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**Commonwealth of Massachusetts**  
**Division of Professional Licensure**  
**BOARD OF STATE EXAMINERS OF PLUMBERS**  
**AND GAS FITTERS**

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UNDERSECRETARY OF  
CONSUMER AFFAIRS AND  
BUSINESS REGULATION

**CHARLES BORSTEL**  
COMMISSIONER DIVISION OF  
PROFESSIONAL LICENSURE

**APRIL 4, 2018 BOARD MEETING MINUTES**

<b>MEMBERS</b>	<b>APPOINTMENT</b>	<b>PRESENT</b>	<b>ABSENT</b>
Mr. Joseph McNamee	Chairman, Master Gas Fitter	X	
Mr. Wayne Thomas	Member, Journeyman Gasfitter	X	
Mr. Bahig A. Kaldas, P. E.	Member, Plumbing Engineer	X	
Ms. Sarah Badway	Consumer Member		X
Mr. Joseph Waskiewiez	Member, Master Plumber	X	
Ms. Ruth Alfasso	Member, Department of Public Health	X	
Mr. John Cruz	Member, LP Installer	X	
Mr. Harold Knight	Member, Journeyman Plumber	X	
Mr. Dan Kilburn	Member, Public Safety	X	

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

**9:05 A.M.: APPROVAL OF PREVIOUS MEETING MINUTES:**

- The March 7, 2018 Board Meeting Minutes

*A motion to approve by Mr. Joseph Waskiewiez and seconded by Ms. Ruth Alfasso*

*Result: Unanimous*

- The March 7, 2018 Executive Session Minutes

*A motion to approve by Mr. Joseph Waskiewiez and seconded by Ms. Ruth Alfasso*

*Result: Unanimous*

- The March 10, 2018 Board Meeting Minutes (PHCC Trade Show)

*A motion to approve by Mr. Joseph Waskiewiez and seconded by Mr. Wayne Thomas*

*Result: Unanimous*

**DISCUSSION(S)**



**D1) Requirement for certification (training) for Apollo Power Press and Viega Mega Press**

*Meeting Notes: Wayne Thomas stated part of the initial approval was that a training session would be required to install Veiga Mega Press. A representative from the Urell Company asked the Board for a guideline for training. He stated his product is installed the same way as other approved brands. A motion was made by Mr. Wayne Thomas that the manufacturer of the products provide training on the installation of their product. This was seconded by Mr. John Cruz*

*Condition(s):*

*Result; Unanimous*

**D2) Code requirements for installations utilizing hydrogen gas as a fuel**

*Meeting Notes: This is for fuel cells in vehicles using electrolysis. The byproduct of the process is water. It is an electron process. The Hydrogen is being consumed as a fuel for vehicles, but it is not being combusted. Hydrogen can be made from Natural gas but in this process it is not being used. The site is in Braintree. This will be connected to the potable water system and a backflow preventer will be installed. This is not installed in a building, but within a structure with walls but no roof. There is a facility in Mansfield that does not use water as Hydrogen is not being generated but supplied. The skid consists of a compressor, a storage tank, a control panel and a flow meter. There are electric coils to prevent the water from freezing.*

*A motion was made to by Mr. Bahig Kaldas to have a drawing submitted with welding procedures and certifications to the board for review. Board members will also attempt to visit one of the sites. This was seconded by Mr. John Cruz.*

*Condition(s):*

*Result; Unanimous*

**D3) Listening Session scheduled for April 25, 2018**

*Meeting Notes: This is a pre requisite for regulations and will be considered a regular Board Meeting. No action required*

**D4) Proposed policy on gray water installations**

*Meeting Notes: A draft was previously distributed to the members of the Board for review.*

*A motion was made to ratify the policy by Mr. Wayne Thomas and seconded by Mr. Harold Knight.*

*Condition(s):*

*Result; Unanimous*

## **VOCATIONAL SCHOOL COMMERCIAL PROJECT REQUESTS**

**VS1) Diman regional Vocational High School.** The school requests permission to allow students to engage in a commercial work project for the City of Fall River Department of Public Works. The plumbing work would consist of waste, vent, and water piping for a public bathroom containing one water closet, one urinal, one lavatory, and one floor drain. The gas fitting work consists of gas piping and venting for six to eight Modine heaters. The work will be performed by six students supervised by two instructors.

*Meeting Notes: The applicant did not appear. A motion was made to table by Mr. Harold Knight and seconded by Mr. Daniel Kilburn*

*Condition(s):*

*Result; Unanimous*

## **VARIANCE REQUESTS**

**PV86 - JAMESTOWN DESIGN PLACE LP - BOSTON**

The Petitioner (Andrew Powers) seeks a variance from 248 CMR 10.15 to allow two 4" vent extensions servicing a new gas/oil interceptor, to be installed on the exterior façade of the existing building and terminate above the roof line in lieu of installing the vents through the existing interior space. The renovation work is being performed on the ground floor of the existing eight story building. The Petitioner states that installing the vents in the interior space would negatively impact all existing tenant spaces on the floors above. Boston Inspectional Services was properly petitioned.

**Meeting Notes:**

***A motion was made to table by Mr. Daniel Kilburn and seconded by Mr. Harold Knight***

**Condition(s):**

**Result: unanimous**

**PV-122: UMASS – GOODELL BUILDING – 140 HICKS WAY - AMHERST**

Note: This matter was tabled at the March meeting. The Petitioner, Blakely Smith is seeking a variance from 248 CMR 10.10 to allow the conversion of two multi-stall rest rooms into gender neutral bathrooms in an office building. The Petitioner's submissions indicate the two rooms in question are on the 4th floor, one is currently a men's bathroom with 2 toilets and 5 urinals, the other is a women's bathroom with 5 toilets.

Note: The Petitioner wishes to utilize the term gender-inclusive to describe the facilities. As part of the variance, the Petitioner proposes installing additional privacy strips along with additional sanitary waste dispensers. The urinals will be removed. A breakdown of how many fixtures were required by the Code was reviewed with the state inspector to be code compliant. As this is a State project, no Board of Health petitioning is required.

**Meeting Notes: *The Goodell Building changed to an office building. The petitioner requests multi stall gender neutral bathrooms. State Inspector Fred Lima explained his findings for the plan review and that the required fixtures are met. It was also noted the urinals installed did not have privacy shields. Mr. Thomas asked how many urinals to which the petitioner responded 6.***

***A motion was made to approve as a 1 year pilot project with conditions by Mr. Daniel Kilburn and seconded by Ms. Ruth Alfasso.***

**Condition(s): *a. Removal of the urinals. Allow urinals to stay and remove the petitions for 1 year***

**Result: *5 in favor and three against.***

**PV-138: SUPERIOR PACKAGING & FINISHING – 120 CAMPANELLI DRIVE - BRAINTREE**

The Petitioner, Kevin Paton from BKA Architects is seeking a variance from 248 CMR 10.10, Table 1 to eliminate the employee shower requirements for this facility. The applicant states the factory is a "clean" area and showers, if required will never be used. The Braintree Board of Health is aware of this variance request.

**Meeting Notes:**

***A motion was made to approve by Mr. Bahig Kaldas and seconded by Mr. Joseph Waskiewicz.***

**Condition(s):**

**Result: unanimous**

**PV-139: IMPERIAL TOWERS CONDOMINIUMS – 280 BOYLSTON STREET – CHESTNUT HILL**

The Petitioner, Ann Murphy is seeking a variance from 248 CMR 10.10 to permit the replacement of an existing tub and shower with a stand-up shower while utilizing an existing 1-½ inch tub drain in lieu of the required 2" drain. A letter provided from her doctor states that Ms. Murphy suffers from osteoporosis and would have a difficult time using a conventional bathtub. The Newton Board of Health is in favor of granting this request provided the curb height is increased to 6".

**Meeting Notes: *A 6" lip is being installed on the shower.***

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

**Condition(s):**

**Result: unanimous**

**PV-140: PROGRESSIVE INSURANCE – 45 SHAWMUT ROAD - CANTON**

The Petitioner, Nick Poirier is seeking a variance from 248 CMR 10.15 (10) to allow the installation of a sewer ejector pump in lieu of utilizing the existing gravity fed waste line. The petitioner notes that a similar variance was granted by the Board on February 25, 2015 for an adjoining suite at 45 Shawmut Road. The Canton Board of Health has been properly notified of this variance request.

*Meeting Notes: This is a break room.*

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

*Condition(s):*

*Result: unanimous*

**PV-141: FOX AND CROW CAFÉ – 55 COMMERCIAL STREET - WELLFLEET**

The Petitioner, Trudy Vermehren is seeking a variance from 248 CMR 10.06 to allow the installation of PVC for the replacement of an existing 2” drain which needs to be increased to 4”. Said drain lies on the floor of a crawl space within 35’ of a tidal marsh and salt water may ruin cast iron piping in a short period of time. The Wellfleet Board of Health has been properly notified of this variance request.

*Meeting Notes: The petitioner is upgrading the kitchen. The plumbing system is connected to a septic tank. A dishwasher a prep sink and a hand wash sink will be on this drain line. The Bathrooms are not connected to this line. There is no mop sink present.*

*A motion was made to Deny and use approved materials by Mr. Harold Knight and seconded by Ms. Ruth Alfasso*

*Condition(s):*

*Result: unanimous*

**PV-142: MBTA – 174 EVERETT AVENUE - CHELSEA**

The Petitioner, Francis Astone from AECOM is seeking a variance from 248 CMR 10.10 to allow the installation of men’s and women’s temporary comfort stations while this location is under renovation. This facility is not open to the public and will only serve MBTA drivers. This request is for a period not to exceed one (1) year from the date of bus service inception, scheduled to begin on April 21, 2018. As this is a State project, no Board of Health notification is required.

*Meeting Notes: This is phase one and will only be temporary. Inspector Roth is in favor of the request.*

*A motion was made to approve by Mr. Harold Knight and seconded by Mr. Joseph Waskiewicz.*

*Condition(s):*

*Result: 6 in favor. Mr. Bahig Kadas recused himself.*

**PV-143: QUIAN GUAN – 62 CLEVELAND ROAD - BROOKLINE**

The Petitioner, Quian Guan is seeking a variance from 248 CMR 10.15 (10) to allow the installation of a sewer ejector pump in lieu of utilizing the existing gravity fed waste line. The owner is concerned about cutting the floor and compromising the integrity of the concrete. The Brookline Board of Health has no objection to this variance request.

*Meeting Notes: This is for a bathroom. There is no opinion from the plumbing inspector. It is in the basement.*

*A motion was made to deny by Mr. Joseph Waskiewicz and seconded by Mr. Harold Knight*

*Condition(s):*

*Result: unanimous*

**PV-144: MICHAEL KLEPIKOV – 420 WARREN STREET - BROOKLINE**

The Petitioner, Michael Klepikov is seeking a variance from 248 CMR 3.04 (1) to allow the re-use of an existing cast iron claw foot bathtub to preserve the historical character of the renovated bathroom. The existing

tub will be refinished and fitted with code compliant fixtures. The Brookline Board of Health has no objection to this variance request.

*Meeting Notes: The applicant failed to appear. A motion was made to Table by Mr. Daniel Kilburn and seconded by Mr. Joseph Waskiewicz*

*Condition(s):*

*Result: unanimous*

#### **PV-145: TOWN OF WELLESLEY HIGH SCHOOL – 50 RICE STREET - WELLESLEY**

The Town of Wellesley is seeking a variance from 248 CMR 10.10 to allow a reduction in the number of fixtures for the proposed stadium rest rooms. There are two sets of bleachers with a total seating capacity of 2,253 people. The proposal is to provide adequate facilities for 1,170 people which represent approximately 50% of capacity. During large gatherings, the school is proposing opening the school rest rooms to accommodate the additional attendees. The Town of Wellesley Board of Health has been properly petitioned.

*Meeting Notes: There will be 3 separate facilities spread out to meet the number of fixtures requested. The field is 300 feet from the school. The petitioner stated school will be open during games.*

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

*Condition(s):*

*Result: unanimous*

#### **PV-146: BASEBALLISM – 71 LANDSDOWNE STREET - BOSTON**

The Petitioner, Doug Anderson from Commercial Construction Consulting is seeking a variance from 248 CMR 10.10 to allow the installation of one unisex rest room for staff in lieu of the required two due to the low number of employees. This is a 2,565 sq. ft. retail store where there will not be any more than seven (7) employees working at any one time. Boston Inspectional Services has been properly notified of this variance request.

*Meeting Notes: This is a retail store across the street from Fenway Park. There will be 7 employees.*

*A motion was made approve to by Mr. Daniel Kilburn and seconded by Mr. Joseph Waskiewicz*

*Condition(s):*

*Result: unanimous*

#### **PV-153: DEVEREAUX SCHOOL – 34 SMITH STREET - MARBLEHEAD**

The Petitioner, Doug Anderson from Commercial Construction Consulting is seeking a variance from 248 CMR 10.10 to allow the installation of one unisex rest room for staff and one unisex rest room for students in lieu of the required two for staff and students. This request is based on the maximum occupancy load of twenty four (24) students and two (2) staff members at any one time. The Marblehead Board of Health has been properly petitioned. Note: The request was for a pre-installation variance, however, the plumbing inspector has contacted the Board office and indicated that the installation

*Meeting Notes: This will be used as classroom space. It is a Montessori school with 2 teachers in the classroom. The staff will have access through the Kitchen. This was a single family house. It is 100 feet from the main building. Students from grades 1-6 will use this class room. There is only 1 classroom in the building. It was noted after a call to the plumbing inspector that on or about February 27, inspector Brad Smith failed job and stated it should be a post installation variance.*

*A motion was made to deny by Mr. Bahig Kaldas and seconded by Mr. Daniel Kilburn*

*Condition(s):*

*Result: unanimous*

#### **PV-147: WILMINGTON FAMILY CHIROPRACTIC – 299 MAIN STREET - WILMINGTON**

The Petitioner, Stephen Jensen is seeking a variance from 248 CMR 10.10 to allow the installation of a five (5) gallon chilled water dispenser in lieu of a conventional drinking fountain. The petitioner would also like to eliminate the requirement to install rough plumbing for a future drinking fountain. The Wilmington Board of Health is in favor of granting this variance request.

**Meeting Notes:** *The applicant failed to appear. A motion was made to Table by Mr. Harold Knight and seconded by Mr. Daniel Kilburn*

**Condition(s):**

**Result:** *unanimous*

**PV-148: DEAN FOODS WASTE WATER TREATMENT– 26 KENT STREET - SPRINGFIELD**

The Petitioner, John Mudd is seeking a variance for three separate items:

1. 248 CMR 10.06 to allow the installation of PVC to help pipes resist chemical erosion. Chemicals are currently used within the waste water process of this facility.
2. 248 CMR 10.10 to allow the elimination of rest rooms within this facility. Employees will not be stationed at this facility for full shifts and will only be making hourly checks as it will be fully automated.
3. 248 CMR 10.15 to allow the elimination of traps and vents for the floor drains. These drains will not tie directly into the sanitary drainage system. The proposal is to indirectly pipe the floor drains into the new pump station inside the wastewater treatment building which is connected to the internal waste water process.

The Springfield Board of Health is in favor of this variance request.

**Meeting Notes:** *All floor drains go into the pump station vault. Maintenance personnel will conduct periodic ph. tests. Members commented that code compliance would be possible.*

*A motion was made to deny all three requests by Mr. John Cruz and seconded by Ms. Ruth Alfasso*

**Condition(s):**

**Result:** *unanimous*

**PV-149: VICTORIA SECRET (PINK) – FANEUIL HALL MARKETPLACE - BOSTON**

The Petitioner, Stephen Jensen is seeking a variance from 248 CMR 10.10 to allow the installation of one unisex rest room for staff in lieu of providing separate facilities. The proposed space is 4,200 sq. ft. over two floors and will have significantly less than the 20 employee allowance for a single unisex rest room in a 2,000 sq. ft. facility. Boston Inspectional services has been properly notified regarding this request.

**Meeting Notes:** *typically there will be 5 employees and during peak times it will max at 17. There is 2900 square feet of retail space. There are core facilities on the third floor which is accessible by an elevator.*

*A motion was made to approve by Mr. Bahig Kaldas and seconded by Mr. Daniel Kilburn.*

**Condition(s):**

**Result:** *unanimous*

**PV-152: NORTH QUINCY PARTNERS – 189-267 HANCOCK STREET - QUINCY**

The Petitioner, Ralph Mulcahy from R.W. Sullivan seeking a variance for two separate items:

1. 248 CMR, 10.06 to allow the use of HHPE 48” – 60” piping in lieu of materials currently listed as acceptable. This piping was chosen because it is non metallic
2. 248 CMR 10.05 to allow a slope of less than 1/16” per foot in lieu of the required 1/8” minimum slope. This is being proposed to in order to meet the existing inverts.

As this is state job, no Board of Health petition was required.

**Meeting Notes:** *It will be performed under the Plumbing permit. It is near the train track and metal pipe cannot be used. State Inspector Taylor Roth is in favor of the request.*

*A motion was made to approve by Mr. Joseph Waskiewicz and seconded by Mr. John Cruz.*

**Condition(s):**

**Result:** *6 in favor. Mr. Bahig Kadas recused himself.*

**GV-154: UNITED AIRLINES - LOGAN AIRPORT TERMINAL B – EAST BOSTON**

The Petitioner, Kevin McManus from EPC and Power is seeking a variance from 248 CMR 3.04 to allow the installation of system piping components used to connect propane gas to a Babfar DF-21BG liquid propane temporary heater which are not listed on the Massachusetts Product Acceptance product list.

*Meeting Notes: The applicant failed to appear.*

*A motion was made to table by Mr. Harold Knight and seconded by Mr. Daniel Kilburn*

*Condition(s):*

*Result: 6 in favor. Mr. Bahig Kadas recused himself.*

#### **GV-155: WYNN CASINO PROJECT – ONE HORIZON WAY - EVERETT**

The Petitioner, Michael Gillis from E.M. Duggan is seeking a variance from NFPA 54 to allow the installation of schedule 80 extra heavy threaded malleable fittings for connection to twelve (12) Babfar propane gas temporary heaters.

*Meeting Notes: This is a post installation variance. The piping is threaded schedule 80 with schedule 80 fittings.*

*A motion was made to approve by Mr. Harold Knight and seconded by Mr. Joseph Waskiewicz.*

*Condition(s):*

*Result: 6 in favor. Bahig Kaldas recused himself.*

#### **PV-156: MIT INVESTMENT MANAGEMENT – 165 MAIN STRET - CAMBRIDGE**

The Petitioner, Leonid Rabkin from R.G. Vanderweil is seeking a variance from 248 CMR 10.14 to deviate from the existing water pipe sizing tables. Calculations have been run to determine peak flow for the water distribution system based on model codes and booster pump manufacturers. There is a concern that an 8” water main and riser could cause stagnation and decrease water quality. The Cambridge Board of health has been properly petitioned.

*Meeting Notes: The petitioner is looking for an alternate method to size the pipe. The petitioner used the UPC Code to size the pipe. Using the Hunter scale. The pipe size will be reduced to 6”.*

*A motion was made to approve by Mr. Bahig Kaldas and seconded by Mr. Joseph Waskiewicz*

*Condition(s):*

*Result: all in favor and Mr. Daniel Kilburn abstained.*

#### **PV - 158: TEWKSBURY HOSPITAL – 365 EAST STREET (SAUNDERS BUILDING) – TEWKSBURY**

The Petitioner, William M. Gillespie, from Robert W. Irvine & Sons, Inc. is seeking a variance from 248 CMR sections 3.04(1) and 10.10(6)(a). The project involves making bathroom safety improvements to five wings within the hospital to inpatient psychiatric units. The Petitioner seeks to utilize non-product accepted urinals which are ligature resistant to replace vitreous china fixtures. These fixtures do not have code required integral traps, which the Petitioner states, would make it impossible to loop a thin rope, shoe lace, or like item over any part of the fixtures. The Petitioner indicates that this is necessary for patient safety. As this is a state project, no Board of Health Petition is required.

*Meeting Notes: The urinals do not have integral traps. This has to be ligature resistant. There are no product approved urinals that meet this requirement.*

*A motion was made to approve and use schedule 40 PVC for the waste by Mr. Daniel Kilburn and seconded by Mr. Wayne Thomas*

*Condition(s):*

*Result: unanimous*

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

**Full operation of unlisted gas equipment**

DAGV98 – Taha Grill LLC – 2 Watertown Street – Watertown. Lavash Oven

DAGV362 – U.S. Tsubaki Automotive LLC – 106 Lonczak Drive – Chicopee. 4 Rotary Retort Furnaces

DAGV157 – Frank J. Pantrano – 11 Bradford Street – Provincetown. Standing Pilot LP antique Stove

**Vocational school residential/on campus projects**

Greater Lowell THS – residential project, Megans House, Grumps Rd. Dracut – complies with Board Policy

Cape Cod Regional THS – residential project, The Potter House, 30 Pine Point Rd. Wellfleet – complies with Board Policy

***At 11:25 the chair called for a 10 minute recess after which the Board would enter into Executive Session.***

**EXECUTIVE SESSION**

**CHARACTER REVIEW(S)**

At approximately 11:35p.m., the Chairman stated the Board would need to enter into Executive Session to discuss applicant’s character, rather than competence and would return to an Open Session in within thirty minutes if there were any open session items not reasonably anticipated prior to the meeting or to adjourn.

***A motion was made to enter executive session by Mr. Joseph Waskiewicz and seconded by Mr. Harold Knight, thereafter a roll call vote was taken:***

MEMBER	YEA	NAY	ABSENT	RECUSED	ABSTAINED
Mr. Thomas	✓				
Mr. McNamee	✓				
Ms. Badway			✓		
Mr. Waskiewicz	✓				
Mr. Kaldas	✓				
Ms. Alfasso	✓				
Mr. Cruz	✓				
Mr. Knight	✓				
Mr. Kilburn	✓				

Participants were asked to leave the room until called.

***At 11:45 p.m., the Board came back into open session.***

***At 11:45 a motion was made to adjourn by Mr. Daniel Kilburn and seconded by Mr. Joseph Waskiewicz.***

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



**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.