

**2) DAVID WILLIAMS (OWNER) PEARCE'S ISLAND - GLOUCESTER**

The Petitioner requests a variance from 248 CMR (Code of Massachusetts Regulation) 10:00, the Uniform State Plumbing Code Sections 10.02 (3) and 10.02 (6) to not be required to install a laundry hookup, shower, water heater and a lavatory. Water is brought to the Island via boat. In correspondence dated 8/2/09, Joseph P. Guzzo, Plumbing and Gas Inspector, believes there may be some considerations. The inspector noted work was performed by unlicensed persons and without permits. The inspector feels there should be a full working bath. The Gloucester Board of Health states the variance request does not conflict with current Gloucester Board of Health requirements. The wastewater system and potable water storage system were approved by the Board of Health and the DEP. The Gloucester Board of Health indicates the variance request does not conflict with current Health regulations.

MOTION TO APPROVE with conditions by Mr. Wensley, seconded by Mr. Hanley

CONDITION(S) Install all fixtures required by Principle #3, and #6, except relief from requiring a washer hookup

OPPOSED None ABSTAINED None RECUSED Mr. Harold MOTION CARRIED

**3) NORTH HIGH SCHOOL – 457 WALNUT STREET - NEWTON**

The Petitioner (Nicholas Parnell/Building Commissioner) requests a variance from 248 CMR (Code of Massachusetts Regulation) 10:00, the Uniform State Plumbing Code Section 10.06 (2) (h) 12 and 10.06 (2) (o) to allow the use of schedule 40 PVC and SDR 35 piping for the collection of rainwater conveyed to a 40,000 gallon water reuse tank as part of a Rain Harvesting System to provide flushing of toilets and urinals at the high school. The Newton Health and Human Services Department hereby requests that a variance to an interpretation of the Massachusetts State Plumbing Code be granted for this project.

MOTION #1 by Mr. Hanley, seconded by Mr. Kaldas, to open a complaint against the General Contractor, the Engineer of record. In addition to open a staff assignment against the City of Newton.

CONDITION(S) None

OPPOSED None ABSTAINED None RECUSED Mr. Harold MOTION CARRIED

MOTION #2 To require video camera testing of the installed piping, as per 248 CMR, by Mr. Wensley, seconded by Mr. Hanley.

CONDITION(S) Pending the inspection performed by State Investigator Scott Padden, a licensed plumber is to coordinate a camera inspection of the installed piping. If no discrepancies are found the piping is to be tested to a 10' head of water. If discrepancies are detected the Board will need to determine if the defective piping is to be repaired or removed. The Board does not explicitly approve of a variance pending this review.

OPPOSED None ABSTAINED None RECUSED Mr. Harold MOTION CARRIED

**4) INDIAN CURRY RESTAURANT – 3 OLD CONCORD ROAD – BURLINGTON**

The petitioner (Charlie Patel, Manager) requests a variance from 248 CMR (Code of Massachusetts Regulation) 3.00 the Uniform State Plumbing & Fuel Gas Code Section 3.04(1) to allow the installation of a non-product approved Tandoor Oven in the restaurant. It appears the oven has ETL and NSF certification. As this is a gas variance a Board of Health letter is not required.

MOTION TO APPROVE by Harold, seconded by Mr. Hanley

CONDITION(S) Installation to conform with 248 CMR & NFPA 54.

OPPOSED None ABSTAINED None RECUSED None MOTION CARRIED