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## STAFF MEMORANDUM

Meeting Date: October 12, 2023  
DATE: October 5, 2023  
TO: Newton Upper Falls Historic District Commission  
FROM: Barbara Kurze, Senior Preservation Planner  
SUBJECT: **Additional Review Information**

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The purpose of this memorandum is to provide the members of the Newton Upper Falls Historic District Commission (Newton Upper Falls HDC) with information about the significance of the properties being reviewed and the application process, which may be useful in the review and decision-making process of the Newton Upper Falls HDC. Additional information may be presented at the meeting that the Newton Upper Falls HDC can take into consideration when discussing a Local Historic District Review application.

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Dear Newton Upper Falls HDC Members,

The following is additional information for the Local Historic District Review applications that you should have received in your meeting packet.

### Applications

#### ***Request for Certificates of Appropriateness to Remediate Violations at 1268 Boylston Street, Unit B***

**HISTORIC SIGNIFICANCE:** The 1910 Colonial Revival house was owned by Martin Luther Cunningham who lived at 1272 Boylston Street and owned 1276-1278 Boylston Street. The land where 1268 was built and the other two properties were first owned by his father, Luther T. Cunningham, who lived at 1272 Boylston Street and had a grocery store at 1276-1278 Boylston Street. The 1910 U.S. Federal Census lists 11 people living at 1268 Boylston: John and Julia Herlity, and Patrick and Mary Leary with their six daughters and a boarder. Several of the Leary daughters worked in the local hosiery and paper box factories.

**APPLICATION PROCESS:** The owners installed a fence along Boylston Street which was confirmed to be in violation at the August 2023 meeting. They are proposing to weather the fence and to grow creeping ivy up the front of the fence to make the fence less obtrusive.

The owners also installed mini-splits and conduits which were confirmed to be in violation at the August 2023 meeting. The owner is getting information about the work and the costs involved to remediate the conduits which run up both sides of the house. Staff will forward any new information that is available before the meeting.

MATERIALS PROVIDED:

**Fence application:** <https://newtonma.viewpointcloud.com/records/794768>

**Compiled 1268 Boylston fence remediation**

Assessors database map

Description of proposed remediation

Description of proposed weathering process

Photos

Photos of installed fence

Photos of other fences in the neighborhood

MHC Form B

**Mini-split and conduit application:** <https://newtonma.viewpointcloud.com/records/798131>

**Compiled 1268 Boylston B mini splits**

Assessors database map

Photos

MHC Form B

**Administrative discussion:**

Meeting minutes: There are no draft minutes ready for review.

Administrative approval of vents and HVAC conduits: Discuss whether vents and conduits that meet specific conditions (for example, are appropriately located and painted to match the installation location) can be administratively approved.

This is the language in MGL 40C Section 8: “A commission may determine from time to time after public hearing that certain categories of exterior architectural features, colors, structures or signs, including, without limitation, any of those enumerated under paragraph (a), if the provisions of the ordinance or by-law do not limit the authority of the commission with respect thereto, may be constructed or altered without review by the commission without causing substantial derogation from the intent and purposes of this chapter.” There is nothing in the Newton ordinances that limits the authority of the commission to do this.

Design Guidelines: Discussion about draft Newton Upper Falls Design Guidelines.