

OFFICE OF
BOARD OF APPEALS

TOWN OF NORWELL

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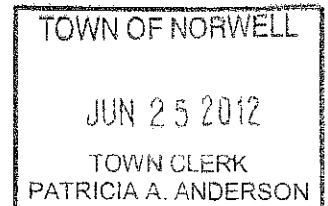
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Thomas P. Harrison

FINDINGS AND DECISION OF THE NORWELL BOARD OF APPEALS

File No. 12-7



A **PUBLIC HEARING(s)** was held on June 13, 2012, by the Norwell Zoning Board of Appeals under Massachusetts General Laws, Chapter 40A, Sections 6 and 9, at the Norwell Town offices, 345 Main Street Norwell, MA on the application of:

Thomas J. Healey, Jr.
(President, ALLETESS Medical Laboratory)
P.O. Box 731
Marshfield Hills, MA 02051

For a **Special Permit** under Norwell Bylaw Sections 1400, 1420 and 2341(a) to permit ALLETESS Medical Laboratory to occupy Suite 74 located at 70 Accord Park Drive in Business District C and shown on Assessor's map 11A, Block 17 Lot 2 Registry of Deeds Book 10625, Page 257.

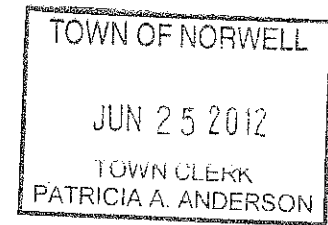
The Public Hearing for this application was duly noticed in *The Patriot Ledger* on May 24, 2012 and May 31, 2012, and posted by the Town Clerk, as required by the Open Meeting Law.

The Applicant and representatives were in attendance at the hearing to present the application. The Applicant operates a medical laboratory, which provides environmental, food allergy and food sensitivity testing for both children and adults with chronic illnesses and allergic disease. There was no voiced opposition.

The Board received the following information into its files:

- 1) A completed application;
- 2) An Alletess Mission Statement;
- 3) The notice;
- 4) A list of abutters;
- 5) The Assessor's card;
- 6) Copies of the Clinical Laboratory License and Medicare Certificate;
- 7) An approval from the Board of Health on it Application For Disposal Works Construction Permit;
- 8) A Certificate of Compliance from the Board of Health;

- 9) An outline of the leased space;
- 10) A list of employees;
- 11) Water meter readings; and
- 12) Reagent List.



FINDINGS:

The Applicant has leased warehouse space at 70 Accord Park Drive to use it as a clinical laboratory. The space will include office, laboratory and storage space. The space will be used to receive and analyze blood and other samples to test for allergies. ALLETESS does not anticipate having patients at the facility and demonstrated that it will handle and dispose of potentially hazardous materials properly.

1. The proposed use is permitted within the business district by a special permit.
2. The proposed use addition will not significantly alter the character of the zoning district, as it is similar to other businesses in the district.
3. The proposed use will not be detrimental to the neighborhood or zoning district.
4. The proposed use will not be injurious or otherwise hazardous to the community as the Applicant has taken appropriate steps to handle the materials it uses in its business.

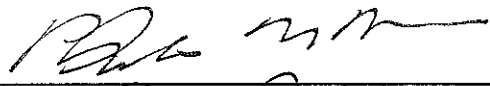
DECISION OF THE BOARD:


Based on the application and evidence presented and its findings above, upon a motion duly made and seconded, the Board **VOTED** unanimously to grant the Special Permit allowing ALLETESS to operate its business at 70 Accord Park Drive.

CONDITIONS APPLYING TO ALL SPECIAL PERMITS:

1. **RECORDING OF THE DECISION:** After receiving certification from the Town Clerk that no appeal has been taken within twenty days, or if appealed than dismissed or denied, a copy of the Board's decision must be filed with either the Registrar of the Plymouth County Registry of Deeds to be recorded and indexed in the grantor index under the name of the owner of record in the case of unregistered land, or with the Recorder of the Land Court to be registered and noted on the owner's certificate of title in the case of registered land.
2. **RECORDING RECEIPT:** A copy of the recording fee receipt must be returned to the Board of Appeals. *NOTE:* No building permit shall be issued without such evidence.
3. **EFFECTIVE DATE OF APPROVAL:** The Special Permit granted by this Decision shall take effect only at such time as a copy of this Decision, certified by the Office of the Town Clerk of the Town of Norwell, is recorded with the Registrar of Deeds or Recorder of the Land Court.
4. **EXPIRATION:** The applicant must exercise any Special Permit granted by the ZBA within two (2) years from the date of the decision or it shall lapse.


David Lee Turner


Philip M. Brown


Thomas P. Harrison

Date Filed with Office of the Town Clerk

*This space reserved for
Date Stamp of Town Clerk*

TOWN OF NORWELL
JUN 25 2012
TOWN CLERK
PATRICIA A. ANDERSON

NOTICE OF APPELLATE RIGHTS: Any decision of the Board of Appeals may be appealed to Superior Court within twenty (20) days after filing of the written decision with the Town Clerk. Any construction or pre-construction activity is undertaken at the applicant's risk during the appeal period.