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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 26, 2017 BOARD MEETING MINUTES**

<b>MEMBERS</b>	<b>APPOINTMENT</b>	<b>PRESENT</b>	<b>ABSENT</b>
Mr. Paul Kennedy Sr.	Chairman, Journeyman Gasfitter	x	
Mr. Joseph McNamee	Member, Master Gas Fitter	x	
Mr. Bahig A. Kaldas, P. E.	Member, Plumbing Engineer	x	
Ms. Sarah Badway	Member, Public	x	
Mr. Joseph V. Waskiewiez	Member, Master Plumber	x	
Ms. Ruth Alfasso	Member, Dept. of Public Health	x	
Mr. John Cruz	Member, LP Installer	x	
Mr. Harold Knight	Member, Journeyman Plumber	x	
Mr. Dan Kilburn	Member, DPL Designee		x

**9:00 A.M. AGENDA REVIEW:** By Chairman Paul Kennedy

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

- The March 29, 2017 Board Meeting Minutes

A Motion was made to accept by Mr. Joseph Waskiewiez Seconded by Mr. Joseph McNamee.

Result was Unanimous

**VOCATIONAL SCHOOL PROJECT(S)**

**V1) Bay Path Regional Vocation Technical High School.**

This school filed an application seeking an approval of an in-school project and was not required to attend the meeting.

*Meeting Notes: Received a grant, school wants students to learn how to change plumbing fixtures in a school environment, primarily 30 faucets. There will be no more than 6 supervised students at a time working on the project.*

*A motion was made to approve by Mr. McNamee and seconded by Ms. Alfasso*



**Result: Unanimous**

## **VARIANCES**

### **GV273 – KARLA PERLSTEIN – 204 BARE HILL ROAD – HARVARAD**

The Petitioner (David Erickson) sought a variance from 248 CMR 3.00 to install a custom restored 1921 Gold Medal Glenwood Combination Gas Range. As this is a gas variance, no Board of Health petitioning was required.

*Meeting Notes: This is a 1921 Glenwood Stove to be installed in a historic home in Harvard Ma. The Burners have been rebuilt. The fire box was also rebuilt and has a 30,000 btu burner with a standing pilot with thermocouple. The burners also have standing pilots. The Gas broiler has thermocouple. The Flue has a 4” draft diverter with spill switch. The Stove is operated on propane gas only. There is a hard wired co. detector.*

*A motion was made to approve by Mr. Joseph Waskiewicz second by Ms. Alfasso*

**Result: Unanimous**

### **PV275 - 57 CENTER STREET - NORTH AMPTON**

*Meeting Notes: This agenda item was withdrawn by the applicant, no action required.*

### **PV276 - SALIGA AUTOMOTIVE - 81 MAIN STREET - RUTLAND**

The Petitioner (Clealand Blair) sought a variance from 248 CMR. He notes that he cannot install a MDC trap due to the water level under-ground where the tank was to be located. The Rutland Board of Health has no concerns at this time regarding this variance from the requirement to install an MDC trap in the existing building at 79-81 Main Street which is used as a vehicle repair space.

*Meeting Notes: The Building has 3 Bays. The Petitioner wants to install the alternative method inside the building.*

*A motion was made to approve with conditions by Mr. Waskiewicz and seconded by Ms. Alfasso*

*Condition(s): A 300 gallon tank minimum is to be installed. The Board will need letter from PE acknowledging a MDC tank cannot be installed.*

**Result: Unanimous**

### **PV279 - LEAN & LOCAL, LLC - 10 JEWEL DRIVER - WILMINGTON**

The Petitioner (Nicholas Nigro) sought a variance from 248 CMR 10.00. Petitioner is fitting out a warehouse for production of cold brew coffee. The Operation requires installation of a 3-Bay Sink. The Petitioner requested forgoing installation of a grease trap due to zero production of any food, grease, or oil products The Wilmington Board of Health voted to allow the applicant to forgo an under sink grease trap for the proposed 3-Bay sink.

*.Meeting Notes: Only product in facility will be coffee. Space is an issue.*

*A motion was made to approve by Mr. McNamee and seconded by Mr. Waskiewicz*

*Condition(s): The variance is for this user and the coffee product only.*

**Result: Unanimous.**

### **PV281-SPRINT PHONE STORE - 1234 BOYLSTON STREET - BROOKLINE**

The Petitioner sought a variance from 248 CMR 10.10 (18) Table 1. The Petitioner notes that the subject space was a vacant non-food retail storefront which will be occupied by a Sprint cell phone store. There will be only 3 employees on the largest shift. Sprints' floor plan will only work in this space with one restroom. The current threshold for 2 restrooms is 2,000 sf and the space is 2,180 sf. The Town of Brookline Plumbing Inspector supports this variance request. The Town of Brookline Board of Health also supports the request.

*Meeting Notes: The petitioner is requesting the installation one bathroom. The square feet is 2,189.*

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

*Result: Unanimous.*

### **PV284-TOWN OF NORTH READING-189 PARK STREET-NORTH READING**

The Petitioner (James DeCola) sought a variance from 248 CMR 10.10 (18) Table 1. Due to space constraints at the site, and the existence of six (6) restroom fixtures in the existing team locker rooms at this location, the Town of North Reading is requesting a modification of the waiver granted on February 3, 2016, as follow: to reduce the number of required additional female toilet fixtures from 8 to 5. This reduction will allow the town to design a building and site layouts. This reduction will allow the Town to design a building that better fits the existing site. The North Reading Board of Health was properly petitioned.

*Meeting Notes: The proposed Stadium facility would have less than 50% of the minimum fixtures required. There are 2 other facilities on the same location 20 feet away which will be opened for use when the stadium is utilized. The Plumbing inspector supports the request.*

*Mr. McNamee was not present for this agenda item.*

*A motion was made with conditions to approve by Mr. Knight and second by Ms. Alfasso.*

*Condition(s): A letter to the Board must be sent certifying that the other facilities will be open during use of the stadium.*

*Result: Unanimous.*

### **PV285) CHARLES RIVER YACHT CLUB – 99 MEMORIAL DRIVE – CAMBRIDGE**

The Petitioner (Paul Benoit) sought a variance from 248 CMR 10.06(2) and 10.10 (18) (n). He notes the project is replacing existing plumbing fixtures in the private Charles River Yacht Club, and it is not open to the public in men's/women's handicap toilet rooms with new low flow plumbing fixtures and a hot water heater. Existing soil waste and vent piping is PVC schedule 40. Since the club was built. The club is 3,655 sf. It is built on piers over on the Charles River. To replace is not doable because piping below floor is in open air above the river. Existing toilet rooms have no floor drainage since the club was built. To install new floor drains is not doable because piping below the floor is in an open air above the river. As this is a state project, no Board of Health petitioning is required.

*Meeting Notes: Mr. Kaldas recused himself and left the room during this agenda item.*

*The structure was built in 1941. The Water piping is copper. The existing drainage material is PVC. There is a urinal present. The Piping is under the building submerged underwater. BK recused*

*A motion was made to Approve by Mr. Waskiewicz and seconded by Mr. Cruz.*

*Result: Unanimous*

### **PV286 – MIDDLESEX SCHOOL, WARBURG LIBRARY – 1400 LOWELL ROAD – CONCORD**

The Petitioner (Dough Anderson) sought a variance from 248 CMR 10.10(18) which requires fixtures be within one floor. Renovated and new toilet facilities are proposed for staff and students in the basement. No additional

facilities are provided on Floor 1 and 2. The code requires separate staff toilets per sex. Proposed is a single unisex toilet room for staff, due to the low number of staff actually in the building. The Concord Board of Health was properly petitioned.

*Meeting Notes: The building was built in 1970's. There will be bathrooms designated for students and staff. New restrooms will be provided for students and will meet the minimum requirement for number of students. An elevator is not accessible in this building. Bathrooms will only be accessible for handicap persons from the outside.*

*A motion was made to Approve with conditions by Ms. Alfasso and seconded by Mr. Knight.*

*Condition(s): A letter approving the design is required from the Architectural Access Board before the variance may be deemed granted.*

*Result: Unanimous.*

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

**Shower requirements waiver in medical and dental office buildings.**

DA PV280 – MANET COMMUNITY HEALTH CENTER – 1 WASHINGTON STREET - TAUNTON

**Full Authorization for operation of unlisted gas equipment.**

DA GV347 – AFFORDABLE INTERIOR SYSTEMS, INC-25 TUCKER DRIVE - LEOMINSTER

## **DISCUSSION - PRESENTATION**

### **D1) NUTRIENT NETWORKS - TOPIC: COMPOSTING TOILETS**

*Meeting Notes: There have been two variances for this product in Massachusetts. The applicant provided a brief presentation on this type of product as well as a request that the Board consider future code changes. No formal action taken.*

## **EXECUTIVE SESSION**

At approximately 9:45 a.m., the Chairman stated the Board would need to enter into an Executive Session pursuant to M.G.L. c. 30A, §21 to review applicant's character, rather than competence. The chair estimated that the Board would return to Open Session at approximately 10:00 a.m.

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

MEMBER	YEA	NAY	ABSENT	RECUSED	ABSTAINED
Mr. Kennedy	X				
Mr. McNamee	X				
Ms. Sarah Badway	X				
Mr. Waskiewicz	X				
Mr. Kaldas	X				

Ms. Alfasso	X				
Mr. Cruz	X				
Mr. Knight	X				
Mr. Dan Kilburn			X		

See separate minutes for Executive Session matters

The Board returned to open session at 10:00 a.m.

### **QUASI JUDICIAL SESSION**

At 10:02 a.m., the Chairman announced that the Board would need to suspend the open meeting and conduct a quasi-judicial session pursuant to M.G.L. c. 30A, §18.

*A motion was made to enter quasi-judicial session by Mr. Knight, seconded by Mr. Waskiewiez.*

*Result: Motion passed unanimously*

Mr. Cruz recused himself from the quasi-judicial session.

At the conclusion of the quasi-judicial session, the Board reported the following:

Docket No. PL-14-249

A motion was made by Mr. Waskiewiez, seconded by Mr. Knight to issue a final decision. Motion passed unanimously (decision will be issued in writing separately)

### **UNANTICIPATED MATTERS**

Mr. Harold Brett, Business manager for Plumbers Local 12 briefly addressed the Board. He noted it was important for the Board to continue its efforts to apply fair but consistent standards for facilities for public school stadiums. He also noted that a budgetary amendment had been filed in the legislature with regards to plumbing in agricultural installations that appears to have been defeated.

### **ADJOURNMENT**

MOTION TO ADJOURN at 10:45 by Mr. *Mr. Waskiewiez* and seconded by *Ms. Alfasso*.

LIST OF DOCUMENTS USED:

1. Meeting agenda
2. Minutes from prior meeting
3. Variance applications for above referenced agenda items

Respectfully Submitted By;

Fredrick Lima, State Inspector  
Board of State Examiners of Plumbers and Gasfitters

Respectfully Authorized by;

*Paul Kennedy, Sr.,*

Paul Kennedy Sr., Chairman

Board of Examiners of Plumbers and Gasfitters