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

JANUARY 6, 2021 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 meeting via Microsoft Teams conference on: January 6, 2021

Microsoft Teams meeting

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The topics shown below were discussed at the aforementioned meeting
INFORMATIONAL NOTE: All votes were taken as roll call,
where a vote shows unanimous, each member voted in favor.



BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS JANUARY 6, 2021***Member and Staff Attendance***

MEMBERS	APPOINTMENT	PRESENT	ABSENT
Mr. Joseph McNamee	Member, Master Gas Fitter	X	
Mr. David Sullivan	Member, DPL Designee	X	
Mr. Harold Knight	Member, 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	
STAFF			
Mr. Charles Kilb	Board Legal Counsel	X	
Ms. Karen Brann	Board Executive Director	X	
Ms. Mary Collins-McCarthy	Associate Executive Director	X	
Mr. Taylor Roth	State Plumbing Investigator	X	
Mr. Scott Padden	State Plumbing Investigator	X	
Mr. Fredrick Lima	State Plumbing Investigator	X	
Mr. James O'Reilly	State Plumbing Investigator	X	
Mr. Joseph Peluso	Board Consultant	X	

9:00 A.M. AGENDA REVIEW: By Chairman Joseph McNamee

UP COMING MEETING VENUE

Due to the COVID-19 State of Emergency upcoming meeting venue may change

APPROVAL OF PREVIOUS MEETING MINUTES

Board Meeting Minutes

December 2, 2020

Vote: A motion was made by HK to approve the December 2, 2020 meeting minutes and seconded by SB.

Results: Motion passed (DS abstained), all other members said yes.

December 2, 2020 Executive Session

Vote: A motion was made by SB to approve the December 2, 2020 meeting minutes and seconded by JC.

Results: Motion passed (DS abstained,) all other members said yes.

December 10, 2020

Vote: A motion was made by HK to approve the December 2, 2020 meeting minutes and seconded by SB.

Results: Motion passed (DS abstained) all other members said yes.

DISCUSSION

D1 – Re-visit of Continuing Education policy during the State of Emergency

Attorney Kilb informed the Board that the State of Emergency is still in effect and that the current policy allows the licensees to complete their continuing education 90 days after the State of Emergency is lifted. Per a prior Board vote, the policy was to be placed on the agenda periodically in case the Board wished to review it.

Attorney Kilb did not recommend any changes.

Motion: A motion was made by HK to revisit the continuing education policy, currently in effect due to the State of Emergency, in April, 2021 and seconded by WT.

Result: Approved unanimously

D2 – Inspector Continuing Education during the State of Emergency

- IAPMO Director of Training Peter DeFreitas will explain the current requirements for Massachusetts Plumbing and Gas Inspector Continuing Education each license renewal cycle and seek approval for additional options to the presentation formats.

Motion: a motion was made by WT to allow for the Plumbing Inspector Continuing Education provider Peter DeFreitas, to offer additional options to complete the same hour requirements by combining two of the one hour approved association meeting classes and present a two hour class offering, and seconded by HK

Result: Approved unanimously

VARIANCE REQUEST(S)

PV-118 COMMERCIAL PROJECT APPLICATION – TOWN OF WESTPORT KIRBY HOUSE 573 ADAMSVILLE ROAD – WESTPORT

The Petitioner (Diman Regional Vocational Technical High School) is seeking approval for a commercial project application for students to learn skills for Plumbing and Gas Fitting work. Plumbing work will include boiler replacement, possibly converting to a high efficient boiler, installing/relocating a backflow preventer. Gas Fitting work will include boiler replacement, relocation/piping of an existing gas line to a new boiler.

Vote: A motion was made by WT to approve the variance request and seconded by HK.

Results: Approved Unanimously

BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS JANUARY 6, 2021

PV-125 BAYSTATE MEDICAL CENTER – 759 CHESTNUT STREET - SPRINGFIELD

The Petitioner (Nicole M. Parker from BVH Integrated Services, P.C.) is seeking a variance from 248 CMR, Section 10.03, to not install a sump pit within an existing elevator pit along with not providing a sump pump and oil interceptor. The local Board of Health has been notified.

Discussion: the board discussed that no action was required on the variance request presented during the meeting, as it appears to be out of the Plumbing Board jurisdiction as the Plumbing code does not require the pump.

Vote: A motion was made by WT to take no action on the request and seconded by JC, as it appears to be out of the Plumbing Board jurisdiction, and seconded by JV

Results: Unanimous

PV-126 – FAMILY AUTO INC. – 1 ENDICOTT STREET – WORCESTER

The Petitioner (Richard Bourget from Bourget and son) is seeking a variance from 248 CMR, Section 10.09 due to the building being a flood zone. When it rains the gas and sand separator and floor drain flood. The oil and gas flood out of the interceptor.

Discussion:

Vote: A motion was made by HK to table the variance request until the February 3, 2021 meeting, and seconded by JW

Results: Approved Unanimously

PV- 127 – PLAZA LIQUORS OF MARLBOROUGH, LLC – 282 EAST MAIN STREET, UNIT A – MARLBOROUGH

The Petitioner (Harold Benway from Plaza Liquors of Marlborough LLC) is seeking a variance from 248 CMR, Section 10.10(18) Table 1 to not add an additional restroom. The store is relocating and would like to open on or about January 2, 2021. The location has one restroom located in the back storage area that is intended for employee use only. There will be two employees working the day shift and two employees working the night shift. The square footage of the store is 2,990 of which 2,520 sq. ft. is retail space. The local Board of Health has been notified.

Vote: A motion was made by JC to approve the variance request and seconded by RA, to not require the installation of a second restroom.

Results: Approved unanimously.

PV-128 – ALEXI TURNPIKE STREET (HEALTHY HUSTLE FITNESS, LLC) – 290 TURNPIKE STREET – SOUTH EASTON

The Petitioner (Jeff Metcalfe from Jeffrey M. Metcalfe, RA) is seeking a variance from 248 CMR, Section 10.10 Table 1, to provide one accessible bathroom per gender with a toilet and sink. The space consists of 3,600 sq. ft. with an occupancy of 36 people. There are two employees and the classes will not exceed 12 adults. The employees will use one of the new accessible bathrooms. The Board of Health has been notified.

Vote: A motion was made by WT to allow 2 gender neutral restrooms, install a gender neutral shower and water station, and seconded by HK

Results: Approved unanimously

PV-135 – HANCOCK VILLAGE DRIVE – CHESTNUT HILL

The Petitioner (Joseph Igoe from Code Red Consultants) is seeking a variance from 248 CMR, Section 10.10(18) Table 1, for a new fitness center and outdoor pool. The pool will require six showers or baths and the fitness center will require one shower or bath. The Petitioner is requesting the variance to not put bathing facilities in the fitness center. The pool house is proposed to provide one outdoor shower to satisfy Department of Health requirements. The people who will be using the facility will be residence of Hancock Village and their guests. The dwelling units all have bathing facilities. The local Board of Health has been notified.

Vote: A motion was made by WT to approve the variance request to allow one outdoor shower at the pool house.

Results: Approved unanimously

PV-136 – WORCESTER COUNTY SHERIFF – JAIL – 5 PAUL X TIVIAN DRIVE – WEST BOYLSTON - Post installation variance

The Petitioner (Robert Dejadon from N. B. Kenney Company, Inc.) is seeking a variance from 348 CMR, Section 10.10.(7).(c).1, for showers that are 29 ¾” x 29 ¾” (not 30 x30), 855 square inches and not the minimum of 900 square inches. There are six showers in total with this measurement. The showers are restricted to inmates under supervision. This is a state project, Board of Health petition is not required.

Vote: A motion was made by JW to deny the variance request and seconded by HK.

Results: Motion passed (TW and DS abstained from voting, JC, BK against denial, JM, HK, JW, RA, SB for denial)

**PV-137 – THERMO FISHER SCIENTIFIC – 45 HARTWELL AVENUE – LEXINGTON
Post installation variance**

The Petitioner (Pat Harold from Harold Brothers) is seeking a Special Permission Reclaimed Water request for identification of piping. The Petitioner is seeing to not identify a section of pipe.

Vote: A motion was made by JC to deny the variance request and seconded by JW.

Results: Approved unanimously

PV-138 – THE POSSIBLE PROJECT – 31 HEATH STREET – BOSTON

The Petitioner (Paul Moan from Code Red Consultants) is seeking variances from 248 CMR, Sections 10.10(18)(b)(1)(b) and 10.10(18)(i)(1) to allow occupants of the renovated building to utilize gender-neutral restrooms. The facility feels this is in keeping with best-practices to foster an environment that minimizes design-driven expressions of prejudicial distinction, in keeping with the evolution of design for student-centric environments, and to cultivate diversity, inclusion, and acceptance. Each toilet room core will include single user toilet rooms with full height partitions. The toilets will be available for all to use but will still allow the students of each gender to use the facilities separately in a way that is consistent with the intent of the code. If students or staff are not comfortable using the gender-neutral core restrooms, equivalent single-sex restrooms are also provided.

The lavatories will be open and shared amongst occupants. The gender neutral restrooms are available for both men and women, however, when determining the number of required fixtures, the single user toilet rooms were only assigned to either men or women, but not both. Utilizing this approach, the number of plumbing fixtures exceeds the counts required by 248 CMR 10.10(18). Please refer to the attached supporting documentation which includes additional information on the plumbing fixture calculations for the building.

Discussion:

Vote: A motion was made by TW to approve the variance request to allow the use of gender-neutral bathrooms and single user designated bathrooms on the third floor of the building, and seconded by RA.

Results: Motion Passed (JM abstained from voting)

PV-141 – MILFORD CERAMIC TILE – 146 SOUTH MAINSTREET – MILFORD

The Petitioner (Gino Digiallonardo from Milford Ceramic Tile, Inc.) is seeking variances from 248 CMR, Section 10.10(18)(i)1 and 10.10.(18)(i)4 to have one accessible unisex bathroom instead of two bathrooms as the code requires. There is 6,200 SQ FT total; 972 SQ FT for retail showroom, 588 SQ FT for office area and 4,638 SQ FT for warehouse and storage space. The store has one full-time employee and 2 part-time employees. The local Board of Health has been notified.

Discussion:

Vote: A motion was made by TW approve the variance request to eliminate the shower requirement and to install one finished bathroom and one rough-in bathroom, and seconded by HK.

Results: Motion passed (JC, BK, JW voted against motion)

BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS JANUARY 6, 2021

PV-144 – PRYSMIAN GROUP – 22 JOSEPH E. WARNER BLVD. - TAUNTON

The Petitioner (Joseph McCarthy from Prysmian Group) is seeking a variance from 248 CMR, Section 10.09(1)(b)(2)(f) to not put bollards outside the overhead doors. As an alternative, the Petitioner would like to post signage saying that motor vehicles are prohibited from entering the building, striping of the pavement outside the overhead doors, a company policy and education of staff that all motor vehicles are prohibited from entering the building. The local Board of Health has been notified.

Vote: a motion was made by HK to deny the variance and seconded by JW.

Results: Denied unanimously

PV-146 – CENTENNIAL BEACH – 89 FORT MEADOW DRIVE – HUDSON

The Petitioner (Steven Santos from the Town of Hudson) is seeking a variance from 248 CMR, Section 10.02-6(b). The town is installing two new modular seasonal buildings of 780 sq. ft. each. These buildings will only be used from June to September. The Petitioner is seeking to not put one toilet, one lavatory and one utility sink in Building B. There will be a handwashing sink. Only one seasonal part-time employee will be working the concession area in Building B. The rest of Building B is used for storage and lockers. Building A which is 16' away from Building B, has a number of bathrooms. The local Board of Health has been notified.

Vote: A motion was made by TW to approve the variance request to not install one toilet, one lavatory and one utility sink in Building B, and seconded by HK

Results: Approved unanimously

PV-147 – WORK OUT WORLD NEW ENGLAND – 1 WASHINGTON - TAUNTON

The Petitioners (Joseph Masotta and Sharon Hutchinson from Work Out World New England) is seeking a variance from 248 CMR, Section 10.10 Table 1. Work Out World has recently needed to vacate their current premises and move to another location. The rest room facilitates in the new location does not meet the requirements of 248 CMR for A-5 fitness center use and does not have the shower facilities required to be compliant. The Petitioner is requesting that the board allow the local Plumbing Inspector and Building Inspector to issue an occupancy permit and to operate in the retail space while new restroom and shower facilities can be designed and constructed. The local Board of Health has been notified.

Vote: A motion was made by JC to allow an occupancy permit to be issued while the new restroom and shower facilities are constructed. The work will need to be completed six months from the date of the January 6, 2021, Plumbers and Gas Fitters meeting, and seconded by TW.

Results: Approved unanimously

PV-148 – BRISTOL COMMUNITY COLLEGE – CIC HEALTH 777 ELSBREE STREET, LOT 3, FALL RIVER

The Petitioner - CIC Health in partnership with the state of MA's Stop the Spread program, is looking to open a free and open to the public testing site in Fall River, MA at Bristol Community College on January, 16th. The Petitioner will be renting a 40' x 8' office container and placing it in lot 3 at Bristol Community College. There will likely be approximately 4 CIC Health employees working out of the container. Bristol Community College is allowing the CIC Health staff to use their restrooms, located in a building adjacent to the parking lot. Members of the public that have reserved tests will be driving up to the container to take their test. They will not be leaving their vehicles for the sample collection. This is a state project, local Board of Health petition is not required.

Vote: A motion was made by JC, to allow the use of bathroom facilities in the adjacent building, not more than 300 ft. from the 40' x 8' office container, located in Lot 3, for a period of 6 months from the granting of this variance at the January 6, 2021, Board of State Examiners of Plumbers and Gas Fitters meeting, and seconded by JW.

Results: Approved unanimously

Vote: a motion was made by TW to revise the vote made during the December 10, 2021 meeting, to change the distance to allow these types of installations as long as restrooms and handwashing facilities are within 300 feet, instead of 150 feet, from the structure, and seconded by JC.

Results: Approved unanimously

WITHDRAWN APPLICATION FROM DECEMBER 2, 2020 MEETING

PV-111 COMMERCIAL PROJECT – BAY PATH VETERINARY CENTER AT SECOND CHANCE ANIMAL SERVICES – 700 WORCESTER STREET – SOUTHBRIDGE

The Petitioner (Bay Path Regional Vocational Technical High School) is seeking approval for a commercial project to renovate a building to become a full-service animal hospital on the first floor and a classroom/lab area on the basement level. Plumbing work will include retrofit of a non-accessible bathroom to one that is accessible, bringing water and drain lines to surgical and exam rooms, the installation of a sewer injection pump and underground sewer line in the basement, a new accessible bathroom for student use in the basement and water and sewer lines for a student lunch room in the basement. Required trenching will be subcontracted out. The students will complete all rough and finished plumbing in a separate storage building. Students will use no-hub cast iron pipe and fittings for underground drainage and copper DWV for the waste and venting, water lines will be type L copper pipe and copper fittings. The finished work will include the installation and testing of each of the plumbing fixtures.

FYI – Board Delegated Staff Approvals – Board Vote Not Required

DELEGATED AUTHORITY GAS VARIANCE

DAGV – 47 & DAGV-48 – UNITEX TEXTILE SERVICES 155 SHEPARD STREET LAWRENCE

DAGV-67 – ACTON METAL PROCESSING CORP 41 ATHLETIC FIELD ROAD WALTHAM

DAGV-68 – WEB INDUSTRIES 20 HOPPING ROAD HOLLISTON

DAGV-117 – REXA INC. 4 MANLEY STREET WEST BRIDGEWATER

THE VARIANCE REQUESTS BELOW ARE ALL SEEKING A VARIANCE FROM 248 CMR, SECTION 10.10 (7) (c) 4, TO ALLOW THE CONTINUED USE OF AN EXISTING 1 ½ BATHTUB DRAIN FOR A NEW PROPOSED SHOWER.

DAPV-130 – MARY AND JOHN GUGGINA – 62 JACQUELINE ROAD APT 2 WALTHAM

DAPV-131 – DON AND DARLEEN SADOSKI – 109 WATER STREET UNIT 306 BEVERLY

DAPV-132 – JUDITH HERMAN – 8 LEDGEWOOD WAY UNIT 3 PEABODY

DAPV-133 – JAMES MCNAMARA AND MARY BILL – 172 FRANKLIN STREET UNIT 4 CLINTON

DAPV-134 – ERIK LIDDELL – 60 DUDLEY STREET SUITE 106 CHELSEA

DAPV-139 – PAULA SMYTH – 655 WEST CHESTNUT STREET BROCKTON

DAPV-142 – JOHN CASEY – 9 TREETOP COURT BURLINGTON

DAPV-145 – ALLISON THOMPSON – 141 SHELLBACK WAY BUILDING V MASHPEE

BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS JANUARY 6, 2021
BOARD WILL CONSIDER ANY MATTERS NOT REASONABLY
ANTICIPATED BY THE CHAIR:

None

At 12:08 p.m. the chair noted that all open sessions items were complete and that only an executive session item remained.

A motion was made by HK and seconded by JK to go into executive session to discuss applicants character rather than competence per M.G.L. c. 30A, §21.

EXECUTIVE SESSION

See separate minutes

QUASI JUDICIAL SESSION

None occurred at this meeting

ADJOURNMENT

At 12:40 p.m. the Board returned to open session. A motion was made by HK to adjourn. The motion was seconded by WT. Result: unanimously approved.

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.