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**MINUTES OF PUBLIC MEETING AND PUBLIC HEARINGS
NEWTON HISTORICAL COMMISSION**

DATE: October 28, 2021

PLACE/TIME: Via Zoom

ATTENDING:	Peter Dimond, Chairman	Doug Cornelius, Member
	Katie Kubie, Member	Mark Armstrong, Member
	Amanda Stauffer Park, Member	Jennifer Bentley-Houston, Alt
	Valerie Birmingham, Staff	See Attendance List

ABSENT: Nancy Grissom, Member

The meeting was called to order via Zoom at 7:00 p.m. with Peter Dimond serving as Chair. Voting permanent members were Cornelius, Kubie, Armstrong, and Stauffer Park. Armstrong left after the conclusion of the second item and Bentley-Houston was designated to vote as an alternate. Valerie Birmingham acted as Zoom host and the meeting was digitally recorded on the Zoom device.

**1. 72 Columbus Street, NR – Local Landmark Nomination (Ward 6)
Request to nominate this property for designation as a local landmark**

Staff reported that The NHC reviewed a local landmark nomination for this address in 2019, and on December 19, 2019, unanimously voted to authorize a landmark report on 72 Columbus Street, to be presented to the NHC for review at a future hearing. That nomination was never voted on for designation and has since expired. On September 1, 2021, 72 Columbus Street was once again nominated as a local landmark by its owner, Workshop of Women’s Club of Newton. At this hearing the NHC must again vote whether the property has enough historical significance to authorize staff to prepare a landmark’s report for consideration at a future hearing for possible designation of the property as a landmark.

The Newton Highlands Women’s Club building was constructed in 1927 and designed by Edward B. Stratton, a well-known architect who worked in Newton in the early decades of the 20th century. Designed in the Spanish Eclectic and Colonial Revival Styles, this building has served as a clubhouse

since it was constructed. The Club was formed in 1916 and was able to assemble funds to purchase a lot of land and build its own clubhouse in 1927. Organized as one of many women's clubs in the early nineteen-teens, the groups performed charitable and social work until war efforts engendered more support for US troops. Further research will document the history of the structure, as well as membership information and this organization's longevity at this location. This property is a contributing resource to the Newton Highlands National Register Historic District.

Mr. Cornelius asked about the genesis of the nomination. No representative from the owner was in attendance. Ms. Birmingham responded she believed the owners were seeking to obtain CPC funds and were interested in the history of the property.

Mr. Dimond made a motion to accept the landmark nomination and authorize staff to prepare a landmark report. Ms. Bentley-Houston seconded the motion.

At a scheduled meeting and public hearing on October 28, 2021, the Newton Historical Commission, by a vote of 6-0

RESOLVED to authorize a landmark report on 72 Columbus Street, to be presented to the NHC for review at a future hearing

Voting in the Affirmative: Voting in the Negative: _____ Recusal:

Peter Dimond, Chair

Doug Cornelius, Member

Katie Kubie, Member

Mark Armstrong, Member

Amanda Stauffer-Park, Member

Jennifer Bentley-Houston, Alt.

2. **29 Greenwood Street, LL – Request to Remediate Violation (Ward 8)**
Request review of proposed plans to remediate violation

Franklin Schwarzer, attorney, and Donald Lang, architect, on behalf of the owner, went over the submitted plans with Commission members. Lang discussed how his team had continued to put together a submittal with the objectives that include to repair what was remaining of the historic structure and reconstruct the structure and to construct a historically accurate exterior. Since the August hearing, Lang commented that the objectives have been extended and amended to include consideration of comments made at the August hearing, a further review of the landmark report, and a site visit with a restoration contractor. Lang explained that the submission now included a redesigned rear addition to fit in better in terms of massing and scale. Additionally, renderings and paint analysis were shown. Lang further went over and into the details of the proposed plans to repair and reconstruction of the structure and submitted materials with the Commission members and explained the changes to the plans since the August hearing.

Staff reported that at the August 26 hearing when this property was last discussed, staff reported that the Gershom Hyde House was constructed c.1744, making it one of the oldest residences in Newton.

This property was individually listed on the National Register of Historic Places in 1986 and designated a Newton Local Landmark in 2005. The Gershom Hyde House came before the Newton Historical Commission in 2017, 2019 and 2020 for approval and subsequent extensions to approved plans for restoration of the house and construction of a rear addition. The property changed hands in January of this year and work commenced based on the previously approved plans. An ISD building inspector visited the site on April 27th of this year and observed that the historic house had been replaced by new framing. A Stop Work order was issued by ISD for violations of the NHC approval of this project, and work at the site ceased. The work observed at the site was not in keeping with the previously issued Certificate of Appropriateness and approved plans.

At the May 27 hearing, the NHC voted to find 7-0 that the work at 29 Greenwood Street was in violation of the Certificate of Appropriateness that was previously issued for this project and that the Stop Work Order imposed by Inspectional Services would remain in effect. The NHC also voted 7-0 to authorize tarping at the site and over dumpsters in accordance with site restrictions imposed by ISD via the Stop Work Order. Lastly, the NHC voted 7-0 to authorize fines on the owner, beginning on the day the Stop Work Order was imposed, April 30, 2021, in accordance with the Local Landmark ordinance as revised in July 2020.

At the August hearing, the NHC reviewed plans and stated that the entire project, including the rear addition should be shown on any submittals and remarked about the use of materials, further, a comment was made that the plan was incongruous to the character of the landmarked site. No vote was taken at this hearing and the violation and stop work order is still in place on the property.

Mr. Cornelius commented that he appreciated the work of Mr. Lang, but that the approved design was put in place to restore the historic house, but that there was no longer a historic house to rehabilitate and that this should not be called a partial demolition. Further, Mr. Cornelius asked about foundation dimensions in terms of the newly poured concrete versus the historic house's fieldstone and questioned if the new foundation was larger. Mr. Lang went over the work done with an engineer to restore the post and beam historic house, including the foundation, such as taking measurements, conducting photo analysis, and using Google Earth, and remarked that the newly poured foundation was the same size as the original. Further, Mr. Lang stated what had been done, but that the footprint of the building had not changed. Mr. Cornelius questioned the foundation and asked to see more data.

Ms. Stauffer-Park remarked that she agreed with Mr. Cornelius. Further, Ms. Stauffer-Park commented she appreciated that a lot of work had been done to the plans, but that this was not a restoration, it was in best case a replication; she stated that for a replication to meet the Secretary of Interior Standards, which is necessary for a landmarked property, it needs to be an exact replica of the entire structure and not just the parts known. Ms. Stauffer-Park continued to state the Commission should see the exact recorded documentation on the whole historic house that was completed prior to the plans, and not just the elements that were salvaged. Mr. Lang discussed that an attempt was made to indicate every piece going back, such as the windows and cornice which could be found and show measured drawings of what was there; he continued to describe what was remaining and the plans but remarked he could provide additional information.

Ms. Kubie commented that the presentation was thoughtfully done and asked if any of the sash was original, and what would be the color of any windows. Mr. Lang replied yes and commented on their

condition and remarked he could go through them with the Commission; further, Mr. Lang commented the windows could be studied and painted their original color.

The meeting was opened to public comment. David Patterson, 10 Newbury Terrace, an attorney for the immediate abutter, commented that the Commission cannot and should not grant permission to rebuild and profit; further, he remarked that the owner has not requested or applied for a Certificate of Appropriateness and commented on problems with the remediation of the violation request and the term itself. Additionally, Mr. Patterson commented the building did not qualify for demolition based on previous structural reports, and if the proposal was approved it would set a precedent. Carolyn Kraft, direct abutter at 295 Dudley Rd, remarked that she had been inside the house, and the renovations do not reflect it, and that the addition looked like a monstrosity with concern for the large trees, and she was against the addition. Jay Walter, 83 Pembroke Street, remarked that he reviewed the plans versus the Secretary of the Interior Standards for the Treatment of Historic Properties and explained why the submitted proposal does not meet any of the criteria, with the closest being reconstruction; further he remarked that he did not think the proposal was appropriate mitigation for the destruction of the historic structure.

Laura Foote of Otis Street in West Newton, asked about the number of materials removed from the site and dumpsters used. Mr. Schwarzer, attorney for the owner, replied he was not aware, and Ms. Foote commented that the property owner had never apologized for what occurred and urged the Commission not to accept the proposal; additionally, Mr. Foote asked about the proposed square footage. Mr. Lang did not have that information readily available. Robert Tuchmann, 38 Prince Street, remarked that it was one of only a handful of pre 1800 structures, and that the plans should be rejected and that it was not the role or within the ability of the Commission to figure out and approve a remedy for the building's destruction, as that is the role of a Middlesex Superior Court judge; further he commented if the Commission approved the plans it would invite others to do something similar in the future.

Stephen Farrell, 30 Winston Road, stated a petition had been signed by 780 residents asking the Commission to deny the proposal and individual letters submitted outlining residents' frustration over the destruction of the landmark and concern about the site's future. Rena Getz of Waban commented that the Commission was being asked to approve a 2021 replica and it should stay within the purview of the Landmark Ordinance as the Commission was not empowered to accept a remediation of a demolished landmark, and that she was concerned about setting a precedent. Anne Greer, direct abutter at 31 Greenwood Street, commented that this is not a partial demolition and remarked that if the project was approved the house does not have the original's authenticity, and that the rear addition made it look less like historic and a middle ground could be considered of reconstructing the house without the addition. Further, Ms. Greer remarked about an encounter with an associate of the developer, and commented that the plans note repair or replace, and that the little that is left could be replaced and that the department with the authority should try to protect what is left.

Councilor Malakie commented that what was presented was not a replication as it would include clapboards made in the original way and inquired about the remaining historic fabric on the site. Amy Sangiolo asked if the law department had advised the Commission on the authority to vote. Mr. Dimond answered that the Commission has been told it has the authority to vote yes or no on the

submittal. Further, Ms. Sangiolo commented that she suggested the Commission deny the submittal, and if approved it would be setting a precedent. Councilor Ryan agreed with previous public comment that the Commission should deny the submittal

Mr. Dimond thanked those that provided public comment and remarked that the Commission shared the outrage of what has been done. Further, Mr. Dimond commented he would call for a vote to reject the proposed plans as the proposal is virtually identical to the work underway, with the addition of some historical features and it would be a replica of little historical value to the community. Additionally, Mr. Dimond referenced the Secretary of Interior Standards for the Treatment of Historic Properties, specifically Reconstruction, and that it should be based on the accurate duplication of historic features and elements substantiated by documentary of physical elements, rather than conjectural design or on the availability of features on other properties, Mr. Dimond later commented the proposal does not meet any of the Standards. Mr. Dimond remarked he had seen little in way of documentation and thought the submission was incomplete, and there was little detail in the drawings and provided examples. Mr. Dimond continued to remark that the approval of a rear addition was tied to the work proposed to the original house, and that as the house was gone, so to was the approval of the rear addition, and the proposal was not an appropriate remediation of the violation. Mr. Cornelius agreed and commented that it was an inadequate replication of what was there, and that any prior approval was no longer applicable as the existing house was gone.

Mr. Schwarzer commented that Commissioners had asked for additional information in which Mr. Lang had stated he would be willing to provide. Mr. Dimond commented that the project was not realistic and there was not a need to look into the details at this point. Ms. Kubie remarked that the structure no longer met the guideline as a landmark and a replica is not a landmark but commented that she believed quite a bit of information of what remained of the historic fabric had been provided and carefully presented; she agreed it was not a sufficient amount and not enough of the historic structure is remaining for the violation to be remediated.

Mr. Cornelius made a motion to find the remediation plan inadequate and vote to reject the proposal. Ms. Stauffer-Park seconded the motion.

At a scheduled meeting and public hearing on October 28, 2021, the Newton Historical Commission, by a vote of 6-0:

RESOLVED to find the remediation plan inadequate and reject the proposal for reasons stated by the Commission.

Voting in the Affirmative: Voting in the Negative: Recusal:

Peter Dimond, Chair
Doug Cornelius, Member
Katie Kubie, Member
Mark Armstrong, Member
Amanda Stauffer-Park, Member
Jennifer Bentley-Houston, Alt.

3. **933-935 Walnut Street – Demolition Review (Ward 6)**
Request to demolish buildings

Ward Shifman, representative of the owner, remarked that he wanted to construct a new two-family dwelling, and that the existing house had undergone many alterations.

Staff reported that A building at this address, owned by the Coffey (also spelled Coffee on some records) family, first appears on the 1874 atlas, in between constructed buildings at 931 and 941 Walnut Street. Jeremiah Coffey is likely the first owner as his name appears on an 1865 subdivision plan. The dwelling was constructed as a single-family dwelling and was hooked up to city water in 1886, and at that time, the rear ell is evident in the footprint. Today, the three buildings at 931, 933-935, and 941 still retain a similar setback close to the street and although large additions have been constructed in the rear, the front massing is still presented as two-story side gabled dwellings with a three-bay façade, center entrance and chimney.

Jeremiah Coffey was an Irish immigrant and laborer who resided in the dwelling with his wife Mary, and their children. This seemed typical for the area as according to the 1880 census, Timothy Sullivan, an Irish immigrant, and laborer is residing next door at 931 with his family, and Henry Pierce, an Irish Canadian immigrant and laborer is residing next door at 941 with his family. The Coffey family retained ownership of the property until at least 1907, and by 1910 John J. Diggins, is listed as the owner. Diggins, a mason, emigrated from Ireland in 1890, had a hip roof constructed over a piazza on the dwelling in 1921. The Diggins family resided here until at least 1938, and in 1948 the listed resident is Mary Barrett, a widow, who would remain until at least 1963. In 1981, Joseph DeLuca enclosed an existing roofed side porch and in 1988, DeLuca, converted the property into a two family and constructed a large connected second residence in the rear, with its entrance facing the driveway. Staff recommended preferably preserving the dwelling as part of an example of a remaining group of 19th century immigrant housing in Newton which still bears a resemblance to its original streetscape appearance.

Mr. Cornelius commented that there was no fabric left. Ms. Kubie agreed and commented that she did not find much in the area. Ms. Stauffer-Park also agreed with Mr. Cornelius.

Craig Nesta, an abutter across the street at 930 Walnut Street, asked for clarification that it was Ward Shifman who did work at 960-962 Walnut Street. Mr. Shifman replied that it was correct. Mr. Nesta continued to remark he found out about the application through the public hearing notice and noted he had been in the neighborhood twenty years and was concerned about the proposed demolition; further Mr. Nesta commented on renovations done to other houses in the area in which the properties were preserved quite well and fit into the neighborhood as well as they blend quite nicely. Mr. Nesta asked about a change in ownership. Mr. Dimond clarified the purpose of the hearing item, and Mr. Nesta asked to retain the front of the house to preserve the historic nature of the house within the context of the neighborhood.

Mr. Dimond remarked that he thought the house was worthy of preservation and blends in nicely with the immediate area. Ms. Bentley-Houston wondered if the owner had considering saving the house and doing a renovation instead.

Mr. Dimond made a motion to preferably preserve the property at 933-935 Walnut Street. Ms. Bentley-Houston seconded the motion

At a scheduled meeting and public hearing on October 28, 2021, the Newton Historical Commission, by a vote of 2-3:

RESOLVED to preferably preserve the property at 933-935 Walnut Street

Voting in the Affirmative: Peter Dimond, Chair

Voting in the Negative:

Recusal:

Doug Cornelius, Member

Katie Kubie, Member

Amanda Stauffer-Park, Member

Jennifer Bentley-Houston, Alt.

The motion did not pass. The property at 933-935 Walnut St is not preferably preserved.

4. **18 Bonnybrook Road – Demolition Review (Ward 5)**
Request to demolish buildings

Alex Kogan, representative of the owner, commented on the changes to the house and that he felt the house had lost its character.

Staff reported that the single-family house with an attached two car garage at 18 Bonnybrook Road was permitted for construction in 1939 for \$16,000. The owner is listed as Frederick Morley and the architect and builder is Joseph Morley. The brothers also teamed up to construct #s 31 and 36 Bonnybrook Road the same year. Bonnybrook Road was constructed sometime between 1929 and 1939 on land formerly belonging to Margaret B. Gorham.

The Colonial Revival style dwelling features elements typical of its style such as an accentuated front entrance supported by pilasters and with a broken pediment, large double hung multi pane windows flanked by shutters, and decorative modillions below the eave. In 1961 the rear of the house was extended for a porch and den by owner Richard Silverman. Silverman later had a rear solarium and pool house addition to the right side constructed in 1981. Staff recommended the house preferably preserved for architectural integrity.

Ms. Stauffer-Park remarked that she was not concerned with the additions to the rear and side, and the integrity and front of the house were still intact. Ms. Cornelius commented he was stunned this was a full demolition application. Ms. Kubie agreed with other members, and felt it fit in with the surrounding area.

Rena Getz of Waban remarked that it was an incredible house. Jerry Mahony, an abutter at 31 Bonnybrook Road, commented that the appearance is impeccable. Sarah Kane, an abutter at 45 Bonnybrook Road, remarked she was concerned about the diminish of the historical character and asked to try and preserve the house.

Mr. Dimond made a motion to preferably preserve the property at 18 Bonnybrook Road. Ms. Kubie seconded the motion

At a scheduled meeting and public hearing on October 28, 2021, the Newton Historical Commission, by a vote of 5-0:

RESOLVED to preferably preserve the property at 18 Bonnybrook Road

Voting in the Affirmative: Voting in the Negative: Recusal:

Peter Dimond, Chair
Doug Cornelius, Member
Katie Kubie, Member
Amanda Stauffer-Park, Member
Jennifer Bentley-Houston, Alt.

5. **180 Chapel Street – Waiver Request (Ward 1)**
Request to waive demolition delay

Ron Jarek, architect for the project, went over the plans for the proposed new house, and showed photographs of surrounding conditions.

Staff reported that this property was preferably preserved on May 27, 2021, and the minimum four-month waiting period had elapsed.

Mr. Dimond asked about the materials. Leo Coelho, an additional architect working on the project, replied and specified the siding would be fiber cement clapboard. Mr. Jarek commented there were no garages. Mr. Dimond remarked that it looked great.

Mr. Dimond made a motion to waive the demo delay based on plans as presented. Mr. Cornelius seconded the motion.

At a scheduled meeting and public hearing on October 28, 2021, the Newton Historical Commission, by vote of 5-0:

RESOLVED to waive the demo delay on 180 Chapel Street based on plans as presented.

Voting in the Affirmative: Voting in the Negative: Recusal:

Peter Dimond, Chair
Doug Cornelius, Member
Katie Kubie, Member

Amanda Stauffer-Park, Member
Jennifer Bentley-Houston, Alt.

6. **974 Dedham Street – Waiver Request (Ward 8)**
Request to waive demolition delay

Jack Groper, architect for the project, went over the proposed plans and reasoning for the placement of the proposed garage.

Staff reported that this property was preferably preserved on June 24, 2021, and the minimum four-month waiting period had elapsed.

Mr. Dimond asked about retaining the existing house. Mr. Groper remarked there were cracks in foundation, and that it was an eyesore beyond repair. Ms. Bentley-Houston stated she did not think the plans mitigated the loss of the house. Mr. Cornelius pointed out that Dedham Street is all over the place in terms of design. Mr. Groper remarked that the existing house would not be suitable for modern standards. Ms. Kubie commented that the role of the Commission is to determine if the proposed design mitigates the loss of the historic house and remarked that the house seemed modern, and the bay was not typical. Mr. Cornelius remarked that the Commission had seen better examples of modern design.

Councilor Ryan remarked that she would love to see the house preserved and that it means a lot to the people who grew up in the area, it was shame to lose the old growth trees, and that it is a nice piece of land. Further Councilor Ryan commented the developer could do better on the plans and hoped the Commission would not waive the delay. Benjamin Ginsburg, Spiers Road, remarked that it was one of the oldest houses in the area and it was somewhat outlandish to say it was a irreparable, and just because it has a window, roof and foundation, it does not make it an homage or a type of replacement of the existing house.

No vote was taken and the demolition-delay on the property was not waived.

Administrative Discussion:

a) Minutes from August and September hearing.

Minutes from the August 26 and September 23 hearings were unanimously approved by those in attendance at the August and September hearings.

The meeting was adjourned by unanimous vote.

Administratively approved Full Demos for the month of October:

34 Westbourne Rd (garage)	9/15/2021	D
756 Boylston St (garage)	9/22/2021	D
62 Stanley Rd	9/22/2021	D
26 Wetherell St	9/29/2021	D
39 Border Street	10/4/2021	D
29 Westgate Rd	10/5/2021	D

56 Beecher Place
24 Wilson Circle

10/6/2021 D
10/13/2021 D

Respectfully,

 , NHC