

**TOWN OF MEDWAY**  
**ZONING BOARD OF APPEALS**  
**MINUTES OF MEETING APRIL 14, 2010**

Messrs. Musmanno, Cole, Biocchi and Gluckler and Ms. Gould were present. The Chair called the meeting to order at 7.20 p.m.

The Board signed the revised plans for the Fox Run Development.

The Chairman announced that Rhonda Marshall had withdrawn her application for a Special Permit for an auxiliary family dwelling unit.

By unanimous consent, the Board proceeded to hear the application of NWG Auto Repair, on whose behalf appeared Mr. Joseph Green, the Treasurer of the corporation and Mr. Palino of Honeydew Donuts, the potential franchisor of the proposed coffee shop. The applicant presented a plan by Derek Miller showing that there would be no change in the footprint of the existing building, but that the two present front bay doors would be framed off and windows installed, with no change to the bulk height of the building. In the interior space thus created, a coffee shop would be installed with a drive-up window, which would permit stacking of at least ten cars would back-up on to the public way. There would be a new menu sign and added curbing a shrubbery, with additional parking provided in the rear on a separate lot rented by the applicant. There would be no new curb cuts to the public way. The existing bathrooms would be enlarged and their external doors removed, so that access to the bathrooms would now be from the interior of the coffee shop. The lot size is approximately 22,000 square feet, with about 3500 square feet being covered by the building. The estimate of business is about 350 transactions per day, with 200 of these occurring in the 6 to 9 am peak hours. Typical turnaround time is about one minute. There is proposed to be an awning over the drive-thru window, and an additional Honeydew sign on the building.

The Chairman drew attention to the fact that the rear setback of the building did not meet present zoning requirements. The existing building and present use is pre-existing non-conforming, but the change of use required for installation of the coffee shop would require a variance as well as a special permit. Board members expressed concerns over possible traffic problems caused by westbound traffic turning

left into the entrance to the coffee shop, relatively close the lights at Holliston and 109, and the possibility of traffic waiting at the coffee shop spilling back on to 109 between the two adjacent sets of stop lights. Despite these indicated problems, the applicant indicated a wish to proceed with this application.

Mr. Cranston Rogers, a member of the Planning Board for the last five years, appeared and advised the Board that on the preceding day, April 13, the Planning Board has voted 5-0 to express their opinion that this Special Permit should not be granted based upon traffic considerations. The drive-thru window at Dunkin Donuts, located on 109 on the opposite side of Holliston Street, is already causing problems with traffic backing up on to 109, despite having much more queuing space than the NWG lot. Customers may not always be able to clear the building immediately, and with 20 to 50 vehicle movements per hour, traffic movements related to the coffee shop may adversely affect the stop lights at the adjacent intersections on both sides of the subject lot, and these intersections may fall to level D or F.

With the applicants' consent, and on a motion moved by Mr. Biocchi, seconded by Mr. Musmanno and passed unanimously, the hearing was continued to May 5, 2010 at 7:30 pm.

There being no further business before the Board, the meeting closed at about 8:55 pm.