

**SCHLESINGER AND
BUCHBINDER, LLP**

ATTORNEYS AT LAW

1200 WALNUT STREET
NEWTON, MASSACHUSETTS 02461-1267

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
HEATHER G. MERRILL
PAUL N. BELL
KRISTINE H.P. HUNG
KATHERINE BRAUCHER ADAMS
AMY C. EGLOFF
FRANKLIN J. SCHWARZER
JONATHAN A. GOLDMAN

TELEPHONE (617) 965-3500
FACSIMILE (617) 965-6824

OF COUNSEL
ROBIN GORENBERG

Email: fschwarzer@sab-law.com

July 25, 2013

BY HAND

Alderman Ted Hess-Mahan
Chairman, Land Use Committee
Newton Board of Aldermen
1000 Commonwealth Avenue
Newton, MA 02459-1449

RECEIVED
Newton City Cl
2013 JUL 25 AM 11:06
David A. Olson, CMJ
Newton, MA 02459

Re: 20 Burrage Road, Petition #180-13

Dear Chairman Hess-Mahan,

I represent Ron and Diane Sostek, the owners of 41 Alderwood Road, the property that directly abuts and shares a driveway with 20 Burrage Road. At the public hearing on June 11, 2013, my clients expressed serious concerns about the development at 20 Burrage Road in relation to the location of the retaining walls abutting the shared driveway, the problem of snow removal, and the overall condition of the driveway. Because of those concerns, they opposed the petitioner's special permit application at that time.

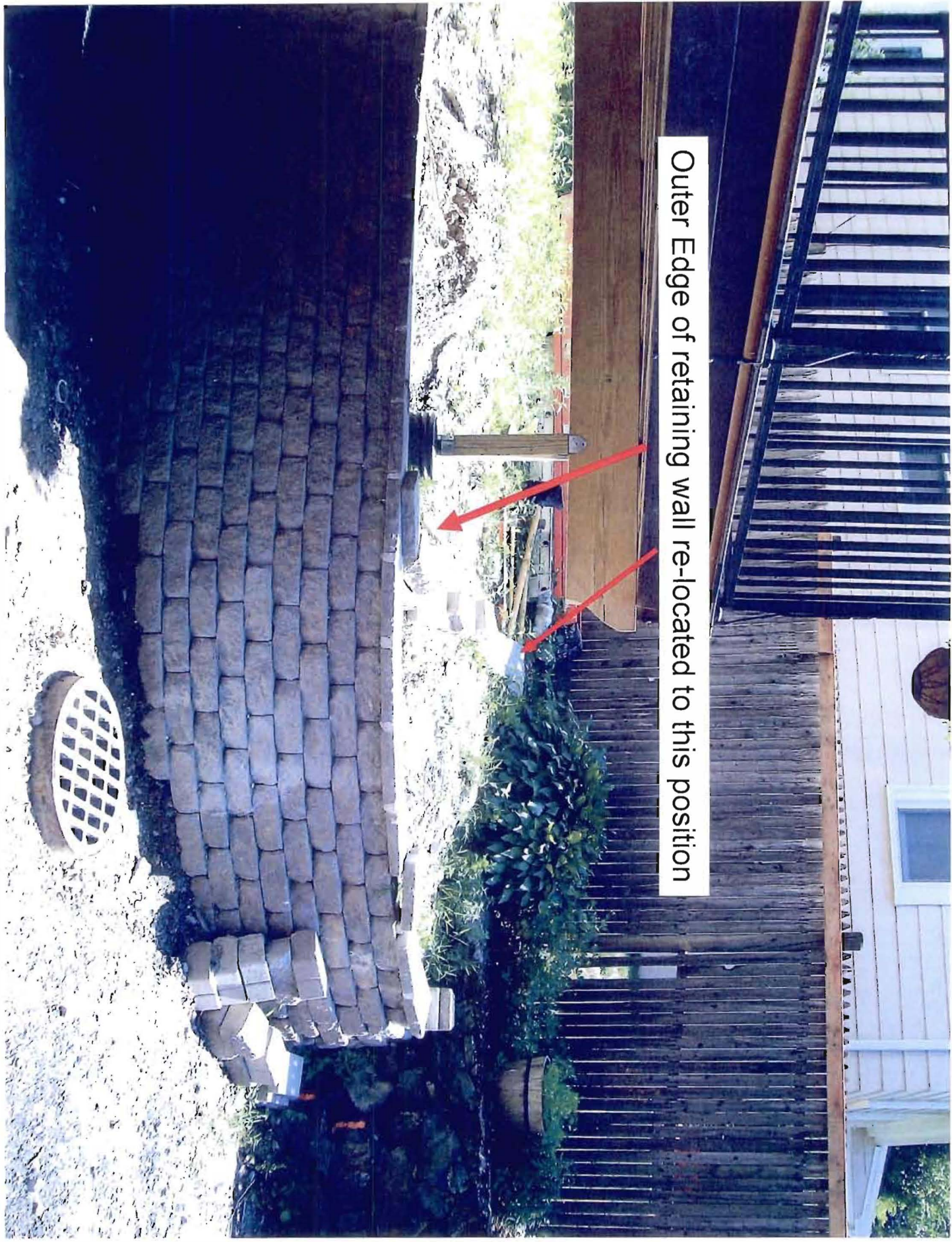
Since then, my clients and I have met with the developer and members of the Inspectional Services Department in an attempt to reconcile these differences. Through these negotiations, the developer and my clients have agreed to a series of conditions which, if made part of the Board Order would assuage my clients' concerns. These conditions are:

1. The existing retaining wall abutting the shared driveway will be moved back so that it will curve around the existing footing under the deck. The outer edge of the retaining wall shall not extend more than 8 feet from the existing foundation wall of the house. A photo is enclosed showing the proposed location of the new retaining wall.
2. The location of the existing retaining wall at the bottom of the driveway will likewise be moved back so that it curves around the existing footing under the deck and goes back in a straight line toward the property line. The outer edge of this retaining wall shall not extend further into the driveway than 9 feet from the existing foundation wall. A photo is enclosed showing the proposed location of the new retaining wall.



Outer Edge of retaining wall re-located to this position

Outer Edge of retaining wall re-located to this position



W.R. Walton Contracting, Inc.

55 Pond Street
 Waltham, MA 02454
 Phone: (781) 894-8736 Fax: (978) 663-0993

Proposal

Diane Sospok
 41 Alderwood Rd
 Newton Ma 02459

Date	Estimate #
7/11/2013	2079

617-965-3500

Specifications	Total
New Driveway Construction Remove all existing asphalt Remove any unsuitable base material such as roots, rock, clay ect. Add crusher run gravel to existing gravel so gravel base is 6-8 inches regrade & compact Lay 2 inches of binder asphalt & compact Lay 2 inches of finish asphalt & compact 6 Year Warranty Against Cracking & Peeling	2,450.00
Resurfacing existing asphalt (Scan) Remove all existing asphalt Lay a leveling course of asphalt Lay 2 inches of finish asphalt & compact Sand & emulsion seam	[REDACTED]
New Driveway Construction (Scan) Remove all existing asphalt Remove any unsuitable base material such as roots, rock, clay ect. Add crusher run gravel to existing gravel so gravel base is 6-8 inches regrade & compact Lay 2 inches of binder asphalt & compact Lay 2 inches of finish asphalt & compact Sand & emulsion seam with city sidewalk 6 Year Warranty Against Cracking & Peeling	3,925.00

Balance due on completion

We propose to furnish labor and material -- complete in accordance with above specifications, and subject to the conditions found on this agreement for the total specified on this estimate.

Accepted. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

By _____

Respectfully submitted

W.R. Walton Contracting, Inc
 Linda Walton