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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

**AUGUST 30, 2017 BOARD MEETING MNUTES**

<b>MEMBERS</b>	<b>APPOINTMENT</b>	<b>PRESENT</b>	<b>ABSENT</b>
Mr. Joseph McNamee (Acting Chair)	Member, Master Gas Fitter	X	
Mr. Bahig A. Kaldas, P. E.	Member, Plumbing Engineer	X	
Ms. Sarah Badway	Consumer Member		X
Mr. Joseph 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, Public Safety	X	

**The meeting commenced at 10:00 a.m.**

A Moment of Silence for Past Chairman Mr. Paul Kennedy was observed.

**APPOINTMENT OF ACTING CHAIR**

*A motion was made to appoint Mr. Joseph McNamee as Chairman by Mr. Cruz seconded by Mr. Waskiewiez*

*Result: Unanimous*

**APPROVAL OF PREVIOUS MEETING MINUTES:**

- *The August 2, 2017 Board Meeting Minutes*

*A motion was made to approve by Mr. Waskiewiez, seconded by Mr. Kilburn*

*Condition(s): None*

*Result: Unanimous*

- *The August 2, 2017 Executive Session Minutes*

*A motion was made to approve by Ms. Ruth Alfasso, seconded by Mr. Knight*

*Condition(s): None*

***Result: Unanimous***

## **VARIANCES**

### **PV3 - HAMPTON INN - 434 PROVIDENCE HIGHWAY – NORWOOD**

The Petitioner (Martin Rylands) seeks a post installation variance from 248 CMR 10.08(1) and 10.10(7) to utilize a 1.5 inch drain pipe instead of the code required 2 inches for a shower pan to be utilized in conjunction with a low flow shower head (2.5 GPM). Based on experiences in other states, the petitioner does not believe there would be an overflow problem with this installation. The Norwood Board of Health was properly petitioned

***Meeting Notes:***

***Mr. Knight Recused himself and left the room during this agenda item***

***Under questioning, the Petitioner indicated that he did not install the showers in question, they were installed by a person unrelated to the Petitioner. Inspector Forsberg of Norwood was present at the meeting and reported to the Board that he stopped the job finding that the installer was not licensed. There are about 50 showers.***

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

***Condition(s): None***

***Result: 6 in favor, 1 recusal***

### **PV12 - ALEX ROSIN, LLC - OWNER - 64 GRIFFIN STREET - FRAMINGHAM**

The Petitioner (Thomas Haddock, (SMART LLC) sought a variance from 248 CMR 10.15 to move a washing machine from a kitchen into a mechanical room, which will require pumping laundry waste back to the kitchen, gravity drainage will not be possible in that installation. The Petitioner indicated that, to comply with the code, the finished kitchen floor which is tile and living room floor which is hardwood, would have to be removed and the floor cut up as the house is built on a slab on grade. The purpose of this installation is to alleviate the storage of laundry chemicals in the kitchen area. The Framingham Board of Health was properly petitioned.

***Meeting Notes: The Petitioner failed to appear at the meeting.***

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

***Condition(s): None***

***Result: Unanimous***

### **PV13- CHANNEL FISH PROCESSIONG-200 COMMERCE DRIVE-BRAINTREE**

The Petitioner (Lawrence Couto) sought a variance from 248 CMR 10.06 to utilize schedule 40 Polypropylene piping in lieu of caste iron for a waste and vent system to be utilized for food processing paste in a commercial building. The Petitioner indicates that the purpose of using this material would mean no corrosion to the piping

system as a result of the production process, which includes a daily wash down of the process areas. Additionally, the Petitioner indicates that production waste temperature is lower than the allowable constant operating limits provided by the polypropylene manufacturer. Long term the Petitioner believes this installation will provide the owner a maintenance free reliable system. The Braintree Board of Health was properly petitioned.

*Meeting Notes: No additional information was provided as it was not deemed necessary.*

*A motion was made to approve by Mr. Knight, seconded by Mr. Waskiewiez*

*Condition(s): None*

*Result: Unanimous*

**PV15 - COMMERCIAL BUILDING. CAR WASH - 50 GIASSON STREET - HUDSON**

The petitioner (R. Paul Morris) seeks a variance from 248 CMR 10.10(18)(table 1) to install a single occupant handicap bathroom for an industrial car wash space which would normally require two bathrooms. Additionally, the petitioner seeks a waiver from the requirement of installing a shower. The Petitioner indicates that these fixtures would not be utilized and would take up too much square footage. An underground rough only will be installed for a second bathroom. The Hudson Board of Health was properly petitioned.

*Meeting Notes: This is a 2500 square foot car wash with 1 -2 people employed.*

*A motion was made to approve by Mr. Cruz, seconded by Mr. Waskiewiez*

*Condition(s): None*

*Result: Unanimous*

**PV16) MASS DOT – 110 SUDBURY STREET – BOSTON**

The Petitioner (Mr. James A. Luce, PE) requests a variance from 248 CMR Section 10.15 (8) (e), which allows for open parking garage drainage systems to exclude traps, but requires stacks to be “installed in accordance with 248 CMR 10.16 (6) (a) and the maximum distance between stacks shall not exceed 60 feet intervals.” The Petitioner states that the existing parking garage was built in 1995 and its drainage system was accepted by the State Inspector at that time without traps without meeting similar requirements of 248 CMR 10.15(8)(a) at that time, and without reported drainage problems since its acceptance. This variance is to request that the drainage system for the existing open parking garage be replaced in like kind without installing vent stacks every 60 feet and rising above the parking deck 8 feet. As this is a state project, no Board of Health petitioning is required.

*Meeting Notes: Haymarket Garage. Boston Public Market located under garage, as well as the MBTA. The Piping is not to be altered but it is a replacement only.*

*A motion was made to approve by Mr. Cruz, seconded by Mr. Waskiewiez*

*Condition(s): None*

*Result: Unanimous*

**PV17 -URBAN MISSIONARIES OUR LADY OF HOPE-242 CANTERBURY STREET-WORCESTER**

The Petitioner (Leonard Pagano) is requesting a variance from 248 CMR 10.10(18)(i) to only install a single toilet instead of the required two in a 3,255 square foot building which is to be utilized as an unoccupied, seasonal warehouse. The Petitioner indicates that a nearby building to be used as a retail facility contains the required number of bathrooms. The Worcester Board of Health was properly petitioned.

*Meeting Notes: There are presently toilets in the existing building and this will be used seasonally only. The buildings are not connected. It will be for unoccupied storage.*

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

*Condition(s): None*

*Result: Unanimous*

**PV18- CHARLE-ELIZABETH BROWN -250 HAMMOND POND PKY-UNIT 615 S - NEWTON**

The Petitioner (Charles Brown) is requesting a variance from 248 CMR 10.15 to install a shower stall necessary for health reasons to replace an existing bath/shower unit without meeting code requirements for drain sizing. The Petitioner indicates that it is not possible to change the existing drain pipes and that the existing bath/shower has never had any difficulties with drainage. The Newton Board of Health was properly petitioned.

*Meeting Notes: This is a Custom built shower. The pipe will be run 2 to 3 feet.*

*A motion was made to approve by Mr. Waskiewicz, seconded by Mr. Kilburn with conditions*

*Condition(s): A 6 inch lip is required*

*Result: Unanimous*

**PV19 - NEW KONDELIN LLC - 8 KONDELIN ROAD – GLOUCESTER**

The Petitioner (Jeffery Wilk) is requesting a variance from 248 CMR 10.10(18)(i) to only install a single unisex bathroom instead of the required two in a building to be utilized primarily for storage (size of building not provided). The petitioner indicates that they plan to rough-in plumbing for a second bathroom. There is already a main building on this property with 2 bathrooms located in it. The Gloucester Board of Health was properly petitioned.

*Meeting Notes: The building is 7800 sq. ft. A floor drain with a sand, gas and oil separator is installed*

*A motion was made to approve by Mr. Waskiewicz, seconded by Mr. Cruz*

*Condition(s): None*

*Result: Unanimous*

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

Mr. Joseph Peluso addressed the Board in regards to the authority delegated by the Board to staff. He indicated that due to staffing shortages and the recent loss of Chair Paul Kennedy, the office may need assistance if it is to continue working on the delegated matters.

*A motion was made to reaffirm the delegation and to formally state that all Board members will help the staff as needed by Mr. Kilburn, seconded by Mr. Knight*

**List of recent approvals:**

**DAGV 209 – Rural Cemetery, 180 Grove Street, Worcester (Cremator Furnaces)**

**DAGV 230 – Good As Gold Coffee Systems, Inc., 115 Green St., Worcester (Coffee Roaster & Afterburner)**

**DAGV 310 – Olive Branch Imports, LLC, 184 Broadway, Site 2, Saugus (Coffee Roaster)**

**DAGV 347 – Affordable Interior Systems, Inc., 25 Tucker Drive, Leominster (IR Gas Ovens)**

**Matters not anticipated by the Chair 48 hours prior to the meeting**

The PVC sub-committee will meet on Wednesday, September 6, 2017 following the Board's regular meeting. The committee will tentatively be composed of Mr. Joseph McNamee, Mr. Harold Knight, Mr. Joseph Waskiewicz, Mr. Daniel Kilburn, Mr. John Cruz and Ms. Ruth Alfasso. A separate agenda will be posted.

**EXECUTIVE SESSION**

At approximately 9:40 am, the Chairman stated the Board would enter into recess and would return to Open Session at approximately 10:00 am. At that time the board would enter into Executive Session to discuss individuals character, rather than competence, participants were asked to leave the room until called

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

MEMBER	YEA	NAY	ABSENT	RECUSED	ABSTAINED
Mr. McNamee	X				
Ms. Badway			X		
Mr. Waskiewicz	X				
Mr. Kaldas	X				
Ms. Alfasso	X				
Mr. Cruz	X				
Mr. Knight	X				
Mr. Kilburn	X				

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

**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.

**ADJOURNMENT**

MOTION TO ADJOURN at 10:37 by Mr. Joseph McNamee, seconded by Ms. Ruth Alfasso The result was unanimous.

LIST OF DOCUMENTS USED:

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

Respectfully Submitted By;

Board of Examiners of Plumbers and Gasfitters

Respectfully Authorized by

Mr. Kilb, Board Counsel

Board of State Examiners of Plumbers and Gasfitters

and

Mr. McNamee, Acting Chairman

Board of State Examiners of Plumbers and Gasfitters