



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

JAY ASH
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

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

1000 Washington Street • Boston • Massachusetts • 02118

JOHN C. CHAPMAN
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER DIVISION OF
PROFESSIONAL LICENSURE

FEBRUARY 7, 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 January 10, 2018 Board Meeting Minutes

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

Result: Unanimous

- The January 10, 2018 Executive Session Minutes

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

Result: Unanimous

PRODUCTS

P1) Victaulic – Request for acceptance of seven plumbing products

Meeting Notes: This will be used for potable water. This will only be used in applications were CPVC is allowed as an approved material. The temperature rating is 250 degrees. There are manufacturers who are starting to promote this method over gluing the pipe. There was a question from Mr. Wayne Thomas that if there is a problem with the pipe would the manufacturer back it up?

A motion was made to approve with the conditions by Mr. Daniel Kilburn seconded by Mr. Wayne Thomas.

Condition(s): A letter is submitted to the Board's office from the manufacturer of the pipe allowing this type of joining method.

Result; Unanimous



Not anticipated by the Chair - Shark Energy Systems

Meeting Notes:

This applicant was not on the agenda but appeared and requested the Board's time to present information regarding a new technology that uses waste water to heat domestic water. The waste water will pre heat the domestic water by means of a heat exchanger. The preheated water will then go to a storage tank which will be ready for heating to proper hot water temperatures. There is a dump valve which will go to the tank or to the sanitary system. This is for multifamily installations only. It presently installed in New Jersey, Washington and Canada.

By unanimous consent, no action was taken, the matter will be placed on a future board agenda for discussion.

DISCUSSION(S)

D1) Code Requirements for Emergency Eyewashes>Showers

Meeting Notes: A handout was distributed. Cold water would still be allowed under the provisions of CMR 248 10.13(1)(l)(6)

A motion was made to approve by Mr. Harold Knight and seconded by Bahig Kaldas

Condition(s):

Result: Unanimous

D2) Application of 248 CMR 5.00 and 8.00 in regards to the storage and transport of liquefied petroleum.

Meeting Notes: This is for Liquid gas used for Temporary heaters. The question was does the pipe have to be welded or could Mega press or schedule 80 be used?

The Chairman asked to table this until the next meeting. Investigators Scott Padden and Fred Lima will investigate the liquid gas requirements in the adopted version of NFPA 58 for the next meeting.

D3) Code Requirements for adult daycare facilities

Meeting Notes: There is nothing in the code to address this for fixture requirements.

The Chairman will put together a subcommittee to research this.

D4) Listening sessions and preliminary discussions for 2018 amendments to 248 CMR 3.00 to 11.00.

Meeting Notes: Legal Counsel noted that for additional amendments to 248 CMR, such as to consider proposals lowering apprenticeship work experience requirements, clarify continuing education requirements, and other matters, the Board will need to hold a listening session. Counsel noted that this was separate from the Board vote on plastic piping used for venting, which he noted the paperwork was completed and awaiting administration approval on. Tentatively a listening session will be held on February 28, 2018 if the hearing room is available, otherwise, the matter will be placed on the next agenda for further scheduling.

D5) Number of permits required for multi-unit buildings

Meeting Notes: By unanimous consent, this discussion was tabled for future consideration.

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: *The applicant did not appear.*

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

Condition(s): *None*

Result; *Unanimous*

PV99) – ZACHARY JOHNSON - SATTLER COLLEGE – 100 CAMBRIDGE STREET – BOSTON

The Petitioner (Nicole Hathaway, Project Manager) is seeking a variance from 248 CMR 10.10 (18) to utilize two drinking water supply stations in lieu of code requirements for five based on the maximum occupancy load of 360 students. As this is a State project, no Board of Health petitioning is required.

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): *None*

Result: *Unanimous*

PV)100 – WELLNESS IN MOTION – 1620 - BEACON STREET– BROOKLINE

The Petitioner (Gary Dewolfe) is seeking a variance from 248 CMR 10.10(18)(k) to combine required bathroom facilities for patients and staff in a medical occupancy of eight staff and eight patients. The Petitioner proposes one unisex toilet with lavatory to be combined with two core unisex toilets and lavatories located within 300 feet. The Petitioner indicates this would allow a reduction of three toilet facilities. The Brookline Board of Health was properly petitioned.

Meeting Notes: *This is a physical therapy facility which is 1,400 square feet.*

A motion was made to approve with conditions by Mr. Harold knight and seconded by Mr. Wayne Thomas.

Condition(s): *A letter from the Brookline Plumbing Inspector was needed indicating the core facilities are within 300 feet and would comply with the minimum fixture requirements.*

Result; *Unanimous*

PV)102 COROAN DENTAL – 1626 – BEACON STREET – BROOKLINE

NOTE – The variance information provided is identical to PV100 other than location.

The Petitioner (Gary Dewolfe) is seeking a variance from 248 CMR 10.10(18)(k) to combine required bathroom facilities for patients and staff in a medical occupancy of eight staff and eight patients. The Petitioner proposes one unisex toilet with lavatory to be combined with two core unisex toilets and lavatories located within 300 feet. The Petitioner indicates this would allow a reduction of three toilet facilities. The Brookline Board of Health was properly petitioned.

Meeting Notes: *This is a physical therapy facility.*

A motion was made to approve with conditions by Mr. Harold knight and seconded by Mr. Wayne Thomas.

Condition(s): *A letter from the Brookline Plumbing Inspector was needed indicating the core facilities are within 300 feet and would comply with the minimum fixture requirements.*

Result; *Unanimous*

PV)101 – SOMERSET WALTHAM - LLC – 475 WINTER STREET - WALTHAM

The Petitioner (John O’Gorman) is seeking a variance from 248 CMR (specific code citation not provided) to be permitted to re-line 400 LF of existing sewer pipeline in a commercial retail plaza. The Petitioner indicates that without a variance it would need to displace existing tenants while cutting concrete floors. The Waltham Board of Health was properly petitioned.

Meeting Notes: This is a retail plaza which has 11 tenants. It is a 4" pipe. Wind River Environmental will use the permaliner system. There is a sag in the existing pipe. The members indicated concern that failing to adhere to the code would lead to a failure in the system.

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

Condition(s):

Result; Unanimous

GV102 – GABLE BUILDING CORP. - 40 FIRST AVE - WELLFLEET

The Petitioner (David Erickson) seeks a variance from 248 CMR 3.04 to install a custom restored 1950's Wedgewood 20 inch four burner gas range. As this is a gas variance, no Board of Health Petitioning was required.

Meeting Notes: The applicant did not appear.

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

Condition(s):

Result; Unanimous

PV103– COHASSET YACHT CLUB – 99 HOWARD GLEASON ROAD – COHASSET

The Petitioner, (Alan Auriemma) is seeking a variance from 248 CMR 10.06 to use PVC pipe for a private recreational club. The Petitioner states that this variance is needed due to a highly corrosive environment created by the proximity to the ocean with its salt water. The Cohasset Board of Health was properly petitioned.

Meeting Notes: This is a yacht club which is over the water on pilings. There will be a small kitchen sink, a janitor's sink and two bathrooms. The members noted that there are other non-PVC approved materials that would work in corrosive environments.

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

Condition(s):

Result; Unanimous

PV105 – SAINT MARY CHURCH – ONE CHURCH SQUARE - FRANKLIN

The Petitioner (Paul Loughin) seeks a variance from 248 CMR 10.10(18)(table 1) to install two (2) male accessible toilet rooms and two (2) female accessible female accessible toilet rooms (one each on each of the two main levels). The Petitioner acknowledges that the total number of fixtures does not meet the required number in Table 1 of the Mass State Plumbing code for places of worship A-4. The Cohasset Board of Health was properly petitioned.

Meeting Notes: This is an old building which seats 600 people. An elevator will be installed. The bathrooms will be handicap compliant.

A motion was made to approve by Mr. Daniel Kilburn and seconded by Mr. John Cruz.

Condition(s): Result; Unanimous

PV106 – HALE RESERVATION, INC. – SIMCHES PAVILLION – CARBY STREET – WESTWOOD

The Petitioner, (John Carroll) is requesting a variance from 248 CMR (no citation provided) to utilize a building for educational uses for a period of sixty days without any restrooms. The Petitioner indicates that there is an adjacent structure with two accessible bathrooms. The Westwood Board of Health was petitioned.

Meeting Notes: Mr. Harold Knight recused himself. The AAB granted a 90 day variance to occupy the building. This is a school which students are bussed in. There are two buildings, each around 2500 square feet. There will be 50 students, 25 in each building. There is a separate faculty building. There is a male and female bathroom in another building for students.

A motion was made to approve with conditions by Mr. Daniel Kilburn and seconded by Ms. Ruth Alfasso.

Condition(s): *Allow the students to use the existing bathrooms in the existing student building. The faculty must use the facilities in the faculty building. This will be allowed for a period of 90 days during the construction of new bathrooms.*

Result; *all in favor with Mr. Harold Knight recused.*

PV107 – BRAZILIA GRILL – 680 MAIN STREET - HYANNIS

The Petitioner (Alex Braga) is seeking a variance to from 248 CMR 3.04 to utilize non-product accepted sinks for the men's and women's rooms in a restaurant. The Petitioner indicates that the sinks are custom made and opines that it meets ADA standards, is made of non-porous material and has proper opening for standard drain assembly and faucet connections. The Barnstable Board of Health was petitioned.

Meeting Notes: *The sink is constructed of sealed cement which is made by a local artist. The drain opening is 4" and will be reduced to 1 ½ drain.*

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

Condition(s):

Result; *Unanimous*

PV109 – 110 EDENFIELD AVENUE – WATERTOWN

The Petitioner (David Chase) seeks a post installation variance from 248 CMR 10.16(16)(d) to utilize an air admittance valve to vent a laundry fixture. The Petitioner indicates that their client is unable to get permission to have access to an adjoining space which would be necessary to install a code compliant vent. The Petitioner certifies that they have petitioned the Watertown Board of Health.

Meeting Notes: *This is a two family with 3 floors, which has multiple owners. The 2nd floor owner is not allowing access to properly vent the fixture. This installation has exceeded the time limit of access which a court order was allowed. The laundry is in the basement.*

A motion was made to deny an air admittance valve but to allow an alternative method of installation with conditions by Mr. Wayne Thomas and seconded by Mr. Harold Knight.

Condition(s): *A 3" drain is to be installed to the fixture with a 2" partial bow vent*

Result; *Unanimous*

PV110 – 257 RATHGAR STREET – FALL RIVER

The Petitioner (Patricia Mayall) seeks a variance from 248 CMR 3.04 to utilize a non-product accepted massage bathtub. The Fall River Board of Health was properly petitioned and does not object to this variance.

Meeting Notes: *The faucet is supplied with the unit. There is a hand held shower*

A Meeting Notes: *A motion was made to approve with conditions by Mr. Wayne Thomas and seconded by Mr. Daniel Kilburn.*

Condition(s): *A tempering valve is required*

Result; *Unanimous*

PV111 – 231 VILLAGE STREET - MEDWAY

The Petitioner (Jamaal Siddiqui) seeks a variance from 248 CMR 3.04 to utilize non-product accepted a) tub with bath filler, b) rain shower head, and c) 60 inch double vanity sink. The Petitioner indicates that these products have a UPC certification from a testing facility in California.

Meeting Notes: *The valve is pressure balanced and comes with a separate thermostatic mixing valve.*

A motion was made to approve with conditions by Mr. Harold Knight and seconded by Mr. John Cruz.

Condition(s): *The tub and sink are approved. The petitioner must submit further product information on the shower valve to the Board's office for approval.*

Result; *Unanimous*

GV112 – 328 SUMMER STREET – NORWELL

The Petitioner (David Erickson) seeks a variance from 248 CMR 3.04 to install a custom restored 1930's magic chef 6 burner double oven vintage gas range. As this is a gas variance, no Board of Health Petitioning was required.

Meeting Notes: The applicant was not present

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

Result; Unanimous

PV113 – WATER TREATMENT PLANT – BARNES STREET – WARE

The Petitioner (Richard Protasowicki) seeks a variance from 248 CMR 10.10 to provide a single gender-neutral bathroom in lieu of the required two in a new water treatment plant which will only house a single employee at a time. The Ware Board of Health was properly petitioned and does not object to this variance.

Meeting Notes: The building is between 3,000 and 4,000 square feet

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

Condition(s): none

Result; Unanimous

PV114 – SIMON PROPERTY GROUP – 210 ANDOVER STREET – PEABODY

The Petitioner (Michael Pierce) seeks a variance from 248 CMR 3.04 to utilize non-product accepted custom made quartz trough sinks. The Peabody Board of Health was properly petitioned and does not object to this variance.

Meeting Notes: The sink is sealed.

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

Condition(s): none

Result; Unanimous

PV115 – 1800 MASS AVE – CAMBRIDGE

The Petitioner (Matthew McClendon) seeks a post installation variance from 248 CMR (no specific citation provided) to utilize a laundry connection made in conjunction with a newly roughed bathroom group and tied into a four inch sanitary stack which serves two units above and one unit below where work is being performed. The Cambridge Board of Health was properly petitioned.

Meeting Notes: The plumber unaware there was a basement unit. The members noted such a variance could adversely impact that unit.

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

Condition(s):

Result; Unanimous

PV68 - RENTERS TENANTS - 189 - 267 HANCOCK STREET – QUINCY

The Petitioner (Ralph Mulcahy) seeks a variance from 248 CMR 10.06 for a mixed use building to a) utilize either PVC or cast iron stacks throughout the residential portion of the buildings above grade but use PVC for all sanitary, vent, and storm piping below grade and for penetration of the slab/grade, b) to utilize polypropylene for below grade piping for a garage drainage and vent, and c) for a retail area to utilize cast iron for sanitary piping above grade, but otherwise PVC below grade. The petitioner states this is required due to the building's proximity to a DC substation, the petitioner states stray currents typically occur adjacent to DC substations which would deteriorate metallic piping. As this is a State project, no Board of Health Petitioning was required.

Meeting Notes: Bahig Kaldas Recused himself. This is a MBTA project in North Quincy. There is 45,000 square feet of retail space and 610 residential units. With 1600 parking spaces. There is a possibility of stray current from the electric. Inspector Taylor Roth Stated the in the cast iron will affect the third rail.

A motion was made to approve with conditions by Mr. Harold Knight and seconded by Mr. John Cruz.

Condition(s): PVC pipe and fittings can be used underground for the storm and sanitary. Polypropylene pipe and fittings must be used for the garage dedicated gas and oil system.

Result; all in favor with Mr. Bahig Kaldas recused.

Inspector Taylor Roth was looking for guidance from the Board on the storm system for this project.

He was instructed to perform a plan review on the project. If the storm system in the plan review does not appear to be compliant with 248 CMR, a variance will have to be properly applied for and listed on the agenda.

FYI – Board Delegated Staff Approvals – Board Vote Not Required

Full operation of unlisted gas equipment

DAGV171 – U.S. NEENAH TECHNICAL MATERIALS – 1080 DALTON AVENUE - PITTSFIELD

EXECUTIVE SESSION

CHARACTER REVIEW(S)

At approximately 12:00 p.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 approximately thirty minutes if there were any open session items not reasonably anticipated prior to the meeting.

A motion was made to enter executive session by Ms. Ruth Alfasso 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 12:05 p.m., the Board came back into open session.

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

Mr. Rick Carter asked the Board what the minimum size was for CSST installations underground. Mr. Wayne Thomas stated he was not aware of a minimum size in 248 CMR.

At 12:10 a motion was made to adjourn by Ms. Ruth Alfasso and seconded by Mr. Daniel Kilburn.