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OFFICE OF
BOARD OF APPEALS

TOWN OF NORWELL

345 MAIN STREET, P.O. BOX 295
NORWELL, MASSACHUSETTS 02061
(781) 659-8018 • Fax (781) 659-1892

Members

Lois S. Barbour, Chair
Philip Y. Brown, Vice Chair
Ralph J. Rivkind, Clerk

Associate Members

Daniel M. Senteno
Stephen H. Lynch
William J. Lazzaro

FINDINGS AND DECISION **OF** **THE NORWELL BOARD OF APPEALS**

File No. 23-06

A PUBLIC HEARING was held on May 10, 2023, after 7:45pm by the Norwell Zoning Board of Appeals under Sections 9 and 17 of Massachusetts General Law Chapter 40A at the Norwell Town Offices at 345 Main Street, Norwell, MA, on the Application of:

Jumbo Capital Norwell Partners, LLC
1900 Crown Colony Drive, 4th Floor, Suite 405
Quincy, MA 02169 on behalf of Beacon Pediatrics, LLC

For a **Special Permit** under Sections 201-3.3, 201-8.4 A(5) and 201-8.4 A(4) of the Norwell Zoning Bylaw to renovate 14,544 sq ft for a new tenant, Beacon Pediatrics, LLC. A special permit is required for a business over 5,000 Sq ft and for a medical laboratory.

The building was constructed in 1998 and is located at **600 Longwater Drive** in Business District C-2 as shown on Assessor's Map 17B, Block 18, Lot 60 and recorded at the Plymouth County Registry of Deeds in Book 39949, Page 130. The lot consists of 5.6 acres.

Legal notices were advertised *The Mariner* on 4/19/23 and 4/26/23, posted on the Town's website and at the Norwell Town Hall in accordance with the Open Meeting Law.

Attorney Jeffrey Tocchio presented the application on behalf of his client, Jumbo Capital Norwell Partners, LLC.

No member of the public or noticed abutter spoke in favor of or in opposition to this application.

The Board received into its file the following documents:

1. Application for Public Hearing;
2. Supplemental Letter in Support of Application for Special Permit;
3. Topographic Plan dated July 21, 2015
4. Proposed Floor Plan for Beacon Properties;
5. Deed, recorded at Book 39949, Page 130;
6. Certified Abutters List;
7. Public Notice Authorization; and
8. Filing Fee in the amount of \$500.00

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FINDINGS:

In accordance with Section 201-3.3B. of the Norwell Zoning Bylaw, panel members made the following findings:

1. Under Section 201-3.3B. (1), Business District C, the proposed occupant of the building, is a pediatric medical practice with associated lab. Similar medical offices and laboratories already occupy buildings throughout the industrial park.
2. Under Section 201-3.3B. (2), the conduct of the proposed use will not significantly alter the character of the zoning district, Business District C that allows such occupancy by special permit under § 201-8.4 (5), "business or professional offices . . . over five thousand (5,000) gross square feet".
3. Under 2 Section 01-3.3B. (3), the "conduct of the proposed use will not be injurious, noxious or offensive to the neighborhood", as there will be no "emission of odors, fumes, dust, smoke, noise or other cause, nor hazardous to the community on account of fire, explosion or other cause." Other similar offices currently occupy buildings in the surrounding industrial park.

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DECISION OF THE BOARD:

Based upon its findings set forth above and incorporated into this decision by reference, upon a motion duly made and seconded, Members Barbour, Senteno, and Lynch VOTED unanimously to grant a **Special Permit** under Sections 201-3.3B., 201-8.4 A(4) and 201-8.4 A(5) of the Norwell Zoning Bylaw to grant a special permit **Jumbo Capital Norwell Partners, LLC on behalf of Beacon Pediatrics, LLC** to renovate 14,544 Sq ft for a new tenant, Beacon Pediatrics LLC. located at 600 Longwater Drive, as a tenant, subject to the following:

CONDITIONS APPLYING TO ALL DECISIONS:

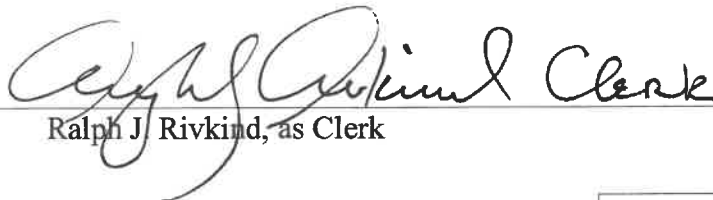
1. **RECORDING OF THE DECISION:** After receiving certification from the Town Clerk that no appeal has been taken within twenty days, or if appealed than dismissed or denied, a copy of the Board’s decision must be filed with either the Registrar of the Plymouth County Registry of Deeds to be recorded and indexed in the grantor index under the name of the owner of record in the case of the 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.

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By unanimous vote of the Board of Appeals at its duly advertised business meeting on July 23, 2020, its Clerk or Assistant Clerk is authorized to sign decisions on behalf of the panel members, which for this case are:

Lois S. Barbour
Daniel M. Senteno
Stephen H. Lynch


Ralph J. Rivkind, as Clerk

Date Filed with Office of the Town Clerk

This space reserved for
Date Stamp of Town Clerk

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NOTICE OF APPELLATE RIGHTS: Any decision of the Board of Appeals may be appeal 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.