

**From:** [City of Newton, MA](#)  
**To:** [Lara Kritzer](#)  
**Subject:** Gershom Hyde House  
**Date:** Monday, August 1, 2022 4:12:08 PM

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[**DO NOT OPEN** links/attachments unless you are sure the content is safe. ]

Message submitted from the <City of Newton, MA> website.

**Site Visitor Name:** Deborah Kelley-Milburn  
**Site Visitor Email:** [KelleyMilburn@gmail.com](mailto:KelleyMilburn@gmail.com)

Dear Lara Kritzer,

I am writing, yet again, to express my strong view that the developer who deliberately demolished the Landmark house at 29 Greenwood St, should not be allowed to profit from that destruction.

He destroyed the house far beyond repair or restoration. He did it knowingly, against the law, and deprived Newton and its citizens of one of only 4 pre-Revolutionary houses in the city.

Ty Gupta has stolen a piece of our collective history. If the Historical Commission allows him to profit from his egregious actions, they might as well abandon their work, for other unscrupulous builders will surely get the signal that it's "open season" on historic houses in Newton.

Sincerely,

Deborah Kelley-Milburn  
19 Jefferson St  
Newton MA 02458

**From:** [Diane Prunte](#)  
**To:** [Lara Kritzer](#)  
**Subject:** 29 Greenwood St. - Uphold the October 28, 2021 Decision  
**Date:** Monday, August 1, 2022 4:54:38 PM

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Newton Historical Commission,

I am writing to express my dismay about the 29 Greenwood St. property. Why would someone knowingly ignore an agreement they had with the NHC to restore a landmarked home? Mr. Gupta's actions were an insult to you and to the residents of Newton!

A replica is not the same as a restoration. If Mr. Gupta is permitted to create a replica of the former building, we are saying that what he did was OK. Furthermore, we are setting the precedent that other landmarked buildings may also be destroyed. Your Commission becomes powerless and the value of landmarking a building becomes null.

I urge you to vote on August 2nd, to uphold the October 28, 2021 decision to deny the developer permission to proceed with his project. You must uphold your mandate as the Newton Historical Commission to protect our landmarked properties!

Thank you,  
Diane Prunte  
305 Winchester St. Unit C  
Newton Highlands

**From:** [Nhu Vu](#)  
**To:** [Lara Kritzer](#)  
**Subject:** input on 29 Greenwood St  
**Date:** Monday, August 1, 2022 5:29:19 PM

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Hi there,

I wanted to send along my input regarding the situation at 29 Greenwood.

While development in Newton is great as it keeps things fresh, it's imperative that we don't allow Mr. Gupta's flouting of the rules and regulations to proceed any further.

Setting the precedent that people can employ an "it's better to ask for forgiveness than permission" approach to destroying historic homes is an awful idea.

Mistakes were made in destroying the house and not appealing the Oct 28, 2021 decision. These are mistakes that Mr. Gupta should have to live with. Otherwise, what reasons would others (myself included, there's a historic property plaque on my house) have for following the rules?

Thanks for your time.

Nhu Vu  
93 West St, Newton, MA 02458

**From:** [sallenre@aol.com](mailto:sallenre@aol.com)  
**To:** [Lara Kritzer](#)  
**Subject:** Gupta  
**Date:** Monday, August 1, 2022 5:34:06 PM

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Please **deny** Gupta the ability to proceed with the Greenwood Street property.

Thank you.  
Susan Allen  
100 Littlefield Rd  
617.332.7587

**From:** [Bill & Sue](#)  
**To:** [Lara Kritzer](#)  
**Subject:** 29 Greenwood  
**Date:** Monday, August 1, 2022 5:56:33 PM

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[DO NOT OPEN links/attachments unless you are sure the content is safe. ]

>

> Dear Ms. Kritzer and Members of the Newton Historical Commission:

>

> This is our third or fourth letter to you on 29 Greenwood Street. Actually, we thought that you had reached a conclusion on this matter. Now, it seems that you are revisiting your decision. We believed that the decision was that the destruction at 29 Greenwood was so egregious that the home could not be restored. Although Mr. Gupta knew from the beginning that he could only do a restoration, evidently, he did not think that really meant he couldn't do a tear down.

>

> We are not revisiting that decision and do not understand why the Commission is. Pictures, presentations from abutters and others, even the plaintiff's restoration architect, all pointed to a pile of wood, discarded windows and other mangled pieces of what had once been the fourth oldest house in Newton. I urge you not to give Mr. Gupta the opportunity to do one more thing to that house. Are there no consequences for flouting regulations and laws? He should pay the accumulated fine and move on — hopefully not to another project in Newton.

>

> This is all setting a terrible precedent for our landmarks.

>

> We moved to Newton in 2002 and were thrilled to find a moderate income neighborhood with a mix of housing from the 1800's to the mid-1900's. Since that move-in, we have had at least four demolition requests on Waban Park and one on Walnut Park. Of those, three succeeded in completely removing the houses and with the other two remaining somewhat intact with additional units connected to them. The neighbors did not oppose three of those demolitions. We did however oppose the destruction of two from the 1800's and reached an agreement with the developers. Those were very different situations from the one on Greenwood. However, the real result was moving from a middle income housing stock to one that now begins at \$1,000,000 and goes as high as almost two.

>

> When we looked at our current home, I remember running my hand down the bannister thinking about all the people who had touched it and I felt such a connection to those previous families. It's a privilege to live in homes with a soul.

>

> We ask you stay to your original decision - one that honors agreements, historic homes and responsibility for our actions.

>

> Bill and Sue Dickinson

> 93 Waban Park

>

> Members: Doug Cornelius, Mark Armstrong, Nancy Grissom, Katie Kuble, Amanda Stauffer Park, John Rice, Harvey Schorr and Anne Marie Stein

>

>

>

>

**From:** [Candace Jones](#)  
**To:** [Lara Kritzer](#)  
**Subject:** Ty Gupta's destruction of Landmark property 29 Greenwood  
**Date:** Monday, August 1, 2022 10:37:08 PM

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To Whom it May Concern:

As a Newton resident, I am writing to register my deep disappointment in Newton govt and Mayor RuthAnne Fuller for the lack of support for the Newton Historical Commission in their findings and suggested actions. Ty Gupta has a text with complete disregard for a Landmark property that is shared and important history of not only Newton but Massachusetts.

If Ty Gupta is not held accountable then Newton Govt and Mayor Fuller are sending a clear message that properties can be destroyed for personal gain regardless of the status and importance of the building to the larger Newton community. As importantly, if Newton govt and Mayor Fuller do not support the Newton Historical Society, they are undermining the work of this important group,

Candace Jones  
35 Leslie Rd, Auburndale, MA 02466

**From:** [Julie Winsett](#)  
**To:** [Lara Kritzer](#)  
**Subject:** re 29 Greenwood Street hearing  
**Date:** Monday, August 1, 2022 11:26:41 PM

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Hi,

I am writing regarding the Newton Historical Commission's hearing on the 29 Greenwood Street property. I was truly appalled and horrified to hear that a developer destroyed a unique Landmark property, with what seems to be limited if any punitive action taken, despite his flagrant disregard of the property's protected status. I was even more horrified to hear he may be allowed to rebuild on the property and actually profit from his illegal action. I am strongly concerned this would set a dangerous precedent for future developers and could easily start a future cascade of intentional destruction of protected properties. I strongly urge the Commission to take action to protect Newton's Landmark properties by denying the developer the right to proceed. Although this will not restore the now-destroyed house, this will send a strong message to other developers who might be contemplating the same, and should help protect other properties from a similar fate.

Thank you for hearing my concerns.

Sincerely,  
Julie Winsett  
33 Alexander Rd, Newton Highlands

**From:** [Barbara Herrmann](#)  
**To:** [Lara Kritzer](#)  
**Subject:** 29 Greenwood  
**Date:** Tuesday, August 2, 2022 10:18:00 AM

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[DO NOT OPEN links/attachments unless you are sure the content is safe. ]

> Dear Lara,

>

> I am writing to urge the Newton Historical Commission to protect Newton's remaining Landmark properties by adhering to the City's Landmark Law and upholding their October 28th decision to deny the developer of 29 Greenwood Street any right to proceed. Any decision that allows the developer to proceed sets a terrible precedent that the deliberate unapproved destruction of Landmark properties is a profitable path for all developers.

>

> Thank you

> Barbara Herrmann

> 17 Winchester Rd

> Newtonville

>

> Sent from my iPhone



**From:** [Dinah Bodkin](#)  
**To:** [Lara Kritzer](#); [mhutchins@newtonma.gov](mailto:mhutchins@newtonma.gov)  
**Subject:** Gershom Hyde House  
**Date:** Tuesday, August 2, 2022 1:58:40 PM

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I believe the NHC should abide by its October 21 decision and deny Ty Gupta any right whatsoever to proceed with work on the Gershom Hyde House. The citizens of Newton expect the Newton Historical Commission to uphold the Landmark Ordinance which states unequivocally that destruction of Landmarked properties is illegal and carries consequences for those who undertake said destruction.

Thank you for your consideration of this matter

Dinah K Bodkin  
39 Waban Ave

**From:** [Patricia Bresky](#)  
**To:** [Lara Kritzer](#)  
**Subject:** Pending NHC decision whether to allow Ty Gupta to move forward with development plans  
**Date:** Tuesday, August 2, 2022 3:25:41 PM

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To Whom It May Concern,

I am appalled to discover that Mr. Gupta, the developer that promised but failed to restore one of our historical homes, might still be allowed to buy it. I fear this will become the rule rather than the exception going forward- that the architecture and history that makes Newton so special will simply line the ever deepening pockets of developers. Shame on you, if you allow this to happen.

As someone who grew up in Newton and thanked my lucky stars when I was able to return 30 years after leaving, I have been sickened to see historical homes and churches razed to build cookie cutter condos. Newton used to be a place where I was proud to live. Please don't strip away its uniqueness, history and depth by selling out to the highest bidder!

Respectfully,  
Patricia Bresky

**From:** [Janice Byrd](#)  
**To:** [Lara Kritzer](#)  
**Cc:** [Stephen Farrell](#)  
**Subject:** 29 Greenwood Street  
**Date:** Tuesday, August 2, 2022 5:59:49 PM

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[DO NOT OPEN links/attachments unless you are sure the content is safe. ]

Hello,

I am a long time resident of Newton and my family has lived here since the 1800's and my 6 and 4 year old grandsons are the latest generation to live in Newton. Newton has always had a great regard for history and our landmarks. One of the vehicles that we keep our history alive is by preserving our landmarks. There is a distinct and rich heritage that is noticeable between cities that preserve their landmark buildings and those that have let them be razed by developers.

History aside, the developer broke our landmark law. This was serious and unlawful. He should not be allowed to proceed with his plans. If we turn our heads about this one, other developers will be equally brazen and Newton will turn into just another random city that lacks a historical perspective. Please don't allow this to happen.

Sincerely,  
Janice Byrd  
190 Chestnut Hill Road  
Chestnut Hill, Ma 02467  
Registered voter  
Richard Byrd  
Same address  
Registered voter  
Lucy Byrd  
Same address  
Registered voter

Sent from my iPhone

Because of a typographical error, many letters were returned. These are a few. Please add to the material for August 2 Newton Historical Commission mtg RE 29 Greenwood. Thank you.

----- Forwarded message -----

From: Matilda Bruckner <[matilda.bruckner@bc.edu](mailto:matilda.bruckner@bc.edu)>

To: [lkritzer@newton.gov](mailto:lkritzer@newton.gov), [mhutchins@newton.gov](mailto:mhutchins@newton.gov)

Cc:

Bcc:

Date: Tue, 2 Aug 2022 06:24:17 -0400

Subject: Ty Gupta decision

I am unable to attend the meeting tonight but I urge the Newton Historical Commission to deny the request of the developer Ty Gupta to profit from his destruction by simply replacing a historical house at 29 Greenwood St. with a copy. Allowing this will encourage other offenders to do the same.

Sincerely yours,

Matilda Bruckner

516 Ward St, Newton Centre

Jerald R. Hyde, FASA, FIOA

Physicist, Consultant on Acoustics (Ret.)

Box 55, St. Helena, CA 94574

(707) 963-0983 - [jerry@jerryhyde.com](mailto:jerry@jerryhyde.com)

August 1, 2022

SUBJECT: NHC Decision on 29 Greenwood Street (Gershom Hyde House)

To: The NHC in Particular, and the City of Newton in General,

I represent, without fear of contradiction, the vast majority of the entire Hyde Family along the line from Jonathan Hides of Newton 1639 through Gershom Hyde and beyond until today at thirteen generations as Americans. Eight of those generations, up through 1913 were in Newton itself, until future generations "went west."

We have been greatly saddened and hurt by the events surrounding the destruction of our former family home. Its existence was important to our family history as much as it was the to history of Newton itself.

That the home no longer exists is a direct attack not only to our family's legacy, but of that of Newton's historic legacy. Any decision to set a precedent for another abomination of our and your history is unacceptable.

The eternal struggle between "money" and integrity is before you. It's the age-old game between influence and power and the fabric which hold communities together. It's the issue of Money versus Quality of Life and Community Values. The dichotomy can be, and has historically been difficult to reconcile.

But, not in this case. You, the NHC, can make the right decision by choosing values over politics and money. You can set an example which will protect community values and heritage.

Importantly, by ignoring community mores in favor of political pressure and development, accepting the application will degrade the respect that the City of Newton must have from its citizens to remain a vibrant and representative entity

Because of a typographical error, many letters were returned. These are a few. Please add to the material for August 2 Newton Historical Commission mtg RE 29 Greenwood. Thank you.

which serves the greater good of the community. You then degrade public confidence in your system of governance.

This application must be denied in all forms.

Sincerely,

Jerry Hyde

11 th Generation Ancestor of Jonathan Hyde (Newton 1639)  
(Great-grandfather of Gershom Hyde)

----- Forwarded message -----

From: sande young <[ssyspts33@aol.com](mailto:ssyspts33@aol.com)>

Date: Mon, Aug 1, 2022 at 6:24 PM

Subject: Historic Landmark destroyed

To: <[RightSizeNewton@gmail.com](mailto:RightSizeNewton@gmail.com)>

Bravo ! Keep fighting !

Do not let them get away with this.

Thank-you,

Sande Young

----- Forwarded message -----

From: <[csklar12@aol.com](mailto:csklar12@aol.com)>

Date: Mon, Aug 1, 2022 at 6:24 PM

Subject: destruction

To: [RightSizeNewton@gmail.com](mailto:RightSizeNewton@gmail.com) <[RightSizeNewton@gmail.com](mailto:RightSizeNewton@gmail.com)>

While I don't agree with all of the items you back, I do in this instance. The destruction of Greenwood was horrible and a slap in the face of all ordinances. The developer should have to stop construction and pay the fines. I don't understand how someone can just do as they please without regard to rules and ordinances.

This is terrible and another example of how the developers are in charge in Newton not the city government.

Sincerely,

Carol Sklar

95 Glen Ave

----- Forwarded message -----

From: Dorothea Buckler <[dorotheabuckler@gmail.com](mailto:dorotheabuckler@gmail.com)>

Date: Mon, Aug 1, 2022 at 5:55 PM

Subject: Historic properties

To: <[RightSizeNewton@gmail.com](mailto:RightSizeNewton@gmail.com)>

Because of a typographical error, many letters were returned. These are a few. Please add to the material for August 2 Newton Historical Commission mtg RE 29 Greenwood. Thank you.

Is history important? I feel it is.

Please consider the impact seeing and perhaps even visiting a building/property from years ago has on the imagination  
And emotions of the viewer.

Help us live with the interrity of the present reinforced by the memory of past endeavors.  
Sites such as that on Greenwood are physical reminders of our common forebears.

Dorothea Buckler  
200 Dudley Road  
Newton. 02459

----- Forwarded message -----

From: <[mgmwinslow@gmail.com](mailto:mgmwinslow@gmail.com)>  
Date: Mon, Aug 1, 2022 at 6:00 PM  
Subject:  
To: <[RightSizeNewton@gmail.com](mailto:RightSizeNewton@gmail.com)>

Please do not allow developers to destroy Newton any more than they already have. The demolish first and apologize later 'policy' is changing Newton unfavorably.

Sincerely  
Margaret Winslow  
121 Devonshire Road  
Waban

----- Forwarded message -----

From: David Arkowitz <[davidarkowitz@verizon.net](mailto:davidarkowitz@verizon.net)>  
Date: Mon, Aug 1, 2022 at 6:01 PM  
Subject: Gershohm Hyde House property  
To: [RightSizeNewton@gmail.com](mailto:RightSizeNewton@gmail.com) <[RightSizeNewton@gmail.com](mailto:RightSizeNewton@gmail.com)>

hello

when I saw your email regarding this situation I was infuriated. This is absolutely ridiculous; while I do not agree with some of the crazy rules that Newton has in place from a zoning standpoint (e.g., fences), we all need to abide by the same set of rules. for example, it took me 6 months to tear down a cinder block garage on my property that was built in the 1940s because of the Newton Historical Commission, but this development can tear down the entire Gerhshom Hyde House for profit. the developer should be subjected to meaningful fines and forced to relinquish the property. this was not a mistake but instead an attempt to circumvent the rules and profit.

regards  
david arkowitz

Mon, Aug 1, 5:26 PM (17 hours ago)

Because of a typographical error, many letters were returned. These are a few. Please add to the material for August 2 Newton Historical Commission mtg RE 29 Greenwood. Thank you.

RUSSEL PERGAMENT <pergament@aol.com>  
to lkritzer

Hope to see you at the zoom tomorrow. I live in 37holly road in Waban  
The notion that a developer can destroy part of the city's historic legacy, lying every step of the way, and I think he can be made whole on his foolish and destructive and selfish abuse of the authority the city gave them turns my stomach. Do not approve this  
Russel Pergament

Russel Pergament  
BestRides  
917-558-0113  
[Russel@Best-Rides.com](mailto:Russel@Best-Rides.com)

Dear Ms. Kritzer and Members of the Newton Historical Commission:

This is our third or fourth letter to you on 29 Greenwood Street. Actually, we thought that you had reached a conclusion on this matter. Now, it seems that you are revisiting your decision. We believed that the decision was that the destruction at 29 Greenwood was so egregious that the home could not be restored. Although Mr. Gupta knew from the beginning that he could only do a restoration, evidently, he did not think that really meant he couldn't do a tear down.

We are not revisiting that decision and do not understand why the Commission is. Pictures, presentations from abutters and others, even the plaintiff's restoration architect, all pointed to a pile of wood, discarded windows and other mangled pieces of what had once been the fourth oldest house in Newton. I urge you not to give Mr. Gupta the opportunity to do one more thing to that house. Are there no consequences for floting regulations and laws? He should pay the accumulated fine and move on — hopefully not to another project in Newton.

This is all setting a terrible precedent for our landmarks.

We moved to Newton in 2002 and were thrilled to find a moderate income neighborhood with a mix of housing from the 1800's to the mid-1900's. Since that move-in, we have had at least four demolition requests on Waban Park and one on Walnut Park. Of those, three succeeded in completely removing the houses and with the other two remaining somewhat intact with additional units connected to them. The neighbors did not oppose three of those demolitions. We did however oppose the destruction of two from the 1800's and reached an agreement with the developers. Those were very different situations from the one on Greenwood. However, the real result was moving from a middle income housing stock to one that now begins at \$1,000,000 and goes as high as almost two.

When we looked at our current home, I remember running my hand down the bannister thinking about all the people who had touched it and I felt such a connection to those previous families. It's a privilege to live in homes with a soul.

We ask you stay to your original decision - one that honors agreements, historic homes and responsibility for our actions.

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Bill and Sue Dickinson  
93 Waban Park

Members: Doug Cornelius, Mark Armstrong, Nancy Grissom, Katie Kuble, Amanda Stauffer Park, John Rice, Harvey Schorr and Anne Marie Stein

Reza Khorshidi  
to lkritzer, bcc: me

Greetings,

I would like to voice my strong opposition to allow developer Ty Gupta to proceed with any work at the property above. Please send a clear and strong message to all developers in Newton that breaking the law and then asking for forgiveness IS NOT OK.

Sincerely,

Reza Khorshidi  
131 Brandeis Rd, Newton Centre, MA 02459  
617-559-0462

Mon, Aug 1, 2:05 PM (20 hours ago)

Ron Sheklin  
to lkritzer, mhutchins, me

Hello,

As a citizen of Newton, I wish to express my view that under no circumstances should a developer be permitted to profit from the illegal or improper destruction of any historic building. If we allow such buildings to be destroyed, then more will be destroyed in the future. This case sets an important standard. Please treat it accordingly and uphold the NHC decision of 10/28/21.

Thank you,  
Ron Sheklin  
617-939-4372  
[ron@sheklin.com](mailto:ron@sheklin.com)

Mon, Aug 1, 2:44 PM

Lynn Slobodin  
to lkritzer, bcc: me

I am writing to you again about the disgraceful saga of the property at 29 Greenwood St. I certainly hope that you vote tomorrow night to protect Newton's remaining Landmark properties by adhering to the City's Landmark Law and the October 28th decision to deny the developer any right to proceed. No other action would be acceptable to anyone who cares about historic preservation.

Thank you, Lynn Slobodin



**From:** [Barry Bergman](#)  
**To:** [Lara Kritzer](#)  
**Subject:** 29 Greenwood Street  
**Date:** Monday, August 1, 2022 4:02:08 PM

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[**DO NOT OPEN** links/attachments unless you are sure the content is safe. ]

The destruction of 29 Greenwood Street was illegal and the developer needs to be held responsible. The plans submitted by the developer are a starting point for addressing this. The developer should be required to use a majority of materials from the 18th and 19th century in rebuilding this home. I believe that this would be the appropriate punishment for the developer's flagrant disregard of his agreement with the historical commission.

Barry Bergman

**From:** [Lynn Slobodin](#)  
**To:** [Lara Kritzer](#)  
**Subject:** 29 Greenwood St.  
**Date:** Monday, August 1, 2022 2:45:03 PM

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I am writing to you again about the disgraceful saga of the property at 29 Greenwood St. I certainly hope that you vote tomorrow night to protect Newton's remaining Landmark properties by adhering to the City's Landmark Law and the October 28th decision to deny the developer any right to proceed. No other action would be acceptable to anyone who cares about historic preservation.

Thank you, Lynn Slobodin

**From:** Nancy Greenberg  
**To:** [redacted]  
**Subject:** Planning Services 2012 Status Meeting (for List of with Latest Worker positions.)  
**Date:** Monday, August 13, 2012 10:18 AM

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[DO NOT OPEN: This e-mail contains sensitive information and may be subject to audit.]

I am for promoting Nevada's historic business. Letting development get away with treating down these single-family homes is a shame.

Many Nevada politicians are supporting development and not the communities and individuals that have done it best.

I look my friends, will not vote for any politician who supports development, the housing down and down, holding out of control a business holding (The Nevada N. I. many buildings, etc.), or anything that supports any 2012 election.

This has got to stop. My vote counts, as do my high taxes.

Regards,  
Nancy Greenberg

—  
Nancy Greenberg, Senior Director, User Assistance Development, Oracle  
Shelton

Phone: 672-521-9998

Zoom:

<https://join.zoom.us/j/82969682828> By clicking on this link, you will be directed to a Zoom meeting. If you are not a Zoom user, you will be prompted to download the Zoom client. If you are already a Zoom user, you will be prompted to join the meeting. If you are not a Zoom user, you will be prompted to create a Zoom account. If you are already a Zoom user, you will be prompted to log in. If you are not a Zoom user, you will be prompted to create a Zoom account. If you are already a Zoom user, you will be prompted to log in. If you are not a Zoom user, you will be prompted to create a Zoom account. If you are already a Zoom user, you will be prompted to log in.

**From:** [Barry Cohen](#)  
**To:** [Lara Kritzer](#)  
**Subject:** August 2nd NHC Meeting  
**Date:** Monday, August 1, 2022 2:23:01 PM

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**[DO NOT OPEN** links/attachments unless you are sure the content is safe. ]

To Whom It May Concern:

I am a long-time resident of Newton – 40 years – and have praised the city on its commitment to maintaining its historical values and features. Any deviation from this perspective will reduce the connection that its citizens have toward the city and, thus, should be voted on by all its citizens.

I truly hope that the NHC does not allow for the developer of this property (that was clearly identified as a landmark but was destroyed by such developer in order to further enrich such developer's financial position at the expense of the entire city) to move forward with anything pertaining to this property. If the NHC does vote to support such action by the developer, then I believe the NHC cannot prevent any other developer from doing the same!

I hope that the NHC votes against the developer being able to do anything to such property and is forced to pay all penalties associated with his conduct and actions to date.

Thank you,

Barry D. Cohen  
2 Albion Place  
Newton, MA 02459  
Telephone: (617) 519-5149

**From:** [Reza Khorshidi](#)  
**To:** [Lara Kritzer](#)  
**Subject:** 29 Greenwood Street  
**Date:** Monday, August 1, 2022 2:21:41 PM

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Greetings,

I would like to voice my strong opposition to allow developer Ty Gupta to proceed with any work at the property above. Please send a clear and strong message to all developers in Newton that breaking the law and then asking for forgiveness IS NOT OK.

Sincerely,

Reza Khorshidi  
131 Brandeis Rd, Newton Centre, MA 02459  
617-559-0462

**From:** [Ron Sheklin](#)  
**To:** [Lara Kritzer](#); [mhutchins@newtonma.gov](mailto:mhutchins@newtonma.gov)  
**Cc:** [scf7462@gmail.com](mailto:scf7462@gmail.com)  
**Subject:** August 2 hearing re 29 Greenwood  
**Date:** Monday, August 1, 2022 2:05:52 PM

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[**DO NOT OPEN** links/attachments unless you are sure the content is safe. ]

Hello,

As a citizen of Newton, I wish to express my view that under no circumstances should a developer be permitted to profit from the illegal or improper destruction of any historic building. If we allow such buildings to be destroyed, then more will be destroyed in the future. This case sets an important standard. Please treat it accordingly and uphold the NHC decision of 10/28/21.

Thank you,

Ron

Ron Sheklin  
617-939-4372  
[ron@sheklin.com](mailto:ron@sheklin.com)

**From:** [Jonathan Beit-Aharon](#)  
**To:** [Lara Kritzer](#)  
**Cc:** [mhutchins@newtonma.gov](mailto:mhutchins@newtonma.gov); [Claudette Beit-Aharon](#)  
**Subject:** Upcoming hearing re Gershon Hyde house  
**Date:** Monday, August 1, 2022 3:36:58 PM

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[**DO NOT OPEN** links/attachments unless you are sure the content is safe. ]

Dear Commissioners,

The Newton Historical Commission (NHC) voted 6-0 on October 28, 2021 to deny Ty Gupta the right to proceed with any work since he intentionally destroyed the Landmark Gershon Hyde house. Every member of the Commission stated that the historic building no longer existed. I expect you to honor the October 28 decision.

Ty Gupta had the right to challenge that decision within 20 days to Middlesex Superior Court. He did not appeal.

If the NHC believes Gupta has remaining rights, let him appeal, and let the court decide.

If the City's solicitors believe their interpretation of the Landmark Law is correct, they should support a decision to make Ty Gupta appeal the October 28 decision.

The commission, regardless of personnel changes, is tasked with protecting Newton's historical assets. Reversing the October 28 decision will in essence declare an "open season" on Newton's remaining historic buildings. Please don't do it.

Thank you for your volunteering time on behalf of our city.

Sincerely,

Jonathan Beit-Aharon  
566 Centre Street  
Newton, MA 02458-2325

**From:** [Donna Podolsky](#)  
**To:** [Lara Kritzer](#)  
**Subject:** Fwd: Gershon Hyde house  
**Date:** Monday, August 1, 2022 10:41:58 AM

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[**DO NOT OPEN** links/attachments unless you are sure the content is safe. ]

Please note my new e-mail address - [donnamite49@gmail.com](mailto:donnamite49@gmail.com)

**Subject: Fwd: Gershon Hyde**

As an abutter to the Hyde House, I find it inconceivable that the city of Newton is considering letting contractor Gupta rebuild After totally destroying the original Hyde House. His actions were a slap in the face to the NHC. If he is allowed to go forward, Newton will be setting a precedent for all future contractors to do as they wish to our historic homes.

Donna and David Podolsky  
14 Greenwood St  
Newton

Please note my new e-mail address - [donnamite49@gmail.com](mailto:donnamite49@gmail.com)

-



**From:** [releases@aol.com](mailto:releases@aol.com)  
**To:** [Lara Kritzer; mhutchins@newtonma.gov](mailto:Lara Kritzer; mhutchins@newtonma.gov)  
**Subject:** Fwd: Ty Gupta Greenwood St  
**Date:** Monday, August 1, 2022 7:51:52 AM

---

[**DO NOT OPEN** links/attachments unless you are sure the content is safe. ]

-----Original Message-----

From: releases@aol.com  
To: scf7462@gmail.com <scf7462@gmail.com>  
Sent: Mon, Aug 1, 2022 7:46 am  
Subject: Fwd: Ty Gupta Greenwood St

-----Original Message-----

From: releases@aol.com  
To: lkritzer@newton.gov <lkritzer@newton.gov>; mhutchins@newton.gov <mhutchins@newton.gov>  
Sent: Mon, Aug 1, 2022 7:44 am  
Subject: Ty Gupta Greenwood St

Please deny developer Ty Gupta the opportunity to build on 29 Greenwood St. He clearly violated the law due to his arrogance assuming the city would give in and allow development. New England (Newton) has a special "charm due to the diversity of our homes, building and landscape. Please do now reward Mr. Gupta for his terrible actions and encourage other developers to destroy our cultural heritage and unique character .

Leon Kadis  
617-872-8681  
releases@aol.com

**From:** [Russel Pergament](#)  
**To:** [Lara Kritzer](#)  
**Subject:** Fwd: Message from 30 year Newton resident--homeowner--voter  
**Date:** Saturday, July 30, 2022 4:17:35 PM

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[**DO NOT OPEN** links/attachments unless you are sure the content is safe. ]

The NHC opposed his plans to provide the city with his fake 'replica' house--I think it was unanimous vote.

If for whatever reason you have sympathetic instincts towards this irresponsible/selfish guy then urge him to follow the appeal process--

I have been following this closely--I will surely participate in any funding required to take my city to court if it foolishly allows such abuse of the law to continue by the developer--

See you at the Zoom--

Russel Pergament  
37 Holly Road  
Waban, MA 02468

July 28, 2022

Members of the Newton Historical Commission:

I cannot understand why this discussion is being carried on under terms set by Mr. Gupta. He destroyed a historic structure, the Gershom Hyde house, that he was given permission to renovate. The eighteenth-century house is gone—forever.

So, Mr. Gupta throws out the idea of constructing a modern house to look like an old one—a fake, actually. Why is his proposal being discussed at all? Why waste time considering it? Exactly who is “calling the shots”? Why did Mr. Gupta not reveal what he really wanted to do in the first place?

What would lead you to believe, moreover, that Mr. Gupta would keep any promise or contractual agreement made to anyone? Neighbors could end up with the massive, out-of-scale house occupying nearly the entire plot of 28 Wade Street (photo).

How did the absurd “demolition by neglect” enter the dialogue? I study the buildings of ancient Rome. What you see there today is not “demolition by neglect” but in good measure the result of later Romans using the buildings as convenient quarries.

If the owner of a historic property can demolish it at will, that precedent seems to make the Historical Commissions superfluous. Let’s protect Newton’s few historic structures for posterity—not allow developers to determine what future generations will be allowed to see.

Truly yours,  
Joseph Dyer  
Newton Highlands



NO  
PARKING  
THIS  
SIDE



Newton Friends of Historic Preservation, Inc.  
[newtonfriendshistoricpreserv@gmail.com](mailto:newtonfriendshistoricpreserv@gmail.com)

July 27 , 2022

Newton Historical Commission  
City Hall  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

Re: NFHP Response to Remediate Violation as to 29  
Greenwood Street, Newton

Dear Newton Historical Commission,

The Newton Friends of Historic Preservation, Inc. opposes the continuing attempts by the owner of 29 Greenwood Street, Newton to get permission to rebuild the demolished 1744 Gershom Hyde farmhouse.

- (1) As has been detailed in the attached March 31, 2022 legal memorandum, the NHC is a creature of the city ordinance which created it. It has limited powers as enumerated in the ordinance. Nowhere is there authority to review a request to “remediate a violation” of a previously issued Certificate of Appropriateness. Therefore, the NHC should deny this request. Not only is nothing further required by the NHC, but no further action is legally authorized or permitted.
- (2) The owner of 29 Greenwood has attempted to appeal the unanimous October 28, 2021 decision of the NHC but has missed the filing deadline as set forth in the attached March 31, 2022 legal memorandum.

For these reasons we submit that the Newton Historical Commission should again deny the owner’s second request to correct its violations.

Newton Friends of Historic Preservation, Inc.  
By:

David D. Patterson, Pres.

Robert Tuchmann, Treas.

Attachments:

1. Legal Memorandum dated March 31, 2022

## LEGAL MEMORANDUM

**ISSUE:** DOES THE NEWTON HISTORICAL COMMISSION HAVE JURISDICTION TO CONSIDER A REQUEST TO REMEDIATE VIOLATIONS UNDER NEWTON'S LANDMARKS ORDINANCE?

**RELEVANT LAW:** Newton Landmarks Ordinance Chapter 22 Section 22-60 to 75

**RE:** 29 Greenwood Street, Newton

**DATE:** MARCH 31, 2022

### STATEMENT OF FACTS

The Newton Historic Commission granted landmarked status for the 1744 Gershom Hyde House at 29 Greenwood Street in late 2005. It was one of now 31 Newton historic structures so designated and one of the few from the 18<sup>th</sup> century. The Landmark designation was recorded in Middlesex South Registry of Deeds in Book 46829, Page 278 and cross referenced the current deed to the property.

In 2017 the property's owner filed a Request for a Certificate of Appropriateness with the NHC to remove the two small rear additions to the house and to restore the rest of the house. On March 4, 2020 the owner's request to renovate and restore the house was granted and a Certificate of Appropriateness issued "with the condition that the central chimney with the date on it be preserved in place." (Ex.1)

On July 9, 2020, the owner filed an application for a building permit checking the boxes for "Addition" and "Alteration" and leaving unchecked "New Building" and "Demolition". On September 9, 2020, the Inspectional Services Department issued a building permit to "renovate entire house and add large rear addition".

On April 30, 2021 the ISD Building Inspector found that the main house had been substantially demolished and new construction was underway. A Stop Work Order was issued by ISD on April 30, 2021 for violation of Ordinance Chapter 22 Section 22-50 and "Going beyond the scope of work which was approved by the Newton Historic Commission".

Several months later, the owner submitted plans for "Remediation of Violation". Opponents of the owner's request to remediate the violation filed a memorandum on October 18,

2021 asserting that the owner had no such “right to remediate” under the Ordinance<sup>1</sup>. However on October 27, the Assistant City Solicitor advised the NHC in a memorandum of law which endorsed the owner’s right to remediate in this case, citing Section 22-75 entitled Demolition by Neglect. (Ex.2). The NHC, following the advice of its counsel, held several hearings on the submission and on October 28, 2021 voted 6-0 to deny the owner’s submission. The sole remedy for denial under the Ordinance is that the aggrieved party may appeal within twenty days to Superior Court (Sec 2-71) or request Administrative Review (Sec 2-70) with a subsequent right to appeal to Superior Court. The owner, however, only filed an appeal after the deadline had expired and thus the appeal was denied. (Ex.3)

Having had its appeal denied, the owner on March 3, 2022 has refiled a set of slightly revised drawings proposing to remedy its prior violation of the Certificate of Appropriateness by building a contemporary “reconstruction/replica” of the 1744 house which it destroyed. The NHC scheduled the matter for hearing on April 28, 2022.

### **NEWTON’S LANDMARKS ORDINANCE**

The only way to get approval to demolish all or a part of a Landmarked structure and rebuild it is to file an Application for a Certificate of Appropriateness with the NHC and receive a Certificate of Appropriateness to demolish and rebuild. Sections 22-66 through 22-68 set forth the procedure for the Application, materials to be submitted by the developer, timing for the scheduling of a public hearing and decision, and the legal standards for the NHC’s review and decision. The Certificate of Appropriateness issued here is only to restore the farmhouse, not demolish it (Ex. 1).

### **ISSUES PRESENTED**

1. DOES THE NHC HAVE JURISDICTION TO CONSIDER AN OWNER’S REQUEST TO REMEDIATE ITS VIOLATION OF A CERTIFICATE OF APPROPRIATENESS PURSUANT TO SECTION 22-75?

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<sup>1</sup> This memorandum did contain an error in identifying the Demolition by Neglect section as being part of the Demolition by Delay Ordinance as shown on the City’s website when in fact it had been subsequently moved to the Landmarks Ordinance . The error was of no consequence in that regardless of which ordinance the Demolition by Neglect section is located, it does not apply in this case.

2. IS AN OWNER WHO HAS FAILED TO PROPERLY APPEAL A DECISION OF THE NHC ENTITLED TO REFILE A SLIGHTLY REVISED APPLICATION AND BE ENTITLED TO FILE A NEW APPEAL UNDER SEC. 22-70 OR 22-71?

### **LEGAL ARGUMENT**

1. DOES THE NHC HAVE JURISDICTION TO CONSIDER AN OWNER'S REQUEST TO REMEDIATE ITS VIOLATION OF A CERTIFICATE OF APPROPRIATENESS PURSUANT TO SECTION 22-75?

The owner of 29 Greenwood substantially demolished the Landmarked house in violation of the Certificate of Appropriateness. Section 22-61 defines demolition as: "Demolished: destroyed or altered in such a substantial manner as to constitute destruction." As can be seen today, the Gershom Hyde farmhouse of 1744 is substantially demolished. (See photo taken on or about May 1, 2021, Ex.4). On August 11, 2021 the owner filed its "Submission to Newton Historical Commission for Remediation of Violation" which, notwithstanding the objection of the undersigned and others that the NHC was without jurisdiction to hear or decide such a request, was heard and decided by the NHC adversely to the owner on October 28, 2021. No timely appeal was filed.

The Assistant City Solicitor's legal memorandum to the NHC was, we respectfully submit, based upon an incorrect application of Section 22-75 which is entitled "**Demolition by Neglect**". We continue to maintain that the NHC is without jurisdiction to hear a request to remediate and the Assistant City Solicitor's reliance on "Demolition by Neglect" is misplaced. The first two clauses of Section 22-75 make it quite clear that this section does not apply in the case of an owner's substantial destruction of the farmhouse with heavy equipment in a matter of days:

#### **Sec. 22-75. Demolition by Neglect.**

##### (a) Purpose and Intent

It is the intent of this section to preserve from deliberate or inadvertent neglect the exterior features of landmarked buildings and structures, or the interior portions thereof when such maintenance is necessary to prevent deterioration and decay of the exterior of the building or structure.

##### (b) Definition



“Demolition by neglect” shall mean neglect in maintaining, repairing, or securing a landmark that results in (i) loss of the character of a documented exterior architectural feature of the building or structure that contributes to its status as a landmark; (ii) deterioration of an exterior feature of the building or structure; or (iii) the loss of the structural integrity of the building or structure.

The demolition of 29 Greenwood is not a case of Demolition by Neglect. The right to remediate found in Sec 22-75 is only in response to an order by the NHC to an owner to repair and remediate all conditions previously cited by the NHC as having occurred by the owner neglecting to maintain the historic features of a historical property. Sec. 22-75(c) contains a lengthy list of examples of neglect by a property owner, none of which are present in this situation. In a case of a finding of demolition by neglect, the NHC would order the owner to repair/remediate all conditions of neglect per Sec 22-75(e)(2)(a) after holding a hearing. There was no hearing under Sec 22-75(e)(2) and no such order was ever issued. It is nonsensical to apply the Demolition by Neglect section to a case of active and intentional destruction by heavy construction equipment. The NHC should not again follow the unfortunate guidance of counsel and allow the owner’s request to remediate to be reheard again. If the advice of the Assistant City Solicitor were correct, then the owner could ignore the specific appeal procedures set forth in the ordinance and the owner could refile ad nauseum until he has worn down the commission and the public. It is for this reason that the appeal provisions were included in the Ordinance as the path for an aggrieved party to follow.

We also note that Sec. 22-67 is entitled, “Factors to be considered by the commission.” It lists three general and three specific considerations in the case of demolition or removal. We note that the third specific consideration is “whether the building or structure has so deteriorated that preservation or restoration is not structurally or economically feasible, provided that the owner’s self-created hardship or failure to maintain the property in good repair shall not qualify as a basis for the issuance of a certificate of hardship.” A similar consideration should apply in this case as well. Willful destruction of a city landmark should not entitle the owner to now propose to create a replica of the original landmark instead of restoration and repair of the original as authorized by the Certificate of Appropriateness.

We also observe that the end of sec. 22-67 states that, “The commission shall not make any recommendations or requirements except for the purpose of preventing developments

incongruous to the historical or architectural characteristics of a building, structure, landscape or site or their surroundings.” So the NHC has no ability to advise the owner as to the wisdom of proposed work except in the context of a Request for a Certificate of Appropriateness which then follows the procedures set out in the Ordinance.

**2. IS AN OWNER WHO HAS FAILED TO PROPERLY APPEAL A DECISION OF THE NHC ENTITLED TO REFILE A SLIGHTLY REVISED APPLICATION AND BE ENTITLED TO FILE A NEW APPEAL UNDER SEC. 22-70 OR 71?**

The owner violated the terms of the Certificate of Appropriateness when it demolished the farmhouse instead of restoring and repairing it as authorized. No timely appeal was taken by the owner to that order. Then, following the ill-advised counsel of the Assistant City Solicitor, the NHC held a hearing and reviewed the owner’s plans to “remediate” its violation notwithstanding that we believe it had no jurisdiction to do so. The NHC then voted 6-0 to reject the owner’s proposed plans to remediate. The owner failed to file a timely appeal from that decision as permitted under sec. 22-70 to request the creation of a landmark review commission with a subsequent right to appeal to Superior Court, or a direct appeal to Superior Court under sec. 22-71.

The owner now seeks to tread the same erroneous procedural path. The NHC should reject this submission as unauthorized under the Ordinance which created the NHC and lists and limits its powers. If the owner is aggrieved by that decision, again, it has rights of appeal contained in sec 22-70 and 22-71.

The proper remedy for the owner whose request to build a 21st century replica of an 18th century farmhouse which it demolished in violation of a Certificate of Appropriateness is to appeal to Superior Court (sec. 22-71) or request administrative review (sec.22-70) with a subsequent right to appeal to Superior Court. However the appeal must be filed within 20 days of the decision filing with the City Clerk. The owner failed to do that.

We respectfully request that the Law Department properly instruct the NHC on the limited role it can play in the current situation and recommend that the request to remediate be denied for the reasons stated above.

RESPECTFULLY SUBMITTED,

David D. Patterson, Esq.

Robert Tuchmann, Esq.

Gerald W. Tutor, Esq.

Gary D. Buchman, Esq.

Kenneth W. Halpern, Esq.

Peter T. Robertson, Esq.

SIGNATURES ON THE FOLLOWING PAGES

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David D. Patterson, Esq.  
1087 Beacon Street, STE 201  
Newton, MA 02459

Robert Tuchmann

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Gerald W. Tutor / SDP

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Ruthanne Fuller  
 Mayor

Barney S. Heath  
 Director

**RECORD OF ACTION**

**DATE:** **March 4, 2020**

**SUBJECT:** 29 Greenwood Street

At a scheduled meeting and public hearing on February 27, 2020, the Newton Historical Commission, by a vote of 4-0-1, with one abstention:

**RESOLVED to approve a Certificate of Appropriateness for 29 Greenwood Street based on the approved plans with the condition that the central chimney with the date on it be preserved in place.**

Voting in the Affirmative: \_\_\_\_\_ Voting in the Negative: \_\_\_\_\_ Recused: \_\_\_\_\_  
 Nancy Grissom, Chairman  
 Peter Dimond, Member  
 Doug Cornelius, Member  
 Amanda Stauffer Park, Member  
 Mark Armstrong, Member

Title Reference: \_\_\_\_\_ Owner of Property: Twenty-Nine Greenwood LLC o/b  
Deed recorded at: \_\_\_\_\_ Middlesex (South) Registry of Deeds Kate  
 Book 58761, Page 585  
 Date 3/27/2012 Moscow

Katy Hax Holmes, Staff

Newton Historical Commission  
 1000 Commonwealth Avenue, Newton, Massachusetts 02459  
 Email: kholmes@newtonma.gov  
 www.ci.newton.ma.us



CITY OF NEWTON, MASSACHUSETTS  
CITY HALL  
1000 COMMONWEALTH AVENUE  
NEWTON CENTRE, MA 02459  
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ALISSA O. GIULIANI

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MAURA E. O'KEEFE  
ALAN D. MANDL  
JILL M. MURRAY  
JONAH M. TEMPLE  
JACLYN R. ZAWADA  
JENNIFER C. PUCCI  
ANDREW S. LEE  
CAROLYN A. WEISMAN

### LAW DEPARTMENT MEMORANDUM

DATE: October 27, 2021

TO: Newton Historical Commission – All Members

FROM: Andrew S. Lee, Assistant City Solicitor

RE: 29 Greenwood Street, LL – Request to Remediate Violation

The Chair of the Newton Historical Commission (“NHC”) requested that I submit this memorandum to summarize the process with regards to the docket item referenced above. The owner of 29 Greenwood Street has submitted a proposal to the NHC seeking to remediate the violation of the illegal demolition of the property, which item is on the agenda for the NHC’s October 28, 2021 meeting. The NHC must review the plans and determine whether the proposal sufficiently remediates the violation. The NHC has the authority to approve or reject the proposal.

To be clear, the NHC is not tasked with retroactively approving the unauthorized demolition of the property. The NHC is only determining what actions the owner must take to bring the property into compliance. As set forth in the landmark ordinance, the owner may not commence or continue construction unless and until the NHC votes to accept a remediation plan for the property.

Specifically, under the City’s landmark ordinance Sec. 22-75(f) **Building Permits**, the Commissioner of Inspectional Services Department (the “Commissioner”) must reject any application for a building permit for a landmarked property if there is any notice of unremediated violation for the property on record. However, the Commissioner “shall not reject such application if the work intended to be performed is required by the commission to remediate such violation.” On May 27, 2021, the NHC formally determined that the demolition and other work at 29 Greenwood Street was in violation of the previously issued Certificate of

Appropriateness and requested that the Stop Work Order imposed by the Commissioner of Inspectional Services remain in effect.<sup>1</sup>

The Commissioner may only permit work to continue at the property upon a finding by the NHC that the violation is remediated or to allow work “required by the [NHC] to remediate the violation.” Determining what work by the owner is required to restore the illegally demolished landmark property is where the NHC is in the current process. The City’s law department stands ready to defend and seek enforcement of the NHC’s ultimate determination and ruling regarding remediation of the violation at 29 Greenwood Street.

---

<sup>1</sup> As the NHC’s previously issued Certificate of Appropriateness for 29 Greenwood Street would not authorize the demolition and construction actually undertaken, the Commissioner could not permit such actions and the request to maintain the Stop Work Order was appropriate. *see Rudders v. Building Com’r of Barnstable*, 51 Mass.App.Ct. 108, 109 (2001) (The court held that where plaintiff constructed building 4.4 feet closer to the street than approved by the issued certificate of appropriateness it was correct for the historic committee to request the building commissioner to issue a stop work order).

## Valerie Birmingham

---

**From:** Chaz Fisher <chaz@fisherlegalpa.com>  
**Sent:** Monday, December 6, 2021 6:05 PM  
**To:** Valerie Birmingham; fschwarzer@sab-law.com  
**Subject:** 29 Greenwood Street Decision (29 Greenwood LLC)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**[DO NOT OPEN links/attachments unless you are sure the content is safe. ]**

Dear Ms. Birmingham,

My office was recently requested to review the decision pertaining to the property at 29 Greenwood, Newton, MA. I understand a decision was issued on or about November 15, 2021 and notice to applicant property owner thereafter.

In reviewing the Newton Historical Commission (NHC) guidelines, it appears that the applicant within twenty (20) days may seek reconsideration or appeal to the Metropolitan Area Planning Council.

Please accept this email as NOTICE OF RECONSIDERATION and/or in the alternate NOTICE OF APPEAL. Please deliver this NOTICE OF RECONSIDERATION and/or in the alternate NOTICE OF APPEAL to the Commission Chair, Mr. Peter Dimond.

I understand that the Commission issued its decision because of missing or inadequate plans with the application. Please provide a list of items which the Commission deem absent from the application, and my office will supplement accordingly. Moreover, I understand that additional information may be required on the Certificate of Appropriateness and possible work on the site. We will provide further information to the Commission on this regard as well.

Thank you for your assistance in this matter.

Respectfully,

Chaz

--

Chaz Fisher, Esq.  
FISHER LEGAL, P.A.  
217 Hanover Street #184  
Boston, MA 02113  
Tel: 617-851-1560  
Fax: 561-424-8106  
Email: [chaz@fisherlegalpa.com](mailto:chaz@fisherlegalpa.com)





Ruthanne Fuller  
Mayor

## City of Newton, Massachusetts

Newton Historical Commission  
1000 Commonwealth Avenue Newton, Massachusetts 02459  
Peter Dimond Chairman

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Barney Heath  
Director

December 7, 2021

Chaz Fisher, Esq.  
FISHER LEGAL, P.A.  
217 Hanover Street #184  
Boston MA 02113

Re: 29 Greenwood Street

Dear Attorney Fisher:

I am in receipt of your email to me on December 6, 2021 at 6:04 p.m. As a preliminary matter, the City ordinances do not provide a mechanism for reconsideration. With regards to the Notice of Appeal of the Newton Historical Commission's ("NHC") decision for 29 Greenwood Street, Newton, MA, such notice is rejected. Please be advised that the rejection is based on the grounds that no written request for review was received prior to close of business on the twentieth (20) day after the notice of determination was filed with the city clerk. Additionally, Newton's Landmark Ordinance has been amended. I have enclosed an unofficial copy of the amended Landmark Ordinance herewith for your reference. If you wish to obtain an official copy of the amended Ordinance, please contact the city clerk's office.

Sincerely,

Valerie Birmingham  
Chief Preservation Planner

Cc Barney Heath, Director of Planning and Development  
Jennifer Caira, Deputy Director of Planning and Development



Ex.4