

**CITY OF METHUEN  
COMMUNITY DEVELOPMENT BOARD**

**NOTICE OF DECISION- SPECIAL PERMIT APPROVAL**

Section XI-D (12) (d)(iii) Drive-up Retail, Business or Service Establishment, Drive-up or Drive-through Restaurant, and Stand-Alone Kiosk, Drive-through or Walk-up  
**Operate after Midnight**

**40 Jackson Street**

Case No. 2025-3  
Date of Application: 10-01-2025  
Date of Hearing: 11-12-2025  
Date of Decision: 11-19-2025

**Petition of:** Crescent Group MA, LLC/McDonald's  
40 Jackson Street  
Methuen, MA 01844

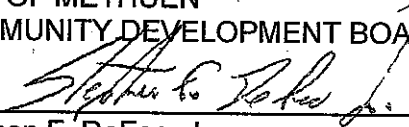
**Premises Affected:** 40 Jackson Street  
Assessor's Map 816-96-11  
Business Highway (BH) Zoning District

Referring to the above petition for a Special Permit from the requirements of Section XI-D (12) (d)(iii) of the City of Methuen Comprehensive Zoning Ordinance to allow the operation of a drive-up window at McDonald's after midnight in the BH (Business Highway) Zone.

At a public hearing held on November 12, 2025, the Community Development Board voted UNANIMOUSLY (5-0) to **APPROVE WITH CONDITIONS** the special permit for the drive-up window to operate after midnight from 5 AM until 2 AM.

This is to certify that the above action was taken in compliance with the statutory requirements as set forth in Chapter 40A of the General Laws, and that a copy of this decision was filed with the City Clerk on **November 19, 2025**.

CITY OF METHUEN  
COMMUNITY DEVELOPMENT BOARD

By:   
Stephen F. DeFeo, Jr.  
Chairman, Community Development Board

**Any appeal of this decision shall be made pursuant to the requirements of Massachusetts General Laws and shall be filed within twenty (20) days after the date the notice of decision was filed with the Methuen City Clerk.**

**I hereby certify that no appeal has been filed in the Methuen City Clerk's Office, within the twenty (20) day appeal period.**

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Anne J. Drouin, Methuen City Clerk

2025 NOV 19 PM 2:03

CITY CLERK'S OFFICE  
METHUEN, MA

### **FINDINGS OF FACT:**

Crescent Group LLC/McDonald's filed an application for a Special Permit on October 1, 2025. The applicant submitted a complete application, which was noticed and reviewed in accordance with Section XI Special Permits of the City of Methuen Comprehensive Zoning Ordinance and MGL Chapter 40A, Section 9.

The site, which contains approximately 6.92 acres of land, contains an existing shopping center, Dunkin Donuts, and McDonald's. The proposed special permit concerns the existing McDonald's drive through.

The Applicant has requested a special permit to allow the drive through to operate after midnight from 5 AM until 2 PM. The Applicant is seeking to enhance their services to the community-particularly early morning and late-night patrons who rely on delivery services such as UberEATS, Door Dash, and Grubhub. A significant portion of the off-peak orders are placed through these platforms and extended drive-through hours will allow delivery drivers to meet customer demand more efficiently. No physical changes to the property are planned. The drive through does not have any loudspeakers, amplifiers or paging systems. The existing drive-through has a speaker box where the orders are placed and this will not change.

The public hearing on the above referenced application was opened and closed on November 12, 2025. Jeremy Hinton, Crescent Group MA, LLC made a presentation to the Board. No one spoke in favor of or against the project. The Board reviewed correspondence from the Police Department. The Department support the request to extend the drive-through operating hours. They anticipate minimal impact on the surrounding neighborhood and residential abutters in terms of traffic, noise, and public safety. The Department recommended that the Board review the operating hours 90 days after opening at which time the Department will report on the impact of the extended hours to the Board. If the Board determines that there are negative impacts to the neighborhood, they may determine that the conditions of this Special Permit have not been met and rescind the permit.

Upon a motion by Mr. Comei and seconded by Ms. Plunkett, the Board voted unanimously (5-0) to close public hearing. Upon a motion by Ms. Plunkett, seconded by Mr. Kassis, the Board voted unanimously (5-0) to GRANT the Special Permit with Conditions.

The following Board members participated in the hearing and voted on the decision: Michael Comei, Neal Hunter, Shaddi Kassis, Stephen DeFeo, and Heather Plunkett.

This approval is granted subject to the accuracy of the information, reports and data presented. In the instance where the Board is of the belief that this material was inaccurate as presented or has subsequently become unreliable the Board may conduct a determination hearing to consider requiring further review or mandating current and reliable data and information for subsequent approval.

As required by the City of Methuen Comprehensive Zoning Ordinance Effective July 28, 2008, **Section XI-B**, based upon the applicant's testimony, plans submitted and information provided, the Community Development Board makes the following findings:

- A. The proposal serves social, economic and community needs. The drive-through will operate for similar hours to the surrounding drive-through restaurants. This will allow McDonald's to better serve those who utilize delivery services during the early morning or late-night hours.
- B. The proposed use will result in no impact on traffic flow.
- C. The proposed use will utilize no public services.
- D. The neighborhood character and social structure will not be impacted by the proposal. The drive-through restaurant is located within an existing shopping plaza.
- E. The proposed use has no impact on the natural environment.
- F. The proposed use will have no impact on City services.
- G. The proposal is consistent with the most recent City of Methuen Master Plan.

**SPECIAL CONDITIONS:**

The Community Development Board finds that this project generally complies with the City of Methuen Zoning Ordinance requirements as listed in Section XI-B. The Community Development Board hereby grants approval to the applicant provided the following conditions are met:

- 1) **The drive-through will operate as follows:**
  - **Open at 5AM daily**
  - **Close at 2 AM daily**
- 2) **Within 90 days of opening, the Methuen Police Department will report to the Community Development Board regarding any impacts to the neighborhood of these extended hours.** If the Board determines that there are negative impacts to the neighborhood, they may determine that the conditions of this Special Permit have not been met and rescind the permit.
- 3) One certified copy of the recorded decision must be submitted to the Community Development Office.
- 4) The Applicant must comply with the Methuen Municipal Code Article VI Section 9-61. Regulation of Loudspeakers, Amplifiers, and Paging Systems.
- 5) To reduce noise levels the Project Owner shall keep in optimum working order, through regular maintenance, all equipment that shall emanate sounds from the structures or site.
- 6) Within five (5) days of the transfer of ownership of this site in whole or in part, the Project Owner shall notify the Community Development Department of the name and address of the new owner(s). The Project Owner shall provide the new owner(s) with a copy of these conditions.
- 7) The Community Development Board hereby reserves the right to serve notice on applicants of a cease-and-desist work order should a violation of the endorsement, the approval, the conditions or the restrictions be found to exist. Such cease and desist work order, when served in writing, directing itself to the violation occurring, shall act to prohibit all work on the areas as mentioned in such order.