

From the Law Office of Terrence P. Morris, Esq.

Memorandum

To: Jane Santosuosso Chief Zoning Code Officer
From: Terrence P. Morris, Esquire
Cc: Client
Date: January 13, 2021
Re: For-Profit Driving School, 1087 Beacon Street

Petitioner

A Sharon Driving School is a professional driving school licensed by the Commonwealth of Massachusetts Registry of Motor Vehicles to conduct driver instructor training courses (DITC). The school is headquartered in Sharon Massachusetts. The owner and principal, Gilli Lavrishina, written seeks to open a satellite office in Newton.

An approved driving instructor training program must be at least 65 hours in length and include:

1. 45 hours of classroom instruction including a 30 hour segment of basic information for new drivers and 15 hours of instruction on teaching principles and techniques, record requirements and general housekeeping guidelines.
2. 10 hours of observation of an actual on-road driving lesson while a certified Trainer-Instructor is in the front seat.
3. At least 10 hours of student teaching. Student teaching is defined as observation and participation as a student-instructor in the classroom portion of an actual driver education program. A certified Trainer-Instructor must be present during all student-instructor activities.

The classes are largely comprised of teenagers learning to drive for the first time. As a result the peak periods of activity correspond to days, weeks or months when public or private secondary schools are closed for vacation. Instruction is conducted in blocks of either two or six hours depending upon the season of the year and day of the week. During the fall and spring seasons there approximately 10 to 15 students being taught in two-hour blocks at the end of the school day. During the summer season that number could range from 10 to 30 students being taught in six-hour blocks spread out over the entire 10-12 weeks. Since it is customary for students to be dropped off and picked up, there is no demand for parking.

Under normal pre-pandemic conditions the school would operate between the hours of 10 AM to 6 PM, seven days per week. The hours of 10 AM to 4 PM are for classroom learning while the hours of 4-6 PM are actual driving hours. In addition there are two-hour parent classes required, which are normally conducted once per month with 3-5 attendees.

Given the current pandemic, all classes are in conducted virtually using a zoom platform. This learning mode is likely to continue for the next six months at least. On-road driving activities are conducted at the Sharon location.

Satellite Office

The proposed satellite office would occupy one of twelve office units, containing 738 square feet, in a three-story, multi-tenant, office building on a 16,925+/- square feet lot with accessory parking for 24 stalls available on a "first come-first served" basis, located at 1087 Beacon Street. Sixteen of the spaces are open-air, while 8 are garaged within the building. The property is in a Business 2 (BU2) zoning district. It has been determined that the parking requirements for the proposed use most closely aligns with those for a "school serving children under 14 years of age, which requires "one stall per employee not residing on the premises." The use involves the occupancy of existing commercial space as a For-Profit Driving School ("RMD") as that use has been classified in Section 6.3.14 of the Zoning Ordinance. Accordingly the use requires a special permit from the City Council.