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Executive Director



MASSACHUSETTS STATE COLLEGE BUILDING AUTHORITY

August 5, 2015

Mr. Wayne E. Thomas, Executive Director
Board of State Examiners of Plumbers and Gas Fitters
1000 Washington Street - Suite 710
Boston, MA 02118-6100

RE: Comments on regulations regarding plumbing and gas fitting (248 CMR 3.00 to 11.00)

Dear Mr. Thomas and Members of the Board:

I appreciate this opportunity to provide the following recommendations to clarify the language of some sections of the Plumbing Code and to respond to new needs of the 17,000 students that reside in the 100 buildings we own. The Massachusetts State College Building Authority is an independent State authority that is responsible for financing and managing the design, construction, and operation of the revenue-funded facilities on the nine State University and 15 Community College campuses in the Commonwealth. The Authority receives no State appropriation; therefore, it is essential that our projects fully fund the costs of design, construction, operation, and renewal from student revenues. In an effort to provide safe, sanitary, and sustainable facilities – and to maintain affordability of student fees – we would like to discuss the following issues that increase the cost of our projects without, in our view, a commensurate benefit. Please note that in each of these four proposals *the number of plumbing fixtures for each building classification is unchanged* from the current requirements of Table 1 in Section 10. Rather, we seek to clarify the designation, configuration, and, in the case of laundry facilities, the way by which occupancies are calculated.

Gender-Neutral Restrooms

ISSUE: To accommodate recent Massachusetts civil rights legislation and changes in gender identity and expression there is a need to provide gender-neutral restrooms and bathrooms. Two proposals are recommended to accommodate this need, without the necessity of providing fixtures in excess of present Code requirements.

PROPOSAL 1: Permit the use of "gender-neutral" signage on single-user restrooms that are otherwise required to be designated as gender-specific (male and female). This proposal would maintain the number of plumbing fixtures as presently required and would improve access by the entire building population. Individuals with non-traditional gender identity would be able to access restrooms without discomfort; wait time for all persons would be reduced, as anyone could use the next available facility. *This provision would only apply to single-user facilities* and could be implemented with a note in Table 1: "In all building classifications single-user restrooms may be designated as gender-neutral." Multiple-fixture restrooms would continue to be required to be designated as either male or female.

PROPOSAL 2: Allow multiple, single-user restrooms. Presently, Section 10.10 (18)(m) has been interpreted to permit *only one* of the required fixtures to be provided in a unisex, accessible facility. This proposal would remove the restriction on the number of single-user rooms that can be provided to meet the fixture requirements of Table 1. All users would benefit by reduced queuing time for the next available facility, as well as those individuals with non-traditional gender identity. As this issue is based on interpretation rather than regulation, it is not certain that the wording of the Code would need to be changed to accommodate the configuration of toilets and lavatories as single-user facilities.

Separate Student and Employee Restrooms in Higher Education Occupancies

ISSUE: The Plumbing Code requires separate toilet facilities for faculty and staff employees in college and university occupancies, 248 CMR 10.10 (18)(h)4. Table 1 classifies Post-Secondary occupancies as Education (E), the same as Kindergarten, Elementary, and Secondary Education building classifications. The Building Code classifies educational occupancies above the 12th grade as Business (B), 780 CMR 304.1(9). While there may be sanitary and security reasons for separate toilet rooms to be required for students and for employees in Kindergarten through the 12th grade, in the Higher Education setting, where *both staff and students are adults*, this requirement becomes an additional expense – in terms of both construction costs and operating budgets – for which we do not believe there is a commensurate benefit.

PROPOSAL 3: Remove the requirement to provide separate toilet facilities for faculty and staff in the Post-Secondary building classification. This could be accomplished by a note to Table 1 that states: “Separate employee toilet rooms are not required for Post-Secondary building classifications, provided that the total number of fixtures for students and for staff are provided in accordance with the ratios defined in Table 1.” This would *retain the current building classification and would require the same number of fixtures*; it would result in the construction of fewer toilet rooms, not in the provision of fewer toilet fixtures.

The Plumbing Code requires the same ratio of toilet fixtures for staff in Education use groups as it does for occupants in Office Buildings (B). Therefore, under this proposal the same ratio of toilet fixtures would be provided for the adults (faculty and staff) in Post-Secondary Education occupancies as is presently required by the Plumbing Code for Business occupancies.

Laundry Requirements

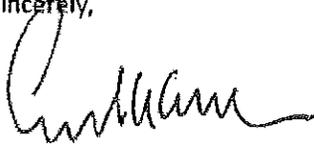
ISSUE: The Code requires washing machine connections at the rate of one per ten dwelling units, Section 10.10(18)(o)2. The Board has adopted the policy of requiring one washing machine connection for each 32 students in a residence hall. No number of occupants for a dwelling unit is prescribed in the Code. Several zoning ordinances in the Commonwealth define the occupancy of a Dwelling Unit as four unrelated persons. Accordingly, it is reasonable to conclude that ten dwelling units would constitute a population of *40 individuals*.

PROPOSAL 4: Amend this section of the Code to include a new provision for dormitories, which would state: “**Dormitories:** In college and university residence halls, one washing machine connection for every 40 students, or fraction thereof.” This ratio is consistent with industry standards (e.g. Speed Queen Multi-Housing laundry design guide) and the actual operating experience of the Massachusetts State Universities. Another factor to consider in the requirement of washing machine connections is that, unlike

typical dwelling units, residence halls are only occupied for part of the year and students have other options for laundry services. Also, unlike in other types of dwelling units, no children reside in dormitories, which results in substantially less laundry for the same number of residents. Further, in the case of college and university residence halls, various building layouts (traditional halls, suites, apartments) do not readily fit the definition of a Dwelling Unit; therefore, it is more appropriate to provide washing machine connections as a ratio of all residents of a building, regardless of its configuration.

Thank you for this opportunity to present these proposals. We believe that their adoption would improve accessibility by all facility users at a reduced cost while maintaining existing use group classifications and the ratios of plumbing fixtures to building occupants as presently required by the Code. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Adelman", written in a cursive style.

Edward H. Adelman, AIA
Executive Director