

G. MICHAEL PEIRCE, ESQ.

ATTORNEY AT LAW

September 6, 2013

IN HAND DELIVERY

Alderman Theodore Hess-Mahan, Chairman
Land Use Committee
1000 Commonwealth Avenue
Newton, MA 02459

Re: 30 Ossipee Road/MyGym/educational purpose

Dear Chairman Hess-Mahan:

I am again writing (briefly) on behalf of James Koert, President of CU, Inc. which does business now in Newton as a MyGym franchise. As you are aware the Land Use Committee recently held a public hearing on our proposal to relocate to this Ossipee Road address in order to continue to provide high quality physical educational opportunities for children 1-8 years old. Although this request is **solely** for a special permit to locate a for-profit educational use in a manufacturing zone and thus does not involve a parking waiver I write to comment on some points raised by members of the committee.

As to on-site parking availability my client's lease will contain a dedicated group of spaces (at least 15) on the parking deck immediately outside his entrance for use by his clients. These are the spaces previously assigned (and so marked by signage and on the pavement) for the prior tenant of our space. Additionally he will have at least two (2) spaces for employees in the access controlled parking garage under that Ossipee Street level parking deck. As indicated in the materials we filed at the hearing the usual staff compliment will be two (2) and occasionally three (3). The Friday night planning sessions will have up to six (6) staff, but that will be when there are no classes and when most of the lots are empty.

We have discussed with planning staff our agreement to post on our website a simple map setting out the places for parent parking and/or drop off and the instructions to use those areas. As noted at the hearing there are many on-street spaces and specific attention is directed to the 27 metered spaces on Chestnut Street which, by my repeated 'counts,' have always been at least ½ empty during daytime peak parking hours. Since this is a scheduled set of classes which children attend throughout a 'semester,' all of the parents will be repeat attendees and can easily become accustomed to a parking routine.

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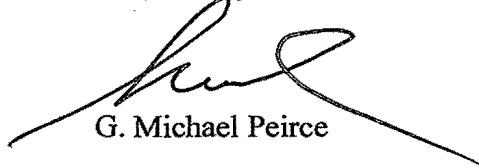
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Finally, we have filed with the Committee class schedules and numbers of children to be accommodated. These numbers are what we presently have and our classes and programs are designed around these figures, for best teaching results, safety and code compliance. Basically this is what our single tenant space can appropriately accommodate.

I look forward to answering any final questions at the working session.

Very truly yours,



G. Michael Peirce

Cc: Land Use Committee
Alderman Brian Yates
Alderman John Rice
Alexandra Ananth, Chief Planner
Ouida C. M. Young, Associate City Solicitor
James Koert