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

**DATE:** May 4, 2022

**PLACE/TIME:** Via Zoom

**ATTENDING:** Peter Dimond, Chairman  
Nancy Grissom, Member  
John Rice, Member  
John Sisson, Alt.  
Doug Cornelius, Member  
Mark Armstrong, Member  
Harvey Schorr, Alt.  
Valerie Birmingham, Staff

**ABSENT:** Katie Kubie, Member  
Anne Marie Stein, Alt.  
Amanda Stauffer Park, Member

The meeting was called to order via Zoom at 7:00 p.m. with Peter Dimond serving as Chair. Voting permanent members were Dimond, Cornelius, Grissom, Armstrong, and Rice. Schorr and Sisson were designated to vote. Valerie Birmingham acted as Zoom host and the meeting was digitally recorded on the Zoom device.

**1. 8 Central Avenue, NR – Violation of Demolition Delay Ordinance (Ward 2)**

Review of Draft Settlement Agreement for the unauthorized demolition of two chimneys

Staff reported that The Commission last reviewed this address, which is individually listed on the National Register of Historic Places, at their March 7, 2022 meeting and unanimously voted that both the house was historically significant, and that a violation of the Demolition Delay Ordinance had occurred when two chimneys were demolished without approvals. Since the meeting, the Law Department and staff has met with the owners, and in accordance with the Demolition Delay Ordinance Section 22-57, a draft Settlement Agreement has been written by the Law Department and reviewed by staff and the owner. The owner has expressed that they are interested in this agreement as opposed to waiting out a two-year ban on the issuance of any building permits or Certificates of Occupancy. At this meeting the Commission should review the draft document for final approval. Assuming the Commission would want to see the chimneys reconstructed, staff was also asking the Commission to provide the owner with guidance on whether future plans for the remediation of the

violation should include a full brick or a brick veneer chimney reconstruction, as well as any other comments as the applicant continues to formulate plans. If the Commission approves the draft Settlement Agreement, the owner will return to the Commission at a future meeting to show plans and request final approval in order to move forward.

Assistant City Solicitor Andrew Lee further described the terms in the draft Settlement Agreement including a \$1000 fine and explained that this would allow the owner to avoid the two-year ban, however they would be agreeing to the plans the Commission ultimately approves.

Mr. Schorr commented that he welcomed reconstruction of the chimneys and did not want to see anything too thin. Mr. Armstrong commented the only reason to have full brick would be if it continued below the roofline. Mr. Dimond remarked that the veneer could work if done well but should match the design of the demolished chimneys. Mr. Cornelius commented that it was important for the applicant to return with as much imagery of what's there. Mr. Rice agreed with the veneer comments. Mr. Armstrong remarked that the Commission would need a drawn plan and manufacturer's specifications for the proposed chimney reconstruction, and that the veneer should be at least 2" thick.

Richard Li, property owner, remarked that they prefer to construct the chimneys with a veneer, and he appreciated the Commission's comments. Mr. Lee further explained the violation process and next steps.

Mr. Armstrong made a motion to give the Chair authorization to sign the Settlement Agreement for the violation of the demolition of two chimneys at 8 Central Avenue. Ms. Grissom seconded the motion.

**RESOLVED to authorize the Chair to sign the reviewed draft Settlement Agreement at 8 Central Avenue**

Voting in the Affirmative:      Voting in the Negative:      Abstained:

Peter Dimond, Chair  
Doug Cornelius, Member  
Nancy Grissom, Member  
Mark Armstrong, Member  
John Rice, Member  
Harvey Schorr, Alt.  
John Sisson, Alt.

~~2. **1135 Washington Street, West Newton Armory, MOA (Ward 3)**~~

~~Request for NHC feedback and letter of support to the Massachusetts Historical Commission~~  
**Representatives have requested this item be postponed to a future meeting**

3. **230 Lake Avenue, PR –Preservation Restriction Review (Ward 6)**

Request to replace windows in the detached garage

Staff reported that in 2008, a Preservation Restriction (PR), held by the City of Newton, was placed on this property, which includes a handsome 1928 Spanish Colonial house and detached garage. According to the Law Department, the Commission has review over changes to key features, such as casement windows, to the portions of the buildings visible from Lake Avenue. In June of 2021, staff at the time provided an approval for the replacement of first floor windows and rear door on the detached garage as they were determined to be not visible from a public way. As the project progressed, the applicant has since asked for additional approval to replace two steel casement windows on the second floor of the left side of the detached garage, which are visible from Lake Avenue, and subject to review. The proposal requested the approval to replace the two multi lite casement windows, each with a single lite, Infinity casement picture window, with a dark color to match the existing.

Atila Habip, homeowner, remarked that the garage has structural issues, and the project began by an effort to save the building. Mr. Habip commented that they do not agree with the legal determination of the Preservation Restriction that the windows are subject to the Commission's review. Further, Mr. Habip remarked that they had looked into all types of windows, and the selected were of high quality and the same style being used on other parts of the building. Karen Ayas, homeowner, commented that they cared about preservation.

The Commission asked about the windows on the front of the house and remarked the new windows on the garage should match. Mr. Habip commented that there was no consistency on the house in terms of windows and they did not like the grids. The Commission and the owners further discussed the profiles (grids) of the windows. Mr. Cornelius commented that he would not be in favor of the submittal as the Secretary of the Interior Standards for the Treatment of Historic Properties recommend that windows be replaced in kind, and that according to the Preservation Restriction, the Commission should review projects in accordance with the Standards. Further, Mr. Cornelius commented that he would like to see evidence that the windows needed replacement. Mr. Habip remarked if they replaced the windows in kind, they would not match the already approved new windows on the first floor of the same elevation. Mr. Armstrong commented that the Commission could not approve without specifications.

Mr. Cornelius made a motion to deny the application as it did not meet the Secretary of the Interior Standards for the Treatment of Historic Properties and asked that the owners return to the Commission with a submittal that included reasons as to why the existing windows could not be repaired and plans and specifications for replacement windows that match the existing windows. Mr. Armstrong seconded the motion.

**RESOLVED to deny the request to replace (2) casement multi lite windows on the top floor of the left side of the detached garage, which are visible from Lake Avenue, with (2) Marvin Infinity Insert Casement Picture windows. The Commission resolved the proposed replacement windows did not meet the Secretary of the Interior Standards for the Treatment of Historic Properties, which are the Commission's Standards for Review. The Standards recommend that windows be restored, and if replacement is proposed, recommends replacing in-kind an entire window that is too deteriorated to repair. The Commission asked a new submittal to replace the windows include a reasoning for why**

**the windows could not be repaired, and specifications and plans for windows that match the existing windows.**

Voting in the Affirmative:      Voting in the Negative:      Abstained:

Peter Dimond, Chair

Doug Cornelius, Member

Nancy Grissom, Member

Mark Armstrong, Member

John Rice, Member

Harvey Schorr, Alt.

John Sisson, Alt.

4. **435 Albemarle Road – Demolition Review (Ward 3)**

Request to demolish house

Staff reported that this single-family vernacular house was constructed c. 1916, just a year prior to its next-door neighbors at 423, 427, and 431 Albemarle Road. The lot and surrounding lots were created c. 1902, in response to a mid-1890s plan by the City's Engineering Department to develop the area, formerly to be known as Cheesecake Boulevard and on land belonging to Francis Harrington, and channel Cheesecake Brook. The first owner of the property and house was Arthur Bates Hartford, a laborer, who previously resided with his parents and siblings nearby at 62 Kensington St. Hartford did not reside in the property long and sold it by 1919. From 1919 to 1927 the property changed hands four times until being sold to Patrick, a gardener for a private estate, and his wife Hannah. Almost a century later, the property is still in the family's ownership as it was sold in 1957 to Patrick and Hannah's daughter, Margaret and her husband, Raymond McCarthy, and today is owned by the Ford's grandson, Edmund McCarthy. This longevity of family ownership likely adds to why there have been no known footprint or massing changes to the house since its construction, with alterations being confined to materials and the repair of the front and rear porches in 2004. Even with the context of the c. 1917 vernacular neighboring houses staff struggled to see that as enough of a reason to preferably preserve the house, and recommended the Commission not preferably preserve the house.

Tom Blakely, representative for the application, commented that he tried to not submit applications for houses he thought were had historic value. Mr. Cornelius commented that he did not think there was anything particularly special about the house and that the street was a mishmash. Mr. Rice agreed. Ms. Grissom commented that it was a tradition four square in pretty original condition and that she rather liked it. Mr. Schorr commented that it did not have merit on its own, but it is part of a piece which has integrity and consistency.

The item was opened to public comment. Robert Pierson, 431 Albemarle Road, commented that he had unfortunately seen two other large multi family constructions take place on the block, and that it was a large lot. Further, Mr. Pierson commented that he respected the Commission and prospective developer's rights, but it was unfortunate that there was so much new development. Mr. Dimond inquired about an addition instead of full demolition. Mr. Blakely commented that the property had been looked at in each way and that he needed to be realistic and conform to zoning and building code. Mr. Blakely further commented on the property's value, future plans and issues with retention of

buildings in cases. Ellen Meyers, 431 Albemarle Road, inquired about the new construction, and commented on considerations to the environmental impact of demolitions. Mr. Dimond informed the public that the Commission was only discussing the existing house.

Mr. Dimond made a motion to preferably preserve the house at 435 Albemarle Road. Mr. Schorr seconded the motion.

**RESOLVED to preferably preserve the house at 435 Albemarle Road**

Voting in the Affirmative:      Voting in the Negative:      Abstained:

Peter Dimond, Chair

Doug Cornelius, Member

Nancy Grissom, Member

Mark Armstrong, Member

John Rice, Member

Harvey Schorr, Alt.

John Sisson, Alt.

5. ~~**43 Carver Road — Demolition Review (Ward 5)**~~

~~Request to demolish house and detached garage~~ **The item was postponed to the May 26, 2022 meeting**

6. ~~**1314 Washington Street, NR — Partial Demolition Review (Ward 3)**~~

~~Request to demolish rear and front entry of commercial building~~ **Applicant requested this item be postponed to a future meeting**

**Administrative Discussion:**

**a) Approval of minutes.** Mr. Dimond made a motion to approve the draft 2/24/22 and 3/7/22 minutes. Ms. Grissom seconded the motion.

**RESOLVED to approve the draft minutes from the 2/24/22 and 3/7/22 meetings**

Voting in the Affirmative:      Voting in the Negative:      Abstained:

Peter Dimond, Chair

Doug Cornelius, Member

Nancy Grissom, Member

Mark Armstrong, Member

John Rice, Member

Harvey Schorr, Alt.

John Sisson, Alt.

**b) Survey and Planning Grant Update.** Staff provided the Commission with an update that the city had been awarded a FY22 matching grant from by the Massachusetts Historical Commission, and planned to accept it to begin the Newton Architectural Survey 1946-1971 project.

**c) Discussion of edits to the Commission's Rules and Regulations.** The Commission discussed proposed changes and made edits to the Rules and Regulations including the addition of a Vice Chair, wordsmithing, and the procedure for demolition review preferably preserved votes. The Commission agreed to review another draft for final approval at a future meeting.

The meeting was adjourned by unanimous vote.

Respectfully,

 , NHC