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

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CHARLES BORSTEL
COMMISSIONER DIVISION OF
PROFESSIONAL LICENSURE

MAY 2, 2018 BOARD MEETING MINUTES

MEMBERS	APPOINTMENT	PRESENT	ABSENT
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 Waskiewicz	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 April 25, 2018 Board Meeting Minutes

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

Result: Unanimous

DISCUSSION

D1 – Outstanding items - Fuel gas definition where there is no combustion. Review of fuel gas piping where the gas will not be utilized by an on-site fixture.

Meeting Notes: Legal counsel inquired as to whether the Board considered piping carrying non-liquid gas to a vehicle where it is either combusted or otherwise expended to power the vehicle. It appeared to be the unanimous opinion of the Board that this was to be considered fuel gas piping that should be regulated under 248 CMR. Rather than adopt a policy, counsel recommended no vote be taken, this will be addressed the next time the fuel gas code is updated.

No formal action.



VARIANCE REQUESTS

PV-172 – ELIZABETH GOODWIN – 180 EAST EMERSON ROAD - LEXINGTON

Elizabeth Goodwin is seeking a variance from 248 CMR, Section 3.04 (Product Design & Testing Standards) to allow the installation of a Signature Hardware Siglo accessibility bathtub which is not listed on the Board's website as Product Accepted. The Lexington Board of Health has been notified regarding this variance request.

Meeting Notes: This is for a new home. Space is limited for a conventional bathtub. A shower is not included with this tub. It is an acrylic round tub with a 48" diameter.

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

Condition(s):

Result: unanimous

PV-173 – UMASS – 1 UNIVERSITY AVENUE - LOWELL

Kevin O'Connell from O'Connell Plumbing is seeking a variance from 248 CMR, Section 10.15 (10) (Sumps and Ejectors) to allow the installation of a utility pump and tank for a new hand sink in lieu of connecting to the existing sanitary waste line under the concrete slab. As this is a State project, no Board of Health petition is required.

Meeting Notes: Investigator Scott Padden stated it is a kitchen sink and not a hand sink. He said gravity is available. There is an existing epoxy floor. It is on a concrete slab with a lower level.

A motion was made approve to by Mr. Bahig Kaldas and seconded by Ms. Ruth Alfasso

Condition(s):

Result: 5 in favor, two opposed. The chair did not enter a vote.

PV-174 – COOPER DEVELOPMENT – 666 MASSACHUSETTS AVENUE - BOSTON

Sabato DePasquale from Vitoria Plumbing & Heating is requesting a variance from 248 CMR, Section 10.06 (2) (m) (Water Distribution Piping above Ground inside a Building) to allow the installation of PEX potable water piping in a building over three stories. The building was originally three stories but the owner turned the attic into an apartment increasing it to four stories. Boston Inspectional Services has been properly notified of this variance request.

Meeting Notes: The piping was installed before it was known there was a fourth floor. The permit was amended for the fourth floor.

A motion was made to Deny by Mr. Bahig Kaldas and seconded by Mr. Wayne Thomas

Condition(s):

Result: Unanimous. Chairman Mr. Joseph McNamee recused himself.

An additional motion was made by Mr. John Cruz and seconded by Mr. Harold Knight to allow Pex on the existing three floors and copper on the fourth floor.

Condition(s):

Result: 5 in favor and two against. Chairman Mr. Joseph McNamee recused himself.

PV-175 – THEORY WELLNESS INC. – 1050 ELM STREET - BRIDGEWATER

Richard Leon from RCL Mechanical is requesting a variance from 248 CMR, Section 10.06 (2) (m) (Water Distribution Piping Above Ground Inside a Building) to allow the installation of PEX potable water piping in a commercial building. The applicant proposes to run PEX tubing in the ceiling of other existing businesses to feed the Reverse Osmosis system in this new facility. The Bridgewater Board of Health has been properly notified of this variance request.

Meeting Notes: This variance was not acted upon at the request of the applicant. No vote necessary.

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: It will have a waste and overflow and nonskid surface.

A motion was made to approve with conditions by Mr. Harold Knight and seconded by Mr. Daniel Kilburn

Condition(s): A nonskid surface is required.

Result: unanimous

PV-176 – SAUGUS MIDDLE-HIGH SCHOOL – PEARCE MEMORIAL DRIVE - SAUGUS

Christopher Garcia from Garcia, Galuska and DeSousa is seeking a variance from 248 CMR 10.10, Table 1 to allow a 50% reduction in the number of plumbing fixtures for rest rooms at the new multi-purpose athletic field. The Saugus Board of Health has no objections to this variance request.

Meeting Notes: The occupancy will be 1250. The bathroom facilities will be less than 100' away from bleachers.

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

Condition(s):

Result: unanimous

PV-177 – 20 CITY POINT – 500 TOTEN POND ROAD - WALTHAM

Joseph Philbrick from AHA Engineers is seeking a variance from 248 CMR 10.13 (Piping & Treatment of Hazardous Wastes) to allow the installation of individual limestone chip tanks for three lab sinks in lieu of a full acid neutralization system. Chip tanks will be equipped with monitors and recorders. The Waltham Board of Health has been properly notified of this variance request.

Meeting Notes: This is a lab. The waste will be a low PH. It will be sulfuric acid. It is for forensic materials. It is for occasional use. The lab is 2,500 square feet. The building which is 100,000 square feet will have other tenants. There will be 3 sinks and the chip tanks will be 5 gallons each.

No vote is required as it in compliance with 248 CMR.

A motion was made by Mr. John Cruz and seconded by Mr. Daniel Kilburn that a letter be sent to the local inspector.

Condition(s):

Result: unanimous

PV-178 – MASSPORT – PRAYER BUILDING – 56 HARBORSIDE – EAST BOSTON

Dan Dragani from Massport is seeking a variance from 248 CMR, Section 10.10 (Plumbing Fixtures) to allow the installation of a prayer building without rest rooms. The proposed building will be directly adjacent to the existing taxi pool system less than 150 feet away. There are no plans to have potable water of drains in this building. As this is a State project, no Board of Health petition is required.

Meeting Notes: The building is dedicated to the taxi drivers. It is within 150 of the taxi pool building which has fixtures. There will be a canopy two connect the two buildings. The building will be used only by male taxi drivers. It will be a heated building.

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

Condition(s):

Result: unanimous

PV-179 – DENTIST CARE – 405 MAIN STREET - WOBURN

Bernada Cardenes from BC Construction & Design is requesting a variance from 248 CMR, Section 10.10 (18) (k) (Medical & Health Care Facilities) to allow the installation of the following:

1. One single user unisex rest room for staff in lieu of the required two rest rooms.
2. One single user unisex handicap rest room for patients in lieu of the required two rest rooms.

The Woburn Board of Health has been properly notified of this variance request.

Meeting Notes: There will be 6 dentists with 6 patients. There will be two bathrooms. 1 for patients and 1 for staff. It is 2600 square feet.

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

Condition(s):

Result: unanimous

PV-180 – NWALP – 200 FIFTH AVENUE - WALTHAM

William Rayner from Rayner Plumbing is seeking a variance from 248 CMR, Section 10.15 (10) (Sumps and Ejectors) to allow the installation of individual fixture sink pumps and tanks in lieu of connecting directly in the sanitary drainage system. The Waltham Board of Health has been properly petitioned regarding this variance request.

Meeting Notes: There will be 2 sinks. Because of the length it would have to be dug into the granite which is under the slab.

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

Condition(s):

Result: unanimous

PV-181 – BETH ISRAEL DEACONESS HOSPITAL – 148 CHECTNUT STREET - NEEDHAM

John Cabral from Bard, Rao & Athanas Engineers is seeking a variance from 248 CMR, Section 10.15 (10) (Sumps and Ejectors) to allow the removal of existing gravity drains for hand sinks located above a proposed new MRI area and pump the waste to a safe location. The Needham Board of Health has been properly petitioned.

Meeting Notes: Withdrawn, no vote required.

FYI – Board Delegated Staff Approvals – Board Vote Not Required

Full operation of unlisted gas equipment

DAGV261 – Mass Dist. LLC – 7 Lamartine Street – Worcester: **Variance request withdrawn**

DAGV283 – Bradford Industries, Inc. – 75 Rogers Street – Lowell – Full operation of a gas train for a hot oil heater.

Vocational School Projects

V1) Minuteman H.S. Residential – Habitat for Humanity – 43 School St. – Acton
1 and ½ baths drainage and vent piping, water piping and installation of fixtures.

Meeting Notes:

Approved by staff per Board delegation, no vote necessary.

V2) Minuteman H.S. Residential – Lexington Housing Assistance – 14 Woodland Rd. – Lexington
Relocating fixtures and piping to convert bathroom to handicapped accessibility.

Meeting Notes:

Approved by staff per Board delegation, no vote necessary.

V3) Minuteman H.S. Residential – Lexington Housing Assistance – 85 Emerson Gardens – Lexington
Replacing toilet, sink and tub in bathroom. Replacing kitchen sink, disposal and dishwasher.

Meeting Notes:

Approved by staff per Board delegation, no vote necessary.

EXECUTIVE SESSION

At approximately 10:00.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. Daniel Kilburn 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. Waskiewiez			✓		
Mr. Kaldas	✓				
Ms. Alfasso	✓				
Mr. Cruz	✓				
Mr. Knight	✓				
Mr. Kilburn	✓				

Participants were asked to leave the room until called.

At 10:25p.m., the Board came back into open session.

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

Mr. Lawrence Lemieux was introduced as the New Executive Director

At 10:26 am a motion was made to adjourn by Mr. Harold Knight and seconded by Mr. Wayne Thomas. This motion was approved unanimously.