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**MINUTES OF PUBLIC MEETING AND PUBLIC HEARINGS  
NEWTON UPPER FALLS HISTORIC DISTRICT COMMISSION**

**DATE:** February 11, 2021

**PLACE/TIME:** Fully Remote  
7:00 p.m.

**ATTENDING:** Jeff Riklin, Chair  
Scott Aquilina, Member  
Laurie Malcom, Member  
Judy Neville, Member  
Daphne Romanoff, Member  
Paul Snyder, Member  
Jay Walter, Member  
Barbara Kurze, Staff

**ABSENT:** John Wyman, Alternate

The meeting was called to order at 7:00 p.m. with Jeff Riklin presiding as Chair. Voting permanent members were S. Aquilina, L. Malcom, J. Neville, D. Romanoff, P. Snyder, and J. Walter. B. Kurze acted as recording secretary and the meeting was recorded on Zoom.

**14 Ellis Street – Certificate of Appropriateness**

Taha Rakhshandehroo presented an application to replace the right-side double-hung window that is behind the bay with shorter paired double-hung windows. The proposed windows will match the other windows approved for the back of the house.

**Materials Reviewed:**

Elevations  
Photos  
Product information  
Decision approving work not visible from the public way

Commission members agreed that the proposed windows were appropriate. The windows were shorter but proportional to the existing windows and in the same style. J. Walter moved to grant a Certificate of Appropriateness for the application as submitted. P. Snyder seconded the motion. There was a roll call vote and the motion passed unanimously, 7-0.

**RECORD OF ACTION:**

**DATE:** February 12, 2021

**SUBJECT:** 14 Ellis Street - Certificate of Appropriateness

At a scheduled meeting and public hearing on February 11, 2021, the Newton Upper Falls Historic District Commission, by roll call vote of 7-0,

**RESOLVED to grant** Certificate of Appropriateness for the application as submitted at 14 Ellis Street to replace the right-side double-hung window with shorter paired double-hung windows.

**Voting in the Affirmative:**

Jeff Riklin, Chair  
Judy Neville, Member  
Jay Walter, Member

Scott Aquilina, Member  
Daphne Romanoff, Member

Laurie Malcom, Member  
Paul Snyder, Member

**954 Chestnut Street – Certificate of Appropriateness**

Lee and Jean Fisher presented an application to remove the left side window and fill the area in with clapboard to match the existing siding. The window appeared to have been added in the 1950s.

**Materials Reviewed:**

Photos  
Product information  
Decision approving in-kind work and work not visible from a public way  
MHC Form B

Commission members agreed that the proposed change was appropriate. J. Walter moved to grant a Certificate of Appropriateness for the application as submitted. J. Neville seconded the motion. There was a roll call vote and the motion passed unanimously, 7-0.

**RECORD OF ACTION:**

**DATE:** February 12, 2021

**SUBJECT:** 954 Chestnut Street - Certificate of Appropriateness

At a scheduled meeting and public hearing on February 11, 2021, the Newton Upper Falls Historic District Commission, by roll call vote of 7-0,

**RESOLVED to grant** Certificate of Appropriateness for the application as submitted at 954 Chestnut Street to remove a window on the left side and fill it in with siding to match existing.

**Voting in the Affirmative:**

Jeff Riklin, Chair  
Judy Neville, Member  
Jay Walter, Member

Scott Aquilina, Member  
Daphne Romanoff, Member

Laurie Malcom, Member  
Paul Snyder, Member

**937 Chestnut Street – Certificate of Appropriateness**

Maura Tynes presented an application to replace the left-side nine-lite fiberglass door with a single-lite composite door with a fiberglass skin. The new door would be the same size and painted to match the other doors and trim on the house. The outside trim would remain the same.

Materials Reviewed:

Assessors database map  
Photos  
Product information  
Project description  
MHC Form B

Commission members agreed that the existing door was not historic and was fiberglass, so the proposed door could be approved. L. Malcom moved to grant a Certificate of Appropriateness for the application as submitted. S. Aquilina seconded the motion. There was a roll call vote and the motion passed unanimously, 7-0.

**RECORD OF ACTION:**

**DATE:** February 12, 2021

**SUBJECT:** 937 Chestnut Street - Certificate of Appropriateness

At a scheduled meeting and public hearing on February 11, 2021, the Newton Upper Falls Historic District Commission, by roll call vote of 7-0,

**RESOLVED to grant** Certificate of Appropriateness for the application as submitted at 937 Chestnut Street to replace the left side door.

Voting in the Affirmative:

Jeff Riklin, Chair  
Judy Neville, Member  
Jay Walter, Member

Scott Aquilina, Member  
Daphne Romanoff, Member

Laurie Malcom, Member  
Paul Snyder, Member

**13-19 Winter Street – Working Session**

Nick Zagorianakos requested feedback on a project to demolish the rear addition, move the main house block twelve feet forward, and build a new addition on the left side which was offset from the front plane of the main house block. The garages would be below grade. There would be minimal changes to the existing grades.

Materials Reviewed:

Proposed site plan  
Proposed elevations and roof plan  
Photographs  
SF information  
MHC Form B

Commission members appreciated that the grade was not being changed that much. L. Malcom said that the massing with the proposed left addition was not appropriate. S. Aquilina noted there was not enough information provided to review the changes to the size and massing. J. Walter thought that moving the house forward to allow for building at the back was appropriate if the setting on the top of the hill was maintained. J. Neville was not in favor of moving the house. D. Romanoff said that the streetscape and setting were important for this property; moving the house combined with the change to the massing completely changed the character of the house and was not appropriate. P. Snyder said the addition was too much. Most commission members would not support the left side addition. There was discussion about making the building deeper and widening the rear ell. There was discussion about the driveway, parking, and options for

garages. Neighbors agreed that the proposed massing was problematic and asked about trees on the property. Most commission members could support moving the building forward and to the left but needed drawings that clearly showed what this would look like. Commissioners supported expanding the rear ell if it was subordinate and needed to see details for the proposed driveway on the left of the house.

### **959 Chestnut Street – Determination of Existing Violation**

#### **Materials Reviewed:**

Approved plans 10-2019

Photographs

Elevations

J. Riklin explained that the framing of the new main house block was approved to be the same exterior height from the first floor to the roof ridge as the historic house block which was demolished in 2019. The new main house block framing appeared taller than the original and the Commission needed to determine if the as-built height was in violation. J. Riklin calculated that based on the number of rows of vinyl siding shown in photos of the main house block, which he assumed had a four-inch exposure, and taking into account rafters, that the historic house block was approximately 21 feet and 10 inches. The framed out right side appeared to be at least five feet higher based on the green board section dimensions. And if the front was taller, then the rear addition which intersected the front roof was also taller. Commission members agreed that visually the new main house block was taller. J. Walter also noted that the approved 2019 plans showed a height of 21 feet 10 and three-quarter inches from the first floor to the roof ridge while the new as-built plans showed a height of 24 feet and 10 inches. Abutters said that the new structure was taller; what they could see of the new structure from their houses was taller than what they could see of the historic house block. M. Sinani said that the height was based on what was submitted to ISD. J. Walter moved to determine that the height of the as-built main house block structure was in violation. L. Malcom seconded the motion. There was a roll call vote and the motion passed 6-0 with one recusal.

### **RECORD OF ACTION:**

**DATE:** February 18, 2021

**SUBJECT:** 959 Chestnut Street – Motion to Determine Existing Violation

At a scheduled meeting and public hearing on February 11, 2021, the Newton Upper Falls Historic District Commission, by roll call vote of 6-0, with one recusal

**RESOLVED** to determine that there is an existing violation regarding the building height ; the as-built main house block structure is in violation because it is taller than the historic structure and what was approved in the certificate issued on September 10, 2020 to rebuild the main house block.

### **Voting in the Affirmative:**

Jeff Riklin, Chair

Judy Neville, Member

Scott Aquilina, Member

Paul Snyder, Member

Laurie Malcom, Member

Jay Walter, Member

### **Recused:**

Daphne Romanoff, Member

**959 Chestnut Street – Certificate of Appropriateness (Violations)****Materials Reviewed:**

Approved plans 10-2019

Photographs

Site plans

Elevations

Product information

J. Riklin explained that the commission could consider the applications submitted for the changes that were done without Commission review and approval and approve or deny them on their merits, the Commission could review them and deny them based on the existence of unremediated violations including the building height, or the Commission could deny based on unremediated violations including the building height.

There was discussion of the basement windows and increased exposed foundation. M. Sinani said he thought that part of the house would be considered not visible from a public way. The installed windows were vinyl; he could replace them with an aluminum-clad window. L. Malcom wanted a remediation plan for all the items in violation; she proposed denying the applications on the basis of unremediated violations. P. Snyder wanted to understand why there were all these deviations and why the owner did not come back to the Commission with all the changes. The rebuilding of the house was approved with the condition that the height and dimensions match the existing historic structure, and that did not happen. He noted that the owner originally applied to demolish the house to build a taller structure, which the Commission denied. P. Snyder wanted to deny the applications and have the owner come back with a plan to deal with all the violations, including the height. Other commission members agreed. Neighbors and abutters said that they also wanted one plan to resolve all the issues.

J. Walter moved to deny the applications as submitted on the basis of continuing and unremediated violations and on the basis that the height of the as built was determined to be in violation. P. Snyder seconded the motion. There was a roll call vote and the motion passed 6-0 with one recusal. The Commission asked the owner to submit plans rectifying the height and the other violations. P. Snyder wanted an explanation as to why there were all these deviations from what historic approved. M. Sinani said he would appeal the decisions.

**RECORD OF ACTION:****DATE:** February 18, 2021**SUBJECT:** 959 Chestnut Street - Certificate of Appropriateness (Violation)

At a scheduled meeting and public hearing on February 11, 2021, the Newton Upper Falls Historic District Commission, by roll call vote of 6-0, with one recusal

**RESOLVED to deny** a Certificate of Appropriateness for the applications as submitted for the changes that were done without Commission review and approval on the basis that the existing violations at the subject property as determined at the January 14, 2021 meeting are continuing and unremediated and on the basis that the building height was determined to be in violation at the February 11, 2021 meeting. The applications include: the basement windows and exposed foundation area; the window program on the left side of the garage; the new retaining walls; the space between the top of the window molding and the frieze board on the main house block; the location of the garage lights and the dropped garage floor; the grade changes and exposed basement wall, exterior walls, stairs, and windows on the rear gable end elevation; the vents, vent

pipes and location of the electric panel; and the change to the building height. Until the violations are resolved, the applications cannot be resubmitted for review. The owner can re-submit the applications after the existing violations are remediated.

**Voting in the Affirmative:**

Jeff Riklin, Chair

Scott Aquilina, Member

Laurie Malcom, Member

Judy Neville, Member

Paul Snyder, Member

Jay Walter, Member

**Recused:**

Daphne Romanoff

**Administrative Discussion**

**Minutes:** The November 2020 meeting minutes were approved.

The meeting was adjourned at 10:30 p.m.

Recorded by Barbara Kurze, Senior Preservation Planner