



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SPECIAL PERMIT AND SITE PLAN REVIEW

IN THE MATTER OF:

Applicant: VetCor of Massachusetts LLC d/b/a Hingham Animal Clinic
146 Chief Justice Cushing Highway
Hingham, MA 02043

Owner: FIP Master Funding XIX, LLC
c/o Fundamental Income Properties, LLC
2425 E. Camelback Road, Suite 800
Phoenix, AZ 85016

Agent: Scott Fanara
Grady Consulting, L.L.C.
71 Evergreen Street, Suite 1
Kingston, MA 02364

Property: 146 Chief Justice Cushing Highway, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 58299 Page 334

Plan References: Site plan set entitled, "Site Plan #146 Chief Justice Cushing Highway," prepared by Grady Consulting, L.L.C., dated March 11, 2026 and revised through May 28, 2026 (4 Sheets)

Architectural plan set entitled, "Hingham Animal Clinic," prepared by Squared Architects, dated October 18, 2025 (22 sheets)

Stormwater Report entitled "Stormwater Management Design Calculations," prepared by Grady Consulting, L.L.C., dated March 3, 2026 and revised May 12, 2026

RECEIVED

JUN 29 2026
Town Clerk
Hingham, MA

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Vetcor of Massachusetts LLC d/b/a Hingham Animal Clinic (the "Applicant") for Site Plan Approval under §

I-I and a Special Permit A3 Parking Determination and/or Waiver under § V-A of the Zoning By-Law (the “By-Law”) to construct an addition and reconfigure the parking area at 146 Chief Justice Cushing Highway in the Residence C District.

The Board opened a duly noticed public hearing on the application at a meeting held on May 4, 2026 remotely via Zoom as an alternate means of public access pursuant to Chapter 2 of the Acts of 2025 temporarily suspending certain provisions of the Open Meeting Law with additional substantive sessions held on May 18, 2026 and June 1, 2026 remotely via Zoom. Members of the Board also held a public site visit on May 9, 2026. The Board panel acting on the application included its regular members Tracy Shriver, Chair, Gordon Carr, Kevin Ellis, and Gary Tondorf-Dick. The Applicant’s agent, Scott Fanara and Rick Grady, of Grady Consulting, L.L.C., presented the application to the Board, along with Dr. Heather Sacks Low of the Hingham Animal Clinic. The Board was assisted in its review by Patrick Brennan, P.E., PGB Engineering, LLC. At the conclusion of the hearing, the Board voted unanimously to grant Site Plan Approval under § I-I and a Special Permit A3 Parking Determination and Waiver under § V-A of the By-Law with conditions set forth below.

Throughout its deliberations, the Board was mindful of the statements of the Applicant, its representative, and the comments of the general public, all as made or received at the public hearing.

BACKGROUND & DISCUSSION

The subject property consists of 33,469 SF of land located on the north side of Chief Justice Cushing Highway/Route 3A. It is improved by a cape-style building that operates as a veterinary hospital under the business name of Hingham Animal Clinic. The use has existed at this location since the 1930s. As such, it is considered pre-existing nonconforming and will additionally require a Special Permit from the Zoning Board of Appeals.

The Applicant plans to remove the existing kennel and a portion of the existing building and construct a new addition to better accommodate business operations. The work will result in approximately 29,000 SF of land disturbance. The site currently provides approximately 24 parking spaces, 9 of which are located within the state highway layout of Chief Justice Cushing Highway. The project proposes to remove all spaces from within the highway layout; reconfigure the driveway to one-way circulation; and construct 24 on-site parking spaces. Dedicated handicap parking spaces are included with an accessible walkway to the entrance of the building. The Applicant provided information on the gross floor area of the building and number of employees to verify that 24 parking spaces (existing and proposed) was the minimum number required based on the Institute of Transportation Engineers standards. The Applicant also agreed to add conduit to support the installation of 4 EV charging stations in the future.

No new driveways are proposed at this site. There are two existing driveways in use, each as two-way traffic flows. The proposal retains these and converts them to one-way traffic flows. Existing sightline distances are properly designed and shall remain. The project will require a State Highway Access Permit from the MassDOT since Chief Justice Cushing Highway is a state highway.

The Board expressed support for the improved safety and circulation of the new parking layout. During the hearings, an abutter commented that visitors to the clinic sometimes trespassed on their property when walking their dogs. Other neighbors expressed concern about the commercial nature of the project in their residential neighborhood and how it would impact their views. After discussion with the Board, the Applicant added a fence along shared property lines to prevent trespass, screen the parking area, and minimize overspill from headlights.

In addition to staff, the Board's civil peer review engineer Patrick Brennan, PGB Engineers, reviewed this project to evaluate conformance with MassDEP Stormwater Management Standards and best engineering practices. Mr. Brennan's initial report for the project included a number of technical comments primarily related to the stormwater design. In addition, Mr. Brennan noted that the driveway widths at Chief Justice Highway exceed the maximum 24' allowed, but appear to be necessary for truck maneuverability. The Applicant provided a revised Site Plan and Stormwater Management Report and Mr. Brennan confirmed that all of his concerns and suggested changes had been addressed.

SITE PLAN REVIEW WAIVERS

A waiver from the Utilities Design and Performance Standards under § I-I.6.h is required to maintain the existing overhead electrical and communication services to the building. A waiver from the driveway limitations under § I-I.6.1(i)(A) is also required to maintain the width and number of the curbcuts.

SPECIAL PERMIT A3 WAIVERS

A waiver from the electric vehicle charging requirements under § V-A.5.p. of the By-Law is required since the reconstructed parking area consists of greater than 20 spaces and no charging units or infrastructure are proposed. However, the Board only partially waived this standard and requires the installation of conduit for electric vehicle charging for the four (4) spaces on the east side as a condition of this Decision.

SITE PLAN REVIEW DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The project proposes to disturb approximately 29,000 SF of land. The proposed building addition is designed in replacement of the existing kennel and a portion of the existing building. The addition footprint was designed to meet the needs of the existing business. The minimal grading proposed on site is necessary to appropriately direct overland flows from the paved areas to the stormwater management system. The post-development drainage tributary areas drainage patterns are consistent with pre-development conditions.

b. Site Design

The proposed building will be connected to the existing structure, no closer to the street and within the allowable side and rear setbacks. The project proposes to remove the parking area in front of the building in the highway layout and replace it with landscaping for additional screening. A landscape plan has been prepared by a licensed Landscape Architect. A 6' privacy fence is proposed along the three sides of the property.

c. Character and Scale of Buildings

The proposed building addition is consistent with the existing structure.

d. Preservation of Existing Vegetation and Protected Trees

The project does not propose to clear any wooded areas that could be a potential wildlife habitat. No Protected Trees will be removed from the site in connection with the project and seventeen trees will be planted.

e. Limit of Clearing

A silt sock erosion control barrier is proposed on the down gradient side of the proposed work to prevent sediment runoff.

f. Finished Grade

All proposed grades are at a 3:1 slope or less.

g. Stormwater Management

The proposed stormwater management design is in conformance with the Massachusetts Stormwater Standards. A silt sock erosion control barrier and construction entrance are proposed to minimize erosion and sedimentation. A stormwater infiltration system is proposed to promote groundwater recharge. The site has been designed so that post-development runoff shall not exceed pre-development runoff to the street and adjacent properties.

h. Utilities

The project proposes to connect to the existing water, gas, and electric services that currently serve the property. The existing septic system will be retained for sewer service.

i. Pedestrian and Vehicular Access; Traffic Management

The existing use of the site is a veterinary office. The existing traffic flow consists of two (2) two-way driveways, each with parking, and pull-in parking spaces within the highway layout in front of the building. Parking in the highway layout poses unsafe traffic conditions for vehicles backing out to leave the property. The proposal is to remove the parking in the layout and provide a one-way traffic flow with all parking spaces located on site. Traffic flows are expected to be similar to existing use. The proposed driveway is adequate for the proposed use and is significantly improved over the existing two (2) two-way driveways and unsafe parking conditions. The proposed driveway provides adequate sight distance to pedestrians, bicyclists, and motorists exiting to the public way. The existing parking within the public way will be removed to eliminate the existing unsafe traffic condition. The proposed driveway is designed with a minimum width of 12 feet.

No additional driveway openings at the street are proposed. The site provides adequate parking for the proposed use with accessible walkways to the handicap parking spaces. Vehicular traffic is significantly improved over existing site conditions. Guardrails along the outer perimeter of the parking lot are proposed for light suppression and vehicle protection.

j. Lighting

The photometric plan confirms that there will be no overspill generated by lighting on the site.

SITE PLAN REVIEW FINDINGS

- a. The proposed development, as conditioned by the Approval, will not adversely affect the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally.
- b. The proposed development meets all applicable Design and Performance Standards with the exception of those under §§ I-I.6.h and I-I.6.1(i)(A) requiring underground electric and communications services and a single curbcut. A waiver from these standards is reasonable since the existing building will be maintained and is presently serviced by overhead services and multiple driveways.

SPECIAL PERMIT A3 FINDINGS

- a. **The parking is sufficient in quantity to meet the needs of the proposed project;**
The existing use is supported by 24 parking spaces; however, 9 of those are located offsite and within the state highway layout. The proposed plan would maintain 24 spaces for the use, though all would be located within the property bounds. Twenty-four spaces is sufficient for the use, which will be improved, but not expanded in terms of operations.
- b. **Safe pedestrian access and circulation has been provided for;**
Safe pedestrian access will be achieved on site by conversion of the existing two-way travel drives to one-way travel, thereby minimizing potential conflicts with motorists. Accessible walkways will be constructed between the handicap parking spaces and building entrance.
- c. **New driveways have been designed to maximize sightline distances to the greatest extent possible;**
The reconfigured driveway curbcuts significantly improve existing conditions by controlling entrance and exits through a one-way traffic pattern. The proposed driveway provides adequate sight distance to pedestrians, bicyclists, and motorists exiting to the public way.

- d. **It is impractical to meet one or more of the Design Standards and that a waiver of such Standards will not result in or worsen parking, traffic or pedestrian safety problems on-site or on the surrounding streets, or adversely affect the value of abutting lands and buildings;**

As noted in Approval Criteria "a.", the Board has determined that the number of spaces are sufficient for the use of the property. The parking spaces and drive aisles comply with all dimensional standards under § V-A of the By-Law; however, the plan does not comply with the electric vehicle charging requirements under § V-A.5.p. A waiver of the Standard will not result in parking, traffic or pedestrian safety problems either on site or in the area. A waiver of this standard is consistent with the relief requested from the underground electric service standard under Site Plan Review. Conduit for future infrastructure of electric charging stations for the four (4) spaces on the east side is required.

- e. **Except as specifically provided under sub§ d. above, the proposed parking area(s) meet applicable Design Standards;**

The parking spaces and drive aisles comply with all dimensional standards under § V-A of the By-Law.

- f. **The granting of this Special Permit is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.**

Issuance of the Special Permit A3 under § V-A for a Parking Determination and Waiver of the requirements under § V-A.5.p will not increase risk of accidents or impair access to the site. In fact, the project will improve circulation through the site and eliminate a safety concern associated with the parking spaces within the state highway layout.

MOTION

Upon a motion made by Tracy Shriver and seconded by Kevin Ellis the Board voted unanimously to GRANT the application of VetCor of Massachusetts LLC d/b/a Hingham Animal Clinic for Site Plan Approval under § I-I and a Special Permit A3 Parking Determination and Waiver under § V-A of the By-Law to construct an addition and reconfigure the parking area at 146 Chief Justice Cushing Highway in the Residence C District, subject to the following conditions:

1. **Proof of Recording.** The Applicant shall file a certified copy of this decision in the Registry of Deeds and provide evidence of such recording with the application for a building permit.
2. **Pre-Construction Meeting.** A preconstruction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required before work on the site commences.
3. **Limits of Work. Tree Protection Areas.** During clearing and/or construction activities, the marked limit of work shall be maintained until all construction work is completed and the site is cleaned up. All vegetation beyond the limit of work shall be retained in an undisturbed state and no stockpiling of topsoil or storage of fill, materials, or equipment

may occur within the protected area. Without limiting the foregoing, Protected Trees to be retained shall be surrounded by temporary protective fencing or other appropriate measures before any clearing or grading occurs, and maintained until all construction work is completed and the site is cleaned up. Protective barriers shall be large enough to encompass the Critical Root Zone of all Protected Trees to be preserved. Inspection of the protective barriers shall be required before issuance of a Building Permit.

4. EV Conduits. Applicant has agreed to install conduit for future installation of four (4) EV charging stations at a later date for the four (4) spaces on the east side of the site plan, adjacent to the handicapped spaces.
5. Construction Vehicles. All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day. In the event it is not feasible for construction vehicles to park onsite, the Applicant shall schedule a police detail to safely direct traffic.
6. Inspections. Inspections shall be required during construction, and prior to issuance of a certificate of occupancy, of all elements of the project related to or affecting erosion control, limits of work, and the approved drainage and stormwater system installed for the project. The Planning Board may require, at the applicant's expense, the establishment of a consultant fee account pursuant to Massachusetts General Laws Chapter 44 § 53G, to fund the cost of such inspections.
7. As-Built Plan Requirement. Upon project completion an as-built plan must be submitted to the Building Commissioner and Community Planning Department prior to the issuance of a certificate of occupancy, and in no event later than two years after the completion of construction. In addition to such other requirements as are imposed by the Building Commissioner, the as-built plan must demonstrate substantial conformance with the stormwater system design and performance standards of the approved project plans. The as-built plan must also demonstrate substantial conformance with all other aspects of the approved project plans, including landscaping.
8. Maintenance of Protected Trees. Each Protected Tree retained, and all new trees planted to mitigate the removal of Protected Tree(s), shall be maintained in good health for a period of no less than twenty-four (24) months from the date of final inspection, or issuance of a Certificate of Occupancy, if applicable. Should such tree(s) die or be removed within such twenty-four (24) month period, the owner of the property shall be required to replace such tree with a tree consistent with the requirements within nine (9) months from the death or removal of such Protected Tree or new tree.

For the Planning Board,



Tracy Shriver
June 29, 2026

In Favor: Kevin Ellis, Gary Tondorf-Dick, Gordon Carr, Tracy Shriver

Opposed: None

This decision shall not take effect until a copy of the decision bearing the certification of the Town Clerk that twenty (20) days have elapsed since the decision has been filed in the office of the Town Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded with the Plymouth County Registry of Deeds and/or the Plymouth County Land Court Registry, and indexed in the grantor index under the name of the record owner or is recorded and noted on the owner's certificate of title.