



TOWN OF HINGHAM

Board of Appeals

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Town Clerk
Hingham, MA

NOTICE OF DECISION SPECIAL PERMIT

IN THE MATTER OF:

Applicant: Vetcor of Massachusetts
146 Chief Justice Cushing Highway
Hingham, MA 02043

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

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

Deed Reference: Plymouth County Registry of Deeds, Book 58229, Page 3334

Plan and Document References: Site Plan package for 146 Chief Justice Cushing Highway, including Existing and Proposed Conditions, Stormwater System Detail, Parking Configuration (pre and post development) and Planting and Landscape plan, "prepared by Grady Consulting, L.L.C., dated March 11, 2026 and revised through May 28, 2026 (4 Sheets);

Architectural Plans, entitled "Hingham Animal Clinic, Hingham, Massachusetts", prepared by L Squared Architects, dated October 12, 2025 (22 Sheets);

Stormwater Management Design Calculations, prepared by Grady Consulting, L.L.C., dated March 3, 2026 and revised through April 9, 2026 (89 Sheets).

SUMMARY OF PROCEEDINGS

This matter came before the Board of Appeals (the "Board") on the application of Vetcor of Massachusetts (the "Applicant") for a Special Permit A1 under Section III-I.1.c. of the Zoning By-Law (the "By-Law"), and such other relief necessary, to construct an addition to a pre-existing nonconforming commercial building and to extend the pre-existing nonconforming use of the Hingham Animal Clinic, located at 146 Chief Justice Cushing Highway, in Residence District C.

The Board heard the application at a duly advertised and noticed public hearing on Tuesday, May 19, 2026, during a meeting held via Zoom as an alternate means of public access pursuant to Chapter 2 of the Acts of 2025 and all other applicable laws temporarily amending certain provisions of the Open Meeting Law. The Board of Appeals panel consisted of regular members Robyn Maguire, Chair, Paul K. Healey and Jed Ruccio. The May 19, 2026 public hearing was opened by the Board, discussion was held, and then continued to Tuesday, June 15, 2026. At the conclusion of the June 15, 2026 hearing, the Board voted unanimously to grant the requested Special Permit A1 with conditions set forth below.

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

BACKGROUND AND DISCUSSION

The subject property consists of approximately 33,469± SF of land (where 40,000 SF is required) and is located in Residence District C, with 184± feet of frontage on Chief Justice Cushing Highway (where 150' frontage is required). The lot is improved by a commercial building (ca. 1950) that is operated as an animal clinic.

While an animal or veterinary hospital is currently permitted under the Zoning By-Law with a special permit A2, there is no record of such a Special Permit being issued to the clinic. Records show however, that the business has been in operation since 1950, establishing it as a legally pre-existing nonconforming use.

The Applicant is proposing to expand the building off the rear of the building with a 1,200± SF conforming addition. The addition will contain additional exam rooms, as well as a new X-Ray and surgical room. They are also reconfiguring the parking layout on the site. The updated site design reconfigures the parking layout, removing nine parking spaces that presently sit within the highway layout out of Chief Justice Cushing Highway. The Applicant will be moving them to rear of the property, moving all parking onto the site. To screen the enlarged parking area, the Applicants will install a 6' foot privacy fence around the entirety of the parking area, as well as giant arborvitaes for screening.

Where the Applicant is proposing to extend the pre-existing nonconforming use and structure, a Special Permit A1 under Section III-I.1.c. is required with a finding by the Board as to whether or not the extension/expansion is more detrimental to the neighborhood.

FINDINGS

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the hearing, the Board made the following findings in accordance with the Special Permit Approval Criteria under Section I-H, 2 and Section III-I.1.c.:

- a. **Use of the site is in harmony with the general purpose and intent of the Zoning By-Law.** The proposed conforming addition meets the required sections of the Zoning By-Law, including Section IV-A – the Schedule of Dimensional Requirements.
- b. **The proposed use complies with the purposes and standards of the relevant specific sections of this By-Law.** The use is a protected pre-existing nonconforming use. The expansion of both the use and the pre-existing nonconforming structure are allowed under Section III-I.1.c if the Board finds that both expansions are not more detrimental to the neighborhood.
- c. **The specific site is an appropriate location for such use, structure, or condition, compatible with the characteristics of the surrounding area.** The proposed addition is an appropriate location as it is expanding an existing use that has been operating on the property since approximately 1950.
- d. **The use as developed and operated will create positive impacts or potential adverse impacts will be mitigated.** The expansion of the property is improving the parking both with a new circulation patten, but will also remove the current parking spaces that are presently located within the State Highway layout on Chief Justice Cushing Highway.
- e. **There will be no nuisance or serious hazard to vehicles or pedestrians.** With the removal of the parking space out of the highway layout, it will actually improve the safety for vehicles and patrons of the vet clinic.
- f. **Adequate and appropriate facilities exist or will be provided for the proper operation of the proposed use.** The property is served by public water and on-site sewer that will continue to support the property.
- g. **The proposed Project meets accepted design standards and criteria for the functional design of facilities, structures, stormwater management, and site construction:** The proposed project has been designed by a Civil Engineer and the Stormwater Management on the Site will be improved with the proposed Stormwater plan.

DECISION

Upon a motion made by Paul K. Healey and seconded by Jed Ruccio, the Board found that the proposed alteration, reconstruction, extension, or structural change will not be substantially more detrimental to the neighborhood than the existing nonconforming structure and voted unanimously to GRANT to Vetcor of Massachusetts, a Special Permit A1 under Sections III-I.1.c of the Zoning By-Law to construct an addition to a pre-existing nonconforming commercial structure, and expand the pre-existing nonconforming use, at 146 Chief Justice Cushing Highway, in Residence District C, subject to the following condition:

1. The work shall be completed in accordance with the application and approved plans, any other applicable provisions of the Zoning By-Law, and the representations made during the public hearing.

For the Board of Appeals,



Robyn Maguire, Chair

June 29, 2026

This Decision shall not become effective until (i) the Town Clerk has certified on a copy of this decision that twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed or that if such an appeal has been filed, that it has been dismissed or denied, and that (ii): a copy thereof has been duly recorded in the Plymouth County Registry of Deeds and indexed in the grantor index under the name of the owner of record.