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April 13, 2012

BY HAND

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

RECEIVED
Newton City Clerk
2012 APR 13 PM 12:41
David A. Olson, CMC
Newton, MA 02459

Re: Special Permit #57-12
Domenancy, LLC/39-41 Jackson Street

Dear Chairman Hess-Mahan,

The day after the public hearing and working session related to the above matter, the project architect and surveyor met with my client at the site in order to review the apparent discrepancy between the site plan and the elevations noted by Alderman Crossley at the working session. They confirmed a discrepancy in the plans. As it turns out, there is a concrete retaining wall which divides the two parking stalls at issue in the attached garage. Because the removal of this concrete wall, which supports the deck above it, would constitute a substantial construction project, the development team looked at other options to address the parking issue.

I have enclosed a revised site plan which shows four exterior parking stalls, one parking stall in the attached garage and one parking stall in the detached accessory structure. In effect, we have relocated one parking stall formerly in the attached garage to the outside, resulting in four, as opposed to three, outside parking stalls. The outside parking stalls have been moved slightly to the west so that none of them are within the side setback. The redesign was also accomplished without reducing the open space. The impervious surface for the fourth outdoor parking stall was offset by a reduction of impervious surface in the area formerly within the side setback.

SCHLESINGER AND BUCHBINDER, LLP

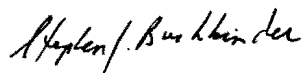
Alderman Ted Hess-Mahan
April 13, 2012

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We felt that this was a reasonable manner in which to address the problem. We are all grateful to Alderman Crossley for having raised this issue, as it was certainly preferable to confront the issue at this time as opposed to down the road.

I would be happy to answer any questions which you might have.

Sincerely,



Stephen J. Buchbinder

SJB/mer
Enclosure

cc: (By Hand, w/enclosure)
Alderman Mitchell L. Fischman
Alderman Carleton P. Merrill
Alderman Susan S. Albright
Alderman John W. Harney
Alderman Deborah Crossley
Alderman Gregogry R. Schwartz
Alderman Marc C. Laredo
Ms. Linda Finucane
Ouida C. M. Young, Esquire
Mr. Derek Valentine

PLAN REVISED PARKING

57-12

Note: Installation of sprinkler system in existing building required per City of Newton Fire Department

Zoning	Required	Existing	Proposed
MR-1 New Lot			
Min. Lot Area	10,000	16,700	16,700
Setbacks			
Front	30'	26.0'	26.0'
Side	10'	11.3'	11.3'
Rear	15'	42.2'	42.2'
Lot Coverage			
	30%	18.31%	17.08%
Open Space			
	50%	32.91%	50.69%
FAR	0.46(7682sf)	0.392(6543sf)	0.392(6543sf)
Stories	2.5	3*	3*
Height	38	30.9	30.9

Notes:
Minimum Lot Area Required per Unit = 5000 sf
5000 sf x 3 Units = 15,000 sf Minimum

Existing Lot Created by Variance

* Existing Non-Conforming

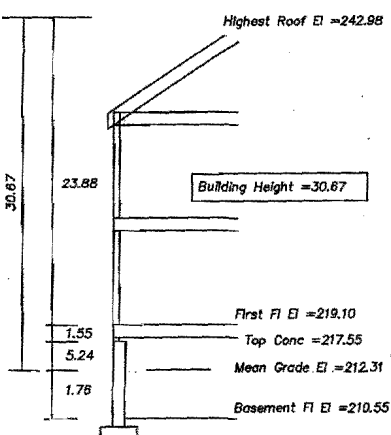
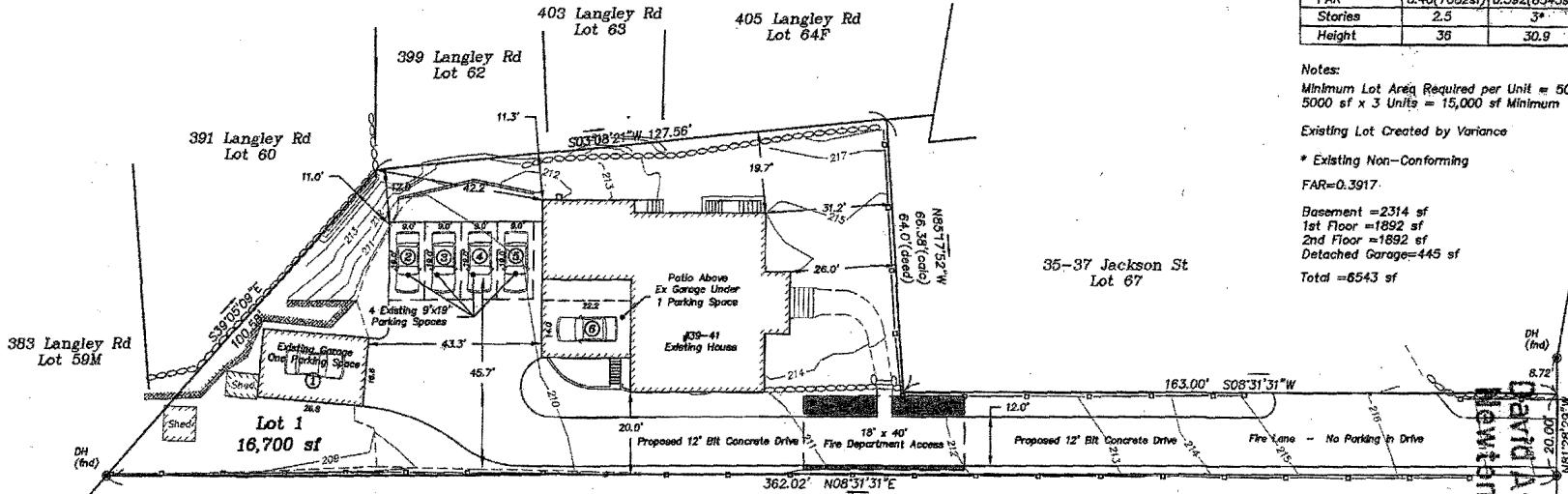
FAR=0.3917

Basement = 2314 sf
1st Floor = 1892 sf
2nd Floor = 1892 sf
Detached Garage = 445 sf
Total = 6543 sf

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2012 APR 13 AM 11:43

DAVID A. OLSON, O.M.C.
NEWTON, MA 02459

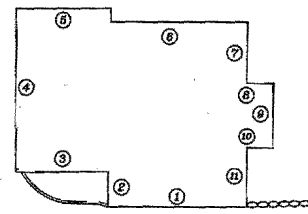


7.0
2 = 3.5 Minimum Average Required Below Grade = 3.5
Basement Floor to Average Mean Grade = 1.76
Basement Does Count as a Story

43 Jackson Street Lot 70

SEGMENT	L	E1	E2	E1+E2/2	XL
1	33.4	210.9	210.6	210.75	7039.05
2	8.2	210.6	211.0	210.8	1728.56
3	22.2	211.0	213.6	212.3	4675.32
4	36.5	210.0	210.0	210.0	8085.0
5	22.8	211.0	213.6	212.3	4840.44
6	32.8	213.6	215.0	214.3	7029.04
7	14.4	214.9	215.1	215.0	3096.0
8	6.1	215.1	215.1	215.1	1312.11
9	15.1	214.8	214.4	214.6	3240.46
10	6.1	214.2	214.2	214.2	1306.62
11	14.1	214.2	213.8	214.0	3017.4
Total	213.7				45370.46

45370.45/213.7=212.31
Average Mean Grade El.=212.31



REVISIONS	
DATE	DESCRIPTION
1-9-12	ECON SHEET/AVERAGE GRADE
2-7-12	EXISTING PARKING SPACES
2-22-12	ZONING TABLE
4-11-12	PARKING

39-41 Jackson Street
Newton, Massachusetts

Proposed Conditions Plan

Scale: 1"=20' December 13, 2011
VERNE T. PORTER Jr., PLS
Land Surveyors - Civil Engineers
354 Elliot Street Newton, Massachusetts 02464

Design By:
Checked By: V. Porter Jr.
Drawn By: R. Jardine Jr.

Sheet 1 of 3

57.12