

TOWN OF MEDWAY
ZONING BOARD OF APPEALS
MINUTES OF MEETING MAY 1, 2013

The Chairman called the meeting to order at 7.55 p.m. with Messrs. Musmanno, Biocchi and Cole and Ms. Gould present.

By unanimous consent, the Board agreed to proceed immediately with the hearing on the application of Charter Realty, on whose behalf Ms. Karen Johnson appeared. In view of the completeness of the Petition and supporting Written Statement, the applicant waived any oral opening statement, and the hearing proceeded immediately to questions from the Board. The applicant noted that the Planning Board and the Selectmen had reviewed the existing McDonald's drive-thru extensively. The building housing Starbucks (on whose building the proposed drive-thru is to be located) has adequate parking for the three existing tenants. Although the applicant recognized that the common exit from McDonalds and Starbucks is something of a choke point, applicant's representative pointed out that neither McDonalds nor Starbucks has direct access off Route 109, so that it is movement within a shopping center well away from the main highway which is being discussed. Furthermore, traffic at this point will be eased by the changes in the landscaping on the opposed side of the main driveway from Starbucks, which will avoid conflicts between traffic leaving the Star Market parking lot and traffic leaving McDonalds/Starbucks. Applicant's representative further noted that the present plan was adopted after three or four earlier iterations of a plan had been rejected, including one which would involve the construction of a complete building for Starbucks with a drive-thru an existing landscaped area.

A further lengthy discussion regarding traffic issues then developed. The applicant confirmed that there had been no approach to the Planning Board to date, and again drew attention to the details of the reworking of the Star Market parking to reduce conflicts. The applicant further noted that the proposed drive-thru reduces the number of parking spaces on the side of Starbucks facing McDonalds and reduces the width of the exit facing McDonalds, making it one-way; this will substantially reduce the number of vehicles leaving Starbucks by this exit.

There were no questions or comments from the public.

A motion to close the hearing was made by Mr. Cole, seconded by Mr. Biocchi and passed by a vote of 3-1, with Mr. Musmanno opposed.

By unanimous consent, the Board immediately began deliberations on the application of Charter Realty. A motion was made by Mr. Biocchi, seconded by Ms. Gould, and passed unanimously to find that the proposed use would not be a substantial detriment to the public good. A further motion was made by Mr. Cole, seconded by Mr. Biocchi and passed unanimously to find that grant of the proposed Special Permit would not be inconsistent with any of the criteria set out in Section III.J of the Zoning ByLaw.

Accordingly, a motion was made by Mr. Cole, seconded by Mr. Musmanno and passed unanimously to grant to the applicant Capital Realty I and II a Special Permit in accordance with Section V.G.1.j of the Zoning ByLaw for a drive-thru facility primarily at Lot AA at 65, 67 and 67D Main Street.

A motion to approve the Minutes of the Board's April 17, 2013 meeting as submitted by the Clerk was made by Ms. Gould, seconded by Mr. Musmanno and passed by a vote of 3-0; Mr. Biocchi abstained since he was not present at the earlier meeting.

A motion to adjourn was made by Mr. Cole, seconded by Ms. Gould and passed unanimously; the Board adjourned at about 9.25 p.m.