

# City of Newton, Massachusetts

Department of Planning and Development 1000 Commonwealth Avenue Newton, Massachusetts 02459 Telephone (617) 796-1120 Telefax (617) 796-1086 www.newtonma.gov

Barney S. Heath Director

# APPLICATION FOR LOCAL HISTORIC DISTRICT CERTIFICATE OF APPROPRIATENESS, NON-APPLICABILITY, OR HARDSHIP

DATE RECEIVED: November 24, 2021 PROJECT #:
PROJECT ADDRESS: 999 CHESTNUT ST, NEWTON UPPER FALLS, MA 02464
Project Information
Is THE PROPERTY AND/OR STRUCTURE DESIGNATED (check all that apply):
LOCAL HISTORIC DISTRICT LOCAL LANDMARK NATIONAL REGISTER SITE
(Depending on how a property is designated, different Newton City Ordinances may apply.)
NAME OF LOCAL HISTORIC DISTRICT: NEWTON UPPER FALLS
TYPE OF STRUCTURE(s) AFFECTED (Check all that apply):
HOUSE GARAGE NON-RESIDENTIAL BUILDING SHED
SIGN WALL OTHER OTHER, PLEASE DESCRIBE: THE HARDSCAPE PATIO WILL BE AFFECTED
What Year Was The Structure Built (if known): 2007
TYPE OF PROPOSED WORK (Check all that apply):
ADDITION ALTERATION DEMOLITION NEW CONSTRUCTION REPAIR
REPLACEMENT OTHER
IF OTHER, PLEASE DESCRIBE: A FREE-STANDING CEDAR BARREL TUB 4' HEIGHT X 6' CIRCUMFEREN
DESCRIBE SCOPE OF WORK:
To install a free standing cedar barrel hot tub for health and leisure (the current owner has severe scolisois and wears a full body brace). The Newton ordinances did not require a permit for a free-standing hot tub no larger than 4' height and 6' width. But after a careful review ( and after the purchase, it was found out the Historical board asks that the tub not affect the view of the historic structure, the house, and be no higher than the fence. This hot tub must also be appealing. Based on the included site plan, the tub does not obstruct the view of the house from any side, and is not higher than the current 4' picket fence. While the property is not highly visible, minus the foliage, the appearance the hot tub is "zen" as it employs a special coopering that most companies do not offer. Briefly Describe The History Of The Property (IF KNOWN):
The 1825 house was carefully restored by architect Donald Lang in 2006, which garnered an historic preservation award in 2007. Since, the property has gone solar—and it bears mentioning that the historical board guided the look of the installation of all black panels. The look is very clean.
THIS APPLICATION FORM MUST BE ACCOMPANIED BY A GENERAL PERMIT APPLICATION FORM AND BY THE REQUIRED SUBMISSION MATERIALS IDENTIFIED ON THE LOCAL HISTORIC DISTRICT APPLICATION REQUIREMENTS SHEET. INCOMPLETE OR INACCURATE APPLICATIONS WILL NOT BE ACCEPTED.

THE COVER PAGE AND THE INSTRUCTIONS ON THE BACK OF THE APPLICATION FORMS HAVE ADDITIONAL INFORMATION ABOUT THE APPLICATION INTAKE AND REVIEW PROCESS, AND THE HARD COPY REQUIREMENTS.



# City of Newton, Massachusetts

Department of Planning and Development 1000 Commonwealth Avenue Newton, Massachusetts 02459 Telephone (617) 796-1120 Telefax (617) 796-1086 www.newtonmagov

Barney Heath Director

#### GENERAL PERMIT APPLICATION

PROJECT DESCRIPTION:	STRICT: DATE RECEIVED: November 24, 2
PROPERTY LOCATION INFORMATION	
STREET ADDRESS: 999 CHESTNUT ST	CITY/ZIP: NEWTON U.F. 02464
LEG AL DESCRIPTION (SECTION, BLOCK, LOT):	
PROPERTY OWNER INFORMATION	
NAME: LAUREL RUTH LAULKAR TRUST	PHONE: 760-710-1497 ALT. PHONE:
MAILING ADDRESS: 999 CHESTNUT STREET, NEWTON, MA	
PROPERTY OWNER CONSENT	
	lication and I (we) consent as follows: approval for development on my (our) property is made with my permissio le City of Newton to access my property for the purposes of this application
X Z	NOVEMBER 24, 2021
(Property Owner Signature)	(Date)
(Property Owner Signature)	(Date)
APPLICANT / AGENT INFORMATION NAME: LAUREL LAULKAR	PHONE: 760-710-1497 ALT. PHONE:
MAILING ADDRESS: 999 CHESTNUT ST, NEWTON MA 02464	
X AZ	NOVEMBER 24, 2021
(Applicant/Agent Sign ature)	(Date)
applicant/agent must also be lagally authorized to make decisi	be any individual representing the establishment or property owner. The sions on behalf of the Property Owner(s) in regards to the application.  SE ONLY BELOW THIS LINE
OFFICE USE	
CHECK APPROPRIATE PERMIT OF	OR REVIEW PROCESS (CHECKALL BEING SUBMITTED)
CHECK APPROPRIATE PERMIT OF Zoning Review Application	Comprehensive Permit
CHECK APPROPRIATE PERMIT OF Zoning Review Application Administrative Site Plan Review	Comprehensive Permit Variance Application
CHECK APPROPRIATE PERMIT OF Zoning Review Application Administrative Site Plan Review Sign Permit	Comprehensive Permit Variance Application X Historic Preservation Review
CHECK APPROPRIATE PERMIT OF Zoning Review Application Administrative Site Plan Review Sign Permit Special Permit/Site Plan Approval	Comprehensive Permit Variance Application X Historic Preservation Review Conservation Commission Review
CHECK APPROPRIATE PERMIT OF Zoning Review Application Administrative Site Plan Review Sign Permit	Comprehensive Permit Variance Application X Historic Preservation Review

Application Addendum: 999 Chestnut St, Newton Upper Falls

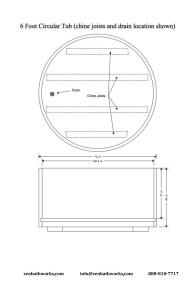
Here is the list of information and materials that we still need:

- Zen tub manufacturer's product cut sheet/specifications, including model, photo, materials, and dimensions: please note that the height is custom at 48" but all the other dimensions are correct: Appendix A
- Elevation sketch showing what the tub would look like relative to the shed; you can mark up a photo: Appendix B
- Hot tub dimensions need to be called out on the site plan and elevation sketch:
   Appendix B
- It sounds like there will be changes to the hardscaping; if so, we need a description of what those changes will be, a sketch showing the existing hardscaping and a sketch showing the proposed changes: No Changes

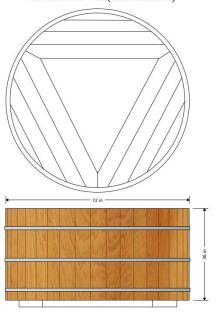
Because the Zen tub will be visible from the street, you should consider whether you could use plantings to screen it. You don't need to submit a planting plan, but commission members may ask about this in the meeting. "

#### APPENDIX A:





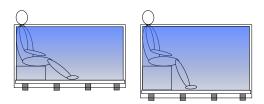
#### 6 Foot Circular Tub (benches shown)



zenbathworks.com

info@zenbathworks.com

888-810-7717



#### Comparison of 36" and 42" tub depth

The only difference is the seating position.

Immersion is up to shoulder height in both tub depths.
Bench height is 8" in 36" tub & 12" in 42" tub.
(No benches in 29" tub.)

100	Size	Round (Circ	ulari	Ellipse	
Zen	diameter * height *	Filled Weight Approximate Pounds	US Gallons	Filled Weight Approximate Pounds	US Gallons
	4'29"	1,600	165	1,300	125
Small	4'36"	2,000	210	1,600	160
	4'42"	2,400	250	1,900	190
	5'29"	2.500	260	2.000	200
Medium	5'36"	3,200	330	2,500	255
medium	5'42"	4,000	400	3,000	305
	6'29"	3,800	390	3,000	300
Large	6.36.	5,000	495	3,750	375
	6'42"	6,000	590	4,500	450
	7"29"	5.500	530	4.200	410
Extra Large	7"36"	7.000	680	5,200	520
	7'42"	8,000	810	6,200	620
	8'29"	7.300	700	5.700	535
Super Large	8'29"	9,000	900	7.300	690
	8'42"	9,000	1.075	7,300	820

 $zenbathworks.com \\ info@zenbathworks.com$ 

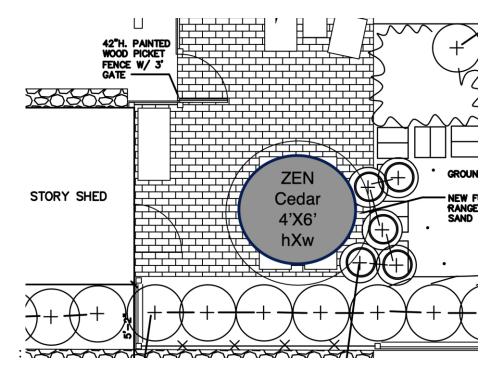
888-810-7717

#### APPENDIX B:

Elevation sketch:



# Site Plan:



# Massachusetts Cultural Resource Information System

# Scanned Record Cover Page

Inventory No: NWT.55

Historic Name: Barney, Joseph House

**Common Name:** 

Address: 999 Chestnut St

Merchant's Row

City/Town: Newton

Village/Neighborhood: Upper Falls

**Local No:** 115, 51002 0002

Year Constructed: c 1830

Architect(s):

Architectural Style(s): Greek Revival

Use(s): Single Family Dwelling House

Significance: Architecture

NWT.A: Newton Upper Falls Historic District

NWT.R: Newton Upper Falls Historic District

NWT.Y: Newton Multiple Resource Area - 1636-1907

Designation(s): Local Historic District (12/17/1975); Nat'l Register District

(09/04/1986); Nat'l Register MRA (09/04/1986)

Roof: Asphalt Shingle

Building Materials(s): Wall: Wood; Wood Clapboard

Foundation: Concrete Unspecified; Stone, Uncut



The Massachusetts Historical Commission (MHC) has converted this paper record to digital format as part of ongoing projects to scan records of the Inventory of Historic Assets of the Commonwealth and National Register of Historic Places nominations for Massachusetts. Efforts are ongoing and not all inventory or National Register records related to this resource may be available in digital format at this time.

The MACRIS database and scanned files are highly dynamic; new information is added daily and both database records and related scanned files may be updated as new information is incorporated into MHC files. Users should note that there may be a considerable lag time between the receipt of new or updated records by MHC and the appearance of related information in MACRIS. Users should also note that not all source materials for the MACRIS database are made available as scanned images. Users may consult the records, files and maps available in MHC's public research area at its offices at the State Archives Building, 220 Morrissey Boulevard, Boston, open M-F, 9-5.

Users of this digital material acknowledge that they have read and understood the MACRIS Information and Disclaimer (<a href="http://mhc-macris.net/macrisdisclaimer.htm">http://mhc-macris.net/macrisdisclaimer.htm</a>)

Data available via the MACRIS web interface, and associated scanned files are for information purposes only. THE ACT OF CHECKING THIS DATABASE AND ASSOCIATED SCANNED FILES DOES NOT SUBSTITUTE FOR COMPLIANCE WITH APPLICABLE LOCAL, STATE OR FEDERAL LAWS AND REGULATIONS. IF YOU ARE REPRESENTING A DEVELOPER AND/OR A PROPOSED PROJECT THAT WILL REQUIRE A PERMIT, LICENSE OR FUNDING FROM ANY STATE OR FEDERAL AGENCY YOU MUST SUBMIT A PROJECT NOTIFICATION FORM TO MHC FOR MHC'S REVIEW AND COMMENT. You can obtain a copy of a PNF through the MHC web site (www.sec.state.ma.us/mhc) under the subject heading "MHC Forms."

Commonwealth of Massachusetts
Massachusetts Historical Commission
220 Morrissey Boulevard, Boston, Massachusetts 02125
www.sec.state.ma.us/mhc

This file was accessed on: Tuesday, January 4, 2022 at 11:53 AM

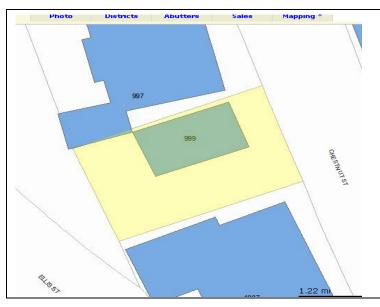
#### FORM B - BUILDING

MASSACHUSETTS HISTORICAL COMMISSION MASSACHUSETTS ARCHIVES BUILDING 220 MORRISSEY BOULEVARD BOSTON, MASSACHUSETTS 02125

**Photograph** 



### **Locus Map**



**Recorded by:** Katy Hax Holmes **Organization:** City of Newton

**Date**: 1/2011

Assessor's Number USGS Quad Area(s) Form Number

51002 0002 Newton A/R/Y NWT.55

Designations: LHD 1975 NR DIS, NR MRA 1986

Town/City: Newton

**Place:** Upper Falls

Address: 999 Chestnut Street

Historic Name: Joseph Barney House

Uses: Present: Residential

Original: Residential

**Date of Construction:** c.1830

Source: Jackson Homestead

**Style/Form:** Greek Revival

Architect/Builder: unknown

**Exterior Material:** 

Foundation: parged stone

Wall/Trim: wooden clapboard

Roof: cedar shingle

#### **Outbuildings/Secondary Structures:**

Custom shed (2007)

#### **Major Alterations:**

New windows (replaced 1955 windows); full restoration of house, two bathrooms added (2006)

**Condition:** Good

Moved: no ⊠ yes □ Date:

**Acreage:** 2,760 sq ft

**Setting:** East side faces Chestnut Street. Building is sandwiched between two commercial buildings. Amongst mid-19th century buildings in densely developed c.1830 neighborhood.

RECEIVED

JLY 05 2011
MASS. HIST. COMM.

### INVENTORY FORM B CONTINUATION SHEET

NEWTON

999 CHESTNUT STREET

Area(s) Form No.

A/R/Y NWT.55

MASSACHUSETTS HISTORICAL COMMISSION 220 Morrissey Boulevard, Boston, Massachusetts 02125

☐ Listed in the National Register of Historic Places.

#### ARCHITECTURAL DESCRIPTION:

This small worker's cottage on the portion of Chestnut Street known as Merchant's Row is five bays in width and one bay deep, and rises 1.5 stories from a fieldstone foundation. The front façade and central entrance face south over a small landscaped lawn. An interior, brick fireplace chimney extends from the northeast side of the roof. The single door entrance is flanked by half-height sidelights and topped by a shallow beaded pediment. The gabled roof is trimmed with a boxed cornice and returns. Simple corner and sill boards frame the house block. Windows are 6/6 wooden sash and are TDL replacements. A central dormer was added to the north slope of the roof in 2006 to allow for construction of a bathroom. The east façade faces Chestnut Street and bears a Jackson Homestead-issued plaque with a construction date of 1825. This date would classify this house as one of the earliest on this street. It would appear more likely that this house was constructed with other worker cottages in the vicinity c.1830.

Historic maps from 1874 and 1886 show a west side ell on this house, but there is no evidence of it today. The west façade has a modern double sash window in its gable peak; a modern kitchen window to replace a 1950s casement window, and a side door. The side door opens out onto a small modern patio and steps. A new shed, designed and built to match the house, was constructed at the southwest corner of the lot c.2007.

#### **HISTORICAL NARRATIVE:**

There appears to be evidence of a house in this vicinity on an 1831 map of Newton. This house also appears as a dot on an 1848 map, and more clearly on an 1855 map. In the earliest Newton directory, 1868, Joseph Barney (1817-c.1890), is listed as living in Upper Falls. Joseph Barney is listed in the 1870 census as a 'dealer in oils' and appears on an 1874 map as the owner. A 'J. Barney' appears in 1886, 1895 (J. Barney Hrs), 1907 (J. Barney Hrs) and 1929 (Jos. Barney Hrs). A Joseph Barney, farmer, appears in the 1830 census as living in Newton, though the location of his residence is unknown.

As with many worker's cottages from the early Industrial Period in Newton, an interior inspection of this house reveals conflicting evidence of its origins. The current owner has exposed the framing in the ceilings of the kitchen and living room, which reveals a single large hewn timber (east/west) in each room as the main support beam, and wide, sawn floor boards above. There is not, nor does there appear to have ever been, a central chimney in the house, though the front pine stair, which is partially enclosed, winds to the second floor with jogs to the left and right. A few of the risers at the upper level of the stairs are taller than those at the lower end.

An inspection of the basement found a double row of fieldstone foundation walls on the north side of the structure. One wall was flush with the interior brick wall of the chimney, which suggests that the existing chimney was once on the exterior of the house. With a second foundation added at a later date, the chimney is now enclosed. The existing foundation walls also do not match the footprint of the existing house, suggesting that a smaller, possibly one-room structure with a north-side exterior chimney once stood on this site. Interior trim around the fireplace and windows was once planar, with crown molding around the ceilings; the current owner has trimmed each window with crown molding detail to emulate the existing. A large stone hearth was discovered under the kitchen floor on the north side during the 2006 restoration, which indicates there was a second chimney on the northwest end of the house. The size of the existing hearth (the owner decided to keep it) appears to correspond more to a cast-iron stove than to a fireplace. This chimney is no longer extant, but the age of this house would suggest that the chimneys may have been symmetrically positioned on the north slope of the roof. On the Birds Eye maps, this house is obscured from view by the building at the corner of Ellis and Chestnut Streets.

#### **BIBLIOGRAPHY and/or REFERENCES:**

City of Newton, "The Newton Upper Falls Historic District." 1978.

City of Newton, Newton City Hall. Building jackets for: 999 Chestnut Street, Inspectional Services Department.

#### INVENTORY FORM B CONTINUATION SHEET

NEWTON

999 CHESTNUT STREET

NWT.55

Area(s) Form No.

Theu(b) Tollin 10

A/R/Y

# MASSACHUSETTS HISTORICAL COMMISSION

220 Morrissey Boulevard, Boston, Massachusetts 02125

City of Newton, www.newtonma.gov, Assessors Online database, Deed Research

City of Newton, www.newtonma.gov, City Atlases, Engineering maps, Engineering Department Water records, Water Department

Department of Planning and Development. "Newton's 19th Century Architecture: Newton Upper Falls and Lower Falls" 'History of Newton, Massachusetts: town and city, from its earliest settlement to the present time, 1630-1880' (Google ebook) Jackson Homestead, information in folder for property (Gretchen Shuler 1993)

Middlesex County Land Registry of Deeds, 208 Cambridge Street Cambridge, MA 02141-1268

Newcomb, Kenneth. Makers of the Mold: A History of Newton Upper Falls. Friends of Hemlock Gorge, 1996.

Owner records and interviews; site visit

www.Ancestry.com: census info on Barney family

City of Newton, www.newtonma.gov, City Atlases: 1874, 1886, 1895, 1907, 1917, 1929

#### FORM B - BUILDING

Massachusetts Historical Commission 80 Boylston Street Boston, Massachusetts 02116

Assessor's	number

51-02-02

USGS Quad

Area(s)

NEWTON

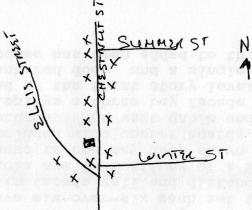
Form Number

Boston South

NWT.55

Sketch Map

Draw a map showing the building's location in relation to the nearest cross streets and/or major natural features. Show all buildings between inventoried building and nearest intersection or natural feature. Label streets including route numbers, if any. Circle and number the inventoried building. Indicate north.



Recorded by	Gretcl	nen G. Schu	ıler
Organization _	Newton	Historical	Commission
Date (monthly)	dr)	May 199	3

JUL 7 1993

(neighborhood or village) \_ Newton Upper Falls 999 Chestnut Street ric Name unknown residential Present \_\_\_\_ Original residential of Construction \_\_\_\_ ca. 1850 maps/visual Form <u>Greek Revival</u> ect/Builder unknown Exterior Material: Foundation reinforced concrete Wall/Trim asbestos shingles/wood trim Roof \_\_\_\_ asphalt shingles Outbuildings/Secondary Structures \_\_none Major Alterations (with dates) asbestos siding and rear fenestration plus ramp - third quarter 20th c. Condition fair Moved ⊠ no □ yes Date \_ n/a Acreage \_\_\_\_2,760 sq. ft. Setting Facing south between two larger commercial buildings with side yard in front of entrance facade - picket fence lines

Follow Massachusetts Historical Commission Survey Manual instructions for completing this form. buildings and opposite

property at street - among early to mid 19th

#### BUILDING FORM

ARCHITECTURAL DESCRIPTION 

see continuation sheet

Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the

community.

The modest five-bay cottage, which faces south, has a steeply pitched roof with a wide rake and returns shown in the Chestnut Street gable end. The center entrance is marked by an early panelled door covered with a metal storm and shielded by a metal and plastic awning. The entrance has flanking half side lights and a plain frame. Windows have six-over-six sash set in plain flat frames. The height of the main facade wall and distance between the tops of the windows and the facia are indications of a mid-nineteenth century dwelling. The house is one bay deep shown in the Chestnut Street gable end. Trim includes wide corner boards, molded facia and boxed cornice and returns. The west gable end is clearly seen from Ellis Street and displays a three bay facade with a single six-over-six in the peak and at the first story level, paired single-light casements, a centered door, and a single six-over-six window. A ramp for handicap access has been added to this elevation.

HISTORICAL NARRATIVE 

— see continuation sheet

Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.

One of the early buildings in Upper Falls this buildings orientation to the south is the evidence of an early nineteenth century date. Although earlier survey work indicates that this house was built ca. 1825, its proportions are of a later building and the maps evidence appears to indicate that it was constructed in the mid 1800s. It is clearly indicated on the 1855 map. The buildings shown on the 1848 map on this side of Chestnut Street are accounted for. Thus this survey is attributing a ca. 1850 date to this building. From pre-1874 until the turn of the century the building was owned by James Barney.

# BIBLIOGRAPHY and/or REFERENCES see continuation sheet

Atlases/Maps: 1855, 1866, 1874 (J. Barney), 1886 (J. Barney), 1895 (Hrs. J.Barney) 1907 (Hrs. J.Barney).
Directories: 1868- 1900s.
Vital Records, Clerk's Office.

Listed as C

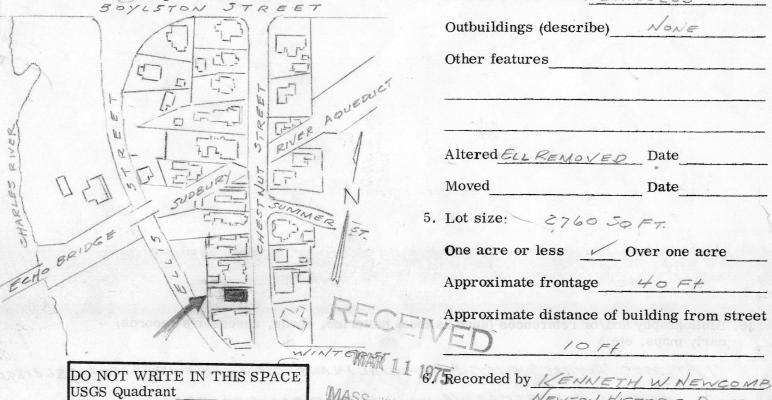
Recommended for listing in the National Register of Historic Places. If checked, you must attach a completed National Register Criteria Statement form.

#### FORM B - BUILDING

MASSACHUSETTS HISTORICAL COMMISSION Office of the Secretary, State House, Boston



an proton or partaing rocation in relation to nearest cross streets and other buildings. Indicate north.



DO NOT WRITE IN THIS SPACE USGS Quadrant MHC Photo no.

CHAS. F. & BLANKHE E. Present owner FEELEY 3. Description: /5'STORY FRAME COTTAGE Date /820 Source Tacken Homestead. Style 1/2 storey cottoge Architect Exterior wall fabric SHINGLES Outbuildings (describe) Other features Altered ELL REMOVED Date Date Moved 5. Lot size: 2760 50 F7. One acre or less Over one acre Approximate frontage 40 Ff Approximate distance of building from street 10 Ff.

MASS. HIST. COORganization STUDY COMMITTEE

Date

March 1974

In Area no.

Name Feeley Charles F & Dlauche &

1. Town NEWTON MASS Village: Newton Upper Falls

Present use DWELLING

Address 999

NWT. 55

Form no.

(over)

Original use	DWELLING	
Subsequent uses (if any) an	nd dates	
Themes (check as many as	applicable)	
Aboriginal Agricultural Architectural The Arts Commerce Communication Community development	Conservation Education Exploration/ settlement Industry Military Political	Recreation Religion Science/ invention Social/ humanitarian Transportation
Historical significance (inc		
This lit	the cottage in a	a integral part af industrial village
a nearly compil	ute early N.3	. industrial village
and is amon	, the earliest	in the millage.
l fabric Associates	Exterior wal	other buildings. Indicate north
/describe)	Outbuildings	
	Other feature	
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Bibliography and/or refere early maps, etc.)  1/ ATLASE5 · 'AETUAL'S	bevold no store and atamixongol ences (such as local histor	PLANS- CITY OF NEWTON 1874-1886

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