

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION ON SPECIAL PERMIT
55 FOGG ROAD-SOUTH SHORE HOSPITAL**

(To be mailed forthwith to the owner and applicant, if not the owner.)

Owner:	South Shore Hospital	Date:	March 11, 2016
Address:	55 Fogg Road Weymouth, MA 02190		
Applicant:	Robert Rodak	Case #:	3269
Address:	South Shore Hospital 55 Fogg Road Weymouth, MA 02190		
Representative:	David A Kelly, Esq. 45 Braintree Hill Office Park #302 Braintree, MA 02184	Site Address:	55 Fogg Road
		Sheet:	45
		Block:	519
		Lot:	1

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE
2016 MAR 11 AM 9:44

Zoning District: MSD (Medical Services District)

Board of Zoning Appeals application filed on November 16, 2015

After a public hearing on January 6, 2016, continued to January 27, 2016, advertised in the Weymouth News on December 23, 2015, and December 30, 2015, the Board of Zoning Appeals at its meeting of January 27, 2016

VOTED TO GRANT THE SPECIAL PERMIT under Weymouth Zoning Ordinance 120-22.13A (Gross Floor Area in Excess of 20,000 ft.); Table 1 (Maximum Height); 120-22.13 B (Required Off-Street Parking more than One Lot); to allow the petitioner to add 2 stories to the existing 3-story Messina Building, a 2-story connector to the existing Pratt Building, and new twin emergency generators adjacent to 62 Columbian Street.

FINDINGS:

1. The specific site is an appropriate location for such a use.
 - a. the property is zoned for this use
 - b. the addition is vertical and therefore does not increase the footprint or permanently alter public access or traffic circulation
2. The use involved will not be detrimental to the established or future character of the neighborhood or Town.
 - a. this area is firmly established as a Medical Services District.
 - b. the 24 new ICU beds will replace older rooms and better serve the health and welfare of the Town
3. There will be no nuisance or serious hazard to vehicles or pedestrians.
 - a. the nature of the construction will not require significant excavation therefore limiting dust, debris and noise

- b. the proposed emergency generators will be screened from Columbian Street and the noise from these generators fall within limits set by the Zoning Ordinance.
 - c. the design of the proposed addition is in keeping with the current architectural character of the complex.
- 4. Adequate and appropriate facilities will be provided for the proper operations of the proposed use.
 - a. the use of the Fogg Parking lot as a staging area for equipment and vehicles will minimize impact to the surrounding area.
 - b. the proposed temporary parking plan and traffic control measures will allow for the continued use of the medical complex during the construction period
 - c. the recent addition of an off-site employee parking lot has reduced the daily trips by 300 per day
- 5. The public convenience and welfare will be substantially served.
 - a. the new ICU beds and the associated upgrading of patient and visitor amenities will be a benefit to the Town
 - b. traffic patterns during construction will be rerouted and actively managed to maximize safety and reduce public inconvenience
 - c. the project will provide construction jobs in addition to the +/- 30 permanent medical services jobs upon completion
 - d. the addition of two emergency generators on site will provide an additional layer of safety for patients

CONDITIONS:

- 1. All elements of the Site Construction Logistics Plan will be adhered to minimize the impact of the construction on the area and to ensure the safety of visitors. This will be actively monitored by the Inspector of the Buildings.
- 2. Driveway off Columbian St. designated for construction deliveries: If this driveway is to be restricted to construction vehicles, the Hospital signs directing motorists to "Emergency" and "Parking" should be temporarily covered; temporary signs should be installed indicating no access except construction vehicles, and directing westbound motorists looking for the Emergency room toward the Fogg Rd. intersection (where they will see the existing Hospital directional sign). Additional directional signs at the ambulance driveway opposite Burton Ter. and at the Fogg Rd. intersection are of questionable need, and if provided, should indicate clear, precise directions.
- 3. All temporary traffic and safety measures, including temporary pedestrian pathways, will be reviewed and approved by the Traffic Engineer and the Inspector of Buildings prior to commencement of construction.
- 4. A detailed site plan of all proposed utility changes with rim, invert and slope information is to be provided to the engineering office for review and approval prior to the issuance of a building permit.
- 5. "Exercising" of the emergency generators will be limited to Thursdays from 5AM to 6AM which is consistent with the schedule for the existing generators on site.

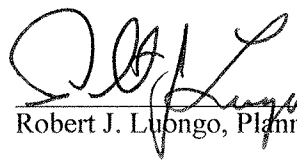
Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

After the twenty (20) day appeal period has passed, the Town Clerk will send to the petitioner: (1) the certificate that no appeal was filed, (2) the certificate of granting of variance and/or special permit, and the record of proceedings. The petitioner shall record these documents with the Norfolk Registry of Deeds, Dedham, MA, with the appropriate filing fee.

When a receipt from the Registry of Deeds is presented to the Building Inspector (to show that the decision has been recorded), the proper permit will be issued.

Decision filed with the Town Clerk on March 11, 2016

IMPORTANT: Notice is further given that any person aggrieved by this decision may appeal, according to MGL Chapter 40A, Section 17, and said appeal, if any, must be filed with the Town Clerk within twenty (20) days after the filing of the decision with the Town Clerk.

A handwritten signature in black ink, appearing to read 'R. Luongo', is written over a horizontal line.

Robert J. Luongo, Planning Director

BOARD OF ZONING APPEALS (BZA)
RECORD OF MINUTES AND PROCEEDINGS
Wednesday, January 6, 2016

Members Present: Richard McLeod, Chairman
Kemal Denizkurt
Chuck Golden
Jonathan Moriarty
Ed Foley

Also Present: James Clarke, Planning Director
Eric Schneider, Principal Planner
Lee Hultin, Recording Secretary

Chairman McLeod called the Board of Zoning Appeals meeting to order at 7:15 p.m. at the McCulloch Building and explained the procedures that would be followed to the people present.

Case #3269 – The petitioner, South Shore Hospital, for property located at 55 Fogg Road, also shown on the Weymouth Town Atlas Sheet 45, Block 519, Lot 1, located in the Medical Services District, and the Watershed Protection District. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit; 120-22.13 A	Gross Floor Area in excess of 20,000 ft.
Special Permit; Table 1	Maximum Height
Special Permit; 120-22.13 B	Required off street parking more than one lot

Presently located on the ~700,000 SF lot is the existing main campus of South Shore Hospital, consisting of multiple buildings. The petitioner is proposing to add two stories to the existing three story Messina Building, a two story connector to the existing Pratt Building and new twin emergency generators adjacent to 62 Columbian Street.

Sitting Members: Richard McLeod
Chuck Golden
Jonathan Moriarty
Ed Foley
Kemal Denizkurt

Ed Foley made a motion to open the public hearing on Case # 3269 and was seconded by Chuck Golden.

VOTED UNANIMOUSLY

Ed Foley made a motion to waive the reading of the publication on Case # 3269 and was seconded by Chuck Golden.

VOTED UNANIMOUSLY

Appearing before the board was Attorney David Kelly, 45 Braintree Hill Office Park, suite 302, Braintree and Thomas Cameron, VP of Support Services South Shore Hospital, Mike Gallivan and John Canovan.

This is for a special permit and no variances are requested. The critical care unit was reviewed and it is 34 years old and needs to be updated. The Messina building was constructed to handle two more floors in the future and now it is needed. TRO reviewed the needs of the critical care unit and has come up with a plan which will be presented this evening.

Volume is significant and there is a need for more hospital beds. Once the critical care is moved to the new location the old location will be used for 24 medical beds.

John Viapiano, TRO JB reviewed the plans with the board. Once the Messina addition is complete they will renovate Pratt 6 with 24 private medical surgical beds. The emergency generator will support the ICU Project. It will sit behind the existing building.

Mike Gallivan with Turner Construction Company reviewed traffic flow with the board. There will be no onsite parking. There is not a lot of excavation and the deliveries will be on smaller trucks. Crosswalks will be established. The valet parking will be shortened up and there is overflow valet across the street.

There was a sound study done on the generator and the ambient reading were 65-70 which is equivalent to traffic. It will not increase more than 10 decibels.

Robert Rodak, South Shore Hospital said the testing runs will be at 5 o'clock on Thursdays.

Chairman McLeod asked if there will be a bigger demand for parking due to the expansion and it was stated that the patients are already here and they do not anticipate any increases. The area where the gift shop is will eventually be 50 new parking spaces. There is now an additional 300 off-site parking spaces for the employees which began this week.

Ed Foley asked how many new jobs will be created and it was stated 30 new jobs.

Eric Schneider reviewed comments:

- Traffic concerns were signage during the construction period.
- Department of Public Works/Engineering requested a detailed site plan of the proposed changes be submitted before a building permit is issued.

Public Comments:

Barry Katey – Local 12 asked if they are planning on using the South Shore Building trades on this project and it was stated yes.

Sue Eddie, 30 Patridge Road read the application and she believes 90 new jobs were being created. She also asked when was the last time a traffic study was done? And what is the plan for mitigation after the project.

The applicant stated that they do not anticipate additional traffic volume from this construction. Jim Clarke said the last traffic study was done for the Emerson Project and Cancer Center.

Ed Foley reminded them that the State is going to start widening Route 18 this July

Bill Diner, 15 Progress Street, Weymouth thanked the applicant for updating the hospital.

Mike Smart District Six Town Councilor acknowledge the community outreach the hospital did and reviewed and answered all their concerns regarding public safety, patient safety, access, hours of operation, truck and vehicle access, the cottage lot etc. Columbian Square is scheduled for traffic lights once the air base is far enough along so they can fund it. South Shore Hospital has always employed local men and woman since they started. They have set the standards and he supports the project.

Jim Howard, Norfolk Central Labor Council, 224 Forbes Road, Braintree has worked for years with South Shore Hospital and supports it. He hopes anyone else coming to Weymouth follows their example.

Jane Hackett Councilor at Large is in support of the project. She attended the community meetings at the Cancer Center and she is pleased to see this expansion going forward. She has concerns about the PILOT agreement and there are discussion about that ongoing.

Bob Thomas, 848 Washington Street – he believes due to the PILOT program the town is losing \$1 Million a year. He is not opposing this project he read from the current agreement and believes the PILOT rate should be adjusted for this expansion by 25%.

Ed Foley stated that a value cannot be placed on a first class hospital, it has grown and improved over the years. The reality is they are non-profit organization.

Donald Sheehan 145 Bald Eagle Road – Electrical Worker IBEW Local 103, it's a great spot for local employment which include wages and benefits that go back into this community.

Bobby O'Brian, 366 Middle Street, supports this project.

Ed Foley made a motion to close the public hearing on Case # 3269 and was seconded by Jonathan Moriarty.

VOTED UNANIMOUSLY

Ed Foley made a motion to take this case under advisement until the January 27th meeting so staff can create a list of conditions and incorporate the public comments and was seconded by Jonathan Moriarty.

VOTED UNANIMOUSLY

**BOARD OF ZONING APPEALS (BZA)
RECORD OF MINUTES AND PROCEEDINGS
Wednesday, January 27, 2016**

Members Present: Richard McLeod, Chairman
Kemal Denizkurt
Chuck Golden
Jonathan Moriarty
Ed Foley

Also Present: Eric Schneider, Principal Planner
Lee Hultin, Recording Secretary

Chairman McLeod called the Board of Zoning Appeals meeting to order at 7:08 p.m. at the McCulloch Building and explained the procedures that would be followed to the people present.

Case #3269 – For Deliberation – Public Hearing closed 1-6-2016 The petitioner, South Shore Hospital, for property located at 55 Fogg Road, also shown on the Weymouth Town Atlas Sheet 45, Block 519, Lot 1, located in the Medical Services District, and the Watershed Protection District. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit; 120-22.13 A	Gross Floor Area in excess of 20,000 ft.
Special Permit; Table 1	Maximum Height
Special Permit; 120-22.13 B	Required off street parking more than one lot

Presently located on the ~700,000 SF lot is the existing main campus of South Shore Hospital, consisting of multiple buildings. The petitioner is proposing to add two stories to the existing three story Messina Building, a two story connector to the existing Pratt Building and new twin emergency generators adjacent to 62 Columbian Street.

Sitting Members: Richard McLeod
Chuck Golden
Jonathan Moriarty
Ed Foley
Kemal Denizkurt

Appearing before the board was Attorney David Kelly, 45 Braintree Hill Office Park, suite 302, Braintree and Thomas Cameron, VP of Support Services South Shore Hospital, Mike Gallivan and John Canovan.

Ed Foley stated that the applicant did a great job with their presentation. He received a call from a few Town Councilors regarding the PILOT program and stated he supports the towns efforts in working with South Shore Hospital on this.

Kemal Denizkurt stated he also believes the application was very complete and appreciates it.

On January 6, 2016 the Board of Zoning Appeals opened Case #3269 requesting three (3) Special Permits associated with the construction of a vertical addition to the Messina Building located at 55 Fogg Road and operated by South Shore Hospital. The property is located in the Medical Services District (MSD) and details of the Special Permit requests are as follows:

Gross Floor Area in excess of 20,000 sq ft (120-22.13 A)

Height (Table 1)

Required off street parking (120-22.13 B)

Special Permit Criteria for Approval. The Board of Zoning Appeals may approve any Special Permit applications only if it finds that, in its judgment, all of the following conditions are met in accordance with Zoning Ordinance Section 120-122D.

1. The specific site is an appropriate location for such a use.
 - a. the property is zoned for this use
 - b. the addition is vertical and therefore does not increase the footprint or permanently alter public access or traffic circulation
2. The use involved will not be detrimental to the established or future character of the neighborhood or Town.
 - a. this area is firmly established as a Medical Services District.
 - b. the 24 new ICU beds will replace older rooms and better serve the health and welfare of the Town
3. There will be no nuisance or serious hazard to vehicles or pedestrians.
 - a. the nature of the construction will not require significant excavation therefore limiting dust, debris and noise
 - b. the proposed emergency generators will be screened from Columbian Street and the noise from these generators fall within limits set by the Zoning Ordinance.
 - c. the design of the proposed addition is in keeping with the current architectural character of the complex.

4. Adequate and appropriate facilities will be provided for the proper operations of the proposed use.
 - a. the use of the Fogg Parking lot as a staging area for equipment and vehicles will minimize impact to the surrounding area.
 - b. the proposed temporary parking plan and traffic control measures will allow for the continued use of the medical complex during the construction period
 - c. the recent addition of an off-site employee parking lot has reduced the daily trips by 300 per day
5. The public convenience and welfare will be substantially served.
 - a. the new ICU beds and the associated upgrading of patient and visitor amenities will be a benefit to the Town
 - b. traffic patterns during construction will be rerouted and actively managed to maximize safety and reduce public inconvenience
 - c. the project will provide construction jobs in addition to the +/- 30 permanent medical services jobs upon completion
 - d. the addition of two emergency generators on site will provide an additional layer of safety for patients

Therefore, staff recommends approval of the requested Special Permits with the following conditions.

6. All elements of the Site Construction Logistics Plan will be adhered to minimize the impact of the construction on the area and to ensure the safety of visitors. This will be actively monitored by the Inspector of the Buildings.
7. Driveway off Columbian St. designated for construction deliveries: If this driveway is to be restricted to construction vehicles, the Hospital signs directing motorists to "Emergency" and "Parking" should be temporarily covered; temporary signs should be installed indicating no access except construction vehicles, and directing westbound motorists looking for the Emergency room toward the Fogg Rd. intersection (where they will see the existing Hospital directional sign). Additional directional signs at the ambulance driveway opposite Burton Ter. and at the Fogg Rd. intersection are of questionable need, and if provided, should indicate clear, precise directions.
8. All temporary traffic and safety measures, including temporary pedestrian pathways, will be reviewed and approved by the Traffic Engineer and the Inspector of Buildings prior to commencement of construction.
9. A detailed site plan of all proposed utility changes with rim, invert and slope information is to be provided to the engineering office for review and approval prior to the issuance of a building permit.
10. "Exercising" of the emergency generators will be limited to Thursdays from 5AM to 6AM which is consistent with the schedule for the existing generators on site.

Ed Foley made a motion to approve the Special Permit request with stated conditions and was seconded by Chuck Golden

VOTED UNANIMOUSLY

Ed received a call today from a councilor about the lights and traffic in this area and Mr. Foley reassured him that the employees will be parking offsite.

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

BOARD OF APPEALS

March 11, 2016

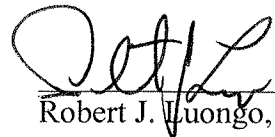
Certificate of Granting of Variance or Special Permit

(General Laws Chapter 40A, Section 11)

The Board of Appeals of the town of Weymouth hereby certifies that a Variance or Special Permit has been granted to South Shore Hospital, 55 Fogg Road, Weymouth, MA 02190, affecting the rights of the owner with respect to land or buildings at 55 Fogg Road, also shown on the Weymouth Town Atlas Sheet 45, Block 519, Lot 1, and the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said variance – special permit, and that copies of said decision, have been filed with the Planning Board and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

Kathleen Deree, Town Clerk



Robert J. Luongo, Planning Director

Case # 3269

Date of Hearing: 1/6/2016, 1/27/2016

BZA Special Permit– 55 Fogg Road
(Case 3269)