



STAFF REPORT

Town of Wellesley - Planning Department

Application: DR-17-30 – 44 Highgate Road - Preservation Determination
Subject Property: 44 Highgate Road (Assessor's Parcel ID # 83-46)
Applicant: Christian Regnier
Property Owner: John G. and Amy Smith Berylson
Date: Report prepared 12/5/2017 for 12/11/2017 Historical
Commission Meeting
Staff Contact: Claudia Zarazua, Planner; Michael Zehner, Planning Director
Staff Recommendation: **Preferably Preserved**

APPLICATION OVERVIEW

An Application for Eligibility Notice was submitted on November 9, 2017 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 14, 2017 determining the subject building to be an Eligible Building. On November 16, 2017 applications were filed to appeal the Eligibility Notice, as well as to seek a Preservation Determination. Public hearings for both applications were scheduled before the Historical Commission for December 11, 2017. The Applicant submitted additional supporting documents on December 4, 2017. It is recommended that the Commission consider the appeal first; depending on the Commission's action under the appeal, the Commission may then consider the Preservation Determination (i.e. if the Eligibility Notice is upheld, the Preservation Determination would need to be considered; if the Eligibility Notice is overturned, the Preservation Determination would not be necessary).

DESCRIPTION

In consideration of the application for Eligibility Notice, it was determined that the oldest portions of the building were partially built on October 31, 1949, the date provided on Building Permit "No. 10179" for the construction of a "dwelling," or at least as of November 10, 1949, the "Date of Survey" identified on the foundation certification ("Survey Record") associated with the permit. See Figures 1 & 2.

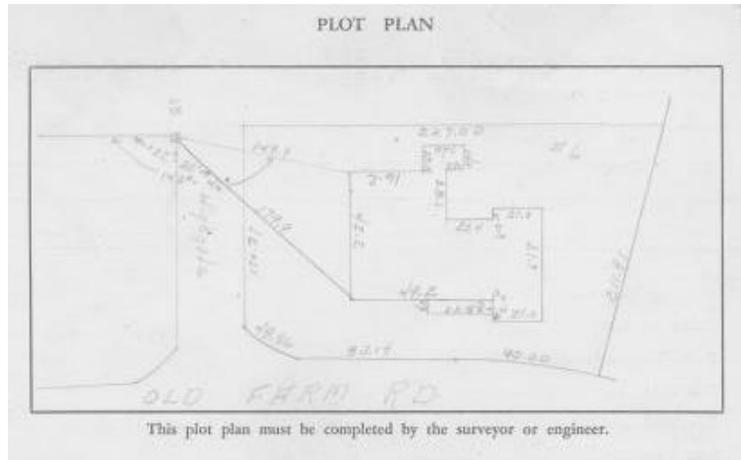


Figure 1 Dwelling Survey Record from November 10, 1949

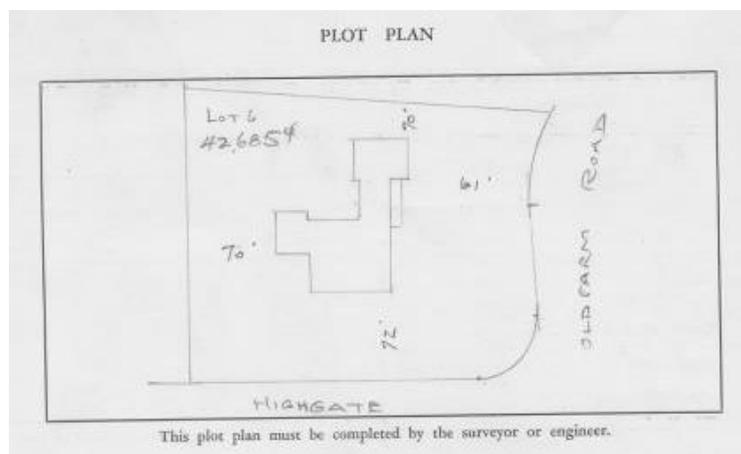


Figure 2 Garage Survey Report from December 10, 1949

The dwelling is a 2-story building with side-gabled roof, not significantly altered since its construction with a minimal modification on the rear side of the garage in 1967, and a 2-story addition on the southwest façade (Old Farm Road) in 1989. Staff believes the architecture of the house is best characterized as Colonial Revival with elements representative of such style like small-paned windows and heavy window frames, as well as large chimneys and small dormer windows on wings.

The original building permit identifies the dwelling to have been built by Maurice A. Dunlavy. Mr. Dunlavy has been identified as a frequent collaborator with architect Royal Barry Wills, perhaps earlier than the construction date of this house. However, some of the design elements indicative of Wills' architectural style can be perceived on the original dwelling.

ELIGIBILITY NOTICE APPEAL

In accordance with Article 46C, D., (2), b., on November 16, 2017, the Applicant submitted an appeal to the determination made in the Eligibility Notice. The Applicant submitted supporting materials with additional research into the date of construction of the property. Despite the Applicant's contentions, Staff is of the opinion that the Bylaw determines eligibility based on the commencement of construction ("...built, in whole or

in part, on or prior to December 31, 1949...”), rather than the completion of construction, which is not able to be determined with any level of certainty, at least not to the degree that commencement of construction may be identified. Further, contentions regarding the initiation of construction, while grounded in respected professional opinions, do rely on several factual assumptions.

It is for this reasons that Staff is of the opinion that the Eligibility Notice determination should be upheld.

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 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.

STAFF RECOMMENDATION

Staff is of the opinion that the subject building is **not** (i) 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, 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, but **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

With respect to standard (ii), Staff is of the opinion that the house is historically and architecturally important, by itself, by reason of style and association with Maurice A. Dunlavy, as builder, his relationship to architect Royal Barry Wills, and the resulting architectural style apparent in the house.

Therefore, based upon the above, **Staff is of the opinion that demolition of the subject building would be detrimental to the historical or architectural heritage of the Town and recommends that the Historical Commission determine that the building should be deemed Preferably Preserved.**