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Department of Community and Economic Development

WESTWOOD HISTORICAL COMMISSION

2017 FEB 17 10 12 54
TOWN CLERK
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**Historic Structure Demolition
Westwood General Bylaw Chapter 250A**

APPLICANT: Elisana Zhaka, Construction Management & Builders, Inc.
75 Sylvan Street, Building C
Danvers, MA 01923

PROPERTY OWNER: Thomas & Tamsen Resor
357 Fox Hill Street
Westwood, MA 02090

PROPERTY LOCUS: 357 Fox Hill Street
Assessor's Map 14, Lot 107

BACKGROUND AND PROJECT SUMMARY

The Applicant requested permission to demolish a barn on the property at 357 Fox Hill Street to make room for the construction of an accessory structure for a religious facility. The Building Commissioner determined that the barn may be historically and/or architecturally significant, and forwarded the Demolition Application to the Westwood Historical Commission (WHC) for review pursuant to Westwood General Bylaw Chapter 250A.

The principal residential structure on the property was built in 1740, and while the date of construction for the barn is undocumented, this structure is believed to have been built sometime in the 19th century. The property is located in the Single Residence E (SRE) zoning district and shown on the Assessor's Map as AP 14, Lot 107. The proposed religious facility is permitted as an exempt use in this district, subject to Limited Environmental Impact and Design Review (EIDR) Approval by the Westwood Planning Board.

STATEMENT OF FINDINGS

After having reviewed all the plans and reports filed by the Applicant and its representatives and having considered the technical analysis, supplemental information provided during the course of the public hearing, correspondence and testimony from representatives from various boards and commissions and departments within the Town of Westwood and from all other interested parties, the Westwood Historical Commission makes the following procedural findings and project findings:

PROCEDURAL FINDINGS:

1. On January 26, 2017, a Demolition Application was filed by or on behalf of Elisana Zhaka of Construction Management & Builders, Inc. (hereinafter "Applicant"), pursuant to Westwood General Bylaw Section 250A [Historic Structure Demolition] with the Westwood Building Commissioner (hereinafter "Demolition Application").
2. Pursuant to Westwood General Bylaw Section 250A, the WHC caused notice of the public hearing to be published in the *Boston Globe*, a newspaper of general circulation in Westwood, on February 8, 2017. Notice of the public hearing was posted in the Westwood Town Hall commencing on February 7, 2017, and continuing through the opening of the public hearing on February 13, 2017. Said notice of the public hearing was mailed postage prepared to all Parties in Interest as defined in Westwood General Bylaw Section 250A on February 7, 2017.
3. One or more members of the WHC attended a site visit on February 11, 2017 to aid in their better understanding of the circumstances of the three structures proposed for demolition.
4. The public hearing on the Demolition Application commenced on February 13, 2017, in the Fisher School, 830 High Street, Westwood, Massachusetts, and was concluded on the same date.
5. WHC Members Nancy Donahue, Marilyn Freedman, Mary Ellen Larose and Lura Provost deliberated on the Demolition Application at a duly authorized meeting on February 13, 2017.

PROJECT FINDINGS:

1. The subject property consists of approximately 5.54 acres located at 357 Fox Hill Street, and is shown as Map 14, Lot 107 on the Westwood Board of Assessors' Map (hereinafter "Property").
2. Presently, the Project Site contains two structures, including the principal residential structure constructed in 1740, and the barn of unknown construction date. The Building Commission determined that the barn may be historically and/or architecturally significant, and forwarded the Demolition Application for the barn to the Westwood Historical Commission (WHC) for review pursuant to Westwood General Bylaw Section 250A.
3. The Property is located in the Single Residence E (SRE) zoning district. The proposed religious facility is permitted as an exempt use in this district, subject to Limited Environmental Impact and Design Review (EIDR) Approval by the Westwood Planning Board. The Applicant requested permission to demolish the barn to make room for the construction of an accessory structure for a religious facility. An application for EIDR for the proposed new structure has not yet been filed.
4. During the course of its public hearing, the WHC considered whether the apparent age and/or historical or architectural character of the barn subjected such

structure to the requirements of Westwood General Bylaw Section 250A. The WHC determined that the barn was subject to review pursuant to Section 250A. In light of the demonstrated historical and/or architectural significance of this structure, the WHC determined that the structure should be preferably preserved.

5. The WHC invited the Applicant to present a demonstration of any hardship that might be experienced in relation to the prescribed Demolition Delay Period. Following testimony by the Applicant, and deliberation by the WHC members, the WHC voted 3 to 1 that the Applicant had not demonstrated sufficient hardship to counter the benefits of a Demolition Delay Period.
6. In light of the lack of a unanimous decision on the question of hardship, the WHC voted 4 to 0 not to impose a Demolition Delay Period.

DECISION:

The Westwood Historical Commission evaluated the Demolition Application in relation to the above Findings, and as the approving authority, by a vote of four (4) in favor and none (0) opposed, hereby declares the barn located at 357 Fox Hill Street to be a preferably preserved historic or architecturally significant structure, but nonetheless declines to impose any Demolition Delay Period pursuant to Westwood General Bylaw Section 250A-4E. This decision shall expire on February 13, 2019 and is transferable to a new property owner prior to that expiration date.

RECORD OF VOTE

The following members of the Westwood Historical Commission voted on February 13, 2017 not to impose a Demolition Delay Period, and thus to allow the issuance of a Demolition Permit for the primary residential structure at 443 Canton Street: Nancy Donahue, Marilyn Freedman, Mary Ellen LaRose, Lura Provost.

The following members of the Westwood Historical Commission voted to impose a Demolition Delay Period: None.



Nora Loughnane
February 17, 2017

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