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BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS

September 2, 2020 BOARD MEETING AGENDA

In accordance with the provisions of G.L. c. 30A § 20, notice is hereby given that the Board of State Examiners of Plumbers and Gas Fitters will convene a regular monthly meeting via telephone conference on:

SEPTEMBER 2, 2020 @ 9 a.m. until approximately 1:00.

Board of State Examiners of Plumbers and Gas Fitters
Wed, Sep 2, 2020 9:00 AM - 1:00 PM (EDT)

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It is anticipated that the topics shown below will be discussed at the aforementioned meeting:



BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS SEPTEMBER 2, 2020***Member and Staff Attendance***

MEMBERS	APPOINTMENT	PRESENT	ABSENT
Mr. Joseph McNamee	Member, Master Gas Fitter	x	
Mr. Dan Kilburn	Member, DPL Designee	x	
Mr. Harold Knight	Member, Journeyman Plumber	x	
Mr. John Cruz	Member, LP Installer	x	
Mr. Bahig A. Kaldas, P. E.	Member, Plumbing Engineer	x	
Mr. Joseph V. Waskiewicz	Member, Master Plumber		x
Mr. Wayne Thomas	Member Journeyman Gasfitter	x	
Ms. Ruth Alfasso	Member, Dept. of Public Health	x	
Ms. Sarah Badway	Public Member	x	
STAFF			
Mr. Charles Kilb	Board Legal Counsel	x	
Ms. Karen Brann	Board Executive Director	x	
Ms. Mary Collins-McCarthy	Associate Executive Director	x	
Mr. Taylor Roth	State Plumbing Investigator		x
Mr. Scott Padden	State Plumbing Investigator		x
Mr. Fredrick Lima	State Plumbing Investigator	x	
Mr. James O'Reilly	State Plumbing Investigator	x	
Mr. Joseph Peluso	Board Consultant	x	

9:00 A.M. AGENDA REVIEW: By Chairman Joseph McNamee

APPROVAL OF PREVIOUS MEETING MINUTES

Board Meeting Minutes

December 4, 2019

A motion was made by WT to accept the minutes as submitted and seconded by RA. Result: Unanimous

January 8, 2020

A motion was made by WT to accept the minutes as submitted and seconded by RA. Result: Unanimous

February 5, 2020

A motion was made by WT to accept the minutes as submitted and seconded by RA. Result: Unanimous

February 5, 2020 - Executive Session

A motion was made by WT to accept the minutes as submitted and seconded by RA. Result: Unanimous

March 4, 2020

A motion was made by WT to accept the minutes as submitted and seconded by RA. Result: Unanimous

July 1, 2020

A motion was made by WT to accept the minutes as submitted and seconded by RA. Result: Unanimous

DISCUSSION

D1 – Continuing Education Policy (ONLINE TRAINING GUIDELINES)

Distance online. No action needed. Future work will take place to consider parameters for permanent allowances

D2 - Governor's Executive Order - Licenses which expire in 2020 are only valid until October 1, 2020. Current Board policy links Continuing Education requirements to the end of the state of emergency, which does not currently have an end date.

There is some confusion from people who believe, because the licenses will expire, they must have the CE done. Policy was adopted in April. As written, the CE extension will last until 90 days after the state of emergency. Legal counsel noted that the state of emergency may continue beyond most other measures, including license extensions, which end on October 1, therefore, people don't need to do the CE classes until the Board changes it. He did not advise the policy change, only that periodic review take place. JM: Leave it the way it is at least until the end of the year. A motion was made to put it on the agenda for January to consider adjustments. DK motion. JC 2nd: Unanimous

VARIANCE REQUEST(S)

TABLED FROM AUGUST 5, 2020 MEETING

PV-015 TRILLIUM BREWING – 375 W. ATLANTIC AVENUE – BOSTON

The Petitioner (Paul Gibbs) is seeking a variance from 248 CMR, Section 10.10 (18). The variance is for a beer garden located on the Rose Kennedy Greenway in Boston with plans to utilize Condex containers and porta potties. As this is a state project, no Board of Health petition is required.

Discussion: Plans have been updated: Either rent or purchase portable rest rooms. 4 toilets for women and 3 for men. One additional ADA restroom. Fixture counts for rest rooms are in compliance with 10.10 Table 1.

Motion: A motion was made by WT to approve this variance requests and seconded by HK.

Conditions: Materials shall be in compliance with 248 CMR 10.06

Result: 7 for and 1 against (JC)

TABLED FROM AUGUST 5, 2020 MEETING (WT motioned to table. HK seconded)

PV-246 – ACE PRECISION- 1123 SUFFIELD STREET - AGAWAM

The Petitioner (Gregory Neffinger from Greg Neffinger, Architect/NStruct, LLC) is seeking a variance from 248 CMR, Section 10.10 Table 1 to allow the installation of three toilets in the men's room and three toilets in the ladies room. The applicant states there will never be more than 100 people total in this machine shop. The local Board of Health petition has been received.

Result: Application has been withdrawn

PV-29 – MARTHA'S VINEYARD REGIONAL HIGH SCHOOL –OAK BLUFFS

The Petitioner (Christian Huntress from Huntress Associates, Inc.) is seeking a variance from 248 CM, Section 10.10 (18) the renovation of an existing athletic field including an additional 200 bleacher seats without providing rest room facilities. The town of Oak Bluffs will not allow a new connection to their sewer system for field house rest rooms at this time. The town will also not allow a private septic system. The applicant is asking to allow the continued use of school rest rooms which are 560' away until such time the town will allow them to connect into the sewer system. The Oak Bluffs health department has been properly notified.

Discussion: The local plumbing inspector has no objections. New grandstands being constructed. They have a field house that was part of the original plans but are not allowed to connect to a sewer or septic. Joe McNamee: How many fixtures were proposed. 21. They have checked into a tight tank but it is cost prohibitive. 9,000 gallons per month at about \$5,000. Existing grandstands rely on the school restrooms now.

Motion: A motion was made by WT to deny this variance requests and seconded by HK.

Conditions: None

Result: Unanimous

PV-31 – ACACIA GRILL – 1105 WEST BOYLSTON STREET - WORCESTER

The Petitioner (Penina Gitau from Acacia Grill) is seeking a variance from 248 CMR Section 10.10(18) to allow the continued use of an existing unisex rest room for patrons and staff. The existing rest room is not handicap accessible and there is no room to achieve this as the entire space is only 1,100 square feet. The Worcester Health department has been properly notified.

Discussion: This is under the jurisdiction of the AAB. The size and amount of patrons falls within the Boards allowance under the code for one unisex rest room.

Motion: No motion necessary. This is under the jurisdiction of the AAB

Result: No vote taken

SPP-32 – KARAM FINANCIAL GROUP – 1168 HIGHLAND AVENUE, FALL RIVER

The Petitioner (Robert Steven Wilkinson from Wilkinson Associates) is seeking a variance from 248 CMR, Section 10.16 (16) (d) to allow the installation of air admittance valves for 5 kitchen sinks. The petitioner states it would be very difficult to install bow venting for these fixtures. Historical preservation parameters will not allow alterations to the adjacent walls necessary to allow bow venting these sinks. The Fall River Board of health has been properly petitioned.

Discussion: Walls don't go up to the ceiling. Bow venting is really not an option. JM: Never allowed this before.

Motion: A motion was made by HK to deny this variance requests and seconded by WT.

Result: Unanimous

PV-34 – BELMONT MIDDLE & HIGH SCHOOL – 221 CONCORD AVENUE – BELMONT

The Petitioner (Fin Chappell from Architectural Engineers, Inc.) is seeking a variance from 248 CMR Section 10.12 (1) (f) 4. to allow pool water to drain into the building sanitary system. There are concerns a fault in the system discharge could result in contaminated storm water entering the site drainage into Clay Pit Pond leaving the town in violation of the EPA order. The project is a renovation to the existing high school where new plumbing systems are to be installed in the existing pool. The existing pool drainage before renovation was draining to the sanitary system. The local Board of Health has been notified.

Motion: A motion was made by DK to approve this variance requests and seconded by HK.

Conditions: Applicant must provide a letter from the municipality stating they are willing to accept the discharge

Result: Unanimous

PV-35 - DCAMM – MASSACHUSETTS COMMUNITY COLLEGES – MULTIPLE CITIES

The petitioner (Paul Peloquin from R.H. White Construction is seeking a variance from 248 CMR, Section 10.14 (5) (l) to allow the use of Onicon turbine flow meters on potable water piping. These meters would be “hot tapped” into the potable water piping. The proposed installations would be at:

- ✓ Cape Cod Community College – West Barnstable
- ✓ Bridgewater State University – Bridgewater
- ✓ Salem State University – Salem
- ✓ Northern Essex Community College – Haverhill (3 meters)
- ✓ Berkshire Community College – Pittsfield
- ✓ Mount Wachusett Community College – Gardner
- ✓ Roxbury Community College – Boston (3 meters)

As these are state projects, no Board of Health petition is required.

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Discussion: *Insertion style water meter. The manufacturer can provide a hot tap connection for 2” through 6” pipe. Water meters are listed on the website as Product Accepted. The saddle valves are not listed. The main reason they want to do this is cost. HK: Could use pro-press.*

Motion: A motion was made by WT to deny this variance requests and seconded by HK.

Conditions: None

Result: Unanimous

GV-35 - DCAMM – MASSACHUSETTS COMMUNITY COLLEGES – MULTIPLE CITIES

The petitioner (Paul Peloquin from R.H. White Construction is seeking a variance from NFPA 54-2012, Section 5.6.8 to allow the use of Onicon turbine flow meters on fuel gas piping. These meters would be “hot tapped” into the fuel gas piping. The proposed installations would be at:

- ✓ Cape Cod Community College – West Barnstable
- ✓ Bridgewater State University – Bridgewater
- ✓ Salem State University – Salem
- ✓ Northern Essex Community College – Haverhill (3 meters)
- ✓ Berkshire Community College – Pittsfield
- ✓ Mount Wachusett Community College – Gardner
- ✓ Roxbury Community College – Boston (3 meters)

As these are state projects, no Board of Health petition is required.

Discussion: *Turbine style gas meter. No Board action necessary*

PV-36 – UMASS MEM. HOSPITAL WOMEN’S IMAGING – 157 UNION STREET -MARLBOROUGH

The Petitioner (John Kelly from UMass Memorial Hospital) is seeking a variance from 248 CMR, Section 10.10 Table 1 to allow the installation of one rest room for the public, one rest room for patients and one rest room for staff. The building is 4,000 square feet and serve a maximum of 20 people at any given time. The Marlborough Board of Health has been properly notified.

Discussion: *Offsite from the hospital. 4,000 square feet. 3 unisex rest rooms. Patient and public accessible. Staff is not.*

Motion: A motion was made by WT to approve this variance requests and seconded by RA.

Conditions: None

Result: Unanimous

PV-37 – DANA FARBER CANCER INSTITUTE –300 BOYLSTON STREET – NEWTON

The Petitioner (Kevin Potter from T.G Gallagher) is seeking a variance from 248 CMR 10.03 Definitions, and 10.14(3)(a)2b, to allow the temperature of exam room and staff hand sinks to be set at 120 degrees. Lavatories for patients and visitors will be tempered to 110 degrees. The Newton Board of health has been properly notified.

Discussion: *Out patient clinic consisting of exam rooms. Public lavs will be mixed down to 110. Wants to use 120 at the exam room sinks. Lally: Sinks in exam rooms are accessible to the patients. WT: No action is necessary as they are not technically public restrooms.*

Result: No action taken

PV-38 NASHOBA VALLEY TECH – 100 LITTLETON ROAD – WESTFORD

The Petitioner (Mark Tocci from Crossfield Engineering, Inc.) is seeking a variance from 248 CMR Section 10.10 Table 1, to allow the removal of 20 existing drinking water stations to protect the students, staff and faculty against the spread of infectious diseases. A hand sink with hands free mixing faucet, hands free soap dispenser and hands free paper towel dispenser will be installed at each of these locations. The goal is to remove the existing water stations before the fall reopening next month the installation of the hand sinks will follow once the materials are procured. The Westford Board of health has been properly notified.

Discussion: *Want to use bottled water for the students and eventually go to the bottle filling stations but they are currently unable to get them. They are looking to put in bottle filling stations to replace the existing bubblers but not at the present time.*

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Motion: *A motion was made by RA to approve this variance requests and seconded by WT.*

Conditions: *Install rough plumbing for the future bottle filling stations to be completed within one year*

Result: *Unanimous*

PV-39 – 82 BUCKMINSTER ROAD – BROOKLINE

This is a post-installation variance. The Petitioner (David Scholl from Scholl Plumbing) is seeking a variance from 248 CMR 3.04 to allow this installation of two vanity tops with integral sinks which are not Product Accepted. Both faucets are Product Accepted. Specifications for these vanity tops show the tops are tested to the ISO 13006 Encl. G standard for ceramics. The Brookline Board of health has no opposition to this variance request.

Discussion: *These sinks have been tested to the proper standard by ISO. The applicant provided the Board with the proper documentation.*

Motion: *A motion was made by WT to approve this variance requests and seconded by RA.*

Conditions: *None*

Result: *Unanimous*

PV-40 – DANIELE MINIELLO – 10 SUNSET DRIVE – BURLINGTON

The Petitioner (Daniele Miniello) is seeking a variance from 248 CMR 3.04 to allow this installation of an oval chiseled marble vessel sink and a black granite vessel round sink which are not Product Accepted. The Burlington Board of Health has no opposition to this variance request.

Motion: *A motion was made by WT to approve this variance requests and seconded by HK.*

Conditions: *Applicant did not appear: Approval will come from the Board office.*

Result: *Unanimous*

PV-42- DEVENS – 33 ANDREWS PARKWAY-DEVENS

The Petitioner (James Cray from Wright –Pierce) is seeking a variance from 248 CMR, Section 10.10 Table 1 to:

1. allow the installation of one gender neutral employee rest room
2. allow the elimination of the required shower.

This variance request is for two new water treatment plants in Devens. The local Board of Health has been properly notified.

Discussion: *Two plants that house automatic equipment. Not staffed. No sewer connections there. Fixtures will not get much use. Showers will never be used. Both facilities are in a watershed area. There is a tight tank at each site and they would like minimal use.*

Motion: *A motion was made by DK to approve this variance requests and seconded by HK.*

Result: *7 for and 1 against (WT)*

PV-44 – TOWN OF AYER SPECTACLE WATER PLANT – 25 BROOK STREET - AYER

The Petitioner (John Sheehan from CDM Smith) is seeking a variance from 248 CMR, Section 10.10 Table 1 to allow the installation of a single user gender neutral employee rest room with a shower stall in lieu of designated rest rooms. The Ayer Board of health has been properly notified.

Discussion: *Unmanned water treatment plant.*

Motion: *A motion was made by DK to approve this variance requests and seconded by RA.*

Result: *Unanimous*

PV-45 –ACTON-BOXBOROUGH REGIONAL HIGH – 156 CARTER ROAD – ACTON

The petitioner (Keith Flanders form Cosentini Associates) is seeking a variance from 248 CMR section 10.10 (18) to:

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1. Allow the fixture count to be based on the program occupant load of the building
2. Allow the installation of gender specific rest rooms using a combined entrance
3. Allow the substitution of toilets for the required urinals

The local Board of Health has been properly petitioned.

Discussion: Would like to have a shared entry to the elementary school part of the restrooms. The district would like to install all toilets instead of urinals. JM: There has been no guidance from the department of education on this.

Motion: A motion was made by WT to approve this variance requests and seconded by DK.

Conditions: Item 1 does not require a vote.

Result: 5 for and 3 against. (JM, JC, BK)

PV-46 –EVERSOURCE – 55 WILSON STREET – HOPKINGTON

This is a Post-Installation Variance. The previous plumber has been removed from the project.

(A). The Petitioner (Michael Dubuque from Holden Mechanical) is seeking a variance from 248 CMR, Section 10.06 (2) (k) to allow approximately 1,200 feet of Ductile Iron installed underground to remain. This is potable water from the water meter in a pump house to another building with two rest rooms and five safety showers.

(B). The petitioner is also asking to allow the safety showers to remain without a circulation loop. The specifying engineer has proposed a flushing program compliant with ANSI Z358.1. The Hopkinton Board of Health has been properly notified.

Discussion: Another company started but was removed from the project.

Motion: A motion was made by DK to grant the variance request to allow approximately 1,200 feet of Ductile Iron installed underground to remain, seconded by JC.

Conditions: None

Result: 7 for and 1 against. (BK)

Motion: A motion was made by DK to deny the request to allow safety showers to remain without a circulation loop, seconded by JC.

Conditions: None

Result: Unanimous

WITHDRAWN VARIANCE

PV-014 SMOC – 192 MIDDLESEX STREET – LOWELL

The Petitioner (David LaRose from LaRose Plumbing and Heating) is seeking a variance from 248 CMR, Section 10.06. The project is a SMOC homeless shelter. This is a commercial building with 5 stories. The Petitioner is renovating a ½ bathroom currently piped in with PVC for drain and vent. The request is to leave it as PVC as it has been changed to PVC in the basement which is a considerable way to the main drain. The Petitioner has sent in proof that he has tried to reach the Local Board of Health.

SPYCE – 241 WASHINGTON STREET – BOSTON ONE BRATTLE SQUARE - CAMBRIDGE

The Petitioner (Kale Rogers from Spyce) is seeking approval for a Massachusetts State Plumbing Board Test Site Location at both of the restaurant locations. The Petitioner does have a test site approval for their Boston location which is being renovated and they have made updates to the equipment. The Cambridge location is a new store. Both restaurants will feature new technology that Spyce has created to autonomously cook and serve meals. This new cooking system, called the Infinite Kitchen, features many different subsystems including a Steamer module and Sink module.

Discussion: Another company started but was removed from the project.

Motion: A motion was made by TW to approve this variance requests and seconded by DK.

Conditions: Petitioner to come back to the Board if they have requests for additional restaurants.

Result: Unanimous

APPEALS

A2 – APPEAL OF INSPECTIOR’S DECISION - 35 LOMASNEY WAY – BOSTON

Mr. McNamee recused himself and signed off of the meeting.

After meeting in a closed quasi-judicial session, a *motion was made by WT and seconded by JC to overrule the Inspector's decision. A full written decision will be sent to the parties*

FYI – Board Delegated Staff Approvals – Board Vote Not Required

DAPV-022 – NEWPRO – JAMES MEANEY – 9 WEST MEADOW ROAD - HAVERHILL

The Petitioner (Clint Mauche from Newpro) is seeking a variance from 248 CMR, Section 10.10 (7) (c) 4 to allow the continued use of an existing 1 ½” bathtub drain for a new proposed shower. The Petitioner states that a 2” drain is not accessible, there will only be one 2.5 GPM showerhead and there will be a 6” minimum threshold shower pan installed. The local Board of Health petition has been received.

DAPV-033 –GALLERY SALONS – 235 NEWBURY STREET – DANVERS (Appeal A-1)

The Petitioner (Scott Angelos from Angelos Plumbing Heating & Cooling, LLC) is seeking a variance from 248 CMR 10.06 to allow the use of PVC drains and vents for sinks in the salon.

DAPV-023 – NEWPRO – GREGORY HOPKINS – 4 CONCORD GREEN UNIT 1, CONCORD

The Petitioner (Clint Mauche from Newpro) is seeking a variance from 248 CMR, Section 10.10 (7)(c) 4 to allow the continued use of an existing bathtub drain. The Petitioner states that a 2” drain is not accessible, there will only be one 2.5 GPM showerhead and there will be a 6” minimum threshold shower pan installed. The local Board of Health petition has been received.

DAPV-024 – PAUL M. SMITH – 165 QUINCY SHORE DRIVE – APT. C46 - QUINCY

The Petitioner (Paul M. Smith) is seeking a variance from 248 CMR, Section 10.10 (7)(c) 4 to allow the continued use of an existing bathtub drain.

DAPV-025 – NEWPRO – DIANE MCENTEE – 14 SHARRON DRIVE – SOUTH EASTON

The Petitioner (Jonathan Mayer from Newpro) is seeking a variance from 248 CMR, Section 10.10 (7)(c) 4 to allow the continued use of an existing bathtub drain. The Petitioner states that a 2” drain is not accessible, there will only be one 2.5 GPM showerhead and there will be a 6” minimum threshold shower pan installed. The local Board of Health petition has been received.

DAPV -026 – NEWPRO – CANDACE SPENCER – 12 SHARRON DRIVE – SOUTH EASTON

The Petitioner (Jonathan Mayer from Newpro) is seeking a variance from 248 CMR, Section 10.10 (7)(c) 4 to allow the continued use of an existing bathtub drain. The Petitioner states that a 2” drain is not accessible, there will only be one 2.5 GPM showerhead and there will be a 6” minimum threshold shower pan installed. The local Board of Health petition has been received.

DAPV – 027 – NEWPRO – GERARD PROULT – 92 COLONIAL DRIVE - STURBRIDGE

The Petitioner (Jonathan Mayer from Newpro)) is seeking a variance from 248 CMR, Section 10.10 (7)(c) 4 to allow the continued use of an existing bathtub drain. The Petitioner states that a 2” drain is not accessible, there will only be one 2.5 GPM showerhead and there will be a 6” minimum threshold shower pan installed. The local Board of Health petition has been received.

DAPV – 028 –KEVIN O’CONNOR – 1359 – WASHINGTON STREET - BRAINTREE

The Petitioner (Kevin O’Connor) is seeking a variance from 248 CMR, Section 10.10 (7)(c) 4 to allow the continued use of an existing bathtub drain for a new proposed shower. The local Board of Health petition has been received.

DAPV-41 – F. DAVID CONSTANCE – 11 KENT ROAD – HARWICH

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The Petitioner (F. David Constance) is seeking a variance from 248 CMR, Section 10.10 (7)(c) 4 to allow the continued use of an existing bathtub drain for a new proposed shower. The local Board of Health petition has been received.

DAGV – 144 – UNLISTED EQUIPMENT - CHRIS LAUGHMAN – 5 HIGH ROCK CIRCLE - WALTHAM

The Petitioner (Stephen E. Younis from Steven E Younis P.E., Inc.) is seeking a variance from 248 CMR Section 3.04 (1) for full operation of the 190,000 BTU/HR Glory Hole equipped with two Wet Don small 3 ¾ burners located at the above referenced location.

At approximately 12:00 The Chairman advised all present that the Board would be entering into Executive Session to perform character reviews. A motion was made by Harry Knight and seconded by John Cruz to enter into Executive Session. Thereafter, the roll call was summoned and the following is the result:

CHARACTER REVIEW(S) per M.G.L. c. 30A, §21

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

ADJOURNMENT

At 12:30 a motion was made to adjourn the September 2, 2020 Board meeting by TW and seconded by RA. Result: Unanimous.

LIST OF DOCUMENTS USED:

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

Respectfully Submitted By;

Karen R. Brann

Karen Brann, Executive Director
Board of Examiners of Plumbers and Gasfitters

Respectfully Authorized by;

Joseph McNamee

Joseph McNamee., Chairman
Board of Examiners of Plumbers and Gasfitters