



STAFF REPORT

Town of Wellesley - Planning Department

Application: DR-17-14 – 40 Beechwood Road - Waiver/Reduction of Delay Period
Subject Property: 40 Beechwood Road (Assessor's Parcel ID # 191-9)
Applicant: John Bruno
Property Owner: John Bruno/Needham Miller, LLC.
Date: Report prepared 10/19/2017 for 10/23/2017 Historical Commission Meeting, Updated 12/6/2017 for 12/11/2017 Historical Commission Meeting, Updated 1/3/2018 for 1/9/2018 Historical Commission Meeting
Staff Contact: Claudia Zarazua, Planner; Michael Zehner, Planning Director

APPLICATION OVERVIEW

On October 23, 2017, following a public hearing on an application for a Preservation Determination for the building located at 40 Beechwood Road, the Historical Commission voted (5-2) to determine that the building Preferably Preserved, thereby imposing a delay on the issuance of a permit to demolish the building for 12 months. On November 11, 2017, pursuant to part D.(4) of the Historic Preservation Demolition Review Bylaw, the Applicant and Owner applied to the Commission for a reduction of the imposed Delay Period ("Waiver"). A public hearing before the Historical Commission was scheduled for December 11, 2017 to allow the Commission to make a determination as to whether or not to reduce or modify the Delay Period. The Historical Commission continued the public hearing discussion on to January 9, 2018.

At the December 11, 2017 meeting, the Applicant presented the proposed plans for the new house to replace existing dwelling. The Commission provided the following feedback on the design of the project for consideration by the Applicant:

1. **Reconsider roof line**
2. **Consider a gambrel roof**
3. **Provide more information about landscape**
4. **Refine garage entrance**

Following a discussion, the Commission continued the matter to the meeting on January 9, 2018.

COMMISSION CONSIDERATION AND APPLICANT REQUEST

Pursuant to the Bylaw, "the Commission may consider whether the Owner has:

- i. made a bona fide, reasonable and unsuccessful effort to locate a purchaser for the Building who is willing to preserve, rehabilitate or restore the Building; or
- ii. agreed to accept a Demolition Permit on specified conditions approved by the Commission. If the specified conditions involve approved plans and elevations, then no Demolition Permit shall be issued by the Inspector of Buildings unless the Owner provides to the Inspector of Buildings a complete set of plans and elevation drawings which have been signed and stamped by the Commission, provided, however, that if such plans and elevations are subsequently modified, no copy signed and stamped by the Commission shall be required if such modifications do not substantially alter the plans and elevations previously approved by the Commission.”

The Applicant/Owner has submitted two elevation renderings and a site plan of the proposed plan to replace the existing house, if demolished. Please note, the location of the proposed garage is currently proposed on the Beechwood Road side where the main façade and front entrance of the existing house is located. The elevations submitted include two options which have variations in roof design. Additionally, a letter was submitted from a nearby property owner in support of the application.

The Applicant submitted revised plans on January 2, 2018. The revised plans show more information about the roofline and landscaping. The Applicant has decided to proceed with a simpler roof line and no eyebrow window. Staff acknowledges that the revised plans address many of the Commission’s comments.

PROCEDURAL CONSIDERATIONS AND STAFF RECOMMENDATIONS

Within fifteen (15) days after the Commission has closed the public hearing on the Waiver, the Commission shall provide to the Owner written notice of its determination or a summary of the Owner and the Commission’s agreed-upon plans with respect to the Delay Period and the Building.

In the event that the Commission is considering granting the waiver request based on submitted plans, Staff would recommend that the Commission do so contingent on the Owner’s execution of an agreement specifying the following:

1. Issuance of a Demolition Permit for the dwelling is contingent on subsequent construction based on submitted/approved plans
2. Obligation for the Owner to provide the Planning Director with written notice of all building permit applications concerning the property at the same time as it is filed with the Building Department.

3. Obligation that the Owner not apply for any building permit concerning the property that does not conform to the Approved Plans, and that all construction on the property that does not conform to the Approved Plans is prohibited.
4. Authorization for the Planning Director to determine plans submitted for a Building Permit are consistent with the plans approved by the Commission, and authorization for the Planning Director to confirm compliance of the project prior to the issuance of a Certificate of Occupancy.
5. That the agreement run with the land and be binding on Owner's successors and assigns.
6. That the Historical Commission has the right to enforce all terms of this agreement.