



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts
Division of Professional Licensure**

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS

AUGUST 5, 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:

August 5, 2020 @ 9 a.m. until approximately 12 p.m.

Public Access

Board of Examiners of Plumbers and Gas Fitters
Wed, Aug 5, 2020 9:00 AM - 12:00 PM (EDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/503489853>

You can also dial in using your phone.

United States (Toll Free): [1 877 568 4106](tel:18775684106)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 503-489-853

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/503489853>

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

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



BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS AUGUST 5, 2020

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

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

UP COMING MEETING VENUE

Due to the COVID-19 State of Emergency upcoming meeting venue may change

APPROVAL OF PREVIOUS MEETING MINUTES**Board Meeting Minutes**

December 4, 2019

January 8, 2020

February 5, 2020

February 5, 2020 - Executive Session

July 1, 2020

The votes on the minutes was tabled to the September 2, 2020 meeting.

VARIANCE REQUEST(S)

FY 2020

CPA-16 FRANKLIN COUNTY TECHNICAL SCHOOL – CONWAY HIGHWAY GARAGE – ACADEMY HILL ROAD – CONWAY (additional requested information from June 3, 2020 meeting)

Holland Herzog made a presentation to the Board regarding this project. Joe Waskiewicz asked if there were any plans available. There were no plans accompanying the application. A motion was made to table this request until the petitioner could provide the Board with plans by Joe Waskiewicz and seconded by John Cruz. On a roll call vote, the motion carried unanimously with each member voting yes.

A motion was made by Wayne Thomas and seconded by Ruth Alfasso, to grant the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-224 TINY HOUSE – 190 SUMMER STREET-NORWOOD

The Petitioner (Michael Holland, Owners Representative) is seeking a variance from 248 CMR, Section 10.2, Principal number 6, to not install at least one machine connection in a common area. The building is a tiny house less than 400 sq., used as a single night stay residence for guests. There are three other laundry facilities and laundry attendants on the property daily to support the tiny house. The local Board of Health petition has been received.

A motion was made by Harold Knight and seconded by Wayne Thomas, to grant the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-246 ACE PRECISION, INC. -1123 SUFFIELD STREET – AGAWAM

The Petitioner (Gregory Neffinger from Greg Neffinger, Architet/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.

A motion was made by Wayne Thomas and seconded by Harold Knight, to table the case. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-247 ATTLEBORO HIGH SCHOOL – 100 RATHBUN WILLARD DRIVE – ATTLEBORO

The Petitioner (Anup S. Khatra from AKAK Engineering, Inc.) is seeking a variance from 248 CMR, Section 10.14 (4), to deviate from the pipe sizing calculation method. The Petitioner is seeking to use an alternate method as described in the design handbook ASPE, ASHRAE and UPC code. Oversizing of piping could cause water stagnation and decrease in water quality. The local Board of Health petition has been received. The local Plumbing Inspector is in favor of this variance.

A motion was made by John Cruz and seconded by Harold Knight, to grant the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-249 JARED ANDRADE – 53 HERITAGE WAY – TAUNTON

The Petitioner (Jared Andrade) is seeking a variance from 248 CMR, Section 3.04 to install a bathtub purchased from Home Depot (model number VA6815-L) in their home that is not on the Massachusetts accepted plumbing products list online system. The Petitioner is currently in the process of renovating the master bathroom and the bathtub has been purchased and delivered. The rough plumbing has been completed and after the rough plumbing inspection, the Petitioner was told that the bathtub was not on the Massachusetts accepted pluming products list online system. The local Board of Health petition has been received.

A motion was made by John Cruz and seconded by Harold Knight, to grant the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS AUGUST 5, 2020

PV-251 ANTONIO COSTA – 1480 SOUTH MAIN STREET – FALL RIVER

The Petitioner (Veerjinder Singh) is seeking a variance from 248 CMR, Section 10.10 (k) 3, to install two rest rooms in lieu of the require four. The project is a dental clinic that will have a total area of 2,200 sq. During day to day operations, the dental clinic will be occupied by less than five individuals. The local Board of Health petition has been received.

A motion was made by Ruth Alfasso and seconded by Wayne Thomas, to grant the variance and allow one unisex bathroom for patients and one unisex bathroom for staff. On a roll call vote, the motion carried unanimously with each member voting yes.

FY 2021

PV-004 CONDEX STORAGE CONTAINER – 52 FERRY STREET – FALL RIVER

The Petitioner (Scott O'Brien from O'Brien Plumbing and Heating, Co., Inc.) is seeking a variance from 248 CMR, Sections 10.06 to allow the usage of PVC for drainage and PEX water tubing for water on a temporary Conex storage container. This container has been converted to 2 restrooms and a dishwashing area servicing a seasonal outdoor tent. The purpose for the variance is due to sewer connection becoming available through the city of Fall Fiver. Now that the Conex box can be tied to the city sewer, it makes it noncompliant with 248 CMR. The Conex box is located on the Taunton River saltwater water way where corrosion to cast-iron and copper piping would be problematic. This is an open air part of the Marina where permanent structures are not allowed to be constructed which is the reason for the Conex container. The local Board of Health petition has been received.

A motion was made by John Cruz and seconded by Harold Knight, to deny the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-005 CONDOMINIUMS – 7 BEECH STREET – CAMBRIDGE

The Petitioner (Phil Terzis from Acorn Holdings, LLC) is seeking a variance from 248 CMR, Section 10.10 (7) (c) to allow the use on non-code compliant shower bases. The showers are 1,667 square feet but finished dimension from the center of the threshold to the rear finished wall will be 28.5". The local Board of Health petition has been received.

A motion was made by Wayne Thomas and seconded by Harold Knight, to grant the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-006A - WALTHAM PUBLIC SCHOOL – 617 LEXINGTON STREET - WALTHAM

The Petitioner (Luis Moreno from Plumbing Fire Protection Engineer) is seeking a variance from 248 CMR, Section 10.10 (18) to replace the required urinal count with toilets. As part of the design process, the school community has expressed a desire to incorporate multi-user all gender toilets. No reduction in fixture count is being sought, only the use of toilets in lieu of the required urinals. The local Board of Health petition has been received.

A motion was made by John Cruz and seconded by Wayne Thomas, to deny the variance. On a roll call vote, the motion carried with Ms. Alfasso and Ms. Badway saying no, all other members in favor of the motion to deny.

PV-006B - WALTHAM PUBLIC SCHOOL – 617 LEXINGTON STREET - WALTHAM

The Petitioner (Luis Moreno from Plumbing Fire Protection Engineer) is seeking a variance from 248 CMR, Section 10.10 (18) to omit the word "rooms" from the language so that non gender designated fixtures can be provided within private toilet rooms/stalls (using either hard wall construction or tall toilet partitions stopping 4" short of the ceiling and floor), but that a shared lavatory area can be located outside of the private toilet room/stall. Toilet and lavatory counts would be designed to fully comply with the fixture counts required by 10/10 table 1. The local Board of Health petition has been received.

BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS AUGUST 5, 2020

A motion was made by John Cruz and seconded by Harold Knight, to deny the variance. On a roll call vote, the motion carried with Mr. Thomas and Ms. Badway saying no, all other members in favor of the vote to deny.

PV-013 – TUFTS TEMPORARY COVID TRAILERS – 91 PROFESSORS ROW - SOMERVILLE

The Petitioner (Kevin Daley from North Shore Mechanical Contractors, LLC) is seeking a variance from 248 CMR, Section 10.19. As part of the school's re-opening plan, the Petitioner is requesting a variance for propane water heaters to be installed in pre-manufactured housing trailers. The trailers will be used for temporary isolation housing for students diagnosed with COVID-19 on campus. Currently, the existing propane (LPG) gas fired water heaters are classified UL listed and all models comply with ANSI Z21.10.3 – CSA 4.3 standards and meet or exceed NRCan thermal efficiency and or standby loss requirements and current edition of ASHRAE/IESNA 90.1, however, the units do not have a MA product approval code. There are 16 total heaters with model number: AO Smith BTRC-120. The MA approved model is the "BTR" – the "C" refers to Canadian model. The local Board of Health petition has been received.

A motion was made by Wayne Thomas and seconded by Harold Knight, to grant the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-014 SMOC – 192 MIDDLESEX STREET – LOWELL (Petitioner did not attend the meeting)

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.

A motion was made by Wayne Thomas and seconded by Harold Knight, to table the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

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.

A motion was made by Wayne Thomas and seconded by Harold Knight, to table the case and request that the Petitioner to revise their plans for a solution to provide compliant bathrooms such as portable restrooms, and to work with the state plumbing inspector. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-016 – SYLVAN LEARNING CENTER WESTFORD – 160 LITTLETON ROAD - WESTFORD

The Petitioner (Smita Thakkar) is seeking a variance from 248 CMR Section 10.10 to allow the use of one rest room to be utilized for students and faculty. The local Board of Health has been properly petitioned.

A motion was made by Wayne Thomas and seconded by John Cruz to deny the variance and require the petitioner to construct a separate unisex restroom for the instructors and a separate 521 CMR accessible unisex restroom for the students. Each restroom must be clearly designated. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-017 MASSGROW, LLC-134 CHESTNUT HILL AVENUE - ATHOL

The Petitioner (Andres Kremzier from BKA Architects) is seeking a variance from 248 CMR, Section 10.10(18) (j) to allow the elimination of shower stalls at this facility, This is a cannabis cultivator and while the building is code classified as Group F-1, the use is more akin to that of an office in terms of physical activity and environment. Showers were provided in the facility's initial build-out to comply with this requirement. The showers have not been used since operation began 9 months ago. These fixtures will remain and the Petitioner proposes an additional shower in each of the new locker rooms for employee convenience. The Petitioner is seeking relief from the financial and spatial impacts of installing 8 additional showers in their expansion based on the actual work being performed in the building and the lack of shower usage. The local Board of Health petition has been received.

A motion was made by Wayne Thomas and seconded by Ruth Alfasso, to grant the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-018 MED SPA – 1899 MAIN STREET – TEWKSBURY

The Petitioner (Kelly Knopp from Commercial Construction Consulting) is seeking variances from 248 CMR, Sections 10.10(18)(i)(1) to eliminate the requirement separate rest rooms for employees and the requirement to provide separate rest rooms for patients and visitors. The space is approximately 1,876 square feet and will be occupied by a maximum of 4 employees and 6 patients simultaneously. The previous tenant (a restaurant) had two single user restrooms that will be maintained by the new medical spa tenant. Both restrooms are accessible. The local Board of Health petition has been received.

A motion was made by Wayne Thomas and seconded by John Cruz, to grant the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

PV-020 DEB MORSE – 45 HARRIS STREET, CAMBRIDGE

The Petitioner (Dan Loprete from Fresh Start Contracting Corp.) is seeking a variance from 248 CMR for the minimum shower stall width. The work includes the removal of an existing cast iron, claw foot tub out of an existing tile surround in an existing bathroom. The claw foot tub was removed to frame a new shower curb for a stand up shower. The width of the shower on the finish is going to be around 28” wide to the inside of the glass. No other part of the bathroom is being worked on, this is not a remodel and the 30” cannot be accomplished given the tight space. The Petitioner is requesting approval to move forward with the work even if they cannot meet the minimum width of 30”.

A motion was made by Wayne Thomas and seconded by John Cruz, to grant the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

COMMERCIAL VOCATIONAL SCHOOL PROJECTS

NORTHBOROUGH, ASSABET VALLEY RTHS, 63 MAIN STREET – NORTHBOROUGH

The work will be performed by students at the Town of Northborough Water Department. The scope of work involves bathroom, kitchen sink and a slop sink. There is also some gas piping. This project supports the educational needs of the students. The work is proposed to start early 2021 depending on time schedules and coronavirus restrictions and safety procedures.

A motion was made by Wayne Thomas and seconded by Harold Knight, to grant the variance. On a roll call vote, the motion carried unanimously with each member voting yes.

APPEALS

A1 - APPEAL OF INSPECTOR'S DECISION

GALLERY SALONS – 235 NEWBURY STREET - DANVERS

Appeal withdrawn at the request of the petitioner, no formal action taken.

A2 – APPEAL OF INSPECTOR'S DECISION

35 LOMASNEY WAY – BOSTON

Due to a failure of the Inspector to attend, this matter will be rescheduled for the September meeting.

FYI – Board Delegated Staff Approvals – Board Vote Not Required

DAPV-245 – JAMES MALENFANT – 150 STANIFORD STREET, #432 – BOSTON

The Petitioner (James Malenfant) 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 building construction is reinforced structural steel and concrete floors and are not allowable for opening up the floor to access plumbing below. The local Board of Health petition has been received.

DAPV-002 – NEWPRO – REETA AND PRABHU RAO – 3 AVERY STREET, UNIT 509-BOSTON

The Petitioner (Peter DiGiano 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 -008 - LYNN HAWKINS – 5 BEMIS ROAD – WINCHENDON

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

DAPV – 009 –NEWPRO – DOUGLAS AND BRANDON HAMILTON – 111 DEVIS STREET, UNIT 206 – MALDEN

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 -010 – NEWPRO – MARIA ALLMANDI – 32 TERRY LANE - PLAINVILLE

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 – 011 – NEWPRO – SUZANNE ANGEL – 55 CHRISTOPHER DRIVE - METHUEN

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.

BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS AUGUST 5, 2020

DAPV – 012 – NEWPRO – JOSEPH FRATIC – 1 WATERMILL PLACE, UNIT 204 – ARLINGTON

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-019 – NEWPRO – STANLEY COHEN – 2 EARHART STREET #904T – CAMBRIDGE

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.

EXECUTIVE SESSION

At approximately 10:30 a.m., the Chairman stated the Board would enter into a closed Executive Session per M.G.L. c. 30A to discuss applicant’s character, rather than competence. He noted that the Board would return to Open Session at approximately 11:00 a.m. to adjourn. A motion was made by Wayne Thomas and seconded by Harry Knight to enter Executive Session. Thereafter, the roll call was summoned and the following is the result:

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				

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

None

ADJOURNMENT

At 10:55, a motion was made by Wayne Thomas and seconded by Harold Knight, to adjourn the meeting. On a roll call vote, the motion carried unanimously with each member voting yes.

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.

BOARD OF STATE EXAMINERS OF PLUMBERS AND GASFITTERS AUGUST 5, 2020

Respectfully Submitted By;

Karen R Brann

Karen R. 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