

ROSENBERG, FREEDMAN & LEE LLP

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May 10, 2013

Re: petition for special permit to the Newton Board of Aldermen to allow an attached garage with more than 700 gross square feet of floor area

Dear Neighbors of 44 Sylvan Avenue

I am the attorney for the owner of 44 Sylvan Avenue, the Sylvan Avenue Realty Trust, of which Arthur X. Duffy is Trustee. The petition to the Board of Aldermen is to allow a three-car garage with a floor area of 953 gross square feet. This will be presented at a public hearing at the Board of Aldermen on June 11, 2013 at 7:00 PM at the Aldermanic Chambers, second floor, Newton City Hall.

This house is not being built for speculative sale. The new single-family home is now under construction under permits issued by the City. The house as originally designed and permitted will meet all dimensional aspects of the Newton Zoning Ordinances for an allowed or by-right home, i.e., the building itself did not need any variances or special permits. The facades will be of wood and stone materials.

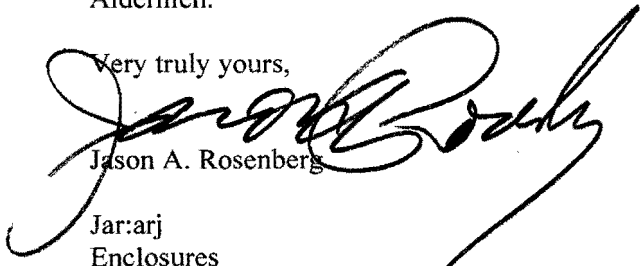
The reason for the petition now to the Board of Aldermen is that the owner desired to change the plans to provide a third garage bay. Newton has a provision that any garage, whether attached or detached to the house, must have special permit approval from the Board of Aldermen if the garage, i.e., the area where the car bays are located, will be in excess of 700 gross square feet. The house plans for the building permit show a two car- garage with an area of 698 gross square feet, which garage is attached as a wing of the house. See the left hand side of the enclosed sheet depicting the interior garage layout.

As part of the floor plan, there is an interior utility/storage room. The owner would like to add some 255 gross square feet to the garage bays by removing the partitions for the utility room and creating a third bay and third garage door. The garage then would have 953 gross square feet. See the right hand side of enclosed sheet depicting the interior garage layout.

The only exterior change will be the addition of a garage door to the existing facade. See the enclosed perspective drawing of the exterior. There will be no change in the size, shape, footprint, height and bulk of the home. The outside area where the garage doors will be located is on the southerly side of the property, and the outside face of the garage doors will be 42 feet 6 inches from the side property line next to the land at 70 Bigelow. There will be a 5-6 foot high wooden board fence screening the view from the Robinson family to the south, as to garages and the paved maneuvering area in front of the garages.

Please feel free to call or email me with any questions you may have. I also have copied your Ward 2 Aldermen.

Very truly yours,


 Jason A. Rosenberg

Jar:arj

Enclosures

cc Chairman Theodore Hess-Mahan
 Aldermen Susan Albright, Stephen M. Linsky, and Marcia T. Johnson
 Linda Finucane, Clerk's Office Board of Aldermen ✓
 Arthur X. Duffy, Trustee

RECEIVED
 Newton City Clerk
 2013 MAY 13 PM 2:45
 DAVID A. OLSON, CMC
 Newton, MA 02459

Sylvan Avenue Realty Trust
Special Permit Application For Three-Car Garage



By-Right View



Proposed View

DAVID A. OLSON, CMC
Newton, MA 02459

2013 MAY 13 PM 2:46

Newton City Clerk

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SHOPE RENO WHARTON

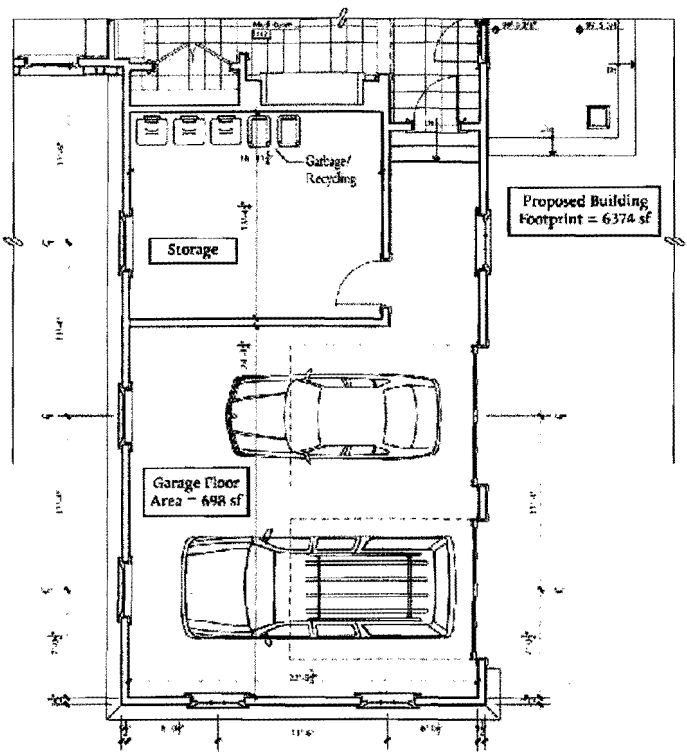
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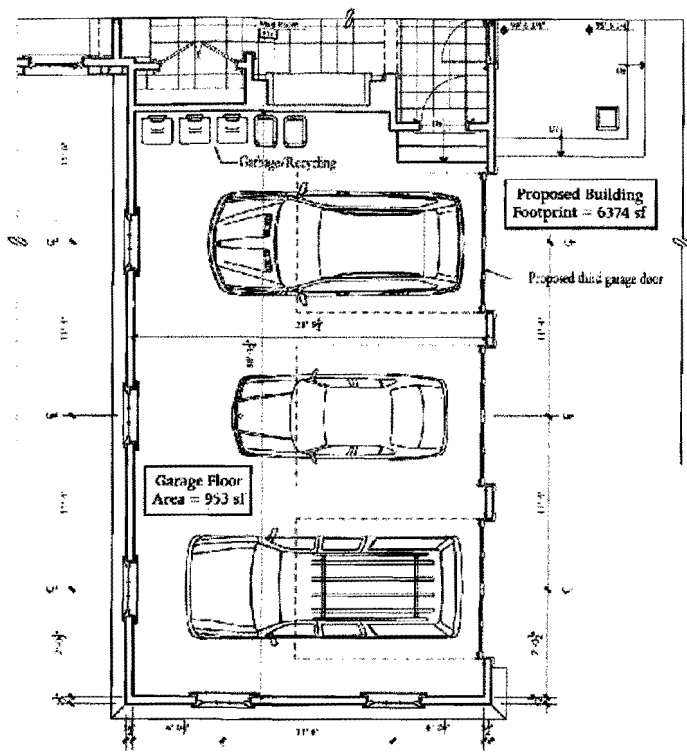
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Sylvan Avenue Realty Trust

Special Permit Application For Three-Car Garage



By-Right Garage Plan



Proposed Garage Plan

David A. Olson, CMC
 Newton, MA 02459
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 ARCHITECTURE


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