

**Meeting of the  
Wellesley Historical Commission  
16 September 2019 19:00  
Kingsbury Room, Wellesley Police Department | Wellesley, Massachusetts**

**Members Present:** Shepsle, Shlala, Greco, Brown, McNally, Fergusson (sitting for Lilley by designation of the Chair), Carley (sitting for Schauffler by designation of the Chair).

**Advisory Member Present:** Dorin

**In RE: 10 Livermore Road**

Attorney Himmelberger appeared on behalf of the Owners (Mr. and Mrs. Lauer). Michael Tartamella, Managing Principal of Patrick Ahearn Architect, Owner's architect, was with him.

Chairman Brown called the meeting to order at approximately 19:05.

Chairman Brown gave an overview of the planned events for the evening and then went over the applicable sections of the Historic Preservation Demolition Review Bylaw (Article 46C). He then went over the procedural posture of the matter and the factual background.

Atty Himmelberger spoke and indicated that while a portion of the façade was demolished, it was because it was significantly rotted. He further indicated that the demolished portion will be rebuilt in a replica form.

Mr. Tartamella discussed the process and the procedure for moving the home (home was to be rotated and moved as part of the conditions of the granted waiver). He indicated that upon the home being placed on its new foundation, the general contractor noticed that there was significant rot in the wing that was removed. The contractor took the decision to remove the wing, apparently without consulting the architecture team.

Diane Freniere, 72 Abbott Rd. spoke. She spoke of an expectation that the 1896-7 house as well as the entirety of the 1914 wings would be preserved – as she did not realize in review of the drawings that the wings or portions thereof would be enveloped. She spoke of watching the destruction of the left façade of the 1914 wing. She recounted going to see the construction manager and asking that the construction be stopped until a further review could be conducted. She suggested that no fine should be imposed if a penalty is in fact levied.

Ms. Freniere alleged that Mr. Tartamella had talked previously with the Ms. Johnson, the Chair of the Planning Board, allegedly asking hypothetical questions about what can be done within the ambit of the permit. She added comments about subsequent events leading up to this hearing. She indicated that she felt “conned” by the entire process.

Mr. William Rich of 64 Abbott Road spoke. He indicated that he was disturbed by the process and with subsequent enforcement. He recommended that there be improved communication. He expressed concerns that the penalties are not severe enough.

Mr. Tartamella indicated that he had not had a call with Catherine Johnson about 10 Livermore as alleged by Ms. Freniere. Indicated that he never approved the removal as alleged (and contended it is not shown in the drawings). He indicated that it would be typical for a GC to take action on his own initiative.

There was a significant discussion about some of the facts and circumstances surrounding the removal of the left wing façade, the process for granting the waiver, and the administration of waiver processes at this time and in the future.

There was also a discussion of the procedural process, what the Commission must vote on and what the Commission has the authority to do.

There was also a significant discussion of using materials salvaged from the site to rebuild the portion of the wall that was demolished.

- **McNally moved that the Commission determine that the demolition of the façade of the left wing be determined as a substantial alteration from the plans and elevations and thus to be less than full compliance with the waiver, i.e., noncompliance within the meaning of Section F of the Historic Preservation Demolition Review Bylaw; Seconded Fergusson. 6 voted in favor of the motion. Carley voted no.**
- **Fergusson moved that there be no penalty; there was no second. Motion failed.**
- **Carley moved that the Commission appoint a liaison of its choosing to oversee compliance with the issued waiver in the matter of DR-2018-38 – 10 Livermore Road; and that the left wing façade of the home be reconstructed with appropriate materials of the same era salvaged from the structure at 10 Livermore Road constructed circa 1896 and 1914 if possible, and if not possible, materials from another structure of the same era, except as the use of such materials maybe inconsistent with the Massachusetts State Building Code or other applicable law; seconded Shepsle. Unanimous in favor.**

**The Chair adjourned the meeting at 21:40.**