to approve, JM abstained  
variance is denied by majority vote – 5 to 2 with 1 abstention.

**24-PV-210, Blake Lukis, 50 Elm Street, Dedham**

The petitioner for the Dedham-Westwood Water District is seeking relief from 248 CMR 10.10 Table 1, to allow the construction of a 4,659 sqf accessory storage building without the required restroom, drinking water station and mop sink. The Board of Health and local inspector have been notified.

Board members discussed the building size and usage and agreed the building is large enough to accommodate the required fixtures.

Vote: WT to deny, JC seconded

Results: Unanimously denied

**24-PV-199, Gregory Riley, 40 Lackey Dam Road, Uxbridge**

The petitioner is seeking relief from 248 CMR 10.10 Table 1, to allow the construction of a 420,000 sqft warehouse without the required showers. The Board of Health and local inspector have been notified.

The petitioner was not present when the matter was called by the chair.

Vote: HK to table, DK seconded

Results: Unanimously tabled

**Executive Session**

The purpose of executive session, pursuant to M.G.L. c. 30A, §21 was to discuss applicant's character, rather than competence. The chair announced that after

Executive Session the Board would enter investigative conference, no additional open session items were on the agenda.

Vote: RA to go into Executive Session at 10:08, JC seconded

Results: Unanimously approved

### Investigative Conference

At 10:12, a motion was made by WT to enter into Investigative Conference per M.G.L. c. 112, s. 65C. The motion was seconded by JC and approved unanimously.

No decisions were reported from the Investigative Conference.

### Adjournment

At 10:47 a.m., a motion was made by JC to adjourn the meeting, seconded by JC. The motion was unanimously approved.

### Items Relied Upon

Agenda

Draft minutes

Variance applications