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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
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BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER DIVISION OF
PROFESSIONAL LICENSURE

Massachusetts Board of State Examiners of Plumbers and Gas Fitters,
November 7th 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	

Called to order time: 9:00a.m. By Chairman Joseph McNamee

9:01a.m. AGENDA REVIEW: By Chairman Joseph McNamee

9:03a.m. APPROVAL OF PREVIOUS MEETING MINUTES:

- The October 3rd, 2018 Board Meeting Minutes

A motion was made to Table By: Mr. Wayne Thomas *Seconded By:* Mr. Harold Knight

Results: unanimous

- The October 3rd, 2018 Executive Session Minutes

A motion was made to Table By: Mr. Wayne Thomas *Seconded By:* Mr. Harold Knight

Results: unanimous



VARIANCE REQUESTS

PV-73 -Middleborough Public Schools – 71 East Grove Street - Middleborough

DRA Architects, Inc. are seeking a variance on behalf of the Middleborough Public Schools for relief of 248 CMR 10.10 (18) Table 1 minimum facilities in stadiums. The stated total capacity of the proposed bleacher construction project is 1000 persons. The facilities proposed in the new construction include 9 female water closets, 3 male water closets and 2 urinals. The Middleborough Board of Health has been properly notified.

Meeting Notes:

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

Condition(s):

Result: unanimous

PV-74- Shrine of St. Nicholas the Wonderworker- 124 Pleasant Street – Marblehead

Shrine of St. Nicholas the Wonderworker are seeking relief from 248 CMR 10.06 (2) (o). They are requesting the use of PVC piping for the building drains throughout the entire structure. The Marblehead Board of Health has been properly notified.

Meeting Notes:

A motion was made to approve by Mr. Bahig Kaldas and seconded by Mr. John Cruz

Condition(s): Polypropylene Schedule 40 or 80 drainage piping and fittings may be used where commercial drainage piping is required.

Poly-Vinyl Chloride (PVC) piping may not be used where commercial drainage piping is required.

Result: unanimous

PV-75-UMASS Amherst- 686 North Pleasant Street – Amherst

VAV International, Inc. are seeking relief from 248 10.13. They are requesting 3 hand wash sinks that will be located in renovated labs 62, 67, and 41 use tempered water from a central tempered water loop and pipe waste to the special (lab) waste system in lieu of the regular drainage system. This is a State project therefore the Board of Health notification is not required.

Meeting Notes:

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

Condition(s):

Result: unanimous

PV-76-DCR Maintenance Facility- 230 Revere Beach Blvd. – Revere

Ma Department of Conservation and Recreation are seeking relief from 248 CMR 10.03 and 10.10 (18) Table 1. They are requesting the installation of two alternative rinse stations in lieu of interior showers, and to permit the draining of the freestanding, exterior drinking water fountains to drain in to the storm system or dry well. This is a State project therefore the Board of Health notification is not required.

Meeting Notes:

A motion was made to approve by: Mr. Wayne Thomas ***and seconded by:*** Mr. Joseph Waskiewicz

Condition(s):

Result: unanimous

PV-77 - Pine Lake RV Resort – 30 River Road – Sturbridge

The variance applicant is seeking relief from 248 CMR 10.06 Materials. They are requesting the use of schedule 40 PVC in lieu of cast iron piping for the building drains at the Pine Lake Resort. The Sturbridge Plumbing Inspector has been properly notified.

Meeting Notes: The Applicant indicated a preference in materials, but did not indicate there would be a particular problem if the job had to be completed using code required materials.

A motion was made to Deny by: Mr. Harold Knight and seconded by: Mr. Joseph Waskiewicz

Condition(s):

Result: unanimous

PV-78- Synergy Private Health – 300 Boylston - Newton

This is a post installation variance. The applicant is seeking relief from 248 CMR 10.15 (10) (a) 1., 2. Building drains below sewer. The tenant space is an outpatient medical office that occupies 5400 square feet with 3 single user toilet rooms. The toilet room in the lobby (dedicated for the Patients) is located above an existing structural steel member and a fitness center making gravity drainage not possible. The Newton Plumbing Inspector has been properly notified.

Meeting Notes: Mr. Bahig A. Kaldas, P. E. Recused himself from this variance

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

Condition(s):

Result: Motion passes 6 to 1 in favor

PV-80 -LePetit Salon - 56 John F. Kennedy Street – Cambridge

LePetit Salon are seeking a variance from 248 CMR 10.16 (12) (c) 1. The developed length from the discharge of the bowl to the weir of the trap is 32". The proposed solution is to increase the trap size to 2" and install a trap primer for each sink / trap for the island type salon chair / sink. The 2" trap will be installed below the floor and will be vented. The Cambridge Board of Health has been notified.

Meeting Notes:

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

Condition(s): indirectly wasted through properly trapped and vented floor sinks under each unit.

Result: unanimous

PV-82- Berkley Beer Company, Inc. – 10 Ingell Street - Taunton

The Berkley Beer Company, Inc. are seeking relief from 248 CMR 3.04 (1) Unlisted fixtures. They are proposing to install novelty urinals crafted from modified 16 gauge, 304 stainless steel beer kegs. The Taunton Board of Health has been notified.

Meeting Notes:

A motion was made to approve by: Mr. Wayne Thomas and seconded by: Mr. Dan Kilburn

Condition(s): A stainless steel trap is to be used.

Result: unanimous

PV-83-Prime Marina- 100 Lagoon Pond Road -Tisbury

Prime Marina are seeking relief from 248 CMR 10.10 (18) Table 1. The recently renovated office/ storage/ retail building currently has no bathrooms. They are asking to install only one gender neutral, ADA compliant toilet room for the 3 to 4 employees who will occupy the space. The Town of Tisbury Board of Health has been properly notified.

Meeting Notes:

A motion was made to approve by: Mr. Wayne Thomas and seconded by: Mr. Joseph Waskiewicz

Condition(s):

Result: unanimous

PV-84 – MWRA –Prison Point CSO Facility-7 Education Way-Cambridge

MWRA are seeking relief from 248 CMR 10.10 (18) Table 1. The Chemical building that was built in 1999 does not contain any domestic plumbing fixtures or piping. They are requesting not to add toilet rooms in the chemical building. This is state project therefore no Board of Health notification is required.

Meeting Notes:

A motion was made to approve by: Mr. Dan Kilburn **and seconded by:** Ms. Ruth Alfasso

Condition(s):

Result: unanimous

PV – 85 - University of Massachusetts - 100 Morrissey Blvd. – Boston

Cannon Design is seeking a variance for the University of Massachusetts from 248 CMR 10.10 (18). Travel distances to toilet facilities for both students and staff exceed 300 feet in 5 areas of the REAB Project. This is state project therefore no Board of Health notification is required.

Meeting Notes: The Board noted that previous variances allowed up to 370 feet, which the members considered a maximum distance.

A motion was made to Deny by: Mr. Dan Kilburn **and seconded by:** Mr. Joseph Waskiewicz

Condition(s):

Result: unanimous

PV – 86 - University of Massachusetts - 100 Morrissey Blvd. – Boston

Cannon Design is seeking a variance for the University of Massachusetts from 248 CMR 10.10 (18). They are requesting a fifty percent reduction in the required drinking water fountains for the REAB Project.. This is state project therefore, no Board of Health notification is required.

Meeting Notes:

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

Condition(s):

Result: unanimous

PV-87 - Early Risers, LLC – 62 Harvard Street (Rear) – Brookline

Early Risers, LLC is seeking relief from 248 CMR 10.10 (18) (e). They are requesting the installation of a single gender neutral ADA compliant toilet room for the adult staff. There will be no more than 15 employees at any one time. The Brookline Board of Health has been properly notified.

Meeting Notes:

A motion was made to approve by: Mr. Dan Kilburn **and seconded by:** Ms. Ruth Alfasso

Condition(s):

Result: unanimous

Chairman McNamee recused himself from PV-89, Mr. Harold Knight assumed the Chair for PV-89.

PV-89 – BST Waterfront Development LLC – 8 Seafood Way – Boston

BST Waterfront Development LLC are seeking relief from 248 CMR 10.06 (2) (g) and (o). Materials, (in this case Cast iron piping below ground) according to the applicant, will be subject to corrosive salts involved in food processing and daily cleaning operations. This is state project, therefore no Board of Health notification is required.

Meeting Notes:

A motion was made to approve by: Mr. Wayne Thomas and seconded by: Mr. Dan Kilburn

Condition(s):

Result: unanimous

Meeting Notes: The variance request was amended to not required trap primes as the drains are used on a continuous or semi-continuous basis

A motion was made to approve by: Mr. Dan Kilburn and seconded by: Ms. Ruth Alfasso

Condition(s):

Result: unanimous

PV-90 – MBTA – Walleston Station - Newport and Beale Street – Quincy

Architectural Engineers Inc are seeking relief from 248 CMR 10.10 (5) (b) on behalf of MBTA. They are requesting the use of trap guards in lieu water based trap primers. The three drains are in unheated lobby of the newly renovated space. This is state project, therefore no Board of Health notification is required.

Meeting Notes:

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

Condition(s):

Result: unanimous

PV-91 – MBTA – N Quincy Station - Newport and Squantum Street – Quincy

Architectural Engineers Inc. are seeking relief from 248 CMR 10.10 (18) On behalf of MBTA. They are requesting the installation of one gender neutral ADA compliant toilet room in the north lobby and in the south lobby for public use and one gender neutral ADA compliant toilet room in the north and south lobby for MBTA staff use only. This is state project, therefore no Board of Health notification is required.

Meeting Notes:

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

Condition(s):

Result: unanimous

APPEAL OF INSPECTOR'S DECISION

A motion was made to enter into Quasi-Judicial Session at 11.05 a.m. by: Mr. Harold Knight and seconded by: Mr. Wayne Thomas

Result: unanimous

AID - 79 - 250 Second Street – Waltham

Kent Beirne has formally appealed the local plumbing inspector's decision and is seeking the boards interpretation of 248 CMR 10.10 table 1 regarding drinking fountains required in hotel's indoor pool and fitness center. Based on the date of the Inspector's response and the receipt of the appeal, the applicant is within ten days.

A motion was made to uphold the Inspector's Decision by: Mr. Dan Kilburn and seconded by: Mr. Harold Knight

Result: unanimous

A motion was made to Exit out of Quasi-Judicial Session and Enter into Executive Session at 11.14 a.m. by: Mr. Dan Kilburn and seconded by: Ms. Ruth Alfasso

Result: unanimous

VARIANCE RETURNED

PV-XX-Storage Solutions-45 Ledgeview Way-Plainville

Applicant Julianna Hoch asked via E-mail to withdraw this variance request. Check number 6165 for \$86.00 and the variance application was returned.

PV-XX-That Dirty Dog – 28 Chestnut Street Unit 4- Andover

Variance was returned to applicant because the tubs used for the animals and not for human use do not need product acceptance. Check #2843 for \$86.00 was also returned.

PV-XX-Wignall Animal Hospital – 1807 Bridge Street - Dracut

Variance was returned to applicant because upon review the Plumbing Board Office has determined that a variance is not required since an RPZ backflow preventer is going to be installed upstream of Easiwash System.

PV-XX- Mighty Squirrel Beer Company-Waltham

Upon review of the application for variance from State Plumbing Code Pre-Installation, the Plumbing Board Office has determined that the application is incomplete.

PV-XX-CAS Garage INC-Worcester

Applicant filed the wrong application. No check was submitted with application

FYI – Board Delegated Staff Approvals – Board Vote Not Required

Delegated Authority Plumbing Variances

DAPV – 1 – Seaman Engineering Corporation – 170 Apricot Street – Worcester

South High Community School has been granted relief from 248 CMR 10.10 (18) Table 1 Minimum facilities for stadiums via Board sanctioned delegated authority. The total seating capacity of 1500, they have exceeded the 50% threshold in the renovation. Potty Parity has been met. The Worcester Plumbing Inspector has been notified.

DA-PV-88- Merrilee S. Wiley - 18 Edna Circle - N. Brookfield

Petitioner Merrilee S. Wiley has requested a variance from 10.10 (7) (b) Shower Waste Outlet: Waste outlets serving shower stalls and compartments shall be no less than two inches in diameter. There is a letter from his Health Care Provider accompanying this variance application. The variance was conditionally approved through delegated authority. The conditions for approval are: 1) A variance application submittal. 2) Only 1 shower per variance. 3) Legitimate health concern with medical note. 4) A 6" threshold from shower surface to top of barrier lip. 5) Only one 2.5 gallon shower head. A letter to grant variance with conditions has been sent to the applicant. The N. Brookfield Board of Health has been properly notified

Full operation of unlisted gas equipment

DAGV-190-FY18-Mill City Glass Works-122 Western Ave, Studio 25 – Lowell

Full operation of the unlisted gas fired glass furnace (glory hole), Subject to the approval of the local plumbing and gas inspector

Vocational School Projects

V1) Residential Project - 90 Tracy Road – Dudley

Students will be installing the plumbing for a single family home with two full bathrooms and two half baths. One half bath will be in basement and some underground plumbing is required. The Dudley Plumbing and Gas Inspector has been notified.

V2) Smith Vocational High School-Greenhouse -80 Locust Street – Northampton

This project consists of tapping into an existing water line to run distribution for watering of flowers and vegetables, also tapping into the existing gas line to run a gas branch for the heating boiler for the greenhouse. The Northampton Plumbing and Gas Inspector has been notified.

V3) Smith Vocational High School-Habitat for Humanity - 125, 129, 133 Glendale Road – Northampton

Lot # 125 is a stick built home, there will be underground plumbing, upper rough DWV and Water piping. Finish to be set. Lots # 129 and 133 are modular homes consisting of connecting water supply lines and some DWV work to be completed. The Northampton Plumbing and Gas Inspector has been notified.

V4) Habitat for Humanity of Greater Lowell- 281 Nesmith Street - Lowell

The project consists of rough and finish plumbing for 2 full baths and 2 half baths. There is a kitchen sink and laundry. Drainage and venting will be done in PVC. Water piping will be PEX. Gas piping consists of schedule 40 black iron connecting a furnace, water heater and a cook stove. The Lowell Plumbing and Gas Inspector has been notified.

V5) Upper Cape Cod Regional Technical School – 220 Sandwich Road - Bourne

This is an on campus project consisting of running a designated gas line to training equipment in the HVAC shop area. The Bourne Gas Inspector has been notified.

V6) People Incorporated – 40 Chicago Street – Fall River

Students will install a water, waste and vent piping system along with gas piping for all appliances in a new house. The Fall River Plumbing and Gas Inspector has been notified.

EXECUTIVE SESSION

CHARACTER REVIEW(S)

At 11:10 a.m., the chair announced that the Board would need to enter Executive Session to discuss applicant's character rather than competence per M.G.L. c. 30A. The chair anticipated the session would last an hour.

CR1) G, J CR2) L, J CR3) P, A CR4) A, J CR5) W, K CR6) C, N CR7) L, D CR8) B, R
CR9) F, C CR10) C, R CR11) S, W

A motion was made to enter Executive Session by: Mr. Wayne Thomas *and seconded by:* Mr. Joseph Waskiewiez

Roll call vote results: 8-0 w/1-absent

MEMBER	YEA	NAY	ABSENT	RECUSED	ABSTAINED
Mr. Wayne Thomas	X				
Mr. Joseph McNamee	X				
Ms. Sarah Badway			X		
Mr. Joseph Waskiewiez	X				
Mr. Bahig Kaldas	X				
Ms. Ruth Alfasso	X				
Mr. John Cruz	X				
Mr. Harold Knight	X				
Mr. Daniel Kilburn	X				

A motion was made to Exit out of Executive Session at 12:14 p.m. by: Mr. Dan Kilburn *and seconded by:* Ms. Ruth Alfasso

Result: unanimous

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

None

A motion was made to Adjourn at 12:15 p.m. by: Mr. Dan Kilburn *and seconded by:* Ms. Ruth Alfasso

Result: unanimous

Respectfully Submitted By;


Laurent A. Lemieux,
Executive Director
Board of State Examiners of Plumbers and Gasfitters

Respectfully Authorized by;

Chairman
Board of State Examiners of Plumbers and Gasfitters