

MINUTES OF A PUBLIC HEARING
September 1, 2015
16 Carleton Drive, Georgetown MA
Barry M. Enos & John Enos Owners & Trustees of B & R Realty Georgetown MA
ZBA File #16-01
Special Permit – Private Education Use/Cross fit Gym
September 1, 2015

Board Members Present:

Gina Thibeault, Chairman
P. Shilhan, regular member
Jeff Moore, regular member
Sharon Freeman, regular member - Absent
Dave Kapnis, regular member - Absent
Shawn Deane, associate member - Voting

Applicant present: Barry M. Enos
Patty Pitari – Zoning Administrative Assistant
Dennis & Stacy Floyd – Owners of Gym

G. Thibeault opened the Hearing at 8:48pm, and introduced the board members.

J. Moore read legal ad; A Public hearing will be held on September 1, 2015, immediately following the first scheduled hearing at 7:30pm at the Georgetown Town Hall 3rd Fl. Meeting Room at for an Application filed by Barry M. Enos of Ipswich, and John Enos of Danvers, MA, Owners & Trustees of B & R Realty Georgetown MA, for the property located at 16 Carleton Drive, Georgetown, MA, Assessor's Map 15, Lots 45 and 68 in the IB zone. The Applicant requires a Special Permit from the Zoning Board of Appeals to operate a Crossfit Gym (private educational use) in the IB District under the Georgetown Bylaws Chapter 2 & Chapter 165, Sections 9, 78 & 79 and pursuant to M.G. L. Chapter 40A, Section 9 of the State Code. *ZBA File #16-01*

G. Thibeault – Explained there will only be 4 members voting tonight. The applicant was fine with that.

Applicants Presentation:

Mr. Enos – I am the owner of the property, this is Dennis Floyd the owner of the Gym Mr. Enos describes his plan for the in the existing building he stated; we are proposing to place the gym in the of the southeast corner of the second floor same building as archery studio just on the other side, Barry stated on Page 2 of the folder of information submitted. Floyd -5am to 9pm are the hours we are looking for.

Enos – It's a commercial use and its private educational so we need the special permit. There is not a tremendous amount of people in and out of this building, as is used to be, we believe it would be a great addition. Parking will be on the right hand side, we added the tower lighting from before, we have approximately 50 spaces on the right and 5 in front and to left there is about 11 spaces, all reserved for second floor, we changed the sign for second floor use.

J. Moore asked Barry to show on the plan; Barry pointed out the spaces on the right side and showed the lights, and 5 spots in front and where the signs are. So far I have yet to see anyone park in most of the spots, but they are available.

J. Moore- The archery has been there for two months, so you want 5am- 9p 7 days per week.

D. Floyd – Yes, it will be minimal on weekend.

Enos – Archery is running mainly on Thursday – Sat, but she doesn't use all those hours of operation she was given.

Dennis Floyd explains how the gym works.

GT – Will you do a group class on Saturdays? Dennis – Yes run by a coach.

J. Moore – If you want to describe what it's all about.

Dennis Floyd – He explains they teach about nutrition, and other things they teach.

Discussion follows on the difference between Crossfit, and Crossfit light. He also gives his history in Cross fit.

S. Deane – Will you keep it contained in the facility?

D. Floyd – I would like to venture outside, and use part of the parking lot.

S. Deane asks Barry if he has the space for it.

Enos - Yes we do there is a grassy area also and some parking that get very little use.

J. Moore asks about the separate access way for the truck traffic for the machine shop.

Enos stated next to the building and a bit beyond that, he shows Jeff on the plan, it does not get much traffic and we rerouted the entrance way, so you can no longer go down the right side.

New Correspondence – Owner of Gym

Submitted a folder with information on Project Fitness – marked as **Exhibit F** pamphlet 9-1-15

Plans and new correspondence read into record by Gina Thibeault

Exhibit A – Plot Plan – ALTA/ACSM Survey, dated October 4, 1990, by Baseline Surveying and Engineering of Saugus, MA

Exhibit B – Proposed parking lot, B & R Realty, 16 Carleton Drive, parking on right side of building dated 7/20/15.

Exhibit C - Exterior Layout of second floor showing location of proposed gym dated 7/15/15

Exhibit D – Proposed Floor Layout, Second Floor East, showing walls to be removed for Project 15 Fitness dated 7/20/15

Exhibit E – Existing Floor Layout, Second Floor dated 7/20/15.

Exhibit F – New folder with information pamphlet dated 9-1-1.

Audience

Mike McManus, 55 North Street – I grew up with Dennis, I was excited to hear he was coming to town, he has been doing this along time, I think this will be great for the town. I am in support.

Alexandra Zega, 61 Bailey Lane – I think it is great, I think it would be a great asset to the town.

J. Moore asks about the spaces on the right on the proposed parking plan.

Enos – There are 10 rows, right now its four rows deep.

J. Moore – On our last special permit for the archery it stated the spaces on the front will be for the archery. Enos – I did change those signs for second floor use.

J. Moore – So are there 39 on the right side.

Barry – Yes, so 41-45. J. Moore refers to the Exhibit B.

G. Thibeault – He’s adding 2 more bays.

Discussion on parking, one class at a time.

Motion P. Shilhan /J. Moore to grant to Owners of 16 Carleton Drive, Barry M. Enos, of Ipswich, MA and John Enos of Danvers, MA, Trustees of B & R Realty Georgetown MA, for the property located at 16 Carleton Drive, Georgetown, MA, Assessor’s Map 15, Lot 45 & 68, A Special Permit to operate an Crossfit Gym, leased to “**Project 15 Fitness LLC**, owned by Dennis & Stacy Floyd, (private educational use), in the Industrial B zone, pursuant to the Georgetown Bylaws, Chapters 165-9, 78 & 79 and M.G. L. Chapter 40A, Section 9 of the State Code.

I further move the application meets the Georgetown Zoning Bylaw Chapter 165-79 (a-d), specifically; The proposal is desirable to the public convenience or welfare, will not overload any public water or other municipal services so as to unduly subject any area to hazards affecting health, safety or the 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.

With the following Conditions:

1. Hours of operation shall be limited to 5am to 9pm 7 days per week.
2. The Parking spaces on the right side of the property shall be reserved and designated with signage for the second floor use; such parking is identified on Exhibit B (proposed parking).
3. Appropriate outdoor lighting shall be maintained along the parking area and on the front of the building.
4. The Special Permit shall expire if the Crossfit tenant vacates the premises.

G. Thibeault – You only included Dennis it should read Stacy and Dennis.

Friendly amendment, by Paul second by S. Deane to Add Stacey Floyd. All in favor Motion carried 4-0.

P. Shilhan - 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. An applicant may file this decision before the 20 days but does so at their own risk.

Lapse of Special Permit - Per M.G.L. 40A §9, Special Permits granted shall lapse within a specified period of time, not more than two years, which shall not include such time required to pursue or await the determination of an appeal referred to in Section 17. If a substantial use thereof has not sooner commenced except for good cause, or in the case of permit for construction, if construction has not begun by such date except for good cause.

Motion – P. Shilhan /J. Moore - I make a motion to close the hearing on 16 Carleton Drive at 9:20pm. All in favor, motion carried 4-0.

Motion to Adjourn the meeting P. Shilhan/ J. Moore all in favor. Motion carried.

Patty Pitari
Zoning Administrative Assistant

Approved 10-6-15