



**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**MIKE KENNEALY**  
SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts**  
**Division of Professional Licensure**

1000 Washington Street, Suite 710  
Boston, Massachusetts 02118

**EDWARD A. PALLESCHI**  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS  
REGULATION

**LAYLA R. D'EMILIA**  
COMMISSIONER, DIVISION OF  
PROFESSIONAL LICENSURE

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

**FEBRUARY 3, 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 held a regular monthly meeting via Microsoft Teams conference on: February 3, 2021

The topics shown below were discussed at the aforementioned meeting:

NOTE: All votes were taken by roll call, where a vote is reported as unanimous, each member voted yes.

***Member and Staff Attendance***

<b>MEMBERS</b>	<b>APPOINTMENT</b>	<b>PRESENT</b>	<b>ABSENT</b>
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	
<b>STAFF</b>			
Mr. Charles Kilb	Board Legal Counsel	X	



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Ms. Karen Brann	Board Executive Director	X	
Ms. Mary McCarthy-Collins	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	
Mr. Kevin Casey	Board Staff	X	

**9:00 A.M. AGENDA REVIEW:** By Chairman Joseph McNamee  
Meeting called to order by Chair at 9:00 a.m. and attendance was taken.

**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**

January 6, 2021

***Motion:*** A motion was made by WT to approve the minutes from the January 6, 2021 meeting and seconded by RA.

***Result:*** Motion passed unanimously.

**D1- AQUA THERM PIPING**

Discussion to extend the use of materials to allow for commercial application.

Previously only fiberglass reinforced pipe was approved, not solid wall pipe (for domestic cold water applications). The applicant indicated that Fiberglass reduces thermal expansion and retraction thus it is not needed for cold water.

***Motion:*** A motion was made by TW to approve as a test site with a maximum of 10 cold water tests for the year and quarterly test reports to be submitted to the Board and seconded by Harry Knight.

***Results:*** Motion passed unanimously.

**VARIANCE REQUEST(S)****PV-124 SHERBORN FUEL, LLC 21 SOUTH MAIN STREET SHERBORN**

The Petitioner ( Jose Guzman from Guzman Architects) is seeking a variance from 248 CMR, Section 10(18)(m)(3) as the current bathroom facilities no not appear to meet the requirements in 248 CMR10(18). The local Board of health has been notified.

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

***Result:*** Motion passed. (Yes: HK, JC, BK, JW, WT; No: JM, RA, SB; Abstain: DS)

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

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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. The local Board of Health has been notified.

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

***Result: Motion passed unanimously.***

***Note: The members noted that 248 CMR contains alternative options the applicant should explore.***

**PV-151 WALTHAMM PUBLIC SCHOOLS 617 LEXINGTON STREET WALTHAM**

The Petitioner (Luis F. Moreno from SMMA) is seeking a variance from 248 CMR, Section 10.10(18)(p) Item 2, to replace the required urinal count with toilets in the student multiuser toilet rooms located in the academic wings of the building. There will not be a reduction in the fixture count. The local Board of Health has been notified.

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

***Result: Motion passed. (Yes: HK, JC, BK, JW, WT, RA, SB, DS; Recused: JM)***

**PV-153 KENSINGTON INVESTMENT COMPANY INC. 28 EXETER STREET BOSTON**

The Petitioner (Anthony Petrillo from Cosentini Associates) is seeking a variance from 248 CMR, Section 10.15(9) (e ), to allow clothes washer drains to be piped over the floor and connect to the adjacent bathroom sanitary and vent stacks. A suds stopper device will be installed to control any suds backup issues. The local Board of Health has been notified.

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

***Result: Motion passed. (Yes: HK, JC, BK, JW, WT, RA, SB, DS; Recused: JM)***

**PV-155 DRUGHELP 222 N MAIN STREET NATICK**

The Petitioner (Kelly Knopp from Commercial Construction Consulting) is seeking a variance from 248 CMR, Section 10.10(18)(k)(1), to not provide separate male and female bathrooms for patients/visitors. There will be one gender neutral toilet room for staff and one gender toilet room for patients. The local Board of health has been notified.

***Vote: A motion was made by RA to approve the variance request and seconded by JW.***

***Result: Motion passed unanimously.***

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

This variance was first discussed during the January 6, 2021 meeting.

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.

***The applicant sought a reconsideration of a motion by 2/6/21 to not require a shower.***

***Vote: A motion was made by JW that no shower is to be required and seconded by JC.***

***Result: Motion failed. (DS abstained) (for vote JC, BK, JW) (against vote HK, WT, RA, JM, SB)***

***Previous motion from the 1/6/2021 meeting to allow 2 gender neutral restrooms, install a gender neutral shower and water station, is upheld.***

**PV-159 ATF ATHLETIC ALEXI TURNPIKE ST, UNITS 8 – 11, 290 TURNPIKE STREET SOUTH EASTON**

The Petitioner (Jeffrey Metcalfe) is seeking a variance from 284 CMR, Section 10.10 Table 1, to provide 2 HP bathrooms (1 per gender) with a toilet and sink. The employees will use 1 on the new HP bathrooms. The

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fitness classes do not exceed 2-12 people and there are three employees that do not work the same shifts together. The local Board of Health has been notified.

***Motion: A motion was made by HK to deny the variance request and seconded by RA***

***Result: Motion passed ((Yes: HK, DS, WT, RA, SB, DS; against vote JC, BK, JW)***

**PV-160 SOUTH SHORE BASEBALL ACADEMY, UNITS 3-7, 290 TURNPIKE STREET SOUTH EASTON**

The petitioner (Jeffrey Metcalfe) is seeking a variance from 248 CMR, Section 10.10 Table 1, to provide 2 HP bathrooms (1 per gender) with a toilet and sink. The class size will not exceed 10-12 students and the single employee will use one of the new HP bathrooms. The local Board of Health has been notified.

**Petitioner withdrew the variance request.**

**PV-168 DEPARTMENT OF YOUTH SERVICES 33 GREGORY STREET MIDDLETON**

The Petitioner (Joseph Hogan, Jr., from DYS) is seeking a variance from 248 CMR, Section 10.10(i) to not install a bathroom in a new salt and equipment shed. The shed is located 225' from the main facility where the accessible bathroom facilities are located. As this is a state project the Board of Health notification is not required.

***Motion: A motion was made by WT to approve the variance request and seconded by HK***

***Result: Motion passed unanimously.***

**PV-169 TOWN OF ACTON RECREATIONAL DEPARTMENT 472 MAIN STREET ACTON**

The Petitioner (Town of Acton) is seeking a variance from 248 CMR, Section 10.10(18)(m)5, for the installation of two, not enclosed, toilets in the family restroom at the Sports Pavilion located at 75 Quarry Road Acton. The intent of the family restroom is to support individuals with special needs and only one individual and one caregiver will be allowed in the room at one time. The local Board of Health has been notified.

***Motion: A motion was made by JW to approve the variance request and seconded by RA.***

***Result: Motion passed (Yes: HK, JC, BK, JW, WT, RA, SB, DS; Recused: JM)***

**FYI – Board Delegated Staff Approvals – Board Vote Not Required**

**DELEGATED AUTHORITY GAS VARIANCE**

**SPP-5, FY21 – ABCAM 152 GROVE STREET WALTHAM**

**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-150 CHRISTOS VIORES 280 BOYLSTON STREET UNIT 903 NEWTON**

**DAPV-152 FOX HILL VILLAGE 10 LOGWOOD DRIVE UNIT 213 WESTWOOD**

**DAPV-154 HEATHER FONTES 36 HARVEST ROAD UXBRIDGE**

**DAPV-156 ELLEN CARGILL 7 KING PHILIP TRAIL NORFOLK**

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DAPV-162 ANTHONY IPPOLITO 73 EAGLE DRIVE TEWKSBURY**

**DAPV-164 JAMES BLACK 4234 NORTH MAIN STREET, UNIT 60 FALL RIVER**

**DAPV-165 CARL AMENO 57 FULTON STREET #2 BOSTON**

**DAPV-166 BOB AND BARBARA MURPHY 5 CENTENNIAL AVE UNIT 2 GLOUCESTER**

**DAPV-167 JAMES SULLIVAN 340 MAIN STREET UNIT 705 MELROSE**

**A motion was made by HK to move to Executive Session**

**At 11:05 a.m., the chair noted that all open session items were complete and that only Executive Session items remained.**

*A motion was made by HK and seconded by JC to go into executive session to discuss applicants character rather than competence per M.G.L. c. 30A, §21. Motion passed unanimously. The chair noted that the Board would not reconvene after Executive Session.*

*Executive Session concluded at 11:33 a.m. at which time the Board adjourned.*