



Georgetown Zoning Board of Appeals

Memorial Town Hall ♦ One Library Street ♦ Georgetown, MA 01833

MINUTES OF A PUBLIC HEARING

ZBA FILE #12-08/FY13 file # 13-03

Olbash School of Driving, 154 Essex Street, Swampscott, MA 01907

Edward Olbash (Applicant)

Special Permit

September 4, 2012

Board Members Present:

Paul Shilhan, Chairman
Gina Thibeault, regular member
Sharon Freeman, regular member
Dave Kapnis, regular member
Jeff Moore, associate member

Zoning Clerk: Patty Pitari
Applicant; Edward Olbash

P. Shilhan opened the Hearing at 8:30pm. D. Kapnis read legal ad; An Application has been made by the Olbash School of Driving, 154 Essex Street, Swampscott, MA 01907 for the property at Central St., Georgetown MA, 01833. The property is located in the CB District, properties in this district are required to receive a Special Permit from the Board of Appeals for a Private Educational Use (driving school), under M.G.L. 40A §9, and the Georgetown Zoning Bylaws Chapter 165-2, 9,78 & 79. The applicant has proposed to Lease space from the Central Street Plaza Georgetown LLC, c/o Compass Realty Associates 300 Trade Center, Suite 7700, Woburn, MA 01801. The premises affected is 65 Central Street, in the CB district and identified on the Assessor's Map 10B, Lot 4.

P. Shilhan introduced the board members.

Applicants Presentation:

Ed Olbash – I live in town and have owned and operated the school in Swampscott for more than 20 years, my wife, and 3 children have been residents of Georgetown for 8 years, I would like to establish a second driving school here in Georgetown at 65 Central Street.

P. Shilhan – So this is for a Private Educational use which is allowed by special permit. What will you be doing there and will you be leaving cars in the lot?

E. Olbash – I will be offering driver education services, such as classroom instruction, on the road instruction, parent classes, as well as license examination services. At this time I will not be leaving the car there, I would be taking the car home with me.

J. Moore – How many students and what would hours be?

Ed – It's about 12 students, and it would be normal business hours, it depends on the time of the year, sometimes after school, and evenings 7-9pm and in the summer time, during the day.

S. Freeman – Is there pickup and drop off at the high school also? What about the drop off's and pickups, for the safety of the students, for the road test.

Ed – Many driving schools pickup at the school we don't, we go to the student's residents to pick them up, that way parents don't have to shuttle the kids.

J. Moore – What about class room, but for class room time it would be different.

Ed – Yes, they would be dropped off for the class room, I worked something out with the owner, to be pickup up and dropped at the back entrance. So there will be not people jumping in and out of cars at the entrance into the parking lot, it's directly behind the building.

Discussion on the private educational use.

D. Kapnis – Just reviewing the requirement, I really don't have any questions, it's a commercial zone.

G. Thibeault – I guess I am not sure why it was denied.

J. Moore – In the use schedule a private education use is a special permit, and there is no other private educational use in that building.

New Correspondence - None

Audience

T. Mulligan, 70 Bailey Lane, I am the father of two 16 year old kids, I can't tell you how much this is needed in town I can show you a list of people. I have known the Olbashes since they moved into town, they are great people. That CVS building, the parking lot; you are actually not supposed to go into that lot and take a left. You are supposed to drive all the way around the building. It's just not enforced. Looking at the requirements for a special permit this is a no brainer, the building is in operation from 6am until at least 9pm, I think this would be a great addition. I personally would not like you to limit the start time; it will help parents to drop off before work if needed.

J. Moore – You said you go to their house and pick them up, so this is really mostly classroom sessions. Ed – Yes.

S. Freeman – Is the back entrance well lit?

Ed – Yes.

G. Thibeault – I think that is the landlord's obligation.

After brief discussion the chairman asked for a motion.

Motion – D. Kapnis/S. Freeman I would like to make a motion that the board vote to grant a special permit to the applicant; Edward Olbash owner of Olbash School of Driving, 154 Essex Street, Swampscott, MA 01907 and owner; Central Street Plaza Georgetown LLC, c/o Compass Realty Associates 300 Trade Center, Suite 7700, Woburn, MA 01801 to operate a Private Educational Use (driving school) in the CB District at the property located at 65 Central Street, Georgetown MA, 01833, Assessor’s Map 10B, Lot 4, under M.G.L. 40A §9, and the Georgetown Zoning Bylaws Ch. 165-2, 9,78 & 79.

I further move the board find the application meets 165-79 (a-d); being the requested use and alteration is essential or desirable to the public convenience and welfare; will not overload any public water or other municipal system so as to unduly subject any area to hazards affecting health, safety or general welfare, will not impair the integrity or character of the district or adjoining districts, and will not cause an excess of that particular use which could be detrimental to the character of the neighborhood.

No Discussion.

P. Shilhan – All in favor, all voted yes. Motion carried unanimously.

The Special Permit was Granted 5-0 in Favor.

P. Shilhan stated the Zoning clerk has 14 days to file a decision any appeal of this decision shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 17, within 20 days after the date the notice of decision was filed with the Town Clerk.

Motion – J. Moore/G. Thibeault to close the hearing for 65 Central Street, all in favor. Motion carried.

Patty Pitari
Zoning Administrative Assistant

Approved 10/2/12