



STAFF REPORT

Town of Wellesley - Planning Department

Application: DR-2019-61 – 40 Old Farm Road – Preservation Determination
Subject Property: 40 Old Farm Road (Assessor's Parcel ID # 83-38)
Applicant: Suzanne Pasko
Property Owner: Old Farm Real Estate LLC
Date: Report prepared 12/10/2019 for 12/16/2019 Historical Commission Meeting
Staff Contact: Dana Marks, Planner
Staff Recommendation: **Preferably Preserved**

APPLICATION OVERVIEW

Applications for Eligibility Notice and Preservation Determination were submitted on November 18, 2019 indicating the intent to demolish, in its entirety, a building located on the property and used as a dwelling. An Eligibility Notice was issued on November 21, 2019 determining the subject building to be an Eligible Building. A public hearing before the Historical Commission is scheduled for December 16, 2019.

The previous owners submitted applications for Eligibility Notice and Preservation Determination on April 9, 2019 indicating the intent to demolish, in its entirety, a building located on the property and used as a dwelling. An Eligibility Notice was issued on April 11, 2019 determining the subject building to be an Eligible Building. A Preservation Determination of Preferably Preserved was made by a unanimous vote at a meeting on May 15, 2019, following a public hearing. Based upon this determination, a demolition delay was put in effect until May 15, 2020. On November 15, 2019, the property was transferred to the current owners (Norfolk County Registry of Deeds, Book 37347, Page 234), who are now seeking a new Preservation Determination based on the requirements of Article 46C, Part D, Item 6, Transferability, which states in part: "Once a building is deemed Preferably Preserved, if, prior to the expiration of the Delay Period, ownership... in the Building or underlying property is transferred, directly or indirectly, in whole or in part, by the Owner to any other person, irrespective of whether the Owner retains any ownership interest in therein or rights thereto, the transferee must submit a new Application pursuant to the procedures of this Article. During the period that such new Application is under review by the Commission, the existing Delay Period shall remain in effect. If the Commission determines that the Building is Preferably Preserved, a new Delay Period shall be implemented for a full twelve (12) months, commencing on the date that the Commission makes such new Preservation Determination; the previously-existing Delay Period shall thereafter immediately terminate."

PRESERVATION DETERMINATION STANDARDS

In consideration of a Preservation Determination for the building, the Historical Commission is to determine whether or not the building should be Preferably Preserved, a term defined as when a building, "the demolition of which that is proposed...would be detrimental to the historical or architectural heritage of the Town because such Building is (i) importantly associated with one

or more historic persons or events, or with the architectural, cultural, political, economic or social history of the Town, the Commonwealth of Massachusetts or the United States of America, (ii) historically or architecturally important by reason of period, style, method of building construction or association with a particular architect or builder, either by itself or in the context of a group of Buildings, or (iii) located within one hundred fifty (150) feet of the boundary line of any federal or local historic district and contextually similar to the Buildings located in the adjacent federal or local historic district.”

If the Commission determines that the Building should be Preferably Preserved, then no Demolition Permit with respect to such Building shall be issued until twelve (12) months after the date of the Preservation Determination.

DESCRIPTION

In consideration of the application for a full/complete demolition and in determining whether or not the dwelling should be deemed Preferably Preserved, it was determined that the original dwelling was constructed no earlier than December 18, 1935, when Building Permit 5104 was issued for a “Residence.” This source proves that the dwelling at 40 Old Farm Road is indeed Eligible and subject to a Preservation Determination pursuant to Article 46C of the Wellesley Town Bylaws.

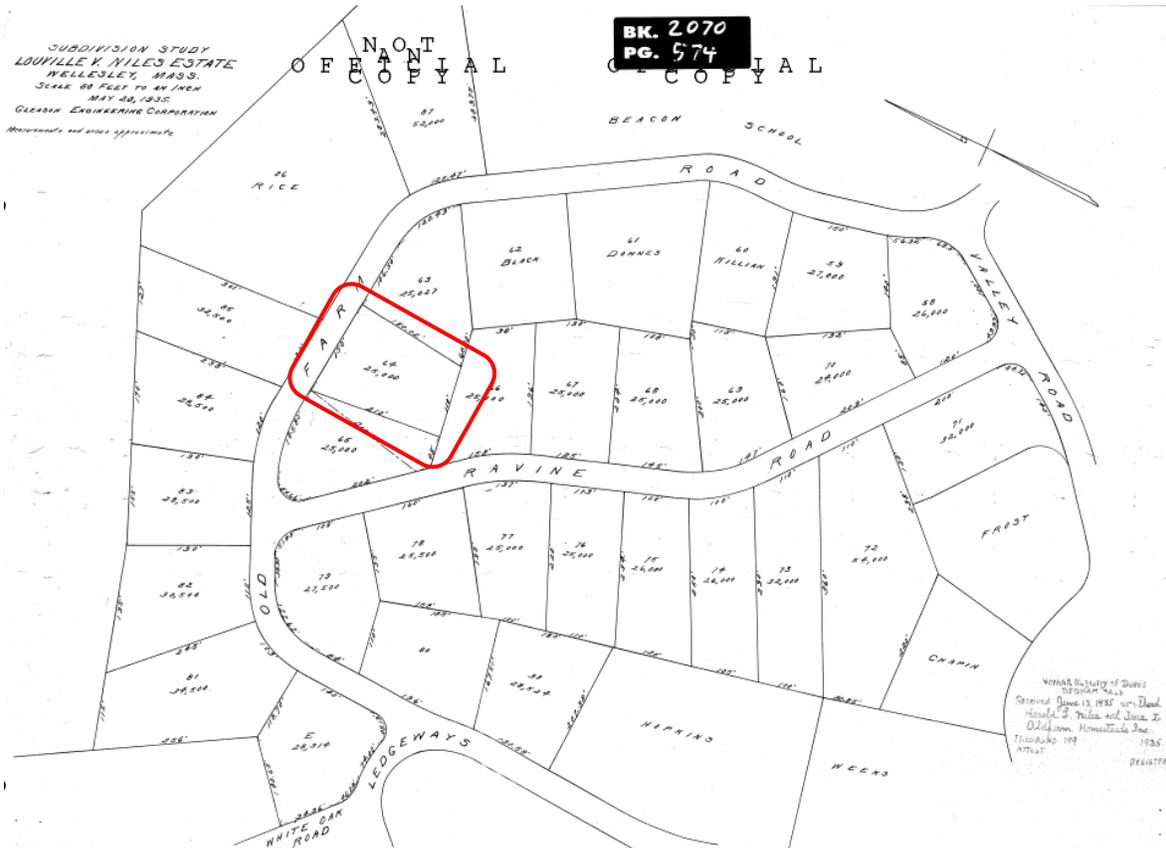
The house is built in the Colonial Revival style with a side-gabled roof. This subtype of Colonial Revival was widely built after 1930, aligning with the construction year of 1935 for the house and garage (Building Permit 5105). Identifying features of the Colonial Revival style that are present on this house include: an accentuated front door, symmetrical front façade, and windows with double-hung sashes. Clad in light brown clapboard siding, the central front door is decoratively framed with a flat white crown or pediment and pilasters, which matches the window trimmings. The windows are framed by black shutters which appear to be operable. This large-scale Colonial Revival style is typical within the surrounding neighborhood.



Image from Assessor’s Property Record Card.

The land on which 40 Old Farm Road is located within Wellesley Farms was originally subdivided in 1935, as seen on a plan entitled “Subdivision Study, Louville V. Wiles Estate, Wellesley, Mass.” by Gleason Engineering Corporation (recorded with Norfolk County Registry of Deeds, Book 2070, Page 574). 40 Old Farm Road is situated on Lot #64 of that plan, and was

part of a collection of lots acquired by Old Farm Homesteads, Inc. on June 14, 1935 from Harold L. and Marion H. Niles, acting as Trustees under the will of Louville V. Niles (Norfolk County Registry of Deeds, Book 2071, Page 45).



Plan from 1935 depicting the subdivision of land owned by the Estate of Louville V. Niles. Lot #64 is the site of 40 Old Farm Road (Norfolk County Registry of Deeds, Book 2070, Page 574).

Old Farm Homesteads, Inc. sold Lot #64 to Edward Hyde Earle and his wife Nancy Hutton Earle on August 23, 1935 (Norfolk County Registry of Deeds, Book 2078, Page 99), and they proceeded to build the house and garage after Building Permits 5104 and 5105 were granted on December 18, 1935. The Earles welcomed a son, Edward, Jr., and twin daughters, Nancy and Elizabeth, while living on Old Farm Road.¹ Mr. Earle was a Wellesley resident for 30 years and a partner in the law firm of Hennessey, McCluskey, Earle and Kilburn. A graduate of Harvard College, Class of 1930, and Harvard Law School, Class of 1933, he was involved with the Wellesley Red Cross Chapter, St. Andrew's Episcopal Church, Buck's Harbor Yacht Club, Wellesley Country Club, Duxbury Yacht Club, and Wellesley Community Chest & Council.² Mrs. Earle was a graduate of Smith College, Class of 1930, and involved in the Smith College Alumni Club, Wellesley College Club, and the League of Women Voters.³ Surviving her husband, she sold the property at 40 Old Farm Road to Albert C. and Eleanor F. Sullivan in 1965 (Norfolk County Registry of Deeds, Book 4239, Page 359).

¹ "New Citizen," *Wellesley Townsman*, 7/3/1936, page 8; "New Citizens," *Wellesley Townsman*, 4/7/1939, page 7.

² "Edward H. Earle," *Wellesley Townsman*, 11/7/1963, page 19.

³ "Nancy H. Earle," *Wellesley Townsman*, 1/8/1970, page 19.

The Sullivan's move to Wellesley Farms was announced in the *Wellesley Townsman* on March 25, 1965: "Moving today from West Roxbury to 40 Old Farm road are Dr. and Mrs. Albert C. Sullivan and their four children."⁴ As part of a Separation and Property Settlement Agreement, dated July 21, 2006, Albert Sullivan transferred his share of the property to Eleanor Sullivan (Norfolk County Registry of Deeds, Book 23901, Page 508). In 2017, the property was transferred to the Eleanor F. Sullivan 2006 Revocable Trust, with Eleanor Sullivan acting as the Trustee (Norfolk County Registry of Deeds, Book 35652, Page 177). Two years later, Jesal Bobby and Vaneeta Sheth purchased 40 Old Farm Road (Norfolk County Registry of Deeds, Book 36709, Page 592). Previously under their ownership, 40 Old Farm Road received a Preferably Preserved Preservation Determination. A Demolition Delay is currently in effect until May 15, 2020 (DR-2019-23 – Old Farm Road). The current owner acquired the property on November 15, 2019 (Norfolk County Registry of Deeds, Book 37347, page 234) and is seeking a new Preservation Determination in accordance with Article 46C, Part D, Item 6, "Transferability."

STAFF RECOMMENDATION

Staff is of the opinion that the subject building at 40 Old Farm Road **is not** (i) importantly associated with one or more historic persons or events, or with the architectural, cultural, political, economic or social history of the Town, the Commonwealth of Massachusetts or the United States of America, **is** (ii) historically or architecturally important by reason of period, style, method of building construction or association with a particular architect or builder, either by itself or in the context of a group of Buildings, and **is not** (iii) located within one hundred fifty (150) feet of the boundary line of any federal or local historic district and contextually similar to the Buildings located in the adjacent federal or local historic district."

With respect to standard (ii), 40 Old Farm Road is an intact example of the Colonial Revival subtype with a side-gabled roof, which was widely built after 1930.

Therefore, based upon the above, **Staff is of the opinion that the demolition of the subject building would be detrimental to the historical or architectural heritage of the Town and thus Staff recommends that the building should not be deemed Preferably Preserved.**

⁴ "Newcomers to Wellesley," *Wellesley Townsman*, 3/25/1965, page 31.