

MEMORANDUM

To: All Members of AIA MA
From: John Nunnari
Date: 10/12/26
Re: Legislative and Regulatory Update

Legislative Update:**Since the last Update**

Since the September Legislative Update, Beacon Hill has remained relatively quiet as lawmakers and the Healey Administration navigate the final months of the 2025–2026 legislative session and prepare for the November 3rd general election. While the Legislature's major conference committees continue working through unresolved legislation, much of the political attention has shifted toward affordability, energy costs, housing production, artificial intelligence, and the unusually large number of statewide ballot questions awaiting voters.

Following the September 1st state primary, several closely contested legislative races required recounts. Senate President Pro Tempore Will Brownsberger narrowly retained his Democratic nomination over challenger Daniel Lander by just 35 votes, while a recount in the Ninth Bristol House District confirmed Edward Pacheco's 14-vote victory over Stephen Medeiros. With the recounts completed, attention turned toward November, including the gubernatorial contest between Gov. Maura Healey and Republican challenger Mike Minogue. The election will also feature nine statewide ballot questions, the largest number in Massachusetts history, addressing issues ranging from public records and housing-related zoning to election procedures and state fiscal policy.

During the second week of September, Gov. Healey signed an executive order establishing additional oversight requirements for large data center developments. The order requires projects with peak electrical demands exceeding 25 megawatts to secure local approval and community benefits agreements before advancing through state permitting, while also addressing clean-energy obligations and potential payments into a Ratepayer Protection Fund. The action follows the Administration's earlier pause on applications for certain data center tax exemptions and comes amid growing concerns regarding the facilities' energy demands and effects on host communities. Separately, proponents of additional local oversight began pursuing a potential 2028 ballot initiative that would provide municipalities with greater authority over data center development.

By mid-September, artificial intelligence had emerged as another significant policy priority. Gov. Healey called for stronger federal oversight of advanced AI technologies while urging state legislative negotiators to strengthen pending protections, including independent safety evaluations and more timely reporting of critical incidents. The issue remains intertwined with ongoing economic development and data privacy negotiations, particularly as lawmakers consider how to encourage technological investment while addressing consumer protections, public safety, and the infrastructure demands associated with rapidly expanding AI applications.

As September progressed, attention returned to the Legislature's unfinished business. On September 25th, Speaker Mariano indicated that there was no established timetable for resolving the approximately dozen major bills remaining in conference committee, noting that negotiations could continue into early January. Senate President Spilka, meanwhile, expressed a preference for completing the energy and economic development bills as soon as possible. Despite those statements, substantial differences remained between the House and Senate on energy

affordability, economic development, health care, and other policy matters, with no clear indication that major agreements were imminent.

At the same time, the Healey Administration advanced a \$2.24 billion supplemental budget intended to close out fiscal year 2026, including a proposal to suspend the Commonwealth's gasoline tax for two months at an estimated cost of \$120 million. The proposal, framed as temporary relief from rising household expenses, encountered skepticism from House leadership, which raised concerns about lost transportation infrastructure revenue and the effectiveness of a short-term suspension. The disagreement highlighted the competing pressures facing state policymakers as they attempt to respond to affordability concerns while managing fiscal constraints and maintaining funding for essential programs.

Housing production also remained a prominent concern entering October. The Executive Office of Housing and Livable Communities reported that Massachusetts added approximately 34,561 housing units in 2025, representing roughly 15.6% of the Commonwealth's stated goal of 222,000 new homes by 2035. Housing Secretary Juana Matias emphasized the importance of sustaining that pace while acknowledging that the state's housing shortage will require a long-term response. Water and wastewater infrastructure capacity, permitting challenges, and other development constraints continue to complicate efforts to expand housing production, reinforcing the importance of coordinating housing policy with infrastructure investment and local planning.

During the first full week of October, energy affordability moved further into the political spotlight. On October 5th, Gov. Healey declared a state of energy emergency and signed an executive order providing additional home-heating assistance for qualifying middle-income and low-income households, while temporarily removing certain clean-energy charges from residential electric bills. The Administration characterized the measures as necessary to provide immediate relief from rising energy costs, although questions remained regarding their total cost and funding. The announcement came as the Legislature's energy conference committee continued without a final agreement and just days before the first televised gubernatorial debate on October 8th, where energy costs, state spending, and affordability featured prominently.

As of October 9th, the Legislature's 12 conference committees had made little visible progress toward resolving their outstanding differences. With early voting scheduled to begin October 17th and the November 3rd election approaching, legislative activity is likely to remain constrained in the near term. Nevertheless, the remaining weeks of the session provide an opportunity for lawmakers to complete negotiations on significant measures, particularly the energy and economic development bills, before the current General Court concludes in early January 2027. The outcome of those negotiations, together with the November election results, will help shape the Commonwealth's legislative and regulatory priorities heading into the 2027–2028 session.

Looking Forward

As the November 3rd general election approaches, legislative activity on Beacon Hill remains limited, with most lawmakers facing little opposition for reelection and the House and Senate continuing to meet primarily in brief, twice-weekly Informal Sessions. Since the conclusion of Formal Sessions on July 31st, progress on major legislation has been slow, a pattern that appears likely to continue through the election and potentially into the final weeks of the 2025–2026 legislative session.

Of particular concern is the continued lack of agreement among the House and Senate conference committees negotiating 12 major bills, including legislation addressing economic development, energy affordability, higher education, public records, and environmental policy. Despite legislative leaders previously identifying many of these measures as priorities, negotiations have yet to produce

significant breakthroughs. Lawmakers also have not advanced the supplemental budget needed to close out FY 2026, which ended June 30th. With the current legislative session concluding in early January, the remaining window for resolving these matters is narrowing.

Meanwhile, political attention continues shifting toward the general election. Upcoming debates involving U.S. Sen. Ed Markey and Republican challenger John Deaton, along with a second gubernatorial debate between Gov. Maura Healey and Republican Mike Minogue, will further focus public attention on the election. A potential strike involving thousands of nurses at Brigham and Women's Hospital could also draw attention to labor and healthcare issues in the coming days.

Early voting begins Saturday, October 17th, with the voter registration deadline following on October 24th. As Election Day approaches, it remains uncertain whether legislative leaders will reach agreement on outstanding priorities before voters head to the polls or defer substantial action until the post-election period. For AIA Massachusetts, the status of the energy and economic development bills will remain particularly important as the organization continues monitoring conference committee negotiations and preparing its advocacy priorities for the 2027–2028 legislative session.

AIA MA Bill Tracking

To view the current status of all AIA MA tracked legislation, [please click here](#) (Files located under the banner *Bills Tracked for the 2025–2026 Legislative Session*)

A schedule of all Legislative Events can be found on the [Legislative Events](#) of AIA MA's website.

To review previous Legislative or Regulatory Reports or minutes from GAC meetings, please click [here](#)

Regulatory Update:

A schedule of all construction board regulatory meetings can be found on the [Regulatory Events Calendar](#) of AIA MA's website.

Notices of Public Review of Prospective Regulations (09/04/26 – 10/12/26)

301 CMR 41.00: Toxic or Hazardous Substances List

- September 25, 2026 – **301 CMR 41.00: Toxic or Hazardous Substances List**. These amendments will add one per- and polyfluoroalkyl substance (PFAS) to the TURA List, pursuant to a vote by the Administrative Council on Toxics Use Reduction on September 1, 2026. USEPA added this substance to the federal Toxics Release Inventory (TRI) under EPCRA Section 313 in 2025. M.G.L. c. 21I, § 9 requires the Administrative Council to adjust the TURA List annually to add substances consistent with changes in the TRI list. – [Notice of Public Hearing](#) – Hearing to be held on 10/30/26 from 1:00 – 3:00 PM. Written comments accepted until 10/30/26 by 5:00 P.M.

New Regulations (09/04/2026 – 10/12/26)

225 CMR – Department of Energy Resources

- October 9, 2026 – **225 CMR 20.00 – Solar Massachusetts Renewable Target (SMART) Program 3.0**. This correction deletes a duplicate instance of the definition for "Public Entity Solar Tariff Generation Unit" from 225 CMR 20.02. – [Notice of Correction](#) – **Effective Date: 09/12/2026**.
- September 25, 2026 – **225 CMR 28.00 – Solar Massachusetts Renewable Target**

(SMART) Program 3.0. The purpose of 225 CMR 28.00 is to encourage the continued use and development of generating units that use solar photovoltaic technology by residential, commercial, governmental, and industrial electricity customers throughout the Commonwealth – [Permanent Regulations](#) – **Effective Date: 09/25/2026.**

314 CMR – Division of Water Pollution Control

- September 11, 2026 – **314 CMR 4.00: Massachusetts Surface Water Quality Standards.** 314 CMR 4.05(5)(c):: Nutrients. Paragraph contains multiple missing spaces (e.g., "inconcentrations", "usesand", and "theexcessive") and a missing hyphen (between "Site" and "specific" in "Table 28:: Sitespecific Criteria"). 314 CMR 4.06(6)(c):: Table 28, Site-specific Criteria. There are missing "greater than or equal to" and "less than or equal to" symbols in the criteria columns for dissolved oxygen and temperature, respectively, for the following waterbody segments:: Charles River Basin (Charles River);; Millers River Basin (Otter River) and Suasco River Basin (Sudbury River). – [Notice of Correction](#) – **Effective Date: 08/28/2026.**

CMR's tracked include: 105 CMR – State Sanitary Code; 225 CMR 22.00 – 26.00 – Energy Codes; 248 CMR – Plumbing/Gas Fitting Code; 257 CMR – Water Treatment; 271 CMR – Sheet Metal; 310 CMR – DEP; 314 CMR – Water Pollution Control; 521 CMR – Architectural Access; 522 CMR – Boiler Rules; 524 CMR – Elevator; 527 CMR – Fire Code; 528 CMR – Pipefitter and Refrigeration; 780 CMR – Building Code

Copies of all codes listed above can be found on the [State Boards and Construction Regulations](#) page of AIA MA's website

Board of Building Regulation and Standards

At its September 8th meeting, the BBRS approved the July 14 BBRS meeting minutes, as well as minutes from the Building Official Certification Committee (BOCC), Climate Resiliency, Energy Advisory, and Fire Prevention and Fire Protection (FPFP) subcommittees. Board Counsel Charles Kilb clarified that approval of technical subcommittee minutes primarily establishes them as the official record of each subcommittee's work for later BBRS consideration, while approval of BOCC minutes also serves to ratify certain BOCC actions. To streamline future meetings, the Board agreed that agendas may group minutes into three categories—BBRS, BOCC, and the remaining technical advisory committees—rather than requiring separate roll-call votes for each committee.

Subcommittee reports reflected continued progress toward completion of the 11th Edition Massachusetts State Building Code. The FPFP Subcommittee completed its initial section-by-section review of Chapters 4 and 9 and is refining proposed front-end amendments. The Residential Code Subcommittee continued its review of the 2024 IRC, including existing-building provisions. The Energy Advisory Committee has completed and voted on the bulk of the commercial energy-code amendments, with primarily definitions and referenced standards remaining before it returns to residential provisions. The Climate Resiliency Subcommittee reported that it has completed review of its assigned chapters and code-change proposals and expects to begin forwarding its recommendations to the full BBRS.

The Executive Director provided July and August Construction Supervisor License activity and again thanked Board members and volunteer subcommittee participants for the substantial work underway on the 11th Edition. Staff also reported that the Manufactured Buildings Subcommittee, the fifth technical group involved in the current code-development process, is expected to begin meeting later in September.

The Board reviewed and approved a guidance document intended to standardize how 11th Edition

recommendations are presented by the subcommittees. Discussion focused on clearly distinguishing materials provided for BBRS review from the clean front-end amendments and code-change proposal forms upon which the Board will actually vote. Members reaffirmed the use of black text for base-code language and red text for proposed Massachusetts changes, discussed simplified methods for documenting large deletions, and agreed that staff should assist committees with formatting as needed. The objective is to give the BBRS a consistent and understandable record as recommendations begin moving from the technical committees to the full Board.

The Board also revisited its **Request for Interpretation (RFI)** process after staff reported receiving roughly 38–40 requests since the revised process began, many of which are project-specific questions rather than genuine code conflicts requiring a formal BBRS interpretation. Members generally agreed that routine application questions should first be addressed with the local building official, while formal interpretations should be reserved for meaningful ambiguities or conflicts affecting broader statewide application. On **RFI 2026-19**, involving Appendix AJ provisions, the Board voted to take no action and have the matter addressed locally. On **RFI 2026-25**, concerning whether guard requirements associated with rooftop equipment apply to fixed photovoltaic systems, the Board declined to issue a formal interpretation at this time. Instead, staff will prepare a public response referencing the ICC's existing answer on the issue, noting BBRS agreement with that guidance, and return the draft to the Board for review.

Two code-change proposals were considered. A proposal concerning **cladding attachment systems under Section 1403.15** was referred to the FFPF Subcommittee for technical review, with members seeking additional evidence regarding the fire-safety concern and cautioning against language that might inadvertently favor a particular product or system. A second proposal addressing **ventilation controls for enclosed parking garages** was referred to the Energy Advisory Committee for consideration as part of the 11th Edition. The proponent presented data supporting continuously modulating demand-controlled ventilation as a means of improving air quality and reducing energy consumption; the Energy Advisory Committee will further evaluate the technical basis, Massachusetts climate considerations, and relationship to emerging national standards. These were the two code-change proposals identified for action on the September agenda.

No matters not reasonably anticipated by the Chair were raised. The Board then voted to close the public meeting and enter quasi-judicial session to consider **Discretionary Appeal Request C23-00065**, with no return to open session planned. The next scheduled BBRS meeting is **October 13, 2026**.

MA Board of Registration of Architects (MBRA)

The Board's next scheduled meeting is **October 13th**.

Board of Fire Prevention Regulations (BFPR)

Note: notes do not include the first 45 minutes of the Board meeting

The BFPR met virtually on October 1, 2026, in conjunction with its statutory public hearing under M.G.L. c. 148, §10. The principal item of business was the Board's continued review of the draft redline for the **2024 edition of 527 CMR 1.00, Massachusetts Comprehensive Fire Prevention Code**, including comments and proposed corrections submitted by Board members and other reviewers. The published agenda also included approval of the September 3 Board minutes, committee reports, and Electrical Interpretation Committee business.

During the recorded portion, the Board worked systematically through remaining comments on the 527 CMR 1.00 redline. Among the changes approved, the Board voted **13-0** to remove "X" markings from cells in an existing table where explanatory language already describes the applicable

condition, bringing the presentation more closely into line with the base NFPA table. The Board also considered a proposed revision involving an “exception” in §30.2.8.2.2; members agreed that the issue warranted broader consideration during the next code cycle rather than a late-stage revision to the current draft, and the proposal was withdrawn.

The Board approved revisions to **Table 1.13.8(F)** concerning explosives permit and licensing thresholds. References to “ammunition” are to be removed from the table title and applicable header, and a legal clarification to Footnote 2 was accepted. The changes were approved unanimously.

Several comments concerning previously deleted provisions were also reviewed. The Board voted **13-0** to reject a proposal to restore §14.5.2.2 concerning locks and latches, confirming that the deletion would remain. Similarly, after discussion with legal counsel regarding §10.7.4 and whether related conduct was already addressed through Massachusetts statutes, the Board voted **13-0** to leave that section deleted without adding statutory references. Conversely, the Board voted unanimously to **restore §14.5.8.1**, concluding that its deletion had not been intended.

On provisions addressing **exit termination**, members discussed a potential conflict between the fire code language and the building code. Following review of the terminology used in 780 CMR, the Board unanimously amended the provision to state that **“Exits shall terminate directly at a public way or at an exterior exit discharge.”**

For **§20.18**, dealing with temporary overnight shelters, the Board discussed changes made in the building code that allow such uses in occupancies beyond houses of worship. The Board voted **13-0** to remove the words **“of worship”** from both the section title and the opening sentence, thereby avoiding language that could unnecessarily restrict the provision to religious occupancies. A substantial discussion concerned **§52.1.1.12.2.3 and NFPA 855**, including the version of NFPA 855 incorporated into the Massachusetts amendments and an incorrect reference to the Massachusetts Electrical Code. Staff confirmed that the Board is working from the **2026 edition of NFPA 855**. The Board unanimously approved the proposed substantive edits to §52.1.1.12.2.3, while treating the incorrect electrical-code citation as a scrivener’s error that could be administratively corrected. The Board revisited the provision and voted **12-1, with one member absent/recorded as abstaining**, to eliminate an outdated NFPA 855 parenthetical reference, its associated asterisk, and related annex material because the corresponding annex does not exist in the 2026 edition.

The Board also accepted a late comment identifying that the term **“laboratory unit” should also mean “laboratory suite”** for coordination with 780 CMR. Staff characterized the omission as a scrivener’s error and indicated the correction would be incorporated into the draft. This concluded the Board’s substantive review of the 527 CMR 1.00 redline for the meeting.

Under **Electrical Interpretation Committee** business, the Board approved the Committee’s August 20, 2026 minutes by a **12-1 vote, with one abstention**, and then reviewed several interpretation requests identified on the agenda. The Board approved the Committee’s responses concerning Peter Diamond’s §210.25(B) request and two requests from Chip Servant concerning §§230.70(E) and 210.8(B); the first response was “yes,” while the Servant responses were “no.” The Miguel Vera inquiry concerning M.G.L. c. 141, §7 was not substantively answered because the matter was referred to the State Board of Examiners. The Board also approved responses associated with the remaining interpretation request; Chief Dyer changed his vote to an abstention on one question because it involved an active Worcester matter. The next Electrical Interpretation Subcommittee meeting was scheduled for **October 20 at 1:00 p.m.**

At the conclusion of regular business, the Board opened the statutory hearing for additional comments or proposed amendments to **527 CMR 1.00 and 527 CMR 12.00**. DFS staff reported receiving no additional written comments, and no new substantive oral comments were offered; one attendee confirmed that a previously raised Chapter 26 issue had already been addressed and would be corrected in the document.

DFS staff indicated that an **updated redline incorporating the day's changes was expected to be distributed the following Monday or Tuesday**, with the Board's anticipated **promulgation vote scheduled for October 15, 2026, at 1:00 p.m. in Stow**. Staff also noted that the new code is expected to be dedicated to retired Chief Tom Ferraro, with his wife invited to attend a presentation at that meeting.

Board of Elevator Regulation

The September 15th meeting was cancelled.

At its September 29th meeting, the Board considered three variance matters involving an existing private residential elevator, electrical feeder routing associated with a hospital elevator modernization project, and the LUMA–Savaria residential lift. The Board also approved the April 28, 2026 meeting minutes and discussed scheduling for its October 7 public hearing and possible Board meeting.

For **88 Marlborough Street, Boston (VAR26-0052)**, the petitioner sought relief related to the required vision panels in the landing doors of an existing private residential elevator. The petitioner explained that the elevator has operated in its present configuration for more than 30 years and that the vision panels had been covered because the landing doors open directly into private residential units, creating privacy and security concerns. Peepholes in the residential doors allow occupants to view the elevator, and replacing the doors would involve significant expense. Board members noted, however, that the vision-panel requirement is longstanding rather than a recently adopted provision and questioned whether other means of alerting occupants to the elevator's arrival provided equivalent protection. The Board also discussed the history of the violation and a communication issue involving documentation previously submitted by the elevator contractor. Following discussion, the Board **denied the variance** and advised the petitioner of the right to appeal the decision to the Board of Elevator Appeals within 30 days.

For **300 Longwood Avenue, Boston (VAR26-0044, VAR26-0045 and VAR26-0046)**, the petitioner sought relief from 524 CMR 17.06 to permit mineral-insulated (MI) electrical feeder cable serving three elevators to pass through the elevator hoistway to the machine room as part of a modernization project. The petitioner explained that alternative routes had been evaluated but were either obstructed or would require substantial modifications to occupied portions of the building, and cited similar installations previously approved at the hospital. The Board focused on maintaining appropriate protection and identification of the live electrical feeders, including the location of the cabling, separation from elevator equipment, emergency conditions in which the feeders could remain energized, and identification of the source and backup power. The Board **approved the variances subject to safety conditions**, including locating the cable/ductwork in an isolated area of the hoistway and providing appropriate identification and signage on the hoistway ductwork and in the machine room identifying the live feeder and the location/source of backup power.

The Board next reconsidered the **LUMA–Savaria Residential Lift (VAR26-0047)**, which had been placed on a 60-day hold at the August 25 meeting to allow the petitioner to conduct a more comprehensive review of Massachusetts code requirements and amend the variance request. The revised application sought relief from Massachusetts requirements for a machine room and

hoistway so that the through-the-floor residential elevator could be installed under ASME A17.1 Part 5.3, with the machinery and controls located on the elevator itself and without a conventional hoistway. The petitioner maintained that ASME A17.1 Part 5.3 is the more appropriate national standard for the product and argued that comparable through-the-floor products currently being treated as A18.1 accessibility lifts may not fit cleanly within that standard. The discussion broadened into the distinction between residential elevators regulated under A17.1 and wheelchair/platform lifts regulated under A18.1, including differences involving hoistways, machine spaces, speed, capacity, inspection criteria and other safety provisions. Board members expressed particular concern about approving a residential elevator without a hoistway or conventional machine space, especially given limitations on the Department's ability to periodically reinspect elevators located in certain owner-occupied single-family residences. The Board also noted that the petitioner's testimony raised broader questions regarding how similar products are currently classified and inspected in Massachusetts that may warrant further review.

The Board ultimately **denied the LUMA-Savaria variance request**, maintaining the existing Massachusetts requirements applicable to residential elevators. The petitioner was advised of the 30-day appeal period and was also encouraged to participate in the Board's October 7 public hearing or submit written comments so that his technical concerns regarding A17.1, A18.1 and through-the-floor residential lifts could be considered as part of the Board's upcoming regulatory review.

Administratively, the Board discussed the **October 7, 2026 public hearing**, which is expected to begin at noon and provide an opportunity for public testimony and written comments regarding proposed regulatory changes. Whether a regular Board meeting would also occur following the hearing remained to be finalized. The previously continued **25 Northern Avenue, Boston (VAR26-0042 and VAR26-0043)** safety-zone matter remained listed as old business, with the existing 120-day hold extending through November 4, 2026; the Board did not substantively take up that matter during the September 29 meeting.¹⁴

Massachusetts Sheet Metal Board

The Board's next scheduled meeting is **October 14th**.

Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters

At its **September 16th** meeting, the Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters addressed several administrative, licensing, and enforcement matters. The Bureau approved the minutes of its **June 17th** meeting and welcomed new Board Counsel Salvatore Ciulla, who reported that staff is working to ensure licensed occupational schools are aware of and complying with prerequisite changes for journeyman pipefitters and refrigeration technicians scheduled to take effect **November 9th**.

The Bureau's primary substantive actions involved requests from three apprentices seeking fourth license renewals: pipefitter apprentice Michael Frazier and sprinkler fitter apprentices Daniel Bowen and Christopher O'Hearn. Each applicant described circumstances that had delayed completion of apprenticeship or examination requirements, including extended absences and injuries, while demonstrating continued progress toward licensure. Following discussion, the Bureau unanimously approved all three renewal requests.

The Office of Public Safety and Inspections also presented its August jurisdictional report, noting 35 inspections and compliance activities across the regulated trades and \$5,250 in fines. Staff reported 17 pipefitting inspections resulting in nine fines totaling \$3,500, additional compliance activity resulting in four fines totaling \$1,750, and 10 refrigeration inspections with no fines.

Members briefly discussed the variation in monthly enforcement activity before concluding the meeting with no additional open-session topics.

Board of State Examiners of Plumbers and Gas Fitters

At its **October 7th** meeting, the Board considered several product matters, a vocational-school project, and a series of gas and plumbing-code variance requests. The Board also received an update on its ongoing code-review work. The Plumbing Code Subcommittee met **September 16th** and continued reviewing **248 CMR 10.00**; its next meeting is scheduled for **October 27th**. Staff also indicated that a Gas Code Subcommittee meeting will be scheduled in the coming months.

A significant portion of the meeting focused on concerns regarding the Merlin CTI500S carbon-monoxide detection system manufactured by American Gas Safety. State inspectors questioned inconsistent response times observed during field “bump testing” of the system’s CO sensors and whether the testing procedure reliably demonstrates proper operation. Manufacturer representatives maintained that the sensors alarm at the required 35 ppm level and attributed differing response times largely to sensor placement and testing methodology. Following extensive discussion, the Board declined to suspend or rescind the product’s acceptance. Instead, it directed the manufacturer and state inspectors to continue working together to better understand and resolve the testing concerns before the Board considers further action.

The Board also approved an expanded test program for McGuire Press P-Traps after delays prevented implementation of an earlier test installation at Logan Airport. The approval allows testing at up to five sites, including Boston Children’s Hospital, subject generally to the conditions imposed on the earlier approval. The fittings may be used on specified copper applications, but not DWV copper, and the building owner or owner’s representative must provide the required test reporting. Separately, the Board approved Montachusett Regional Vocational Technical School’s request for students to perform finish-plumbing work at the former Raymond Elementary School in Royalston, finding the off-campus municipal project appropriate for student training.

The Board considered two gas-related matters at Logan Airport. For a previously installed thermally activated shutoff valve, discussion ultimately indicated that the installation may not require a variance because the valve was being installed pursuant to utility requirements rather than a provision requiring its placement under the plumbing and gas code. The Board therefore voted to take no action, leaving the applicant to coordinate with the state inspector. The Board also approved use of an industrial gas booster not presently on the Board’s accepted-products list, conditioned on the applicant providing satisfactory manufacturer and testing documentation demonstrating compliance with applicable standards.

Among the plumbing variances, the Board approved a two-year variance allowing temporary restroom facilities at a Sherborn riding arena while permanent sewer and water infrastructure remains unresolved. In Belmont, the Board denied a request to omit the required separation system for a small garage intended to house a vehicle, citing the availability of alternative means of preventing vehicles from entering the space. For a 780-square-foot Belmont fitness establishment, the Board approved relief from the shower requirement and allowed a service sink in lieu of a floor-mounted mop sink, while requiring that drinking water remain available to patrons.

The Board denied a similar request involving a large vehicle-storage facility in West Springfield. The applicant argued that existing environmental contamination prevented penetration of the concrete floor to install the required drainage and separator system, but municipal officials noted that a substantially similar variance had been denied previously and that alternatives remained available to prevent vehicles from entering the building. The Board again declined to waive the separation requirements.

For two MWRA pretreatment facilities in Boston, the Board approved requests allowing building drainage to discharge directly into existing treatment channels rather than requiring separate sewer connections, finding that the wastewater ultimately enters the same treatment system. The Board also approved modified service-sink arrangements for the facilities. Finally, the Board approved a Brookline synagogue and Jewish Life Center's request to use PVC piping to collect rainwater for a mikvah, or ritual bathing pool, and to permit the associated water-reuse arrangement. Approval was conditioned on receiving confirmation from the local Board of Health that it had no objection to the proposed system.

MAAB (Subcommittee on Regulations)

At its **September 23rd** meeting, the Subcommittee on Regulations continued its comprehensive revision of 521 CMR, with most of the meeting devoted to housing provisions. Staff reported that the copyright concerns identified earlier this summer have been addressed by rewriting the affected provisions using existing state and federal requirements rather than language derived from ICC materials. The revised framework organizes residential requirements around **dwelling units** and **sleeping units** and returns to the familiar **Group One, Group Two A, and Group Two B** terminology.

The Subcommittee approved a series of housing-related revisions, including changes to residential parking, accessible routes and dispersion requirements, sleeping-unit scoping, and the percentage and distribution of accessible/adaptable units. Members reaffirmed increasing from **5% to 10%** the required Group Two units in covered residential settings and similarly approved a 10% requirement for sleeping units occupied as residences. The revised provisions also retain requirements intended to distribute accessible units among affordable and market-rate units rather than concentrating them exclusively in one category. One significant issue remains unresolved: whether multi-story Group One units should be required to reserve space for the future installation of a vertical platform lift when an accessible-level bedroom, full bathroom, and kitchen are already provided. Members agreed to defer that question until October. The Subcommittee ultimately approved the housing provisions reviewed during the meeting, except for that unresolved section.

Separately, the Subcommittee extended until its next meeting the comment period concerning use of the traditional and updated International Symbols of Accessibility. The next scheduled meeting is **October 28, 2026**, when staff expects to continue housing scoping and begin reviewing related technical provisions.

- END -