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

**DATE:** June 9, 2022

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

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

**ABSENT:** Jay Walter, Member  
John Wyman, Alternate

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

**300 Elliot Street – Certificate of Appropriateness**

Martin Smargiassi and Christie Dennis presented an application to amend the previously approved garage height. The commission had approved the garage design submitted for the June 2021 meeting with the requirement that the height of the garage be raised to be proportional to the existing carriage house, but zoning restrictions did not allow for the height increase. The owner requested that the commission approve the original height, which is allowed by zoning.

**Materials Reviewed:**

Assessors database map  
MHC Form B  
Photographs  
Existing and proposed site plans  
Garage elevations  
Garage roof plan

Diagrammatic perspective showing garage relative to carriage house

Approved products and materials

Existing house and carriage house details

2021 Decision

2021 Approved documents

Commission members agreed that the proposed change was fine. L. Malcom requested a copy of the documents spelling out the zoning height requirements; C. Dennis agreed to send these to Staff. J. Riklin was concerned that the proposed hinges were too thin and did not look authentic; wider hinges would work and could be administratively approved. The handles looked appropriate. M. Smargiassi agreed to remove the hinges. S. Aquilina moved to grant a Certificate of Appropriateness for the application as submitted with conditions. L. Malcom seconded the motion. There was a roll call vote and the motion passed unanimously, 6-0.

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**RECORD OF ACTION:**

**DATE:** June 10, 2022

**SUBJECT:** 300 ELLIOT ST - Certificate of Appropriateness

At a scheduled meeting and public hearing on June 9, 2022 the Newton Upper Falls Historic District Commission, by roll call vote of 6-0,

**RESOLVED to grant** a Certificate of Appropriateness for the project as submitted at 300 ELLIOT ST to to amend the previously approved garage design height and to finalize the garage design details including gutters, doors, windows, trim and light fixtures with the requirements that 1) the doors will have authentic-sized hinges and the hinge design and specifications will be submitted to Staff for final review and approval; and 2) the notification from Zoning regarding the required garage height will be submitted to Staff to go into the record for this project.

Voting in the Affirmative:

- Jeff Riklin, Chair
- Scott Aquilina, Member
- Laurie Malcom, Vice Chair
- Judy Neville, Member
- Daphne Romanoff, Member
- Paul Snyder, Member

Voting in the Negative:

Abstained:

Recused:

**959 Chestnut Street – Remediation of Violation**

This review was continued from previous meetings. Gerhard and Mario Sinani presented plans to remediate: 1) the as-built rear addition right-side basement area, installed basement windows, and increased exposure of the basement foundation which are in violation by installing window wells and changing the grade; and 2) the as-built height which is in violation. The owner reviewed the certified plot plans, elevation drawings, and written descriptions on the options proposed to reduce the height of the building.

Materials Reviewed:

Assessors database map

Summary of proposed building height options

Existing and proposed surveys

Proposed building height option B1

Proposed building height option B2

Description of construction activities required to reduce the building height and rebuild

There was discussion about the proposed grading changes; S. Aquilina said there would not be much of a change. P. Snyder stated that the commission did not have jurisdiction over drainage and that would be up to Engineering. Abutter Melissa Brown (947-949 Chestnut Street) said the neighbors were experiencing drainage issues. Abutter Lily Marcelin (965 Chestnut Street) commented that it was taking too long to resolve the issues; the property was an eyesore. Abutters Lee and Jean Fisher (954 Chestnut Street) supported the proposed remediation. Abutter Xiao Bai (947-949 Chestnut Street) said the owners needed to correct the items in violation to match what the commission approved; it was not fair to neighbors who followed the rules.

J. Riklin moved to approve the remediation plan for the right-side basement area, installed windows and exposed foundation with conditions. L. Malcom seconded the motion. There was a roll call vote and the motion passed, 5-0 with one abstention. P. Snyder abstained.

There was discussion about the three proposed options to remediate the height. B1 would lower the eaves and roof by about one foot and to change the roof pitch. There was discussion about the roof pitch and changes to the window proportions. S. Aquilina commented that this would be a good compromise as it was lowered the roof, was more modest, and looked more like the original. He was concerned that the rear addition would be higher. L. Malcom said the rear addition should also be lowered to line up with the front roof ridge. J. Neville and D. Romanoff appreciated the owners' efforts but were concerned that the proposed was still taller than what the commission originally approved. J. Riklin and P. Snyder were concerned with the precedent that accepting this would set and said the owners should build to the original approved plan. Steve Kuhn (967 Chestnut Street) thought the proposed scale fit in with the neighborhood. Other abutters and neighbors were concerned that the scale had changed and that compromising set a bad precedent. Several neighbors said that the impasse affected the neighborhood and wanted a way forward. S. Aquilina moved to accept remediation plan Option B1 for the front with the requirement to lower the rear ridge height to align with the front roof ridge. D. Romanoff seconded the motion. There was a roll call vote and the vote was 3-2 with one abstention so the motion did not carry. J. Riklin and P. Snyder voted against the motion and L. Malcom abstained. P. Snyder and L. Malcom wanted to see more details about the proposed dimensions and to have the plans revised to show the rear addition roof lowered to meet the front roof ridge. Commission members agreed that the drawings needed to call out specific survey datum points. The commission said the owners needed to come back with drawings showing the ridge height of the rear addition lowered to meet the height of the main roof ridge and provide drawings and datum points for all elevations; datum points needed to be called out in feet and inches. The required datum points for the main house block and intersecting rear addition: from the first floor to the top of ridge, from first floor to second floor, from top of foundation to first floor, and from top of foundation to second floor.

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**RECORD OF ACTION:****DATE:** June 13, 2022**SUBJECT:** 959 Chestnut Street – Remediation of Violation

At a scheduled meeting and public hearing on June 9, 2022, the Newton Upper Falls Historic District Commission, by roll call vote of 5-0 with one abstention.

**RESOLVED** to accept the remediation plan as submitted at 959 Chestnut Street for the rear addition right-side basement area, installed basement windows, and increased exposure of the basement foundation in violation and for the retaining wall in violation so that the grade closest to the house will be at just below the height of the window wells, the retaining wall that was constructed without review or approval by the commission will be removed, and the grading as it goes down from the window wells to the original existing retaining wall will slope and follow the contours as shown on the proposed site plan. There will not be any deviation from this plan such as mounding dirt anywhere else on the property, and the owners will be required to submit a final as-built site plan to verify that the proposed plan was followed.

**Voting in the Affirmative:**

Jeff Riklin, Chair

Judy Neville, Member

Scott Aquilina, Member

Daphne Romanoff, Member

Laurie Malcom, Member

**Abstaining:**

Paul Snyder, Member

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**RECORD OF ACTION:****DATE:** June 13, 2022**SUBJECT:** 959 Chestnut Street – Remediation Plan Documentation Requirements

At a scheduled meeting and public hearing on June 9, 2022, the Newton Upper Falls Historic District Commission, by roll call vote of 6-0.

**RESOLVED** that the owners at 959 Chestnut Street must provide drawings with additional dimensional information for options B1 and B2 and that the drawings for each option must show the ridge height of the roof of the rear addition lowered to the same height of the ridge of the main roof on the front house block. The commission also requires the following: 1) datum points must be called out in feet and inches; 2) drawings must use dimension strings to clearly show where each measurement starts and where it ends; 3) provide drawings and datum points for all elevations; 4) identify the following survey datum points for the main house block and for the rear addition that intersects the main house block: a) from the first floor to the top of the ridge (gable); b) from first floor to second floor; c) from top of foundation to first floor; and d) from top of foundation to second floor.

**Voting in the Affirmative:**

Jeff Riklin, Chair

Judy Neville, Member

Scott Aquilina, Member

Daphne Romanoff, Member

Laurie Malcom, Member

Paul Snyder, Member

The meeting was adjourned at 10:20.