

TOWN OF FRANKLIN
INSPECTION DEPARTMENT
Building Inspection – Division of Wires – Division of Gas
Division of Plumbing
MUNICIPAL BUILDING – 355 East Central Street
Franklin, Massachusetts 02038

Lloyd (Gus) Brown
Building Commissioner

Telephone: 508-520-4926
FAX: 508-520-4906

ZONING REVIEW

APPLICANT Love is Life Veterinary Clinic

LOCATION: 447 East Central Street

ZONING DISTRICT: Commercial II

TYPE OF PROJECT: Operate a Spay and Neuter Business

DATE: 03/28/2025 **DENY**

Special Permit

ZONING BY LAW SECTIONS: 185 Attachment 3 Section 2.2

REASON FOR DENIAL: Applicant is seeking to operate a non profit spay and neuter clinic and referral surgical center. The use is denied without a Special Permit from the ZBA.

APPEAL OF DENIAL OPTIONS:

ZONING BOARD OF APPEALS

APPLICANT SIGNATURE _____ **DATE**

ZONING OFFICIAL SIGNATURE LAB _____ **DATE** 03/28/2025



ZBA APPLICATION FORM
SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria in accordance with Zoning Bylaw Section 185-45(D)(2)(a) referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits for which additional criteria must be met under the Zoning Bylaw.

185-45(D)(2)(A) BOARD OF APPEALS: TO HEAR AND DECIDE APPLICATIONS FOR SPECIAL PERMITS UPON WHICH THE BOARD IS EMPOWERED TO ACT UNDER THIS CHAPTER. SPECIAL PERMITS SHALL BE GRANTED BY THE BOARD OF APPEALS ONLY UPON ITS WRITTEN DETERMINATION THAT THE PROPOSED USE WILL NOT HAVE ADVERSE EFFECTS WHICH OVERBALANCE ITS BENEFICIAL EFFECTS ON EITHER THE NEIGHBORHOOD OR THE TOWN, IN VIEW OF THE PARTICULAR CHARACTERISTICS OF THE SITE AND OF THE PROPOSAL IN RELATION TO THAT SITE. THIS DETERMINATION SHALL BE IN ADDITION TO THE FOLLOWING SPECIFIC FINDINGS:

- (1) Proposed project addresses or is consistent with neighborhood or Town need.

- (2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.

- (3) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.

- (4) Neighborhood character and social structure will not be negatively impacted.

- (5) Project will not destroy or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate.

- (6) Number, height, bulk, location and siting of building(s) and structure(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates.

- (7) Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive.

1) Proposed Project addresses or is consistent with the neighborhood or town needed.

447 E Central Street, Franklin Ma is Zoned C2 commercial use.

Love is life Veterinary Clinic is a charitable nonprofit clinic that provides predominantly surgical and dental veterinary services to the underserved pets and owners of Central New England for whom surgical care is the only treatment option. Our goals are to provide high quality care to underserved clients and patients, prevent animals from being surrendered to shelters due to lack of owner resources, and prevent economic euthanasia. To promote animal welfare in the community and serve the community generally, we will do the following: collaborate with local veterinary clinics, rescues, and shelters, including by assisting in their spay/neuter programs; hold feral clinics; and work with Trap-Neuter Return organizations to decrease the stray cat population. There are no Veterinary clinics in Norfolk County serving the underserved clients and would make a great asset to the county.

2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.

At LILVC shelters and clients will be dropping off pets between the hours of 7-8am and a staggered pick up between 2-5pm. Drop off will take about 5 minutes and pickup 5-10 minutes. Our projected case load will be between 15-20 patients per day, and this will be a mix of shelter (one carload) and individual clients. We do not think there will be any impact in excessive traffic flow to the area. There will be 3-4 employees during the hours of operations. There are a total of 30 parking spaces and 20 of the 30 are accessible to us including handicap accessible.

3) Public roadway, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.

There will not need to be any changes in infrastructures already in place as they are adequate for our needs. There will be no change to the space we are requesting to occupy.

4) Neighborhood character and social structure will not be negatively impacted. There will be no negative impact to the social structure of the town. LILVC will be an asset to the town as we are going to be serving the community not only in the town of Franklin but in the surrounding towns and will bring more patrons to the surrounding businesses.

5) Project will not destroy or cause substantial damage to any environmentally significant natural resource, habitat, or features or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate.

There will be no negative impact to the environment, natural resources, habitat or features. We plan on having recycling services as part of our waste management plan.

6) Number, height, bulk, location and sitting of building (s) and structure (s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates.

There will be no change to the existing building/structure and will have no impact on the abutting properties. LILVC will take the necessary actions to control noise by the following:

In veterinary clinics housing canines prior to surgery there is the occasional barking. We will minimize this by situating cage space to prevent the patients from seeing each other which will help not only with the anxiety for that patient but aid in their natural need to vocalize. We will plan our day based on treating the most vocal patients first, giving them the sedation required for their procedure, and contacting the shelter/owner for first pick up.

We will also be following all OSHA guidelines with appropriate labeling for products used, and dispose of any hazardous waste appropriately.

7) Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive.

The water usage for LILVC will not impact the local water or the wastewater treatment capacity.

Water used for equipment needed for LILVC will require distilled water which will be purchased and not made in-house. The equipment that will require this will be an autoclave and dental machine. Daily cleaning and use of a mop bucket of water per day and hand washing and instruments will be the extent of water usage. We will be using accelerated hydrogen peroxide cleaning products which are not only safe for the environment but pet safe as well.

TOWN OF FRANKLIN ZONING BOARD OF APPEALS

Municipal Building
355 East Central Street
Franklin, MA 02038
508-520-4926

ZBA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Love Is Life Veterinary Clinic PRESENT USE/OCCUPANCY: Empty

LOCATION: 447 E Central St 5 ZONE: _____

PHONE: 774-287-9798 REQUESTED USE/OCCUPANCY: Veterinary Clinic

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
<u>Lot Area:</u>	<u>NO</u>	<u>Change</u>	_____ (min.)
<u>Continuous Frontage:</u>	_____	<u>↓</u>	_____ (min.)
<u>Size of Lot:</u>	Width	<u>↓</u>	_____ (min.)
	Depth	_____	_____ (min.)
<u>Setbacks in Feet:</u>	Front	_____	_____ (min.)
	Rear	_____	_____ (min.)
	Left Side	_____	_____ (min.)
	Right Side	_____	_____ (min.)
<u>Building Height:</u>	Stories	_____	_____ (max.)
	Feet	_____	_____ (max.)
<u>NO. of Dwelling Units:</u>	_____	_____	_____ (max.)
<u>NO. of Parking Spaces:</u>	_____	_____	_____ (min./max)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

SEE FRANKLIN ZONING BYLAW ARTICLE 185, ATTACHMENT 9.

TOWN OF FRANKLIN
ZONING BOARD OF APPEALS

Municipal Building
355 East Central Street
Franklin, MA 02038
508-520-4926

ZBA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed and returned to the Secretary of the Zoning Board of Appeals.

I/We Maksim Khengo _____
(OWNER)

Address: 893 Washington St Franklin MA 02038

State that I/We own the property located at 447 E Central St,
which is the subject of this zoning application.

The record title of this property is in the name of NKhengo LLC

*Pursuant to a deed of duly recorded in the date 3-5-2020 Norfolk
County Registry of Deeds at Book 37653, Page 98; or
Dedham Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Maksim Khengo
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

NOT AN OFFICIAL COPY NOT AN OFFICIAL COPY

QUITCLAIM DEED

SIMONE FAMILY REALTY, LLC, a limited liability company organized under the laws of the Commonwealth of Massachusetts with an address of 40 Westboro Road in Upton, MA 01568,

In consideration of Eight Hundred and Seventy Thousand Dollars (\$870,000.00) and zero cents,

Grant to NXHENGO, LLC, a limited liability company organized under the laws of the Commonwealth of Massachusetts with a usual place of business at 893 Washington Street, Franklin, Massachusetts 02038,

With Quitclaim Covenants

The land in Franklin, Norfolk County, Massachusetts, with the buildings thereon, situated on the Northerly side of east Central Street, bounded and describe as follows:

Beginning at said East Central Street at an iron pipe set in the ground by a brook, and at land or late of one Paine, and thence running

NORTHEASTERLY by said land now or later of Paine, three hundred twenty (320) feet to an iron pipe set in the ground at an old fence; thence turning and running

NORTHWESTERLY one hundred ten (110) feet by said old fence to an iron pipe set in the ground; thence turning and running

SOUTHWESTERLY three hundred twenty (320) feet by land nor or formerly of Edward S. Cook, to an iron pipe set in the ground at said East Central Street by a maple tree; and thence turning and running

SOUTHEASTERLY by said East Central Street, one hundred ten (110) feet to the point of beginning.

Containing 35,000 square feet, more or less.

The grantor certifies that it is not classified as a corporation for federal income tax purposes for the taxable year in which this sale is made.

447 East Central Street, Franklin, MA 02038

CAI Property Card

Town of Franklin, Massachusetts



GENERAL PROPERTY INFORMATION	BUILDING EXTERIOR
LOCATION: 447 EAST CENTRAL ST ACRES: 0.89167 PARCEL ID: 284-005-000-000 LAND USE CODE: 031 - COM/RES CONDO COMPLEX: OWNER: NXHENGO LLC CO - OWNER: MAILING ADDRESS: 893 WASHINGTON ST FRANKLIN, MA 02038 ZONING: MassGIS LocID #: M_210162_869996	BUILDING STYLE: SHOP CENTER YEAR BUILT: 1960 FRAME: WOOD EXTERIOR WALL COVER: CON/CN BLOCK ROOF STYLE: GABLE ROOF COVER: ASPHALT SHGL
SALE INFORMATION SALE DATE: 3/5/2020 BOOK & PAGE: 37653-098 SALE PRICE: \$870,000 SALE DESCRIPTION: SELLER: SIMONE FAMILY REALTY LLC	BUILDING INTERIOR INTERIOR WALL: DRYWALL FLOOR COVER: CARPET HEAT TYPE: FORCED H/A FUEL TYPE: GAS PERCENT A/C: 40 SOLAR HOT WATER: NO CENTRAL VACUUM: NO # OF ROOMS: 4 # OF BEDROOMS: 1 # OF FULL BATHS: 1 # OF HALF BATHS: 7 # OF ADDITIONAL FIXTURES: 5 # OF KITCHENS: 2 # OF FIREPLACES: 0 # OF WOOD STOVE FLUES: 0
PRINCIPAL BUILDING AREAS GROSS BUILDING AREA: 6,627 FINISHED BUILDING AREA: 5,988 BASEMENT AREA: 0 # OF PRINCIPAL BUILDINGS: 1	OTHER FEATURES ATTACHED GARAGE: 0 # OF BASEMENT GARAGES: 0 DETACHED GARAGE: POOL: NO
SKETCH 	PHOTO



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.