

September 22, 2017

Pitsick, LLC  
PO Box 270761  
Boston, MA 02127

Newton City Council  
Newton City Hall, Room 105  
1000 Commonwealth Avenue  
Newton, MA 02459

RECEIVED  
Newton City Clerk  
2017 SEP 25 PM 12:33  
DAVID A. OLSON, CMC  
Newton, MA 02459

Re: Pitsick, LLC Preservation of Rights

Dear City Council Members:

This letter is hereby provided by Pitsick, LLC's as a statement of its intention to preserve and reserve any and all of its rights with respect to the status quo of the properties now known as 18, 22 and 26 Goddard Street in Newton, MA, also identified by the assessor's office, respectively, as Property SBLs 83034 0013A, 83034 0013 and 83034 0012. The LLC reserves its rights to challenge any adverse determinations or orders issued by the Superior Court or the City of Newton or any of its representatives in connection with said properties.

A separate Special Permit Application is being submitted simultaneously along with this letter pursuant to a summary judgment decision and Order of the Superior Court dated July 13, 2017 (the "Court Order") and against the wishes and position of Pitsick, LLC. Pitsick, LLC is one of the Petitioners of the Special Permit Application and a party to the Court Order. All parties to the litigation and Court Order have been ordered to assent to apply for a new special permit (the "Special Permit Application"). Pitsick, LLC hereby makes it known that it does not concede that a special permit is necessary, appropriate or tenable for the redrawing of lot lines proposed in its latest submission and that it does not waive any of its rights to challenge a contradictory decision of the City of Newton, but specifically reserves, to the fullest extent allowed by law, its rights to challenge any decision by the City of Newton or other jurisdictionally appropriate agency or court which might determine a special permit necessary for the proposed redrawing of lot lines as identified on the Subdivision Plan made part of the Special Permit Application. Pitsick, LLC desires to specifically preserve the current lot configurations and property lines, which should not be changed until such time as Pitsick, LLC has exhausted its administrative and appellate remedies in connection with this matter. While the Court Order requires said petitioner to represent, and therefore said petitioner does hereby represent, that it agrees to apply for the new special permit, such agreement is not intended to and shall not constitute a relinquishment or waiver or any rights as above referenced and reserved.

Respectfully,



Stephen T Pitrowski, Manager  
Pitsick, LLC