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CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Massachusetts Board of State Examiners of Plumbers and Gas Fitters,
MARCH 6TH, 2019 BOARD MEETING MINUTES

MEMBERS	APPOINTMENT	PRESENT	ABSENT
Mr. Wayne Thomas	Member Journeyman Gasfitter	X	
Mr. Joseph McNamee	Member, Master Gas Fitter	X	
Mr. Bahig A. Kaldas, P. E.	Member, Plumbing Engineer	X	
Ms. Sarah Badway	Public Member	X	
Mr. Joseph V. Waskiewiez	Member, Master Plumber	X	
Ms. Ruth Alfasso	Member, Dept. of Public Health	X	
Mr. John Cruz	Member, LP Installer	X	
Mr. Harold Knight	Member, Journeyman Plumber	X	
Mr. Dan Kilburn	Member, DPL Designee	X	

9:07 A.M. CALL TO ORDER: By Chairman Joseph McNamee

9:08 A.M. AGENDA REVIEW: By Chairman Joseph McNamee

9:09 A.M.: APPROVAL OF PREVIOUS MEETING MINUTES:

- The February 6th, 2019 Board Meeting Minutes

A motion was made to accept the February 6th, 2019 Board Meeting Minutes by: Mr. Wayne Thomas and seconded by: Ms. Ruth Alfasso

Results: Results: Unanimous

- The February 6th, 2019 Executive Session Minutes

A motion was made to accept the February 6th, 2019 Executive Session Minutes by: Ms. Ruth Alfasso and seconded by: Mr. Wayne Thomas

Results: Results: Unanimous



Massachusetts Board of State Examiners of Plumbers and Gas Fitters
MARCH 6, 2019 BOARD MEETING MINUTES

VARIANCE REQUESTS

PV-145-Catherine Rossetti - 35 Ellerslie Road - Orleans

Jeffrey Garra of E.J. Jaxtimer Builder, Inc. is seeking relief from 248 CMR 3.04 (1) Product acceptance. The fixture is a deep soaking tub Cabuchon Elysia. The Orleans Board of Health has been properly notified.

A motion was made to Approve by: Mr. John Cruz and seconded by: Mr. Joseph V. Waskiewicz

Results: Unanimous

PV-148 - Norwood Memorial Airport-125 Access Road – Norwood

Architect Cassie Plunkett is requesting relief from 248 CMR 10.10 (18) Table 1. The calculated occupancy load of the first floor of the building is 34 occupants, however the applicant claims the actual occupant load will most likely be two to three employees only. They are requesting the use of a single user gender neutral ADA compliant toilet room for the first floor. The Norwood Board of Health has been properly notified.

A motion was made to approve by: Mr. Wayne Thomas and seconded by: Mr. Harold Knight

Results: Unanimous

PV-149 – Steven McDonald- 279 Stetson Road – Fall River

Steven McDonald is seeking relief from 248 CMR 10.10 (18) (k). The buildings proposed use is a blood collection station. The applicant is asking to install a single user, gender neutral ADA compliant toilet room for patients. There is a toilet room within one branch interval for employees. The total square footage of the footprint is 800 per floor. The Fall River Board of Health has been properly notified.

A motion was made to approve by: Mr. Wayne Thomas and seconded by: Mr. John Cruz

Results: Unanimous

PV -150 – Ma Department of Mental Health - 167 Lyman Street – Westborough

This is a post installation variance, Mr. Hurley is seeking relief from 248 CMR 10.10 (18) (k). Per Massachusetts State Plumbing Inspector staff bathrooms are required. This is a state owned building therefore no Board of Health petition is required.

A motion was made to Deny by: Mr. Dan Kilburn and seconded by: Mr. Wayne Thomas

Results: Unanimous

PV-151- Andrew Oldman - 22 Kilburn Belmont

Andrew Oldman is petitioning the Board for relief from 248 CMR 3.04 (1) Unlisted Fixtures. According to the applicant there are two custom made sinks made from solid granite. One is a 33” wide 10” deep vessel farm sink the other is a 12’ x 14” x 10” single vessel sink for a prep sink. These sinks are carved, machined and polished from a totally imperious block or solid natural granite. The stone is further sealed with a non-toxic sealer. Each bowl has a center drain to prevent standing water. The Belmont Board of Health has been properly notified.

A motion was made to Table by: Mr. Wayne Thomas and seconded by: Mr. Harold Knight

Results: Unanimous

Massachusetts Board of State Examiners of Plumbers and Gas Fitters
MARCH 6, 2019 BOARD MEETING MINUTES

PV-152 –U-Mass Memorial Medical Center - 55 Lake Avenue – Worcester

The project is a healthcare facility with existing non-accessible visitor toilets. They are requesting relief from 248 CMR 10.10 (18) Table 1. They are requesting to install one single user gender neutral 521 CMR compliant toilet room to augment the existing facility. Since this is state owned property no Board of Health notice is required.

A motion was made to approve by: Mr. Dan Kilburn and seconded by: Mr. Wayne Thomas

Results: 6 in favor to approve 2 against with 1 member Recused

GV-153 –Jason Cirillo - 159 Porter Street – Westwood

Jason Cook is seeking the Boards approval for the installation of a non-product accepted gas grill. The unit is to be installed in an outdoor kitchen roughly fifty feet away. The Intertek report (NRTA) lists the item as an “Outdoor cooking gas appliance”. The unit in question is installed in an open air structure with a roof. Since this is a gas variance no Board of Health notice is required.

A motion was made to Deny by: Mr. Dan Kilburn and seconded by: Mr. Joseph V. Waskiewicz

Results: 8 in favor to Deny 0 against with 1 member recused

V3) Montachusett Regional Vocational Technical School- Town of Winchendon- Winchendon

This is a commercial Project Application. The Montachusett Regional Vocational Technical School plumbing program staff and students will assist the Winchendon Public Schools in replacing old water coolers and bubblers in their three schools. The new fixtures will have bottle fillers. There will be a 4 student to 1 teacher ratio maintained. The project is expected to take place over 2 school years.

A motion was made to approve by: Mr. Wayne Thomas and seconded by: Mr. Dan Kilburn

Results: Unanimous

PV- 156 – Select Speed Shop - 525 Woburn Street – Tewksbury

It appears the applicant is requesting three variances for this location: first, the elimination of floor drains and sand oil separator for a building with an overhead door. Second, elimination of the required urinal in the men room. Third, the elimination of one required female room toilet and elimination of one required men room toilet. The Tewksbury Board of Health has been properly notified.

A motion was made to Deny the elimination of the required floor drains and sand oil separator for a building with an overhead door, the first of the three variances associated at this location by: Mr. Wayne Thomas and seconded by: Mr. Harold Knight

Results: Unanimous

A motion was made to Approve the elimination of the required urinal in the men room, the second of the three variances associated at this location by: Mr. Wayne Thomas and seconded by: Mr. Dan Kilburn

Results: Unanimous

A motion was made to Approve the elimination of one required female room toilet and elimination of one required men room toilet, the Third of the three variances associated at this location by: Mr. Wayne Thomas and seconded by: Mr. Dan Kilburn

Results: Unanimous

A motion was made to Approve the installation of a gender neutral shower stall by: Mr. John Cruz and seconded by: Mr. Joseph V. Waskiewicz

Results: Unanimous

Massachusetts Board of State Examiners of Plumbers and Gas Fitters
MARCH 6, 2019 BOARD MEETING MINUTES

PV-157- Bristol County Agricultural High School Mechanics Building– 135 Center Street – Dighton

This is one of five variance requests for HMFH Architects, Inc. The Agricultural Mechanics building is an existing building to be renovated. The request is to provide 1 staff gender neutral 521 CMR compliant toilet room on the main level and to provide only one 521 CMR compliant toilet room in the lower level that is connected to the main level by an elevator. According to the applicant, the entire building will never be occupied by more than 32 students and 2 staff. The lower level will never have more than 16 students and 1 staff. The Dighton Board of Health has been properly notified.

A motion was made to approve by: Mr. Wayne Thomas and seconded by: Mr. John Cruz

Results: Unanimous

PV-158- Bristol County Agricultural High School Student Commons – 135 Center Street – Dighton

This is the second of five variance requests for HMFH Architects, Inc. The Student Commons is a new building. The request is to provide one gender neutral 521 CMR compliant toilet room for the kitchen staff. There will be no more than six kitchen employees at any given time. The Dighton Board of Health has been properly notified.

A motion was made to approve by: Mr. Harold Knight and seconded by: Ms. Ruth Alfasso

Results: Unanimous

PV-159- Bristol County Agricultural High School Dairy Barn– 135 Center Street - Dighton

This is the third of five variance requests for HMFH Architects, Inc. The Dairy Barn is a new building with an adjacent observation lab. The request is to provide one gender neutral 521 CMR compliant toilet room for the staff and to provide one gender neutral 521 CMR compliant toilet room for the students. There will be no more than 16 students and one teacher at any given time. The herd manager along with visitors may occasionally use this building. The Dighton Board of Health has been properly notified.

A motion was made to Approve by: Mr. Dan Kilburn and seconded by: Mr. Joseph V. Waskiewicz

Results: Unanimous

PV-160- BCAHS – Landscape and Arboricultural Program Building– 135 Center Street – Dighton

This is the fourth of five variance requests for HMFH Architects, Inc. The Landscape / Arboricultural Program is a new building. The request is to provide one gender neutral 521 CMR compliant toilet room for the staff. There will be no more than 32 students and 2 teachers at any given time. The Dighton Board of Health has been properly notified.

A motion was made to approve by: Ms. Ruth Alfasso and seconded by: Mr. Dan Kilburn

Results: Unanimous

PV-161- BCAHS – Center for Science and Environment – 135 Center Street – Dighton

This is the fifth of five variance requests for HMFH Architects, Inc. The Center for Science and Environment is a new building. The request is to eliminate the code required male urinals in exchange for all gender neutral single user 521 CMR compliant toilet rooms. The Dighton Board of Health has been properly notified.

A motion was made to approve by: Mr. Dan Kilburn and seconded by: Ms. Ruth Alfasso

Results: Unanimous

Massachusetts Board of State Examiners of Plumbers and Gas Fitters
MARCH 6, 2019 BOARD MEETING MINUTES

PV-162- U-Mass - Facilities & Campus Services – 41 Campus Center Way – Amherst

Matthew W. Jacobs of Barr and Barr, Inc. is seeking relief from 2248 CMR 10.10 (18) requirement for toilet facilities. The temporary construction trailer that is being used as a temporary office does not have a toilet room. Since this is state property no Board of Health was notified.

A motion was made to Deny by: Mr. Joseph V. Waskiewicz and seconded by: Mr. Wayne Thomas

Results: Unanimous

PV-163 - Alpha Dental Centers of Taunton - 218 Rhode Island Avenue - Fall River Balvir Singh of Alpha Dental Centers of Taunton is seeking relief from 248 CMR 10.10 (18) (k). The square footage of the medical health care building is 2746. He is requesting to install two gender neutral 521 CMR compliant toilet rooms, one for patients and visitors and one for staff. The Fall River Board of Health has been properly notified.

A motion was made to approve by: Ms. Ruth Alfasso and seconded by: Mr. Joseph V. Waskiewicz

Results: Unanimous

PV-165 - Lowell Regional Wastewater Utility - 451 First Street Blvd.- Lowell

Lowell Regional Wastewater Utility is seeking relief from 248 CMR 10.10 (18). They are renovating the men locker room and request a variance from having to install a female locker room. The Lowell Board of Health has been properly notified.

A motion was made to Deny by: Mr. Joseph V. Waskiewicz and seconded by: Mr. Wayne Thomas

Results: Unanimous

Note: The applicant is invited to make adjustments to the variance request and present them the Board at a future time under this variance number without another fee.

PV-166 - Castle Self Storage - 687 County Street – Taunton

Roth and Seelen, Inc. is seeking relief from 249 CMR 10.10 (18) (i). The self-storage facility is 67,000 square feet in total area. The office area is approximately 1000 square feet with only one employee working at any given time. They are requesting the installation of a single user gender neutral 521 CMR compliant toilet room. The Taunton Board of Health has been notified.

A motion was made to approve by: Mr. Wayne Thomas and seconded by: Ms. Ruth Alfasso

Results: Unanimous

PV-164 - Studio 52- 52 Everett Street – Allston

138 Harvard, LLC is seeking relief from 248 CMR 10.10 (18). The project consists of renovating a five story building located at 138 Harvard Avenue, Boston. They are requesting the installation of one single user gender neutral 521 CMR compliant toilet room for each floor of the building (five toilet rooms total). The occupancy of each floor is 46. Boston Inspectional Services has been notified.

A motion was made to approve by: Mr. Dan Kilburn and seconded by: Mr. Wayne Thomas

Results: 7 in favor to approve 0 against with 2 members Recused

Massachusetts Board of State Examiners of Plumbers and Gas Fitters
MARCH 6, 2019 BOARD MEETING MINUTES

PV-167 -Crepe Cafe – 102 Oxford Street – Cambridge

Commercial Construction Consulting, Inc. is seeking relief from 248 CMR 10.10 (18) (b) 1.b. They are requesting the installation of one single user gender neutral 521 CMR compliant toilet room. The total area is under 1000 square feet. This restaurant will have 18 seats and 8 employees. The Cambridge Board of Health has been properly notified.

A motion was made to approve by: Mr. Wayne Thomas and seconded by: Ms. Ruth Alfasso

Condition of approval: maximum occupancy of 25 persons

Results: Unanimous

PV-169 - DCR - 1420 - 1440 Soldiers Field Road – Boston

The Architectural Heritage Foundation is seeking relief from 248 CMR 10.02 (6) (b). Their proposal provides adequate number of fixtures, in facilities that are no more than one hundred ten feet from any point. According to the applicant much of the outdoor path to these facilities are covered by a three foot deep overhang. This is a State project therefore no Board of Health was notified.

A motion was made to Approve by: Mr. Wayne Thomas and seconded by: Mr. Joseph V. Waskiewicz

Condition of approval: Provide overhang accessible to get to all restrooms. Overhang should provide protection from the elements when accessing restrooms.

Results: Unanimous

FYI – Board Delegated Staff Approvals – Board Vote Not Required

Plumbing Variances

DAPV – 146 – Eyeful Beauty – 33A Middle Street - Lowell

Based on variance PV-161 –Eyeful Beauty – Lowell, granted on December 7th 2016 - FY17. The conditions for this approval are, you will have a licensed plumber apply for permit to remove the sinks from the salon where the original variance was granted and apply for permit to install them in the new location. All other plumbing and gas fitting work if applicable shall comply with the rules and regulations of 248 CMR 3.00 through 10.00 and all other applicable statutes and codes. The Lowell Board of Health was properly notified.

DAPV - 147- Pamela B. Srihasoy- Building 8 #208-181 Littleton Road- Chelmsford

Your variance request for the continued use of 1-1/2" tub waste drain for the installation of a shower is hereby granted under the following conditions: Only one shower per variance, legitimate health concern (Note from a Health Care Provider), 6" threshold from the top of the shower drain to the top of the barrier lip and only one 2.5 gallon shower head. The Chelmsford Board of Health was properly notified.

DAPV-155 - Norbert and Grace Mandeville - 5 Upland Road - Winchester

Your variance request for the continued use of 1-1/2" tub waste drain for the installation of a shower is hereby granted under the following conditions: Only one shower per variance, legitimate health concern (Note from a Health Care Provider), 6" threshold from the top of the shower drain to the top of the barrier lip and only one 2.5 gallon shower head. The Winchester Board of Health was properly notified.

Massachusetts Board of State Examiners of Plumbers and Gas Fitters
MARCH 6, 2019 BOARD MEETING MINUTES

Full operation of unlisted gas equipment

DAGV-219 FY-17 - Massachusetts bay Colony Brewers – 30 Church Street B-1 – Salem

Variance grant letter for full operation of unlisted three burner stove used for brewing purposes at the above referenced location, subject to the approval of the Local Plumbing and Gas Inspector.

DAGV – 214 FY-18 – Watermark – 86 Tanner Street – Lowell

Variance grant letter for full operation of unlisted Regenerative Thermal Oxidizer (RTO) at the above referenced location, subject to the approval of the Local Plumbing and Gas Inspector.

DAGV – 92 FY-19 – IBC Advanced Alloys – 55 Jonspin Road – Wilmington

Variance grant letter for full operation of unlisted Gas Fired Recovery Furnace at the above referenced location, subject to the approval of the Local Plumbing and Gas Inspector.

VARIANCES RETURNED / WITHDRAWN

PV-XXX- Piping Systems Engineering - 50 South Avenue – Burlington

Christian D. Bowers of Piping Systems Engineering, 1905 S. Linsay Road, Mesa, AZ 85204 was requesting a variance for Eddie V's Restaurant in Burlington. It was returned because the project as presented in the variance request was found to be compliant with 248 CMR 10.10 (18) (r) all the bathrooms are gender neutral single user facilities, therefore floor drains are not required in each toilet room. Since floor drains were installed in each bathroom a trap primer device for each floor drain will meet the minimum standard of 248 CMR 10.10 (10) (a) 5. b. The Burlington Plumbing Inspector has been notified.

PV-XXX- Springfield Technical Community College – Springfield

It was determined the project as described in the variance application was found to be compliant with 248 CMR.

~~**PV-154- Massachusetts Port Authority – Dunkin – 1 Harbor Side Drive – Boston**~~

~~Steve Karan from Building Engineering Resources is seeking relief from 248 CMR 10.08 (1) (a) 1.b.. The developed length distance from the floor sink outlets and the mop sink outlets to the trap weir will exceed the maximum 24 inches required by the code. Trap primers will be provided to all floor sinks. Since this is state owned property no Board of Health notice is required.~~

Vocational School Projects

V1) Bay Path Regional Vocational Technical High School – 0 Fulling Mill Drive – Charlton

This is an amended application for a residential project previously approved. The additional work includes the installation of black iron gas piping and fittings to connect to the cook stove in the kitchen of the single family home. The teacher to student ratio will remain the same at 1 teacher to 8 students. Since this is a residential project approval was done in the Board office. The Charlton Gas Inspector has been notified.

Massachusetts Board of State Examiners of Plumbers and Gas Fitters
MARCH 6, 2019 BOARD MEETING MINUTES

V2) Shawsheen Valley Technical High School - Tewksbury Habitat Build -1047 South Street - Tewksbury

This is a residential project. Students will design and install a drainage waste, vent system, and a potable water distribution system sized and piped according to the Massachusetts State Plumbing code on a two story house (first floor) kitchen sink, dishwasher, lavatory, water closet, shower stall, and a laundry connection, (second floor) tub/shower, water closet, lavatory. Students will also design, size and install a gas piping system per the NFPA 54-2012. Appliances will include: range, cloth dryer, and high efficient water heater and a hot air furnace. Eighteen students will participate on the project on a rotating schedule, there will be no more than eight students to one teacher on the job site at any one time. Since this is a residential project approval was done in the Board office. The Tewksbury Plumbing and Gas Inspector has been notified.

EXECUTIVE SESSION

CHARACTER REVIEW(S) (CR 1: L, M) (CR 2: L, M) (CR 3: F, J) (CR 4: F, M) (CR 5: B, R) (CR 6: B, S) (CR 7: D, D) (CR 8: L, M)

QUASI JUDICIAL CLOSED SESSION

BOARD WILL CONSIDER ANY MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR:

PV-170 - Total Wine and More – 180 Pearl Street – Braintree

Moriarty / Commonwealth Building, Inc. are seeking relief from 248 CMR 10.15 (10) (a).The applicant claims the current design plans have the toilet rooms located below the building sewer drains. Gravity drainage is possible if the bathrooms are relocated. They are requesting the use of a sewage ejector pump up system rather than redesign the building plans. The Braintree Board of Health has been properly notified.

A motion was made to Approve by: Mr. John Cruz and seconded by: Mr. Joseph V. Waskiewicz

Results: Unanimous

Note:

Reasonable accommodations or modifications will be provided to enable individuals with disabilities to participate in this Plumbing Board meeting. **All requests should be submitted to Cheryl Yebba at (617)-727-4992 no later than one (1) week prior to the scheduled Board Meeting.** While the Board of Examiners of Plumbers & Gas Fitters will attempt to honor all requests, those requests received after that date may not be provided due to feasibility.

Motion was made to adjourn at 11:45 by: Mr. Dan Kilburn and seconded by: Mr. Harold Knight

Results: Unanimous