

**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

E-Mail: sjbuchbinder@sab-law.com

February 29, 2012

BY HAND

Ms. Linda Finucane
Chief Committee Clerk, Newton Board of Aldermen
1000 Commonwealth Avenue
Newton, MA 02459-1449

Re: Petition of Domenancy LLC/39-41 Jackson Street

Dear Linda,

Enclosed please find an original special permit application together with thirteen packets of information relative to the above matter consisting of the following:

1. A copy of the special permit application.
2. A copy of the zoning review memorandum.
3. Proposed Conditions Site Plan dated December 13, 2011, revised January 9, 2012, February 7, 2012 and February 22, 2012 by Verne T. Porter, Jr., PLS.
4. Existing Conditions Site Plan dated December 13, 2011, revised January 9, 2012 and February 22, 2012 by Verne T. Porter, Jr., PLS.
5. Area Plan dated December 13, 2011, revised January 9, 2012, February 7, 2012 and February 22, 2012 by Verne T. Porter, Jr., PLS.
6. Floor Plans dated October 1, 2010 by Trabucco Design.
7. Check in the amount of \$750.00 representing the filing fee.

Also enclosed are CDs containing electronic copies of the aforementioned plans.

Please feel free to call me if you have any questions respecting the foregoing.

Very truly yours,

Stephen J. Buchbinder
Stephen J. Buchbinder

SJB/mer
enclosures

cc: (By Hand, w/enclosures)

Ms. Eve Tapper, Chief of Current Planning, Planning and Development Department
Mr. John Lojek, Commissioner, Inspectional Services Department
Mr. John Daghlian, Associate City Engineer
Ouida C. M. Young, Associate City Solicitor
(By First Class Mail, w/enclosures)
Assistant Chief Paul Chagnon, Newton Fire Department

RECEIVED
Newton City Clerk
2012 FEB 29 PM 1:59
David A. Olson, Clerk
Newton, MA 02459

TO THE HONORABLE BOARD OF ALDERMEN, CITY OF NEWTON:

The undersigned hereby makes application for a permit to build or alter a structure and/or use of a facility as described below in the proposed location in accordance with the provisions of Chapter 30 or any other sections of the City's current Ordinances.

PLEASE REFERENCE SECTION(S) OF THE ORDINANCES FROM WHICH RELIEF IS REQUESTED:

30-9(c)(1); 30-19(h)(1); 30-19(h)(2)(c); 30-19(i); 30-19(j)(1); 30-19(j)(2); 30-19(j)(3); 30-19(m); 30-23; and 30-24

PLEASE CHECK ALL REQUESTED APPROVALS THAT APPLY:

- Special Permit/Site Plan
- Site Plan Only
- Extension of Non-Conforming Use(s) and/or Structure(s)
- Amendment of Board Order # _____

STREET 39-41 Jackson Street WARD 6

SECTION(S) 65 BLOCK(S) 19 LOT(S) 67A

APPROXIMATE SQUARE FOOTAGE (of property) 16,700 ZONE MR1

TO BE USED FOR: three-family dwelling

CONSTRUCTION: wood frame construction with vinyl siding

EXPLANATORY REMARKS: Special permit sought (i) to create a structure in existence before May 7, 1979 to occupancy by three families (Section 30-9(c)(1)); (2) to locate two parking stalls in the side setback and one parking stall closer than five feet to a building containing dwelling units (Sections 30-19(h)(1) and 30-19(m)); (3) to waive the requirement of one handicap parking stall (Sections 30-19(h)(2)c and 30-19(m)); (4) to waive the screening requirements of a parking facility (Section 30-19(i) and 30-19(m)); and (5) to waive the lighting, paving, grading and maintenance requirements of a parking facility (Sections 30-19(j)(1), (2) and (3) and 30-19(m)).

The undersigned agree to comply with the requirements of the Zoning Ordinances and Rules of the Land Use Committee of the Board of Aldermen in connection with this application.

PETITIONER (PRINT) Domenancy LLC

SIGNATURE [Signature] PHONE _____ E-MAIL _____

ADDRESS 346 Taylor Road, Stow, MA 01775

ATTORNEY Stephen J. Buchbinder, Esquire PHONE 617-965-3500 E-MAIL sjbuchbinder@sab-law.com

ADDRESS 1200 Walnut Street, Newton, Massachusetts 02461-1267

PROPERTY OWNER Domenancy LLC

OWNER'S ADDRESS 346 Taylor Road, Stow, MA 01775

SIGNATURE OF OWNER [Signature]

DATE February 29, 2012

RECEIVED
Newton City Clerk
2012 FEB 29 PM 1:56
David A. Olson, CMC
Newton, MA 02459

