

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

BUILDING BOARD OF ADJUSTMENTS AND APPEALS

2:00 P.M., MONDAY, MAY 6, 1991

AT THE TOWN HALL, PLANNING, ZONING & BUILDING DEPARTMENT
CONFERENCE ROOM, 360 SOUTH COUNTY ROAD, PALM BEACH

I. Call to Order: The meeting was called to order at 2:10 p.m. by
E. Ben Walton Jr., Chairman.

II. Roll Call:

PRESENT: E. Ben Walton, Jr., Chairman
John Nora, Member
Jeffrey W. Smith, Member

STAFF PRESENT: Harry P. Ackerman, Chief Building Inspector
Richard E. Barber, Chief Plumbing/Mechanical
Inspector
Cynthia M. Delp, Recording Secretary

OTHERS PRESENT: Lowry Bell, Property Owner

III. Approval of the Minutes of the April 16 & 18, 1991 Meeting:

THE MINUTES WERE APPROVED ON A MOTION MADE BY MR. SMITH AND
SECONDED BY MR. NORA. THE MOTION CARRIED UNANIMOUSLY.

IV. Items for Discussion

Item 1: Requested by: Mr. Lowry Bell
Regarding: 240 Banyan Road
Subject: Variance to Town of Palm Beach Amendments
to the Standard Plumbing Code Section
926.1 (Requiring recirculating hot water
on all water heaters.)

Please note that the following is a verbatim transcript of the
meeting.

Mr. Walton: Items for Discussion. Dick, do you want to take it?

Mr. Barber: You can go first. I really don't know what he's asking for.

Mr. Walton: Oh, I see. O.K. I'm sorry.

Mr. Bell: Alright, the situation is this that we had these plans approved through here some time around the first of October or the end of September, and it was approved with the hot water heaters being located in this one area. And after we got under construction, signed the contract with the plumber, he comes in one day and says that they have to be closer to the bathroom...they have to be within 20'. So, I said O.K. we'll move them. So, we moved them all. Then, apparently, he comes back to us after he's got everything installed and says it's longer than a 20' run. I said, what do you mean by a 20' run? He said, well, it has to be measured from the hot water heater to the point of discharge. I said, well, why didn't you tell us that when you bid it?; why didn't you tell us that before now? He said, well, you know. Anyway, he's come back to us with an extra which is close to \$ 5,000 to put pumps in, and I can understand pumps if you had one heater in the house and you pumped all over the place, but we have heaters that we did spread out after he made the comment about the 20', throughout the house now, and they're all within range of all the bathrooms, and I don't understand why we have to go to this tremendous expense of putting pumps on when they are that close. I did a calculation, and maybe somebody will be interested and maybe they're not, but the size of the pipe is 1/2" copper pipe, and I did it in lengths of 20', 30', 40', 50', 60' and 70'. It shows you the total cubic inches in volume, and then it has the gallons which I misspelled over here. It shows you how many gallons would be used by turning the water on and letting it go the entire length of that pipe before you got hot water. So, one of the worst conditions we have is about 40' away, and the length of the pipe going up and down and over, which comes out to 1.63 gallons, and...

Mr. Smith: Wait, per minute or what?

Mr. Bell: Gallons to use that much water before you get the hot water from the tank. That is the water that is in the pipe before hot water gets to you. And, so, when you start looking at how long it's going to take you to recover the cost of \$ 5,000 by using the extra gallonage, and if you notice, I multiplied it times 2. You can go down to Line 18. The gallons used each day, because I did it with two showers instead of one even though these two showers are next to each other. That's a total of three gallons a day, and if you used it every day of the year, even though you might not be here that 365 days, it comes out to 1,189 gallons, and the cost of water here is \$.45 per one unit, and a unit is 750 gallons. The time to recover the cost of the pumps would take me like 6,840 years, and I think it's a ridiculous request when we're right next to these bathrooms. I have to show you how many that are close. Let's see the plans here. We have the units here, and right upstairs are the two bathrooms.

Mr. Smith: Where are the units below...downstairs on the first floor?

Mr. Bell: Well, we did have them downstairs. We moved them up here to this closet now which makes it even closer. We're right next to this tub, and right next to this shower. But even then, if you measure the distance going up a 10' ceiling, and going over 7' and down 7 or 8', you're beyond the 21' feet anyway, or beyond the 20'. So, this measurement, by length, is really ridiculous when you consider that you're putting a hot water heater right next to a shower that's only 5' away. I can't see the purpose of counting...

Mr. Smith: What is the furthest distance?

Mr. Bell: The furthest one is this one here? The hot water heater is here, and that's 30' to there, but you have the two showers back to back, and that one doesn't go up. It comes under the floor directly to here and up the pipe. So, this would be the 40' length by going from the hot water heater straight over to there. I have the kitchen downstairs, of course is furnished by the same tank, which comes right over here...that's a 20' run, but by the time you consider you got to go over and down, and you have 12' ceilings, I don't see how it's ever possible unless you put undercounter hot water heaters in to ever get beyond that 20' length. Obviously, the one upstairs are (indiscernible), one of them is within the 20' length, but I don't think any of the others are. They are all 30' or 40'. And you know, I do have the ability to put in...we had four small ones originally because of the space requirement. This is over this bathroom. That's where we had four small units. Now that we spread them out over in this area, and here, we'd go for a bigger unit as opposed to three small ones, or four small ones, and save on the energy. Put it here and put it here. And that's how close the bathrooms are. This one's right next to the bathroom here.

Mr. Smith: Where's that one?

Mr. Bell: Right here in this closet.

Mr. Walton: Point out all the bathrooms there, Lowry.

Mr. Bell: I'm sorry.

Mr. Walton: Point out all the bathrooms.

Mr. Bell: O.K. There's a bathroom here, and here, and a hot water heater there. There's a bathroom here and a hot water heater there. There's a bathroom here and here and a hot water heater there.

Mr. Walton: And the kitchen is right down?

Mr. Bell: The kitchen is right here, downstairs from this hot water heater.

Mr. Walton: Dick, what have you got to say?

Mr. Barber: Well, the water saving devices, I think you all know, have come into play with the Comprehensive Plan. In order for the

Town to get the Comprehensive Plan past the State, they had to do it. And, here's a copy of the Ordinance where it says "return circulating hot water heaters", and it doesn't give any distance. So, if you had a fixture right beside it, according to this, you'd have to have it re-circulating.

Mr. Smith: Well, where did this distance come up of 20'?

Mr. Barber: This distance came up because we had too many people coming in and saying...you know, it's real close. So, where did we get the 20'? This office came up with the 20'. The plumbers asked for 50' from the Plumbing Contractor's Association. And, we felt that that was too far. So we said, O.K., you need to be 20' from the heater or 20' from the re-circulating line.

Mr. Bell: The problem is I don't think there are many situations where you can fall within the 20'.

Mr. Barber: Well, the Mashek house is a pretty good size house down at 1290. It's already piped and there is no fixture in that place even close to the 20'.

Mr. Bell: Even close to it?

Mr. Smith: You say it does have a re-circulating pump?

Mr. Barber: It has a re-circulating line throughout the house. Every fixture is taken within the 20' distance. It's already in...

Mr. Bell: I can understand...

Mr. Smith: Every fixture is within 20' of the pipe that's re-circulating.

Mr. Barber: Yes.

Mr. Smith: That's easy to do.

Mr. Barber: That's all that's required.

Mr. Smith: If you want...well, I personally would not want to spend the money on the electricity of running that hot water through those pipes, you know, and not having it being used. A lot of these houses are so big...

Mr. Barber: I don't think the Ordinance was put in to save electricity.

Mr. Smith: It's to save water. You know, 15 or 20 years ago, it was to save electricity, and the heat. So, now, we're just shifting...

Mr. Ackerman: We cannot have...we will not be allowed to change this Ordinance because that would take State approval with the Comprehensive Plan, because the Comprehensive Plan is what required

this.

Mr. Barber: Well, they'll come in and look the Comprehensive Plan over, and see if we're abiding by what they have said they would do at the Council.

Mr. Bell: We're talking about a thousand gallons of water per year.

Mr. Ackerman: Your computations...you're only using hot water twice a day. That's questionable.

Mr. Bell: The shower. That's where you're going to use it.

Mr. Ackerman: You use the shower, you use it for your water heater, to wash your dishes...

Mr. Bell: How many times have you ever washed your hands with hot water. You normally wash them with cold water. The dishwashers all have electric heaters in them.

Mr. Barber: The way Jeff looked, it looks like he might use warm water to wash his hands.

Mr. Smith: I would.

Mr. Barber: But they insulate the line.

Mr. Walton: Dick, you know I'm not in the building now like I used to be, but I would think when the plans came through the department here, is everybody supposed to know that? They were approved this way.

Mr. Bell: They were approved with all of them in one section.

Mr. Ackerman: There is not on this set of plans any hot water piping diagram.

Mr. Bell: There never is.

Mr. Ackerman: Right. There never is. So, why would we put something on there...

Mr. Smith: I need to understand because I'm going to be caught in the same problem right now. I know it.

Mr. Ackerman: You are.

Mr. Barber: They are not approved here. They are reviewed.

Mr. Bell: There's an out if I ever heard one.

Mr. Barber: That's what the stamp says on the plan, if you look at it. It'll say "Reviewed". It doesn't say approved.

Mr. Ackerman: I'll guarantee you that the architect hasn't shown

everything on there that he's supposed to, too, for the builder.

Mr. Bell: The problem with the Mashek's. The money might not mean anything to them, and they probably didn't know it because the plumber just included it, and they love to add all of these extras on. To me, it came back as an extra, so I was quite aware of it. And when you're talking about the whole shell out the labor just alone to install the stuff is only about \$ 16,000, and you add \$ 5,000 to it, and that's a 30% increase. It's just asinine.

Mr. Ackerman: It shouldn't come back as an extra. That's between you and your contractor. But usually you bid things according to code. So, if he didn't know the code, is that your fault as the homeowner, that he doesn't know the code? I wasn't writing the contract, so I don't know what you've got in there for that.

Mr. Barber: I think he probably figured pretty high priced pumps for you, and a lot of other things to build the price up.

Mr. Bell: Well, the trouble is, you put this big huge circulating line in there. The pumps are so expensive.

Mr. Ackerman: They could have an instant-hot.

Mr. Barber: They could put an instant hot at each fixture and not have to worry about it.

Mr. Bell: You can't put an instant hot on a shower.

Mr. Barber: It would be a little hard, but you could do it.

Mr. Bell: The point is, that it's nowhere in the County that this is a requirement. Only in Palm Beach. It's not a State. It's not West Palm.

Mr. Smith: It's because our water consumption is so much higher than anywhere else, and that's why the Town Council had to cut that deal.

Mr. Barber: I don't know. I wasn't in on that at all.

Mr. Ackerman: There were some deals so that the Comprehensive Plan passed. This is one of the things.

Mr. Smith: What I find is the 20' arbitrary...I mean where did that come from? It wasn't in the Comprehensive Plan.

Mr. Barber: The contractors wrote a letter. It said, if we go out to figure a job, there should be a distance. They gave us all the items here of how they thought it should be...a shower head is a 3 gallon opening, we didn't have any problem there, the restrictor on a lavatory...they didn't want it a gallon-and-a half, they wanted something else; the water closets, they had a problem with that, and they had a section in there for that, and re-circulating lines; they didn't have any with the sprinkler irrigation, and we sent them a

letter back in reply to it, of what we thought was the way we should do it, and they accepted it.

Mr. Bell: That letter was dated October 19th, which was well after my plans had been approved. That's what he walked in with, was that letter.

Mr. Barber: That was afterwards, so before that time, they had to put it on all of them. If it was setting right beside the fixture, they had to put it on.

Mr. Nora: I had a question on the distance. Are you measuring the distance as horizontal distance or are you measuring the pipe length?

Mr. Barber: Developed length of pipe.

Mr. Smith: Did it say that, or did it just say 20' from the fixture?

Mr. Barber: Developed length of pipe.

Mr. Smith: Well, I can't see how any, you know, 20' of pipe, you'd have these things scattered all over the place...hot water heaters. So, basically, it's just a rule that all residences have to have a re-circulating line.

Mr. Barber: If you have (indiscernible).

Mr. Bell: A 12' ceiling, Jeff, you've got to go up 12', and over 3', and down 5'. 20' is used up and you're hardly there. You haven't gone anyplace. 20' seems awfully arbitrary to me, especially when you've got additional hot water heaters in the house, as opposed to only one, which is sitting in the garage.

Mr. Ackerman: Other people are complying with it, though.

Mr. Barber: I haven't had any complaints. This is the first complaint I've had on it since.

Mr. Bell: Nobody watches money like I do, Dick. Well, this is a "spec" house. I can understand that you're watching your money, but you know, these other people are probably going to live in theirs, and they want to use the hot water right away. They don't want to wait.

Mr. Smith: Well, we were always told that if we ever ruled different from what the code says, that it has to be a better condition, that you're improving the condition than what's required by the code. I personally don't see that you could get a hot water heater closer than these, but the one upstairs bothers me as they are going to the two main bathrooms in the house, and it's so far away.

Mr. Bell: Well, I have one other choice. I can put it here. There is a space here above this passageway, and it's right there then.

Mr. Smith: I really feel that...how do you feel, that he should

comply?

Mr. Barber: I think he should comply. I wouldn't want to go in front of the Council here and say, well, I think you people are wrong as a Council for putting this into the Comprehensive Plan...I think you ought to go back to the State and do it over. I don't think they would appreciate that.

Mr. Smith: I'm sure that they didn't want it. I'm sure that it was something they were forced into, but if it's something that the Town Council did accept, I don't think it's something that this Board can overturn though.

Mr. Barber: Here's a copy of the Ordinance.

Mr. Bell: Didn't they accept everything? I mean, what's the purpose of the Board to start with?

Mr. Smith: The Town Council didn't accept...the Standard Building Code. The Town Council has nothing to do with it.

Mr. Bell: Why do you have to go them for variances?

Mr. Smith: That is the Zoning Code. The Town Council did develop and approve the Zoning Code.

Mr. Ackerman: Town Council approved the Comprehensive Plan. Part of the Comprehensive Plan is that we put this in our Plumbing Code, so this technically is a Plumbing Code item.

Mr. Barber: That's just the part of the Comprehensive Plan that covered the water saving.

Mr. Ackerman: The Comprehensive Plan isn't going to say all this. It just going to say that we initiate water saving devices, and they may list what we're proposing to do for water saving devices. And the reason they're here is because is to change the Plumbing Code is through the Building Board of Adjustments and Appeals, not through the Town Council. The Council changes the Zoning Codes.

Mr. Bell: So, you're saying you can come before this Board.

Mr. Ackerman: Yes. This is where this would go for any change. Now, they don't have the power, though, to throw out or they can't tell us to change the plumbing code to eliminate return circulating hot water heaters.

Mr. Bell: They can certainly O.K. changes on my plan.

Mr. Ackerman: They have the authority to do that.

Mr. Bell: If I put hot water heaters very close to the unit, which might not be 20'. It's hard for me to see why...If you want this extra one, Jeff, there's no problem there. I'll put another one here.

Three units, or I'll put both of them there. It doesn't make any difference. Put one here, put one there that's close to that.

Mr. Smith: I have to start to look at things rationally too. What is the intent of 20' of pipe if you can't even run up a wall and down a wall to get to it. Doesn't that seem unreasonable to you, Dick?

Mr. Barber: No.

Mr. Smith: 20'.

Mr. Barber: If you go up a wall 8' or 6', now you've got 12' you can go across. The re-circulating is 12' above the ceiling in the kitchen.

Mr. Bell: No, no. Without a re-circulating line.

Mr. Smith: You say without a re-circulating line?

Mr. Barber: Without a re-circulating line? And then you're going to get to the water heater.

Mr. Smith: How do you get to the water heater in less than 20' of pipe.

Mr. Barber: O.K. The only reason that was put in there is you go over here in a little store. They got a restroom that's got a water closet and a lavatory, and they want warm water at the lavatory, and they put a heater in. They don't want to run a re-circulating line when the heater is sitting right behind the lavatory.

Mr. Smith: Well, why don't they use an "instant-hot" in that case?

Mr. Barber: Because some of them have the water heaters and they want to use them. But that was the reason it was put in. If the water heater was sitting right behind the fixture, but if it's away from it, you have to run a re-circulating line like the Ordinance says. It does save water.

Mr. Smith: What do you mean it saves water?

Mr. Barber: In the re-circulating line.

Mr. Smith: Oh, I don't question that. If we're talking about a thousand gallons of water a year, for every house in the Town of Palm Beach, how many gallons would you save?

Mr. Bell: Well, we're not talking every house, only the new ones.

Mr. Barber: No, that's on renovations too.

Mr. Nora: How much of a renovation do you have to do in order to require it?

Mr. Smith: 50%.

Mr. Barber: If it's 50%, they have to bring it up. If they are tearing up a part of the house that they can get the re-circulating line in, you know, opening the house up enough, they have to go ahead and do it anyway. But if you say you've got a water heater here and you're not anything in the center of the house, just on the other side, I'm not going to make you tear up the whole house just to get a re-circulating line in there.

Mr. Nora: That's 50% of the cost of the plumbing or the entire house?

Mr. Ackerman: It's usually the entire house.

Mr. Nora: But if you're not doing any plumbing work at all, do you still have to...?

Mr. Ackerman: If you're doing a 50% renovation, you're going to be doing some plumbing work, I think.

Mr. Bell: If you change toilet fixtures, is that plumbing work?

Mr. Nora: So, the answer is if you are doing more than a 50% of the value of the house remodeling, even if you don't touch the plumbing, you still have to plan a re-circulating line.

Mr. Ackerman: That would be a judgement call on his part. (referring to Mr. Barber)

Mr. Barber: Well, when you do 50%, they say you have to bring the building up to code, and that would be bringing it up to code.

Mr. Smith: That's 50% of the assessed value. It doesn't include the property, so to speak. So, it's way down there. There's not too many places you can touch without going to 50%.

Mr. Bell: I think this one may be maybe within the 20'. It's a 20' run over there. The space is already there. I'd like for you to consider my request. I have also another heater out in the garage so, that takes care of the garage area, but in a house like this...I'll put three heaters in. I'll spread them out further. One here, one there, one over here.

Mr. Nora: On the first floor, you can stay with the 20'?

Mr. Bell: I can really stay within the 20' anyplace, to tell you the truth. I think this one, obviously, which is the bathroom with (indiscernible) right underneath it is probably within 20'. This one here, I would assume this is within 20'. I'm not sure about this shower or that shower by the time you go up, across and down again, whether it's actually 20'. These are all 10' ceilings here.

Mr. Smith: Can you go under the floor?

Mr. Bell: If you go under the floor, from here it's 12' over to the controls. Then you got to go from the top of the unit down, underneath and back up. Tight on the 20', even being less than 5' away from the shower with a hot water heater. That's the thing I think is peculiar about the reading of it, when you've got a hot water heater within 5' of the shower, it doesn't pass.

Mr. Smith: The way I interpret this 20', as he's saying, you have to be 20' from the line, the re-circulating line. He wants every fixture in your house 20' from the line, not 20' from the water heater.

Mr. Bell: Well, yes, but you can't be over. Are you saying there's no such thing as not having a hot water heater...or not having a pump? That's not what that letter said on the 19th. It said you didn't have to put the pump in if you were within 20'.

Mr. Barber: 20' developed length of the water heater or you have to put a re-circulating line in. And I didn't say that you couldn't put a re-circulating line in without a pump. You can do that. There's not too many people in Florida that know how to do it, because they're not used to gravity systems, where up north, where they had the old hot water heating systems and they gravity-fed the water through the old radiators and everything, it'll work. But you can't do it in these new type houses. Well, you can, but it's not the easiest.

Mr. Bell: One of the problems also, Jeff, in putting in a circulating pump that ties them all together is that a lot of these people are only two people in residence here. The rest of the house is empty. They're not even here, and they'd like to turn off the hot water heaters if they don't need them. There's no sense in wasting electricity. If you have this massive pump, you're going to be circulating water.

Mr. Smith: You don't have to have just one water heater either. You can have three water heaters and three circulating pumps.

Mr. Bell: Even more expensive. The house is some eighty feet long.

Mr. Smith: I have sympathy for you, but I know, whatever we rule on this, I'm doing a house right now that I did not figure on doing a re-circulating line or anything. I know it's going to have to be done there too.

Mr. Ackerman: You can always go to the Building Board of Adjustments and Appeals.

Mr. Smith: I don't want to come back here. I just don't see how we can overturn what is required by Code. I don't see what you're giving us is better than what's required.

Mr. Bell: Three different pumps...I mean three different hot water heaters close to the units. I don't see the advantage of pumping the water all that distance.

Mr. Nora: I'd like a clarification on the re-circulating line. Does the re-circulating line have to go to each fixture or can the fixture be 20' from the re-circulating line?

Mr. Barber: The fixture can be 20' developed length from the re-circulating line.

Mr. Ackerman: But he's saying there are two different possibilities.

Mr. Barber: Or from the heater, whichever. Now, the hot water line and the re-circulating line have to have insulation put on it equal to the water heater, so you don't lose the heat of the water going around the room. General Plumbing had one up in the north end on Indian Road. They put in for a new bath, and the longest run was 22'. They had to move the lavatory over enough to get the 20', so they wouldn't have to run a re-circulating line.

Mr. Smith: To keep from running a re-circulating line. That was developed length of pipe.

Mr. Barber: I crawled under and measured it. It was 22'.

Mr. Walton: Jeff, do you want to make a motion?

Mr. Smith: Declining.

Mr. Walton: Come on, John.

Mr. Nora: I agree with Jeff that we can't very well change the Code.

Mr. Bell: I'm not asking for that. I'm asking for a variance on this.

Mr. Nora: It was also brought up that you need...there should be a hardship other than just the extra expense of installing a circulating line.

Mr. Bell: It's pretty much of a hardship.

Mr. Nora: Right, but it's something that can be done. Did your plumber figure a re-circulating line going to each fixture?

Mr. Bell: That's what he had to re-do in his price.

Mr. Nora: Well, you know, you don't need to do that. You get a re-circulating line over to the bathroom and then after that, the lavatory.

Mr. Bell: Well, I'm sure he figured the loop. But he didn't figure it going here, then back over and down like that. I'm sure he had a continuous loop.

Mr. Nora: Well, all of them are done that way. These people over here...when they turn on the faucet, they want hot water. They don't

want to wait seconds even.

Mr. Smith: In the summertime, you don't have to wait. You wait for the cold.

Mr. Bell: Well, I'm not asking to change the code. I'm asking you to interpret it a little better. You've already made the correct changes to it already by agreeing to the letter of October 19th which is the 20' rule. It's not in the Code that way. I don't know what makes 20' anything grand or locked in stone any more than 40' or 30'. As you can see by the paper I gave you, we're talking about .8 of a gallon, and on the 40', you're talking about a little over 1.5 gallons before you get hot water.

Mr. Smith: The way I really have to interpret it is that the Town will use water saving devices, and the following water saving devices are required in all new development, re-development, or restoration, and it clearly says re-circulating hot water heaters. And the 20' that they're referring to...I think...I spoke to you earlier on the phone, I told you I didn't know that much about this, and the more I hear about it, from what Dick says, I don't like it as an architect, and I don't like that I'm going to have to go tell my owner that he's going to have to spend another \$ 5,000.

Mr. Barber: Well, the other thing that wasn't brought up, if you've got four fixtures on the hot water side, you have to run 3/4" to there in order to pick up four fixtures. So, if you've got over four fixtures, and most of the plumbers figure three fixtures, so they'll be sure and have enough.

Mr. Smith: So, if more than four fixtures...

Mr. Barber: You have to run 3/4", but the return line wouldn't have to be that, the re-circulating line going back would only have to be a smaller line, anything to keep the water moving. But the water getting to the fixture, you have to get a larger size.

Mr. Smith: At the last fixture, you stop the 3/4" and then pick up... at three before your last fixture.

Mr. Barber: Yes, that's it.

Mr. Smith: And then you drop it down.

Mr. Barber: Then you get the volume of water there. That's a rule of thumb that most of them use to figure their pressures.

Mr. Smith: Lowry, let me ask you this. Your \$ 5,000 extra here...is that several pumps, one pump, how much line?

Mr. Bell: I don't know if he broke it down here.

Mr. Barber: Some of them are even putting in these little pumps like

they use on solar systems. (Indiscernible)

Mr. Bell: It says pumps, but I don't see how many.

Mr. Smith: And those pumps, they're installing are only a couple hundred dollars, I would think. So, I can't see why a couple of these...I can't see the \$ 5,000.

Mr. Ackerman: It sounds to me like he underbid the job and he's trying to make it up in extras. Extras cost more. You know that.

Mr. Smith: I also think that if the plumber bid it according to code, that he should be required to put it in according to code. Whether it's shown on the plans or not, he should know what the code is. I'd nail him on it.

Unidentified: He is licensed? The plumber is licensed.

Mr. Ackerman: Is this his first job in Town?

Mr. Barber: No.

Mr. Smith: Who's the plumber?

Mr. Barber and Mr. Bell: Wilson.

MR. SMITH: I'LL BITE THE BULLET, AND MAKE THE MOTION TO DENY THE REQUEST BECAUSE I DON'T THINK WE HAVE THE RIGHT TO SUPERSEDE THE CODE WITHOUT SOMETHING BENEFITTING OR BEING AT LEAST EQUAL OR BETTER. THIS BOARD'S CHARGE IS THAT IT MUST BE BETTER OR EQUAL TO WHAT'S REQUIRED BY CODE, SO I CAN'T SEE THAT WHAT YOU'RE PROPOSING IS BETTER OR EQUAL, AND THAT IS MY MOTION.

MR. NORA: I'LL SECOND.

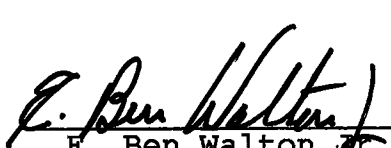
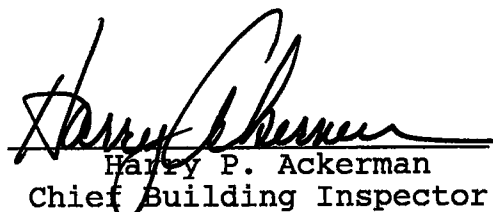
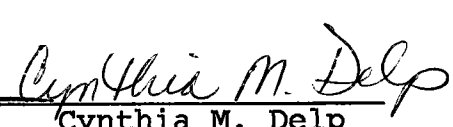
MOTION CARRIED UNANIMOUSLY.

V. Adjournment:

MOTION TO ADJOURN BY MR. SMITH AT 2:47 P.M.

MOTION SECONDED BY MR. NORA.

MOTION CARRIED UNANIMOUSLY.

		
E. Ben Walton Jr. Chairman	Harry P. Ackerman Chief Building Inspector	Cynthia M. Delp Recording Secretary

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