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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

SEPTEMBER 5TH, 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: 9:00 a.m.

9:05 a.m. AGENDA REVIEW: By Chairman Joseph McNamee

9:06 a.m.: APPROVAL OF PREVIOUS MEETING MINUTES:

- The August 1st, 2018 Board Meeting Minutes

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

Results: Unanimous

- The August 1st, 2018 Executive Session Minutes

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

Results: Unanimous

DISCUSSION

D1 – Apprentice Renewal/Reinstatement Policy Amendments

A motion was made to Approve as drafted By: Mr. Joseph Waskiewicz *Seconded By:* Mr. John Cruz

Results: Unanimous

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DISCUSSION

D2 – Review changes to 248 CMR 3.00, 4.00, 10.00, and 11.00

A motion was made to Approve as drafted By: Mr. John Cruz Seconded By: Mr. Wayne Thomas

Meeting Notes:

A Question was asked by Mr. John Cruz about the time frame from this discussion to implementation of the code changes. The Board Counsel replied anywhere from 3 months to one and a half years or longer.

Results: Unanimous

VARIANCE REQUEST

PV-12-Neh-Koo-Dah-6 Cypress Street-Brookline

Neh-Koo-Dah at 6 Cypress Street Brookline are seeking relief from 248 CMR 10.10 (18) (b) 2.c. They are proposing to install one non ADA compliant restroom. The plans appear to indicate a food service establishment with limited seating. The Brookline Board of Health has been properly notified.

A motion was made to Approve By: Mr. Wayne Thomas Seconded By: Mr. John Cruz

Meeting Notes: There are a total of ten seats with four of them at the counter.

Results: Unanimous

VARIANCE REQUEST

PV- 29-A. Deangelis P&H- 1180 Beacon Street Suite 2D / 2B – Brookline

A. Deangelis P&H are seeking relief from 248 CMR 10.10 (18) Table 1. The existing dental office contains two toilet rooms, each containing one water closet and one lavatory. The new space will have one toilet room, with a fixture count of one water closet and one lavatory. The use of the new restroom is for staff only. The Brookline Health Department has been notified.

A motion was made to Table By: Mr. Harold Knight Seconded By: Mr. Joseph Waskiewicz

Results: Unanimous

VARIANCE REQUEST

PV-30- AECOM - MBTA - 0 Third Avenue - Somerville

AECOM for the MBTA are seeking relief from 240 CMR 10.10 (18) Table 1 Industrial usage with two variance requests. 1) to install a single user gender neutral toilet facility, and 2) to not have to install a shower. Since this is a State facility no Board of Health have been notified.

A motion was made to Approve By: Ms. Ruth Alfasso Seconded By: Mr. Dan Kilburn

Results: Unanimous

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VARIANCE REQUEST

PV-31 - Wambolt Plumbing and Heating -83 Speen Street- Natick

Wambolt Plumbing and Heating are seeking a Post Installation Variance for violating 248 CMR 10.10 (8) (d) Commercial Food Waste Grinders required. The nature of the establishment involves remove all organic materials and taken directly to a farm for composting. The Natick Board of Health have been notified.

The applicant indicated that this request was based on a preference, not a hardship. A motion was made to Deny By: Mr. Dan Kilburn Seconded By: Mr. Harold Knight

Results: Unanimous

VARIANCE REQUEST

PV-32- Bullard Memorial Farm Association – 7 Bullard Lane - Holliston

Bullard Memorial Farm Association are seeking relief from 248 CMR 10.06 (2) (o) Allowable Materials. The Bullard Memorial Farm is a 501 (c) 3 organization. The farm is not a commercial facility that is open to the public. It is a historical property that hosts several educational programs a year. The new building is not intended to expand or increase the current use of the property but to change the location of the bathrooms to meet ADA compliance. The Holliston Board of Health has been notified.

A motion was made to Deny By: Mr. Wayne Thomas Seconded By: Mr. Joseph Waskiewicz

Meeting Notes:

It was determined by the Board that this is a place of assembly other than residential.

Results: 8-0 with one abstaining from the vote.

VARIANCE REQUEST

PV-33 – Marblehead Public Schools -40 Baldwin Road - Marblehead

Marblehead Public Schools are seeking relief from 248 CMR 10.10 (9) Drinking fountains. Due to lead water tests failures scattered all across the building.

A motion was made to Approve By: Mr. Joseph Waskiewicz Seconded By: Ms. Ruth Alfasso

Results: Unanimous

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VARIANCE REQUEST

PV – 35 - PJ Dionne Company Inc. – One Kendall Square - Cambridge

PJ Dionne Company Inc. are seeking relief from 248 CMR 10.15 (10) (a) 2. Only drains located below the building sewer or building drain shall discharge into sumps. All other drains shall be discharged by gravity. The Cambridge Board of Health have been notified.

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

Results: Unanimous

VARIANCE REQUEST

PV-36— 301 Ballardvale Street - Wilmington

Locus Robotics are seeking relief from 248 CMR 10.10 (18) Table 1 requirement of bath/ or shower in industrial manufacturing facility. The Wilmington Board of Health has been notified.

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

Results: Unanimous

Conditions:

One single gender neutral shower would be adequate.

VARIANCE REQUEST

PV-37 - Partners Urgent Care - 219 N. Main Street - Natick seeks relief from the requirement of male and female staff toilet rooms and provide one gender neutral ADA compliant staff toilet room. The Natick Board of Health has been notified of both variance.

A motion was made to Approve By: Mr. Harold Knight *Seconded By:* Ms. Ruth Alfasso

Results: Unanimous

VARIANCE REQUEST

PV-38 - Partners Urgent Care - 219 N. Main Street - Natick the second variance seeks to install the lavatory outside of the toilet room dedicated to patient drug screening. The Natick Board of Health has been notified of both variance.

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

Results: Unanimous

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VARIANCE REQUEST

PV-198 - City of Gardner Public Schools - 70 Waterford Street - Gardner

City of Gardner Public Schools seek relief from 248 CMR 10.10 (18) Minimum Facilities. They have requested an opportunity to present additional information with regards to the toilet facilities within the school. The proposed fixture count for the facilities within the stadium are as follows: men room: Three water closets, three urinals, three lavatory sinks. Women room: Six water closets, three lavatory sinks, gender neutral room: One water closet, one lavatory sink. Additional men and ladies rooms are in the school, within 250 feet of the proposed field. The Gardner Board of Health have been properly notified of this variance petition.

A motion was made to Approve By: Mr. Wayne Thomas *Seconded By:* Mr. Dan Kilburn

Meeting Notes:

Mr. Roland Jean and Mr. Wayne Anderson stated a revision of the building plans shall include the removal of two urinals from the men room and replace them with two additional toilets in the ladies room to meet the ratio of women to men facilities in the new construction, also to reiterate that the gymnasium in the school will be open during events involving the stadium to provide additional men and women bathrooms. The gymnasium is within 300 feet of the new construction.

Results: motion passes 6-3

Conditions: A letter form the school to be placed on file indicating that the school gymnasium will be open to the public during events involving the stadium to provide additional men and women toilet rooms.

VARIANCE REQUEST

PV-40 – Stephen O’Meara - Panda Express – 125 University Ave. – Westwood

This is a Post Installation Variance. Stephen O’Meara has installed unlisted non-product accepted plumbing fixtures at this location. The Company has filed for product acceptance for the fixtures. The status of the product acceptance at the time of posting the agenda is “Pending”. The Westwood Board of Health has been notified.

Meeting Notes: This variance was withdrawn because the plumbing equipment was listed on the Massachusetts product acceptance after the agenda was posted. No Board action is required.

VARIANCE REQUEST

GV-41– Stephen O’Meara - 125 University Ave. - Westwood

This is a Post Installation Variance. Stephen O’Meara has installed unlisted non-product accepted gas utilization equipment at this location. The Company has filed for product acceptance for the gas utilization equipment. The status of the product acceptance of the gas utilization equipment at the time of posting the agenda is “Pending”. The Westwood Board of Health has been notified.

Meeting Notes: This variance was withdrawn because the gas utilization equipment was listed on the Massachusetts product acceptance after the agenda was posted. No Board action is required.

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VARIANCE REQUEST

PV - 42 - AmericanBio, INC. - 20 Dan Road – Canton

AmericanBio, INC are seeking relief from 248 CMR 10.15 (10) (a) 2. Only drains located below the building sewer or building drain shall discharge into sumps. All other drains shall be discharged by gravity. The Canton Board of Health has been notified

A motion was made to Approve By: Mr. Dan Kilburn *Seconded By:* Mr. Joseph Waskiewiez

Results: Unanimous

VARIANCE REQUEST

PV - 44 – Chapel on the Pond LLC - 17 Pond Road - Truro

Chapel on the Pond LLC are seeking relief from 248 CMR 10.10 (18) (b) 2. a. and 248 CMR 10.10 (18) (c) 1. They are proposing to install one ADA compliant toilet room. The total 1850 square feet of worship area. The Truro Board of Health has been notified.

A motion was made to Approve By: Mr. Dan Kilburn *Seconded By:* Mr. Bahig A. Kaldas, P. E.

Results: Unanimous

VARIANCE REQUEST

PV-45-Massachusetts Bay Transportation Authority-Newport Ave. and Beale Street-Quincy

Massachusetts Bay Transportation Authority are seeking relief from 248 CMR 3.05 (3) (f) requiring any plumbing work below grade to be tested and inspected before being covered. As this existing piping was not included as part of the plumbing scope of work to be addressed, the inspector was never requested to inspect the installation, and has not certified the installation. This is a State project therefore no Board of Health notification is required.

A motion was made to Approve By: Mr. Dan Kilburn *Seconded By:* Mr. John Cruz

Results: Unanimous

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FYI – Board Delegated Staff Approvals – Board Vote Not Required

Delegated Plumbing Variances:

FY19-DAPV-28- Theano Policronis-22 Grant Place-Waltham-

Existing 1-1/2" tub drain to remain for shower replacement. Conditional approval

FY19-DAPV-34 – Vlatimir Verbitsky – 30 Stearns Road, APT 605- Brookline

Existing 1-1/2" tub drain to remain for shower replacement. Conditional approval

Delegated Gas Variances:

FY17-DAGV-282 - Table Talk Pies – 25 Southgate Road- Worcester

Full operation of the #2 CH Babb Air Impingement Tunnel Oven. Subject to the approval of the local plumbing and gas inspector.

FY18-DAGV-210 - Hotel Marlowe- 25 Edwin H. Land Blvd- Cambridge

Full operation of the AcuCraft Custom Gas Fireplace. Subject to the approval of the local gas inspector

FY18-DAGV-006 - UMass Memorial Medical Center – 119 Belmont Street-Worcester

Full operation of the GE Jenbacher Gas Engine (Model JMS 616). Subject to the approval of the local gas inspector.

FY18-DAGV-201 - US Tsubaki Automotive LLC – 106 Lonezak Drive – Chicopee

Full operation of the Austemper Furnace #3. Subject to the approval of the local gas inspector.

FY18-DAGV-202 - Suddekor LLC -82 Dear Park Drive- East Longmeadow

Full operation of the Thermal Oxidizer. Subject to the approval of the local gas inspector.

FY19-DAGV-28 – Riverview Commerce Center – 495 Woburn Street – Tewksbury

Full operation of the gas heater wells (for remediation). Subject to the approval of the local gas inspector.

FY19-DAGV- 19 – Royal Sonesta Hotel – 40 Edwine H Land Blvd. – Cambridge

This variance has been withdrawn by the applicant.

Variance Applications Returned Unprocessed

PV-XX-JC Jacobs-376 University Ave.-Westwood

Proposed alternate method to meeting the requirement of 248 CMR 10.09 as outlined in 248 CMR 10.09 (1) (b) 3. A. i., ii., iii., and iv. Variance not required.

PV-216- Chained Evolution LLC – 502 Main Street – Waltham

Applicant submitted an application for Variance from State Fuel Gas Code however the variance request information proposed a variance from state plumbing code.

PV-XX-Fed Ex Ground – 16 Huron Drive - Wilmington

Applicant submitted an application for Variance from State Fuel Gas Code however the variance request information proposed a variance from state plumbing code.

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PV-XX-Sprint-Worcester

Applicant submitted an application for Variance from State Fuel Gas Code however the variance request information proposed a variance from state plumbing code.

Vocational School Projects Approved

V1) Upper Cape Tech – Health Careers/Fitness Annex Building- 220 Sandwich Rd. – Bourne
Installation of two in-school bathrooms, mop sink, hand wash sink and water fountain

EXECUTIVE SESSION

There are no CHARACTER REVIEW(S) scheduled for this meeting. No Executive Session held

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

None

*A motion was made to Adjourn By: Mr. Harold Knight **Seconded By: Ms. Ruth Alfasso***

Adjourn Time: 10:15 a.m

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.