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September 4, 2019

Via Email – dph.don@state.ma.us

Ms. Margo Michaels, Director
Determination of Need Program
Department of Public Health
250 Washington Street, 6th Floor
Boston, MA 02108

RE: Determination of Need Application – Belmont Manor Nursing Home, Inc.
Application No. 19090415-LE

Dear Ms. Michaels,

Pursuant to 105 CMR 100.000 ("Regulations"), on behalf of Belmont Manor Nursing Home, Inc. ("Applicant"), we are submitting the related documents to accompany Determination of Need Application No. 19090415-LE. The Applicant requests approval to complete renovations at 34 Agassiz Street, Belmont, MA 02478.

Belmont Manor Nursing Home is a 135-bed Rehabilitation and Skilled Nursing Center located in Belmont, MA. They have been operating as a skilled nursing facility since 1967 specializing in short-term rehabilitation and long-term care. The building is a 3-story facility containing 59,214 Gross Square Footage (GSF). The Applicant proposes to construct a two story addition with a cellar to the northeasterly portion of the nursing home, which will allow for important renovations within the facility, including an improved bedroom layout and a new laundry facility in the basement. The footprint of the new addition will be approximately 1,710 square feet, with the second and third floors each comprised of approximately 1,710 square feet for a total of 5,130 additional square footage. The second and third floors will include two (2) new single rooms and two (2) new double rooms. The addition will enable the Applicant to eliminate the remaining triple rooms on two units, and to similarly increase the number of single and double rooms with the addition of six new beds.

We believe that the Applicant has met the requirements of the regulations and guidelines. You should be receiving via Federal Express a check for the filing fee.

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Belmont Manor Nursing Home, Inc.
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Thank you for your consideration of this request. Please contact me should you have any questions or need further information.

Sincerely,
CliftonLarsonAllen LLP



Mark Cummings, Principal
mark.cummings@CLAconnect.com

Enclosures

Cc: Elizabeth Chen, Executive Office of Elder Affairs
Stephen Davis, Healthcare Facility Licensure & Certification
Sherman Lohnes, Healthcare Facility Licensure & Certification
Suzanne Barry, Center for Health Information and Analysis
Kate Mills, Health Policy Commission
Whitney Moyer, MassHealth Office of Long Term Services and Supports
Attorney General's Office
Stewart Karger, CEO, Belmont Manor Nursing Home, Inc.

BELMONT MANOR NURSING HOME, INC.

DoN APPLICATION # 19090415-LE

LONG TERM CARE SUBSTANTIAL

CAPITAL EXPENDITURE

SEPTEMBER 4, 2019

BY

BELMONT MANOR NURSING HOME, INC

34 AGAZZIZ AVENUE

BELMONT, MA 02169

BELMONT MANOR NURSING HOME, INC.

DoN APPLICATION # 19090415-LE

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APPLICATION



Massachusetts Department of Public Health

Determination of Need

Application Form

Version: 11-8-17

Application Type: Long Term Care Substantial Capital Expenditure Application Date: 09/04/2019 3:33 pm

Applicant Name: Belmont Manor Nursing Home, Inc.

Mailing Address: 34 Agassiz Avenue

City: Belmont State: Massachusetts Zip Code: 02478

Contact Person: Mark Cummings Title: Principal

Mailing Address: 300 Crown Colony Drive

City: Quincy State: Massachusetts Zip Code: 02169

Phone: 6179848100 Ext: 8154 E-mail: mark.cummings@claconnect.com

Facility Information

List each facility affected and or included in Proposed Project

1 Facility Name: Belmont Manor Nursing Home, Inc.

Facility Address: 34 Agassiz Avenue

City: Belmont State: Massachusetts Zip Code: 02478

Facility type: Long Term Care Facility CMS Number: 225419

[Add additional Facility](#) [Delete this Facility](#)

1. About the Applicant

1.1 Type of organization (of the Applicant): for profit

1.2 Applicant's Business Type: ☒ Corporation ☐ Limited Partnership ☐ Partnership ☐ Trust ☐ LLC ☐ Other

1.3 What is the acronym used by the Applicant's Organization?

1.4 Is Applicant a registered provider organization as the term is used in the HPC/CHIA RPO program? ☐ Yes ☒ No

1.5 Is Applicant or any affiliated entity an HPC-certified ACO? ☐ Yes ☒ No

1.6 Is Applicant or any affiliate thereof subject to M.G.L. c. 6D, § 13 and 958 CMR 7.00 (filing of Notice of Material Change to the Health Policy Commission)? ☐ Yes ☒ No

1.7 Does the Proposed Project also require the filing of a MCN with the HPC? ☐ Yes ☒ No

- 1.8 Has the Applicant or any subsidiary thereof been notified pursuant to M.G.L. c. 12C, § 16 that it is exceeding the health care cost growth benchmark established under M.G.L. c. 6D, § 9 and is thus, pursuant to M.G.L. c. 6D, §10 required to file a performance improvement plan with CHIA? ☐ Yes ☒ No

1.9 Complete the Affiliated Parties Form

2. Project Description

2.1 Provide a brief description of the scope of the project.

Belmont Manor is an existing 3-story, 59,214 gross square footage ("GSF") building that includes a full basement and two residential floors. The facility has 54 existing parking spaces and is currently licensed for 135 patients. The Applicant proposes to construct a two story addition with a cellar to the northeasterly portion of the nursing home, which will allow for important renovations within the facility, including an improved bedroom layout and a new laundry facility in the basement. The footprint of the new addition will be approximately 1,710 square feet, with the second and third floors each comprised of approximately 1,710 square feet for a total of 5,130 additional square footage. The second and third floors will include two (2) new single rooms and two (2) new double rooms. The addition will enable the Applicant to eliminate the remaining triple rooms on two units, and to similarly increase the number of single and double rooms with the addition of six new beds. The addition maintains the existing architectural character of Belmont Manor, and the roof will be similar to that of the existing building. See Attachment I for the existing bedroom configuration and the proposed bedroom configuration.

The addition will enable the Applicant to eliminate the remaining six (6) triple rooms and increase the number of single and double rooms with the addition of six new beds. The new space will also allow for additional visiting, dining, and common social areas, which will significantly enhance the quality of life for the residents.

The renovation will also add a much-needed new laundry facility as well as additional common areas for the residents. In this way, the proposed renovations will allow Belmont Manor Nursing Home to remain in the forefront of high-quality, state of the art nursing care facilities.

2.2 and 2.3 Complete the Change in Service Form

3. Delegated Review

3.1 Do you assert that this Application is eligible for Delegated Review?

☐ Yes ☒ No

4. Conservation Project

4.1 Are you submitting this Application as a Conservation Project?

☐ Yes ☒ No

5. DoN-Required Services and DoN-Required Equipment

5.1 Is this an application filed pursuant to 105 CMR 100.725: DoN-Required Equipment and DoN-Required Service?

☐ Yes ☒ No

6. Transfer of Ownership

6.1 Is this an application filed pursuant to 105 CMR 100.735?

☐ Yes ☒ No

7. Ambulatory Surgery

7.1 Is this an application filed pursuant to 105 CMR 100.740(A) for Ambulatory Surgery?

☐ Yes ☒ No

8. Transfer of Site

8.1 Is this an application filed pursuant to 105 CMR 100.745?

☐ Yes ☒ No

9. Research Exemption

9.1 Is this an application for a Research Exemption?

☐ Yes ☒ No

10. Amendment

10.1 Is this an application for a Amendment?

☐ Yes ☒ No

11. Emergency Application

11.1 Is this an application filed pursuant to 105 CMR 100.740(B)?

☐ Yes ☒ No

12. Total Value and Filing Fee

Enter all currency in numbers only. No dollar signs or commas. Grayed fields will auto calculate depending upon answers above.

Your project application is for: Long Term Care Substantial Capital Expenditure

12.1 Total Value of this project:

\$5,412,084.00

12.2 Total CHI commitment expressed in dollars: (calculated)

\$162,362.52

12.3 Filing Fee: (calculated)

\$10,824.17

12.4 Maximum Incremental Operating Expense resulting from the Proposed Project:

\$2,469.00

12.5 Total proposed Construction costs, specifically related to the Proposed Project, If any, which will be contracted out to local or minority, women, or veteran-owned businesses expressed in estimated total dollars.

13. Factors

Required Information and supporting documentation consistent with 105 CMR 100.210

Some Factors will not appear depending upon the type of license you are applying for.

Text fields will expand to fit your response.

Factor 1: Applicant Patient Panel Need, Public Health Values and Operational Objectives

F1.a.i Patient Panel:

Describe your existing Patient Panel, including incidence or prevalence of disease or behavioral risk factors, acuity mix, noted health disparities, geographic breakdown expressed in zip codes or other appropriate measure, demographics including age, gender and sexual identity, race, ethnicity, socioeconomic status and other priority populations relevant to the Applicant's existing patient panel and payer mix.

For the purposes of determining its patient panel, the Applicant reviewed its resident information for the period 2017 to 2019. The Applicant had a total of 48,215 resident days in 2017, 47,934 days in 2018, and 15,641 days in 2019, through April 30, 2019. The resident days can be further broken down by resident type.

All of the residents are in the 65+ age cohort. The resident mix is 38% male and 62% female and 78% of their current patient panel is from Middlesex County. The religious affiliation is 54% Catholic, 27% Jewish and the remaining 19% of various religion affiliations. The breakdown of residents based on race/national origin is 98% Caucasian, 1% African American, and 1% Asian.

The Facility's payor mix consists of Medicare, MassHealth, and private payors. 5% of the patient panel consists of Medicare beneficiaries. Another 27% of the patient panel is comprised of MassHealth beneficiaries. The remaining 68% of the payor mix is attributable to commercial payors and private pay. The Applicant does not expect the payor mix to change after project completion.

The patient panel has various activities of daily living (ADL) needs; 14.4% of the patient panel are independent with transferring while 85.6% of the patient panel is either an assist of one or two staff members or dependent on staff for transferring. All of the patient panel is an assist of one or two staff or dependent in bathing and dressing. However, 51% are independent with eating while 49% are an assist of one or two staff members or dependent on staff.

Patients generally require admission for one of two reasons: they either are in need of short-term rehabilitation following an acute-care hospital stay, or they are in need of skilled care that cannot be provided in a home setting. Residents who are admitted for skilled nursing care also may require the specialty services the Applicant offers for memory-care residents on its Alzheimer's unit. Understanding the very specialized attention required by residents with Alzheimer's, the Applicant has established a 32-bed Special Care Unit. In order to be attuned to the specific needs of their Alzheimer's residents, the Applicant's staff receives intensive training. Residents currently enjoy the protection and security of a closely monitored environment which encourages freedom of expression and movement. The Special Care Unit has its own separate activities/dining area, a full-time program director and individual programs and care plans to match a patient's activities and interest, reinforcing the desire to stay independent. Among the many programming options that they offer their memory impaired population include; one on one painting, music and memory where each resident is provided with an iPod uploaded with music from their past, and they partner with the Alzheimer's Association in the Boston/Cambridge area and participate in many activities including the annual walk.

The Applicant does not anticipate that these proposed changes will impact their patient panel negatively and does not anticipate a change in payer mix nor do they anticipate any significant increase in health care costs. Payers for the patient panel include Medicaid, Medicare, private pay, and other third party payers. The Applicant doesn't anticipate a large increase in reimbursement rates for any of these payers except the Medicaid capital rate add-on derived from this application, and inflationary increases for the other payer classes.

F1.a.ii Need by Patient Panel:

Provide supporting data to demonstrate the need for the Proposed Project. Such data should demonstrate the disease burden, behavioral risk factors, acuity mix, health disparities, or other objective Patient Panel measures as noted in your response to Question F1.a.i that demonstrates the need that the Proposed Project is attempting to address. If an inequity or disparity is not identified as relating to the Proposed Project, provide information justifying the need. In your description of Need, consider the principles underlying Public Health Value (see instructions) and ensure that Need is addressed in that context as well.

There is demonstrated need for the provision of nursing facility services as part of the full range of care options available to individuals managing and treating their care needs. The Facility is the only skilled nursing facility located in Belmont and has been since 1967. As a result, it is the immediate facility of choice for those residents who wish to receive care in a community-based setting. This lack of availability of skilled nursing services in the community accounts for continued, ongoing demand for the Facility's services.

Built environments are referred to as building or renovating areas in an effort to improve the community's well-being through construction of "aesthetically, health improved, and environmentally improved landscapes and living structures". Alzheimer's disease changes how seniors interpret their environment. Names, places and people they know become unfamiliar, leading to disorientation, stress and isolation. But creating a positive environment, conducive to a senior's comforts and needs, can help reinforce well-being.

Elimination of 3-bedded rooms has a very positive impact on the built environment for skilled nursing facility residents. Residents in a nursing home have already given up some independence so not having to share a room with more than one other person allows the resident to have greater independence. Having single and double rooms helps with infection control, reduction of medical errors, increased privacy, provision of personalized spaces, and noise control.

Although it is not a cure, offering person-centered care and a positive environment can help lift seniors with Alzheimer's. If they can live in a positive, dementia-friendly environment, one that supports their health, independence and safety, seniors with Alzheimer's will experience more personal control. They are more likely to remain active and engage in activities familiar to them, which will help them live well for as long as possible.

According to census projections, Massachusetts is expected to see an increase in the population of adults age sixty-five and older, from 15% in 2015 to 21% in 2030. (1) The fastest growth is expected among those aged eighty-five and older, a population with increasingly complex health needs. (2)

Based on US Census 2010 reporting, the Massachusetts population has seen a 24.4% increase in adults over eighty-five and an increase of 4.9 % in adults sixty-five and over since 2000.(3) According to the Massachusetts Health Aging Data Report, two out of three older adults have at least four or more chronic conditions, and one in eight older adults has dementia.(4) Almost 80% of adults age sixty or older have a chronic disease, most of which are treatable or manageable with the appropriate health care services.(5)

F1.a.iii Competition:

Provide evidence that the Proposed Project will compete on the basis of price, total medical expenses, provider costs, and other recognized measures of health care spending. When responding to this question, please consider Factor 4, Financial Feasibility and Reasonableness of Costs.

The Applicant believes the Proposed Project will compete on the basis of price, total medical expenses, provider costs, and other recognized measures of health care spending. The Facility is the only licensed nursing home located in Belmont. While there are nursing facilities located in the neighboring communities, the Applicant's mission is quite different than that of their competitors, they are committed to providing a continuum of care in an environment that promotes optimal functional ability, interdisciplinary care, and the integration and provision of community resources and education. The continued availability of the Applicant's services ensures access to nursing facility services, Alzheimer care and rehabilitation services.

Demand for the Applicant's nursing facility services remains high. As demonstrated in Section F1.a.ii, there is ongoing, increased demand for the Applicant's services based on census projection and disease progression.

Nursing Home Compare allows you to find and compare nursing homes certified by Medicare and Medicaid. The website contains quality of resident care and staffing information for more than 15,000 nursing homes around the country. Nursing homes provide skilled care to people who can't be cared for at home and need 24-hour nursing care. Skilled care includes skilled nursing or rehabilitation services to manage, observe, or assess a resident's care. Examples of skilled care include occupational therapy, wound care, intravenous (IV) therapies, and physical therapy.

The information on Nursing Home Compare can help you learn:

- How nursing homes have performed on health and fire safety inspections
- How the nursing home is staffed with nurses and other healthcare providers
- How well nursing homes care for their residents

CMS creates the overall star rating for nursing homes from 3 parts: 1) Health inspections 2) Quality of resident care measures and 3) Staffing. Star ratings for each part and for the overall rating range from 1 star to 5 stars, with more stars indicating better quality.

The Applicant has six competitor facilities within a three mile radius, one is a 5 star, 2 are 4 stars, 2 are 3 stars and 1 is a 2 star. The Applicant is a 5 star and is the only facility of the seven that is family run and has had the same leadership since its inception in 1967.

As you will see in the Factor 4 information, the costs at Belmont Manor are slightly higher than their competitors in the Skilled Nursing Facility arena but the cost are significantly lower than the Acute Care setting.

F1.b.i Public Health Value /Evidence-Based:

Provide information on the evidence-base for the Proposed Project. That is, how does the Proposed Project address the Need that Applicant has identified.

To those who have fought hard to build alternatives to nursing homes, all this attention to alternatives ignores the vital role that nursing facilities play in the health care of people with frailty, multiple co-morbidities and complex conditions. For example, where else can fragile individuals go after a hospital stay? They must leave the hospital setting once their care is not acute, and this is appropriate for both safety and cost-effectiveness. However, many people – especially older adults – cannot tolerate the rigors of rehabilitation

hospitals, and require a 24/7 recovery option that consolidates multiple therapies and supports after a hospitalization. Only SNFs can fill this role.

Another vital role that cannot be filled elsewhere in the nation's healthcare system is the care of those who are especially frail or dealing with multiple disabilities and conditions. Patients on more than a dozen medications, with advanced dementia, ventilator-dependent, incontinent, or with other complex clinical conditions or disabilities often cannot be safely attended to in private homes or assisted living, and deserve good skilled nursing care to maximize their strengths and abilities.

Additionally, nursing homes often serve as a hub for an array of community services for the "nursing home-eligible" individual, including medical day care, various home health care programs and assisted living programs. With a physical facility serving as the point-of-contact for seniors and their caregivers/agents seeking services, effective community-based long-term care – those valuable alternatives that can delay or avoid institutionalization – become more accessible.

There are many other roles – both currently and potentially – that skilled nursing facilities fill in our health care system, and they are here to stay. First, consider these facts:

1. There are 15,000 nursing homes serving 1.7 million people in the U.S. annually.
2. More than 17% of Americans over the age of 85 live in nursing facilities.(6) This age group is the fastest-growing cohort, the demand for good skilled nursing care will only increase.
3. About half of all people turning 65 will enter a nursing home in their lifetime.(7)

The increase in the number of individuals diagnosed and living with dementia impacts nursing homes, which work to develop appropriate services to respond to this increase. As of October 2017, dementia affected 5.4 million Americans and over 120,000 Massachusetts residents.(8) Research suggests that as people are living longer, the number of adults with dementia will rise to 16 million nationwide by the year 2050.(9) The statewide rate of dementia in older adults in Massachusetts is 14%, which is higher than the national average of 11%. The rate varies by community, with rates in some areas as high as 24%.(10) Seventy-two of the 351 cities and towns in Massachusetts are implementing programs to become more age-friendly; however, many communities have not embraced such efforts and thus leave older adults under served.(11) Estimates also put the number of informal caregivers in Massachusetts at 332,000, often resulting in worse health outcomes and higher rates of depression, stress levels, and cardiovascular reactivity.(12)

In accordance with the requirements of 105 CMR 150.00: Standards for Long Term Care Facilities, nursing home employees are required to complete initial and annual dementia-specific training.(13) Belmont Manor is one of the facilities who has complied with this regulation. Since the requirement was implemented in 2014, sixty-four nursing homes have not complied with the training requirement, thereby highlighting the need for skilled nursing facilities who can provide the appropriate level of care.(14) According to the National Alzheimer's Association, more than 50% of residents in nursing homes have some form of dementia or cognitive impairment.(15) Belmont has nearly 80% of their patient panel who has some form of dementia or Alzheimer's Disease. Well-trained staff members who best understand how to care for those with dementia and organizations with meaningful activities can help to dramatically improve residents' quality of life.(16)

Rates of hospitalization among older adults with dementia is approximately three times higher than older adults without dementia, and rates are even greater among those with co-existing conditions.

The addition will provide significant quality of life improvements for Belmont Manor residents as the renovations will increase the number of single and double rooms, rather than triple rooms. The addition will allow the Applicant to eliminate the last of the triple rooms within two units. These units are on the west side of the building and the residents that live there are unable to leave the floor due to either infirmity or dementia. The new space, which is next to the only multi-purpose room on each of the units, will allow for additional visiting and dining areas, which will significantly enhance the built environment which will increase physical activity among the residents and increase social interaction. These are behaviors that support and promote good health and increase the likelihood of positive health outcomes. The renovations will also add a much needed new laundry facility as well as additional common areas for the residents. From a programming perspective the new laundry will be more efficient, as the service components are centrally located. The addition of a laundry chute will decrease the risk of cross contamination, as soiled linens will no longer be transported through various parts of the building. The new laundry chute will also minimize the risk for workplace injuries do to moving heavy bags of laundry.

F1.b.ii Public Health Value /Outcome-Oriented:

Describe the impact of the Proposed Project and how the Applicant will assess such impact. Provide projections demonstrating how the Proposed Project will improve health outcomes, quality of life, or health equity. Only measures that can be tracked and reported over time should be utilized.

The impact of the proposed project will allow the existing patient panel to have greater amount of space for visiting and dining and will be assessed by analyzing patient outcomes. Also, resident/family satisfaction surveys will convey the impact of these proposed changes as well as savings on electricity. The addition of the state of the art laundry facility will be a more efficient use of space. As mentioned

above, from a programming perspective the new laundry will be more efficient, as the service components are centrally located. The addition of a laundry chute will decrease the risk of cross contamination, as soiled linens will no longer be transported through various parts of the building. The new laundry chute will also minimize the risk for workplace injuries as staff will no longer be required to move heavy bags of laundry.

F1.b.iii Public Health Value /Health Equity-Focused:

For Proposed Projects addressing health inequities identified within the Applicant's description of the Proposed Project's need-base, please justify how the Proposed Project will reduce the health inequity, including the operational components (e.g. culturally competent staffing). For Proposed Projects not specifically addressing a health disparity or inequity, please provide information about specific actions the Applicant is and will take to ensure equal access to the health benefits created by the Proposed Project and how these actions will promote health equity.

As discussed previously in the application, Belmont Manor is the only skilled nursing facility in Belmont. Additionally, as a participant in the Medicare/Medicaid program, certified provider is bound by the conditions of participation with the program and are prohibited to discriminate any person on the basis of race, color, national origin, disability, sex (or gender identity), or age. The Applicant is committed to adhere to and embrace these conditions and serve as the community leader in providing quality driven care in the lower cost post acute setting to all residents of the community.

These factors of quality care and access will continue to be reviewed and assessed through the Applicants Continuous Quality Improvement programs, CMS 5-star rating process and Department of Public Health state surveys.

F1.b.iv Provide additional information to demonstrate that the Proposed Project will result in improved health outcomes and quality of life of the Applicant's existing Patient Panel, while providing reasonable assurances of health equity.

It is the mission of the Applicant to be a community leader in providing quality-driven post-acute and long-term care services. They are committed to providing a continuum of care in an environment that promotes optimal functional ability, interdisciplinary care, and the integration and provision of community resources and education. It is their intent to provide these services without regard to sex, race, creed, national origin, age, disability, or payer class. They promote a challenging, dynamic, and professional work environment through on-going staff education and Continuous Quality Improvement programs, which meet the needs of an ever changing health care population.

The Applicant fulfills its mission by:

- Providing inpatient medical, nursing and rehabilitative care for those individuals who are unable to live in an alternative community setting, but who do not need the diagnostic or surgical services normally provided by acute care hospitals.
- Improving the quality of life for residents by assisting them in achieving their maximum level of independence. This is accomplished through supporting resident's psychological and social needs, maintaining resident self-respect, providing a home environment and respecting resident needs, Bill of Rights and privacy.
- Providing rehabilitation and health maintenance to each resident as deemed appropriate by the interdisciplinary health team: nursing, physical therapy, attending physician, occupational therapy, therapeutic recreation, dietary and social services.
- Maintaining their commitment to an on-going Continuous Quality Improvement program that encourages a re-evaluation of the environment and the operating systems and procedures to enhance the quality of life for the residents.
- Decrease the likelihood of hospitalization or re-hospitalization and the resulting high cost setting of providing care in an acute care setting.
- the impact on the resident's psycho/social well-being is improved by no longer placing them into a three-bedded room and by having the additional space to move around freely in enhanced space.

F1.c Provide evidence that the Proposed Project will operate efficiently and effectively by furthering and improving continuity and coordination of care for the Applicant's Patient Panel, including, how the Proposed Project will create or ensure appropriate linkages to patients' primary care services.

The Applicant has had long standing relationships with their healthcare partners who provide services to their residents. They will continue to collaborate with these providers on care transitions and access to healthcare, as well as, working with the additional healthcare systems in the Belmont area. The Applicant also has a long standing relation with the Belmont Council on Aging with whom they partner on various functions, i.e. sponsoring meals among others.

The new space and environment will lead to an improved social and built environment, thus increased quality of life for the residents and thus they would be less likely to leave.

F1.d Provide evidence of consultation, both prior to and after the Filing Date, with all Government Agencies with relevant licensure, certification, or other regulatory oversight of the Applicant or the Proposed Project.

The Applicant has met with referral sources to tell them what they are planning for this proposed project.

In addition to its meetings with neighbors, the Applicant has also met with municipal officials to discuss and review the Project. The Applicant met with Chief Kenneth Gardiner of the Belmont Fire Department and also met with members of the Office of Community Development on multiple occasions.

The Applicant or its representatives have had numerous discussions with the Department of Public Health to include personnel at the Plan Review Office, Licensure and Determination of Need.

F1.e.i Process for Determining Need/Evidence of Community Engagement: For assistance in responding to this portion of the Application, Applicant is encouraged to review *Community Engagement Standards for Community Health Planning Guideline*. With respect to the existing Patient Panel, please describe the process through which Applicant determined the need for the Proposed Project.

The Applicant has discussed the proposed project with their residents and families to let them know what changes will be taking place in the future and to get an additional input on design and plan. In addition, from the very early stages of the Project, the Applicant has reached out to, and communicated extensively with, its neighbors about the Project - seeking their input on design and proposed mitigation. The Applicant met with neighbors and other town officials as noted in F1.d, offering information about the Project and an opportunity for comment and discussion, on multiple dates.

During these discussions with the patient panel, their families and the neighbors in the community, the Applicant determined the need and desire to have renovations completed in this facility to enhance the social and built environments.

The Applicant sent out over 69 invitations to its open house held on November 2, 2017.

F1.e.ii Please provide evidence of sound Community Engagement and consultation throughout the development of the Proposed Project. A successful Applicant will, at a minimum, describe the process whereby the "Public Health Value" of the Proposed Project was considered, and will describe the Community Engagement process as it occurred and is occurring currently in, at least, the following contexts: Identification of Patient Panel Need; Design/selection of DoN Project in response to "Patient Panel" need; and Linking the Proposed Project to "Public Health Value".

Throughout the development of the proposed project, the Applicant consulted stakeholders in the community at every stop along the way. As noted previously throughout this application, the Applicant consulted the Patient Panel, its neighbors, and other representatives in the community regarding the design of the project and benefits to the community and Patient Panel. Improving the quality of life for the patient panel through improvements in their built and social environments were among the topics discussed at the many meetings involving the community and patient panel. Additionally, if approved and implemented at the site, the proposed project will allow the Applicant to continue to provide the vital services in the community at the lower cost post acute setting. This will allow the community to continue to have an alternative option to the higher cost acute care setting and contribute to the reduction and containment of the total cost of care, thus providing Public Health Value.

Factor 2: Health Priorities

Addresses the impact of the Proposed Project on health more broadly (that is, beyond the Patient Panel) requiring that the Applicant demonstrate that the Proposed Project will meaningfully contribute to the Commonwealth's goals for cost containment, improved public health outcomes, and delivery system transformation.

F2.a Cost Containment:

Using objective data, please describe, for each new or expanded service, how the Proposed Project will meaningfully contribute to the Commonwealth's goals for cost containment.

The new state of the art laundry will be at the forefront of cost containment and efficiency. The addition of the beds will not create much in additional costs (see Factor 4) but will allow for the Applicant to care for more frail elders in the community. Although staffing will increase slightly this and the overall project will improve the wellbeing of the patient panel and their overall health and will help avoid or reduce higher cost acute hospitalization stays.

F2.b Public Health Outcomes:

Describe, as relevant, for each new or expanded service, how the Proposed Project will improve public health outcomes.

With the changes in the bed configuration and expanded visitation and dining space will create an increased quality of life for all residents of Belmont Manor but will significantly impact the Alzheimer's population and will continue to expand greatly needed services as explained earlier in the application in this community.

F2.c Delivery System Transformation:

Because the integration of social services and community-based expertise is central to goal of delivery system transformation, discuss how the needs of their patient panel have been assessed and linkages to social services organizations have been created and how the social determinants of health have been incorporated into care planning.

This facility has been operational for many years and has many linkages to provide care for their long term residents internally and for their short term patients as they discharge them back to the community. Failure to sustain the linkage to the community already established would be detrimental to delivery system as whole and disrupt overall coordination of care in the community. Every individual admitted to the SNF is assessed and services are set up as needed. The interdisciplinary care planning process includes all aspects of the patient's care including, but not limited to the, social, psychosocial, and spiritual wellbeing of each individual. Many patients may experience an illness, and may not already have services connected to their local community. Whether the individual is already service connected, or not, our seasoned care coordinators and social workers have access and relationships with local resources and supports to ensure adequate services are set up prior to discharging back to the community.

Factor 3: Compliance

Applicant certifies, by virtue of submitting this Application that it is in compliance and good standing with federal, state, and local laws and regulations, including, but not limited to M.G.L. c. 30, §§ 61 through 62H and the applicable regulations thereunder, and in compliance with all previously issued notices of Determination of Need and the terms and conditions attached therein .

F3.a Please list all previously issued Notices of Determination of Need

Add/Del Rows	Project Number	Date Approved	Type of Notification	Facility Name
<input type="checkbox"/> <input type="checkbox"/>	4-1497	08/07/2007	Long Term Care Substantial Change in Service	Belmont Manor Nursing Home, Inc.

Factor 4: Financial Feasibility and Reasonableness of Expenditures and Costs
Applicant has provided (as an attachment) a certification, by an independent certified public accountant (CPA) as to the availability of sufficient funds for capital and ongoing operating costs necessary to support the Proposed Project without negative impacts or consequences to the Applicant's existing Patient Panel.

Factor 4: Financial Feasibility and Reasonableness of Expenditures and Costs
Applicant has provided (as an attachment) a certification, by an independent certified public accountant (CPA) as to the availability of sufficient funds for capital and ongoing operating costs necessary to support the Proposed Project without negative impacts or consequences to the Applicant's existing Patient Panel.

F4.a.i Capital Costs Chart:

Capital Costs Chart:
For each Functional Area document the square footage and costs for New Construction and/or Renovations.

[illegible]

F4.a.ii For each Category of Expenditure document New Construction and/or Renovation Costs.

	Category of Expenditure	New Construction	Renovation	Total (calculated)
Land Costs				
	Land Acquisition Cost			
	Site Survey and Soil Investigation			
	Other Non-Depreciable Land Development			
	Total Land Costs			
Construction Contract (including bonding cost)				
	Depreciable Land Development Cost	\$169721.	\$5000.	\$174721.
	Building Acquisition Cost			
	Construction Contract (including bonding cost)	\$2777549.	\$1030165.	\$3807714.
	Fixed Equipment Not in Contract		\$275945.	\$275945.
	Architectural Cost (Including fee, Printing, supervision etc.) and Engineering Cost	\$259472.	\$90694.	\$350166.
	Pre-filing Planning and Development Costs	\$73035.	\$25528.	\$98563.
	Post-filing Planning and Development Costs	\$37050.	\$12950.	\$50000.
Add/Del Rows	Other (specify)			
<input type="checkbox"/> <input type="checkbox"/>	Laundry Equipment	\$194337.		\$194337.
	Net Interest Expensed During Construction	\$109923.	\$51520.	\$161443.
	Major Movable Equipment	\$41916.	\$225000.	\$266916.
	Total Construction Costs	\$3663003.	\$1716802.	\$5379805.
Financing Costs:				
	Cost of Securing Financing (legal, administrative, feasibility studies, mortgage insurance, printing, etc	\$21978.	\$10301.	\$32279.
	Bond Discount			
Add/Del Rows	Other (specify)			
<input type="checkbox"/> <input type="checkbox"/>				
	Total Financing Costs	\$21978.	\$10301.	\$32279.
	Estimated Total Capital Expenditure	\$3684981.	\$1727103.	\$5412084.

Factor 5: Relative Merit

F5.a.i Describe the process of analysis and the conclusion that the Proposed Project, on balance, is superior to alternative and substitute methods for meeting the existing Patient Panel needs as those have been identified by the Applicant pursuant to 105 CMR 100.210(A)(1). When conducting this evaluation and articulating the relative merit determination, Applicant shall take into account, at a minimum, the quality, efficiency, and capital and operating costs of the Proposed Project relative to potential alternatives or substitutes, including alternative evidence-based strategies and public health interventions.

Proposal:

The Applicant proposes to construct a two story addition with a cellar to the northeasterly portion of the nursing home, which will allow for important renovations within the facility, including an improved bedroom layout and a new laundry facility in the cellar.

Quality:

The addition will enable the Applicant to eliminate the remaining triple rooms on two units, and to similarly increase the number of single and double rooms with the addition of six beds. The new space will allow for additional visiting and dining areas, which will significantly enhance the quality of life for the residents. Within this proposal the Applicant will also update existing shower and bathing facilities to also enhance the quality of life for the residents.

Efficiency:

The addition of the new laundry space with new equipment will be more efficient and cost effective to operate

Capital Expense:

The cost of adding square footage to the existing location will be far less costly and less disruptive to their residents than if they were to replace the facility at the current location or a new location.

Operating Costs:

Operating cost will not change with the exception of an additional FTE in nursing as well as some minor increases to food and supply accounts for the additional six beds.

List alternative options for the Proposed Project:

Alternative Proposal:

There are no alternative proposals as this provider has been in the community for over 50 years and is the only long term care provider in Belmont and has consistently through the years completed capital renovations to the existing site to keep the building updated and efficient.

Alternative Quality:

There would be no alternative quality, if the Applicant is unable to complete renovations they are unable to provide the quality of services they are proposing in this application and they would operate inefficiently as any upgrades to their existing site would create operational efficiencies.

Alternative Efficiency:

There is no alternative efficiency, alterations are necessary to align this facility with the identified healthcare needs of this community as identified in this application.

Alternative Capital Expense:

N/A

Alternative Operating Costs:

N/A

Add additional Alternative Project

Delete this Alternative Project

F5.a.ii Describe the process of analysis and the conclusion that the Proposed Project, on balance, is superior to alternative and substitute methods for meeting the existing Patient Panel needs as those have been identified by the Applicant pursuant to 105 CMR 100.210(A)(1). When conducting this evaluation and articulating the relative merit determination, Applicant shall take into account, at a minimum, the quality, efficiency, and capital and operating costs of the Proposed Project relative to potential alternatives or substitutes, including alternative evidence-based strategies and public health interventions.

In consideration of this project the Applicant, with its Management Team and other advisory parties considered many options to meet the existing patient panel needs, the needs of future patients and the needs of the community at large. Renovating the existing building to update the structure was found to be the only acceptable move. The only other alternative would be replacement of the

existing facility but this could only be accomplished via new construction at a different site and the cost would have been more expensive and would not meet the immediate needs of the Belmont Community. Renovating the existing building and site is the best alternative, since it was cheaper than the total replacement, as cost effective and efficient as a new facility and the quality of life for the residents will be improved.

Documentation Check List

The Check List below will assist you in keeping track of additional documentation needed for your application. Once you have completed this Application Form the additional documents needed for your application will be on this list. E-mail the documents as an attachment to: DPH.DON@state.ma.us

- ☒ Copy of Notice of Intent
- ☒ Affidavit of Truthfulness Form
- ☒ Scanned copy of Application Fee Check
- ☒ Affiliated Parties Table Question 1.9
- ☐ Change in Service Tables Questions 2.2 and 2.3
- ☒ Certification from an independent Certified Public Accountant
- ☒ Articles of Organization / Trust Agreement
- ☐ Current IRS Form, 990 Schedule H CHNA/CHIP and/or Current CHNA/CHIP submitted to Massachusetts AGO's Office
- ☐ Community Engagement Stakeholder Assessment form
- ☐ Community Engagement-Self Assessment form

Document Ready for Filing

When document is complete click on "document is ready to file". This will lock in the responses and date and time stamp the form.
To make changes to the document un-check the "document is ready to file" box. Edit document then lock file and submit
Keep a copy for your records. Click on the "Save" button at the bottom of the page.

To submit the application electronically, click on the "E-mail submission to Determination of Need" button.

This document is ready to file:



Date/time Stamp: 09/04/2019 3:33 pm

E-mail submission to
Determination of Need

Application Number: -19090415-LE

Use this number on all communications regarding this application.

☐ Community Engagement-Self Assessment form

NARRATIVE REFERENCES

References

- ¹ EXECUTIVE OFFICE OF ELDER AFFAIRS, STATE PLAN ON AGING TO THE ADMINISTRATION FOR COMMUNITY LIVING 2018-2021, (Oct. 2017), <https://www.mass.gov/files/documents/2018/06/14/MA%20State%20Plan%20on%20Aging%202018-2021%20Approved.pdf>.
- ² EXECUTIVE OFFICE OF ELDER AFFAIRS, STATE PLAN ON AGING TO THE ADMINISTRATION FOR COMMUNITY LIVING 2018-2021, (Oct. 2017)
- ³ EXECUTIVE OFFICE OF ELDER AFFAIRS, STATE PLAN ON AGING TO THE ADMINISTRATION FOR COMMUNITY LIVING 2018-2021, (Oct. 2017)
- ⁴ EXECUTIVE OFFICE OF ELDER AFFAIRS, STATE PLAN ON AGING TO THE ADMINISTRATION FOR COMMUNITY LIVING 2018-2021, (Oct. 2017)
- ⁵ EXECUTIVE OFFICE OF ELDER AFFAIRS, STATE PLAN ON AGING TO THE ADMINISTRATION FOR COMMUNITY LIVING 2018-2021, (Oct. 2017)
- ⁶ LONG-TERM CARE: FACTS ON CARE IN THE U.S., BROWN UNIVERSITY
- ⁷ LIFETIME USE OF NURSING HOME CARE, KEMPER AND MURTAUGH, NEW ENGLAND JOURNAL OF MEDICINE 1991
- ⁸ 2018 MASSACHUSETTS HEALTHY AGING COMMUNITY PROFILE BELMONT (MIDDLESEX), MASSACHUSETTS HEALTHY AGING COLLABORATIVE, 1 (2018), https://mahealthyagingcollaborative.org/wp-content/themes/mhac/pdf/community_profiles/MA_Towncode26_Belmont.pdf
- ⁹ A REPORT ON DEMOGRAPHICS, PROGRAMS, AND SERVICES FOR AN AGE- AND DEMENTIA-FRIENDLY COMMONWEALTH: WHAT WE HAVE AND WHAT WE NEED, MASSACHUSETTS HEALTHY AGING COLLABORATIVE (2017)
https://mahealthyagingcollaborative.org/wp-content/uploads/2017/07/DFAF_report_07312017.pdf.
- ¹⁰ A REPORT ON DEMOGRAPHICS, PROGRAMS, AND SERVICES FOR AN AGE- AND DEMENTIA-FRIENDLY COMMONWEALTH: WHAT WE HAVE AND WHAT WE NEED, MASSACHUSETTS HEALTHY AGING COLLABORATIVE (2017)
- ¹¹ A REPORT ON DEMOGRAPHICS, PROGRAMS, AND SERVICES FOR AN AGE- AND DEMENTIA-FRIENDLY COMMONWEALTH: WHAT WE HAVE AND WHAT WE NEED, MASSACHUSETTS HEALTHY AGING COLLABORATIVE (2017)
- ¹² A REPORT ON DEMOGRAPHICS, PROGRAMS, AND SERVICES FOR AN AGE- AND DEMENTIA-FRIENDLY COMMONWEALTH: WHAT WE HAVE AND WHAT WE NEED, MASSACHUSETTS HEALTHY AGING COLLABORATIVE (2017)
- ¹³ A REPORT ON DEMOGRAPHICS, PROGRAMS, AND SERVICES FOR AN AGE- AND DEMENTIA-FRIENDLY COMMONWEALTH: WHAT WE HAVE AND WHAT WE NEED, MASSACHUSETTS HEALTHY AGING COLLABORATIVE (2017)
- ¹⁴ A REPORT ON DEMOGRAPHICS, PROGRAMS, AND SERVICES FOR AN AGE- AND DEMENTIA-FRIENDLY COMMONWEALTH: WHAT WE HAVE AND WHAT WE NEED, MASSACHUSETTS HEALTHY AGING COLLABORATIVE (2017)
- ¹⁵ DEMENTIA CARE PRACTICE RECOMMENDATIONS FOR ASSISTED LIVING RESIDENCES AND NURSING HOMES, ALZHEIMER'S ASSOCIATION CAMPAIGN FOR QUALITY RESIDENTIAL CARE (2009)
https://www.alz.org/national/documents/brochure_DCPRphases1n2.pdf
- ¹⁶ DEMENTIA CARE PRACTICE RECOMMENDATIONS FOR ASSISTED LIVING RESIDENCES AND NURSING HOMES, ALZHEIMER'S ASSOCIATION CAMPAIGN FOR QUALITY RESIDENTIAL CARE (2009)

BED CONFIGURATION

Belmont Manor Nursing Home

Existing Bed Configuration				Addition of 6 Beds Proposed Bed Configuration			
Single	15	1	15	Single	19	1	19
Double	51	2	102	Double	61	2	122
Triple	6	3	18	Triple	0	3	0
Quads	0	4	0	Quads	0	4	0
Total			<u>135</u>	Total			<u>141</u>

Units	Existing Bed Count	Proposed Bed Count
Station 1	31	34
Station 2	36	36
Station 3	32	35
Station 4	36	36
	<u>135</u>	<u>141</u>

NOTICE OF INTENT

LEGAL NOTICES

PRITY

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LEGAL NOTICES

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LEGAL NOTICES

MASSACHUSETTS PORT AUTHORITY

NOTICE TO CONTRACTORS

Electronic General Bids for MPA Contract No. H289-C1, REPAIR AND REPLACE PERIMETER FENCING, L.G. HANSCOM FIELD, BEDFORD, MA, will be received through the Internet using Bid Express until the date and time stated below, and will be posted on www.bidexpress.com immediately after the bid submission deadline.

Electronic bids will be received by the Massachusetts Port Authority until 11:00 A.M. local time on SEPTEMBER 11, 2019 immediately after which the electronic bids will be opened and read publicly in a designated room at the Capital Programs Department Office, Suite 209S, Logan Office Center, One Harborside Drive, East Boston, Massachusetts 02128-2909.

No paper copies of bids will be accepted.

NOTE: PREBID CONFERENCE WILL BE HELD AT L. G. HANSCOM FIELD (200 HANSCOM DRIVE, BEDFORD, MA 01730) AT 11:00 AM LOCAL TIME ON AUGUST 27, 2019.

The work includes INSTALLATION OF NEW CHAIN LINK WILDLIFE SKIRT, INSTALLATION OF NEW 8' CHAIN LINK FENCE, REMOVAL OF EXISTING CHAIN LINK FENCE, REPAIR OF EXISTING CHAIN LINK FENCE, AND CLEARING VEGETATION FROM EXISTING CHAIN LINK FENCE.

Bid documents will be made available beginning WEDNESDAY AUGUST 21, 2019.

Bid documents for this project may be accessed or downloaded at no cost to potential bidders exclusively through <https://www.bidexpress.com/businesses/27137/home> in the listing for this Project.

The estimated contract cost is THREE HUNDRED AND SEVENTY-FOUR THOUSAND DOLLARS (\$374,000.00).

A proposal guaranty shall be submitted with each General Bid consisting of a bid deposit for five (5) percent of the value of the bid; when subbids are required, each must be accompanied by a deposit equal to five (5) percent of the subbid amount in the form of a bid bond in the name of which the Contract for the work is to be executed. The bid deposit shall be (a) in a form satisfactory to the Authority, (b) with a surety company qualified to do business in the Commonwealth and satisfactory to the Authority, and (c) conditioned upon the faithful performance by the principal of the agreements contained in the bid.

The successful Bidder will be required to furnish a performance bond and a labor and materials payment bond, each in an amount equal to 100% of the Contract price. The surety shall be a surety company or securities satisfactory to the Authority. Attention is called to the minimum rate of wages to be paid on the work as determined under the provisions of Chapter 149, Massachusetts General Laws, Section 26 to 27C, inclusive, as amended. The Contractor will be required to pay minimum wages in accordance with the schedules listed in Division II, Special Provisions of the Specifications, which wage rates have been predetermined by the U.S. Secretary of Labor and/or the Commissioner of Labor and Industries of Massachusetts, whichever is greater.

The successful Bidder will be required to purchase and maintain Bodily Injury Liability Insurance and Property Damage Liability Insurance for a combined single limit of \$1,000,000. Said policy shall be on an occurrence basis and the Authority shall be included as an Additional Insured. See the Insurance sections of Division I, General Requirements and Division II, Special Provisions for complete details.

This contract is subject to a Minority/Women Owned Business Enterprise participation provision requiring that not less than THREE POINT SIX PERCENT (3.6%) of the Contract be performed by minority and women owned business enterprise contractors. With respect to this provision, bidders are urged to familiarize themselves thoroughly with the Bidding Documents. Strict compliance with the pertinent procedures will be required for a bidder to be deemed responsive and eligible.

This Contract is also subject to Affirmative Action requirements of the Massachusetts Port Authority contained in Article 84 of the General Requirements and Covenants, and to the Secretary of Labor's Requirement for Affirmative Action to Ensure Equal Opportunity and the Standard Federal Equal Opportunity Construction Contract Specifications (Executive Order 11246).

The General Contractor is required to submit a Certification of Non-Segregated Facilities prior to award of the Contract, and to notify prospective subcontractors of the requirement for such certification where the subcontract exceeds \$10,000.

Complete information and authorization to view the site may be obtained from the Capital Programs Department Office at the Massachusetts Port Authority. The right is reserved to waive any informality in or reject any or all proposals.

MASSACHUSETTS PORT AUTHORITY
LISA S. WIELAND
CEO & EXECUTIVE DIRECTOR

Aug 21

LEGAL NOTICES

PUBLIC ANNOUNCEMENT CONCERNING A PROPOSED HEALTH CARE PROJECT

Belmont Manor Nursing Home, Inc.
Belmont Manor Nursing Home, Inc. located at 34 Agassiz Avenue, Belmont, Massachusetts intends to file an application with the Department of Public Health to complete renovations to the existing Skilled Nursing Facility. These renovations include adding 6 beds and 5,130 additional square footage to improve bedroom layout by eliminating triple rooms and turning them into single and double rooms. The plans also include construction of a new laundry facility. The estimated capital expense for this project is \$5,412,084 (August, 2019 dollars). Any ten Taxpayers of Massachusetts may register in connection with the intended Application by no later than October 4, 2019 or 30 days from the filing date, whichever is later, by contacting the Department of Public Health Determination of Need Program: Attention Program Director, 250 Washington Street, Boston, MA 02108. The application may be inspected at such address and also at the Massachusetts Department of Public Health Metro Boston Regional Health Office, 5 Randolph Street, Canton, MA 02021.

LEGAL NOTICES

LEGAL NOTICES

LEGAL NOTICES

MASSACHUSETTS CONVENTION CENTER AUTHORITY

ADVERTISEMENT FOR BIDS

BOSTON CONVENTION & EXHIBITION CENTER & HYNES CONVENTION CENTER CARPET REPLACEMENT REBID

The Massachusetts Convention Center Authority (the "Authority") will receive sealed general bids for the BOSTON CONVENTION & EXHIBITION CENTER & HYNES CONVENTION CENTER CARPET REPLACEMENT REBID at the Administrative Offices of the Authority at 415 Summer Street, Boston, Massachusetts 02210, until 12:00 p.m. local time on September 10, 2019 immediately after which, in a designated room, the general bids will be opened and read publicly.

This project includes providing all labor, materials, and equipment for the carpet replacement at the Boston Convention & Exhibition Center as well as the Hynes Convention Center, which will be occupied and operating for the duration of the project, all as more fully set forth in the Specifications and Drawings.

A prebid conference will be held at each facility. The Hynes Convention Center pre-bid conference will be held at 10:00 a.m. on Monday, August 26, 2019 at 900 Boylston Street, Boston, Massachusetts. The Boston Convention & Exhibition Center pre-bid conference will be held at 10:00 a.m. on Wednesday, August 28, 2019 at the Offices of the Authority at 415 Summer Street, Boston, Massachusetts. Each pre-bid conference will be followed by a walk-through of the site.

Questions or requests for information, clarification or interpretation of the bidding documents must be submitted in writing to bflynn@massconvention.com in accordance with the Instructions to Bidders and must be received no later than 5:00 p.m. on August 30, 2019.

Each general bid on this contract must be accompanied by a copy of a Certificate of Eligibility issued by the Massachusetts Division of Capital Asset Management and Maintenance (DCAMM) showing that the bidder has the classification and capacity rating to perform the work required. In order to be eligible to bid on this contract, a general bidder must be certified for the estimated project cost of \$3,220,000 and for the following category of work:

Prime Contractors - GENERAL CONTRACTOR

Each general bid must also be accompanied by a Contractor Qualification Update Statement. The Authority will furnish copies of the Contractor Qualification Update Statement form to any bidder on request. Any general bid submitted without the appropriate Certificate of Eligibility and Contractor Qualification Update Statement shall be invalid.

Contract documents for bidders will be available on or after August 21, 2019 via the Authority's website rfp.massconvention.com and each bidder may obtain the documents at such address, together with any addenda or amendments which the Authority may issue.

Bidding procedures and award of the contract will be in accordance with the provisions of Sections 44A through 44J, inclusive, of Chapter 149 of the General Laws of the Commonwealth of Massachusetts.

Each bid shall be submitted and will be considered in accordance with the Instructions to Bidders and other Contract Documents, and shall be accompanied by a bid deposit in the amount of 5% of the value of the bid.

The Authority reserves the right to waive any informality in or to reject any or all bids if it be in the public interest to do so. The Authority reserves the right to cancel this procurement at any time without liability to any bidder or other party.

The successful general bidder will be required to furnish a performance bond and also a labor and materials or payment bond as set forth in the bid form. Attention is called to the minimum rates of wages to be paid on the work as determined under the provisions of Chapter 149, Massachusetts General Laws, Sections 26 to 27C, inclusive, as amended, and as set forth in the Contract Documents, which the contractor will be required to pay.

Date: August 21, 2019

LEGAL NOTICES

Auction sale of unredeemed pledges of Empire Loan Co. of Seabrook on the premises 1130 Washington St., Boston, MA on September 4, 2019 @ 10:00 am by Harvey Cohen, Auctioneer, MA Lic.#353

LEGAL NOTICES

Auction sale of unredeemed pledges of Empire Loan Co. of Lynn on the premises 1130 Washington St., Boston, MA on September 4, 2019 @ 10:00 am by Harvey Cohen, Auctioneer, MA Lic.#353

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Auction sale of unredeemed pledges of Empire Loan Co. on the premises 1130 Washington St., Boston, MA on September 4, 2019 @ 10:00 am by Harvey Cohen, Auctioneer, MA Lic.#353

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PROFESSIONAL

Architectural Designer sought by Payette Associates, Inc. (Boston, MA) to plan & design complex technical buildings, such as research, healthcare & laboratory facilities, with design through construction under the supervision of licensed architects. Applicants must submit a portfolio demonstrating skills. Apply to: HR, Payette Associates Inc., 290 Congress St., 5th Fl., Boston, MA 02210. Must reference Job #036245-034.

Blomarker & Cytonemey Specialists in Burlington, MA to oversee comp equip sales & assoc reagents inc micro-capillary flow cytometry & multiplex protein exp. profiling instrum & kits, dev focused strats & tactics for meeting rev goals & increase gen awareness of key accts. perform highly tech demos to highlight prod capabilities & remove comp obstacles. 25% dom & intl travel. telecommuting is an option if located in Los Angeles, CA region as the employee must be able to service clients in LA, CA & surrounding areas. Reg. degree in Biochem or rel + exp. Send resume to EMD Millipore Corp., 400 Summit Dr., Burlington, MA 01803 (Reg# 185803)

Designer (Somerville, MA) wanted for architectural firm. Requires minimum Bachelor's in Architecture and 2 years exp. in design related position. Reply by resume only to Paul Luzzati, Architect, Inc., 10244 Hwy, Somerville, MA 02144.

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MORTGAGE FORECLOSURE

OF REAL ESTATE

Safe contained in a certain Mortgage Electronic Registration Funding Corp., dated mouth County Registry of Mortgage the undersigned is

, Inc., as Nominee for Mavvices, LLC, recorded on Aug 33

age and for the purpose of lic Auction at 2:00 PM on nises located at 200 Miller Plymouth County, Massachusetts

mouth County, Massachusetts of land entitled "Fornway borough, Massachusetts", and recorded at the Plymouth County Registry of Deeds, Page 998. Said Lot 12 ording to said above referewith. In said mortgage,

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dollars by certified or bank purchaser at the time and certified or bank check at t, Newton, Massachusetts /ton Highlands, Massachusetts from the date of sale. Deed j upon receipt in full of the remises contained in said rror in this publication.

1 sale.

PROFESSIONAL

EYO USA, Inc. In Braintree, MA seeks Marketing Manager (VP CPG Engagement) to assist EYO's retail and CPG clients with their management & business processes & strategies to enable better economic performance. Requires travel up to 100% w/ work to be performed at various workites through US. To apply: Send resume to: Sp4@eyo.com. Must reference Job Code 1022.EOE.

TECHNICAL

CarGurus, Inc. Multiple openings in Cambridge, MA for Senior UI/UX Engineer to design, develop, and implement a web-based user interface for managing company's customer applications. Related degree &/or exp &/or skills req'd. To apply, mail resume & cov' to: A. Perrault, 2 Canal Park, 4th Floor, Cambridge, MA 02141; please reference job title.

ENGINEERING

Fitbit, Inc. has an opening in Boston, MA. Senior Software Engineer in Test (Job Code: S5E-KM2) Design, develop and deploy new automated test cases. Up to 100% domestic travel required to perform job duties. Mail resume to Fitbit, Inc., HR, 199 Fremont Street, 14th Floor San Francisco, CA 94105. Must reference job code.

Software Engineer (Salesforce Developer), Medford, MA: Perform hands-on technical implementation w/ a focus on delivering functional solutions on the Salesforce.com platform. Req'd: Bach. in Comp. Sci. or IT or closely related & 2 yrs of exp. in Salesforce dev., including: developing customer-facing user interfaces & integration of external APIs and 1 yr exp. w/ cloud platforms (AWS or Azure) OR Master's in Comp. Sci. or IT or closely related. Proficiency with Apex, Visual Force & Lightning. Resumes to code SED-19, S. Reyes, Agero Administrative Service Corp., One Cabot Rd., Medford, MA 02155

Software Engineers - Distributed Systems in Cambridge, MA to imp sw solns to data curation platform. Research & eval tech & frameworks. Apply prof in variety of data tech (inc. Spark, HDFS, Elastic) to dev platform. Req'd: B.S. in CS/related field. Exp. Send resumes via USPS only to Tami, Inc., 66 Church Street, 2nd Floor, Cambridge, Massachusetts 02138. (Attn: Katherine Bove).

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AUTOS

Herb Chambers
33 Cambridge St.
Burlington, MA 01803
(877)889-4952
herbchambershondaofburlington.com

- '19 Honda Civic EX Coupe, auto, 1079 miles, stk# H191147...\$19,998
- '17 Honda Civic LX, auto, 10k miles, stk# HP6509...\$17,698
- '12 Honda Accord SE, auto, 79k miles, stk# H191348...\$11,498
- '14 Honda Pilot EX, auto, 71k miles, stk# H191370...\$18,498
- '17 Chevy Silverado LT Z71, auto, 39k miles, stk# H19116...\$27,998
- '13 Ford Explorer XLT, auto, 52k miles, stk# HP64091...\$18,998
- '18 Ford Escape Titanium, auto, 28k miles, stk# HP6500...\$24,498
- '16 Mazda CX5 Touring, auto, 46k miles, stk# H1909531...\$17,998
- '15 Kia Soul Plus, auto, 101k miles, stk# H190881...\$8,998
- '17 Kia Rio LX, auto, 24k miles,

TECHNICAL

Staff QA Engineer sought by Skyworks Solutions, Inc., Woburn, MA: Assurance of all aspects of integrated circuits (IC) Product Quality. Resumes Angelo Ho, Skyworks, 5221 California Ave, Irvine, CA 92617. Must ref: MA0718CL

Team Lead, SEO Machine Learning, KAYAK Software Corp. (Cambridge, MA): Identify improvements for apps based on processing & analysis of nat lang data & rel text. Min reqs: MSc in CS, Data Sci. or rel, + 1 yrs exp w/ software QA (pre/post MSO). Must have any domain related knowledge of: Mach Lrngng & nat lang process methods; Data extraction & processing w/ SQL on MySQL or HIVE; databases and Python & Java. Send cvr ltr & CV to talent@kayak.com w/ ref to code TR19.

Technical Team Leads sought by Madaket, Inc. (Cambridge, MA) to oversee technl dsgn, implemtn, & gily for product eng. team. Req. Master's in comp. sci. or rel, & 5 yrs exp. Mail resume/cvr ltr to Susanah Ford, HR Mgr, 44 Brattle St., Ste. 401, Cambridge, MA 02138.

GENERAL

Quest Diagnostics Inc seeks multiple Medical Technologists in Marlborough, MA responsible for performing clinical tests. Req'd: Bach in Med Tech, Chem, or Bio OR Bach in related sci field w/ at least 16 credits in Bio & 16 credits in Chem. Must have Med Tech or Med Bio certificate (ASCP or equiv) and 1 yr of post-bacc. exp in a clinical lab. Resumes to: davidn.carmey@questdiagnostics.com. Job Code YS.

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- '09 Honda Accord LX, auto, 85k miles, stk# H191280...\$8,998
- '12 Honda Accord EX V6, auto, 59k miles, stk# H191242...\$12,698
- '13 Honda Accord EXL V6, auto, 72k miles, stk# HP6499...\$15,498
- '16 Honda Accord EXL V6, auto, 21k miles, stk# HP6486...\$20,998
- '14 Ford F150 XLT, auto, 7k miles, stk# H190250...\$25,998
- '19 Jeep Grand Cherokee High Altitude, auto, 3k miles, stk# H191182...\$43,998
- '16 Nissan Rogue SL AWD, auto, 82k miles, stk# H191207...\$14,698
- '14 Subaru Crosstrek Prem AWD, auto, 23k miles, stk# HP6467...\$17,998
- '10 Toyota Corolla LE, auto, 62k miles

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Belmont Manor Nursing Home, Inc. Belmont Manor Nursing Home, Inc. located at 34 Adams Avenue, Belmont, Massachusetts intends to file an application with the Department of Public Health to complete renovations to the existing Skilled Nursing Facility. These renovations include adding 6 beds and 5,130 additional square footage to improve bedroom layout by eliminating triple rooms and turning them into single and double rooms. The plans also include construction of a new laundry facility. The estimated capital expense for this project is \$5,412,084 (August 2019 dollars). Any ten taxpayers of Massachusetts may register in connection with the Intended Application by no later than October 4, 2019 or 30 days from the filing date, whichever is later, by contacting the Department of Public Health Determination of Need Program, Attention: Program Director, 250 Washington Street, Boston, MA 02108. The application may be inspected at such address and also at the Massachusetts Department of Public Health Metro Boston Regional Health Office, 5 Randolph Street, Canton, MA 02021. Aug 21

PUBLIC ANNOUNCEMENT CONCERNING A PROPOSED HEALTH CARE PROJECT

Belmont Manor Nursing Home, Inc. Belmont Manor Nursing Home, Inc. located at 34 Adams Avenue, Belmont, Massachusetts intends to file an application with the Department of Public Health to complete renovations to the existing Skilled Nursing Facility. These renovations include adding 6 beds and 5,130 additional square footage to improve bedroom layout by eliminating triple rooms and turning them into single and double rooms. The plans also include construction of a new laundry facility. The estimated capital expense for this project is \$5,412,084 (August 2019 dollars). Any ten taxpayers of Massachusetts may register in connection with the Intended Application by no later than October 4, 2019 or 30 days from the filing date, whichever is later, by contacting the Department of Public Health Determination of Need Program, Attention: Program Director, 250 Washington Street, Boston, MA 02108. The application may be inspected at such address and also at the Massachusetts Department of Public Health Metro Boston Regional Health Office, 5 Randolph Street, Canton, MA 02021. Aug 21

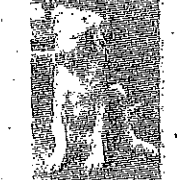
PETS

AKC BOXER PUPPIES \$1100 Please Call 978-430-6631

AKC GERMAN SHEPHERD PUPPIES Vet checked, 1st shots, wormed. Parents on premises. (401)265-8178

AKC Golden retriever pups. Parents on premises. 30 yrs in Golden (518)875-4785

Beautiful Pitbull puppies looking for forever homes. Come with all shots, deworming and heart guard. Please call if interested (857)719-5143.



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Call 617-423-4545 to place your ad in the Boston Herald Classifieds.

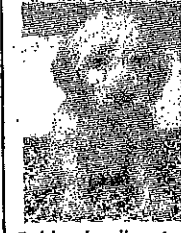
PETS



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French Bulldog Pups 2 MALES ONLY LEFT, fam. raised, vet checked, hith guaran. \$2200 puppiesR4sale.com, 603-498-6221



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BOSTON Herald

AFFILIATED-PARTIES



Massachusetts Department of Public Health
Determination of Need
Affiliated Parties

Version: DRAFT
3-15-17

DRAFT

Application Date: 09/04/2019

Application Number: 19090415-LE

Applicant Information

Applicant Name: Belmont Nursing Home, Inc.

Contact Person: Mark Cummings

Title: Principal

Phone: 6179848100

Ext: 8154

E-mail: mark.cummings@claconnect.com

Affiliated Parties

1.9 Affiliated Parties:
List all officers, members of the board of directors, trustees, stockholders, partners, and other Persons who have an equity or otherwise controlling interest in the application.

Add/ Del Rows	Name (Last)	Name (First)	Mailing Address	City	State	Affiliation	Position with affiliated entity (or with Applicant)	Stock, shares, or partnership	Percent Equity (numbers only)	Convictions or violations	List other health care facilities affiliated with	Business relationship with Applicant
<input type="checkbox"/>	Karger	Stewart	34 Agassiz Avenue	Belmont	MA	President	Administrator	Shares	75%	No	N/A	Yes
<input type="checkbox"/>	Karger	Susan	34 Agassiz Avenue	Belmont	MA	Secretary	Social Service Director	Shares	25%	No	N/A	Yes

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When document is complete click on "document is ready to file". This will lock in the responses and date and time stamp the form. To make changes to the document un-check the "document is ready to file" box.
Edit document then lock file and submit. Keep a copy for your records. Click on the "Save" button at the bottom of the page.

To submit the application electronically, click on the "E-mail submission to Determination of Need" button.

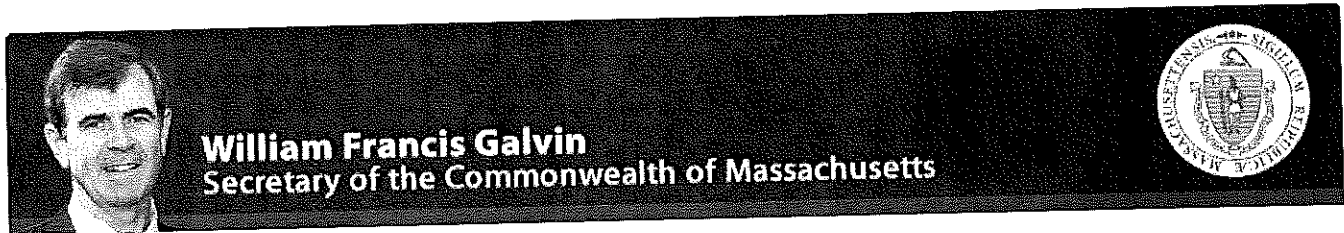
This document is ready to file:



Date/time Stamp: 09/04/2019 3:37 pm

E-mail submission to
Determination of Need

ARTICLES OF ORGANIZATION



Corporations Division

Business Entity Summary

ID Number: 042430837

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Summary for: BELMONT MANOR NURSING HOME, INC.

The exact name of the Domestic Profit Corporation: BELMONT MANOR NURSING HOME, INC.		
Entity type: Domestic Profit Corporation		
Identification Number: 042430837		
Date of Organization in Massachusetts: 10-18-1966		
Last date certain:		
Current Fiscal Month/Day: 12/31		Previous Fiscal Month/Day: 00/00
The location of the Principal Office:		
Address: 34 AGASSIZ AVE		
City or town, State, Zip code, BELMONT, MA 02478 USA		
Country:		
The name and address of the Registered Agent:		
Name: STEWART A. KARGER		
Address: 34 AGASSIZ AVENUE		
City or town, State, Zip code, BELMONT, MA 02478 USA		
Country:		
The Officers and Directors of the Corporation:		
Title	Individual Name	Address
PRESIDENT	STEWART KARGER	71 RADCLIFFE ROAD, WESTON, MA 02193 USA
TREASURER	STEWART KARGER	71 RADCLIFFE ROAD, WESTON, MA 02193 USA
SECRETARY	SUSAN KARGER	342B BOYLSTON STREET NEWTON, MA 02459 USA
CEO	STEWART KARGER	71 RADCLIFFE ROAD, WESTON, MA 02193 USA
CFO	STEWART KARGER	71 RADCLIFFE ROAD, WESTON, MA 02193 USA
DIRECTOR	STEWART KARGER	

		71 RADCLIFFE ROAD, WESTON, MA 02193 USA		
DIRECTOR	SUSAN KARGER	342B BOYLSTON STREET NEWTON, MA 02459 USA		

Business entity stock is publicly traded: ☐

The total number of shares and the par value, if any, of each class of stock which this business entity is authorized to issue:



Class of Stock	Par value per share	Total Authorized		Total issued and outstanding
		No. of shares	Total par value	No. of shares

☐ **Consent**
☐ **Confidential Data**
☐ **Merger Allowed**
☐ **Manufacturing**

Note: Additional information that is not available on this system is located in the Card File.

View filings for this business entity:

Administrative Dissolution
Annual Report
Application For Revival
Articles of Amendment
Articles of Chapter Surrender

[View filings](#)

Comments or notes associated with this business entity:

[New search](#)

The Commonwealth of Massachusetts

KEVIN H. WHITE
Secretary of the Commonwealth
STATE HOUSE
BOSTON, MASS.

ARTICLES OF ORGANIZATION (Under G.L. Ch. 156B)

NAME

(including given name in full)

POST OFFICE ADDRESS

We, PAUL KARGER
EDGAR KARGER
JUNE MAMMOLA

37 Bald Pate Hill Rd., Newton, Mass.
168 Cynthia Rd., Newton, Mass.
333 Central St., Saugus, Mass.

do hereby associate ourselves as incorporators with the intention of forming a corporation under the provisions of General Laws, Chapter 156B.

1. The name by which the corporation shall be known is:

BELMONT MANOR NURSING HOME, INC. ✓

2. The purposes for which the corporation is formed are as follows:

To engage in the operation and conduct of a nursing home and to furnish board and lodging, nursing, medication and other services necessary and incidental to the operation and conduct of a nursing home, and to engage in and operate any business relating thereto.

To acquire by purchase, subscription or otherwise, and to invest in, hold, sell, exchange or otherwise disposes of, pledge, hypothecate and deal in and with stocks, bonds, notes, or other securities, and all other interests in and claims upon any person, form association, trust, joint stock company or corporation, public, private or municipal of this or any other state, territory or country, insofar as may be permitted by law, and to issue stocks, bonds or other obligations of this corporation in exchange therefor; and to exercise any and all rights thereof including the rights to vote thereon; and insofar as may be permitted by law to purchase, acquire

SEE ATTACHED SHEET

NOTE: If provisions for which the space provided under Articles 2, 4, 5 and 6 is not sufficient additions should be set out on continuation sheets to be numbered 2A, 2B, etc. Indicate under each Article where the provision is set out. Continuation sheets shall be on 8½" x 11" paper and must have a left-hand margin 1 inch wide for binding. Only one side should be used.

3. The total number of shares and the par value, if any, of each class of stock which the corporation is authorized to issue is as follows:

CLASS OF STOCK	WITHOUT PAR VALUE	WITH PAR VALUE	
	NUMBER OF SHARES	NUMBER OF SHARES	PAR VALUE
Preferred			
Common	7500		

- *4. If more than one class is authorized, a description of each of the different classes of stock with, if any, the preferences, voting powers, qualifications, special or relative rights or privileges as to each class thereof and any series now established:

- *5. The restrictions, if any, imposed by the Articles of Organization upon the transfer of shares of stock of any class are as follows:

Any stockholder, including the heirs, assigns, executors or administrators of a deceased stockholder, desiring to sell or transfer such stock owned by him or them, shall first offer to the corporation through the Board of Directors in the following manner:

SEE ATTACHED SHEET

- *6. Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or stockholders, or of any class of stockholders:

*If there are no provisions state "None".

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hold, sell, exchange, mortgage, hypothecate, dispose of and/or retire shares of its own capital stock.

To purchase or otherwise acquire one or more patents, trade-marks, copyrights, secret processes and inventions of any and every interest therein, necessary or convenient for, or incidental to the business of the corporation or for effecting, furthering or carrying out any one or more of the purposes or powers of the corporation; to pay for the same in cash, in the stock, notes or bonds of this corporation or otherwise; and to hold, use manage and dispose of the same.

To purchase or otherwise acquire, as a going concern or otherwise, the whole or any part of the business, good will, rights, property or other assets of any corporation, association, trust, partnership, firm or individual, and to pay for the same or any part or combination thereof in cash, stock, bonds or other obligation of this corporation or by undertaking and assuming the whole or any part of the liabilities or obligations of the transferer; and to continue the business so acquired, if one lawful for this corporation to engage in, in its own name or otherwise.

To aid by loan, subsidy or otherwise, any corporation, individual, joint stock company, trust association, any obligation of which or any interest in which is held by this corporation or in the affairs of prosperity of which this corporation has a lawful interest; and to do all acts and things designed to protect, preserve, improve, or enhance the value of such obligations of interest; to guarantee or become surety in respect to the contracts, dividends, stocks, bonds, notes and other obligations of such corporation, joint stock companies, trusts or associations and to secure the performance or payments of all the same by mortgage of or lien upon any and all of the assets of this corporation.

To borrow money and otherwise contract or incur indebtedness or liability for carrying on the business of the corporation or for carrying out, effecting or furthering any one or more of the purposes or powers of the corporation, and to issue its bonds, notes, debentures, or other evidences of indebtedness thereof, and to secure the payment, satisfaction or discharge of the same or any part thereof by mortgage or pledge of, or lien upon, any or all of its property, rights and franchises then owned, or afterwards acquired.

To purchase, own, lease and sell real estate and all rights and interests therein, insofar as may be useful, convenient or incidental to carrying on the business of the corporation, and to mortgage the same. To carry on business and to have offices in any of the States or territories of the United States, the District of Columbia or foreign countries.

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In furtherance and not in limitation of the foregoing to do everything necessary, appropriate or advisable for the accomplishment of its purposes of incidental to or resulting therefrom or calculated directly or indirectly to promote the business of the corporation or to enhance the value of its properties whether alone or in association with others; provided, however, that nothing herein shall be construed as an attempt to secure powers not permitted to corporations organized under the Business Corporation Laws of Massachusetts, or more particularly to corporations organized to carry on within the Commonwealth of Massachusetts, any of the business enumerated in Chapter 156B of the General Laws of Massachusetts as now amended, but such powers may be exercised and such business or businesses carried on outside the said Commonwealth in any state, country or jurisdiction, but only when and to the extent permissible under the laws thereof.

RESTRICTIONS, CONT.

5A

He shall notify the Directors of his desire to sell or transfer by notice in writing which notice shall contain the price at which he is willing to sell or transfer and the name of one arbitrator. The Directors shall within thirty days thereafter either accept the offer, or by notice to him in writing, name a second arbitrator, and these two shall name a third. It shall then be the duty of the arbitrators to ascertain the value of the stock and if any arbitrator shall neglect or refuse to appear at any meeting appointed by the arbitrators, a majority may act in the absence of such arbitrator. After the acceptance of the offer, or the report of the arbitrators as to the value of the stock, the Directors shall have thirty days within which to purchase, the same at such valuation but if at the expiration of thirty days, the corporation shall not have exercised the right so to purchase, the owner of the stock shall be at liberty to dispose of the same in any manner he may see fit.

No shares of stock shall be sold or transferred on the books of the corporation until these provisions have been complied with, but the Board of Directors may in any particular instance waive the requirement.

7. The first meeting of the incorporators was duly held on the fifth day of July, 19 66 at which by-laws of the corporation were duly adopted and at which the initial directors, president, treasurer and clerk, whose names are set out below, were duly elected.
8. The following information shall not for any purpose be treated as a permanent part of the Articles of Organization of the corporation.
- a. The post office address of the initial principal office of the corporation in Massachusetts is:
c/o Paul Karger, 160 State Street, Boston
- b. The name, residence, and post office address of each of the initial directors and following officers of the corporation elected at the first meeting are as follows:

	NAME	RESIDENCE	POST OFFICE ADDRESS
President:	EDGAR KARGER	168 Cynthia Rd.	Newton, Mass.
Treasurer:	PAUL KARGER	37 Bald Pate Hill Rd.	Newton, Mass.
Clerk:	JUNE MAMMOLA	333 Central St.	Saugus, Mass.
Directors:	EDGAR KARGER	168 Cynthia Rd.	Newton, Mass.
	PAUL KARGER	37 Bald Page Hill Rd.	Newton, Mass.
	JUNE MAMMOLA	333 Central St.	Saugus, Mass.

- c. The date initially adopted on which the corporation's fiscal year ends is:
May 31st
- d. The date initially fixed in the by-laws for the annual meeting of stockholders of the corporation is:
THE FIRST MONDAY IN JULY
- e. The name and business address of the registered agent, if any, of the corporation are:

IN WITNESS WHEREOF, and under the penalties of perjury, we, the above-named INCORPORATORS, hereto sign our names, this fifth day of July, 19 66.

Paul Karger
PAUL KARGER

Edgar Karger
EDGAR KARGER

June Mammola
JUNE MAMMOLA

RECEIVED

JUL 12 1966

CORPORATION DIVISION
SECRETARY'S OFFICE

45489

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF ORGANIZATION
GENERAL LAWS, CHAPTER 156B, SECTION 12

Approved
WPH, 10-18-66

I hereby certify that, upon an examination of the within-written articles of organization, duly submitted to me, it appears that the provisions of the General Laws relative to the organization of corporations have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$ 75⁰⁰ having been paid, said articles are deemed to have been filed with me this

October 1966 . *18th* day of

Kevin H. White

Secretary of the Commonwealth

TO BE FILLED IN BY CORPORATION

PHOTO COPY OF ARTICLES OF ORGANIZATION TO BE SENT

TO:

PAUL KARGER

ONE HUNDRED SIXTY STATE STREET

BOSTON, MASS. /

CA7-3331

FILING FEE: 1/20 of 1% of the total amount of the authorized capital stock with par value, and one cent a share for all authorized shares without par value, but not less than \$75. General Laws, Chapter 156B.

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William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

Examining

~~XXXX~~ I, Stewart A. Karger _____, *President ~~XXXXXXXXXXXX~~ Vice President,

and Stewart A. Karger, ~~XXClerk~~ *Assistant Clerk,

of Belmont Manor Nursing Home, Inc.

(Exact name of corporation)

located at 34 Agassiz Avenue, Belmont, Massachusetts 02478

(Street address of corporation in Massachusetts)

certify that these Articles of Amendment affecting articles numbered:

2, 5 and 6

(Number those articles 1, 2, 3, 4, 5 and/or 6 being amended)

of the Articles of Organization were duly adopted by unanimous consent on September 26 2002, by vote of:

74 shares of common stock of 74 shares outstanding,
(type, class & series, if any)

_____ shares of _____ of _____ shares outstanding, and
(type, class & series, if any)

_____ shares of _____ of _____ shares outstanding,
(type, class & series, if any)

C	<input type="checkbox"/>
P	<input checked="" type="checkbox"/>
M	<input type="checkbox"/>
R.A.	<input type="checkbox"/>

least two-thirds of each type, class or series outstanding and entitled to vote thereon and of each type, class or series of stock whose rights are adversely affected thereby:

See attachment

*Delete the inapplicable words. **Delete the inapplicable clause.

¹ For amendments adopted pursuant to Chapter 156B, Section 70.

² For amendments adopted pursuant to Chapter 156B, Section 71.

Notes: If the space provided under any article or item on this form is insufficient, additions shall be set forth on one side only of separate 8 1/2 x 11 sheets of paper with a left margin of at least 1 inch. Additions to more than one article may be made on a single sheet so long as each article requiring each addition is clearly indicated.

10/18/66

To *change* the number of shares and the par value (if any) of any type, class or series of stock which the corporation is authorized to issue, fill in the following:

The total *presently* authorized is:

WITHOUT PAR VALUE STOCKS		WITH PAR VALUE STOCKS		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common:		Common:		
Preferred:		Preferred:		

Change the total authorized to:

WITHOUT PAR VALUE STOCKS		WITH PAR VALUE STOCKS		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common:		Common:		
Preferred:		Preferred:		

ATTACHMENT
to
ARTICLES OF AMENDMENT
of
ARTICLES OF ORGANIZATION
of
BELMONT MANOR NURSING HOME, INC.

Article 2. Article 2 of the Articles of Organization is hereby amended by deleting the typewritten text thereof in its entirety and substituting the following in lieu thereof:

To engage in the operation and conduct of a nursing home and/or assisted living facility and to furnish board and lodging, nursing, medication and other services necessary or incidental to the operation and conduct thereof, and to engage in and operate any business, and any and all other activities directly or indirectly, relating thereto; and further engage in and carry on any other business activities permitted to a corporation organized under the laws of the commonwealth of Massachusetts, as from time to time amended.

The corporation shall have and be authorized to exercise any and all powers now or hereafter vested in or conferred upon business corporations by the Commonwealth of Massachusetts, as from time to time amended.

Article 5. Article 5 of the Articles of Organization is hereby amended by deleting the typewritten text thereof in its entirety and substituting the following in lieu thereof:

During any period that the corporation is an "S corporation", as defined by Section 1361(a)(1) of the Internal Revenue Code of 1986, as amended, (the "Code"), no shares of stock (or any beneficial interest therein) shall be issued or transferred to or held by any stockholder (a "Disqualifying Stockholder") which would cause a termination, under Section 1362(d) of the Code, of the corporation's election to be treated as an S corporation unless consented to in writing by stockholders holding more than one-half of the shares of stock of the corporation on the effective date of the proposed transfer. Absent such consent, the corporation shall have an ongoing option to purchase the shares in question at 90% of their fair market value on the date of purchase, which option shall automatically expire six (6) months following the date on which the corporation first became aware of the purported transfer to a Disqualifying Stockholder. For purposes hereof, the fair market value of the shares shall be determined by agreement of the corporation and the stockholder whose shares are to be purchased or, absent such agreement, by averaging the determinations of fair market value reached by two professional appraisers, one chosen by the corporation and the other by such stockholder. In the event of any inconsistency between this provision and any written agreement with

or among the stockholders of the corporation, the latter shall govern. Any references herein to any provisions of the Code shall include any successor provisions thereto.

Article 6. Article 6 of the Articles of Organization is hereby amended by deleting the typewritten text thereof in its entirety and substituting the following in lieu thereof:

(i) The Board of Directors shall have the power to amend the By-Laws of the corporation in the manner provided in such By-Laws.

(ii) Meetings of the stockholders of the corporation may be held anywhere in the United States.

(iii) The corporation may be a partner in any business enterprise which the corporation would have the power to conduct by itself.

(iv) During any period that the corporation is an "S corporation", as defined by Section 1361(a)(1) of the Code, no shares of stock (or any beneficial interest therein) shall be issued or transferred to or held by any Disqualifying Stockholder as provided in Article 5 above.

(v) No director shall be personally liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director notwithstanding any provision of law imposing such liability; provided, however, that this provision shall not eliminate the liability of a director, to the extent that such liability is imposed by applicable law, (i) for any breach of the director's duty of loyalty to the corporation or its stockholders, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) under Section 61 or 62 or successor provisions of the Massachusetts Business Corporation Law or (iv) for any transaction from which the director derived an improper personal benefit. No amendment to or repeal of this provision shall apply to or have any effect on the liability or alleged liability of any director for or with respect to any acts or omissions of such director occurring prior to such amendment or repeal.

The foregoing amendment(s) will become effective when these Articles of Amendment are filed in accordance with General Laws, Chapter 156B, Section 6 unless these articles specify, in accordance with the vote adopting the amendment, a *later* effective date not more than *thirty days* after such filing, in which event the amendment will become effective on such later date.

Later effective date: _____.

SIGNED UNDER THE PENALTIES OF PERJURY, this 26th day of September, 2002,

Stewart A. Karger, *President / ~~XXXXXX~~
Stewart A. Karger Stewart A. Karger, *Clerk / *Assistant Clerk.
~~XXXXXX~~

*Delete the inapplicable words.

Stewart A. Karger

810274

4981

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF AMENDMENT

(General Laws, Chapter 156B, Section 72)

I hereby approve the within Articles of Amendment and, the filing fee in the amount of \$ 300 having been paid, said articles are deemed to have been filed with me this 26th day of September 20 02.

Effective date: _____

William Francis Galvin

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

TO BE FILLED IN BY CORPORATION

Photocopy of document to be sent to:

Goulston & Storrs -- A Professional Corporation

400 Atlantic Avenue

Boston, MA 02110 Attn: Antonia E. Lopes

Telephone: (617) 482-1776

02 SEP 26 PM 12:00
CORPORATION DIVISION

The Commonwealth of Massachusetts

Examiner

William Francis Galvin
Secretary of the Commonwealth

ONE ASHBURTON PLACE, BOSTON, MASSACHUSETTS 02108

ARTICLES OF AMENDMENT General Laws, Chapter 156B, Section 72

FEDERAL IDENTIFICATION
NO. 04-24230837

~~MA~~ I, Stewart A. Karger

~~President~~ Vice President, and
Clerk/Assistant Clerk of

Belmont Manor Nursing Home, Inc.

(EXACT Name of Corporation)

located at: 34 Agassiz Avenue, Belmont, Massachusetts 02178

(MASSACHUSETTS Address of Corporation)

do hereby certify that these ARTICLES OF AMENDMENT affecting Articles NUMBERED:

Articles 2 and 6

(Number those articles 1, 2, 3, 4, 5 and/or 6 being amended hereby)

of the Articles of Organization were duly adopted at a meeting held on May 18, 1995, by
vote of:

200 shares of common out of 200 shares outstanding,
type, class & series, (if any)
shares of out of shares outstanding, and
type, class & series, (if any)
shares of out of shares outstanding,
type, class & series, (if any)

CROSS OUT being at least a majority of each type, class or series outstanding and entitled to vote
INAPPLI- thereon;
CABLE being at least two-thirds of each type, class or series outstanding and entitled to vote
CLAUSE thereon and of each type, class or series of stock whose rights are adversely affected
thereby: -

See attached sheet

C ☐
P ☐
M ☐
R.A. ☐

- ¹ For amendments adopted pursuant to Chapter 156B, Section 70.
² For amendments adopted pursuant to Chapter 156B, Section 71.

Note: If the space provided under any Amendment or item on this form is insufficient, additions shall be set forth on separate 8 1/2 x 11 sheets of paper leaving a left-hand margin of at least 1 inch for binding. Additions to more than one Amendment may be continued on a single sheet so long as each Amendment requiring each such addition is clearly indicated.

To **CHANGE** the number of shares and the par value (if any) of any type, class or series of stock which the corporation is authorized to issue, fill in the following:

The total presently authorized is:

WITHOUT PAR VALUE STOCKS

TYPE	NUMBER OF SHARES
COMMON:.....
.....
PREFERRED:.....
.....

WITH PAR VALUE STOCKS

TYPE	NUMBER OF SHARES	PAR VALUE
COMMON:.....
.....
PREFERRED:.....
.....

CHANGE the total authorized to:

WITHOUT PAR VALUE STOCKS

TYPE	NUMBER OF SHARES
COMMON:.....
.....
PREFERRED:.....
.....

WITH PAR VALUE STOCKS

TYPE	NUMBER OF SHARES	PAR VALUE
COMMON:.....
.....
PREFERRED:.....
.....

ATTACHMENT
to
ARTICLES OF AMENDMENT
of
ARTICLES OF ORGANIZATION
of
BELMONT MANOR NURSING HOME, INC.

Article 2. Article 2 of the Articles of Organization is hereby amended by deleting the text thereof in its entirety and substituting the following in lieu thereof:

To engage in the operation and conduct of a nursing home and/or assisted living facility located on Agassiz Avenue, Belmont, Massachusetts (the "Nursing Home") and to furnish board and lodging, nursing, medication and other services necessary and incidental to the operation and conduct of the Nursing Home.

In addition, the following purposes are permissible so long as they relate solely to the Nursing Home:

To acquire by purchase, subscription or otherwise, and to invest in, hold, sell, exchange or otherwise dispose of, pledge, hypothecate and deal in and with stocks, bonds, notes, or other securities, and all other interests in and claims upon any person, firm, association, trust, joint stock company or corporation, public, private or municipal, of this or any other state, territory or country, insofar as may be permitted by law, and to issue stocks, bonds or other obligations of the corporation in exchange therefor; and to exercise any and all rights thereof including the rights to vote thereon; and insofar as may be permitted by law to purchase, acquire, hold, sell, exchange, mortgage, hypothecate, dispose of and/or retire shares of its own capital stock.

To purchase or otherwise acquire one or more patents, trade-marks, copyrights, secret processes and inventions of any and every interest therein, necessary or convenient for, or incidental to the business of the corporation or for effecting, furthering or carrying out

any one or more of the purposes or powers of the corporation; to pay for the same in cash, in the stock, notes or bonds of the corporation or otherwise; and to hold, use, manage and dispose of the same.

To borrow money and otherwise contract or incur indebtedness or liability for carrying on the business of the corporation or for carrying out, effecting or furthering any one or more of the purposes or powers of the corporation, and to issue its bonds, notes, debentures, or other evidences of indebtedness thereof, and to secure the payment, satisfaction or discharge of the same or any part thereof by mortgage or pledge of, or lien upon, any or all of its property, rights and franchises then owned, or afterwards acquired.

To purchase, own, lease and sell real estate and all rights and interests therein, insofar as may be useful, convenient or incidental to carrying on the business of the corporation, and to mortgage the same. To carry on business and to have offices in any of the states or territories of the United States, the District of Columbia or foreign countries.

In furtherance and not in limitation of the foregoing to do everything necessary, appropriate or advisable for the accomplishment of its purposes or incidental to or resulting therefrom or calculated directly or indirectly to promote the business of the corporation or to enhance the value of its properties whether alone or in association with others; provided, however, that nothing herein shall be construed as an attempt to secure powers not permitted to corporations organized under the Business Corporation Laws of Massachusetts, or more particularly to corporations organized to carry on within the Commonwealth of Massachusetts, any of the business enumerated in Chapter 156B of the General Laws of Massachusetts as now amended, but such powers may be exercised and such business or businesses carried on outside the said Commonwealth in any state, country or jurisdiction, but only when and to the extent permissible under the laws thereof.

Article 6. Article 6 of the Articles of Organization is hereby amended by adding thereto the following:

1. The corporation shall at all times observe the applicable legal requirements for the recognition of the corporation as a legal entity separate from any Affiliate (as defined below), including, without limitation, as follows:

- (a) The corporation shall maintain its principal executive office and telephone and facsimile numbers separate from that of any Affiliate and shall conspicuously identify such office and numbers as its own. Additionally, the corporation shall use its own separate stationary, invoices and checks which reflect its separate address, telephone number and facsimile number, as appropriate.
- (b) The corporation shall maintain its corporate records and books and accounts separate from those of any Affiliate or any other entity. The corporation shall prepare unaudited quarterly and annual financial statements, and the corporation's financial statements shall substantially comply with generally accepted accounting principles.
- (c) The corporation shall maintain its own separate bank accounts, payroll and correct, complete and separate books of account.
- (d) The corporation shall hold itself out to the public (including any Affiliate's creditors) under the corporation's own name and as a separate and distinct corporate entity and not as a department, division or otherwise of any Affiliate.
- (e) All customary formalities regarding the corporate existence of the corporation, including holding meetings of or obtaining the consent of its Board of Directors, as appropriate, and its stockholders and maintaining current and accurate minute books separate from those of any Affiliate, shall be observed.

- (f) The corporation shall act solely in its own corporate name and through its own duly authorized officers and agents. No Affiliate shall be appointed or act as agent of the corporation.
- (g) Investments shall be made in the name of the corporation directly by the corporation on its behalf by brokers engaged and paid by the corporation or its agents.
- (h) The corporation shall not guarantee or assume or hold itself out or permit itself to be held out as having guaranteed or assumed any liabilities or obligations of any Affiliate, nor shall it make any loan, except as permitted by Berkshire Mortgage Finance Corporation or its successors or assigns (collectively, the "Lender").
- (i) The corporation is and will be solvent and shall pay its own liabilities, indebtedness and obligations of any kind, including all administrative expenses, from its own separate assets.
- (j) Assets of the corporation shall be separately identified, maintained and segregated. The corporation's assets shall at all times be held by or on behalf of the corporation and if held on behalf of the corporation by another entity, shall at all times be kept identifiable (in accordance with customary usages) as assets owned by the corporation. This restriction requires, among other things, that corporate funds shall not be commingled with those of any Affiliate and it shall maintain all accounts in its own name and with its own tax identification number, separate from those of any Affiliate.
- (k) The corporation shall not take any action if, as a result of such action, the corporation would be required to register as an investment

company under the Investment Company Act of 1940, as amended.

- (l) The corporation shall at all times be adequately capitalized.
- (m) All data and records (including computer records) used by the corporation or any Affiliate in the collection and administration of any loan shall reflect the corporation's ownership interest therein.
- (n) None of the corporation's funds shall be invested in securities issued by any Affiliate other than as permitted by the Lender.

"Affiliate" means any entity other than the corporation (i) which owns beneficially, directly or indirectly, more than 50 percent of the outstanding shares of the common stock or which is otherwise in control of the corporation, (ii) of which more than 50 percent of the outstanding voting securities are owned beneficially, directly or indirectly, by any entity described in clause (i) above, or (iii) which is controlled by any entity described in clause (i) above; provided that for the purposes of this definition the term "control" and "controlled by" shall have the meanings assigned to them in Rule 405 under the Securities Act of 1933, as amended.

2. The corporation shall not, without the affirmative vote of 100 percent of the Board of Directors, institute proceedings to be adjudicated bankrupt or insolvent; or consent to the institution of bankruptcy or insolvency proceedings against it; or file a petition seeking, or consent to, reorganization or relief under any applicable federal or state law relating to bankruptcy; or consent to the appointment of a receiver, liquidator, assignee, trustee, sequestrator (or other similar official) of the corporation or a substantial part of its property; or make any assignment for the benefit of creditors; or admit in writing its inability to pay its debts generally as they become due;

or take any corporate action in furtherance of any such action.

3. Additionally, the corporation shall not, without the affirmative vote of 100 percent of the Board of Directors, (a) liquidate or dissolve the corporation in whole or in part or (b) consolidate, merge or enter into any form of consolidation with or into any other entity, nor convey, transfer or lease its assets substantially as an entirety to any person or entity nor permit any entity to consolidate, merger or enter into any form of consolidation with or into the corporation, nor convey, transfer or lease its assets substantially as an entirety to any person or entity.

4. Notwithstanding anything to the contrary, the corporation may not amend Articles 2 or 6 of the Articles of Organization, so long as any indebtedness remains outstanding to the Bank by the corporation.

33 18 95

The foregoing amendment will become effective when these articles of amendment are filed in accordance with Chapter 156B, Section 6 of The General Laws unless these articles specify, in accordance with the vote adopting the amendment, a later effective date not more than thirty days after such filing, in which event the amendment will become effective on such later date. **EFFECTIVE DATE:** _____

IN WITNESS WHEREOF AND UNDER THE PENALTIES OF PERJURY, we have hereunto signed our names this _____ day of May 18th, in the year 19 95.

Stewart A. Karger _____ ~~President~~ Vice President
Stewart A. Karger and
Stewart A. Karger _____ ~~Clerk~~ Clerk
Stewart A. Karger

501648

13906

SECRETARY OF
THE COMMONWEALTH

THE COMMONWEALTH OF MASSACHUSETTS

1995 MAY 18 PM 3:26

ARTICLES OF AMENDMENT

CORPORATION DIVISION

GENERAL LAWS, CHAPTER 156B, SECTION 72

I hereby approve the within articles of amendment and, the filing fee in the
amount of \$ 200 having been paid, said articles are deemed to have
been filed with me this 18TH day of MAY
19 95

William Francis Galvin

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

TO BE FILLED IN BY CORPORATION

PHOTOCOPY OF ARTICLES OF AMENDMENT TO BE SENT

TO:

Hynrich W. Wieschhoff, Esq.

c/o Goulston & Storrs
400 Atlantic Avenue

Boston, MA 02110-3333

Telephone: 617-482-1776

SIGNED AFFIDAVIT



Massachusetts Department of Public Health
Determination of Need
Affidavit of Truthfulness and Compliance
with Law and Disclosure Form 100.405(B)

Version: 7-6-17

Instructions: Complete information below. When complete check the box "This document is ready to print:". This will date stamp and lock the form. Print Form. Each person must sign and date the form. When all signatures have been collected, scan the document and e-mail to: dph.don@state.ma.us Include all attachments as requested.

Application Number: 19090415-LE

Original Application Date: 09/04/2019

Applicant Name: BELMONT MANOR NURSING HOME, INC.

Application Type: Long Term Care Substantial Capital Expenditure

Applicant's Business Type: ☒ Corporation ☐ Limited Partnership ☐ Partnership ☐ Trust ☐ LLC ☐ Other

Is the Applicant the sole member or sole shareholder of the Health Facility(ies) that are the subject of this Application? ☒ Yes ☐ No

The undersigned certifies under the pains and penalties of perjury:

1. The Applicant is the sole corporate member or sole shareholder of the Health Facility(ies) that are the subject of this Application;
2. I have read 105 CMR 100.000, the Massachusetts Determination of Need Regulation;
3. I understand and agree to the expected and appropriate conduct of the Applicant pursuant to 105 CMR 100.800;
4. I have read this application for Determination of Need including all exhibits and attachments, and certify that all of the information contained herein is accurate and true;
5. I have submitted the correct Filing Fee and understand it is nonrefundable pursuant to 105 CMR 100.405(B);
6. I have submitted the required copies of this application to the Determination of Need Program, and, as applicable, to all Parties of Record and other parties as required pursuant to 105 CMR 100.405(B);
7. I have caused, as required, notices of intent to be published and duplicate copies to be submitted to all Parties of Record, and all carriers or third-party administrators, public and commercial, for the payment of health care services with which the Applicant contracts, and with Medicare and Medicaid, as required by 105 CMR 100.405(C), et seq.;
8. I have caused proper notification and submissions to the Secretary of Environmental Affairs pursuant to 105 CMR 100.405(E) and 301 CMR 11.00;
9. If subject to M.G.L. c. 6D, § 13 and 95B CMR 7.00, I have submitted such Notice of Material Change to the HPC - in accordance with 105 CMR 100.405(G);
10. Pursuant to 105 CMR 100.210(A)(3), I certify that both the Applicant and the Proposed Project are in material and substantial compliance and good standing with relevant federal, state, and local laws and regulations, as well as with all previously issued Notices of Determination of Need and the terms and Conditions attached therein;
11. I have read and understand the limitations on solicitation of funding from the general public prior to receiving a Notice of Determination of Need as established in 105 CMR 100.415;
12. I understand that, if Approved, the Applicant, as Holder of the DoN, shall become obligated to all Standard Conditions pursuant to 105 CMR 100.310, as well as any applicable Other Conditions as outlined within 105 CMR 100.000 or that otherwise become a part of the Final Action pursuant to 105 CMR 100.360;
13. Pursuant to 105 CMR 100.705(A), I certify that the Applicant has Sufficient Interest in the Site or facility; and
14. Pursuant to 105 CMR 100.705(A), I certify that the Proposed Project is authorized under applicable zoning by-laws or ordinances, whether or not a special permit is required; or,
 - a. If the Proposed Project is not authorized under applicable zoning by-laws or ordinances, a variance has been received to permit such Proposed Project; or,
 - b. The Proposed Project is exempt from zoning by-laws or ordinances.

Corporation:

Attach a copy of Articles of Organization/Incorporation, as amended

Stewart A. Karger

Signature: Stewart A. Karger

Date: 9/4/19

CEO for Corporation Name:

Stewart A. Karger

Signature: Stewart A. Karger

Date: 9/4/19

Board Chair for Corporation Name:

This document is ready to print: ☒

Date/time Stamp: 09/03/2019 3:46 pm

ZONING & PLAN APPROVALS

AZ

17-32

RECEIVED
TOWN CLERK
BELMONT, MA

**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

2018 MAR 23 PM 3:19

Case no. 17-32

Applicant: Belmont Manor Nursing Home, Stewart Karger, Administrator

Property Address: 34 Agassiz Ave.

Date of Public Hearing: January 8, 2018

Members Sitting: Nick Iannuzzi, Chair
Jim Zarkadas
Faustino Lichauco
Andrew Plunkett
Phil Ruggiero, Associate Member

Members Voting: Nick Iannuzzi, Chair
Jim Zarkadas
Faustino Lichauco
Andrew Plunkett
Phil Ruggiero, Associate Member



2018 00079096
Bk: 71105 Pg: 309 Doc: DEOIS
Page: 1 of 2 06/04/2018 01:25 PM

Introduction

This matter came before the Board of Appeals ("Board") of the Town of Belmont ("Town") acting as Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts ("By-Law") and Chapter 40A of the Massachusetts General Law ("Zoning Act") at a joint meeting with the Planning Board for Design and Site Plan Review. The Applicant, Belmont Manor Nursing Home, Stewart Karger administrator seeks to amend a Use Variance previously granted and modified (granted in 1966, modified in 1991 and 2000) to expand a nursing home at 34 Agassiz Avenue.

Proposal

The relief sought is permission to expand a non-conforming use in a GR Zoning District by constructing a 2.5 story addition with 4,974 square feet area to eliminate all remaining triple-occupancy rooms, to create additional visiting and dining areas, a common area, and a laundry. §7.6.2 subparagraphs 2 and 3 of the By-Law authorizes the Board to grant and amend variances if it determines that "The desired relief may be granted without substantial detriment to the public good", and "Without nullifying or substantially derogating from the intent or purposes of the By-Law".

The hardship now advanced by the Applicant is that these changes have become necessary as regulations governing nursing homes and patient expectations have changed. An inability to adapt to such changes would thus create a significant adverse impact on the wellbeing of the patients and the business.

The proposed modification is consistent with the use originally permitted. Whether or not such modification would be substantially detrimental to the neighborhood is a question of fact for which it is appropriate to defer to the judgment of those who live in the neighborhood and would be the most familiar with the impact of the modification.

The application indicates that details of the proposed construction were presented to those most directly affected and that no objections were raised. The population of the facility is not changed

STEWART A. KARGER
BELMONT MANOR N.H.
34 AGASSIZ AVENUE
BELMONT, MA 02478

ZBA Case # 17-32
Address: 34 Agassiz Avenue.

significantly; only the population density is being changed by the reconfiguration. Hence, it is unlikely that increased traffic will result.

No one spoke in favor or in opposition.

Upon completion of the Zoning Board of Appeals Special Permit portion of the hearing, the Planning Board continued the hearing for Design and Site Plan Review.

Decision

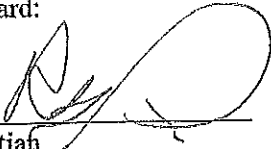
After the Planning Board's vote 4-0 to accept the Design and Site Plan Review with amendments and conditions, The Board deliberated on case ZBA 17-32.

Upon motion duly made and seconded, the Board voted 5-0 to grant the requested Use Variance to the applicant to construct a 2.5 story, 4,974 Square foot addition. Prior to applying for a Building Permit, the applicant must,

1. Incorporate all amendments and conditions stipulated by the Planning Board.

For the Board:

Dated: March 23, 2018


Ara Yogurtian
Assistant Director
Office of Community Development

Book # 11280
Page # 0051

CERTIFICATION

I, Ellen O'Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on March 23, 2018, and further I certify that no appeal has been filed with regard to the granting of said. Use Variance Amendment with one (1) condition.

April 13, 2018



Ellen O'Brien Cushman, Town Clerk
Belmont, MA

A3

RECEIVED
TOWN CLERK
BELMONT, MA

PB 17-20

COMMUNITY
DEVELOPMENT

2018 APR 19 PM 1:11
Town of Belmont Planning Board
DESIGN AND SITE PLAN REVIEW DECISION
ON APPLICATION OF
BELMONT MANOR NURSING HOME
34 AGASSIZ AVENUE



2018 00079087
Bk: 71105 Pg: 311 Doc: DEOS
Page: 1 of 3 06/04/2018 01:25 PM

March 27, 2018

Pursuant to Sections 7.3.2 b) of the Belmont Zoning By-Law (the By-Law), and following a duly noticed public hearing held on January 8, 2018, the following is the Planning Board's report and decision on the Design and Site Plan Review application of the Belmont Manor Nursing Home, Stewart Karger, Administrator (the Applicant). The Applicant proposed to construct a 4,974 square foot, 2-1/2 story addition at the side of the existing building located at 34 Agassiz Avenue in a General Residence Zoning District. Sitting for the Planning Board were, Charles Clark, Chair; Steve Pinkerton, Vice Chair; Thayer Donham, and Karl Haglund.

The Proposal:

The Applicant proposed to construct a 2-1/2 story addition with a cellar to the northeasterly portion of the nursing home, which will allow for important renovations within the existing facility, including an improved bedroom layout and a new laundry facility in the cellar. The footprint of the new addition will be approximately 1,658 square feet, with the first and second about the same size. The first and second floors will include two (2) new single rooms and two (2) new double rooms. The addition will enable the Applicant to eliminate the remaining triple rooms on two units, and to similarly increase the number of single and double rooms with the addition of four new beds. The addition will also allow for additional visiting and dining areas, which will significantly enhance the quality of life for seventy-two (72) residents. The renovations will also add a much-needed new laundry facility as well as additional common area for the residents. The addition maintains the existing architectural character of Belmont Manor, and the roof will be similar to that of the existing building. The project will also involve planting or significant additional landscaping and buffering areas for the benefit of the neighbors located on Agassiz Avenue. The remainder of the site will remain as currently designed and utilized.

Design and Site Plan Review:

This project is subject to Section 7.3.2 b) of the By-Law, which requires Design and Site Plan Review for additions greater than 2,500 square feet. The total size of the addition will be approximately 4,974 square foot of gross floor area (cellar, first and second floors).

Submissions to the Planning Board included:

1. Application for Design and Site Plan Review
2. Project Narrative

Design and Site Plan Review for 34 Agassiz Avenue

March 27, 2018

Page 2

3. Open House Invitation and Sign-In Sheet
4. Petition in Support of Application signed by 31 Neighbors and Abutters
5. Existing Conditions, dated July 21, 2014
6. Building Elevations
7. Building Systems and Details, dated June 2, 2017
8. Existing Cellar Floor Plan, dated June 28, 2017
9. Existing First Floor Plan, dated June 28, 2017
10. Existing Second Floor Plan, dated June 28, 2017
11. Proposed Cellar Floor Plan, dated June 28, 2017
12. Proposed First Floor Plan, dated June 28, 2017
13. Proposed Second Floor Plan, dated June 28, 2017
14. Proposed Roof Plan, dated June 28, 2017
15. Partial Enlarged Cellar Plan, dated June 28, 2017
16. Partial Enlarged First Floor Plan, dated June 28, 2017
17. Partial Enlarged Second Floor Plan, dated June 28, 2017
18. Partial Enlarged Roof Plan, dated June 28, 2017
19. Partial Exterior Elevations, dated June 28, 2017
20. Wall Sections, dated June 28, 2017
21. Site Plan, dated December 22, 2017
22. Drainage and Utilities, dated December 22, 2017
23. Landscape Plan
24. Plot Plan, dated December 10, 2017
25. Zoning Compliance Check List
26. Stormwater Management Report, prepared by Nitsch Engineering, December 6, 2017
27. Letters of Support from Direct Abutters: George and Vaso Kokoros, 40-42 Agassiz Avenue; Elizabeth Dionne, owner of 48 Agassiz Avenue
28. DPH Beds/Parking Regulations
29. DPH Compliance Certifications
30. US News and World Report Rating
31. 3-D Simulation
32. E-Mail from Captain Ken Gardiner, Jr.

Planning Board Decision:

The Planning Board found that the proposed two-story addition meets the purposes and criteria of Design and Site Plan Review. The addition will provide significant quality of life improvements for Belmont Manor residents as the renovations will increase the number of single and double rooms. The addition also allows for additional visiting and dining areas, which will significantly enhance the residents' quality of life. The addition does not create any other impacts and the Applicant will be enhancing the landscape buffer between the direct abutters. The Board also found that Applicant conducted significant neighborhood outreach, which helped the Applicant design the addition.

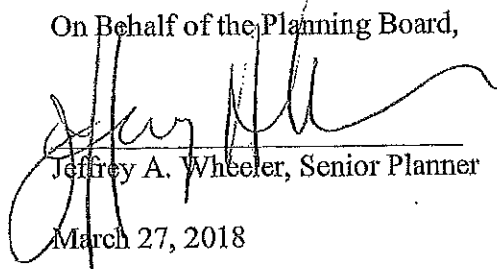
Design and Site Plan Review for 34 Agassiz Avenue

March 27, 2018

Page 3

Therefore, after considering the provisions of Section 7.3.2 of the Zoning By-Law, the plans submitted, the statements made at the public hearing, and its deliberations, the **PLANNING BOARD VOTED (5 to 0) TO GRANT** the requested **DESIGN AND SITE PLAN APPROVAL** to construct a **4,974 SQUARE FOOT, 2-1/2 STORY ADDITION** at the side of the existing building located at 34 Agassiz Avenue

On Behalf of the Planning Board,



Jeffrey A. Wheeler, Senior Planner

March 27, 2018

CERTIFICATION

I, Ellen O'Brien Cushman, hereby certify that this decision was filed in the office of the Belmont Town Clerk on April 19, 2018, and further I certify that no appeal has been filed with regard to the granting of said Design and Site Plan Approval with zero (0) conditions.

May 3, 2018



Ellen O'Brien Cushman, Town Clerk
Belmont, MA



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Care Facility Licensure and
Certification
99 Chauncy Street, Boston, MA 02111

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-753-8000
www.mass.gov/dph

Via Email

September 5, 2018

Stewart Karger
Administration/Owner
Belmont Manor Nursing Home
34 Agassiz Avenue
Belmont, MA 02478

RE: Belmont Manor Nursing Home
34 Agassiz Avenue
Belmont, MA 02478
FACID 0208
Proposed two story addition and
Renovations to existing Nursing
Care Units A1 & A3
(Basement, 1st, 2nd, and 3rd floors)
PLAN APPROVAL

Dear Mr. Karger:

I am pleased to inform you that the support documentation which you and your architect, *David H. Dunlap Associates, Inc.*, submitted for the above referenced project has been reviewed and meets the Department's criteria for plan approval under our "Abbreviated Review" process.

Based on the Affidavit and the Architect's Compliance Checklists documenting compliance with physical plant requirements for licensure, the plans submitted to this office on July 6, 2018 are approved. This approval is not based on a detailed review of the plans by this Department.

As stated in the Affidavit, the Department shall have continuing authority to review the plans submitted, conduct on-site inspections, and withdraw this plan approval for reasons related to compliance or change in project scope. The above referenced facility shall have a continuing obligation to make any changes required by the Department to comply with Licensure Regulations, whether or not construction or alterations have been completed.

Construction of the project must conform to the plans for which written approval has been issued by this office.

September 5, 2018
Belmont Manor Nursing Home
Page 2

This approval is for the design phase only and not for the occupancy and use of the project area. Licensure changes will only be effective after you notify the Department in writing as stipulated at the end of this letter and receive licensure approval for the proposed changes.

OTHER JURISDICTIONS

It is your responsibility to submit plans and specifications for review to the Local Building Inspector.

It is also your responsibility to ensure that the project complies with the codes and regulations listed below:

- NFPA 101 Life Safety Code (2012 Edition) and associated NFPA standards (required for Medicare/Medicaid Certification)
- Architectural Access Board Regulations (521 CMR)

CONSTRUCTION PHASING

The patient care areas affected by the renovations must be vacated during each phase of the construction. Construction work must not interfere with patient care in adjacent areas. The areas used temporarily to house the displaced functions must meet physical plant regulations.

Appropriate protection barriers must be provided during the construction to ensure that patient areas are not contaminated with dust and microorganisms associated with the various phases of demolition and construction work.

PROJECT DESCRIPTION

The proposed two story addition with basement will include the reactivation of 4 beds, which were previously taken out-of-service (see chart below). Support spaces will be included.

Location	CURRENT	PROPOSED
Nursing Care Unit #1 (2 nd Floor) Level II	31 beds Short Term	33 beds Short Term
Nursing Care Unit #2 (2 nd Floor) Level II	36 beds Short Term Rehab	36 beds Short Term Rehab
Nursing Care Unit #3 (3 rd Floor) Level III	32 Beds Long Term Care	34 Beds Long Term Care
Nursing Care Unit #4 (3 rd Floor) Level III	36 Beds Alzheimer's Unit	36 Beds Alzheimer's Unit
Total	135 Beds	139 Beds

September 5, 2018
Belmont Manor Nursing Home
Page 3

LICENSURE PROCESS

A written notification must be sent to the Department to initiate the required licensure actions, which may include an on-site licensure survey. Please send the notification and a copy of this letter to the Office of the Licensure & Certification Coordinator, at the above letterhead address, at least two (2) months prior to the anticipated date of occupancy or use.

If you have any questions, please call at (617) 753-8081.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Domenic Testa".

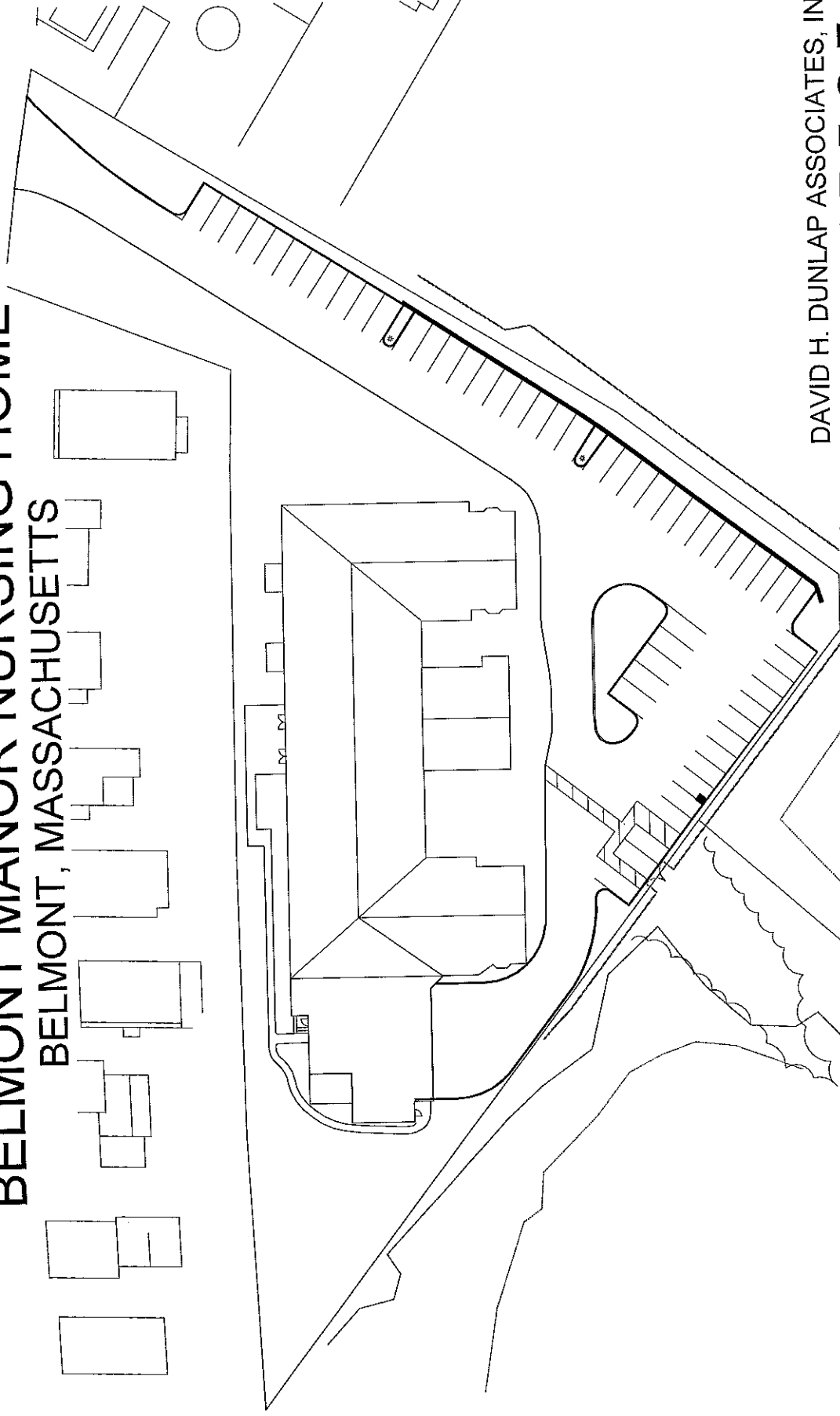
Domenic Testa
Project Engineer

cc: David Dunlap

ARCHITECT DRAWINGS

BELMONT MANOR NURSING HOME

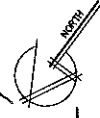
BELMONT, MASSACHUSETTS



EXISTING SITE PLAN

SCALE: 1"= 20'

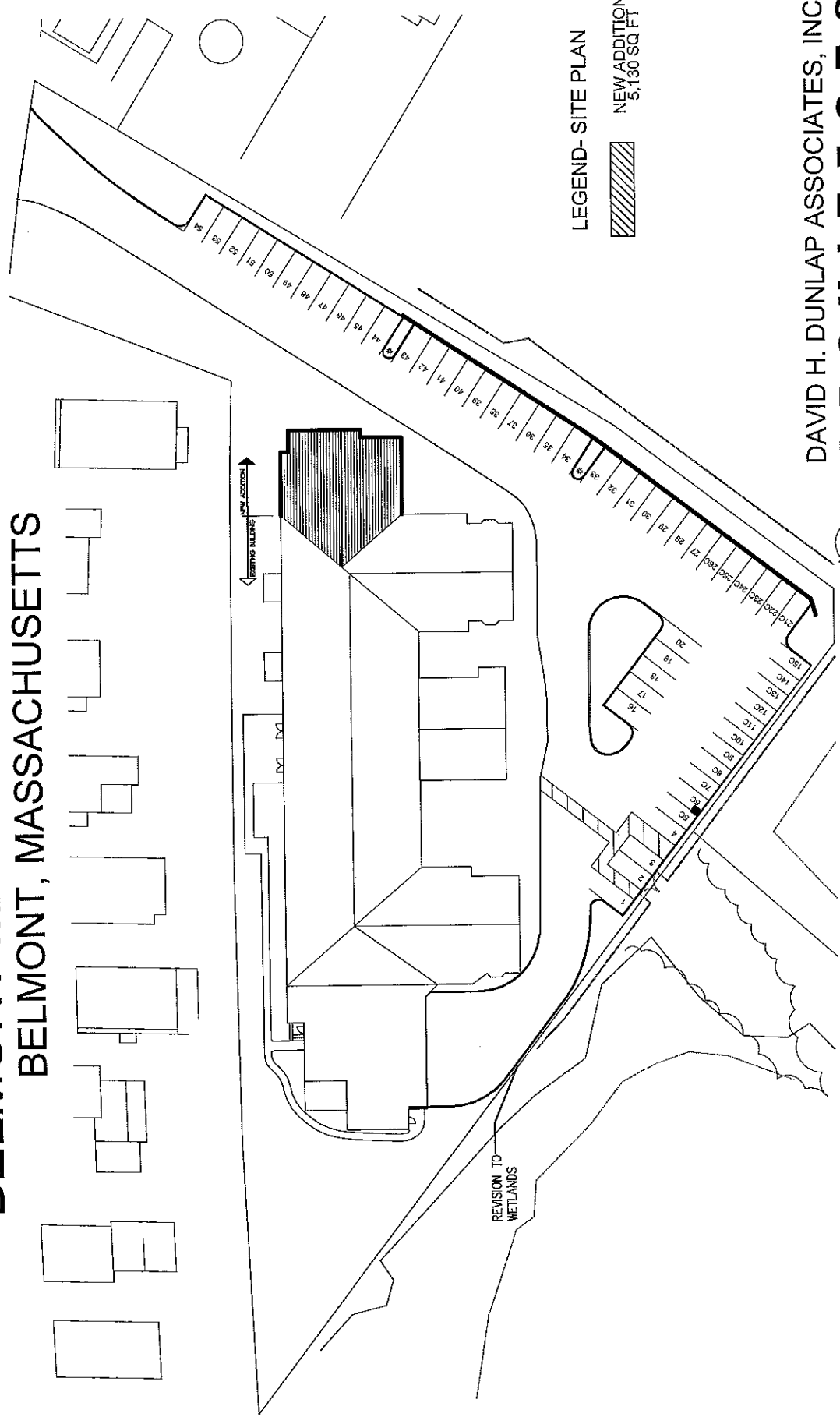
59,214 G.S.F.




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105 webster street, hanover, ma 02339

BELMONT MANOR NURSING HOME

BELMONT, MASSACHUSETTS



LEGEND- SITE PLAN

 NEW ADDITION
5,130 SQ FT

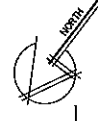
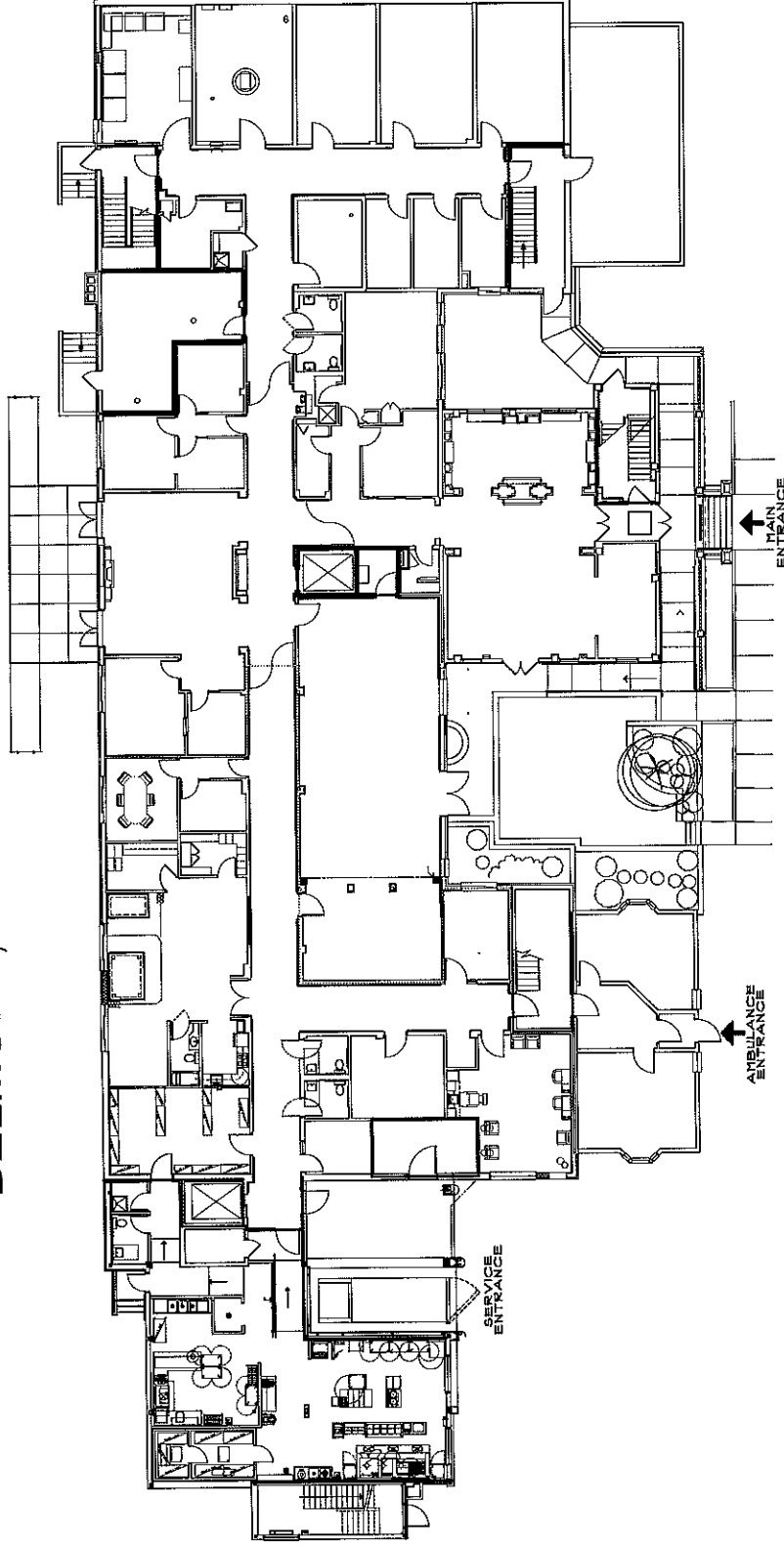
DAVID H. DUNLAP ASSOCIATES, INC.
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RENOVATED SITE PLAN

SCALE: 1" = 20' 64,344 G.S.F.

BELMONT MANOR NURSING HOME

BELMONT, MASSACHUSETTS



EXISTING FIRST FLOOR PLAN

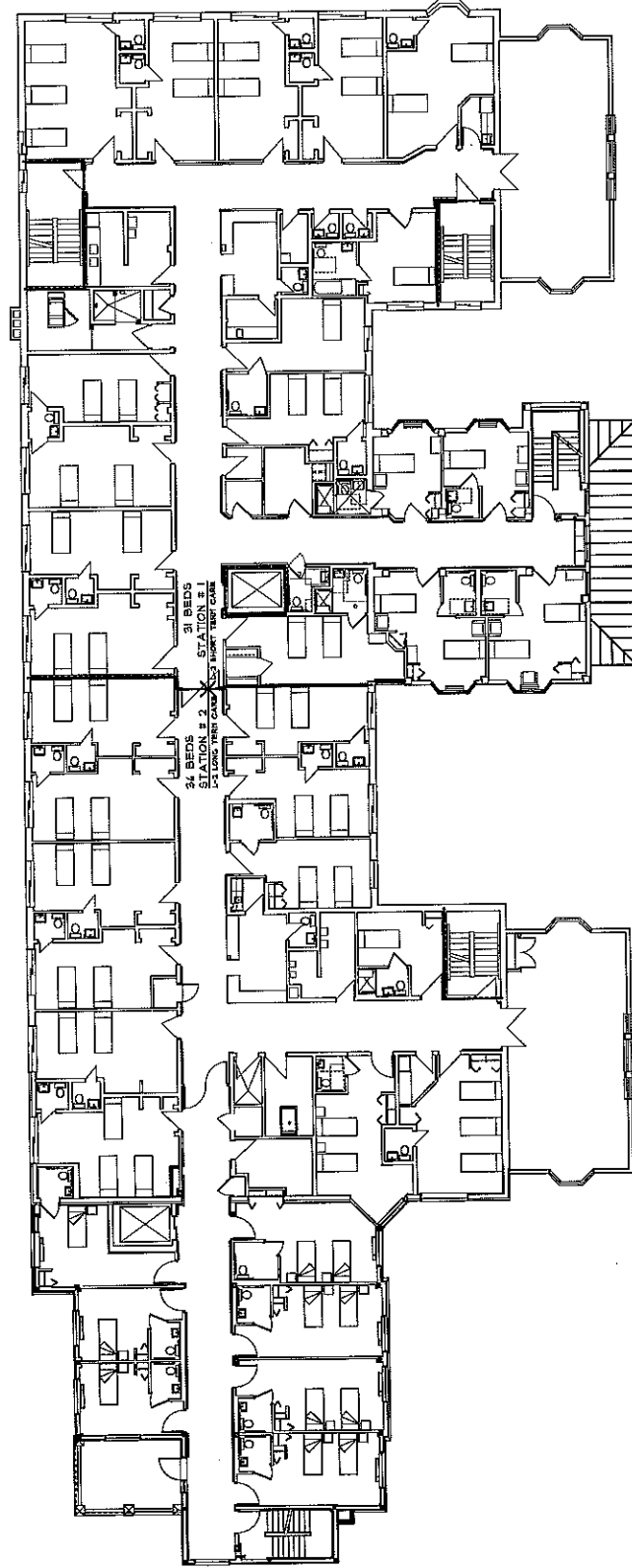
SCALE: 1"= 20'

19,434 G.S.F.

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ARCHITECTS
105 Webster Street, Hanover, MA 02339

BELMONT MANOR NURSING HOME

BELMONT, MASSACHUSETTS

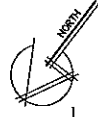
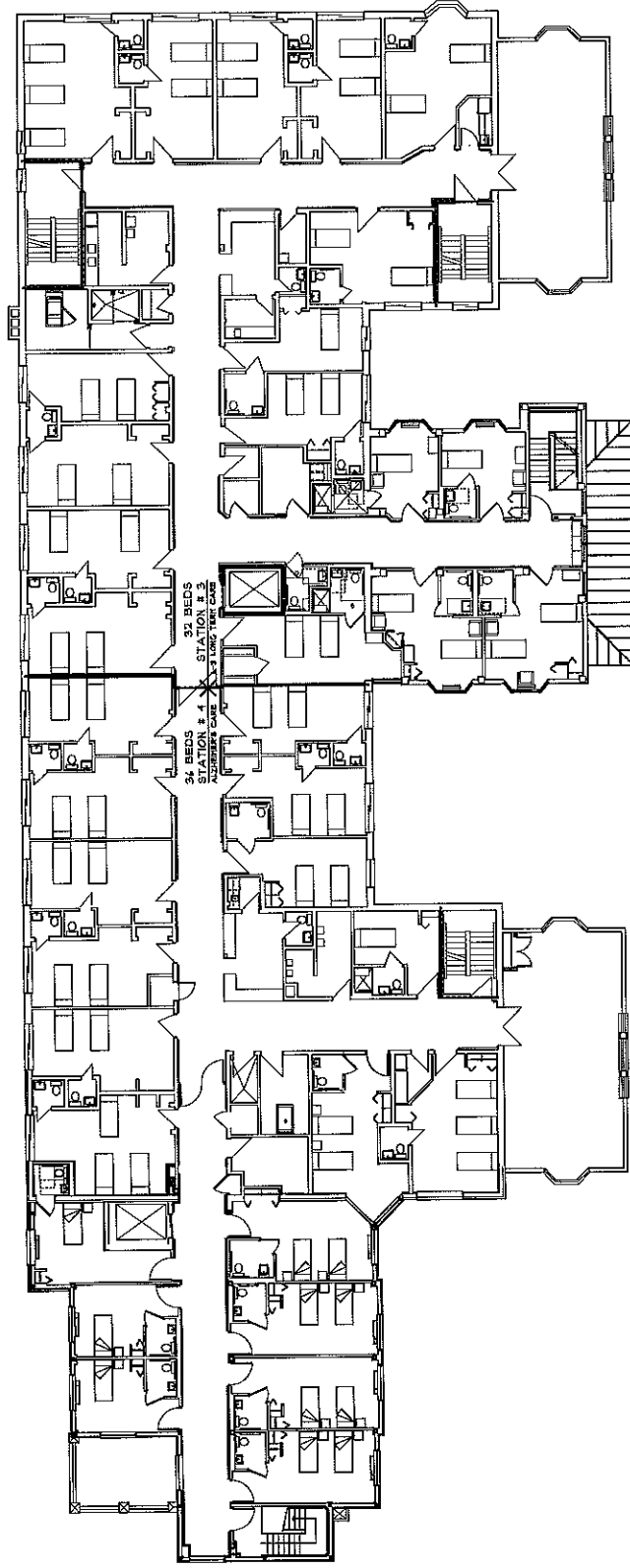


EXISTING SECOND FLOOR PLAN
SCALE: 1"= 20' 19,890 G.S.F.

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BELMONT MANOR NURSING HOME

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EXISTING THIRD FLOOR PLAN

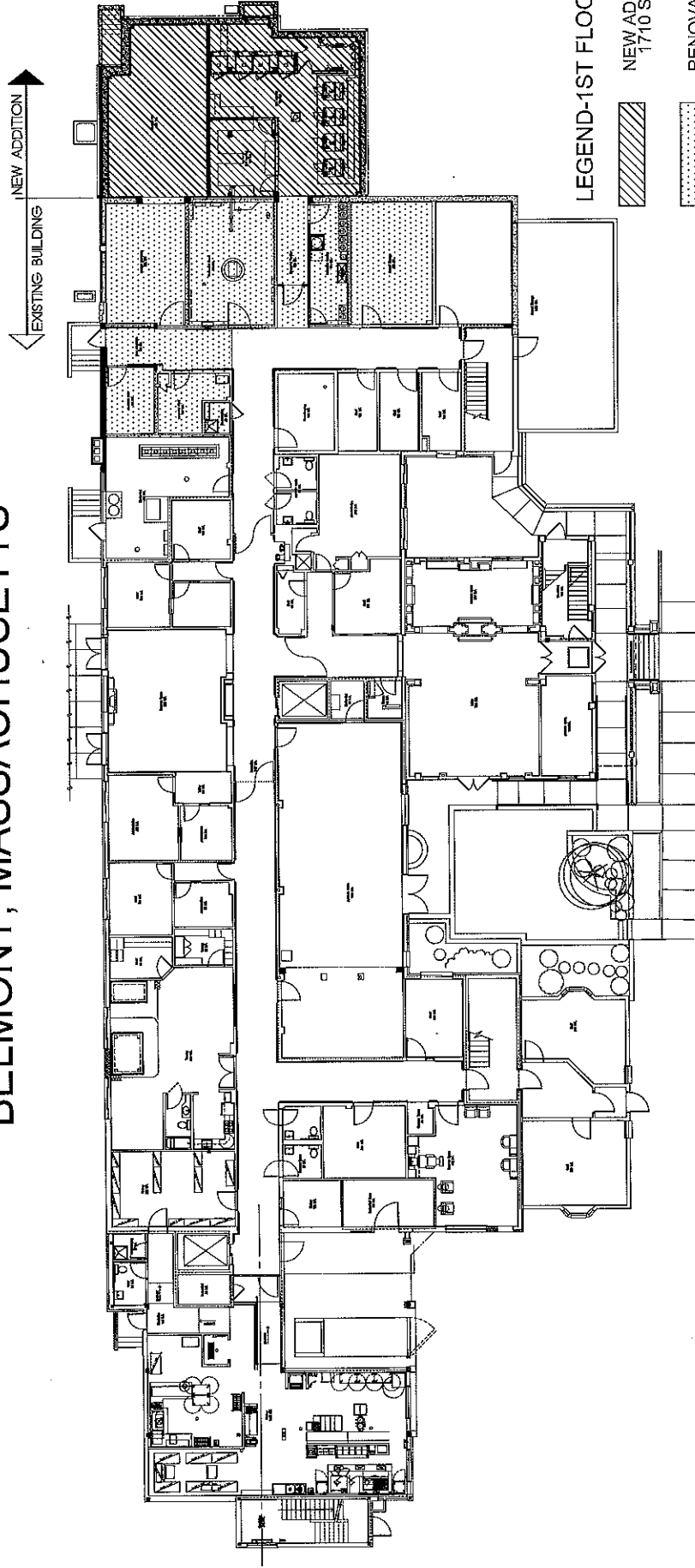
SCALE: 1"= 20'

19,890 G.S.F.

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BELMONT MANOR NURSING HOME

BELMONT, MASSACHUSETTS



RENOVATED FIRST FLOOR PLAN

SCALE: 1"= 20'

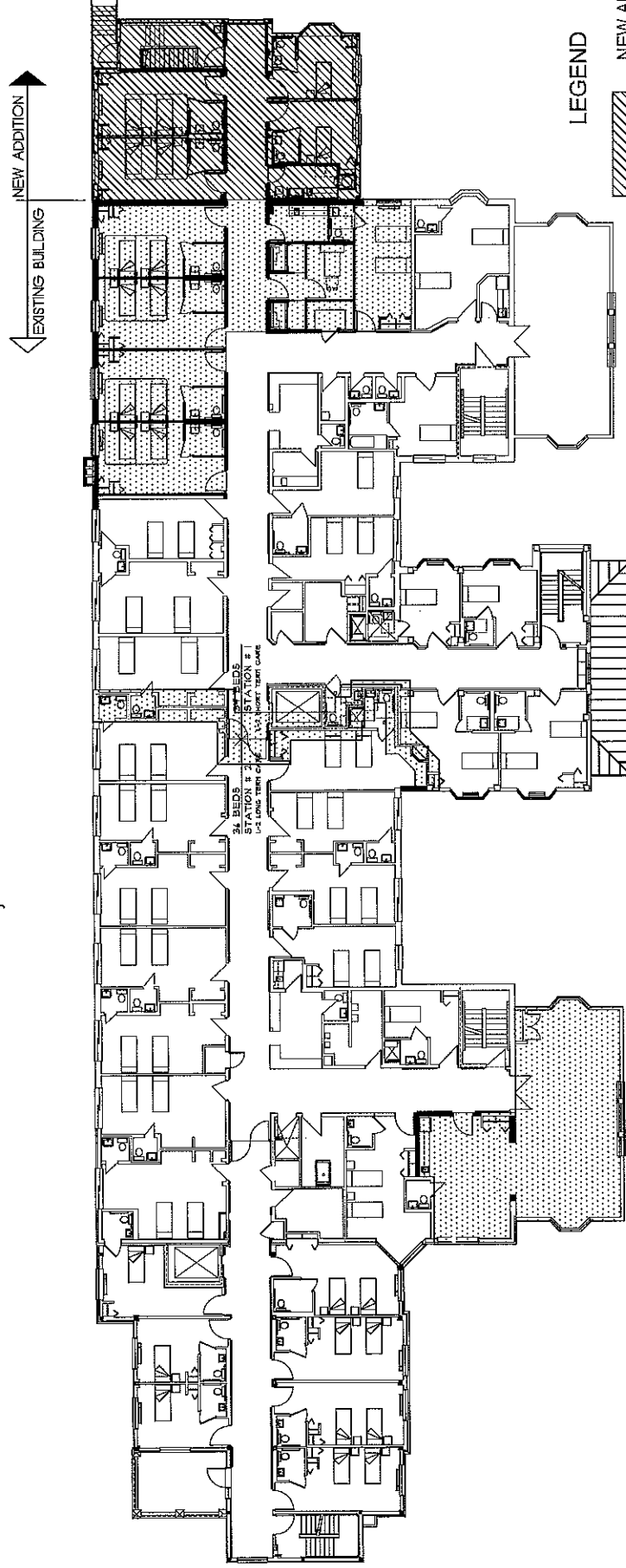
21,144 G.S.F.

LEGEND-1ST FLOOR
NEW ADDITION
1710 SQ. FT.
RENOVATION
2210 SQ. FT.

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BELMONT MANOR NURSING HOME

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RENOVATED SECOND FLOOR PLAN

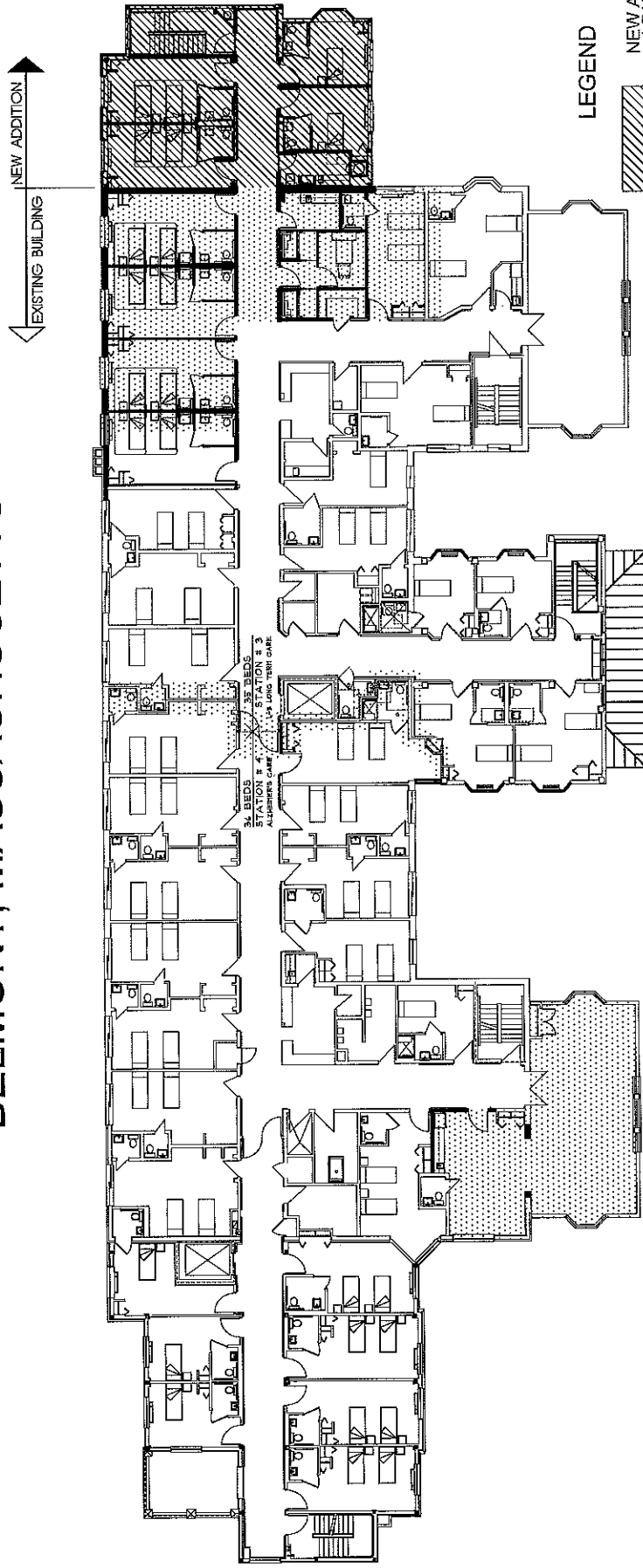
SCALE: 1"= 20'

21,600 G.S.F.

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BELMONT MANOR NURSING HOME

BELMONT, MASSACHUSETTS



RENOVATED THIRD FLOOR PLAN

21,600 G.S.F.

SCALE: 1"= 20'

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