Historic District Commission - Special Meeting
February 4, 2020, 6:30 PM
Council Chambers | Audrey P. Beck Municipal Building
4 So. Eagleville Road, Mansfield, CT

AGENDA

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF MINUTES
   A. December 10, 2019 Minutes
      12-10-2019 HDC Minutes-NotYetApproved

3. PUBLIC HEARINGS
   A. Proposed Drainage Improvements at the Mansfield Historical Society, 954 Storrs Road (Spring Hill Historic District; File H-0056)
      H-0056
      H-0056 Agenda Item Report-Mansfield Historical Society Public Hearing
      H-0056 Updated Project Description-January 2020
      H-0056 Project Sign Requirements-Historic Restoration Fund Grant
      H-0056 Grading and Drainage Plan
      H-0056 Details and Specifications
      Legal Notice of Public Hearing
      H-0056 Description of Proposed Drainage Improvements to Mansfield Historical Society Building
      H-0056 Additional Project Information
      H-0056 Museum Buildings History

4. OLD BUSINESS
   A. Proposed Drainage Improvements at the Mansfield Historical Society, 954 Storrs Road (Spring Hill Historic District; File H-0056)

5. NEW BUSINESS
   A. Election of Officers (Chair, Vice Chair, Secretary)
6. OPPORTUNITY FOR PUBLIC COMMENT
7. ADJOURNMENT
MINUTES (NOT YET APPROVED)

Members Present: N. Miniutti, D. Spencer, E. Spencer (arrived at 7:07 PM)
Members Absent: G. Bruhn, L. Kruger
Alternates Present: M. Mitoma
Alternates Absent:
Staff Present: L. Painter, Director of Planning and Development; E. Galbraith, Administrative Assistant

CALL TO ORDER AND ROLL CALL
D. Spencer was seated as acting chair in Bruhn’s absence. Mitoma was seated for absent members.

APPROVAL OF MINUTES
Miniutti MOVED, Mitoma seconded, to approve the November 19, 2019 special meeting Minutes as presented. Motion PASSED unanimously.

PUBLIC HEARINGS
Proposed Alterations to First Church of Christ, 549 Storrs Rd (Mansfield Center Historic District)
Applicant Mark Messier stated that there have been no changes to the proposed alterations since the pre-application meeting and provided an overview for E. Spencer, who was not present at the November pre-application discussion. Miniutti MOVED, D. Spencer seconded, to close the public hearing. Motion PASSED unanimously. The public hearing was closed at 7:12 PM.
Miniutti MOVED, D. Spencer seconded, a motion to approve the applicant’s request for a Certificate of Appropriateness.

OLD BUSINESS
2020 Historic District Commission Meeting Schedule
D. Spencer MOVED, Miniutti seconded, to approve the 2020 meeting calendar as presented. Motion PASSED unanimously.

Update to Commission Rules and Regulations
Painter advised that the Commission may want to take some time to review the examples provided for future discussion and action.

Demolition Delay Ordinance
NEW BUSINESS

Proposed Drainage Improvements at the Mansfield Historical Society, 954 Storrs Road (Spring Hill Historic District) H-0003

Presenters from the Mansfield Historical Society showed documentation regarding the current state of the building at 954 Storrs Rd, which currently houses the Mansfield Historical Society operations. Due to significantly outdated and impaired functioning of the current drainage system, this group is currently seeking state grant funding to make improvements to the site. In preparation for the grant application, the Mansfield Historical Society is seeking either a Certificate of Appropriateness for the proposed improvements to the drainage system, or a letter from the HDC chair stating that one would not be required. Members viewed pictures of the deteriorating exterior and evidence of regular flooding that currently occurs within the building. MHS stated that a professional historical architect would be used for the proposed project.

Miniutti MOVED, Mitoma seconded, to authorize the acting chair to sign a letter stating that a Certificate of Appropriateness would not be required for this project. Motion PASSED unanimously.

COMMUNICATIONS

None.

ADJOURNMENT

Acting Chair D. Spencer adjourned the meeting at 7:59 PM.

Respectfully Submitted:

Emmy A. Galbraith
Administrative Assistant
MEMO

To: Historic District Commission
From: Linda Painter, AICP, Director
Date: January 17, 2020
Subject: H-0056 Alterations to Mansfield Historical Society
954 Storrs Road (Spring Hill Historic District)

At your December meeting, you reviewed proposed drainage improvements to the Mansfield Historical Society located at 954 Storrs Road in the Spring Hill Historic District and determined that a Certificate of Appropriateness would not be needed based on the described scope of work. On January 3, 2020, the applicant notified staff and the Chair that additional alterations to the building and site would be needed based on the excavation associated with the drainage work. Specifically, an existing chimney will need to be removed and a section of the existing retaining wall along the property line will not be replaced and will instead be regraded to a gentle slope. A more detailed description is provided in the email from Ann Galonska.

Based on the description of the proposed alterations and the need for a formal determination from the Commission prior to submission of a grant application, staff scheduled a public hearing for the Commission’s January 22, 2020 meeting to enable you to review the request and act on it in the same evening.

Recommendation
If the Commission determines that issuance of a Certificate of Appropriateness for the proposed alterations is the proper course of action, the following motion would be in order:

MOVE to approve the application of the Mansfield Historical Society for removal of a chimney and removal of a portion of a retaining wall at 954 Storrs Road in the Spring Hill Historic District as described in the email from Ann Galonska dated January 3, 2020.

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1 Note: The original file number listed for the drainage improvements in December was H-0003. The file number has been changed to H-0056 as staff has created files for previous HDC actions.
The Mansfield Historical Society, in partnership with the Town of Mansfield, is applying for a Historic Restoration Fund (HRF) Grant from the State Historic Preservation Office to partially fund the installation of a new drainage system and associated site work at the Old Town Hall and former Town Office Building. These town-owned buildings are currently occupied by the Mansfield Historical Society and are part of the Spring Hill Historical District. The Town has committed $50,000 in matching funds for this project, providing an HRF grant is received.

**Background and Reason for the Project:** The Old Town Hall (1843) and former Town Office Building (1935) are now in deteriorating condition, largely due to water leaking into the buildings from the roof systems and into the basements due to poor site drainage. These problems need to be remedied in order to ensure the long-term survival of both buildings.

In 2016, the Mansfield Historical Society, in partnership with the Town of Mansfield, received a HPTAG grant from the Connecticut Trust for Historic Preservation. This grant partially funded a condition assessment study of the Old Town Hall and the former Town Office Building. The study was undertaken by The Nelson Edwards Company Architects LLC (NEC) and their team of consultants. Their report identified, prioritized, and estimated costs for all needed repairs to the buildings. It concluded that it was crucial to prevent the further entry of water into the buildings before undertaking any structural repairs.

Our top priority is to curtail the repeated flooding and continual dampness in the basements of both buildings. Water infiltrating the basements is now threatening the structural integrity of the buildings and also creating mold issues. The basements are no longer suitable for storage. The water damage is especially severe on the north side of the old Town Hall building where the sill plate and siding are rotting.

The existing drainage system has completely failed. A series of underground clay pipes originally collected run-off from the roofs and carried it to the storm drain on Route 195. There were also pipes in the basements of both buildings that connected to this drainage system and removed any water that entered the buildings. This system was reportedly never very effective and now the clay pipes are partially collapsed or filled with roots. The drainage system is no longer connected to the storm drain on Route 195. Following the recommendations of NEC and as part of the HPTAG project, Towne Engineering Inc. designed a new drainage system.

**How the work would affect the outer appearance of the buildings.** In order to apply for a HRF grant to aid in addressing the drainage issues, we must obtain a Certificate of Appropriateness from the Historic District Commission. Below is a synopsis of the proposed project and how it would affect the outer appearance of the buildings.

- French drains would be installed around the perimeter of the two buildings that would tie into the DOT storm drain on Route 195. The drains would be underground and not visible. The work would temporarily disturb the front sidewalks and driveway. However all would be repaired and returned to previous condition and appearance after the drains are installed.

- On the north side of the Old Town Hall, the retaining wall between the abutting neighbor’s property and the side of the building would be removed to allow installation of a drain. Rather than replacing this section of wall, this area would be re-graded to a
gentle slope. The section that would be removed begins at the end of the row of millstones currently resting against the wall and extends to the rear of the building. Most of the retaining wall that is visible from the street will remain.

- Sadly, to provide access for installing the drain on the north side of the building, the beautiful large maple tree in front of the Old Town Hall will have to be removed. This tree is very old and is diseased with heart rot. It needs to be removed anyway before a storm brings it down and possibly damages the building.

- The chimney on the north side of the Old Town Hall will also have to be removed in order to install the drain. This chimney is no longer used and is not original to the building. It was likely added sometime in the early 20th century when a space to the left of the front door was partitioned off to serve as the Town Clerk’s Office and heat was needed there. The chimney is currently in poor condition. It is separating from the building and is kept from collapsing by a metal strap around it and iron bars attached to the roof. Once the chimney is removed, the space left along the roofline would be repaired to match the existing trim. Any damaged siding in this area would also be replaced.

- New gutters would also be installed on the Old Town Hall. Presently there is a broken gutter on the south side of the building that will be replaced and a new gutter added to the north side where there currently isn’t one. Both would tie into the new drainage system. The new gutters would affect the outer appearance of the building’s façade but minimally so.

- There would be more extensive site work done at the rear of the buildings that would not be visible from the street. Right now the basement of the Old Town Hall floods with every heavy rainfall. Water runs down the steep driveway and under the garage doors into the basement. As part of the project, the garage doors would be replaced with a bulkhead and the resulting void in the foundation wall filled in. The sloping driveway would then be filled in and leveled off. Doing this would also enable the future installation of an accessible entrance at the rear of the former Town Office Building. This building is currently not ADA compliant. An accessible entrance could be installed in place of one of the rear windows and an appropriate ramp designed for it.
Photographs showing how the drainage system project would affect the street view of the Old Town Hall. (The portions of the former Town Office Building visible from the street would not change):

Photograph of the Old Town Hall, c. 1900. Note there is no chimney on the north side of the building. It was a later addition.

This chimney must be removed in order to install the French drain on the north side of the building.
Photo (left) shows how the chimney is leaning and held to the roof by strapping and two iron bars. Photo (right) illustrates how the chimney is separating from the building with the space between crudely filled in with caulk. When the chimney is removed, the break in the roofline will be filled in to match the existing trim. A new gutter will also be installed.
The section of the retaining wall extending from these millstones out to Route 195 will remain intact.

The section from the millstones to the rear of the building will be removed and the area re-graded.
Photographs illustrating the need for this project:

The north side of the Old Town Hall. There is no gutter on this side of the building. Rain water and run-off from the roof collects in the narrow space between the building and the retaining wall. The broken retaining wall also allows water to drain from the abutting property into this space.

This section of retaining wall will have to be removed in order to install a French drain in this area. We are working with the abutting neighbor on a temporary easement agreement that will enable this work to be accomplished. After the drain is installed, this area will be re-graded to a slope and the wall will not be replaced.
Water collecting in the space between the north side of the Old Town Hall and the retaining wall is causing the sill plate and siding to rot.
A close-up of the water damaged sill plate on the north side of the Old Town Hall.

The garage doors leading into the basement of the Old Town Hall. These would be replaced with a bulkhead and the remaining void in the foundation filled in. The steep driveway and stairwell between the two buildings would also be filled in. This site work would eliminate the main point of water entry into the Old Town Hall’s basement.
Flooding in the basement of the Old Town Hall: The following photographs show what happens during a heavy rainstorm. They were taken while a storm was in progress.

(Above Left) Rain water runs down the steep driveway towards the garage doors that lead into the basement of the Old Town Hall.

(Above Right) The rain water then collects in front of the garage doors and in the stairwell space between the two buildings.

(Left) Water pouring down from the broken section of gutter above this area is causing the disturbance seen in the floodwaters by the staircase. Water from this broken gutter also seeps into the first floor of the building and is causing plaster loss above one of the windows and water damage to the floors. Note the wet mark on the masonry wall on the right. That is also the result of water running down the side of the building from the broken gutter above.
This photograph shows the rain water running under the garage doors and spreading across the basement floor. Note the damp basement wall in the upper right of the photo. During wet weather, water also seeps in through the masonry.

(Left) This drainpipe under the stairwell is part of the old drainage system that is broken and no longer works. The pipe originally directed flood water out to the storm drain on Route 195. Water now collects in this area but has no place to go. (Right) The sump pump runs constantly during the spring when the water table is high but it can't keep the basement dry. Note the stain along the walls. That is the high water mark from a flood in March 2010 that reached about 3 feet.
Flooding in the basement of the former Town Office Building. This photograph of part of the basement floor shows evidence of its repeated flooding. The basement is prone to flooding in the springtime when the water table is high and especially if the snowpack melts quickly. There have been several floods that have ranged from a few inches to one foot in height. A popular kitchen display area in the front part of the basement had to be abandoned in 2010 following severe flooding. The basement is currently used for storage but nothing of high value can be stored there due to periodic flooding and damp conditions. A dehumidifier must run constantly during the warm months. The installation of French drains around the perimeter of this building should alleviate these problems.
Should an HRF grant be received, the contract requires installation of a sign for the duration of the project. See below.

6.4. Project Sign. Applicant must erect and maintain a project sign at the project site. This sign must: be of reasonable and adequate design and construction to withstand weather exposure; be of a size that can be easily read from the public right-of-way; and be maintained in place throughout the project term. At a minimum the sign must contain the following statement: “Construction of the [name of property] is being supported in part by a Historic Restoration Fund grant administered by the State Historic Preservation Office, CT Department of Economic and Community Development.” Photographs of the sign must be submitted to the Department at the start of the construction process.
LEGAL NOTICE

The Mansfield Historic District Commission will hold a Public Hearing at 6:30 p.m. on Tuesday, February 4, 2020, in Council Chambers, A.P. Beck Bldg., 4. S. Eagleville Rd., Mansfield, CT to hear comments on the application of The Mansfield Historical Society at 954 Storrs Road.

No information from the public shall be received after the close of the Public Hearing. Additional information is available in the Planning Office.

G. Bruhn, Chair

TO BE PUBLISHED: Tuesday, January 28, 2020
Linda M. Painter

From: Mansfield Historical Society <mansfield.historical@snet.net>
Sent: Monday, December 2, 2019 12:00 PM
To: Gail Bruhn; Linda M. Painter
Subject: Meeting re MHS drainage system project

Dear Gail and Linda,

The Mansfield Historical Society, in partnership with the Town of Mansfield, is applying for a Historic Restoration Fund grant from SHPO. In its 2019-2020 budget, the Town included $50,000 in matching funds, should we successfully obtain a grant. The HRF grant program was temporarily suspended last May but is now accepting applications again. Would you be available to meet to discuss the project sometime this week? We are trying to meet a Dec. 10 application deadline. We need to include a Certificate of Appropriateness from the Historical Commission or a statement that one is not necessary for this project.

In a nutshell, we are hoping to install a new drainage system to prevent further flooding in the basements of the two town-owned buildings that we occupy. This situation needs to be corrected before we can proceed with actual repairs to the buildings. French drains would be installed around the perimeter of the buildings that would connect with the storm drain on Route 195. This work would disturb the retaining wall between the Old Town Hall and abutting neighbor, the front sidewalks, and driveway. However all would be repaired and returned to previous condition and appearance after the drains are installed. New gutters would also be installed on the Old Town Hall. Presently there is a broken gutter on the south side of the building that will be replaced and a new one added to the north side. Both would tie into the new drainage system. The new gutters are the only component that would affect the outer appearance of the front of the buildings and minimally so.

There will be more extensive site work done at the rear of the buildings that will not be visible from the street. Right now the basement of the Old Town Hall floods with every heavy rainfall. Water runs down the steep driveway and under the garage doors into the basement. As part of the project, the garage doors will be replaced with a bulkhead and the resulting void in the foundation wall filled in. Then the sloping driveway area will be filled in and leveled off. Doing this will also enable the future installation of an accessible entrance at the rear of the former Town Office Building. The building is currently not ADA compliant.

Please let me know ASAP if/when you would be able to meet. Bruce Clouette and Rudy Favretti will also be included in the meeting. It would be best to meet at our museum so that you can see the proposed project site. We are aiming to meet the Dec. 10 deadline, but if that is not feasible, we will wait for the Jan. 10 deadline. Many thanks!

Best,
Ann Galonska
Museum Director
PROPOSED DRAINAGE SYSTEM AND SITE WORK PROJECT AT 954 STORRS ROAD

The Mansfield Historical Society, in partnership with the Town of Mansfield, is applying for a Historic Restoration Fund (HRF) Grant from the State Historic Preservation Office to partially fund the installation of a new drainage system and associated site work at the Old Town Hall and former Town Office Building. These town-owned buildings are currently occupied by the Mansfield Historical Society and are part of the Spring Hill Historical District. The Town has committed $50,000 in matching funds for this project, providing an HRF grant is received.

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In 2016, the Mansfield Historical Society, in partnership with the Town of Mansfield, received a HPTAG grant from the Connecticut Trust for Historic Preservation. This grant partially funded a condition assessment study of the Old Town Hall and the former Town Office Building. The study was undertaken by The Nelson Edwards Company Architects LLC (NEC) and their team of consultants. Their report identified, prioritized, and estimated costs for all needed repairs to the buildings. It concluded that it was crucial to prevent the further entry of water into the buildings before undertaking any structural repairs.

Our top priority is to curtail the repeated flooding and continual dampness in the basements of both buildings. Water infiltrating the basements is now threatening the structural integrity of the buildings and also creating mold issues. The basements are no longer suitable for storage. The water damage is especially severe on the north side of the old Town Hall building where the sill plate and siding are rotting.

The existing drainage system has completely failed. A series of underground clay pipes originally collected run-off from the roofs and carried it to the storm drain on Route 195. There were also pipes in the basements of both buildings that connected to this drainage system and removed any water that entered the buildings. This system was reportedly never very effective and now the clay pipes are partially collapsed or filled with roots. The drainage system is no longer connected to the storm drain on Route 195. Following the recommendations of NEC and as part of the HPTAG project, Towne Engineering Inc. designed a new drainage system.

How the work would affect the outer appearance of the buildings. In order to apply for a HRF grant to aid in addressing the drainage issues, we must obtain either a Certificate of Appropriateness from the Historic District Commission or a statement that one is not necessary for this project. Below is a synopsis of the proposed project and how it would affect the outer appearance of the buildings.

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**Photographs illustrating the need for this project:**

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Water collecting in the space between the north side of the Old Town Hall and the retaining wall is causing the sill plate and siding to rot.
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In conjunction with the condition assessment study of the old Town Hall and the former Town Office Building that the Mansfield Historical Society now occupies, we have also reviewed their history.

In her book, *Listen to the Echoes: The Early History of Spring Hill, Mansfield, Connecticut*, Roberta Smith details the origin of the old Town Hall. “During Mansfield’s formative years, town meetings were held in the homes of various prominent settlers. Later on, the meeting houses were used. The early Ecclesiastical Societies controlled not only the religious life of the people but also much of the educational and political life of the rural communities.” On November 10, 1800, it was voted to hold ‘the Freemans and Town Meetings’ alternately in the meeting houses [churches] of the First Society (now Mansfield Center) and the Second Society (North Mansfield, now Storrs).

As the town grew, so did its need for a town house—a dedicated building for town meetings and for conducting town business. Construction of a town house was first proposed at a town meeting on December 3, 1838. Then followed several years of controversy over where to locate the proposed town house and how to pay for its construction.

Finally, in October 1841, a site on Spring Hill was selected for the new Town House, presumably because of its centralized location. The following August, a tax of four cents on the dollar was levied on the Grand List to defray the cost of its construction. Elijah C. Moulton of Chaplin was engaged as the builder and he received $800 for his services.

The new Town House, later known as the Town Hall, was completed in the summer of 1843. Mansfield voters met there for the first time on September 4, 1843 and for the next 128 years the Town’s annual meetings and special meetings were held there. The building also served the community as a venue for social events such as dances, concerts and other entertainments.

Early in the 20th century, a section to the left of the Town Hall’s front entry was partitioned off to create an office for the Town Clerk. The town’s vital records and land records were stored there in a safe that was purchased for this purpose in 1918. Most other town business, however, was still conducted from the homes of various officers. This arrangement became progressively less satisfactory over time.

By 1930, the nearly century-old Town Hall was showing its age. The old wooden structure, described as “ramshackle,” had become a fire hazard and a risky depository for the Town’s valuable records. Mansfield had a pressing need for new town office building that would provide both a central place for offices and a safer location for its important records. However the nation was in the midst of the Great Depression and undertaking such an expensive project seemed impossible.

Hope for a town office building was rekindled with the establishment of federal aid programs under the administration of President Franklin D. Roosevelt. Known collectively as “The New
Deal,” these new programs were designed to improve the economy and put the unemployed back to work.

Shortly after Roosevelt took office in 1933, the Federal Emergency Relief Administration (FERA) was created. This agency provided loans and grants to states for the operation of relief programs and for works programs to hire the unemployed.

In 1935, the Federal Emergency Relief Administration was dissolved and its work was then taken over by two new federal agencies, the Works Progress Administration and the Social Security Administration.

The Works Progress Administration (WPA) funded national, state and local public works projects. Its goal was to employ most of the unemployed people on relief until the economy recovered. This massive public works program improved the nation’s infrastructure through the construction of highways, roads and bridges and funded countless public buildings. Renamed the Work Projects Administration in 1939, its public works program continued until 1943 when pre-war production provided an abundance of new employment opportunities.

In the fall of 1934, the Town of Mansfield applied to the Federal Emergency Relief Administration for a grant to build a new town office building. At a meeting of Mansfield’s Board of Finance on October 16, 1934, first selectman Daniel C. Flaherty reported that “it appeared likely federal funds would be available for the payment of all labor costs and a large part of the cost of material for a Town Office Building. He pointed out that this project would furnish work for residents of the town who would soon be in need of town aid and that the project, if undertaken, would relieve the town budget to a considerable extent” (Town Meeting Records).

The project was approved on October 31, 1934 and the architectural firm Perry & Bishop of New Britain was engaged to design the Town Office Building. They designed an attractive one-story colonial revival edifice with a fieldstone exterior. The interior featured office spaces for the town officials and a fireproof vault for the town records.

Work commenced on November 22, 1934. The Annual Report of the Officers of the Town of Mansfield, for the year ending September 17, 1935, lists 42 men on the payroll for the construction project. The workers’ pay ranged from $2.75 to $63.00 depending on the length of their service; the total payroll was $889.65.

The report also shows that the architects were paid $255 for their design work. Surprisingly, one of the most expensive features of the new building was the heavy vault door which came from a bank in Danielson. It cost $182.40, including installation.

The Town subsequently applied for FERA funds to renovate the Town Hall building as well. This project was approved on January 3, 1935. Work began almost immediately on the excavation and building of a new foundation directly behind the old building. When it was completed, the Town Hall was moved from its original location and placed atop the new foundation. The interior was
then renovated and new lighting and heating systems were installed. The Town Hall project was completed in November 1935. The total project cost was $3,261.18, with $3,108.45 from FERA funds. The cost to the Town was just $152.73!

Meanwhile, construction of the new Town Office Building continued on. When the project was transferred to the Works Progress Administration on November 4, 1935, it was 60% complete. A report filed with the WPA on September 15, 1936 states that the project was completed in May at a cost of $7,070, of which $5,430 was granted from federal funds.

However the Project Register, now held in the Society’s collection, shows different figures. It records project expenses through November 27, 1935 totaling $8,251.92, with $3,791.15 covered by FERA funds. Penciled notes indicate a final grand total of $9,709.19 in expenses and an additional grant of $1,455.27 from the WPA. Thus the correct project cost remains unclear. Nevertheless, an inventory of Town Property in the Annual Report for 1936 shows the new Town Office Building valued at $10,000 and the renovated Town Hall at $3,000.

The 1936 project report filed with the WPA states that the new Town Office Building “is very pleasing to the eye and has the unanimous approval of every citizen in the community.” In fact, the Town was so proud of its new municipal building that its image was incorporated in the Town’s official seal. The report concludes, “There is no doubt but that without the aid of the federal government the town of Mansfield would never have been able to build [this] new edifice.”

Following the completion of the Town Office Building and the renovation of the Town Hall, further alterations were made to the two buildings. Sometime during World War II or during the subsequent Cold War years, a plane spotting tower was constructed on top of the Town Hall building. The Town Office Building served as the town’s Civil Defense Headquarters during these years.

Mansfield’s population grew rapidly with the post-World War II baby boom. The growth of the University of Connecticut and the Mansfield Training School also brought many new residents to town. By the 1950s the Town Hall could no longer accommodate the crowds that gathered to discuss important town issues. Meetings about the construction of new schools were especially contentious and crowded. Town meetings often had to be adjourned and moved to a larger venue, usually the Hawley Armory on campus. At the town meeting on March 15,
1971, it was voted: “that town meetings may be held in locations other than the Town Hall, which is 127 years old.”

Likewise, the 1935 Town Office Building was quickly outgrown. By the 1950s there was already a need for more office space and the narrow 8’ deep vault was no longer adequate for housing the town records. A large addition was added to the rear of the building in 1957. The new addition provided a much larger vault (now our office and library) and more office space. However the addition only temporarily relieved the space issues.

By the 1970s it was clear that larger quarters were needed for conducting town business. In 1977, voters approved plans to renovate the old Storrs Grammar School and transform it into a new municipal building. The town offices moved into the new municipal building at the end of the 1970s. It was named after the late Senator Audrey Beck in 1984.

In 1980 the Mansfield Historical Society moved its headquarters and museum from the old Eagleville schoolhouse to the vacant Town Office Building. The Old Town Hall was added to its museum complex in 1986. The buildings are still owned by the Town and are leased to the Society under a long-term lease arrangement.

Today the Old Town Hall and the former Town Office Building are 175 and 83 years old respectively. Age and Mother Nature have taken their toll. Water infiltration from the roof systems and poor site drainage conditions have caused the most damage.

The condition assessment study, made possible by a grant from the Connecticut Trust for Historic Preservation and matching funds from the Town of Mansfield, has identified the many issues that threaten the buildings. It has also provided a prioritized list of needed repairs and their estimated costs. As we study the condition assessment report, one thing is immediately clear. It will cost much, much more to repair the buildings than it did to construct them!
MEMO

To: Historic District Commission
From: Linda Painter, AICP, Director
Date: February 4, 2020
Subject: Policies and Procedures

Last fall staff provided you with several samples of policies and procedures that have been adopted by other Historic District Commission in CT. At that time, members requested that staff provide comments and recommendations with regard to the various examples. In response, I have prepared the following summary of my review.

As you will see in the more detailed review of each set of regulations, there are often similarities between communities that indicate use of a common model. The samples generally follow one of two general approaches:

- Madison, Stratford and Windsor offer more comprehensive documents that appear to be primarily oriented to the layperson. These guides typically include background on the history of the communities and the specific districts being regulated as well as step-by-step instructions on how to navigate the process. Madison and Windsor also include more detailed design guidelines to help property owners understand what is appropriate to a specific architectural style as well as how to approach various building/site elements. Stratford references design guidelines but staff was unable locate the separate document on-line.

- Sharon and Woodbury focus more on the operations and procedures of the Commission, similar to the by-laws adopted by Mansfield’s Planning and Zoning Commission and Inland Wetlands Agency. These models do include general criteria related to determining appropriateness of an alteration, but do not provide the more specific design guidelines referenced in the other communities.

Ultimately, the Commission needs to determine the approach it would like to take in establishing regulations and guidelines. From a staff perspective, the models used in Madison, Stratford and Windsor would provide more guidance to property owners seeking to understand both the review process as well as appropriateness of different approaches to building and site alterations. This approach would also help staff to provide better customer assistance to owners in historic districts as it provides more detail with regard to regulated and unregulated activities.

Once the Commission identifies a preferred approach, staff can identify next steps in the process. Given limited staff capacity, it is anticipated that Commission members will need to actively participate in development of the regulations, particularly with regard to specific design guidelines if that is the approach selected.
MADISON HISTORIC DISTRICT REGULATIONS AND GUIDELINES
January 2010

Contents

• Introduction. Brief history of Madison and the historic district, including district map

• Preface. Overview of authority granted by state statutes, role of HDC, and purpose of the guidelines.

• Application Procedures. This section provides detailed information on the types of activities that are regulated as well as the review procedures.
  o Regulated Activities. Provides a list of examples of structures, architectural elements, and site improvements that are regulated in the Historic District.
  o Non-Regulated Activities. Specifies the types of activities that are not regulated and for which no application for a Certificate of Appropriateness is required.
  o Pre-Application Meeting. Provides an explanation and overview of the optional pre-application process and its purpose.
  o Submission Requirements. Table identifying specific materials that must be submitted based on application type.
  o Public Hearing. Overview of public hearing requirements, including public access requirements to meetings and records. Also provides extensive narrative outlining how the public hearing operates from start to finish.
  o Certificate of Appropriateness. Identifies general criteria that are used in determining whether to issue a Certificate of Appropriateness as well as the role of the design guidelines. Also identifies administrative procedures related to issuance of a Certificate of Appropriateness.
  o Appeals. Provides a summary of the appeals process for HDC action.
  o Enforcement and Non-Compliance. Overview of enforcement procedure, authorized enforcement agent, and fines that may be levied by the Superior Court for non-compliance.

• Design Guidelines. This section establishes general design objectives as well as examples of appropriate and inappropriate modifications based on architectural style. Additional detail is provided with regard to types of maintenance and repair activities that require review by the HDC.
  o Architectural Styles. One-page summaries with illustrations for each style that identify: character defining features, examples of inappropriate modifications, and more appropriate modifications. These summaries appear to have been taken from another publication.
  o Architectural/Site Element Guidelines. Guidelines are provided for the following architectural and site elements. These sections describe prevalent materials, provide examples of different maintenance/repair/replacement options as well as guidance related to addition and new construction. These guidelines are intended
to be used by property owners regardless of whether the activity in question requires review by the Commission.

- Exterior Walls and Siding
- Windows
- Entrances and Porches
- Roofs and Roofing
- Architectural Ornamentation
- New Additions
- New Construction
- Outbuildings
- Site
- Landscaping
- Fences and Walls
- Signs
- Walkways and Driveways
- Utility Lines
- Mailboxes
- Lighting

**Appendices.** Appendices include: Certificate of Appropriateness Application; Supporting Materials Checklist, Permit Process for Residential Properties in the Historic District; The Secretary of the Interior’s Standards for Rehabilitation; Historic District Enabling Legislation; Madison Historic District Ordinance; References and Resources.

**Key Quotes**

- “The guidelines that follow in this handbook are provided to facilitate the design and review process, but cannot be expected to provide precise and fixed standards for design.”

- “To fall under the jurisdiction of the Historic District Commission, a proposed construction activity must be visible from the public view. Public view is not necessarily limited to public streets, sidewalks, and parks, but may include any place customarily open to the public, such as private parking lots. The public viewpoint also can be from navigable waterways, boardwalks, wharves, as well as from railways. A building or structure which is hidden by landscaping is considered to be in the public view if it would be visible without such landscaping.”

- “The reader is referred to page 19 – Design Guidelines of this handbook, which provides an in-depth discussion of both the general objectives and specific criteria considered in the Commission’s determination of appropriateness of design. However, it is essential to understand that these guidelines are provided to assist the applicant in design matters, but should not be considered to represent absolute standards, which can and must be
applied in all instances. The Historic District Commission ultimately must make a
determination as to appropriateness based on its own judgment as to a proposal’s
appropriateness within the characteristic setting and building traditions of the historic
district.”

- “The Guidelines provide alternatives to assist the homeowner in making decisions
concerning some options to be considered or avoided in building or restoration.”

Reference Documents
Pursuant to the introduction, Madison used guidelines from the following towns to develop their
regulations:

- Groton
- South Windsor
- Guilford
- Old Lyme

Overall Impression
Oriented to property owners in district. Serves as an education tool as well as provides clear
guidance on the review process as well as types of activities that require HDC approval as well
as those that do not. Design guidelines specific to architectural style and feature help to
educate property owners on preferred approaches to alterations.

STRATORD HISTORIC DISTRICT HANDBOOK
April 2007

Contents

- Preface. Very similar to Madison, provides overview of authority granted by state
  statutes, role of HDC, and purpose of the guidelines. Includes map of original district and
  expanded district.

- General Discussion. Very similar to Madison’s Application Procedures section

- Appendices. Includes list of supporting materials required for applications in narrative
  form; Certificate of Appropriateness Application Form; Summary of regulated activities
  and procedures for property owners; CGS enabling statutes; Stratford Historic District
  Commission Ordinance; and The Secretary of the Interior’s Standards for the Treatment

Overall Impression
Given extensive similarities in organization and content between Stratford and Madison, it
appears there may be a model that was used by multiple towns. Reference made to guidelines,
but guidelines are not attached to this document. Ordinance provides criteria for determining
appropriateness of proposed activities.
WINDSOR HISTORIC DISTRICT HANDBOOK: GUIDELINES FOR RESIDENTS AND COMMISSIONERS
September 2016

Contents

• **Overview.** Provides introduction to HDC; the district; a brief explanation of what a Certificate of Appropriateness is and when it is needed; how to apply for a COA; and fines for violations.

• **Guide to the Handbook.** Provides a summary of what can be found in each section with page references.

• **History of Windsor.** Narrative overview of the Town’s history.

• **History of Windsor Historic District and Commission.** Overview of the creation of the historic district, the role of the Commission, Certificate of Appropriateness procedures, advantages to property owners, and distinguished features within the district.

• **Map of Historic District.**

• **National Register Designation.** Background of National Register Designation, as well as what the designation does and does not entail.

• **Windsor Historic District Commission Organization and Operating Procedures.**
  
  o *Excerpt of Ordinance establishing the HDC*
  
  o *Rules and Procedures (October 1993).*
  
  o *Organization of the Commission.* Overview of membership, officers and duties, alternates and committees.
  
  o *Meeting and Public Hearings.* Procedures for conduct of meetings and public hearings, including designation of annual officer elections/change in member terms. Includes specific guidance on timing of hearings and notices that are more detailed and stringent than the statutes. For example, hearings shall be held within 45 days of application receipt and notices are to be published between 5 and 7 days in advance of the hearing. These rules meet the statutory requirements but are more specific. Similarly, specifies that a notice of decision will be issued within 60 days of application filing, which is more stringent than the 65 days mandated by statute.
  
  o *Administrative Procedures.* Procedures for posting of agendas and minutes; enforcement; conflict of interest, and revisions to the rules and procedures.
  
  o *Certificate of Appropriateness.* Establishes application process, standards for determining appropriateness based on Secretary of Interior Standards; and identifies when a certificate is required as well as exempt activities.

• **Design Guidelines.**
  
  o *Secretary of Interior Standards.* Serves as introduction to more specific guidelines
Architectural Styles/Façade Types. As with Madison, each architectural style is described in terms of character defining features, inappropriate modifications, and more appropriate modifications. Visuals are limited to a representative photo of the style, presumably of a building in the district. No illustrations of inappropriate/more appropriate modifications are provided.

Architectural/Site Element Guidelines. As with Madison, details are provided for the different types of architectural and site elements. Specific features are identified through use of photographs with labels, which may be easier for a lay person to understand than hand-drawn illustrations.

- Appendix. Appendix materials include: Application for a Certificate of Appropriateness; guide for selection of paint colors by architectural style; and a list of references and resources used to develop the handbook.

Overall Impression
The Windsor Handbook has many similarities to Madison, particularly with regard to the Design Guidelines. The use of photographs (credited as needed) may be easier for a layperson to understand than the hand-drawn sketches used in the Madison version.

SHARON HDC RULES AND REGULATIONS
May 2016

Contents
- Organization of the Commission. This section identifies membership requirements, officers and their duties, and attendance requirements.

- Administrative Procedures. This section provides an overview of administrative procedures such as legal notice requirements, posting of agendas and minutes, enforcement of regulations, process for revising the HDC Rules and Regulations, conflicts of interest and use of executive session.

- Conduct of Meetings. This section identifies the order of business for regular meetings as well as public hearings.

- Certificates of Appropriateness. This section identifies the overall process for reviewing an application for Certificate of Appropriateness including administrative procedures related to approval/denial as well as the appeal process to Superior Court. The regulations also identify the deadline for acting on an application once received and specifies that the receipt date for the purpose of “filing” per Sec. 7-147e is the next regular meeting of the Commission after the application is submitted. This section also identifies general standards for determining appropriateness, including:
  - Definitions of key terms
  - The types of activities that are subject to review (which appears to have been drawn directly from statute)
  - Provisions for demolition delay
  - Specific factors that will be evaluated by application type (buildings and structures; signs, and parking areas)
  - Variations and waivers from standards and requirements
• Appendices
  o Section 7-147c, CGS
  o Sharon Historic District Solar Guidelines

Overall Impression
This document is focused solely on the rules and regulations of the Commission and does not delve into design guidelines. It appears to be similar in nature to the by-laws that have been established by the PZC and IWA in terms of overall content.

WOODBURY HDC REGULATIONS
Revised April 1, 2018

Contents
• Authority and Purpose. Overview of authority granted by enabling statutes.
• Boundaries and Location of Historic Districts. Narrative description of district boundaries (two districts)
• Definitions. Definitions of key terms
• Meeting Procedures. Includes overview of annual meeting schedule, posting of agendas/cancellation of meetings.
• Certificates of Appropriateness. Provides general guidance as to when a Certificate of Appropriateness is required.
• Applications, Hearings and Decisions. Outlines the process for submitting an application, the application fee, provisions enabling the Commission to retain experts to assist in the review, as well as the hearing and decision process.
• Variances, Exemptions and Demolition Delays. Authorizes the Commission to vary from strict adherence to standards and specifies activities that are exempt from Commission review (which appear to be based on statutory exemptions).
• Considerations in Determining Appropriateness. Provides general criteria/guidelines for consideration.
• Enforcement. Establishes enforcement officer.
• Amendments. Specifies procedure for amending the regulations.
• Separability. Standard legal clause
• Effective Date.
• District Maps.

Overall Impression
As with Sharon, this document is focused primarily rules and regulations of the Commission and does not delve into design guidelines. It appears to be similar in nature to the by-laws that have been established by the PZC and IWA in terms of overall content. Criteria for determining appropriateness are more general in nature.
Deacon John Grave House, 1675
# Madison Historic District Regulations and Guidelines

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Acknowledgements:

The Madison Historic District Commission would like to thank all of those whose effort has contributed to the creation of these guidelines and regulations for the Madison Historic District

A partial list includes:

The residents of Madison
Madison Historic District Study Committee
Jane Kuhl and the Madison Historical Society
Madison Board of Selectmen

Mary Dunne, Historic Preservation and Museum Division

Groton Historic District Guidelines
South Windsor Historic District Guidelines
Guilford Historic District Commission
Old Lyme Historic District Guidelines
Connecticut Historic Districts

Marilyn Ozols, Planning & Zoning Administrator

Historic District Commission

Members:
John Lind, Chairman
Garry Leonard, Vice Chairman
Eric Berg
Susan Cartledge
Sandra Hennen

Alternates:
Eileen Banisch
Thomas Boyle
Peter Horton

Former Member:
Christine Robinson
INTRODUCTION

The Town of Madison has changed dramatically since the first European settlers entered the area in the middle of the 17th century. From its beginning as a part of neighboring Guilford, the area has slowly grown – first into the separate parish of East Guilford and then into an independent community of its own. Once the new Town, with the new name of Madison, was established in 1826 it continued to prosper and fill with residents. In the second half of the 19th century, the railroad brought new goods and new growth to the Town. The area along the shoreline was developed with recreation and summer residents in mind. When the automobile, and even more dramatically the New England Thruway, narrowed the distance between Madison and state’s commercial centers, the Town became a bedroom community serving New Haven, Hartford, Bridgeport, and even lower Fairfield County. Throughout these transitions, one element has remained constant in the Town: the central place of The Green and the surrounding neighborhood.

The Town’s government recognized the important place of The Green and the surrounding area in the history of the community when they established the Madison Historic District and appointed the Madison Historic District Commission. The Historic District provides another layer of protection to an area whose significance has been recognized by placing it on the National Register of Historic Places.

MAP

Madison Historic District

![Madison Historic District Map](image-url)
PREFACE

This handbook contains a review of procedural requirements for application to the Historic District Commission, and guidelines for appropriate design in the historic context.

Since 1961, any municipality in Connecticut has been enabled by state law to:
“establish within its confines an historical district or districts to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places associated with the history of or indicative of a period or style of architecture of the municipality, of the state or of the nation.”

The Town of Madison’s regulated historic district has been created by a public process. By state law, Madison’s Historic District was approved by a minimum 2/3 majority of the property owners within the district that returned ballots and subsequent approval of the Board of Selectmen. The Town of Madison Historic District Commission was established to review any and all alterations, demolition, or construction of buildings and other structures within the boundaries of Madison’s designated historic districts and which is open to view from a public street, way, or place. The Commission is empowered to exercise all powers, duties, and functions enumerated under the Connecticut General Statues, Title 7, Sections 7-147a to 7-147k, inclusive and as amended. The Commission is a branch of local government and its decisions are binding under the law. The jurisdiction of the Historic District Commission is independent of and equal to that of any other local governmental authority except a court of law upon appeal.

In addition to its review functions, the Historic District Commission is empowered by state law to act in a number of discretionary ways to promote the preservation of historic resources. It may, for instance, interact with both governmental and private agencies on matters of mutual concern and can make proposals to the same. It can recommend an expansion of an existing district or that additional districts be created. It can advise or otherwise make information available to the public on historic preservation matters. It can comment on zoning variances and special exception permits in historic districts. The Commission also can consult with experts who are not members of the Historic District Commission.

The Historic District Commission has published this handbook of application procedures and design guidelines to provide a common reference for the planning and design of regulated activities. Both public and private sectors are required to abide by the rules and procedures pertaining to historic districts. The guidelines that follow in this handbook are provided to facilitate the design and review process, but cannot be expected to provide precise and fixed standards for design.

In the words of the Historic Preservation and Museum Division of the Connecticut Commission on Culture and Tourism:
“Historic district designation carries with it no inherent restrictions, only a review process to prevent incongruous change.”
The mandate of the Commission is to preserve and wherever possible enhance the historic and architectural character of the Town’s historic districts. The historic context or setting is itself the primary concern of the Commission. It is the intention of the Historic District Commission to promote excellence in design, and design which is not incongruous with an historic district.

The goal of historic preservation is to preserve continuity with the past, not the isolation of the past. Indeed, the continuity of our cultural heritage both anticipates and encourages ongoing change and development. Historic properties are resources important to the ongoing development of our community.

This handbook is divided into two major parts plus a series of appendices. The first part deals with the necessary application procedures, and outlines activities which are regulated under the Historic District Ordinance. The second part presents guidelines for appropriate design in the historic context. An appendices section includes copies of pertinent enabling statutes, the ordinance, the Secretary of the Interior’s "short list" Standards for Rehabilitation and other reference and application information.
APPLICATION PROCEDURES

Regulated Activities:

General:

No building or structure shall be erected, added to, moved or demolished, nor shall any exterior architectural feature of any building or structure be altered, within a historic district without first obtaining a Certificate of Appropriateness from the Town of Madison Historic District Commission, except as specifically exempted below. However, because a construction activity is regulated does not mean that it necessarily is prohibited -- the appropriateness or inappropriateness of all regulated activities will be reviewed and decided upon by the Historic District Commission during the application and review process described in the following sections of this handbook.

Maps of the Town’s regulated historic districts are delineated in the previous section of this handbook. Note also that all buildings and structures located within a historic district, including those without individual historic or architectural significance, are regulated.

To fall under the jurisdiction of the Historic District Commission, a proposed construction activity must be visible from the public view. Public view is not necessarily limited to public streets, sidewalks, and parks, but may include any place customarily open to the public, such as private parking lots. The public viewpoint also can be from navigable waterways, boardwalks, wharves, as well as from railways. A building or structure which is hidden by landscaping is considered to be in the public view if it would be visible without such landscaping.

The Land Use Office will require a Certificate of Appropriateness approved by the Historic District Commission before issuing a building permit for any construction activity in any of the Town’s Historic Districts. Moreover, a Certificate of Appropriateness may be required whether or not a building or zoning permit also is required. Failure to comply with Historic District regulations may make a property owner and his or her agents liable for both fines and related legal expenses, and any unauthorized and inappropriate construction work can result in a court injunction requiring the removal or rectification of the same as approved by the Historic District Commission.

The following activities are typical of those regulated under the Town of Madison Historic District Ordinance. However, this list is offered only to facilitate the application procedure, and should not be construed to be a complete and final itemization of all activities that may be regulated by the Historic District Commission. When in doubt as to the necessity for application, questions should be directed to the Land Use Office, or to the Historic District Commission at any regularly scheduled meeting.
APPLICATION PROCEDURES

List of Regulated Activities: Any new construction, demolition, or removal of, or addition to, or alteration of any of the following with respect to Local Historic Districts or Properties, if in public view.

ALL PRINCIPAL BUILDINGS

OUTBUILDINGS:
- Garages
- Sheds
- Barns
- Greenhouses
- Gazebos
- Bandstands

ARCHITECTURAL ELEMENTS:
- Doors & entranceways
- Porches
- Windows frames, sash, & muntins
- Storm doors and windows.
- Shutters
- Architectural trim & ornaments
- Substantial removal or replacement of siding & roofing
- Addition of aluminum, vinyl or similar siding
- Substantial paint removal to bare surface
- Exposed foundations
- Chimneys
- Dormers
- Skylights
- Sunrooms
- Awnings
- Light fixtures
- Replacement or removal of historic gutters (addition of new gutters is not regulated if the historic gutters are not removed)

SITE FIXTURES & STRUCTURES:
- Driveways
- Parking areas
- Walkways
- Decks
- Fences & masonry walls
- Retaining walls
- Trellises, pergolas, & arbors
- Exterior lighting fixtures
- Above-ground swimming pools
- Dumpster enclosures & routinely placed dumpsters
- Above ground storage tanks
APPLICATION PROCEDURES

List of Regulated Activities (continued):

PARKING AREAS:
- Size
- Location
- Visibility of vehicles
- Paving materials
- Lighting

PUBLIC RIGHT-OF-WAY:
- Paving materials
- Sidewalks
- Curbs
- Retaining walls
- Guard rails
- Street lights
- Above-ground utility poles and related structures
- Street & traffic signs
- Anchored sidewalk furniture.
- Permanent statuary & monuments
- Anchored or routinely placed trash receptacles, mail boxes, news stands, and similar sidewalk fixtures
- Free-standing flagpoles
- Designated scenic roads

WATERFRONT STRUCTURES:
- Wharves
- Docks
- Boardwalks
- Dams
- Bridges
- Seawalls & river bulkheads

SIGNS:
- Business (retail, office, industrial, marine, etc.)
- Multi-family residential
- Street & traffic signs

MISCELLANEOUS FIXTURES & STRUCTURES:
- Solar panels
- Wind powered energy devices
- Replacement of historic gutters
- Exterior air condition units, exhaust vents, coolers, etc.
- Satellite dishes, ham radio and other specialized antennae
- Temporary structures such as tents, in place for more than 30 days
- Vending machines in place for more than 30 days
APPLICATION PROCEDURES

List of Non-Regulated Activities: The following activities are related construction items which are allowed by right and do NOT require application to the Historic District Commission for a Certificate of Appropriateness.

CONSTRUCTION NOT VISIBLE FROM PUBLIC VIEW

INTERIOR ALTERATIONS

ROUTINE MAINTENANCE & REPAIRS:
- Paint removal that does not damage the structural surface
- Painting and paint color
- Masonry repair & repointing which match existing exactly
- Siding & roofing repairs which match existing exactly
- EXACT replacement of existing architectural and site features

LANDSCAPE PLANTING

TEMPORARY SIGNS:
- Real estate sales signs
- Construction signs
- Tag sale signs
- Political signs
- Event banners

TEMPORARY FIXTURES & STRUCTURES:
- Event tent structures in place less than 30 days
- Construction dumpsters
- Construction trailers
- Construction toilets
- Construction security fencing
- Temporary construction utilities

MISCELLANEOUS FIXTURES:
- Boats
- Conventional TV antennae
- Standard Postal Service approved mail boxes
- Flag staffs attached to building facades
- Free-standing flag poles not in the public Right-of-Way
- Residential patios and terraces on grade
- In-ground swimming pools
- Residential playground equipment
- Movable site furniture for any use
- Incidental through-roof plumbing vents
- New gutters, only if historic gutters are not removed
APPLICATION PROCEDURES

Pre-Application Meeting:

The Pre-Application Meeting is an informal session held by the Historic District Commission with an applicant, prior to submission of a formal application. It is the primary goal of the Pre-Application Meeting to engage in dialogue and to gauge the Commission’s stance on appropriateness. If the applicant has already engaged the services of an architect and/or contractor, he/she is encouraged to attend as well. This preliminary review process is held prior to the submission of any formal application materials, though the applicant is asked to bring any available materials, which might be pertinent. The Pre-Application Meeting does NOT begin the statutorily defined 65-day time period for consideration of an application, as no application is submitted at this stage. It is also suggested that before requesting a Pre-Application Meeting, the applicant review both the application procedures and design guidelines outlined in this handbook.

The Pre-Application Meeting is entirely optional but is encouraged by the Historic District Commission as a means to expedite the ultimate application review process for both the applicant and the Commission. Pre-Application Meetings are held during the Commission’s regularly scheduled monthly meetings, though in exceptional instances a special meeting may be scheduled. A Pre-Application Meeting should be scheduled in advance through the Land Use Office. Note that the Commission can make no final decisions during this pre-application review process, except to determine that a formal application is not in fact required for a particular project.

The Pre-Application Meeting may include the following:

1. Discussion of proposed scope of work.
2. Review of preliminary plans, specifications, and/or photos, if available.
3. Determination if Certificate of Appropriateness is required.
4. Clarification of application procedures.
5. Identification of additional materials necessary for submittal.
6. Advice on matters of appropriate design.
7. Suggestion of resources for consultation by applicant.
APPLICATION PROCEDURES

Submission Requirements:

All proposed construction activities which are regulated under the Town of Madison Historic District Ordinance (see pages 7-8) must be submitted for review to the Town of Madison Historic District Commission. An Application for Certificate of Appropriateness may be downloaded from the Town website at www.madisonct.org or obtained at the Land Use Office:

Land Use Office
Madison Historic District Commission
Madison Town Campus
8 Campus Drive
Madison, CT 06443
(203) 245-5632

The Historic District Commission suggests that the applicant request a Pre-Application Meeting in advance of submitting a formal application as discussed in the preceding section of this handbook. However, this Pre-Application Meeting is at the option of the applicant.

A sample application form follows in this section of the handbook. In addition to the completed application, supporting materials MUST be submitted that delineate the proposed construction activity in sufficient detail for the Historic District Commission to render a decision as to appropriateness. As a minimum, the supporting materials listed in the following table are required with submission of a completed application. The Historic District Commission reserves the right to request any additional or waive any required information that it deems necessary or unnecessary to make a determination as to the appropriateness. The application form and all plans shall be submitted in duplicate; upon approval one set shall remain in the Historic District Commission files at the Land Use Office, and the second shall be returned to the applicant stamped approved by the Commission. Only one set of photos is required but these shall be retained in the Historic District Commission files.

The application shall be deemed officially received on the date of submission to the Land Use Office. The Commission shall schedule a public hearing and render a decision as to appropriateness no later than 65 days after such receipt.

Note that historic properties may be allowed special exceptions from building, life safety, and zoning codes, as well as from the American Disabilities Act. However, all such waivers or modifications must be directed to the Building Official, Zoning Official, or Fire Marshal as appropriate.
<table>
<thead>
<tr>
<th>APPLICATION PROCEDURES - SUPPORTING MATERIALS</th>
<th>Demolition &amp; Removal</th>
<th>New Construction</th>
<th>Additions &amp; Alterations</th>
<th>Parking Areas</th>
<th>Site Improvements</th>
<th>Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Photographs which show nearby structures, and the spatial relationships of these buildings within the immediate neighborhood. Photographs should be arranged to show the entire street frontage for at least 2 successive properties in all pertinent directions.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Photographs showing all facades of related buildings and/or structures on the subject property, and/or of subject grounds if site features are affected or site improvements proposed.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Historic photographs of the subject property and environs are recommended (the Madison Historical Society, and Charlotte Evarts have many photos).</td>
<td></td>
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<td>X</td>
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</tr>
<tr>
<td>Vicinity plan showing at least 2 successive properties in all pertinent directions, and any related street and topographic features. This vicinity plan may be in sketch form, but shall adequately describe the general scale and relationships of nearby buildings. (Aerial photographs might be a source of some of this information).</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Sketch site plan showing proposed location and relationship to immediately adjacent properties, at a minimum scale of 1&quot; = 10’, is recommended.</td>
<td></td>
<td></td>
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<td>X</td>
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</tr>
<tr>
<td>Detailed site plan showing proposed new construction, any proposed site improvements such as parking areas, driveways, walkways, fences, decks etc., and the relationship of the same to immediately adjacent properties, at a minimum scale of 1&quot; = 10’.</td>
<td></td>
<td></td>
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<td></td>
<td>X</td>
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</tr>
<tr>
<td>Sketch perspective drawing of proposed work is recommended.</td>
<td>X</td>
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</tr>
<tr>
<td>Scale drawings and plans of existing subject property, if deemed architecturally significant by the HDC, at a minimum scale of 1/4&quot; = 1’.</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>Architectural drawings (elevations) of all proposed building facades and relevant site features, at a minimum scale of 1/4” = 1’.</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>Architectural floor plans of all new, added, and/or altered exterior architectural elements, at a minimum scale of 1/4&quot; = 1’.</td>
<td></td>
<td></td>
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<td>X</td>
<td></td>
</tr>
<tr>
<td>Details of proposed primary architectural and site features, at a minimum scale of 1-1/2” = 1’, are recommended.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Detailed drawings and specifications for lighting, signage, and other related fixtures, showing size, materials, colors, lighting source etc.</td>
<td></td>
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<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Copies of product literature with photographs for any proposed prefabricated site fixture or structure.</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>A written statement of the proposed condition and appearance of the subject property after demolition or removal. Such statement shall include an explanation of the practical difficulty and hardship which precludes preservation of the subject structure. The applicant must demonstrate that there is no prudent alternative to demolition or removal.</td>
<td>X</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Copy of all applications and approvals required by other jurisdictions for demolition or removal of the designated historic structure, including but not necessarily limited to the Connecticut Historic Commission.</td>
<td>X</td>
<td></td>
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</tr>
</tbody>
</table>
APPLICATION PROCEDURES

Public Hearing:

Public Access to Meetings & Records

Connecticut State Statutes require a public hearing for all applications. The Commission must advertise any scheduled public hearing in a newspaper having a substantial local circulation at least once not more than 15 and not less than 5 days before the public hearing. By law, all Commission meetings which constitute a quorum of its members, except executive sessions, must be open to the public and have a posted agenda and adequate public notice. Four members of the Commission constitute a quorum. Public hearings are held during the regular meetings of the Historic District Commission. Any person may request in writing to be notified of any pending meetings. All records are available for public review at the Land Use Office.

Special meetings may be held for any reason, and at anytime and location. Special meetings may include (but are not necessarily limited to) workshops, seminars, inter-agency discussion involving mutual interests, consultation with professional experts and technical consultants, and discussions with private groups and individuals. Special meetings may also be held at the option of the Commission to expedite lengthy proceedings continued over from a regular meeting. Special meetings which constitute a quorum of the Commission members must be open to the public, and notice and agenda for the same must be posted at the Town Clerk’s office at least 24 hours before such meeting, though no other advertising is required.

Time & Location of Public Hearings

Public hearings are scheduled in conjunction with the regular meetings of the Historic District Commission, which are held on the second Thursday evening of every month (except holidays) at 7:00 p.m. at:

Madison Town Campus
Meeting Room B
Madison, CT 06443
(203) 245-5632
APPLICATION PROCEDURES

Hearing Procedure:

At the public hearing, the Chairperson will first call the meeting to order. The Clerk of the Commission then will read the advertised notices of public hearings, which will be heard in the order that the Commission deems proper. In respective order, the Chairperson will ask the applicant or agent of the applicant to be recognized. After introducing him/herself, the applicant shall make a presentation to the Commission, explaining the proposed work. At this time and at the option of the applicant, any other additional materials that may support the application may be presented for review. Also at the applicant’s option, the applicant may introduce expert consultants first, and other interested parties (such as neighbors) second, who may make further presentation to the Commission.

Upon completion of the applicant’s presentation, the Chairperson and Commission members may direct questions to the applicant and his or her representatives. At this time the Commission may also make suggestions as to design modifications. After questioning and comment by the Commission, the Chairperson will ask for and hear any comments from the audience; such audience members must first introduce themselves by name and address. Those audience members who wish to speak in favor of the project will be asked to speak first. Audience members who wish to speak against a project will be asked to do so only after all proponents have been heard, again after introducing themselves for the record. After hearing comments against, if any, the applicant will be allowed to rebut any objections. Those in favor or opposed will be invited to respond only if they have something new and pertinent to offer. At all times during public hearing, only one person shall be allowed to speak at a time.

After comments and rebuttal have been heard, the Chairperson will call the public hearing closed, and proceed to the next scheduled hearing. The Historic District Commission may vote on any application upon completion of said hearing, or may elect to defer such vote until later in the same meeting or to a subsequently scheduled regular meeting, or if necessary to a specially scheduled meeting. Upon completion of all public hearings and any votes pertaining thereto, the Commission will proceed to other business matters.

The Commission must vote on an application within 65 days of officially recorded receipt of the application. Decisions granting or denying an application shall be approved by a minimum of three Commission members. However, if the Commission determines that an application is insufficiently complete to make a proper determination, it shall have no recourse but to deny the application, unless the applicant elects to withdraw the application. The applicant may withdraw an application in writing at any regular meeting, or during normal office hours at the Land Use Office. A withdrawn application may be submitted in the same or revised form at any time thereafter but, for the purposes of determining the 65-day review period, such resubmission shall be considered a new application effective as of the date it is submitted.
APPLICATION PROCEDURES

Certificate of Appropriateness:

Determination of Appropriateness

The Historic District Commission is charged with determining the appropriateness of all proposed construction activities that are regulated under the Historic District Ordinance. These regulated activities are outlined on pages 7-8 of this handbook. The Commission shall make a determination as to appropriateness based on the submitted application materials and duly recorded comments of the public hearing. In evaluating the impact of proposed construction activities, the Commission will consider:

- Compatibility of setting within the larger spatial relationships of its immediate environs, and of the district as a whole, in terms of size, scale, massing, and proportion.
- Compatibility with the characteristic styles and building traditions of the subject property itself, and of its immediate environs, and of the district as a whole, in terms of general design, massing, proportion, arrangement, materials, texture, and architectural features.
- The relative historic and architectural significance and value of the subject property, and of its immediate environs.

The reader is referred to page 19 – Design Guidelines of this handbook, which provides an in-depth discussion of both the general objectives and specific criteria considered in the Commission’s determination of appropriateness of design. However, it is essential to understand that these guidelines are provided to assist the applicant in design matters, but should not be considered to represent absolute standards, which can and must be applied in all instances. The Historic District Commission ultimately must make a determination as to appropriateness based on its own judgment as to a proposal’s appropriateness within the characteristic setting and building traditions of the historic district.

Decisions granting or denying an application shall be approved by a minimum of three Commission members (four Commission members present constitutes a quorum). All decisions shall be in writing, and may include stipulated conditions for approval, and shall include all reasons for any denial.

The Historic District Commission is required to hold a public hearing and make a decision on an application within 65 days of the official receipt of the application. If an application is withdrawn, any subsequently resubmitted application shall be considered to be a new application effective as of the date of receipt of such new application.
APPLICATION PROCEDURES

Certificate of Appropriateness:

If the Commission denies the application, written notice shall be sent to the applicant, the Building Official, and the Zoning Enforcement Officer, stating the basis for such denial. At its discretion, the Historic District Commission may approve an application with additional stipulations. If the applicant does not wish to implement such stipulated conditions, the applicant’s only recourse is to reapply with modified design proposal, or appeal the Commission’s decision in Superior Court.

Upon approval of an application by the Historic District Commission, a Certificate of Appropriateness will be issued to the applicant, with a copy filed at the Land Use Office. No construction or demolition may commence, whether or not a building or zoning permit is required, nor shall any building permit be granted prior to issuance of such Certificate of Appropriateness.

A Certificate of Appropriateness is valid for five years from date of issuance. An applicant may apply for, and the Commission may approve, an extension only before expiration of the original Certificate of Appropriateness. Any change in detail or scope of work from that authorized by the Certificate of Appropriateness requires approval of a new Certificate of Appropriateness by the Historic District Commission. Any work stipulated as a condition of a Certificate of Appropriateness must be completed in conjunction with other work, or a Notice of Violation may be imposed by the Historic District or its Agent. A Notice of Violation may result in both fines and court mandated remedial work.

Appeals

Any party aggrieved by any decision of the Historic District Commission may appeal to the Superior Court. An appeal must be made within 15 days from the date of an adverse decision and it must be made returnable to such court in the same manner as any other civil action.
APPLICATION PROCEDURES

Enforcement and Non-Compliance:

Stop-Work Orders & Notices of Violation

By Connecticut General Statutes, Section 7-14h – Action by Commission to Prevent Illegal Acts, the Historic District Commission or its Agent is:

authorized to inspect and examine any building, structure, place or premises and to require in writing the remedying of any condition found to exist therein in violation of any provision of the regulations or orders made under the authority of said sections or of any regulation or ordinance adopted under said sections.

The Zoning Enforcement Officer may issue a Cease and Desist Order or the Building Official may issue an immediate Stop-Work Order for any construction or demolition activities which are proceeding in violation of the Historic District Ordinance, or in violation of any Historic District Commission regulations or ruling. A Notice of Violation may be issued for any work which already has been completed in violation of the same. Any such order or notice shall state the general nature of the violation, and shall order the property owner to appear before the Historic District Commission for its determination both as to required remedial work and schedule for completion of same.

Should any violation persist, Section 7-147h of the Connecticut General Statutes permits the Historic District Commission to institute action in Superior Court to restrain such violation and to issue orders that the violation be corrected or removed. Such action could result in such extremes as requiring the demolition of a new building or structure erected in violation of ordinance or regulations, or the complete reconstruction of a building demolished in violation of the same. Specifically, Section 7-147h states that:

Such order may direct the removal of any building, structure or exterior architectural feature erected in violation of said sections or any bylaw or ordinance adopted under said sections or the substantial restoration of any building, structure, or exterior architectural feature altered or demolished in violation of said sections or any regulation or ordinance adopted under said sections.
APPLICATION PROCEDURES

Fines for Non-Compliance

Section 7-147h of the Connecticut General Statutes stipulates that the superior court may impose a fine of not less than $10 nor more than $100 for each day that a violation of an historic District Commission regulation or ruling continues, and if the violation is found to be willful, a fine of not less than $100 nor more than $250 for each continuing day. Moreover, all legal costs, fees, and expenses, as well as attorney’s fees, incurred in conjunction with actions taken against a violator may be assessed against the violator. After payment of such expenses, any funds collected as fines shall be used for the restoration of the affected property, and any remaining amounts shall accrue to the municipality.

Liable Parties

Section 7-147h of the Connecticut General Statutes stipulates that any party who assists in or maintains a property in violation of Historic District Commission regulations or rulings may be found liable for fines and legal expenses resulting from such. Such parties may include, but are not necessarily limited to, any or all of the following:

- Property owner.
- Lessee or tenant.
- Architect.
- Engineer.
- Builder.
- Contractor.
- Agent for any of the above
Introduction and List of Objectives

Introduction

The primary goal of the Historic District Commission is to preserve and where possible reinforce the overall character of the Town’s historic districts. It is recognized that historic districts have evolved over time and are generally made up of different architectural styles and building types which reflect this evolution. Yet, these same districts, and in particular the smaller neighborhoods that might make up a larger district, often can be characterized by a number of distinct building traditions. Thus, it is the intention of the Historic District Commission, and of these design guidelines, to promote construction activities which blend harmoniously with the characteristic building traditions of the community.

The following objectives are basic to the design guidelines which are the subject of this part of the handbook. Note that these objectives and the guidelines that follow pertain only to regulated activities which are in public view, or would be if obstructing landscaping were removed; for similar reason, interior spaces are not regulated (see pages 7-8 for a discussion of regulated activities).

It is stressed that the following sections are guidelines and not absolute standards for appropriate design. Because of the often individual and sometimes unique aspects of any given proposal, the Historic District Commission must in the end use its own discretion in determining appropriateness.

Short List of Design Objectives

- New construction shall be made harmonious with its immediate historic environs by reflecting both the characteristic scale and building traditions of those environs. However, new construction is discouraged from false pretense to antiquity, unless historic precedence exists for such reproduction architecture on a given site. Excellence of new design is encouraged which is compatible with its characteristic environs.

- Additions to an historic structure shall be harmonious with the characteristic massing and architectural features of that structure, or of the characteristic structures of the immediate environs, and shall not destroy the main character defining elements of such structure, nor be incongruous with the immediate environs.

- Alterations to an historic structure shall be consistent with the design of the original structure and of any later additions, which are architecturally significant in
their own right. Alterations or removal of characteristic architectural features, including architecturally significant additions, should be avoided. Whenever possible, restoration of original features is encouraged.

- Additions and/or alterations to an existing structure, when such structure is not architecturally significant and is deemed in its present state to detract from the overall character of its environs, should mitigate such existing adverse impact through the design of new elements which will make the structure as a whole more harmonious with its environs.

- Exact replacement of original architectural elements, such as windows and siding, is not prohibited. However, the Historic District Commission encourages the repair rather than replacement of deteriorated architectural features wherever practical.

- Demolition of structures which contribute to the overall scale of an historic district shall not be permitted unless there is no prudent alternative. Moving of historic structures should be considered only as a last resort.

- Incidental site structures and fixtures, including but not necessarily limited to outbuildings, fences, street lighting, signs, utilities, and paved surfaces, shall be consistent with the characteristic scale and style of the environs. Fixtures which are to be located in a public way, whether or not that public way is publicly owned, shall be compatible with Historic District Commission guidelines. Placement of utilities underground is encouraged.

- Parking and related traffic areas, wherever possible, should be appropriately concealed or screened from public view. The impact of large areas of parking shall be mitigated through the use of traditional paving materials and suitable landscaping.

- Recognized archaeological resources shall be protected wherever possible. Professional archaeological survey is encouraged when such resources are encountered.

- Land use is not regulated by the Historic District Commission, and adaptive reuse of historic properties is not discouraged by the Historic District Commission when it is essential for the practical preservation of a structure. However, the Commission encourages any such change of use to be compatible with the historic building and site so as to require minimal alteration to both. Wherever possible, the Historic District Commission encourages the retention or restoration of original building and property use.
Design Guidelines

The following Guidelines will be used by the Commission as a standard upon which to base its decisions, and will be useful to anyone in Madison who is considering work which alters historic architectural features. The Commission would like the landowner to view them as reflecting our approach to preservation issues, not as strict standards.

The Guidelines are divided into sections dealing with a variety of architectural elements such as: windows, entrances and porches, roofs and roofing, etc. Each section is further divided into sections covering maintenance, repairs, replacement or new construction. Generally, maintenance and repairs do not require a Certificate of Appropriateness when new materials are the same as those being repaired, but are included as a guide for historic district homeowners. Work involving replacement addition or new construction will generally require a Certificate of Appropriateness. The Guidelines provide alternatives to assist the homeowner in making decisions concerning some options to be considered or avoided in building or restoration. While the Guidelines do not cover every situation or condition which may arise in a historic district, informational material can be found through the Bibliography and through the Commission.

Slight changes may not affect a building’s character and integrity; however, it is the position of the Commission that even small changes over the years can radically alter the appearance of a building. Therefore, the Commission attempts to be sensitive both to the contemporary needs of homeowners and to the historic significance of the District as a whole.

Changes requiring review by the Historic District Commission include but are not limited to:

a. Additions to primary buildings or secondary buildings (i.e., garages or barns), such as adding rooms, roofed porches, dormers, skylights, and chimneys;
b. Alterations to the exterior walls of primary or secondary buildings, such as adding new windows or doors, or altering exiting windows or doors (including garage doors);
c. Masonry replacement and repointing
d. Extensive or total replacement of any siding and roofing materials, whether similar to or different from the original;
e. Any visible temporary or permanent additions to the dwelling, accessory building or site, whether structural or technological. This includes signs, TV antennas, solar panels, fences, pools, decks, outbuildings, and outdoor lighting fixtures;
f. Any construction, alteration or enlargement to driveways or parking areas, walkways, walls and patios;
g. The methods and reasons for total paint removal;
h. Any partial or entire window, storm window, door, and storm door modification, or replacement;
i. The addition, removal or replacement of window shutters;
j. The addition, removal or replacement of any architectural detail or ornament as defined in the Guidelines.
Original ca. 1700-1780 Georgian Period Styling

Character-Defining Features

- Small panes, usually 9/9, 12/12, or 12/8, 9/6 or the reverse.
- Windows aligned vertically and horizontally in symmetrical rows, five-ranked on front façade.
- Decorative dentil moldings.
- Paneled door, decorative pilasters, crown, rows of "lights" within door or transom above.
- Side-gabled roof predominates over occasional gambrel, hipped, or center-gabled roof.
- Central chimneys, occasional paired interior chimneys.

Inappropriate Modifications

- Stylistic alterations to original material or design, e.g. removal of first story windows with modern replacements.
- Modern door with glass panes.
- Covering of original clapboard with artificial siding.

More Appropriate Modifications

- Additions which blend in size and proportion.

This requires some research to discover what other styles of architecture might have been contemporary with your house. Not all professional architects can be counted on to know this information.
Original ca. 1830–1860 Federal/Greek Revival Styling

Character-Defining Features

- 6/6 pane window sash and projecting window heads and sills.
- Overall sizes and placements of windows/doorway.
- Front doorway and porch, including columns/pilasters, entablature, sidelights, door and stoop.
- Narrow-exposure wood clapboard siding.
- Fully pedimented and molded front gable (the slightly projecting triangle formed by the molded rakes and the projecting cornice on the frieze).
- Overall proportions/massing of façade.

Inappropriate Modifications

- Replacement of original gable window with a round “Colonial” gable vent.
- Replacement of original 6/6 pane double-hung window sash with various modern window types (all inappropriate).
- Removal and replacement of all original porch and entry details.
- Siding replacement (first-story original horizontal clapboards removed and replaced by vertically grooved Texture 111 exterior plywood panels).

More Appropriate Modifications

- Example of a porch addition which in terms of location massing, size materials and detailing is sympathetic to, and respectful of, the original façade, which still dominates the overall design composition.
Original ca. 1890 Queen Anne Victorian

Character-Defining Features

- Varying textures of siding: cut shingles, plain clapboard, flushboard, and molding.
- Asymmetrical massing.
- Often has a porch with turned and/or carved woodwork.
- Unique bracket and/or gingerbread under eaves.

Inappropriate Modifications

- Removal of original features, e.g. the porch.
- Insertion of inappropriate features such as the ca. 1830 fanlight in the gable or the ca. 1950 picture window.
- Creation of a uniform texture: in the siding, i.e. destruction of the original variety of textures.
- Additions which obscure the original asymmetrical design.

More Appropriate Modifications

- Restoration of brackets and features, which are obviously missing, as shown by marks on the building, old photographs or pieces possibly stored in the attic, cellar or barn.
- Addition of authentic wood shutters.
- Painting of trim and different textures of siding in different colors; three to four harmonizing colors were standard treatment for this style.
Original ca. 1927 Vernacular Style

Character-Defining Features

- Utilitarian styling, reminiscent of its simple 200-year old ancestors.
- Slightly larger panes in windows than original colonials.
- Some textural variety in siding.

Inappropriate Modifications

- Lack of harmony between the two pieces.
- Windows a different style.
- Addition overpowers main block.

More Appropriate Modifications

- Consideration for scale and proportion of main block.
- Continuation of character of the main block – in this case the rectangular patterning of the windows – into the addition.
Original ca. 1970’s Shingled Cape

Character-Defining Features

- Single story.
- Low-pitched roof sloping toward street.
- Asymmetricality.

Inappropriate Modifications

- Addition dwarfs main house.
- Stylistic clash: the Romanesque arch of the two story window does not blend with the traditional simplicity of the main block.

More Appropriate Modifications

- Similar lines, proportions.
- Similar detail.
- Rear facing dormer.
- Raising of roofline not exceeding original line.
Exterior Walls and Siding

MAINTENANCE
Exterior walls and siding provide the building with an overall texture. The choice of materials and their relationships to each other help in defining the historic character of the building.

Wood clapboard is the most prevalent siding material within the Historic District. Other siding materials include wood shingle, vinyl and aluminum siding and brick.

Masonry is a very durable material and with proper care can last indefinitely. The major cause of deterioration is inappropriate cleaning and waterproofing which leads to water damage. Decay is usually found near the roof, at ground level, around mortar joints, or on any horizontal surface such as windowsills. Air pollution also can lead to masonry decay. Maintenance for masonry walls and foundations includes proper drainage systems and, when necessary, cleaning of the exterior surface. See Preservation Briefs, 1: "The Cleaning and Waterproof Coating of Masonry Buildings," for more detailed information.

Wood Siding is also a very durable material when properly maintained. Routine painting and caulking are usually the best preservatives: water, insects, fungi and vegetation growing too close to its surface can all contribute to siding damage. Handcrafted detailing and finishing should be carefully preserved when maintenance and/or repairs take place.

Foundations within the Historic District are predominately brick or stone.
REPAIR
Masonry repair normally consists of repointing and limited replacement. Both are rather technical procedures, which require research on the part of the homeowner. When repairing, try to match the original color, texture, size, and pattern of the existing mortar joints and masonry. Special care should be taken when repointing. Historic mortars are generally softer and use more lime than Portland Cement. Today’s standard mortars can destroy historic masonry walls. See Preservation Briefs, 2: "Repointing Mortar Joints in Historic Brick Buildings," for additional information.

When wood decay is suspected, there are easy methods for detecting affected areas. Limited replacement or repair for decayed, warped, or missing siding pieces should be considered, if they are no longer providing adequate weather protection. Try to match patching materials with existing siding in size, shape, texture, pattern, and color.

PAINT
Paint is used on both masonry and wood to provide protection, color, and articulation of details. When reapplication is needed, normally every five to eight years, cleaning, light scraping and hand sanding is generally sufficient and recommended. Different paint problems require different treatments. In most instances, total paint removal is not recommended or necessary, and if removed, a new coating should be reapplied to the exposed surface. There are several paint removal methods, some of which are not satisfactory for historic surfaces. Among the most destructive is sandblasting. Although it is a quick and easy way to remove paint, it is highly inappropriate for an historic house, and alternative methods should be used. See Preservation Briefs, 6: "Dangers of Abrasive Cleaning to Historic Buildings," and Preservation Briefs, 10: "Exterior Paint Problems on Historic Woodwork."

REPLACEMENT
In Madison, clapboards and weatherboards were the most common siding types in the 18th and 19th centuries. Synthetic siding is a 20th century invention, and does not enhance historic structures, as it cannot duplicate the texture, relief and detail of wood. Texture, relief and patterns give the walls their light, shadow and character, and give sills, corner boards and rooflines their edges. Changes in material between stories and/or gables reflect original stylistic intentions. Try to be sensitive to these effects when replacing original siding.

On any requested change, the Commission will apply the standards enumerated in the Connecticut General Statutes, as amended. The Commission favors maintaining the original appearance and will consider favorably an application for a change in siding only if extraordinary hardship is shown or if such change will give the structure a more authentic historic appearance.

ADDITIONS
Synthetic siding is not recommended for historic buildings, and its advantages and disadvantages should be weighed carefully. In order for such material to be considered, care should be taken to match width, spacing and direction of original siding, and to replicate or preserve surrounding architectural features such as window and door trim, corner- or sills-boards, cornices, brackets, and/or eave details. See Preservation Briefs, 8: "Aluminum and Vinyl Siding on Historic Buildings," for additional information. Changing the style of the siding, for instance from clapboard to brick, or shingle to clapboard is considered inappropriate.
Windows

MAINTENANCE
Window material, type, arrangement, details/ornamentation, and construction are an important part of the character and style of a building. Window evolution has been parallel to improvements in glass making and changes in building style. Consequently, a good fenestration study can help in dating a building. Traditional windows include 12-over-12, 9-over-6 and 12-over-8 double hung. There are also more decorative and unusual styles, especially in houses of the 19th century. The window and all its parts should be considered together as a whole, and should therefore be preserved as such. Routine maintenance can help insure the building's character and style, as well as thermal efficiency. Good reproductions are available.

REPAIR
A window can often be repaired through patching or replacing deteriorated parts. It is recommended that this alternative be studied and considered before replacing the entire window.

REPLACEMENT
When replacing an entire window, the original features should be duplicated. Since most windows in the Historic District are of wood construction, it is recommended that windows be replaced using the same material. If this is not possible, a substitute material, such as metal, should match the color of other windows or surrounding elements. When replacing a non-original window, attempt to obtain window types appropriate to the building's style and period.
ADDITIONS
New windows can easily destroy a building’s integrity. The placement, type, and number of windows contribute and conform to both the original function and appearance of the building. Attempts should be made to place new windows on non-character-defining sides of the building; try to conform to the building’s overall style, proportion, scale and material.

SHUTTERS
Window shutters were not used until the end of the 18th century, though at this time many were added to older buildings. Their first function was to provide insulation and privacy, but they have since been used and abused merely as decorative features. Adding non-original shutters to historic homes is not recommended. If shutters are desired, they should be the traditional wood slat type capable of closing and covering the window completely, in line with their original historic function.

STORM WINDOWS
Storm windows and screens can be both appropriate and energy efficient for historic buildings. Storm windows combined with an original window can provide better thermal efficiency than a modern (double glazed) replacement. When choosing and installing a storm window or screen, attempts should be made not to cover window details, damage the frame, or visually impair the appearance, e.g., match color to trim. Muntins and trim should line up with original window.
Entrances and Porches

**MAINTENANCE**

Entrances and porches can be the focal point of a building's façade. Together with their functional and decorative features such as doors, steps, balustrades, pilasters, and entablatures, they can be extremely important in defining the overall historic character of a structure. Furthermore, they can be the most individually expressive part of the building with many variations existing within each architectural style. Unfortunately, particularly for porches, they are also often the part of the house, which undergoes the most change. This phenomenon is a result of faster deterioration due to greater exposure, stylistic trends, personal taste, or the inhabitants' special needs.

**REPAIR**

Most entrances and porches in older homes are constructed of wood and, for reasons mentioned above, are more easily prone to deterioration, and need to be monitored in order to keep replacement and reinforcement to a minimum. Decorative woodwork often gives the structure its unique character. When repairing, try to match new parts with existing features as best and accurately as possible.

**REPLACEMENT**

Replacement of doors and their features, such as transom-, fan-, and side-lights, pilasters, caps, panels and hardware, should try to conform to the original building style, façade, proportion, and material. It is sometimes possible to find used doors of the same period, and this may be a good solution, if size or design is a problem. Certain woodworkers also specialize in period reproductions. Avoid removing the original features on an entrance without replacing them with visually compatible elements.

Porches did not come into use until the middle of the 19th century, and, like shutters, they were added to older homes. When replacing a porch, try to determine whether it is original or a later addition. If the porch is original to the house, it is an integral part of the total design, and its replacement should convey the same visual appearance. When adding a porch to a house which originally had one, photographic or physical documentation is particularly helpful. The Charlotte Evarts Memorial Archives is one...
source for old photographs. A new porch which resembles the old in material, arrangement, scale and proportion may often be appropriate and even help restore the house's original character and integrity.

If the porch is not original, consider restoring the house to its original condition, providing the building's historical or architectural integrity is not lost. Be careful about removing an old porch from an even older house, as its construction may make an historical statement. Furthermore, a significant amount of the earlier material may have been removed or destroyed to construct the later addition.

**ADDITIONS**

Generally, the addition of new entrances or decks should be confined to the sides or back of a building, not visible from the public way.

Some houses have enclosed porches or porticoes in order to provide more interior space, greater privacy, or better thermal efficiency. Often these goals can be achieved in more appropriate and less visually disturbing ways, by using larger sheets of glass behind the porch supports, rails and details, installing removable screens for seasonal use, and/or using weather stripping in existing windows and doors.

Storm doors are often very prominent features, which can distract from the original door. Avoid inappropriate detail, and try to choose a storm door which resembles the main door in proportion, color and material.
Roofs and Roofing

MAINTENANCE
The roof's shape, particular features, material and color can be important in defining the building's external appearance and overall character. Along with this design role, the roof is essential for the preservation of the entire structure and should be maintained to provide a weathertight cover.

In this area, wood shingle has been the predominant roofing material since colonial times. Slate tiles, forming colorful decorative patterns, and metal were also used in the 19th century, while in the 20th century asphalt has become popular for both roofing and re-roofing, and is now the most prevalent roofing material in the District.

REPLACEMENT
When damage and/or wear is too extensive, or when limited repair is not possible, replacement work should consider first the roof's original shape, features, color and materials. Any substitutions such as new chimneys and dormers should be compatible with the original style and period of the building. Gutters and downspouts are often highly visible, and replacements should not detract from the building's composition,
color or special detail. Avoid removing, without replacing, any character-defining feature of a building, which indicates the original style and period. Alternative material, such as asphalt, is usually appropriate, except when the roofing material is highly decorative.

When new roofing is installed on buildings within the Madison Historic District, every effort should be made to have the material and color harmonize with the building and the architectural period it represents. Wood shingles or slate will be recommended for any building erected before 1910. Alternative roofing may be considered, providing it resembles wooden or slate shingles and is appropriate for the architectural style of the house.

**ADDITIONS**

Additions to roofs are generally discouraged, except when proper documentation reveals missing features. When adding new features such as skylights, dormers, satellite dishes, or solar collectors, consider placing them out of view from the public way, and avoid covering, removing, or distracting from the character-defining features or forms. For example, use skylights of the flat variety, placed at the rear of the house if possible.
Architectural Ornamentation

MAINTENANCE
The earliest Colonial houses had little elaborate ornamentation, although simple hand carved cornice moldings were applied. By the end of the 18th century, these moldings had become more prominent and refined. Later, by the end of the Civil War, and with the perfection of the bandsaw and turning techniques, many architectural styles became known for their prolific ornamentation.

Details and trim, such as cornices, rakes, brackets, columns, beaded joints, corner boards, entablatures, and balustrades, give each building its own special character and charm. The type and variety of ornament and decoration often help emphasize and define the building's form, use and style. Original features, whether simple or elaborate, are integral to and consistent with the building as a whole, and should be maintained and retained as such.

REPAIR
Since most details and decorative elements are commonly made from wood, their maintenance and repair is similar to any wood construction. Depending on whether the feature is structural or applied ornamentation, its repair may consist of refastening, reinforcement, piecing-in, patching, or limited replacement. Often, partially rotten wood
may be preserved and reconditioned using contemporary materials such as epoxies, polyesters, and other synthetic resins.

REPLACEMENT
When it is necessary to replace a detail or decorative feature, closely examine the original, its parts, and how they are combined or constructed. If duplication of the original design is not possible, approximation or careful simplification, which conveys similar visual appearance, may be appropriate; any replacement should be compatible in size, scale, rhythm, and material. If the feature is too deteriorated to allow for proper examination, consider looking for similar features of another building. Avoid removing original details or decorative features without replacing them.

ADDITIONS
In most cases, it is appropriate, and encouraged, to add missing historic details and decorative features. Any additions should be appropriate to the style and period of the building.

Try to respect original ornamentation patterns using pictorial and historical evidence, and avoid creating a "false" historical appearance. Additions should be compatible in size, scale, and material to both the building and its historical prototype.
New Additions

An attached exterior addition to an historic building expands its outer limits to create a new profile. Such expansion has the capability to radically change the historic appearance. If a new use cannot be met by altering non-character-defining interior spaces, then an attached exterior addition is usually an acceptable alternative. New additions should be designed and constructed so that the character-defining features of the historic building are not radically changed, obscured, damaged, or destroyed in the process.

Some houses in the Historic District have been added to, and many of these additions are sensitive to, and compatible with, the older structure. These may serve as models for future additions. The new addition should attempt to be compatible with the historic building in terms of mass, materials, proportion, location, scale, and relation of solids to voids. This is not to say that additions must imitate an historic style or period. In fact, a contemporary style addition specifically designed and planned for its context can often be more successful and appropriate.
New Construction

The statutory mandate of an historic district does not require reproduction or replication of historic styles, or strict adherence to any architectural style, provided a proposed structure is visually compatible with the area. After all, historic districts and properties are not museums, but places where people live and work. Virtually all districts contain a blend of styles from previous decades and centuries, and this process can and should be tastefully continued to include styles from the 21st century.

Important considerations for totally new structures will include, among other criteria:

a. Qualities of the building form, including mass, scale and roofing;
b. Qualities of the façade, including doors and windows, architectural style, details of embellishment and roof material;
c. Relationship to immediate neighbors, including architectural compatibility and placement of buildings on the site;
d. Relationship to the District as a whole, including material texture, projections (porches, ells, etc.) and color other than color of paint; and
e. Environmental factors, including paving, fences, lighting fixtures, signs and relationship to open space. New construction applications will require a hard-line drawing to scale with a list of building materials. A second review of the finished project will be held prior to issuance of a certificate of occupancy.

Outbuildings

Outbuildings found in the Historic District include garages, tool sheds, and barns. Some of these are historically significant in their own right. Every effort should be made to maintain and repair these historic outbuildings in keeping with previous sections of these guidelines. The complete deterioration, which can result in loss of these structures, causes an even greater loss to the character of the Historic District. Consider rehabilitation or adaptive re-use options before demolishing a deteriorated historic building.

New construction, such as garages and tool sheds, should be compatible with the major building in material, scale, design, and location. If possible, try to locate these structures near the rear of the property and/or screened from public sight.
SITE

The relationship between an historic building or buildings and the site helps to define and often enhance the character of an historic property. The site's features, such as outbuildings, fences, signs, exterior lighting fixtures, walkways, driveways, and vegetation can all contribute to, or detract from, the historic, as well as the contemporary, building. Site features are an integral part of the streetscape.

LANDSCAPING
Under Connecticut State Statute, landscaping is not regulated in an historic district. For this reason, portions of a structure, which are screened from the public way by vegetation, will be considered as though vegetation did not exist when an application is being considered.

FENCES AND WALLS
New fences and walls should be compatible with the building's style and character. Fences and walls within the District include simple wooden fences, picket fences, stone walls, and stone posts with wooden fence rails. Concrete walls and chain link fences are not recommended.
SIGNS

New signs are subject to Zoning Regulations and review by the Historic District Commission. As a rule, signs simple in shape and color are most effective, easiest to read and usually appropriate for any building. The sign should relate to and not obscure its surroundings. Furthermore, it should be compatible in design, material and detail to the building and its style. More specific guidelines are provided in the Signage Guidelines section on the next page.

SIGNAGE GUIDELINES

The Historic District Commission suggests that the appearance, size, position, method of attachment, texture of materials, and design of signs be in keeping with the collective characteristics of the structures located within the Historic District. A Certificate of Appropriateness will be required for all signs except real estate "For Sale" signs (g) and temporary signs (h). Signs as may be allowed within a Historic District shall be further limited as follows:

a. Off-site signs shall not be permitted.
b. Business signs shall be regulated on an individual basis.
c. Maximum area of any permanent sign shall be two (2) square feet, except for civic building signs and signs which identify the District.
d. No sign may extend above the top of the nearest façade, eaves, or firewall of a building or structure.
e. No sign that flashes, blinks, revolves, or is not in motion by the atmosphere shall be permitted. No visible bulbs, neon tubing, luminous paints, or plastics will be permitted as part of any sign.
f. Buildings and signs within the Historic District may be illuminated by remote light sources, provided that these light sources are shielded to protect adjacent properties.
g. One real estate sign shall be permitted per property. Real estate signs shall be removed within two (2) days after the closing of the sale of a house or lot.
h. Temporary outdoor signs for political, charitable, and civic purposes shall be permitted under the following conditions:
   1. No temporary sign shall exceed six (6) square feet.
   2. Political signs must be removed the day after Election Day.
   3. Tag sale signs will be allowed two days prior to and the day of the sale.
   4. All other temporary signs must be removed within 24 hours of completion of purpose.

WALKWAYS AND DRIVEWAYS

Large expanses of paved surfaces can visually detract from the historic house. When repaving, consider either material originally used or something compatible in color and texture to the building site. Avoid large areas of blacktop. Alternatives such as crushed stone, rolled into a sticky base, or gravel should be considered.
UTILITY LINES
It is a long-term goal of the Commission to bury all utility lines within the District in order to restore the historic character of the District, and to allow mature trees to assume their natural shape.

MAILBOXES
Mailboxes should conform to United States Post Office Standard regulations. They should be mounted on a wood post. Excess ornamentation should be avoided.

LIGHTING
Whether attached to a building or mounted on a post, lighting fixtures contribute greatly to the general character of an area and are therefore under the jurisdiction of the Commission. Lighting should be compatible with the period and scale of the structure. Light color should be appropriate to the use of the building and the general character of the Historic District. Excessive lighting contributing to light pollution should be avoided.
Appendices

Application
Supporting Materials Checklist
Permit Process for Residential Properties in the Historic District
The Secretary of the Interior’s Standards for Rehabilitation
Historic District Enabling Legislation – State of Connecticut
Madison Historic District Ordinance
References and Resources
INSTRUCTIONS: Submit two copies (except for photographs) of completed form and all required supporting materials (see attached list). One set of supporting materials shall be returned with the Commission’s decision.

1. LAND LOCATION AND DESCRIPTION: Map: ______ Lot: ______ Zoning District: ______
   Street Address: ____________________________________________________________

2. APPLICANT: Name: ____________________________________________________________
   Mailing address: ____________________________________________________________
   Phone: __________________ Fax: __________________ Email: _______________________

3. RECORD OWNER (if different): Name: ____________________________________________
   Mailing Address: __________________________________________________________
   Phone: __________________

4. ARCHITECT or CONTRACTOR: Name: ____________________________________________
   Mailing Address: ____________________________________________________________
   Phone: __________________ Fax: __________________ Email: _______________________

5. Type of Construction: □ dwelling □ outbuilding □ sign □ other: __________________

6. Nature of Work to be Done: □ new construction □ renovation

7. Description of Proposed Work: ________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   Cost: ______________

8. Signatures:
   APPLICANT: ___________________________   OWNER: _____________________________
   signature     date     (if different from applicant)    signature     date

To be completed by the Historic District Commission.

The Madison Historic District Commission on _____________ (date) rendered the following decision:

☐ Approved  ☐ Approved subject to the conditions stated below
☐ Disapproved (for the reasons stated below)

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Expiration (5 years from date of issuance): ____________

_______________________________
Chairman, Historic District Commission

Note: Approvals/Permits may also be required from Zoning, Building, and/or Health Departments before work can commence.
<table>
<thead>
<tr>
<th>APPLICATION PROCEDURES - SUPPORTING MATERIALS</th>
<th>Demolition &amp; Removal</th>
<th>New Construction</th>
<th>Additions &amp; Alterations</th>
<th>Parking Areas</th>
<th>Site Improvements</th>
<th>Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Photographs which show nearby structures, and the spatial relationships of these buildings within the immediate neighborhood. Photographs should be arranged to show the entire street frontage for at least 2 successive properties in all pertinent directions.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Photographs showing all facades of related buildings and/or structures on the subject property, and/or of subject grounds if site features are affected or site improvements proposed.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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</tr>
<tr>
<td>Historic photographs of the subject property and environs are recommended (the Madison Historical Society, and Charlotte Evarts have many photos).</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Vicinity plan showing at least 2 successive properties in all pertinent directions, and any related street and topographic features. This vicinity plan may be in sketch form, but shall adequately describe the general scale and relationships of nearby buildings. (Aerial photographs might be a source of some of this information).</td>
<td>X</td>
<td>X</td>
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</tr>
<tr>
<td>Sketch site plan showing proposed location and relationship to immediately adjacent properties, at a minimum scale of 1&quot; = 10', is recommended.</td>
<td>X</td>
<td>X</td>
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<td>X</td>
</tr>
<tr>
<td>Detailed site plan showing proposed new construction, any proposed site improvements such as parking areas, driveways, walkways, fences, decks etc., and the relationship of the same to immediately adjacent properties, at a minimum scale of 1&quot; = 10'.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>X</td>
</tr>
<tr>
<td>Sketch perspective drawing of proposed work is recommended.</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>X</td>
</tr>
<tr>
<td>Scale drawings and plans of existing subject property, if deemed architecturally significant by the HDC, at a minimum scale of 1/4&quot; = 1'.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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</tr>
<tr>
<td>Architectural drawings (elevations) of all proposed building facades and relevant site features, at a minimum scale of 1/4&quot; = 1'.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Architectural floor plans of all new, added, and/or altered exterior architectural elements, at a minimum scale of 1/4&quot; = 1'.</td>
<td>X</td>
<td>X</td>
<td>X</td>
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</tr>
<tr>
<td>Details of proposed primary architectural and site features, at a minimum scale of 1-1/2&quot; = 1', are recommended.</td>
<td>X</td>
<td>X</td>
<td>X</td>
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</tr>
<tr>
<td>Detailed drawings and specifications for lighting, signage, and other related fixtures, showing size, materials, colors, lighting source etc.</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Copies of product literature with photographs for any proposed prefabricated site fixture or structure.</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>X</td>
</tr>
<tr>
<td>A written statement of the proposed condition and appearance of the subject property after demolition or removal. Such statement shall include an explanation of the practical difficulty and hardship which precludes preservation of the subject structure. The applicant must demonstrate that there is no prudent alternative to demolition or removal.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Copy of all applications and approvals required by other jurisdictions for demolition or removal of the designated historic structure, including but not necessarily limited to the Connecticut Historic Commission.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>X</td>
</tr>
</tbody>
</table>
Preliminary Meeting with Historic District Commission (recommended)

Apply for Certificate of Appropriateness in the Land Use Office

Public Hearing by Local Historic District Commission

Not Approved

Notice with reasons to Applicant

Abandon, Revise and Reapply, or Appeal Decision

Approved

Downtown Village District Minor Alteration

P&Z Public Hearing

Not Approved

Abandon, Revise and Reapply, or Appeal Decision

Downtown Village District Major Alteration

Application to Planning & Zoning

Permit Process for Residential Properties in the Local Historic District

Permit Issued

Construction and Required Inspections

Certificate of Occupancy

Apply for Building Permit

Reviewed by Staff; Modified if Required for Code Compliance

Permit Process for Residential Properties in the Local Historic District

Page 90 of 268
The Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior's Standards for Rehabilitation are ten basic principles created to help preserve the distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs.

The Standards (36 CFR Part 67) apply to historic buildings of all periods, styles, types, materials, and sizes. They apply to both the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. Rehabilitation projects must meet the following Standards, as interpreted by the National Park Service, to qualify as “certified rehabilitations” eligible for the 20% rehabilitation tax credit. The Standards are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility.

In Connecticut, these Standards are generally used as the basis for specific design guidelines developed by Local Historic Districts.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
Sec. 7-147a. Historic districts authorized. Definitions. (a) As used in this part: "Altered" means changed, modified, rebuilt, removed, demolished, restored, razed, moved or reconstructed; "erected" means constructed, built, installed or enlarged; "exterior architectural features" means such portion of the exterior of a structure or building as is open to view from a public street, way or place; "building" means a combination of materials forming a shelter for persons, animals or property; "structure" means any combination of materials, other than a building, which is affixed to the land, and shall include, but not be limited to, signs, fences and walls; "municipality" means any town, city, borough, consolidated town and city or consolidated town and borough; "appropriate" means not incongruous with those aspects of the historic district which the historic district commission determines to be historically or architecturally significant.

(b) Any municipality may, by vote of its legislative body and in conformance with the standards and criteria formulated by the Connecticut Commission on Culture and Tourism, establish within its confines an historic district or districts to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places associated with the history of or indicative of a period or style of architecture of the municipality, of the state or of the nation.

(c) The legislative body of any municipality may make appropriations for the purpose of carrying out the provisions of this part.

Sec. 7-147b. Procedure for establishment of historic district. Prior to the establishment of an historic district or districts, the following steps shall be taken:

(a) The legislative body shall appoint or authorize the chief elected official of the municipality to appoint an historic district study committee for the purpose of making an investigation of a proposed historic district or districts. The legislative body of a municipality which proposes to establish more than one district may establish more than one committee if the proposed districts are not contiguous to each other nor to any existing historic district. Each committee established under the provisions of this section shall consist of five regular and three alternate members who shall be electors of the municipality holding no salaried municipal office. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the committee. If a regular member of such committee is absent or has a conflict of interest, the chairman of the committee shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

(b) The historic district study committee shall investigate and submit a report which shall include the following: (1) An analysis of the historic significance and architectural merit of the buildings, structures, places or surroundings to be included in the proposed historic district or districts and the significance of the district as a whole; (2) a general description of the area to be included within the district or districts, including the total number of buildings in each such district or districts listed according to their known or estimated ages; (3) a map showing the exact boundaries of the area to be included within the district or districts; (4) a proposed ordinance or proposed ordinances designed to create and provide for the operation of an historic district or districts in accordance with the provisions of this part; (5) such other matters as the committee may deem necessary or advisable.

(c) The historic district study committee shall transmit copies of its report to the Connecticut Commission on Culture and Tourism, the planning commission and zoning commission, or the combined planning and zoning commission, of the municipality, if any, and, in the absence of such a planning commission, zoning commission or combined planning and zoning commission, to the chief elected official of the municipality for their comments and recommendations. In addition to such other comments and recommendations as it may make, the Connecticut Commission on Culture and Tourism may recommend either approval, disapproval, modification, alteration or rejection of the proposed ordinance or ordinances and of the boundaries of each proposed district. Each such commission, board or individual shall deliver such comments and recommendations to the committee within sixty-five days of the date of transmission of such report. Failure to deliver such comments and recommendations shall be taken as approval of the report of the committee.
(d) The historic district study committee shall hold a public hearing on the establishment of a proposed historic district or districts not less than sixty-five nor more than one hundred thirty days after the transmission of the report to each party as provided in subsection (c) of this section, except that, if all such parties have delivered their comments and recommendations to the committee, such hearing may be held less than sixty-five days after the transmittal of the report. The comments and recommendations received pursuant to subsection (c) of this section shall be read in full at the public hearing.

(e) Notice of the time and place of such hearing shall be given as follows: (1) Written notice of the time, place and purpose of such hearing, postage prepaid, shall be mailed to the owners of record of all real property to be included in the proposed historic district or districts, as they appear on the last-completed grand list, at the addresses shown thereon, at least fifteen days before the time set for such hearing, together with a copy of the report of the historic district study committee or a fair and accurate synopsis of such report. A complete copy of the report, a copy of all recommendations made under subsection (c) of this section, a map showing the boundaries of the area to be included in the proposed district and a copy of the proposed ordinance shall be available at no charge from the town clerk during business hours or shall be mailed, upon request, to any owner of record of real property in the proposed historic district or districts with the notice of the hearing; and (2) by publication of such notice in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality at least twice, at intervals of not less than two days, the first not more than fifteen days nor less than ten days and the last not less than two days before such hearing.

(f) The historic district study committee shall submit its report with any changes made following the public hearing, along with any comments or recommendations received pursuant to subsection (c) of this section, and such other materials as the committee may deem necessary or advisable to the legislative body and the clerk of the municipality within sixty-five days after the public hearing.

(g) The clerk or his designee shall, not later than sixty-five days from receipt of such report, mail ballots to each owner of record of real property to be included in the proposed district or districts on the question of creation of an historic district or districts, as provided for in sections 7-147a to 7-147k, inclusive. Only an owner who is eighteen years of age or older and who is liable, or whose predecessors in title were liable, to the municipality for taxes on an assessment of not less than one thousand dollars on the last-completed grand list of the municipality on real property within the proposed district, or who would be or would have been so liable if not entitled to an exemption under subdivision (7), (8), (10), (11), (13), (14), (15), (16), (17), (20), (21), (22), (23), (24), (25), (26), (29) or (49) of section 12-81, may vote, provided such owner is the record owner of the property, thirty days before the ballots must be returned. Any tenant in common of any freehold interest in any land shall have a vote equal to the fraction of his ownership in said interest. Joint tenants of any freehold interest in any land shall have a vote cast by the chief executive officer of such corporation or his designee. No owner shall have more than one vote.

(h) The form of the ballot to be mailed to each owner shall be consistent with the model ballot prepared by the Historic Preservation Council of the Connecticut Commission on Culture and Tourism established pursuant to section 10-409. The ballot shall be a secret ballot and shall set the date by which such ballots shall be received by the clerk of the municipality. The ballots shall be mailed by first class mail to each owner eligible to vote in such balloting at least fifteen days in advance of the day on which ballots must be returned. Notice of balloting shall be published in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality at least twice, at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the day on which the ballots must be returned. Such ballot shall be returned to the municipal clerk, inserted in an inner envelope which shall have endorsed on the face thereof a form containing a statement as follows: "I, the undersigned, do hereby state under the penalties of false statement as provided in section 53a-157b. The inner envelope, in which the ballot has been inserted by the owner, shall be returned to the municipal clerk in an outer envelope endorsed on the outside with the words: "Official ballot". Such outer envelope shall also contain, in the upper left corner of
Sec. 7-147c. Historic district commission. (a) Once an historic district has been established, the historic district study committee shall cease to exist and thereafter an historic district commission shall perform all the functions of the committee relative to the new district and to administering the provisions of this part.

(b) The historic district commission may from time to time, by following the procedure for creation of an historic district provided for in section 7-147b, suggest that an historic district be enlarged or that additional districts be created. Where additional property is to be included within an existing district, the owners of such additional property shall vote pursuant to subsection (g) of section 7-147b.

(c) Notwithstanding the provisions of section 7-147b, the legislative body of the municipality may enact amendments to the ordinance or ordinances of an historic district established pursuant to this part if such amendments do not involve changing district boundaries or the creation of new districts. No amendment shall be enacted until the substance of such amendment has first been submitted to the historic district commission having jurisdiction over the district affected for its comments and recommendations and either its comments and recommendations have been received or sixty-five days have elapsed without receipt of such comments and recommendations. The historic district commission may suggest amendments to the legislative body.

(d) The historic district commission established under the provisions of this part shall consist of five regular and three alternate members, who shall be electors of the municipality in which the district is situated holding no salaried municipal office. The ordinance shall provide that one or more of the members or alternates of the historic district commission shall reside in an historic district under the jurisdiction of the commission, if any persons reside in any such district and are willing to serve on such commission. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the commission. If a regular member of said commission is absent or has a conflict of interest, the chairman of the commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting. The method of appointment shall be fixed by ordinance. The appointments to membership in the commission
shall be so arranged that the term of at least one member shall expire each year, and their successors shall be appointed in like manner for terms of five years. Vacancies shall be filled for the unexpired term and in the same manner as the original appointment. The commission shall elect annually a chairman, a vice-chairman and a clerk from its own number. Each member and alternate shall continue in office until his successor is duly appointed. All members and alternates shall serve without compensation. Any member or alternate may be appointed for another term or terms.

(e) The historic district commission shall adopt rules of procedure not inconsistent with the provisions of this part. The commission may adopt regulations not inconsistent with the provisions of this part to provide guidance to property owners as to factors to be considered in preparing an application for a certificate of appropriateness.

(f) The historic district commission shall keep a permanent record of its resolutions, transactions and determinations and of the vote of each member participating therein.

(g) A copy of any ordinance creating an historic district adopted under authority of this part, amendments to any such ordinance, maps of any districts created under this part, annual reports and other publications of the historic district commission and the roster of membership of such commission shall be transmitted to the Connecticut Commission on Culture and Tourism. The historic district commission shall also file with the Connecticut Commission on Culture and Tourism at least once every year a brief summary of its actions during that year, including a statement of the number and nature of certificates of appropriateness issued, any changes in the membership of the commission and any other information deemed appropriate by the historic district commission.

(h) The historic district commission may accept grants and gifts, employ clerical and technical assistance or consultants and incur other expenses appropriate to the carrying on of its work, subject to appropriation by the municipality or receipt of such grants or gifts and may expend the same for such purposes.

(i) A municipality which has more than one historic district may establish more than one historic district commission if the districts are not contiguous.

(j) Any historic district commission established under this section may, unless prohibited by charter, ordinance or special act: (1) Make periodic reports to the legislative body; (2) provide information to property owners and others involving the preservation of the district; (3) suggest pertinent legislation; (4) initiate planning and zoning proposals; (5) cooperate with other regulatory agencies and civic organizations and groups interested in historic preservation; (6) comment on all applications for zoning variances and special exceptions where they affect historic districts; (7) render advice on sidewalk construction and repair, tree planting, street improvements and the erection or alteration of public buildings not otherwise under its control where they affect historic districts; (8) furnish information and assistance in connection with any capital improvement program involving historic districts; (9) consult with groups of experts.

Sec. 7-147d. Certificate of appropriateness: Parking areas. (a) No building or structure shall be erected or altered within an historic district until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to the historic district commission and approved by said commission.

(b) No building permit for erection of a building or structure or for alteration of an exterior architectural feature within an historic district and no demolition permit for demolition or removal of a building or structure within an historic district shall be issued by a municipality or any department, agency or official thereof until a certificate of appropriateness has been issued. A certificate of appropriateness shall be required whether or not a building permit is required.

(c) The historic district commission may request such plans, elevations, specifications, material and other information, including in the case of demolition or removal, a statement of the proposed condition and appearance of property after such demolition or removal, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application. The style, material, size and location of outdoor advertising signs and bill posters within an historic district shall also be under the control of such commission. The provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure.

(d) No area within an historic district shall be used for industrial, commercial, business, home industry or occupational parking, whether or not such area is zoned for such use, until after an application for a certificate of appropriateness as to parking has been submitted to the commission and approved by said commission.
Sec. 7-147e. Application for certificate. Hearing. Approval. (a) The historic district commission shall hold a public hearing upon each application for a certificate of appropriateness unless the commission determines that such application involves items not subject to approval by the commission. The commission shall fix a reasonable time and place for such hearing. Notice of the time and place of such hearing shall be given by publication in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality not more than fifteen days nor less than five days before such hearing.

(b) Unless otherwise provided by ordinance, a majority of the members of the commission shall constitute a quorum and the concurring vote of a majority of the members of the commission shall be necessary to issue a certificate of appropriateness. Within not more than sixty-five days after the filing of an application as required by section 7-147d, the commission shall pass upon such application and shall give written notice of its decision to the applicant. When a certificate of appropriateness is denied, the commission shall place upon its records and in the notice to the applicant the reasons for its determination, which shall include the bases for its conclusion that the proposed activity would not be appropriate. In the notice to the applicant the commission may make recommendations relative to design, arrangement, texture, material and similar features. The commission may issue a certificate of appropriateness with stipulations. Evidence of approval, as referred to in section 7-147d, shall be by certificate of appropriateness issued by the commission. Failure of the commission to act within said sixty-five days shall constitute approval and no other evidence of approval shall be needed.

Sec. 7-147f. Considerations in determining appropriateness. Solar energy systems. (a) If the commission determines that the proposed erection, alteration or parking will be appropriate, it shall issue a certificate of appropriateness. In passing on appropriateness as to exterior architectural features, buildings or structures, the commission shall consider, in addition to other pertinent factors, the type and style of exterior windows, doors, light fixtures, signs, above-ground utility structures, mechanical appurtenances and the type and texture of building materials. In passing upon appropriateness as to exterior architectural features the commission shall also consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, scale, general design, arrangement, texture and material of the architectural features involved and the relationship thereof to the exterior architectural style and pertinent features of other buildings and structures in the immediate neighborhood. No application for a certificate of appropriateness for an exterior architectural feature, such as a solar energy system, designed for the utilization of renewable resources shall be denied unless the commission finds that the feature cannot be installed without substantially impairing the historic character and appearance of the district. A certificate of appropriateness for such a feature may include stipulations requiring design modifications and limitations on the location of the feature which do not significantly impair its effectiveness. In passing upon appropriateness as to parking, the commission shall take into consideration the size of such parking area, the visibility of cars parked therein, the closeness of such area to adjacent buildings and other similar factors.

(b) In its deliberations, the historic district commission shall act only for the purpose of controlling the erection or alteration of buildings, structures or parking which are incongruous with the historic or architectural aspects of the district. The commission shall not consider interior arrangement or use. However, the commission may recommend adaptive reuse of any buildings or structures within the district compatible with the historic architectural aspects of the district.

Sec. 7-147g. Variations, permissible when. Where, by reason of topographical conditions, district borderline situations or because of other unusual circumstances solely with respect to a certain parcel of land and not affecting generally the district in which it is situated, the strict application of any provision of this part would result in exceptional practical difficulty or undue hardship upon the owner of any specific property, the commission in passing upon applications shall have power to vary or modify strict adherence to said sections or to interpret the meaning of said sections so as to relieve such difficulty or hardship; provided such variance, modification or interpretation shall remain in harmony with the general purpose and intent of said sections so that the general character of the district shall be conserved and substantial justice done. In granting variations, the commission may impose such reasonable and additional stipulations and conditions as will, in its judgment, better fulfill the purposes of said sections. In
addition to the filing required by subsection (b) of section 7-147e, the commission shall, for each variation granted, place upon its records and in the notice to the applicant the reasons for its determinations.

Sec. 7-147h. Action by commission to prevent illegal acts. (a) If any provision of this part or any action taken or ruled made by the historic district commission pursuant to the provisions of said sections or of any regulation or ordinance adopted under said sections has been violated, the commission may, in addition to other remedies, institute an action in the superior court for the judicial district wherein such violation exists, which court shall have jurisdiction to restrain such violation and to issue orders directing that the violation be corrected or removed. Such order may direct the removal of any building, structure or exterior architectural feature erected in violation of said sections or any bylaw or ordinance adopted under said sections or the substantial restoration of any building, structure, or exterior architectural feature altered or demolished in violation of said sections or any regulation or ordinance adopted under said sections. Regulations and orders of the commission issued pursuant to said sections, or to any regulation or ordinance adopted under said sections, shall be enforced by the zoning enforcement official or building inspector or by such other person as may be designated by ordinance, who may be authorized to inspect and examine any building, structure, place or premises and to require in writing the remedying of any condition found to exist therein or thereon in violation of any provision of the regulations or orders made under the authority of said sections or of any regulation or ordinance adopted under said sections.

(b) The owner or agent of any building, structure or place where a violation of any provision of this part or of any regulation or ordinance adopted under said sections has been committed or exists, or the lessee or tenant of an entire building, entire structure or place where such violation has been committed or exists, or the owner, agent, lessee or tenant of any part of the building, structure or place in which such violation has been committed or exists, or the agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building, structure or place in which any such violation exists, shall be fined not less than ten dollars nor more than one hundred dollars for each day that such violation continues; but, if the offense is willful, the person convicted thereof shall be fined not less than one hundred dollars nor more than two hundred fifty dollars for each day that such violation continues. The superior court for the judicial district wherein such violation continues or exists shall have jurisdiction of all such offenses, subject to appeal as in other cases. Each day that a violation continues to exist shall constitute a separate offense. All costs, fees and expenses in connection with actions under this section may, in the discretion of the court, be assessed as damages against the violator, which, together with reasonable attorney's fees, may be awarded to the historic district commission which brought such action. Any funds collected as fines pursuant to this section shall be used by the commission to restore the affected buildings, structures, or places to their condition prior to the violation wherever possible and any excess shall be paid to the municipality in which the district is situated.

Sec. 7-147i. Appeals. Any person or persons severally or jointly aggrieved by any decision of the historic district commission or of any officer thereof may, within fifteen days from the date when such decision was rendered, take an appeal to the superior court for the judicial district in which such municipality is located, which appeal shall be made returnable to such court in the same manner as that prescribed for other civil actions brought to such court. Notice of such appeal shall be given by leaving a true and attested copy thereof in the hands of or at the usual place of abode of the chairman or clerk of the commission within twelve days before the return day to which such appeal has been taken. Procedure upon such appeal shall be the same as that defined in section 8-8.

Sec. 7-147j. Exempted acts. Delay of demolition. (a) Nothing in this part shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district which does not involve a change in the appearance or design thereof; nor to prevent the erection or alteration of any such feature which the building inspector or a similar agent certifies is required by the public safety because of a condition which is unsafe or dangerous due to deterioration; nor to prevent the erection or alteration of any such feature under a permit issued by a building inspector or similar agent prior to the effective date of establishment of such district.

(b) If a building in an historic district is to be demolished, no demolition shall occur for ninety days from issuance of a demolition permit if during such time the historic district commission or the Connecticut Commission on Culture and Tourism is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable alternative to demolition. During such ninety-day period the municipality may abate all real property taxes. At the conclusion of such ninety-day period, the
demolition permit shall become effective and the demolition may occur. Nothing in this section shall be construed to mandate that the owner of such property sell such property or building.

Sec. 7-147k. Prior districts unaffected. Validation of prior creations and actions. Nonprofit institutions of higher education excluded. (a) The provisions of this part shall in no way impair the validity of any historic district previously established under any special act or the general statutes. Any and all historic districts created under the general statutes, prior to October 1, 1980, otherwise valid except that such districts, district study committees, municipalities or officers or employees thereof, failed to comply with the requirements of any general or special law, and any and all actions of such districts or historic district commission, are validated.

(b) The provisions of this part shall not apply to any property owned by a nonprofit institution of higher education, for so long as a nonprofit institution of higher education owns such property.

Secs. 7-147l and 7-147m. Method of balloting; eligibility to vote; balloting on prior districts. Sections 7-147l and 7-147m are repealed.

Secs. 7-147n and 7-147o. Reserved for future use.
HISTORIC DISTRICT

Sec. 15-61. Definitions. As used in this Ordinance, the following terms shall have the meaning indicated:

(a) "altered" means changed, modified, rebuilt, removed, demolished, restored, razed, moved or reconstructed;

(b) "erected" means constructed, built, installed or enlarged;

(c) "exterior architectural features" means such portion of the exterior of a structure or building as is open to view from a public street, way or place;

(d) "building" means a combination of materials forming a shelter for persons, animals or property;

(e) "structure" means any combination of materials, other than a building, which is affixed to the land, and shall include, but not be limited to, signs, fences and walls;

(f) "appropriate" means not incongruous with those aspects of the historic district which the historic district commission determines to be historically or architecturally significant.

Sec. 15-62. Established.

In order to promote the educational, cultural, economic and general welfare of the Town and others through the preservation and protection of buildings and places of historic interest and through the development of appropriate settings for such buildings and places, a Madison Historic District is hereby established pursuant to Section 7-147a to 7-147o inclusive, as may be amended, of the Connecticut General Statutes.

Sec. 15-63. Establishment of Madison Historic District Commission.

A Madison Historic District Commission, consisting of five (5) members and three (3) alternate members is hereby established. It shall be the purpose of the Commission to perform the duties and functions of a Historic District Commission as provided in Sections 7-147a to 7-147o, inclusive, as may be amended, of the Connecticut General Statutes.

Sec. 15-64. Organization of Historic District Commission.

The Board of Selectmen shall appoint five (5) members and three (3) alternate members to the Commission in such a manner that the terms of one member shall expire on the first day of January of each year commencing in 2007 and continuing to 2011 inclusive, and the terms of one alternate member shall expire on the first day of January of each year commencing in 2007 and continuing to 2009 inclusive. All subsequent appointments shall be made by the Board of Selectmen and shall be for a term of five (5) years each except that an appointment to fill an unexpired term shall be for the duration of such unexpired term only. At all times one or more of the members or alternates of the Historic District Commission shall be residents in an historic district under the jurisdiction of the commission, if there are such residents willing to serve on such commission. Members and alternate members shall be electors of the Town holding no salaried Town office. Within a period of thirty (30) days after the appointment of members to the first Commission, such members shall meet, organize, and elect a chairman, vice-chairman and clerk from its own members. Within a period not exceeding thirty (30) days after the first day of January of each succeeding year commencing in 2007, the members of the Commission shall elect a chairman, vice-chairman and clerk from its own members. When a member of the Commission is unable to act at a particular time because of absence, illness or self interest, or other good reason, he shall notify the chairman of the Commission, and the chairman shall designate an alternate member to serve in place of the member. All members and alternate members shall serve without compensation.


The Historic District Commission shall be vested with all powers and shall faithfully perform all duties imposed upon Historic District Commissions in Sections 7-147a to 7-147o inclusive, as may be amended, of the Connecticut General Statutes. The Commission shall fix the time and place of its regular meetings. The presence of four (4) members or alternate members shall constitute a quorum, and no resolution or vote shall be adopted by less than three (3) affirmative votes. The Commission may adopt regulations, rules of procedure and orders to carry out the purpose of this article.

(a) No building or structure shall be erected, altered, restored, moved or demolished within the Historic District until after an application for a Certificate of Appropriateness as to exterior architectural features has been submitted to the Commission and approved by the Commission. Exterior architectural features shall include such portion of the exterior of a structure as is open to view from a public street, way or place. A Certificate of Appropriateness shall be required whether or not a building permit is required. The provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure.

(b) The Commission may request such plans, elevations, specifications, material and other information, including in the case of demolition or removal, a statement of the proposed conditions and appearance of the property after such demolition or removal, as may be reasonably deemed necessary by the Commission to enable it to make a determination on the application.

Sec. 15-67. Application for Certificate; Hearing; Approval.

(a) The Historic District Commission shall hold a public hearing upon each application for a Certificate of Appropriateness. Notice of time and place of such hearing shall be given by publication in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the Town not more than fifteen days or less than five days before such hearing. The Commission shall pass upon such application and shall give written notice of its decision to the applicant. When a Certificate of Appropriateness is denied, the Commission shall place upon its records and in the notice to the applicant the reasons for its determination. In the notice to the applicant the Commission may make recommendations relative to design, arrangement, texture, material and similar features. The Commission may issue a Certificate of Appropriateness with stipulations. Evidence of approval, as referred to in Section 6, shall be a Certificate of Appropriateness issued by the Commission. Failure of the Commission to act within sixty-five (65) days shall constitute approval and no evidence of approval shall be needed. The Commission shall keep a record of all applications for Certificates of Appropriateness and of its entire doings.

Sec. 15-68. Considerations in Determining Appropriateness.

(a) If the Historic District Commission determines that the proposed erection, construction, restoration, alteration or razing will be appropriate, it shall issue a Certificate of Appropriateness. In passing on appropriateness as to exterior architectural features, buildings or structures, the commission shall consider, in addition to other pertinent factors, the type and style of exterior windows, doors, light fixtures, signs, above-ground utility structures, and mechanical appurtenances and the type and texture of building materials. In passing upon appropriateness as to exterior architectural features the commission shall also consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, scale, general design, arrangement, texture and material of the architectural features involved and the relationship thereof to the exterior architectural style and pertinent features of other buildings and structures in the immediate neighborhood. A Certificate of Appropriateness may be refused for any building or structure, the erection, reconstruction, restoration, alteration or razing of which, in the opinion of the Commission, would be detrimental to the interest of the Historic District.

(b) In its deliberations, the Historic District Commission shall not consider interior arrangement or use and shall take no action except for the purpose of preventing the erection, reconstruction, restoration, alteration or razing of which, in the opinion of the Commission, would be detrimental to the interest of the Historic District.

Sec. 15-69. Variances and Modifications.

Where, by reason of topographical conditions, district borderline situations, immediately adjoining existing developments or because of other unusual circumstances, the strict application of any provisions of Sections 7-147a to 7-147o, inclusive, as may be amended, of the Connecticut General Statutes would result in exceptional practical difficulty or undue hardship upon the owner of any specific property, the Commission in passing upon applications shall have power to vary or modify strict adherence to the sections or to interpret the meaning of the sections so as to relieve such difficulty or hardship; provided such variance, modification or interpretation shall remain in harmony with the general purpose and intent of such sections so that the general character of the district shall be conserved and substantial justice
done. In granting variances, the Commission may impose such reasonable and additional stipulations and conditions as will in its judgment better fulfill the purpose of such sections.

Sec. 15-70. Action by Historic District to Prevent Illegal Acts.

(a) If any action or ruling taken by the Commission pursuant to the provisions of Sections 7-147a to 7-147o inclusive, as may be amended, of the Connecticut General Statutes, has been violated, the Commission may, in addition to other remedies, institute an action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, razing, maintenance or use or to restrain, correct or abate such violation or to prevent the occupancy of such building, structure or land. Regulations and orders of the Commission issued pursuant to such sections of the Connecticut General Statutes shall be enforced by the zoning enforcement officer, building official, or the designee of the First Selectman who is hereby authorized to inspect and examine any building structure, place or premises and to require in writing the remediing of any condition found to exist therein or thereon in violation of any provision of the regulations or orders made under the authority of such sections of the General Statutes.

(b) The owner or agent of any building or premises where such a violation has been committed or exists, or where the lessee or tenant of an entire building or entire premises where such violation has been committed or exists, or the owner, agent, lessee or tenant of any part of the building or premises in which such violation has been committed or exists, or the agent, architect, builder, contractor, or any other person who commits, takes part or assists in which such violation exists, shall be fined not more than one hundred dollars ($100.00) for each day that such violation continues, but, if the offense is willful, the person convicted thereof shall be fined not more than two hundred fifty dollars ($250.00) for each day that such violation continues. The superior court for the judicial district wherein such violation continues or exists shall have jurisdiction of all such offenses, subject to appeal as in other cases. Each day that a violation continues to exist shall constitute a separate offense.

Sec. 15-71. Appeals.

Any person severally or jointly aggrieved by any decision of the Historic District Commission or of any officer thereof may, within fifteen (15) days from the date when such decision was rendered, take an appeal to the superior court for the Judicial District of New Haven which appeal shall be made returnable to such court in the same manner as that prescribed for civil actions brought to such court. Notice of such appeal shall be given by leaving a true and attested copy thereof in the hands of or at the usual place of abode of the chairman or clerk of the Commission within twelve (12) days before the return day to which such appeal has been taken. Procedure upon such appeal would be the same as that defined in Section 8-8 of the Connecticut General Statutes.

Sec. 15-72. Exempted Acts.

Nothing in this article shall be construed to prevent the ordinary maintenance or repair of any exterior feature in the Historic District which does not involve a change of design thereof nor to prevent the construction, reconstruction, alteration, or demolition of any such appearance or feature which the building inspector certifies is required by the public safety because of an unsafe or dangerous condition; nor to prevent the construction, reconstruction, alteration or demolition of any feature under a permit issued by the building inspector prior to the effective date of establishment of the district.

Sec. 15-733. Boundaries.

The boundaries of the Madison Historic District shall be defined as follows:

Starting on the north side of Meetinghouse Lane at the intersection with Copse Road, the northern boundary runs easterly along the rear lot lines of the properties on Meetinghouse Lane and School Street across Academy Street to include the property at 581 Boston Post Road. The eastern boundary follows the eastern property line of 581 Boston Post Road, proceeds westerly along the centerline of Boston Post Road, then follows the easterly property line of 558 Boston Post Road on the south. The southern boundary runs westerly along the rear property lines of 558 through 438 Boston Post Road, except that at 8 West Wharf Road, it follows a line that connects the rear corners of 488 and 448 Boston Post Road. The western boundary line follows the western property line of 446 Boston Post Road, proceeds easterly along the centerline of Boston Post Road, then follows the western property line of 1 Advent Hill. The north boundary line follows the rear property lines from 1 Advent Hill east along Boston Post Road and Britton Lane to Copse Road where it follows the centerline of the road to the starting point.
References and Resources

Websites:

- Charlotte L. Evarts Memorial Archives, 8 Meetinghouse Lane, Madison; (203) 245-5667
  [http://www.evartsarchives.org](http://www.evartsarchives.org)
- Madison Historical Society, 853 Boston Post Road, Madison; (203) 245-4567
  [http://www.madisoncthistorical.org](http://www.madisoncthistorical.org)
- National Park Service History and Culture Home Page
  [http://www.nps.gov/history/index.htm](http://www.nps.gov/history/index.htm)
- National Park Service - The Secretary of the Interior’s Standards for the Treatment of Historic Properties Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings
  [http://www.nps.gov/history/hps/tps/standguide/overview/choose_treat.htm](http://www.nps.gov/history/hps/tps/standguide/overview/choose_treat.htm)
- Preservation Briefs
  [http://www.nps.gov/history/hps/tps/briefs/presbhom.htm](http://www.nps.gov/history/hps/tps/briefs/presbhom.htm)
- National Register Database
  [http://www.nps.gov/history/nr/research/nris.htm](http://www.nps.gov/history/nr/research/nris.htm)
- National Trust for Historic Preservation; also NTHP Resources for Homeowners
  [http://www.preservationnation.org](http://www.preservationnation.org)
  [http://www.preservationnation.org/resources/homeowners/](http://www.preservationnation.org/resources/homeowners/)
- Connecticut Commission on Culture and Tourism, Historic Preservation and Museum Division
- Connecticut Trust for Historic Preservation
- PreservationDirectory.com
  [http://www.preservationdirectory.com](http://www.preservationdirectory.com)

Books:

- **New Rooms for Old Houses: Beautiful Additions for the Traditional Home**
  (Nat Trust for Historic Preservation) (Hardcover) by Frank Shirley
- **Creating a New Old House: Yesterday’s Character for Today’s Home**
  (American Institute Architects) (Paperback) by Russell Versaci
  (Paperback) by Terry Meany
- **The Preservation of Historic Architecture: The U.S. Government’s Official Guidelines for Preserving Historic Homes**
  (Paperback) by Department of Interior
- **A Field Guide to American Houses**
  (Paperback) by Virginia McAlester
- **Get Your House Right: Architectural Elements to Use & Avoid**
  (Hardcover) by Marianne Cusato
- **The Green People, A Walking Tour of the Green, Madison, Connecticut**
  (Paperback) by Warner P. Lord
Sharon Historic District Commission
Rules and Procedures
Sharon, Connecticut

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Addendum: General Statutes of Connecticut
I. Organization of the commission

A. Membership
1. The Sharon Historic District Commission will be organized in accordance with the applicable statutes of the state of Connecticut (Sec. 7-147c as amended).
2. The Board of Selectmen shall appoint members to the commission, regular members for five-year terms and alternate members for three-year terms. Regular members shall elect officers at the annual meeting, the fourth Monday of July each year. At least two regular members and one alternate member shall be residents of the historic district.

B. Officers and duties
1. Chairman
The chairman shall preside at all meetings and hearings of the commission and shall:
• Appoint alternates at meetings to vote in place of absent regular members.
• Appoint a clerk (secretary) pro tem in the absence of the elected clerk.
• Submit the agenda for a meeting with the town clerk at least 24 hours in advance.
• Issue certificates of appropriateness or denials after action by the commission.

2. Vice chairman
The vice chairman shall act for the chairman in the chairman's absence and shall have the authority to perform duties prescribed for that office.

3. Clerk
The clerk (or a secretary under the supervision of the clerk) shall:
• Keep the minutes and records of the commission.
• Arrange proper legal notices of public hearings and regular meetings.
• Attend to any correspondence deemed necessary.
• Maintain a monthly record of commission expenditures on a fiscal-year basis.
• File with the Connecticut Historical Commission and the Sharon town clerk an annual summary of commission actions, including the number and nature of certificates granted and/or denied, changes in membership of the commission, and any other information deemed appropriate by the commission.

4. Enforcement officer
The enforcement officer, if other than the zoning enforcement officer or the building inspector, shall be designated by ordinance. The enforcement officer shall inspect all properties brought to his or her attention and provide a written report monthly to the commission regarding the status of all pertinent properties, violations, and actions taken.

5. Committees
The commission may form committees as deemed necessary.

C. Resignations
Resignations from the commission will be in writing to the board of selectmen and the commission chairman. Any member who misses more than three meetings per year may be asked to resign.
II. Administrative procedures

A. Legal notices
Legal notices will be published in a newspaper having substantial circulation in Sharon not more than fifteen days or less than five days before the hearing.

B. Agenda
The chairman will prepare an agenda for each meeting and submit it to the town clerk not less than 24 hours before any meeting. A copy of the legal notice will serve as the agenda for public hearings.

C. Minutes
The clerk or secretary will record minutes at each meeting and public hearing and file them with the Sharon town clerk within seven business days. Minutes will record votes of each member participating in resolutions, transactions, and determinations.

D. Regulation enforcement
The commission will take action to prevent the violation of any rule or procedure contained herein or in any section of the applicable Connecticut state statutes. The enforcement officer will enforce regulations and orders of the commission and notify in writing the owner and/or agent of any violation and require the remedying of any condition that is found to be in violation. Penalties shall be according to Connecticut General Statutes (Sec 7-147(h) as amended).

E. Rules and procedures revisions
Review of rules and procedures revisions will take place at a public hearing. The adoption of changes will require a majority vote of the commission.

F. Conflict of interest
If for any reason a regular commission member is in conflict with a particular issue, for personal or financial reasons, the member will refrain from participation in the proceedings and/or discussions and will abstain from any vote, and the chairman will appoint an alternate in place of that member.

G. Executive sessions
The SHDC may convene executive sessions only by affirmative vote of two-thirds of the members voting at a meeting and only when concerning the following issues:

- Individual personnel
- Strategy and negotiations regarding pending litigation of claims
- Selection of a site or the lease, sale, or purchase of real estate until transactions are completed or abandoned
- Public records exempt from disclosure, such as preliminary drafts or notes
III. Conduct of meetings

A. Regular meetings
The SHOC will hold regular meetings the fourth Monday of each month at 6 pm in the town hall. All meetings and hearings will require a quorum, which consists of three voting members.

Order of business will be as follows:
- Roll call
- Reading and approval of minutes of preceding meeting
- Applications
- Unfinished business
- New business
- Adjournment

B. Public hearings
The SHOC will hold public hearings as established by state statute. A legal notice will be published in a newspaper having substantial circulation in Sharon not more than fifteen days nor less than five days before the hearing. All public hearings will have minutes taken and be recorded. Any individual, his or her agent, or his or her attorney may present testimony. Applications will be heard in order of submission as shown in the legal notice.

Order of business shall be as follows:
- Roll call
- Chairman reads warning and describes application.
- Applicant presents application detail, drawings, etc.
- Commission may question applicant.
- Interested parties may present supporting testimony.
- Commission may question those in support of application.
- Interested parties may present opposing testimony.
- Commission may question those in opposition to the application.
- Close of public hearing

C. Special meetings
The SHOC will hold special meetings as needed. The chairman will submit the agenda to the town clerk not less than 24 hours prior to such meeting, and no other business than that posted will be transacted.

IV. Certificates of appropriateness

A. Application
Application forms for a certificate of appropriateness are available at Sharon Town Hall. A complete application shall include all requested information, as listed on the application form. Any application fee required must accompany completed applications. With respect to signs, the application will state the size, material, and proposed location(s).

An application will be deemed to have been "filed" within the meaning of Section 7-147e, as amended, of the Connecticut General Statutes when it is received at the next regular meeting of the commission. The date of that meeting will be deemed the date of filing.

The SHOC will hold public hearings on filed applications and take action on said application within 65 days of the filing.
B. Standards for determining appropriateness

No building, structure, or improvement will be erected, altered, restored, moved, or demolished within the historic district until an application for a certificate of appropriateness as to exterior architectural features has been submitted to and approved by said commission. A certificate of appropriateness will be required whether or not a building permit is required.

For purposes of these regulations, erected means constructed, built, installed, or enlarged; altered means changed, modified, rebuilt, removed, demolished, restored, razed, moved, reconstructed, or enlarged; building means a combination of materials forming a shelter for person, animals, or property; and structure shall include, but is not limited to, any material or combination of materials, other than a building that is affixed to the land and shall include, but not be limited to, signs, fences, walls, sidewalks, streets, parking lots, curbs, bridges, dams, monuments, lampposts, bandstands, docks, outdoor fireplaces, swimming pools, statuary, and any other features that are affixed to the land.

Exterior architectural features will include such portion of the exterior of a structure as is open to view from a public street, way, or place. The style, material, size, and location of outdoor advertising signs and bill posters within the historic district will also be under the jurisdiction of the commission.

In addition, no area within the historic district will be used or expanded for industrial, commercial, business, home industry, or occupational parking, whether or not such area is zoned for such use, until after an application for a certificate of appropriateness as to parking has been submitted and approved by the commission.

Ordinary maintenance or repair of any exterior feature that does not involve a change in design or material may be performed without a certificate of appropriateness. In addition, no certificate is required for work certified by the building inspector as necessary for the public safety.

If a building or structure is to be demolished, no demolition will occur for 90 days from issuance of a demolition permit if during such time the commission or the Connecticut Historical Commission is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable alternative to demolition. During such 90-day period the town may abate all real property taxes. At the conclusion of such 90-day period, the demolition permit will become effective and the demolition may occur. Nothing in this paragraph should be construed to mandate that the owner of such property sell such property, building, or structure.

No application for a certificate of appropriateness for an exterior architectural feature, such as a solar energy system, designed for the utilization of renewable resources, will be denied unless the commission finds that the feature cannot be installed without substantially impairing the historic character and appearance of the district. A certificate of appropriateness for such a feature may include stipulations requiring design modifications and limitations on the location of the feature that do not significantly impair its effectiveness. (SHDC Solar Guidelines are in the Addendum.)

1. Buildings and structures

In determining the appropriateness of exterior architectural features, the commission will consider in addition to any other pertinent factors:

- Historical and architectural value
- Architectural style
- Scale
- General design
2. Signs
   a. Permanent signs
   Any new sign or change in an existing sign must conform to the sign regulations of the Sharon Planning and Zoning Commission as to size, number, and placement. A certificate of appropriateness must be obtained from the historic district commission as to the design of the sign and the material used.

   b. Temporary signs for not-for-profit organizations
   Signs placed in the historic district advertising not-for-profit events shall observe the following timeframes:
   - For one-time or annual events, the signs may be up for two weeks prior to the event.
   - For monthly events the signs may be up for five days prior to the event.
   - For weekly events the signs may be up for two days prior to the event.

   Signs must be removed within 24 hours of the close of the event. If the regulations for temporary signs are followed, there is no need to apply to the historic district commission for permission. If regulations are not followed, the sign will be removed.

3. Parking areas
   The commission will consider the visibility of cars parked therein, the closeness of such area to adjacent buildings, and other similar factors.

4. Variations
   Where, by reason of topography or other unusual circumstances, strict adherence to the standards would impose exceptional practical difficulty or undue hardship on the applicant, the commission may vary or modify its standards so as to relieve such difficulty or hardship, provided such variation remains in harmony with the general character of the district.

   The commission may waive any of these requirements if it deems appropriate.

C. Actions by the commission
   After its deliberations the commission will act on each application by majority vote.
   1. Approval
   If the commission approves the application, it will issue a certificate of appropriateness. The certificate may contain stipulations including, but not limited to, clarifying or identifying types of materials.
   A copy of the certificate will be mailed to the applicant. An additional copy, as well as a copy of the application, will be distributed to the building inspector for his file. A copy, along with the original application and attachments, will be maintained in the commission’s file.
Certificates will be valid for one year from the date of issue. Extensions of six-month periods may be granted upon request from the certificate holder. Approved certificates, where the approved work has not been started or completed, will be withdrawn upon the transfer of property ownership. The certificate may be reinstated by the commission without a public hearing, based upon a written request from the new owner and provided no change in the nature of the request is involved.

2. Denial
A certificate of appropriateness may be denied by the commission when, in the opinion of the commission, the issuance of such a certificate would be detrimental to the interest of the historic district.

Written notice of the denial will be sent to the applicant and building inspector. The notice will state the specific reason(s) for denying the application. This notice must be sent within 48 hours of the rendering of such a decision, excluding Saturday, Sunday, and legal holidays.

D. Appeals
Any individual who has been severally or jointly aggrieved by any decision of the commission may within 15 days from the date of such decision take an appeal to the Superior Court of the county of Litchfield in accordance with Section 7-147 of the general statutes of Connecticut governing historic district procedures.

March 2016
Sec. 7-147c. Historic District Commissions

(d) The historic district commission established under the provisions of this part shall consist of five regular and three alternate members, who shall be electors of the municipality in which the district is situated holding no salaried municipal office. The ordinance shall provide that one or more of the members or alternates of the historic district commission shall reside in an historic district under the jurisdiction of the commission, if any persons reside in any such district and are willing to serve on such commission. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the commission. If a regular member of said commission is absent or has a conflict of interest, the chairman of the commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting. The method of appointment shall be fixed by ordinance. The appointments to membership in the commission shall be so arranged that the term of at least one member shall expire each year, and their successors shall be appointed in like manner for terms of five years. Vacancies shall be filled for the unexpired term and in the same manner as the original appointment. The commission shall elect annually a chairman, a vice-chairman and a clerk from its own number. Each member and alternate shall continue in office until his successor is duly appointed. All members and alternates shall serve without compensation. Any member or alternate may be appointed for another term or terms.

Sec. 7-147h. Actions by Historic District Commissions to prevent illegal acts.

(a) If any provision of this part or action taken or ruling made by the historic district commission pursuant to the provisions of said sections or of any regulation or ordinance adopted under said sections has been violated, the commission may, in addition to other remedies, institute an action in the superior court for the judicial district wherein such violation exists, which court shall have jurisdiction to restrain such violation and to issue orders directing that the violation be corrected or removed. Such order may direct the removal of any building, structure, or exterior architectural feature erected in violation of said sections or any bylaw or ordinance adopted under said sections or the substantial restoration of any building, structure, or exterior architectural feature altered or demolished in violation of said sections or any regulation or ordinance adopted under said sections. Regulations and orders of the commission issued pursuant to said sections, or to any regulation or ordinance adopted under said sections, shall be enforced by the zoning enforcement officer or building inspector or any such other person as may be designated by ordinance, who may be authorized to inspect and examine any building structure, place or premises and to require in writing the remedying of any condition found to exist therein or thereon in violation of any provision of the regulations or orders made under the authority of said sections or of any regulation or ordinance adopted under
said sections. (b) The owner or agent of any building structure or place where a violation of any provision of this part or of any regulation or ordinance adopted under said sections has been committed or exists, or the lessee or tenant of an entire building, entire structure or place where such violation has been committed or exists, or the owner, agent, lessee or tenant of any part of the building, structure or place in which such violation has been committed or exists, or the agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building, structure or place where such violation exists, shall be fined not less than ten dollars nor more than one hundred dollars for each day that such violation continues; but if the offense is willful, the person convicted thereof shall be fined not less than one hundred dollars nor more than two hundred fifty dollars for each day that such violation continues. The superior court for the judicial district wherein such violation continues or exists shall have jurisdiction of all such offenses, subject to appeal as in other cases. Each day that a violation continues to exist shall constitute a separate offense. All costs, fees and expenses in connection with actions under this section may, in the discretion of the court, be assessed as damages against the violator, which, together with reasonable attorney fees, may be awarded to the historic district commission which brought such action. Any funds collected as fines pursuant to this section shall be used by the commission to restore the affected buildings, structures, or places to their condition prior to the violation whenever possible and any excess shall be paid to the municipality in which the district is situated.

Addendum: Sharon Historic District Commission Solar Guidelines

GUIDELINES FOR SOLAR ENERGY SYSTEMS
(Includes Solar Panels, Heat Collectors and other Photovoltaic Systems)

Introduction
As part of the global initiative to encourage energy conservation there is a rapidly growing trend toward retrofitting homes to be more energy efficient. This has brought an increase in the number of applications for installing solar energy systems on buildings within Sharon's locally designated historic district. In keeping with the National Park Service Standards, the national guideline for historic district commissions, installations of publicly visible solar systems are difficult to approve as such installations generally qualify as having an adverse effect on either the historic structure and/or the historic district. In an effort to allow both of these worthy initiatives, historic preservation and energy conservation, the Sharon Historic District Commission has put forth recommended guidelines, as follows.
Before implementing any energy conservation measures to enhance the sustainability of an historic building, the existing energy-efficient characteristics of the building should be accessed. Buildings are more than their individual components. The design, materials, type of construction, size, shape, site orientation, surrounding landscape and climate all play a role in how buildings perform. Historic building construction methods and materials often maximized natural sources of heating, lighting and ventilation to respond to local climatic conditions. The key to a successful rehabilitation project is to identify and understand any lost original and existing energy-efficient aspects of the historic building, as well as to identify and understand its character-defining features to ensure they are preserved. The most sustainable building may be one that already exists. Thus, good preservation practice is often synonymous with sustainability. There are numerous treatments – traditional as well as new technological innovations – that may be used to upgrade a historic building to help it operated even more efficiently. Increasingly stricter energy standards and code requirements may dictate that at least some of these treatments be implemented as part of a rehabilitation project of any size or type of building. Whether a historic building is rehabilitated for a new or continuing use, it is important to utilize the building’s inherently sustainable qualities as they were intended. It is equally important that they function effectively together with any new measures undertaken to further improve energy efficiency. (National Park Service, Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings)

<table>
<thead>
<tr>
<th>Recommended</th>
<th>Not Recommended</th>
</tr>
</thead>
<tbody>
<tr>
<td>Considering on-site solar technology only after implementing all appropriate treatments to improve energy efficiency of the building, which often have greater life-cycle cost benefits than on-site renewable energy.</td>
<td>Installing on-site, solar technology without first implementing all appropriate treatments to the building to improve its energy efficiency.</td>
</tr>
<tr>
<td>Analyzing whether solar technology can be used successfully and will benefit a historic building without compromising its character or the character of the site or the surrounding historic district.</td>
<td>Installing a solar device without first analyzing its potential benefit or whether it will negatively impact the character of the historic building or site or the surrounding historic district.</td>
</tr>
<tr>
<td>Installing a solar device in a compatible location on the site or on a non-historic building or addition where it will have minimal impact on the historic building and its site.</td>
<td>Placing a solar device in a highly-visible location where it will negatively impact the historic building and its site.</td>
</tr>
<tr>
<td>Install a solar device on the historic building only after other locations have been investigated and determined infeasible.</td>
<td>Install a solar device on the historic building without first considering other locations.</td>
</tr>
<tr>
<td>Install a low-profile solar device on the historic building so that it is not visible or only minimally visible from the public right of way: for example, on a flat roof and set back to take advantage of a parapet or other roof feature to screen solar panels from view; or on a secondary slope of a roof, out of view from the public right of way.</td>
<td>Installing a solar device in a prominent location on the building where it will negatively impact its historic character.</td>
</tr>
<tr>
<td>Installing a solar device on the historic building in a manner that does not damage historic roofing material or negatively impact the building's historic character and is reversible.</td>
<td>Installing a solar device on the historic building in a manner that damages historic roofing material and is not reversible.</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td>Removing historic roof features to install solar panels.</td>
<td>Altering a historic, character-defining roof slope to install solar panels.</td>
</tr>
<tr>
<td>Installing solar devices that are not reversible.</td>
<td>Installing solar devices that are not reversible.</td>
</tr>
<tr>
<td>Investigating off-site, renewable energy options when installing on-site solar devices that would negatively impact the historic character of the building or site.</td>
<td>BAPV (Building Applied Photovoltaics) for new construction as an after thought for on site electricity generation.</td>
</tr>
<tr>
<td>BIPV (Building Integrated Photovoltaics) should be considered in the design of and construction of new buildings and additions wanting to use solar within the historic district.</td>
<td>(NPS, Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings)</td>
</tr>
</tbody>
</table>


In the historic districts, the greatest potential for using solar systems to heat water or to generate electricity will be on buildings with large flat roofs, high parapets or roof configurations that allow solar devices to be installed with limited or no visibility. All solar equipment installations must be considered on a case-by-case basis recognizing that the best option will depend on the characteristics of the property under consideration. When considering retrofitting measures, historic building owners should keep in mind that there are no permanent solutions. One can only meet the standards being applied today with today’s materials and techniques. In the future, it is likely that the standards and the technologies will change and a whole new retrofitting plan may be necessary. Thus, owners of historic buildings should limit retrofitting measures to those that achieve reasonable energy savings, at reasonable costs, with the least intrusion or impact on the character of the building while being mindful of reversibility.

1. On buildings with a flat roof (historic building, non-contributing existing building or new construction) solar system equipment may be located, installed at a low angle, so that devices are out of view from the public right-of-way adjacent to the building.
2. On buildings with a sloped roof (historic building, non-contributing existing building or new construction) where solar system equipment is to be installed on a secondary elevation, not visible from the public right of way:
   a. Layout of solar equipment shall be sympathetic or appropriate to design and scale of building. Rectangular configurations are preferred, with ample setback from edge of roof, dormers, chimneys, etc.
b. Solar equipment shall be installed parallel to the existing roof slope and matched as closely as possible to the roof plane;

c. Solar equipment shall be installed without destroying or replacing original or historic materials or significantly compromising or altering the building’s structural integrity;

d. Solar equipment shall be compatible in color to existing roofing insofar as possible;

e. Installation of solar equipment shall be as inconspicuous as possible when viewed from the public right of way;

f. Installation shall be reversible. Solar equipment shall be removed when no longer viable or functioning and roofing restored to pre-existing conditions; and

3. On buildings with a sloped roof (historic building, non-contributing existing building, or new construction) where solar system equipment is to be installed on a primary elevation, visible from the right of way additional factors must be taken into consideration. For most historic properties, locating solar equipment on the primary elevation is the least desirable option because it will have the greatest adverse effect on the district and property’s character defining features, as well as its effect on the historic streetscape. All other options should be thoroughly explored and ruled out before considering installing solar equipment on a primary elevation. For the installation of solar equipment on primary elevations, proof that all other elevations or locations on property are not viable or feasible visually intrusive or highly visible from the public right of way will be considered appropriate. Solar equipment that is visually intrusive interact negatively with the historic structure resulting from an incompatibility with the subject property’s scale, roof slope, color compatibility with the existing roof materials, placement of the building on the subject lot, or the grade of the right-of-way as it exists at the property. Applications for installation on primary elevations, in addition to the foregoing, must also meet each of the requirements and considerations of paragraphs #2 (A through F), above.

4. Solar system equipment may be installed in side or rear yards, but may not exceed 8 feet in height. Freestanding or detached on-site solar equipment should be installed in locations that minimize visibility from the public right-of-way. These systems should be screened from the public right-of-way with materials elsewhere in the district such as fencing or vegetation of suitable scale for the district and setting. Placement and design should not detract from the historic character of the site or destroy historic landscape materials. Solar panels are not permitted in front yards.

March 2016
HISTORIC DISTRICT HANDBOOK

Town of Stratford, Connecticut

Compiled by the
Town of Stratford, Historic District Commission

April, 2007
HISTORIC DISTRICT HANDBOOK
Town of Stratford, Connecticut

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Stratford Historic District Commission
PREFACE

This handbook presents, for both public and private use, a review of procedural requirements for application to the Historic District Commission, and guidelines for appropriate design in the historic context.

Since 1961, any municipality in Connecticut has been enabled by State law to:

*Establish within its confines an historic district or districts to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinct characteristics of buildings and places associated with the history of or indicative of a period or style of architecture of the municipality, of the State or of the nation.*

Today there are more than one hundred historic districts throughout the State with a total of over seven thousand individual properties.

The Town of Stratford’s regulated historic district (see map following this preface) has been created by public mandate. In accordance with State law, the Town’s historic district was approved by a minimum 75% majority of the property owners within the district. The Town of Stratford Historic District Commission was established to review any and all alteration, demolition, or construction of buildings and other structures within the boundaries of Stratford’s designated historic district. The Commission is empowered to exercise all the powers, duties, and functions enumerated under the Connecticut General Statutes, Title 7, Sections 7-147a to 147y, inclusive and as amended. The Commission is a branch of local government and its decisions are binding under the law. The jurisdiction of the Historic District Commission is independent of and equal to that of any other local governmental authority except a court of law upon appeal.

In addition to its review functions, the Historic District Commission is empowered by State law to act in a number of discretionary ways to promote the preservation of historic resources. It may for instance interact with both governmental and private agencies on matters of mutual concern and can make proposals for same. It can recommend that the expansion of an existing, or designation of a new historic district, be submitted for vote by property owners. It can advise, or otherwise make information available to the public, on historic preservation matters. It can comment on zoning variances and special use permits in historic districts. The Commission also can consult with experts who are not members of the Historic District Commission.

The Historic District Commission has published this handbook of application procedures and design guidelines to provide a common reference for the planning and design of regulated activities. Both public and private sectors are required to abide by the rules and procedures of the Town’s historic district. The guidelines that follow in this handbook are provided to facilitate the design and the review process, but cannot be expected to provide precise and fixed standards for design. In the words of the Connecticut Historical Commission (now the Connecticut Commission on Culture and Tourism):
PREFACE (Cont.)

*Historic district designation carries with it no inherent restrictions, only a review process to prevent incongruous change.*

The mandate of the Commission is to preserve and wherever possible to enhance the historic and architectural character of the Town’s historic district. The historic context or setting is itself the primary concern of the Commission. It is the intention of the Historic District Commission to promote excellence in design that is not incongruous with the historic district.

The goal of historic preservation is to preserve *continuity* with the past, rather than *isolation* of the past. Continuity of our cultural heritage anticipates, expects, includes and may even encourage change and development. Historic properties are *valued resources,* important to the ongoing development of our community. They contribute to the aesthetic quality of our environment, they are an integral part of our cultural heritage and they can provide unique and significant support for economic development. As the Town of Stratford faces and plans for the future, the role of Stratford’s historic neighborhoods, waterways, and open space areas must not be underestimated.

This handbook is divided into two parts plus appendices. *Part I* deals with necessary application procedures, describes Historic District Commission procedures and outlines the activities that are regulated under the Historic District Ordinance. *Part II,* to be issued at a later date, will present guidelines for appropriate design in the historic context. An *Appendices* section includes copies of pertinent enabling statues and ordinances, a copy of the *Certificate of Appropriateness* Application Form, a summary outline of requirements and the Secretary of the Interior’s “short list” *Standards for Rehabilitation.*
MAP OF THE STRATFORD HISTORIC DISTRICT
GENERAL DISCUSSION

Unless specifically exempted below, no building or structure shall be erected, added to, moved or demolished, nor shall any exterior architectural feature of any building or structure be altered, within any of the Town’s adopted historic districts, if such erection, addition, or alteration is visible from public view, without first obtaining a Certificate of Appropriateness from the Town of Stratford Historic District Commission. Please note, although a construction activity is regulated it does not necessarily mean that it is prohibited. The appropriateness or inappropriateness of all regulated activities will be reviewed and decided upon by the Historic District Commission during the application and review process described in the following sections of this part of the handbook.

A map of the Town’s regulated historic district is delineated in the previous section of this handbook. Note that all buildings and structures located within the historic district, including those without individual historic or architectural significance, are regulated.

To fall under the jurisdiction of the Historic District Commission, a proposed construction activity must be visible to general public view. The law stipulates that regulated public view is not limited to public streets, sidewalks, and parks, but also includes any place customarily open to the public, such as private parking lots. The public viewpoint also can be from navigable waterways, boardwalks, wharves, as well as from railways. A building or structure that is hidden by landscaping is considered to be in the public view if it would be visible without such landscaping.

Both the Building Official and Planning and Zoning Departments will require a Certificate of Appropriateness approved by the Historic District Commission before issuing a building permit for any construction activity in any of the Town’s historic districts, unless the Historic District Commission certifies in writing that a proposed construction activity is not regulated under the Town’s Historic District Ordinance. Moreover, a Certificate of Appropriateness may be required whether or not a building or zoning permit also is required. Failure to comply with Historic District regulations may make a property owner and his or her agents liable for both fines and related legal expenses, and any unauthorized and inappropriate construction work can result in a court injunction requiring the removal or rectification of the same as approved by the Historic District Commission.

The following activities are typical of those regulated under the Town of Stratford Historic District Ordinance. However, this list is offered to facilitate the application procedure, and should not be construed to be a complete and final itemization of all activities that may be regulated by the Commission. When in doubt as to the necessity for application, questions should be directed to the Zoning Enforcement Officer, the Building Official or to the Historic District Commissioners at any of its regularly scheduled meetings.
GENERAL DISCUSSION (Cont.)

List of Regulated Activities

Any new construction, demolition, or removal of, or addition to, or alteration of any of the following, if in public view:

All Principal Buildings

Outbuildings
  Garages & sheds
  Greenhouses
  Gazebos
  Bandstands

Architectural Elements
  Doors & entranceways
  Porches & sunrooms
  Window frames, sash, and muntins
  Storm doors
  Shutters
  Architectural trim & ornament
  Removal or replacement of siding & roofing
  Addition of aluminum, vinyl or similar cover siding
  Addition of any exterior materials that differ in style, scale, pattern, texture or material composition from the surface they cover or replace
  Substantial paint removal to bare surface
  Exposed foundations
  Chimneys, dormers & skylights

Site Lighting
  Light fixtures (except for 1- & 2-family residences)
  Replacement or removal of historic gutters (addition of new gutters is not regulated if historic gutters are not removed)

Waterfront Structures
  Wharves & docks
  Boardwalks
  Dams
  Bridges
  Seawall & river bulkheads

Signs
  Business (retail, office, industrial, marine, etc.)
  Multi-family residential
  Street & traffic signs
GENERAL DISCUSSION

List of Regulated Activities (Cont.)

Site Fixtures & Structures
- Driveways (except for 1- & 2-family residences where the driveway is not greater than 11 feet wide.
- Parking areas (except for 1- & 2-family residences where parking is not located in front yard)
- Walkways (except for 1- & 2-family residences)
- Decks, fences & masonry walls
- Retaining walls (except less than 18" high if not in a public Right-of-Way)
- Trellises, pergolas & arbors
- Exterior lighting fixtures (except for 1- & 2-family residences)
- Above-ground swimming pools
- Dumpster enclosures & routinely placed dumpsters
- Above-ground storage tanks.

Parking Areas
- Site plan & location
- Visibility of cars
- Paving materials
- Lighting and Signage

Public Right-of-Way
- Sidewalks, paving materials & curbs
- Retaining walls & guard rails
- Street lights
- Above-ground utility poles and related structures
- Street & traffic signs
- Street trees & grates
- Anchored sidewalk furniture
- Permanent statuary & monuments
- Anchored or routinely placed trash receptacles, mail boxes, news stands, and similar sidewalk fixtures
- Free-standing flagpoles
- Designated scenic roads

Miscellaneous Fixtures & Structures
- Solar panels
- Wind powered energy devices
- Exterior air conditioning units, exhaust vents, coolers, etc.
- Satellite dish, ham radio, and other specialized antennae
- Temporary structures such as tents, in place more than 30 days
- Vending machines in place for more than 30 days
GENERAL DISCUSSION (Cont.)

List of NON-Regulated Activities

The following activities and related construction items are allowed by right and do NOT require application to the Historic District Commission for Certificate of Appropriateness.

Construction *not visible* from public view (see the description of "regulated public view" in the General Discussion section, above)

Interior Alterations

Routine Maintenance & Repair
- Paint removal that does not damage the structural surface
- Masonry repair & re-pointing which matches the existing materials and patterns exactly
- Siding & roofing repairs that match the existing materials and patterns exactly
- Exact replacement or repair of existing architectural and site features

Landscape Planting

Temporary Signs
- Real estate sales signs
- Construction signs
- Tag sale signs
- Political signs and event banners

Temporary Fixtures & Structures
- Event tent structures in place less than 30 days
- Construction dumpsters
- Construction trailers
- Construction security fencing
- Temporary construction utilities

Miscellaneous
- Boats
- Conventional TV antennae
- Standard Postal Service approved mail boxes
- Flag staffs attached to building facades
- Free-standing flag poles not in the public Right-of-Way
- Storm windows
- Residential patios and terraces on grade
- In-ground swimming pools
- Residential playground equipment
- Exterior lighting for 1- & 2-family residences
- Fixed site furniture & statuary for 1- & 2-family residences
- Movable site furniture for any use
- Incidental through-roof plumbing vents
- New gutters, only if historic gutters are not removed
GENERAL DISCUSSION (Cont.)

Pre-Application Review

The Pre-Application Review is an informal session held by the Historic District Commission with an applicant, prior to submission of a formal application. It is the primary goal of the Pre-Application Review to engage in dialogue and to help a potential applicant to gauge the Commission’s stance on the appropriateness of specific intended projects. If the applicant has enlisted the services of an architect or designer and/or contractor, they are invited to attend as well. This preliminary review process is held prior to the submission of any formal application materials, though the applicant is asked to bring any available information and documents that might be pertinent. The Pre-Application Meeting does NOT begin the statutorily defined 65-day time period for consideration of an application, as no application is submitted at this stage. It is also suggested that, before requesting a Pre-Application Review, the applicant examine both the application procedures and design guidelines outlined in this handbook.

The Pre-Application Review is optional, but it is encouraged by the Historic District Commission as a means to expedite the formal application process for both the applicant and the Commission. Pre-Application Reviews are held during the Commission’s regularly scheduled monthly meetings. In exceptional instances a special meeting may be scheduled. It is preferred that Pre-Application Reviews be scheduled in advance with the Commission Chairperson or Recording Secretary. However, it is our practice to hold an open place at the early part of our Agenda for anyone who attends an HDC meeting to request such a review. Please note that the Commission can make no final decisions during this pre-application review process, except to determine that a formal application is not in fact required for a particular project.

The Pre-Application Review may include the following:

1. Discussion of proposed scope of work.
2. Review of preliminary plans, specifications, and/or photos, if available.
3. Determination if Certificate of Appropriateness is required.
4. Clarification of application procedures.
5. Identification of additional materials necessary for submittal.
6. Advisement on matters of appropriate design.
7. Connection to historic information sources and resources.
HDC PROCEDURE

Application Form & Submission Materials

All proposed construction activities, which are regulated under the Town of Stratford Historic District Ordinance (see Appendix D), must be submitted for review to the Town of Stratford Historic District Commission. An Application for Certificate of Appropriateness may be obtained at the offices of the Building Official, Planning and Zoning, the Town Clerk, or at any regularly scheduled meeting of the HDC at:

Stratford Town Hall, Room 217
2725 Main Street
Stratford, CT 06615

The Historic District Commission suggests that the applicant request a Pre-Application Review in advance of submitting a formal application (as discussed in the preceding section of this handbook). However, this Pre-Application Review is at the option of the applicant.

A sample application form follows in Appendix B of this handbook. In addition to the completed application, supporting materials MUST be submitted, which delineate the proposed construction activity in sufficient detail for the Historic District Commission to render a decision as to appropriateness. At a minimum, the Supporting Materials listed in Appendix A are required with submission of a completed application. The Historic District Commission reserves the right to request any additional or waive any required information that it deems necessary or unnecessary to make a determination as to appropriateness. The application form and all plans shall be submitted in duplicate. Upon approval, one set shall remain in the Historic District Commission files at the office of the Building Official, and the second shall be returned to the applicant stamped approved by the Commission. Only one set of photos is required, but these will be retained in the Historic District Commission files.

The application shall be deemed officially received as of the date of the next regular meeting of the Commission, and the Commission shall schedule a public hearing and render a decision as to appropriateness no later than 65 days after such official receipt.

Please note that historic properties may be allowed special exemptions from building, life safety, and zoning codes, as well as from the American Disabilities Act. However, all such waivers or modifications must be directed to the Building Official, Zoning Official, or Fire Marshal, as appropriate.
HDC PROCEDURE (Cont.)

Time & Location of Public Hearings

Public hearings are scheduled in conjunction with the regular meetings of the Historic District Commission, which are held on the first Thursday evening of every month (except holidays) at 7:00 p.m. at:

Stratford Town Hall, Room 217
2725 Main Street
Stratford, CT 06615

Public Access to Meetings and Records

Connecticut State Statutes require a public hearing for all applications. The Commission must advertise any scheduled public hearing in a newspaper having substantial local circulation at least once, not more than 15 and not less than 5 days before the public hearing. Therefore, applications must be submitted at least 15 days prior to the next regularly scheduled meeting. By law, all Commission meetings that constitute a quorum, except executive sessions, must be open to the public and have a posted agenda and adequate public notice. Three members of the Commission constitute a quorum. Public hearings are held during the regular meetings of the Historic District Commission. Any person may request in writing to be notified of any pending meetings. All records are available for public review at the office of the Building Official.

Special meetings may be held for any reason, and at any time and location. Special meetings may include (but are not necessarily limited to) workshops, seminars, inter-agency discussions involving mutual interests, consultation with professional experts and technical consultants, and discussions with private groups and individuals. Special meetings may also be held at the option of the Commission to expedite lengthy proceedings continued over from a regular meeting. Special meetings that constitute a quorum of the Commission members must be open to the public, and notice and agenda for the same must be posted at the Town Clerk’s office at least 24 hours before such meeting, though no other advertising is required.

Hearing Procedure

At the public hearing, the Chairperson will first call the meeting to order. Following approval of Minutes, The Clerk of the Commission will read the advertised notices of public hearings. Applications on the Agenda will be heard in the order that the Commission deems proper. In that order, the Chairperson will ask the applicant or agent of the applicant to be recognized. After introducing self, the applicant shall make a presentation to the Commission, explaining the proposed work. At this time and at the option of the applicant, any other additional materials that may support the application may be presented for review. Also at the applicant’s option, the applicant may introduce expert consultants (first) and other interested parties, such as neighbors, (second) who may make further presentation to the Commission.
HDC PROCEDURE

Hearing Procedure (Cont.)

Upon completion of the applicant’s presentation, the Chairperson and Commission members may direct questions to the applicant and his or her representatives. At this time, the Commission may also make suggestions as to design modifications. After questioning and comment by the Commission, the Chairperson will ask for and hear any comments from the audience; such audience members must first introduce themselves by name and address. Those audience members who wish to speak in favor of a project will be asked to speak first. Audience members who wish to speak against a project will be asked to do so only after all proponents have been heard, again after introducing themselves for the record. After hearing comments against, if any, the applicant will be allowed to rebut any objections. Those in favor or opposed will be invited to respond only if they have something new and pertinent to offer. At all times during a public hearing, only one person shall be allowed to speak at a time.

After comments and rebuttal have been heard, the Chairperson will call the public hearing closed, and proceed to the next scheduled hearing. The Historic District Commission may vote on any application upon completion of said hearing, or may elect to defer such vote until later in the same meeting or to a subsequently scheduled regular meeting, or if necessary to a specially scheduled meeting. Upon completion of all public hearings and any votes pertaining thereto, the Commission will proceed to other business matters.

The Commission must vote on an application within 65 days of officially recorded receipt of the application. Decisions granting or denying an application shall be approved by a minimum of three Commission members. However, if the Commission determines that an application is insufficiently complete to make a proper determination, it shall have no recourse but to deny the application, unless the applicant elects to withdraw the application. The applicant may withdraw an application in writing at any regular meeting, or during normal office hours at the office of the Building Official. A withdrawn application may be submitted in the same or revised format any time thereafter but, for the purposes of determining the 65-day review period, such resubmission shall be considered a new application effective as of the date of re-filing.

- The Historic District Commission is charged with determining the appropriateness of all proposed construction activities that are regulated under the Historic District Ordinance. These regulated activities are outlined at the beginning of Part I of this handbook. The Commission shall make a determination as to appropriateness based on the submitted application materials and duly recorded comments of the public hearing. In evaluating the impact of proposed construction activities, the Commission will consider:

- Compatibility of setting within the larger spatial relationships of its immediate environs, and of the district as a whole, in terms of size, scale, massing, and proportion.
HDC PROCEDURE

Hearing Procedure (Cont.)

- Compatibility with the characteristic styles and building tradition of the subject property itself, and of its immediate environs, and of the district as a whole, in terms of general design, massing, proportion, arrangement, materials, texture, and architectural features.

- The relative historic and architectural significance and value of the subject property, and of its immediate environs.

The reader is referred to Part II – Design Guidelines of this handbook, which will be issued at a later date and which will provide an in-depth discussion of both the general objectives and specific criteria considered in the Commission’s determination of appropriateness of design. However, it is essential to understand that these guidelines are provided to assist the applicant in design matters, but should not be considered to represent absolute standards, which can and must be applied in all instances. The Historic District Commission ultimately must make a determination as to appropriateness based on its own judgment as to a proposal’s appropriateness within the characteristic setting and building traditions of the historic district.

Decisions granting or denying an application shall be approved by a minimum of three Commission members (three Commission members present constitutes a quorum). All decisions shall be in writing, and may include stipulated conditions for approval, and shall include all reasons for any denial.

Decisions

The Historic District Commission is required to hold a public hearing and make a decision on an application within 65 days of the official receipt of application. Following submission of an application to the office of the Building Official, the official date of receipt shall be that of the next regularly scheduled meeting of the Historic District Commission. If an application is withdrawn, any subsequently resubmitted application shall be considered to be a new application effective as of the date of the official receipt by the Commission of such new application.

If the Commission denies the application, written notice shall be sent to the applicant, the Building Official, and the Zoning Enforcement Officer, stating the basis for such denial. At its discretion, the Historic District Commission may approve an application with additional stipulations. If the applicant does not wish to implement such stipulated conditions, the applicant’s only recourse is to reapply with modified design proposal, or appeal the Commission’s decision in Superior Court.
HDC PROCEDURE (Cont.)

Certificate of Appropriateness

Upon approval of an application by the Historic District Commission, a Certificate of Appropriateness will be issued to the applicant, with a copy filed at the office of the Building Official. No construction or demolition may commence, whether or not a building or zoning permit is required, nor shall any building permit be granted prior to issuance of such Certificate of Appropriateness.

A Certificate of Appropriateness is valid for one (1) year from date of issuance. An applicant may apply for, and the Commission may approve, an extension only before expiration of the original Certificate of Appropriateness. Any change in detail or scope of work from that authorized by the Certificate of Appropriateness requires approval of a new Certificate of Appropriateness by the Historic District Commission. Any work stipulated as a condition of a Certificate of Appropriateness must be completed in conjunction with other work, or a Notice of Violation may be imposed by the Historic District Enforcement Officer. A Notice of Violation may result in both fines and court mandated remedial work.

Appeals

Any party aggrieved by any decision of the Historic District Commission may appeal to the Superior Court. An appeal must be made within 15 days from the date of an adverse decision, and it must be made returnable to such court in the same manner as any other civil action.

Stop-Work Orders & Notices of Violation

By Connecticut General Statutes, Section 7-147h – Action by Commission to Prevent Illegal Acts, the Historic District Commission Enforcement Officer is:

Authorized to inspect and examine any building, structure, place or premises and to require in writing theremedying of any condition found to exist therein in violation of any provision of the regulations or orders made under the authority of said sections or of any regulation or ordinance adopted under said sections.

The Historic District Enforcement Officer may issue an immediate Stop-Work Order for any construction or demolition activities, which are proceeding in violation of the Historic District Ordinance, or in violation of any Historic District Commission regulation or ruling. A Notice of Violation may be issued for any work that already has been completed in violation of the same. Any such order or notice shall state the general nature of violation, and shall order the property owner to appear before the Historic District Commission for its determination both as to required remedial work and schedule for completion of same.
HDC PROCEDURE

Stop-Work Orders & Notices of Violation (Cont.)

Should any violation persist, the same section of the State statutes permits the Historic District Commission to institute action in Superior Court to restrain such violation and to issue orders that the violation be corrected or removed. Such action could result in such extremes as requiring the demolition of a new building or structure erected in violation of ordinance or regulations, or the complete reconstruction of a building demolished in violation of the same. Specifically, Section 7-147 of the Connecticut General Statutes states that:

*Such order may direct the removal of any building, structure or exterior architectural feature erected in violation of said sections or any bylaw or ordinance adopted under said sections or the substantial restoration of any building, structure, or exterior architectural feature altered or demolished in violation of said sections or any regulation or ordinance adopted under said sections.*

Fines for Non-Compliance

Section 7-147h of the Connecticut General Statutes stipulates that the Superior Court may impose a fine of not less than $10 nor more than $100 for each day that a violation of an Historic District Commission regulation or ruling continues, and if the violation is found to be willful, a fine of not less than $100 nor more than $250 for each continuing day. Moreover, all legal costs, fees, and expenses, as well as attorney’s fees incurred in conjunction with actions taken against a violator may be assessed against the violator. After payment of such expenses, any funds collected as fines shall be used for the restoration of the affected property, and any remaining amounts shall accrue to the municipality.

Liable Parties

Section 7-147h of the Connecticut General Statutes stipulates that any party who assists in or maintains a property in violation of Historic District Commission regulations or rulings may be found liable for fines and legal expenses resulting from such. Such parties may include, but are not necessarily limited to, any or all of the following:

- Property owner
- Contractor
- Architect
- Builder
- Lessee
- Engineer
- Developer
- Agent for any of the above

End of Part I
Appendices

A  Application Requirements – Supporting Materials guidelines.

B  Sample Application Form and summary outline of requirements.

C  Text - State of Connecticut enabling statutes and regulations.

D  Text - Town of Stratford Historic District Commission ordinances.

E  Secretary of the Interior's "short list" of Standards for Rehabilitation, Standards for Preservation, Standards for Restoration and Standards for Reconstruction.
Supporting Materials guidelines

The following items are generally useful and may be required for some Applications:

Current photographs, which show adjacent buildings and the spatial relationship of those buildings to your project. (For example, photos, which show one or two buildings on each side of your property along a street. Photos, which show two or three buildings directly across the street from your property and photos, which show several of the buildings together).

Current photographs showing the visible sides of accessory buildings or structures. (For example, photos, which show other buildings, or structures, or site characteristics on your property).

The following items are required or strongly recommended for specific types of Applications:

Signs: Items A, D, and K, below.

A. Current photographs, which show all visible sides of the existing subject building as well as distinctive features, such as Porches, special trim work, decorative siding, windows, chimneys, etc.

B. Historic photographs of the subject property and area are recommended. (Try the Stratford Historical Society, the Library or the Town Historian).

C. A vicinity plan showing at least two successive properties in all pertinent directions, with related street and topographical features. A sketch is acceptable, but the general scale and relationships of nearby buildings should be accurate. (Planning & Zoning, or Engineering, or the Assessors Office, may be helpful).

D. A sketch Site Plan is recommended showing the proposed location and its relationship to adjacent properties. Minimum scale, 1" = 10'.

E. A detailed Site Plan showing proposed new construction, any proposed site improvements, such as parking areas, driveways, walkways, fences, decks, etc., and the relationship to adjacent properties. Minimum scale, 1" = 10'.

F. Sketch perspective drawings of proposed work are recommended.

G. Scale drawings and plans of the existing subject property, if deemed architecturally significant by the HDC. Minimum scale, ¼" = 1".

H. Architectural elevations of all proposed buildings facades and relevant site features. Minimum scale, ¼" = 1".
Appendix A – Certificate of Appropriateness Application Requirements

Application Requirements – Supporting Materials guidelines (Cont.)

I. Architectural floor plans of all new, added or altered exterior architectural elements. Minimum scale, ¼" = 1’.

J. Details of any relevant proposed architectural and site features are recommended. Minimum scale, 1 ½" = 1’.

K. Detailed drawings and specifications for lighting, signage and other related fixtures, showing size, materials, colors, lighting fixtures and lamping, etc.

L. Copies of product literature with photographs or scale drawings, for any proposed prefabricated site fixtures or structures.

M. A written statement of the proposed condition and appearance of the subject property after demolition or removal. This statement will include an explanation of the practical difficulty and hardship, which precludes preservation of the subject structure. The applicant must demonstrate that there is no prudent alternative to demolition or removal.

N. Copies of all applications and approvals required by other jurisdictions for demolition or removal of a designated historic structure, including but not necessarily limited to the State of Connecticut, Connecticut Historical Commission.

End of APPENDIX A.
Stratford Historic District Commission
Certificate of Appropriateness Application

IMPORTANT: Please print or type this application. All applicable sections must be completed and all required exhibits must be attached. The Commission is not required to consider an incomplete application. To avoid any delay due to insufficient information, we recommend that you attend or arrange to be represented at the meeting in which your application hearing is scheduled. Because all categories of this application require a Public Hearing (and therefore Public Notice), it is necessary to receive your application two weeks before the next regularly scheduled HDC meeting in order to include it in that meeting's agenda. If you have any questions concerning completion of this application, please call the Town Planning and Zoning Administration Office at (203) 385-4017. Application Fee: $35.00 payable to the Stratford Historic District Commission (which helps to cover the cost of publishing State-mandated legal notices for public hearings).

Please return the completed form to Town Building Dept. Office, Room 210

DATE _________________
OWNER/TENANT* _____________________________________________
PROPERTY LOCATION _____________________________________________
ADJOINING OWNERS______________________________________________

TYPE OF WORK TO BE DONE:
1. New Construction_____
2. Remodeling _____
3. Demolition ____
4. Parking/Driveway/Paving _____
5. Sign _____
6. Other ______________________________________________________

TYPE OF STRUCTURE:
1. Dwelling _____
2. Outbuilding/Accessory Building _____
3. Other ______________________________________________________

STARTING DATE ___________________ COMPLETION DATE __________________

PLEASE NOTE: Signs must be erected within six months of approval; all other work must be completed within one year of approval. Beyond these time periods, Certificates of Appropriateness expire and will require a new application. _____

* If the applicant is not the owner of the premises, written permission from the owner for the requested work must be attached to this application.

SIGNATURE OF THE APPLICANT _________________________________________

Stratford Historic District Commission
APPLICANT _________________________

1. NEW CONSTRUCTION – Must be accompanied by the following exhibits:
   
   a. Photo showing the present appearance of the property.
   b. Scaled plot plan detailing the location of existing structures and/or new structures.
   c. Scaled elevations depicting finished appearance of the structure(s).

   Size of Structure________________    Type of Windows___________________________
   Size of Windows _______________     Exterior Siding Material__________________
   Roofing Material _________________  Type/Size of Doors _____________________
   Foundation _____________________  Exterior Trim __________________________
   Brief description of work to be done_______________________________________
   ________________________________________________________________________

   Complete Section #5, if applicable. Yes _______ No _______
   ________________________________________________________________________

2. REMODELING – Must be accompanied by the following exhibits:
   
   d. Photo showing the present appearance of each elevation (side) of the property to be affected by the remodeling.
   e. Scaled plot plan detailing the existing structures and any additions.
   f. Scaled elevations depicting finished appearance of all affected exterior portions of the structure(s).

   Brief description of work to be done, including all materials to be used__________
   ________________________________________________________________________

   Siding _________________________ Type/Size of Windows ______________________
   Exterior Trim ___________________ Exterior Trim Material ___________________
   Roofing Material _________________ Type/Size of Doors _____________________

   Complete Section #5, if applicable. Yes _______ No _______
   ________________________________________________________________________
3. DEMOLITION – Must be accompanied by the following exhibits:

   g. Photo showing the present appearance of each elevation (side) of the property to be affected.
   h. Scaled plot plan detailing the existing structures and detailing which structures or portions of structures are to be demolished.

Connecticut Statute 7-147j (b) requires a ninety-day delay in the issuance of a permit for demolition of any structure to allow this Commission or the Connecticut Historic Commission to seek a buyer to save the structure.

Brief description of work to be done, stating the reason for demolition and describing work to be done to restore the demolition site to a safe and acceptable condition

__________________________________________________________________

Complete Section #5, if applicable. Yes _______ No _______

4. NEW SIGN – Must be accompanied by the following exhibits:

   i. Photo showing the present appearance of the property and the proposed location of the sign.
   j. Scaled plot plan detailing the exact location of the sign.
   k. Scale drawing showing the exact shape, overall size (one-sided or two-sided), lettering (type and size) and the method and materials to secure and/or support the sign in place, i.e. post, bracket, wall mount, etc.

Size ____________________________ Material of Sign _______________________

Attach exhibit "k" to this form to be made part of this Certificate of Appropriateness.

5. PARKING/ DRIVEWAY/ PAVING – Must be accompanied by the following exhibits:

   l. Photo showing the present appearance of each area of the property to be affected.
   m. Scaled plot plan detailing the exact location of the proposed parking/driveway/paving and any landscaping proposals to screen the new area from public view, as well as any site lighting (new or existing) signage and accessory structures which are a part of the project.
5. PARKING/DRIVEWAY/PAVING – (Continued)

Driveway Material ___________________ Parking Area Material ___________________

No. Parking Spaces: New_________ Existing ___ _____ Total ______________

Zoning requirements _____________ Handicap Access requirements _________

6. OTHER STRUCTURES** – Must be accompanied by the following exhibits:

n. Photos showing the present appearance of the property.

o. Scaled plot plan detailing the exact location of existing structures and detailing any proposed removals, relocations, additions and/or alterations to the existing property.

p. Scaled drawings depicting finished exterior appearance of all new structures and/or affected exterior portions of existing structure(s).

Brief description of work to be done, detailing materials to be used______________

______________________________________________________________________

** Accessory buildings (garages, greenhouses), patios, decks, fences, gates, etc.

ACTION TAKEN BY THE HISTORIC DISTRICT COMMISSION

1. Approved ____________________________.

2. Approved with the following conditions: _______________________________

______________________________________________________________________

______________________________________________________________________

______________________________________________________________________

3. Denied _________________________________________________________

______________________________________________________________________

Date _______________.                 ________________________________________

Clerk, Stratford Historic District Commission
APPENDIX B: (Cont.)

STRATFORD HISTORIC DISTRICT COMMISSION
2725 Main Street, Stratford, CT 06615

An outline of regulated activities and procedures for homeowners and property owners in Stratford's Historic District

The following are some of the activities that require a Certificate of Appropriateness from the HDC, prior to starting and/or prior to obtaining a Building Permit:

New construction, remodeling, new windows and doors, demolition work, new parking areas, new driveways, new paving, new signs, site lighting, new decks and new fences. Work on existing accessory buildings, garages and other secondary structures or new structures of this type.

The Commission has jurisdiction over exterior construction. It does not have jurisdiction over remodeling work that is entirely internal.

If it can be demonstrated to the HDC that no part of your project is visible from any public street or public right of way, then the Commission may waive the requirement for filing an application for a Certificate of Appropriateness for that specific project.

Exterior repairs which will not alter the appearance of your property, especially small repairs, projects which involve safety issues or are otherwise urgent, such as repairs to steps, re-roofing to repair leaks, etc. may often be expedited by a letter from the Commission permitting the project to proceed without application for a formal hearing.

Please note that any Commission member will be glad to answer questions that you may have about your project and about our procedures.

We also invite you to attend any of our regularly scheduled meetings. If requested before the meeting, we will provide time on our agenda to discuss informally any project that you would like to review before actually filing for a Certificate of Appropriateness. We will be glad to indicate to you at that time, whether an application is required or not, and also to indicate what specific information we might be expecting if an application is required.

Current Commissioners:
Thomas Yemm, Chairman 378-2535 (H) (917) 696-9751 (C)
Paul Reslink 375-8907 (H & W)
Paul Joy 375-3547 (H) 626-0085 (W)
Pat Pistey 378-8284 (H)
Ann Miron 378-8284 (H)
Michael Bingham, Alternate 378-7725 (H) 781-3480 Ext. 101 (W)
Lisa Donnelly, Alternate 377-4926 (H)
Beth DaPonte, Alternate 386-9665 (H)
Betsy Ross, Recording Secretary (Retired) 377-4258 (H)
Richard Buturla, Town Attorney 377-1311 (W)
Lewis G. Knapp, Town Historian (Honorary)
PART I*
HISTORIC DISTRICTS

*Cited. 196 C. 596, 602, 607.

Because this part (Sec. 7-147a et seq.) provides comprehensive, detailed legislative scheme for establishment of historic district, including approval of legislative body, and because referendum authorized by town charter is not such a legislative body, provision of town charter is inapplicable to adoption of historic district ordinance in accordance with this part and has no place in such scheme. 62 CA 298.

Sec. 7-147a. Historic districts authorized. Definitions. (a) As used in this part:
"Altered" means changed, modified, rebuilt, removed, demolished, restored, razed, moved or reconstructed; "erected" means constructed, built, installed or enlarged; "exterior architectural features" means such portion of the exterior of a structure or building as is open to view from a public street, way or place; "building" means a combination of materials forming a shelter for persons, animals or property; "structure" means any combination of materials, other than a building, which is affixed to the land, and shall include, but not be limited to, signs, fences and walls; "municipality" means any town, city, borough, consolidated town and city or consolidated town and borough; "appropriate" means not incongruous with those aspects of the historic district which the historic district commission determines to be historically or architecturally significant.

(b) Any municipality may, by vote of its legislative body and in conformance with the standards and criteria formulated by the Connecticut Commission on Culture and Tourism, establish within its confines an historic district or districts to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places associated with the history of or indicative of a period or style of architecture of the municipality, of the state or of the nation.

(c) The legislative body of any municipality may make appropriations for the purpose of carrying out the provisions of this part.


History: 1965 act added provision requiring district to conform to standards and criteria of historical commission; P.A. 80-314 added Subsec. (a) containing definitions and divided earlier provisions into Subsecs. (b) and (c); P.A. 86-105 added definition of "appropriate" in Subsec. (a); June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism.
Sec. 7-147b. Procedure for establishment of historic district. Prior to the establishment of an historic district or districts, the following steps shall be taken:

(a) The legislative body shall appoint or authorize the chief elected official of the municipality to appoint an historic district study committee for the purpose of making an investigation of a proposed historic district or districts. The legislative body of a municipality which proposes to establish more than one district may establish more than one committee if the proposed districts are not contiguous to each other nor to any existing historic district. Each committee established under the provisions of this section shall consist of five regular and three alternate members who shall be electors of the municipality holding no salaried municipal office. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the committee. If a regular member of such committee is absent or has a conflict of interest, the chairman of the committee shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

(b) The historic district study committee shall investigate and submit a report which shall include the following: (1) An analysis of the historic significance and architectural merit of the buildings, structures, places or surroundings to be included in the proposed historic district or districts and the significance of the district as a whole; (2) a general description of the area to be included within the district or districts, including the total number of buildings in each such district or districts listed according to their known or estimated ages; (3) a map showing the exact boundaries of the area to be included within the district or districts; (4) a proposed ordinance or proposed ordinances designed to create and provide for the operation of an historic district or districts in accordance with the provisions of this part; (5) such other matters as the committee may deem necessary or advisable.

(c) The historic district study committee shall transmit copies of its report to the Connecticut Commission on Culture and Tourism, the planning commission and zoning commission, or the combined planning and zoning commission, of the municipality, if any, and, in the absence of such a planning commission, zoning commission or combined planning and zoning commission, to the chief elected official of the municipality for their comments and recommendations. In addition to such other comments and recommendations as it may make, the Connecticut Commission on Culture and Tourism may recommend either approval, disapproval, modification, alteration or rejection of the proposed ordinance or ordinances and of the boundaries of each proposed district. Each such commission, board or individual shall deliver such comments and recommendations to the committee within sixty-five days of the date of transmission of such report. Failure to deliver such comments and recommendations shall be taken as approval of the report of the committee.
(d) The historic district study committee shall hold a public hearing on the establishment of a proposed historic district or districts not less than sixty-five nor more than one hundred thirty days after the transmission of the report to each party as provided in subsection (c) of this section, except that, if all such parties have delivered their comments and recommendations to the committee, such hearing may be held less than sixty-five days after the transmittal of the report. The comments and recommendations received pursuant to subsection (c) of this section shall be read in full at the public hearing.

(e) Notice of the time and place of such hearing shall be given as follows: (1) Written notice of the time, place and purpose of such hearing, postage prepaid, shall be mailed to the owners of record of all real property to be included in the proposed historic district or districts, as they appear on the last-completed grand list, at the addresses shown thereon, at least fifteen days before the time set for such hearing, together with a copy of the report of the historic district study committee or a fair and accurate synopsis of such report. A complete copy of the report, a copy of all recommendations made under subsection (c) of this section, a map showing the boundaries of the area to be included in the proposed district and a copy of the proposed ordinance shall be available at no charge from the town clerk during business hours or shall be mailed, upon request, to any owner of record of real property in the proposed historic district or districts with the notice of the hearing; and (2) by publication of such notice in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality at least twice, at intervals of not less than two days, the first not more than fifteen days nor less than ten days and the last not less than two days before such hearing.

(f) The historic district study committee shall submit its report with any changes made following the public hearing, along with any comments or recommendations received pursuant to subsection (c) of this section, and such other materials as the committee may deem necessary or advisable to the legislative body and the clerk of the municipality within sixty-five days after the public hearing.

(g) The clerk or his designee shall, not later than sixty-five days from receipt of such report, mail ballots to each owner of record of real property to be included in the proposed district or districts on the question of creation of an historic district or districts, as provided for in sections 7-147a to 7-147k, inclusive. Only an owner who is eighteen years of age or older and who is liable, or whose predecessors in title were liable, to the municipality for taxes on an assessment of not less than one thousand dollars on the last-completed grand list of the municipality on real property within the proposed district, or who would be or would have been so liable if not entitled to an exemption under subdivision (7), (8), (10), (11), (13), (14), (15), (16), (17), (20), (21), (22), (23), (24), (25), (26), (29) or (49) of section 12-81, may vote, provided such owner is the record owner of the property, thirty days before the ballots must be returned. Any tenant in common of any freehold interest in any land shall have a vote equal to the fraction of his ownership in said interest. Joint tenants of any freehold interest in any land shall vote as if each joint tenant owned an equal, fractional share of such land. A corporation shall
have its vote cast by the chief executive officer of such corporation or his designee. No owner shall have more than one vote.

(h) The form of the ballot to be mailed to each owner shall be consistent with the model ballot prepared by the Historic Preservation Council of the Connecticut Commission on Culture and Tourism established pursuant to section 10-409. The ballot shall be a secret ballot and shall set the date by which such ballots shall be received by the clerk of the municipality. The ballots shall be mailed by first class mail to each owner eligible to vote in such balloting at least fifteen days in advance of the day on which ballots must be returned. Notice of balloting shall be published in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality at least twice, at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the day on which the ballots must be returned. Such ballot shall be returned to the municipal clerk, inserted in an inner envelope which shall have endorsed on the face thereof a form containing a statement as follows: "I, the undersigned, do hereby state under the penalties of false statement that I am an owner of record of real property to be included in the proposed historic district and that I am, or my predecessors in title were, liable to the municipality for taxes on an assessment of not less than one thousand dollars on the last grand list of the municipality of real property within the district, or who would be or would have been so liable if not entitled to an exemption under subdivision (7), (8), (10), (11), (13), (14), (15), (16), (17), (20), (21), (22), (23), (24), (25), (26), (29) or (49) of section 12-81." Such statement shall be signed and dated. Any person who intentionally falsely signs such ballot shall be guilty of false statement as provided in section 53a-157b. The inner envelope, in which the ballot has been inserted by the owner, shall be returned to the municipal clerk in an outer envelope endorsed on the outside with the words: "Official ballot". Such outer envelope shall also contain, in the upper left corner of the face thereof, blank spaces for the name and return address of the sender. In the lower left corner of such outer envelope, enclosed in a printed box, there shall be spaces upon which the municipal clerk, before issuance of the ballot and envelopes, shall inscribe the name, street and number of the elector's voting residence and the date by which the ballot must be returned, and before issuance the municipal clerk shall similarly inscribe such envelope with his name and address for the return thereof. All outer envelopes shall be serially numbered. The ballots shall be returned to the municipal clerk by the close of business on the day specified, and such clerk shall compare each ballot to the list of property owners to whom such ballots were mailed to insure that each such ballot has been properly signed and returned.

(i) If two-thirds of all property owners voting cast votes in the affirmative, the legislative body of the municipality shall by majority vote take one of the following steps: (1) Accept the report of the committee and enact an ordinance or ordinances to create and provide for the operation of an historic district or districts in accordance with the provisions of this part; (2) reject the report of the committee, stating its reasons for such rejection; (3) return the report to the historic district study committee with such amendments and revisions thereto as it may deem advisable, for consideration by the committee. The committee shall submit an amended report to the legislative body within
sixty-five days of such return. The committee need not hold a public hearing other than the one provided for in subsection (d) of this section, notwithstanding any changes in its report following such hearing, unless the legislative body has recommended a change in the boundaries of the proposed district or districts. The legislative body of the municipality may authorize another ballot of the owners within a proposed district or districts to be cast, other than the balloting provided for in subsection (g) of this section, notwithstanding any changes in the proposed ordinance following such balloting, if the boundaries of the proposed district in which the owners' property is situated are changed.

(j) Any ordinance, or amendment thereof, enacted pursuant to this part, which creates or alters district boundaries, shall contain a legal description of the area to be included within the historic district. The legislative body, when it passes such an ordinance, or amendment thereof, shall transmit to the municipal clerk a copy of the ordinance or amendment thereof. Such ordinance, or amendment thereof, shall be recorded in the land records of the municipality in which such real property is located and indexed by the municipal clerk in the grantor index under the names of the owners of record of such property.


History: 1963 act amended Subsec. (c) to extend time for recommendations after receipt of report from sixty to ninety days and to authorize Connecticut historical commission to recommend re boundaries of proposed districts, amended Subsec. (d) to extend time within which hearing is to be held, amended Subsec. (e) to provide for sending a copy or synopsis of the study committee's report, together with a copy of the recommendations under Subsec. (c), a map and a copy of the proposed ordinance to property owners, amended Subsec. (f) to provide for inclusion of list of all buildings in report of committee and amended Subsec. (g) to provide for balloting by property owners; P.A. 75-52 added Subsec. (i) re ordinance contents; P.A. 77-338 deleted requirement in Subsec. (d) that hearing be held not less than one hundred twenty days after report; P.A. 80-314 amended Subsec. (a) to allow more than one committee and to include provisions for alternate members, amended Subsec. (b) to include in requirements for report consideration of architectural merit, description of area to be included, map of exact boundaries, proposed ordinance etc., amended Subsec. (c) to include combined planning and zoning commissions and to replace previous provision requiring that recommendations be read at hearing with provision for turning over recommendations to committee, amended Subsec. (d) to require that hearing be held not less than sixty-five days after report sent to commissions unless conditions specified in exception are met, amended Subsec. (e) to require fifteen rather than twenty days notice and to allow towns to have available on request rather than to automatically send out complete report and other data, amended Subsec. (f) to change deadline from sixty to sixty-five days and deleted specific accounting of report contents, amended Subsec. (g) to set deadline for mailing ballots and to replace general provisions for voting and action on result with detailed provisions for voting, deleted former Subsec. (h) re proposed amendments to
ordinance replacing it with further voting detail, added Subsec. (i) re actions taken following vote and relettered former Subsec. (i) as Subsec. (j) and added requirement that copy of ordinance be sent to municipal clerk; P.A. 87-167 amended Subsec. (i) to reduce the affirmative vote requirement from seventy-five per cent to two-thirds of all owners voting; P.A. 91-135 amended Subsec. (g) to transfer authority to mail ballots from the legislative body to the town clerk or his designee and amended Subsec. (h) to require that the ballot be consistent with a model ballot prepared by the Connecticut historical commission; June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film in Subsec. (c), and June 30 Sp. Sess. P.A. 03-6 also amended Subsec. (h) to substitute Historic Preservation Council of Connecticut Commission on Arts, Tourism, Culture, History and Film for Connecticut Historical Commission, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism; P.A. 04-257 made technical changes in Subsec. (h), effective June 14, 2004.


Subsec. (a):

Cited. 43 CS 297.

Subsec. (g):

Each condominium unit owner "entitled to a vote proportionate to his freehold interest in the land ..." 196 C. 596.

**Sec. 7-147c. Historic district commission.** (a) Once an historic district has been established, the historic district study committee shall cease to exist and thereafter an historic district commission shall perform all the functions of the committee relative to the new district and to administering the provisions of this part.

(b) The historic district commission may from time to time, by following the procedure for creation of an historic district provided for in section 7-147b, suggest that an historic district be enlarged or that additional districts be created. Where additional property is to be included within an existing district, the owners of such additional property shall vote pursuant to subsection (g) of section 7-147b.

(c) Notwithstanding the provisions of section 7-147b, the legislative body of the municipality may enact amendments to the ordinance or ordinances of an historic district established pursuant to this part if such amendments do not involve changing district boundaries or the creation of new districts. No amendment shall be enacted until the substance of such amendment has first been submitted to the historic district commission having jurisdiction over the district affected for its comments and recommendations and
either its comments and recommendations have been received or sixty-five days have elapsed without receipt of such comments and recommendations. The historic district commission may suggest amendments to the legislative body.

(d) The historic district commission established under the provisions of this part shall consist of five regular and three alternate members, who shall be electors of the municipality in which the district is situated holding no salaried municipal office. The ordinance shall provide that one or more of the members or alternates of the historic district commission shall reside in an historic district under the jurisdiction of the commission, if any persons reside in any such district and are willing to serve on such commission. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the commission. If a regular member of said commission is absent or has a conflict of interest, the chairman of the commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting. The method of appointment shall be fixed by ordinance. The appointments to membership in the commission shall be so arranged that the term of at least one member shall expire each year, and their successors shall be appointed in like manner for terms of five years. Vacancies shall be filled for the unexpired term and in the same manner as the original appointment. The commission shall elect annually a chairman, a vice-chairman and a clerk from its own number. Each member and alternate shall continue in office until his successor is duly appointed. All members and alternates shall serve without compensation. Any member or alternate may be appointed for another term or terms.

(e) The historic district commission shall adopt rules of procedure not inconsistent with the provisions of this part. The commission may adopt regulations not inconsistent with the provisions of this part to provide guidance to property owners as to factors to be considered in preparing an application for a certificate of appropriateness.

(f) The historic district commission shall keep a permanent record of its resolutions, transactions and determinations and of the vote of each member participating therein.

(g) A copy of any ordinance creating an historic district adopted under authority of this part, amendments to any such ordinance, maps of any districts created under this part, annual reports and other publications of the historic district commission and the roster of membership of such commission shall be transmitted to the Connecticut Commission on Culture and Tourism. The historic district commission shall also file with the Connecticut Commission on Culture and Tourism at least once every year a brief summary of its actions during that year, including a statement of the number and nature of certificates of appropriateness issued, any changes in the membership of the commission and any other information deemed appropriate by the historic district commission.

(h) The historic district commission may accept grants and gifts, employ clerical and technical assistance or consultants and incur other expenses appropriate to the carrying on
of its work, subject to appropriation by the municipality or receipt of such grants or gifts and may expend the same for such purposes.

(i) A municipality which has more than one historic district may establish more than one historic district commission if the districts are not contiguous.

(j) Any historic district commission established under this section may, unless prohibited by charter, ordinance or special act: (1) Make periodic reports to the legislative body; (2) provide information to property owners and others involving the preservation of the district; (3) suggest pertinent legislation; (4) initiate planning and zoning proposals; (5) cooperate with other regulatory agencies and civic organizations and groups interested in historic preservation; (6) comment on all applications for zoning variances and special exceptions where they affect historic districts; (7) render advice on sidewalk construction and repair, tree planting, street improvements and the erection or alteration of public buildings not otherwise under its control where they affect historic districts; (8) furnish information and assistance in connection with any capital improvement program involving historic districts; (9) consult with groups of experts.


History: P.A. 77-338 added Subsec. (b) re procedure for inclusion of individual's property in district after its establishment; P.A. 80-314 deleted previous Subsec. (b), inserted new material concerning enlarging districts or creating new ones and ordinance amendments as Subsecs. (b) and (c), placed provisions for commission membership, appointments, etc. in Subsec. (d) rather than Subsec. (a) as previously, amending provisions for alternate members and adding provision concerning vacancies and reappointments, placed provision for adopting rules in Subsec. (e) rather than Subsec. (a) and added provision concerning regulations providing guidance for property owners in preparing applications, added Subsecs. (f) and (g) re permanent records and information required to be sent to the state historical commission, amended provision re acceptance of grants and gifts and employment of personnel, formerly in Subsec. (a), and designated it as Subsec. (h) and added Subsecs. (i) and (j) re multiple commissions and further powers; P.A. 86-105 amended Subsec. (d) to require that one or more residents of historic district be included on commission as members or alternates; June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism.


Subsec. (j)
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Cited. 227 C. 71.

Sec. 7-147d. Certificate of appropriateness: Parking areas. (a) No building or structure shall be erected or altered within an historic district until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to the historic district commission and approved by said commission.

(b) No building permit for erection of a building or structure or for alteration of an exterior architectural feature within an historic district and no demolition permit for demolition or removal of a building or structure within an historic district shall be issued by a municipality or any department, agency or official thereof until a certificate of appropriateness has been issued. A certificate of appropriateness shall be required whether or not a building permit is required.

(c) The historic district commission may request such plans, elevations, specifications, material and other information, including in the case of demolition or removal, a statement of the proposed condition and appearance of property after such demolition or removal, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application. The style, material, size and location of outdoor advertising signs and bill posters within an historic district shall also be under the control of such commission. The provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure.

(d) No area within an historic district shall be used for industrial, commercial, business, home industry or occupational parking, whether or not such area is zoned for such use, until after an application for a certificate of appropriateness as to parking has been submitted to the commission and approved by said commission. The provisions of this section shall apply to the enlargement or alteration of any such parking area in existence on October 1, 1973.


History: 1963 act redefined "exterior architectural features", deleted stone walls, fences, signs, light fixtures, steps and paving from purview of certificate and excluded exterior paint color from provisions of section; P.A. 73-473 added Subsec. (b) re parking areas; P.A. 80-314 deleted "restored, moved or demolished" and removed definition of "exterior architectural features" from Subsec. (a), added Subsec. (b) re certificates of appropriateness, added Subsec. (c) including provisions re signs and exterior paint color, previously in Subsec. (a), and stating what information is necessary for commission's decision on application and relettered former Subsec. (b) as Subsec. (d).


Cited. 29 CA 28.
Sec. 7-147e. Application for certificate. Hearing. Approval. (a) The historic district commission shall hold a public hearing upon each application for a certificate of appropriateness unless the commission determines that such application involves items not subject to approval by the commission. The commission shall fix a reasonable time and place for such hearing. Notice of the time and place of such hearing shall be given by publication in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality not more than fifteen days nor less than five days before such hearing.

(b) Unless otherwise provided by ordinance, a majority of the members of the commission shall constitute a quorum and the concurring vote of a majority of the members of the commission shall be necessary to issue a certificate of appropriateness. Within not more than sixty-five days after the filing of an application as required by section 7-147d, the commission shall pass upon such application and shall give written notice of its decision to the applicant. When a certificate of appropriateness is denied, the commission shall place upon its records and in the notice to the applicant the reasons for its determination, which shall include the bases for its conclusion that the proposed activity would not be appropriate. In the notice to the applicant the commission may make recommendations relative to design, arrangement, texture, material and similar features. The commission may issue a certificate of appropriateness with stipulations. Evidence of approval, as referred to in section 7-147d, shall be by certificate of appropriateness issued by the commission. Failure of the commission to act within said sixty-five days shall constitute approval and no other evidence of approval shall be needed.


History: 1969 act changed deadline for commission action in Subsec. (a) from sixty to one hundred twenty days; P.A. 73-473 specified parking as well as exterior architectural features as concern of certificate of appropriateness; P.A. 80-314 deleted reference specifying parking or exterior architectural features, changed number of times notice to appear in newspaper from seven to two and add specific time requirements, deleted requirement that commission record applications and activities and deleted former Subsec. (b) and placed in new Subsec. (b) procedure for action on application, changing deadline for action to sixty-five days, adding provisions re quorum, voting and denial of application or issuance with stipulations; P.A. 86-105 reduced newspaper notice requirements to one publication and provided that the bases for commission's determination shall be included in any notice of denial of certificate of appropriateness.


Subsec. (a):

Failure to republish notice of continuance of a hearing in newspaper did not violate subsec. 49 CS 498.
Sec. 7-147f. Considerations in determining appropriateness. Solar energy systems. (a) If the commission determines that the proposed erection, alteration or parking will be appropriate, it shall issue a certificate of appropriateness. In passing on appropriateness as to exterior architectural features, buildings or structures, the commission shall consider, in addition to other pertinent factors, the type and style of exterior windows, doors, light fixtures, signs, above-ground utility structures, mechanical appurtenances and the type and texture of building materials. In passing upon appropriateness as to exterior architectural features the commission shall also consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, scale, general design, arrangement, texture and material of the architectural features involved and the relationship thereof to the exterior architectural style and pertinent features of other buildings and structures in the immediate neighborhood. No application for a certificate of appropriateness for an exterior architectural feature, such as a solar energy system, designed for the utilization of renewable resources shall be denied unless the commission finds that the feature cannot be installed without substantially impairing the historic character and appearance of the district. A certificate of appropriateness for such a feature may include stipulations requiring design modifications and limitations on the location of the feature which do not significantly impair its effectiveness. In passing upon appropriateness as to parking, the commission shall take into consideration the size of such parking area, the visibility of cars parked therein, the closeness of such area to adjacent buildings and other similar factors.

(b) In its deliberations, the historic district commission shall act only for the purpose of controlling the erection or alteration of buildings, structures or parking which are incongruous with the historic or architectural aspects of the district. The commission shall not consider interior arrangement or use. However, the commission may recommend adaptive reuse of any buildings or structures within the district compatible with the historic architectural aspects of the district.


History: P.A. 73-473 added specific provisions concerning certificates of appropriateness for parking; P.A. 80-314 added Subsec. (b) re exclusion of consideration of interior space except to recommend adaptive reuse and expanded considerations for certificate concerning exterior features with specific references to doors, windows, signs, etc.; P.A. 81-326 added provisions concerning issuance of certificate of appropriateness for exterior architectural feature designed for utilization of renewable resources.


Sec. 7-147g. Variations, permissible when. Where, by reason of topographical conditions, district borderline situations or because of other unusual circumstances solely with respect to a certain parcel of land and not affecting generally the district in which it is situated, the strict application of any provision of this part would result in exceptional
practical difficulty or undue hardship upon the owner of any specific property, the commission in passing upon applications shall have power to vary or modify strict adherence to said sections or to interpret the meaning of said sections so as to relieve such difficulty or hardship; provided such variance, modification or interpretation shall remain in harmony with the general purpose and intent of said sections so that the general character of the district shall be conserved and substantial justice done. In granting variations, the commission may impose such reasonable and additional stipulations and conditions as will, in its judgment, better fulfill the purposes of said sections. In addition to the filing required by subsection (b) of section 7-147e, the commission shall, for each variation granted, place upon its records and in the notice to the applicant the reasons for its determinations.

(1961, P.A. 430, S. 9; P.A. 80-314, S. 7.)

History: P.A. 80-314 required that record of granted variance and commission's reasons for granting it be kept.


Sec. 7-147h. Action by commission to prevent illegal acts. (a) If any provision of this part or any action taken or ruling made by the historic district commission pursuant to the provisions of said sections or of any regulation or ordinance adopted under said sections has been violated, the commission may, in addition to other remedies, institute an action in the superior court for the judicial district wherein such violation exists, which court shall have jurisdiction to restrain such violation and to issue orders directing that the violation be corrected or removed. Such order may direct the removal of any building, structure or exterior architectural feature erected in violation of said sections or any bylaw or ordinance adopted under said sections or the substantial restoration of any building, structure, or exterior architectural feature altered or demolished in violation of said sections or any regulation or ordinance adopted under said sections. Regulations and orders of the commission issued pursuant to said sections, or to any regulation or ordinance adopted under said sections, shall be enforced by the zoning enforcement official or building inspector or by such other person as may be designated by ordinance, who may be authorized to inspect and examine any building, structure, place or premises and to require in writing the remedying of any condition found to exist therein or thereon in violation of any provision of the regulations or orders made under the authority of said sections or of any regulation or ordinance adopted under said sections.

(b) The owner or agent of any building, structure or place where a violation of any provision of this part or of any regulation or ordinance adopted under said sections has been committed or exists, or the lessee or tenant of an entire building, entire structure or place where such violation has been committed or exists, or the owner, agent, lessee or tenant of any part of the building, structure or place in which such violation has been committed or exists, or the agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building, structure or place in which any such violation exists, shall be fined not less than ten
dollars nor more than one hundred dollars for each day that such violation continues; but, if the offense is wilful, the person convicted thereof shall be fined not less than one hundred dollars nor more than two hundred fifty dollars for each day that such violation continues. The superior court for the judicial district wherein such violation continues or exists shall have jurisdiction of all such offenses, subject to appeal as in other cases. Each day that a violation continues to exist shall constitute a separate offense. All costs, fees and expenses in connection with actions under this section may, in the discretion of the court, be assessed as damages against the violator, which, together with reasonable attorney's fees, may be awarded to the historic district commission which brought such action. Any funds collected as fines pursuant to this section shall be used by the commission to restore the affected buildings, structures, or places to their condition prior to the violation wherever possible and any excess shall be paid to the municipality in which the district is situated.


History: P.A. 73-473 included reference to parking; P.A. 74-183 substituted court of common pleas for circuit court and included reference to "county or judicial district"; P.A. 76-436 substituted superior court for court of common pleas, effective July 1, 1978; P.A. 78-280 deleted reference to "county"; P.A. 80-314 divided section into Subsecs. (a) and (b), replaced former provisions for proceedings to prevent unlawful acts with provisions for proceedings in superior court and added provisions concerning court costs, attorney's fees and fines.


Sec. 7-147i. Appeals. Any person or persons severally or jointly aggrieved by any decision of the historic district commission or of any officer thereof may, within fifteen days from the date when such decision was rendered, take an appeal to the superior court for the judicial district in which such municipality is located, which appeal shall be made returnable to such court in the same manner as that prescribed for other civil actions brought to such court. Notice of such appeal shall be given by leaving a true and attested copy thereof in the hands of or at the usual place of abode of the chairman or clerk of the commission within twelve days before the return day to which such appeal has been taken. Procedure upon such appeal shall be the same as that defined in section 8-8.


History: P.A. 76-436 substituted superior court for court of common pleas and added reference to judicial district, effective July 1, 1978; P.A. 78-280 deleted reference to county; P.A. 80-314 divided section into Subsecs., clarified procedure for obtaining remedy by specifying that commission may institute action in superior court and detailing types of orders court may make and added provisions re assessment of court costs, fees, etc. and re commission's use of fines.
Appendix C - State of Connecticut enabling statutes and regulations

See Sec. 51-197b re administrative appeals.


Sec. 7-147j. Exempted acts. Delay of demolition. (a) Nothing in this part shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district which does not involve a change in the appearance or design thereof; nor to prevent the erection or alteration of any such feature which the building inspector or a similar agent certifies is required by the public safety because of a condition which is unsafe or dangerous due to deterioration; nor to prevent the erection or alteration of any such feature under a permit issued by a building inspector or similar agent prior to the effective date of establishment of such district.

(b) If a building in an historic district is to be demolished, no demolition shall occur for ninety days from issuance of a demolition permit if during such time the historic district commission or the Connecticut Commission on Culture and Tourism is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable alternative to demolition. During such ninety-day period the municipality may abate all real property taxes. At the conclusion of such ninety-day period, the demolition permit shall become effective and the demolition may occur. Nothing in this section shall be construed to mandate that the owner of such property sell such property or building.


History: 1963 act deleted restriction on maintenance or repairs involving a change of material or outward appearance; P.A. 80-314 deleted references to construction, reconstruction and demolition and inserted references to "erection" and added Subsec. (b) re demolition procedure; June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism.


Sec. 7-147k. Prior districts unaffected. Validation of prior creations and actions. Nonprofit institutions of higher education excluded. (a) The provisions of this part shall in no way impair the validity of any historic district previously established under any special act or the general statutes. Any and all historic districts created under the general statutes, prior to October 1, 1980, otherwise valid except that such districts, district study committees, municipalities or officers or employees thereof, failed to comply with the requirements of any general or special law, and any and all actions of
such districts or historic district commission, are validated.

(b) The provisions of this part shall not apply to any property owned by a nonprofit institution of higher education, for as long as a nonprofit institution of higher education owns such property.


History: P.A. 80-314 expanded validation to cover districts created before October 1, 1980, and added Subsec. (b) excepting property of nonprofit higher education institutions from provisions of Secs. 7-147a to 7-147k; P.A. 06-196 made a technical change in Subsec. (b), effective June 7, 2006.


Subsec. (a):

Validation of the Farmington Historic District by this statute rendered moot the basis for complaint. 189 C. 727.

Secs. 7-147l and 7-147m. Method of balloting; eligibility to vote; balloting on prior districts. Sections 7-147l and 7-147m are repealed.


Secs. 7-147n and 7-147o. Reserved for future use.

**PART II**

**HISTORIC PROPERTIES**

*Cited. 196 C. 596.

Sec. 7-147p. Historic property ordinances authorized. Definitions. (a) As used in this part: "Historic property" means any individual building, structure, object or site that is significant in the history, architecture, archaeology and culture of the state, its political subdivisions or the nation and the real property used in connection therewith; "altered" means changed, modified, rebuilt, removed, demolished, restored, razed, moved or reconstructed; "erected" means constructed, built, installed or enlarged; "exterior architectural features" means such portion of the exterior of a structure or building as is open to view from a public street, way or place; "building" means a combination of materials forming a shelter for persons, animals or property; "structure" means any combination of materials, other than a building, which is affixed to the land, and shall include, but not be limited to, signs, fences and walls; "municipality" means any town, city, borough, consolidated town and city or consolidated town and borough.
Appendix C - State of Connecticut enabling statutes and regulations

(b) Any municipality may, by ordinance and in conformance with the standards and criteria formulated by the Connecticut Commission on Culture and Tourism, designate within its confines an historic property or properties to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of individual buildings and places associated with the history of or indicative of a period or style of architecture of the municipality, of the state or of the nation.

(c) The legislative body of any municipality may make appropriations for the purpose of carrying out the provisions of this part.

(P.A. 84-286, S. 1; June 30 Sp. Sess. P.A. 03-6, S. 210(e); P.A. 04-20, S. 3; 04-205, S. 5; May Sp. Sess. P.A. 04-2, S. 30.)


Sec. 7-147q. Procedures for establishment of historic properties. Prior to the designation of an historic property or properties, the following steps shall be taken:

(a) The legislative body shall appoint or authorize the chief elected official of the municipality to appoint an historic properties study committee for the purpose of making an investigation of one or more proposed historic properties. The legislative body of a municipality which proposes to establish more than one historic property may establish more than one committee. An already existing historic properties commission or an historic district commission established in the municipality pursuant to part I of this chapter may be appointed to make this investigation. Each committee established under the provisions of this section shall consist of five regular and three alternate members who shall be electors of the municipality holding no salaried municipal office. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the committee. If a regular member of such committee is absent or has a conflict of interest, the chairman of the committee shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

(b) The historic properties study committee shall investigate and submit a report which shall include the following: (1) An analysis of the historic significance and architectural merit of the buildings, structures, objects or sites proposed as historic properties; (2) a map showing the exact boundaries of the area to be designated as the historic property or properties; (3) a proposed ordinance or proposed ordinances designed to designate and provide for the protection of an historic property or properties in
accordance with the provisions of this part; and (4) such other matters as the committee
may deem necessary or advisable.

(c) The historic properties study committee shall transmit copies of its report to the
Connecticut Commission on Culture and Tourism, the planning commission and zoning
commission, or the combined planning and zoning commission, of the municipality, if
any, and, in the absence of such a planning commission, zoning commission or combined
planning and zoning commission, to the chief elected official of the municipality for their
comments and recommendations. In addition to such other comments and
recommendations as it may make, the Connecticut Commission on Culture and Tourism
may recommend either approval, disapproval, modification, alteration or rejection of the
proposed ordinance or ordinances and of the boundaries of each proposed historic
property. Each such commission, board or individual shall deliver such comments and
recommendations to the committee within sixty-five days of the date of transmission of
such report. Failure to deliver such comments and recommendations shall be taken as
approval of the report of the committee.

(d) The historic properties study committee shall hold a public hearing on the
designation of each proposed historic property not less than sixty-five nor more than one
hundred thirty days after the transmission of the report to each party as provided in
subsection (c) of this section, except that, if all such parties have delivered their
comments and recommendations to the committee, such hearing may be held less than
sixty-five days after the transmittal of the report. The comments and recommendations
received pursuant to subsection (c) of this section shall be read in full at the public
hearing.

(e) Notice of the time and place of such hearing shall be given as follows: (1) Written
notice of the time, place and purpose of such hearing, postage prepaid, shall be mailed by
certified mail to the owner or owners of record of the real property to be included in each
proposed historic property, as they appear on the last-completed grand list, at the
addresses shown thereon, at least fifteen days before the time set for such hearing,
together with a copy of the report of the historic properties study committee or a fair and
accurate synopsis of such report. A complete copy of the report, a copy of all
recommendations made under subsection (c) of this section, a map showing the
boundaries of the real property to be included in each proposed historic property and a
copy of the proposed ordinance shall be available at no charge from the town clerk during
business hours or shall be mailed, upon request, to any owner of record of real property in
the proposed historic property or properties with the notice of the hearing; and (2) by
publication of such notice in the form of a legal advertisement appearing in a newspaper
having a substantial circulation in the municipality at least twice, at intervals of not less
than two days, the first not more than fifteen days nor less than ten days and the last not
less than two days before such hearing.

(f) The historic properties study committee shall submit its report with any changes
made following the public hearing, along with any comments or recommendations
received pursuant to subsection (c) of this section, and such other materials as the
committee may deem necessary or advisable to the legislative body of the municipality within sixty-five days after the public hearing.

(g) The owner or owners of record of a proposed historic property may object to the proposed designation by submitting to the historic properties study committee or to the legislative body of the municipality a notarized statement certifying that the person filing such objection is the entire or partial owner of the property and objects to the designation. Unless persons holding fifty per cent or more of the ownership interest in a proposed historic property object to the proposed designation within thirty days following the public hearing held pursuant to subsection (d) of this section, the legislative body of the municipality shall, by majority vote, take one of the following steps: (1) Accept the report of the committee as to the proposed historic property and enact an ordinance to designate the historic property and provide for its regulation in accordance with the provisions of this part; (2) reject the report of the committee, stating its reasons for such rejection; or (3) return the report to the historic properties study committee, with such amendments and revisions as it may deem advisable, for consideration by the committee. The committee shall, within sixty-five days of such return, submit an amended report to the legislative body and mail by certified mail a copy of the amended report to the owner or owners of record of each proposed historic property covered by the report. The committee need not hold a public hearing other than the one provided for in subsection (d) of this section. Unless persons holding fifty per cent or more of the ownership interest in a proposed historic property object to the proposed designation within thirty days of receipt of the amended report by written submission in the manner set forth in this subsection, the legislative body of the municipality may accept or reject the amended report as provided in this subsection.

(h) Any ordinance, or amendment thereof, enacted pursuant to this part, which designates or alters historic property boundaries, shall contain a legal description of the area to be included within each historic property. The legislative body, when it passes such an ordinance, or amendment thereof, shall transmit to the municipal clerk a copy of the ordinance or amendment thereof. Such ordinance, or amendment thereof, shall be recorded in the land records of the municipality in which such real property is located and indexed by the municipal clerk in the grantor index under the names of the owners of record of such property.

(P.A. 84-286, S. 2; June 30 Sp. Sess. P.A. 03-6, S. 210(e); P.A. 04-20, S. 3; 04-205, S. 5; May Sp. Sess. P.A. 04-2, S. 30.)

Sec. 7-147r. Historic properties commission. (a) The first ordinance enacted by a municipality to designate any historic properties shall provide for the creation of an historic properties commission and for the termination of the historic properties study committee or committees. The historic properties commission shall administer the provisions of this part relative to all historic properties then or thereafter designated by the municipality and, relative to such historic properties, the commission shall have all of the powers and duties that historic district commissions have over historic districts pursuant to part I of this chapter except as is otherwise provided in this part. A municipality may designate an historic properties commission to administer historic districts in accordance with part I of this chapter in the event that no historic district commission exists when the historic properties commission is created. A municipality may designate an existing historic district commission to administer historic properties in accordance with this part.

(b) The historic properties commission may from time to time, in accordance with section 7-147q, initiate the designation of additional historic properties or the enlargement of the boundaries of an existing historic property.

(P.A. 84-286, S. 3.)

Sec. 7-147s. Certificate of appropriateness. (a) No building or structure located within the boundaries of an historic property shall be erected or altered until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to the historic properties commission and approved by such commission. No earthworks or site of recognized historic or archaeological importance within the boundaries of an historic property shall be altered until after an application for a certificate of appropriateness has been submitted to the historic properties commission and approved by said commission.

(b) No building permit for erection of a building or structure or for alteration of an exterior architectural feature within the boundaries of an historic property and no demolition permit for demolition or removal of a building or structure within the boundaries of an historic property shall be issued by a municipality or any department, agency or official thereof until a certificate of appropriateness has been issued. A certificate of appropriateness shall be required whether or not a building permit is required.

(c) The historic properties commission may request such plans, elevations, specifications, material and other information, including in the case of demolition or removal, a statement of the proposed condition and appearance of property after such demolition or removal, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application. The style, material, size and location of outdoor advertising signs and bill posters within the boundaries of an historic property shall also be under the control of such commission. The provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure.
(d) No area within the boundaries of an historic property shall be used for industrial, commercial, business, home industry or occupational parking, whether or not such area is zoned for such use, until after an application for a certificate of appropriateness as to parking has been submitted to the commission and approved by said commission.

(P.A. 84-286, S. 4.)

Sec. 7-147t. Procedure for application for certificate. In reviewing and acting upon applications for certificates of appropriateness, the historic properties commission shall follow the procedures set forth in section 7-147e for use by historic district commissions in reviewing applications for certificates of appropriateness affecting historic districts.

(P.A. 84-286, S. 5.)

Sec. 7-147u. Considerations in determining appropriateness. Except as otherwise provided in this part, in reviewing and acting upon applications for certificates of appropriateness, the historic properties commission shall apply the same standards and take into account the same considerations as set forth in section 7-147f for use by historic district commissions in reviewing applications for certificates of appropriateness affecting historic districts. In passing upon the appropriateness of alterations to earthworks or sites of historic or archaeological importance, the commission shall consider, in addition to any other pertinent factors, their value and significance, size, design, arrangement, texture and materials. In its deliberations, the historic properties commission shall act only for the purpose of controlling the erection or alteration of buildings, structures, objects, sites or parking that are incongruous with the historic or architectural aspects of the historic property.

(P.A. 84-286, S. 6.)

Sec. 7-147v. Variations, permissible when. Where, by reason of topographical conditions or location or because of other unusual circumstances, the strict application of any provision of this part would result in exceptional practical difficulty or undue hardship upon the owner of the historic property, the commission in passing upon applications shall have power to vary or modify strict adherence to the provisions of this part, provided such variance or modification shall remain in harmony with the general purpose and intent of this part so that the historic and architectural aspects of the historic property shall be conserved. In granting variances or modifications, the commission may impose such reasonable stipulations and conditions as will, in its judgment, better fulfill the purposes of this part. The commission shall, for each variance or modification granted, place upon its records and in the notice to the applicant the reasons for its determinations.

(P.A. 84-286, S. 7.)
Sec. 7-147w. Action by commission to prevent illegal acts. If any provision of this part, or any action taken or ruling made by the historic properties commission pursuant to the provisions of this part or any regulation or ordinance adopted pursuant to this part, has been violated, the historic properties commission shall have, in addition to other remedies, those remedies available to historic district commissions as provided in section 7-147h.

(P.A. 84-286, S. 8.)

Sec. 7-147x. Appeals. Any person or persons severally or jointly aggrieved by any decision of the historic properties commission or of any officer thereof may appeal such decision in the same manner and according to the same procedure as set forth in section 7-147i for appeals from the decisions of the historic district commissions.

(P.A. 84-286, S. 9.)

Sec. 7-147y. Exempted acts. Delay of demolition. (a) Nothing in this part shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature within the boundaries of an historic property which does not involve a change in the appearance or design thereof; nor to prevent the erection or alteration of any such feature which the building inspector or a similar agent certifies is required by the public safety because of a condition which is unsafe or dangerous due to deterioration; nor to prevent the erection or alteration of any such feature under a permit issued by a building inspector or similar agent prior to designation of such historic property.

(b) If a building within the boundaries of an historic property is to be demolished, no demolition shall occur for ninety days from issuance of a demolition permit if during such time the historic properties commission or the Connecticut Commission on Culture and Tourism is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable alternative to demolition. During such ninety-day period the municipality may abate all real property taxes. At the conclusion of such ninety-day period, the demolition permit shall become effective and the demolition may occur. Nothing in this section shall be construed to mandate that the owner of such property is under any obligation to sell such property or building.

(P.A. 84-286, S. 10; June 30 Sp. Sess. P.A. 03-6, S. 210(e); P.A. 04-20, S. 3; 04-205, S. 5; May Sp. Sess. P.A. 04-2, S. 30.)

CODE OF THE TOWN OF STRATFORD, CONNECTICUT, v28 Updated 05-30-2006
PART II GENERAL PROVISIONS
Chapter 121, HISTORIC DISTRICT

Chapter 121, HISTORIC DISTRICT

[HISTORY: Adopted by the Town Council of the Town of Stratford 4-13-1988. Amendments noted where applicable.]

§ 121-1. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

ALTERED -- Changed, modified, rebuilt, removed, demolished, restored, razed, moved or reconstructed.

APPROPRIATE -- Not incongruous with those aspects of the historic district which the Historic District Commission determines to be historically or architecturally significant.

BUILDING -- A combination of materials forming a shelter for persons, animals or property.

ERECTED -- Constructed, built, installed or enlarged.

EXTERIOR ARCHITECTURAL FEATURES -- Such portion of the exterior of a structure or building as is open to view from a public street, way or place.

STRUCTURE -- Any combination of materials, other than a building, which is affixed to the land, and shall include but not be limited to signs, fences and walls.

§ 121-2. Establishment of district; boundaries. [Amended 6-12-1989; 4-28-1997 by Ord. No. 97-24]

A. The Town of Stratford hereby establishes the Academy Hill Historic District pursuant to Section 7-147b of the Connecticut General statutes, bounded and described as follows: Commencing at the intersection of the center line of Elm Street with the westerly extension of the south bound of No. 1962 Elm Street; thence north along the center line of Elm Street, 125 feet to a point; thence west at a right angle with the center line of Elm Street 200 feet, more or less, to a point on the east bound of No. 923 Academy Hill; thence south along the east bound of No. 923 Academy Hill 95 feet, more or less, to the southeast corner of No. 923 Academy Hill; thence west along the south bound of No. 923 Academy Hill 112.33 feet to a point on the east bound of No. 967 Academy Hill; thence south along the east bound of No. 967 Academy Hill 55 feet, more or less, to the southeast corner of No. 967 Academy Hill; thence west along the south bound of No. 967 Academy Hill, 133.07 feet to the southwest corner of No. 967 Academy Hill; thence north along the west bound of No. 967 Academy Hill 117.27 feet to a point; thence west along a jog in the west bound of No. 967 Academy Hill, 30.49 feet to a point; thence
north along a continuation of the west bound of No. 967 Academy Hill 160 feet, more or
less, to the center line of Academy Hill; thence west along the center line of Academy
Hill 285 feet, more or less, to its intersection with the center line of Main Street; thence
north along the center line of Main Street 760 feet, more or less to its intersection with
the westerly extension of the center line of Broad Street; thence east along the extension
and the center line of Broad Street 100 feet to a point; thence northeast 120 feet, more or
less, to a point on the northbound of No. 974 Broad Street, which point is 50 feet, more or
less, east of the northwest corner of No. 974 Broad Street; thence east along the north
bound of No. 974 Broad Street 128.66 feet to a point on the west bound of No. 956 Broad
Street; thence north along the west bound of No. 956 Broad Street 125 feet more or less,
to the northwest corner of No. 956 Broad Street; thence east along the north bound of No.
956 Broad Street and the north bound of No. 942 Broad Street 185.5 feet to the northeast
corner of No. 942 Broad Street, being a point on the west bound of No. 924 Broad
Street; thence north along the west bound of No. 924 Broad Street 45 feet, more or less,
to the northwest corner of No. 924 Broad Street; thence east along the north bound of No.
924 Broad Street and the north bound of No. 908 Broad Street 143.6 feet to the northeast
corner of No. 908 Broad Street; thence south along the east bound of No. 908 Broad
Street 300 feet, more or less, to the center line of Elm Street; thence southwest along the
center line of Elm Street 230 feet, more or less, to its intersection with the westerly
extension of the center line of the east leg of Broad Street; thence east along the
extension and the center line of the east leg of Broad Street 125 feet to a point at its
intersection with the northerly extension of the east bound of No. 2134 Elm Street;
thence south along the extension and the east bound of No. 2134 Elm Street and the east
bound of No. 2118 Elm Street 220 feet more or less to a point which is the southeast
corner of No. 2118 Elm Street, the northeast corner of No. 2092 Elm Street and the
northwest corner of an unnumbered parcel on Academy Hill Terrace; thence east along
the north bound of said unnumbered parcel 109.16 feet to the northeast corner thereof;
thence south along the east bound of said unnumbered parcel 89.70 feet to Academy Hill
Terrace; thence southwest across Academy Hill Terrace at an obtuse angle with the last
course 90 feet, more or less, to the northeast corner of No. 2048 Elm Street; thence south
along the east bound of No. 2048 Elm Street and the east bound of No. 2020 Elm Street
243.8 feet to a point on the north bound of No. 2016 Elm Street; thence east along the
north bound of No. 2016 Elm Street, 70 feet more or less, to a point; thence south at a
right angle with the last course, 110.57 feet to a point on the north bound of No. 1990
Elm Street; thence east along the north bound of No. 1990 Elm Street 184.52 feet to the
northwest side of Ferry Boulevard; thence southwest along the northwest side of Ferry
Boulevard, 316.47 feet to the southeast corner of No. 1962 Elm Street; thence west along
the south bound of No. 1962 Elm Street and continuing in a straight line 225 feet, more
or less, to the center line of Elm Street, being the point of place of beginning;
commencing at a point 291 feet easterly from Elm Street being the rear line of property at
2016 Elm Street, thence running: westerly: along the rear of premises known as 2016
Elm Street; southerly: along premises known as 2016 Elm Street; westerly: again along
premises known as 2020, 2048-2050 Elm Street being the rear of 49, 91 and 95
Academy Hill Terrace; thence crossing Academy Hill Terrace to the easterly boundary of
Parcel B, being the rear of 2146 Elm Street being property now or formerly of Birge; thence running: westerly: again, along Parcel B, being land now or formerly of Birge; southerly: again, along Parcel B, being land now or formerly of Birge; being the rear of 803 and 823 Broad Street; westerly: again, along the rear of premises known as 2118, 2134 Elm Street, to the center line of Broad Street; thence running westerly along Broad Street to the center line of Elm Street; thence running Northerly along Elm Street to a point opposite 2175 Elm Street; thence; southerly: again, along a portion of Elm Street, and premises known as 2175 Elm Street, and rear portion of 890 Broad Street; westerly: again, along the rear portion of 908 Broad Street; southerly: again, along the rear line of premises known as 908 and 924 Broad Street being the rear of 899, 913-915, 923 Judson Place; easterly: again, along the rear portion of 924 Broad street; southerly: again, along the rear portion of 942 and 950 Broad Street, being the rear portion of 929 and 955 and 965 Judson Place; easterly: again, along 950 Broad Street, being rear portion of 2192 and 2184 Main Street; southerly: again, along 974 Broad street; easterly: again, along 974 Broad Street to the center line of Broad Street; thence running westerly to the center line of Main Street; thence running southerly along Main Street to a point opposite 2163 Main Street, at the corner of West Broad Street; thence southerly: again, along 2163 Main Street, and 1033, 1077 and 1055 West Broad Street; thence running westerly: again, along West Broad Street, and the rear of premises known as 2155 Main Street, 2203 Main Street, 2225 Main Street, 2283 Main Street, 2301 Main Street, being land now or formerly of Town of Stratford, Stratford Library Association, and The First Congregational Church of Stratford; southerly: again, along 2301 Main Street to the intersection of Church Street and Main Street; thence crossing Main Street to a point on the easterly boundary of premises known as 2362 Main Street; thence running: westerly: again, along 2362 Main Street to a point on the westerly boundary of 1060 East Broadway; thence northerly: along premises known as 1060 East Broadway and 395-447 Sutton Place, being land now or formerly of the Town of Stratford; westerly, northerly and westerly: again, along 395-447 Sutton Place, Sutton Place and 32 Sutton Place, being the rear of 952, 922, 904 East Broadway; northerly: again, along 44 Sutton Place, 37 Warwick Avenue, Warwick Avenue, 34 Warwick Avenue, being the rear of 894, 868, 840 East Broadway; westerly: again, by the rear portion of 34 Warwick Avenue; northerly: again, along 48 and 58 Warwick Avenue, being the rear of 830 and 820 East Broadway; easterly: again, by the rear line of 35 Blakeman Avenue; northerly: again, along 35 Blakeman Avenue, Blakeman Avenue, 48 Blakeman Avenue, 798-800, 774, 750 East Broadway; westerly: again, along the rear lines of 48, 58 and 68 Blakeman Avenue; northerly: again, along land now or formerly of Arnold Peck, being the rear lines of 736 and 728 East Broadway; easterly: again, along 1 and 2 Harris Court; northerly: again, along the rear line of 720 East Broadway; easterly: again, along Harris Court; thence crossing East Broadway to the easterly boundary of 194 White Street; thence running: easterly: again, along 194 White Street; northerly: again, along 194 White Street; easterly, northerly, easterly, southerly, easterly, southerly and northerly: again, by land now or formerly of Jean Ann Evanko, being the rear portions of 186, 170, 160, 144, 132, 118-120 and 110 and 108 White Street; northerly: again, by land now or formerly of Jean Ann Evanko; easterly, southerly, easterly, northerly and easterly: again, by land now or formerly of the State of Connecticut, being the rear portions of 98, 88, 78, 58, 44, 32, 24 White Street and 688 Broad Street; thence crossing
Appendix D - Town of Stratford Historic District Commission ordinance

Broad Street to a point being the easterly boundary of 693 Broad Street at Ferry Boulevard; thence running; easterly and southerly: again along Ferry Boulevard; southerly: again, along a Salt Marsh Area, being land formerly of the Estate of Walter Wheeler, Jr., now or formerly of Birge, being the rear lines of 713, 725, 735, 751 Broad Street; easterly: again, along a Salt Marsh Area, being land formerly of the Estate of Walter Wheeler, Jr., now or formerly of Birge, begin in part by the rear lines of 58, 66 Academy Hill Terrace; northerly: again, along a Salt Marsh Area, being land formerly of the Estate of Walter Wheeler, Jr., now or formerly of Birge; easterly: again, by land now or formerly of Birge, being the rear line 88 Academy Hill Terrace; northerly: again, by land now or formerly of Birge; easterly: again by Ferry Boulevard; southerly: again, along premises known as 1125 Ferry Boulevard and 1990 Elm Street, to the point of beginning.

B. All of said boundaries being shown are on the map entitled "Academy Hill Historic District, Adopted April 14, 1988, and revised on May 1997," on file in the office of the Stratford Town Clerk, as Map No. 2714, as amended.

C. The foregoing ordinance is hereby declared to be effective immediately in accordance with § 2.2.8 of the Town Charter for the reason that there is an urgent need to protect the value and use of property in said expanded Historic District.


The Town of Stratford hereby establishes the Stratford Historic District Commission, a municipal historic district commission, to carry out the provisions of Sections 7-147c to 7-147k, inclusive, of the Connecticut General Statutes.


A. The Historic District Commission established under the provisions of this chapter shall consist of five regular and three alternate members, who shall be electors of the Town of Stratford holding no salaried municipal office.

B. At least three members of the Historic District Commission shall reside in an historic district under the jurisdiction of the Commission if any persons reside in any such district and are willing to serve on such Commission.

C. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the Commission. If a regular member of said Commission is absent or has a conflict of interest, the Chairperson of the Commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.
D. The appointments to membership in the Commission shall be so arranged that the term of at least one member shall expire each year, and their successors shall be appointed in like manner for terms of five years. Vacancies shall be filled for the unexpired term and in the same manner as the original appointment.

E. The Commission shall elect annually a Chairperson, a Vice-Chairperson and a Clerk from its own number. Alternate members shall not participate in the vote for election of officers of the Commission.

F. Each member and alternate shall continue in office until his or her successor is duly appointed.

G. All members and alternates shall serve without compensation.

H. Any member or alternate may be appointed for another term or terms.

I. A Commission member may only be removed for cause in accordance with § 2.2.12 of the Stratford Town Charter.

§ 121-5. Responsibilities and duties.

A. The Historic District Commission shall adopt rules of procedure not inconsistent with the provisions of this chapter. The Commission may adopt regulations not inconsistent with the provisions of this chapter to provide guidance to property owners as to factors to be considered in preparing an application for a certificate of appropriateness.

B. The Historic District Commission shall keep a permanent record of its resolutions, transactions and determinations and of the vote of each member participating therein.

C. The Historic District Commission shall also file with the Connecticut Historical Commission, at least once every year, a brief summary of its actions during that year, including a statement of the number and nature of certificates of appropriateness issued, any changes in the membership of the Commission and any other information deemed appropriate by the Historic District Commission.

D. The Historic District Commission may accept grants and gifts. Subject to the prior approval of 2/3 vote of said Commission, the Commission may employ clerical and technical assistance or consultants and incur other expenses appropriate to the carrying on of its work, subject to appropriation by the Town of Stratford or receipt of such grants or gifts, and may expend the same for such purposes.

E. The Historic District Commission established under this chapter may:

(1) Make periodic reports to the Stratford Town Council.

(2) Provide information to property owners and others involving the preservation of the
district.

(3) Suggest pertinent legislation.

(4) Cooperate with other regulatory agencies and civic organizations and groups interested in historic preservation.

(5) Render advice on sidewalk construction and repair, tree planting, street improvements and the erection or alteration of public buildings not otherwise under its control where they affect the historic district.

(6) Furnish information and assistance in connection with any capital improvement program involving the historic district.

(7) Consult with groups of experts.

F. To encourage participation, secure support and draw on the resources of interested residents of the historic district who are not members of the Historic District Commission, and apart from the provisions herein for formal appeals from the Commission decisions by aggrieved parties and other than the required public hearings by the Commission upon applications for certificates of appropriateness, the Commission may hold meetings with residents of the historic district if and when at least 20 of the owners of real property in that historic district make written petition for such meeting to discuss matters of policy or other matters that may be at issue between property owners and the Commission. The Commission may call meetings so requested and shall not be bound by the testimony and evidence presented at such meetings, but in formulating policy should be responsive to the sentiments of the community insofar as its best judgment suggests and the powers and limitations derived from the General Statutes and this chapter permit.

§ 121-6. Certificate of appropriateness.

A. No building or structure shall be erected or altered within the historic district until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to the Historic District Commission and approved by said Commission.

B. No building permit for erection of a building or structure or for alteration of an exterior architectural feature within the historic district and no demolition permit for demolition or removal of a building or structure within the historic district shall be issued by the Town of Stratford or any department, agency or official thereof until a certificate of appropriateness has been issued. A certificate of appropriateness shall be required whether or not a building permit is required.

C. The Historic District Commission may request such plans, elevations, specifications, material and other information, including, in the case of demolition or removal, a
statement of the proposed condition and appearance of property after such demolition or removal, as may be reasonably deemed necessary by the Commission to enable it to make a determination on the application. The style, material, size and location of outdoor advertising signs and bill posters within the historic district shall also be under the control of such Commission. The provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure.

D. No area within an historic district shall be used for industrial, commercial, business, home industry or occupational parking, whether or not such area is zoned for such use, until after an application for a certificate of appropriateness as to parking has been submitted to the Commission and approved by said Commission. The provisions of this section shall apply to the enlargement or alteration of any such parking area in existence on October 1, 1973.

§ 121-7. Application for certificate; hearing; approval.

A. The Historic District Commission shall hold a public hearing upon each application for a certificate of appropriateness unless the Commission determines that such application involves items not subject to approval by the Commission. The Commission shall fix a reasonable time and place for such hearing. Notice of the time and place of such hearing shall be given by publication, in the form of a legal advertisement appearing in a newspaper having substantial circulation in the Town of Stratford, not more than 15 days nor less than five days before such hearing.

B. A majority of the total membership of the Commission shall constitute a quorum, and the concurring vote of a majority of the total membership of the Commission shall be necessary to deny a certificate of appropriateness. Within not more than 65 days after the filing of an application as required by Section 7-147d of the Connecticut General Statutes, the Commission shall pass upon such application and shall give written notice of its decision to the applicant. When a certificate of appropriateness is denied, the Commission shall place upon its records and in the notice to the applicant the reasons for its determination, which shall include the basis for its conclusion that the proposed activity would not be appropriate. In the notice to the applicant, the Commission may make recommendations relative to design, arrangement, texture, material and similar features. The Commission may issue a certificate of appropriateness with stipulations. Evidence of approval, as referred to in section 7-147d of the Connecticut General Statutes, shall be by certificate of appropriateness issued by the Commission. Failure of the Commission to act within said 65 days shall constitute approval, and no other evidence of approval shall be needed.

§ 121-8. Considerations in determining appropriateness.

A. If the Commission determines that the proposed erection, alteration or parking will be appropriate, it shall issue a certificate of appropriateness. In passing upon appropriateness as to exterior architectural features, building or structures, the Commission shall consider, in addition to other pertinent factors, the type and style of exterior windows, doors, light
fixtures, signs, aboveground utility structures and mechanical appurtenances and the type 
and texture of building materials. In passing upon appropriateness as to exterior 
arquitecultural features, the Commission shall also consider, in addition to any other 
pertinent factors, the historical and architectural value and significance, architectural 
style, scale, general design, arrangement, texture and material of the architectural features 
involved and the relationship thereof to the exterior architectural style and pertinent 
features of other buildings and structures in the immediate neighborhood. No application 
for a certificate of appropriateness for an exterior architectural feature, such as a solar 
energy system, designed for the utilization of renewable resources shall be denied unless 
the Commission finds that the feature cannot be installed without substantially impairing 
the historic character and appearance of the district. A certificate of appropriateness for 
such a feature may include stipulations requiring design modifications and limitations on 
the location of the feature which do not significantly impair its effectiveness. In passing 
upon appropriateness as to parking, the Commission shall take into consideration the size 
of such parking area, the visibility of cars parked therein, the closeness of such areas to 
adjacent buildings and other similar factors.

B. In its deliberations, the Historic District Commission shall act only for the purpose of 
controlling the erection or alteration of buildings, structures or parking which is 
incongruous with the historic or architectural aspects of the district. The Commission 
shall not consider interior arrangement or use; however, the Commission may 
recommend adaptive reuse of any buildings or structures within the district compatible 
with the historic and architectural aspects of the districts.

§ 121-9. Variations; conditions.

Where, by such reason of topographical conditions or district borderline situations or 
because of other unusual circumstances solely with respect to a certain parcel of land and 
not affecting generally the district in which it is situated, the strict application of any 
provision of this chapter would result in exceptional practical difficulty or undue hardship 
upon the owner of any specific property, the Commission, in passing upon applications, 
shall have power to vary or modify strict adherence to said sections or to interpret the 
meaning of said sections so as to relieve such difficulty or hardship, provided that such 
variance, modification or interpretation shall remain in harmony with the general purpose 
and intent of said sections so that the general character of the district shall be conserved 
and substantial justice done. In granting variations, the Commission may impose such 
reasonable and additional stipulations and conditions as will, in its judgment, better fulfill 
the purposes of said sections. In addition to the filing required by Subsection (b) of 
Section 7-147e of the Connecticut General Statutes, the Commission shall, for each 
variation granted, place upon its records and in the notice to the applicant the reasons for 
its determinations.

§ 121-10. Restraint of violation.

If any provision of this chapter or any action taken or ruling made by the Historic
District Commission pursuant to the provisions of this chapter, if any regulations or ordinance adopted under said sections has been violated, the Commission may, as its exclusive remedy therefor, institute an action in the Superior Court for the Judicial District of Fairfield at Bridgeport to restrain such violation and to issue orders directing that the violation be corrected or removed. Regulations and orders to the Commission issued pursuant to the provisions hereof or to any regulation or ordinance adopted under said sections shall be enforced by the Zoning Enforcement Official or Building Inspector or by such other person as may be designated by ordinance, who may be authorized to inspect and examine any building, structure, place or premises and to require in writing the remedying of any condition found to exist therein or thereon in violation of any provision of the regulations or orders made under the authority of said sections or of any regulation adopted under said sections.

§ 121-11. Exemptions; delay of demolition.

A. Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district which does not involve a change in the appearance or design thereof, nor to prevent the erection or alteration of any such feature which the Building Inspector or a similar agent certifies is required by the public safety because of a condition which is unsafe or dangerous due to deterioration, nor to prevent the erection or alteration of any such feature under a permit issued by the Building Inspector or similar agent prior to the effective date of this chapter.

B. If a building in the historic district is to be demolished, no demolition shall occur for 90 days from the issuance of a demolition permit if during such time the Historic District Commission or the Connecticut Historical Commission is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable alternative to demolition. At the conclusion of such ninety-day period, the demolition permit shall become effective and the demolition may occur. Nothing in this section shall be construed to mandate that the owner of such property sell such property or building.

C. The provisions of this chapter shall not apply to any property owned by a nonprofit institution of higher education, for so long as a nonprofit institution of higher education owns such property.
Appendix E

The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995

Standards for Preservation

1. A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.

2. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

6. The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
Appendix E

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Standards for Restoration

1. A property will be used as it was historically or be given a new use which reflects the property's restoration period.

2. Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces, and spatial relationships that characterize the period will not be undertaken.

3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
Appendix E

4. Materials, features, spaces, and finishes that characterize other historical periods will be documented prior to their alteration or removal.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.

6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.

7. Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.

8. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

9. Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

10. Designs that were never executed historically will not be constructed.

Standards for Reconstruction

1. Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture, and such reconstruction is essential to the public understanding of the property.

2. Reconstruction of a landscape, building, structure, or object in its historic location will be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.

3. Reconstruction will include measures to preserve any remaining historic materials, features, and spatial relationships.

4. Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving historic property in materials, design, color, and texture.

5. A reconstruction will be clearly identified as a contemporary re-creation.
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6. Designs that were never executed historically will not be constructed.
Historic District Handbook

Guidelines for Residents and Commissioners

Town of Windsor, CT
Adopted September 2016
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What is the Historic District Commission?

The Historic District Commission was established in 1963 with the purpose of promoting “the educational, cultural, economic and general welfare of the Town of Windsor through the preservation and protection of buildings, places and districts of historic interest and to preserve and protect the many architectural phases of the oldest town in the State, which was settled in 1633.” The Historic District Commission is composed of five members and three alternates. The Historic District Commission reviews all exterior changes to buildings in the Historic District and issues Certificates of Appropriateness.

What is the Historic District?

The Historic District extends along Palisado Avenue from the Farmington River north to Bissell Ferry Road, along North Meadow Road from the Palisado Green to the Farmington River, and 500 feet from Palisado Avenue along Pierson Lane.

What is a Certificate of Appropriateness?

If you are planning exterior work to a building in the Historic District, a Certificate of Appropriateness may be required. A Certificate of Appropriateness must be issued by the Historic District Commission prior to beginning work.

A Certificate of Appropriateness is needed:
- If the alterations you propose involve a change of materials, design or texture and the alterations are visible from a public way.
- If you propose construction or demolition within the District.

A Certificate of Appropriateness is not needed:
- If you plan routine maintenance or repair that does not require any changes in material, design, or texture.
- If the proposed changes are not visible from a public way.
- If you are painting your house a different color.

Please refer to pages 37 through 40 for more information
How do I apply for a Certificate of Appropriateness?

1) Please visit the Planning Department webpage and print an application for a Certificate of Appropriateness, available here [http://www.townofwindsorct.com/planning](http://www.townofwindsorct.com/planning).

2) Complete the application and attach any supplemental information (site plan, pictures, material samples, etc.).

3) Submit the application and supporting documents to the Planning Department, located on the third floor in Town Hall. The application may be mailed, emailed, or delivered to Town Hall. There is no application fee.

4) Once the application is received, the Historic District Commission will schedule a public hearing. You will be notified of the hearing date.

5) At the hearing you or a representative will present the application and describe the project. The Commission will then determine whether or not to issue the Certificate of Appropriateness for the proposed work.

6) Once a Certificate of Appropriateness is issued, you can then apply for a Building Permit (if a permit is required for the work) through the Building Department. A Building Permit can not be issued until an application for a Certificate of Appropriateness is approved by the Commission.

What happens if I do work without obtaining a Certificate of Appropriateness?

If work is completed without a Certificate of Appropriateness, fines of not less than $10.00 nor more than $100.00 per day shall be imposed on any individual involved in the violation. Where the violation is found to be willful, the convicted person(s) shall be fined not less than $100.00 nor more than $250.00 per day that such violation continues. (Fines are current as of the effective date of this Handbook, 2016.)
Pages 27 - 29: The *Windsor Code* is the Town document that established the Windsor Historic District in compliance with the *Connecticut General Statutes*, as identified in the *Code*.

Page 23 - 24: Windsor’s Palisado Historic District was accepted on the listing of the *National Register of Historic Places* in 1987. Effective September 27, 1991, Windsor was granted status as a Certified Local Government. This status means that the Commission meets certain federal and state standards as determined by *The National Historic Preservation Act* and, through the State Historic Preservation Office, has made the Town eligible for federal and state expertise in historic preservation and possible grants.

**TO FIND CURRENT POLICIES AND PROCEDURES:**

Pages 29 - 40: In 1993, the Historic District Commission drafted and adopted bylaws. These expand and clarify certain aspects of earlier documents. *This is the document to which you should refer for current information about the Commission’s policies.*

Pages 43 - 44: As part of the 1993 bylaws, the Commission adopted the *Secretary of the Interior’s Standards for the Rehabilitation of Historic Buildings*. These are the guidelines that are summarized and explained as the *National Historic Register Guidelines*. Though you may receive a copy of the *Secretary of the Interior’s Standards*, this summary should answer most of your questions.

For further questions, it is suggested that you contact Windsor’s Planning Department:

Phone | 860.285.1980  
E-mail | planning@townofwindsorct.com

NOTE: Though a cooperating organization that is invested in preserving Windsor’s heritage, the Windsor Historical Society is a private organization operated for public benefit and is separate from the Historic District Commission. The Windsor Historical Society may be contacted by email info@windsorhistoricalsociety.com or phone (860) 688-3813 for more information. The Historic District Commission is a town-appointed commission responsible to the Windsor Town Council.
History of Windsor
Located in north central Connecticut, much of Windsor’s early development is attributed to its strategic location at the confluence of the Connecticut and Farmington Rivers. The rivers provided fish for sustenance and fertile soil for agriculture for early inhabitants; Native American people are known to have inhabited the region as early as 10,000 years ago. By the early 1600s, several tribes, including the Wampanoags, were known to inhabit the region, living nomadic lives as hunter/gatherers supplemented by subsistence farming.

**Colonial Settlement**

In 1614, Dutchman Adriaen Block sailed through Long Island Sound and up the Connecticut River, eventually leading to the establishment of a trading post and fort in Hartford in 1633. In that same year, a company from Plymouth Colony established a trading post at the strategic confluence of the Connecticut and Farmington Rivers. The resulting settlement gives rise to Windsor’s claim as the oldest town in Connecticut.

The 17th century was marked by agriculture and early industry in Windsor. The fertile alluvial soils found in the floodplains of both major rivers supported subsistence agriculture. As Windsor’s population increased, so did demand for additional farmland. Growth and abundant water power led to the construction of Connecticut’s first gristmill around 1639, followed by sawmills, textile mills, and tool shops. By 1641, the Bissell Ferry, which spanned the Connecticut River, gave Windsor a strategic edge. This vital river crossing connected the two roads used to travel between Hartford and Springfield.

By the mid-1700s, residents were involved in agricultural activities, brick-making, shipbuilding, and the production of “wooden ware” as well as other lumber products. The productivity of Windsor’s farmers helped make Connecticut a “breadbasket” of the Revolutionary War. By 1790, Windsor had grown to a community of about 2,700 residents.

Since the Connecticut River was not navigable much farther beyond Windsor, merchant ships trading with Europe and the West Indies made Windsor an important trading center for tobacco, beef, lumber, wooden utensils, bricks, grain and cotton products. This changed after the first stone bridge was built in Hartford in 1810, effectively blocking up-river passage.

While agriculture was still the major economic activity in Windsor, other activities were also significant. Brick-making was a major industry and over one-fourth of the bricks used in Connecticut by 1845 were made in Windsor. Mills located in the Poquonock area (powered by the Farmington River) produced paper and cotton products.
Establishment of Other Communities

Like other early communities in Connecticut, Windsor originally encompassed a large geographic area, covering 16,000 acres and extending as far west as present day Litchfield and as far east as Coventry. Windsor proprietors (property owners) were granted land rights in other parts of Connecticut as well.

As Windsor’s population spread, the distances between homes, mills, meeting halls and churches became unmanageable for the transportation modes of the day. As a result, petitions were made to the General Assembly, creating 22 separate parishes, and later towns, out of the original Town of Windsor and the holdings of its proprietors.

Windsor’s Influence on Connecticut Municipalities

Community Evolution

The arrival of the railroad in 1844 coincided with the Industrial Revolution, a period of economic transformation in the country. Despite agriculture remaining the principal economic activity in town, Windsor saw significant change during this period. The Eddy Electric Company, a major national supplier of electroplating equipment after 1885, became the main industry in town and was eventually sold to the General Electric Company in 1910. The Windsor Canning Company, established in 1894, was well known for commercial canning of locally grown produce. The first Rainbow Dam was constructed in 1890 to harness the Farmington River for the production of electricity.
The introduction of trolley cars in 1895 marked the beginning of Windsor’s transformation into a suburban community as trolley routes connected Windsor to both Hartford and Springfield, allowing residents to work in Hartford and other surrounding towns. Between 1900 and 1940, Windsor’s population increased from about 3,600 people to about 10,000 people.

The first shade tent in New England was established in Poquonock in 1900, recreating the tropical growing conditions found in locations such as Sumatra that are ideal for shade leaf tobacco used for cigar wrappers. The Windsor Company, established in 1918 by John Luddy, produced tentcloth for shading tobacco and other plants. A Tobacco Experiment Station was established in 1921 at Bloomfield Avenue to experiment with refinements in growing shade leaf tobacco and by 1935 Windsor was the center of the shade tobacco industry in Connecticut.

**Post-War Suburbanization**

Windsor, like many towns, experienced a surge of post-World War II housing development as soldiers returned home to start families and purchase new homes and federal policies encouraged suburban single-family housing. The construction of Interstate 91 and the emergence of the automobile as the predominant form of transportation in the 1950s fueled suburban residential expansion and led to the establishment of the Day Hill Road industrial area.

Between 1950 and 1970, Windsor’s economy shifted from predominantly agricultural to industrial as companies such as the Taylor and Fenn Company, the Hartford Machine Screw Company, and Combustion Engineering swelled the number of manufacturing jobs in Windsor from 100 to roughly 5,400. Windsor’s population nearly doubled during this period, increasing from nearly 12,000 to over 22,500 residents.

**Lessons of History**

Throughout its history, Windsor has taken advantage of its strategic location, beginning with its settlement at the confluence of two major rivers through today with its easy access to Interstates 91 and 291 as well as Bradley International Airport. From its earliest start as a trading post, through transitions to agricultural, industrial and now service based economies, Windsor continues to maintain a diversified economy. These factors that have contributed to Windsor’s growth and prosperity, together with a diverse housing stock, an abundance of amenities, community character and overall quality of life, are expected to continue attracting future residential and commercial growth.
History of Windsor Historic District and Commission
The Windsor Historic District Commission wishes to provide information about the relationship of property owners in the Historic District to the Commission. This section describes the background of the District and explains the purposes and procedures of the Historic District Commission. In this way, the individual property owner can be assisted in any problems that relate to the District as a whole.

HISTORIC DISTRICT BACKGROUND

Windsor first began to study the feasibility of creating an historic district after the State Legislature passed Public Act No. 340, an *Act Concerning the Establishment of Historic Districts* in 1961. As the oldest town in the State, it seemed fitting to use all possible means to preserve existing historic features. The *Act* outlined procedures that were to be followed for the creation of an historic district. First, an historic district study committee was appointed by the Town Council to investigate and report “on the historic significance of the buildings, structures, features, places or surroundings to be included in a proposed historic district or districts”. A report of the study committee recommending the creation of an historic district was then made to the Connecticut Historical Commission and to Town authorities before a public hearing was held. Some residents of the area opposed the creation of an historic district in 1962 and it was not until the following year that more than 75% of the area’s residents approved the plan. In March of 1963, the Windsor Town Council passed an ordinance to create an Historic District and Commission. The Historic District extends along Palisado Avenue from the Farmington River north to Bissell Ferry Road, along North Meadow Road from the Palisado Green to the Farmington River, and 500 feet from Palisado Avenue along Pierson Lane. The Commission has authority only in the area so designated and has no control over the interior of a building or the appearance of any property not visible from the street line.

THE WINDSOR HISTORIC DISTRICT COMMISSION

The formal statement in the ordinance of the purpose of the Commission declares the intent of promoting “the educational, cultural, economic and general welfare of the Town of Windsor through the preservation and protection of buildings, places and districts of historic interest and to preserve and protect the many architectural phases of the oldest town in the State, which was settled in 1633”.

PROCEDURES FOR PROPERTY OWNERS

Written into the revised statutes of 1966 and the Town ordinance is the crux of the relationship between the property owner and the Historic District Commission. This part of
the Act reads as follows: “No building or structure shall be erected, altered, restored, moved or demolished within an historic district until after an application for a Certificate of Appropriateness as to exterior architectural features has been submitted to the Commission and approved by said Commission”. For the purposes of this section, exterior architectural features shall include such portion of the exterior of a structure as is open to view from a public street, way, or place.

The style, material, size, and location of outdoor advertising signs within an historic district shall also be under the control of the Commission. The provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure. The Commission does urge, however, that the paint used on any building be historically appropriate.

If any exterior change from existing conditions is desired, it is necessary to file an application for a Certificate of Appropriateness with the Planning Department at Town Hall. The Commission will subsequently hold a public hearing and notify the applicant of its decision. In accordance with the statutes, all hearings and all meetings of the Commission where decisions are made are open to the public. A proposed change that would be “incongruous with the historic or architectural aspects of the district” is the only legal basis on which an application may be denied.

GAINS FOR ALL PROPERTY OWNERS

The advantages to the Town of Windsor, as well as to the District itself, have been shown in the years since the Historic District Commission was created in 1963. As all citizens know, Windsor is the oldest town in the State, and all aspects of this heritage are valuable and should be maintained. The attempt to retain an important area(s) through a duly-appointed town commission guarantees the interest and rights of all. Historic pride in the Town, pride of ownership in the homes of the District, pride of contributing to the maintenance of our country’s heritage – all of these factors are combined in the Commission’s deliberations. The results have been the stability of property values, increased awareness by residents of the historic importance of the area, and in short, the preservation of an area with distinction and one that fulfills an important cultural and historic purpose.

DISTINGUISHED FEATURES OF THE HISTORIC DISTRICT

The entire area within the Palisado Historic District is connected with the earliest origins of the Town of Windsor. Palisado Avenue, comprising the majority of the District, derives its name from the palisado that the inhabitants built in the center of their small settlement north of the Little River (now known as the Farmington River) to protect them from the Native
Americans during the Pequot War in 1637. As the town developed, the open land in the middle of the surrounding houses thus became known as the Palisado Green.

Also in this area, the community’s first church (now called The First Church in Windsor, located at 107 Palisado) was erected in 1639. The site of the church was later changed to its present location and the building now in use was erected in 1794. Behind this church to the west is the colonial burying ground that contains some of the oldest gravestones in Connecticut. Reverend Ephraim Huit’s distinctive 1644 tombstone with its quaint epitaph is considered the oldest such monument in the State.

Around the Palisado Green are several houses that illustrate the varied architectural styles from different periods of the Town’s growth. Buildings within the Historic District open for public tours are the circa 1758 Strong-Howard House (96 Palisado Avenue) and the 1767 Dr. Hezekiah Chaffee House (108 Palisado Avenue), maintained as house museums by the Windsor Historical Society. The Oliver Ellsworth Homestead (778 Palisado Avenue), property of the Daughters of the American Revolution and home of one of Windsor’s most distinguished citizens, is also open to the public, although it is a short distance north of the Historic District.

Around the Palisado Green and on North Meadow Road are several 18th century clapboard houses, generally featuring large colonial chimneys and fireplaces. The First Church parsonage (101 Palisado Avenue), the Hooker House where the poet Edward Rowland Sill was born (118 Palisado Avenue), and the Hayden House with its double-hipped roof (5 North Meadow Road), are all excellent examples of 18th century architecture.

An outstanding example of the substantial brick house with gambrel roof, which denoted a refinement in building during the latter part of the 18th century, is the Chaffee House that faces the Palisado Green on the east (108 Palisado Avenue). This house and the adjacent Hooker House symbolize Windsor’s prosperity and maritime importance during the Revolutionary period and shortly thereafter when Windsor experienced an extensive sea trade.

To the north on Palisado Avenue are several other houses that are distinguished examples of mid-18th century architecture and construction. Among these are a house built by Alexander Ellsworth in 1740 with a noticeable roof overhang and excellent interior paneling (273 Palisado Avenue), the Horace Hooker House constructed circa 1790 (204 Palisado Avenue), and two houses built by Elijah Mather (248 and 256 Palisado Avenue). Two other houses in this general area are exceptional in their historical and architectural significance. The house built by Dr. Elisha Sill circa 1800 (209 Palisado Avenue) has been studied at the Yale School of Architecture for its fine detail, as it represents the fullest development of the gable end with two large chimneys, one of which was unfortunately later removed.
Historically, the house has great significance because it was used as the Town Office before the first Town Hall was built in 1878. The other house (336 Palisado Avenue), one of the most attractive in the Historic District, has a double-hipped roof with balustrade, quoins accenting the corners, and a distinctive restored front entrance with a broken scroll pediment. Another historically important home is 299 Palisado Avenue, which was the summer home of Joseph Rainey, the first African American member of the U.S. House of Representatives.

Other types of houses with different architectural features abound in the District. Brick houses of the Federal and Victorian periods, their wood-framed counterparts, and 20th century dwellings all coexist on Palisado Avenue. There are eighteen buildings in the district that predate 1800.

In addition to these structures, other valuable reminders of Windsor's history can be found. Distinctive among these is a memorial to the early settlers in the center of the Palisado Green, a monument designed by Evelyn Longman Batchelder, which carries the names of these pioneers and the dedication:

To the Founders of Windsor and First Congregational Church in Connecticut, which came to America in the Mary and John with its pastor John Warham, May 30, 1630, settled in Dorchester, Massachusetts and migrated to Windsor in May and October 1635. This memorial is erected on the site of the first church building in Connecticut.

The Historic District Commission is established to protect the valuable character of the District for the best interests of the Town and the area's residents. The Historic District Commission's goal is to preserve the historical importance inherent in this section and it is proud to have this responsibility and opportunity for service.

The Commission wishes to express its appreciation of the work in preserving the history of Windsor done by the late Lloyd W. Fowles, who prepared this portion of the report while he was a member of the Windsor Historic District Commission.
Map of Historic District
National Register Designation

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On August 25, 1987, the Palisado Avenue Historic District was listed on the National Register of Historic Places. The National Register is the official listing of the nation’s cultural resources kept by the National Park Service under the Department of the Interior. The District was given this honor because it meets criteria for historic and architectural significance. The District is significant historically because the first English settlers in Windsor (and in the Connecticut Valley) lived on either side of the Farmington River along Palisado Avenue, and the Palisado Green remained the center of the town’s civic and ecclesiastic affairs until the 1750s. The Palisado Avenue Historic District is also significant because it embodies the distinctive characteristics of architectural styles from the early 18th century through the early 20th century. The buildings include examples of several architectural styles: 18th Century Vernacular, Georgian, Federal, Greek Revival, Italianate, Second Empire, Victorian Vernacular, Queen Anne, Tudor Revival, and Colonial Revival. The architecture is distinctive for the high concentration (for Connecticut) of brick construction from the 18th and 19th centuries.

THE NATIONAL REGISTER DOES

1) Identify significant buildings, structures, sites, objects, and districts.
2) Encourage the preservation of historic properties by documenting their significance and by lending support to local preservation activities.
3) Enable federal, state, and local agencies to consider historic properties in the early stages of planning projects.
4) Provide for review of federally funded, licensed, or sponsored projects which may affect historic properties.
5) Make qualified owners of historic properties eligible for federal and state grants for preservation activities.
6) Encourage the rehabilitation of income producing historic properties through tax incentives.
7) Provide eligibility for the CT Historic Homes Rehabilitation Tax Credit program for owner-occupied historic homes in targeted urban areas.
8) Provide protection from unreasonable destruction, pursuant to the provisions of Connecticut General Statutes, Section 22a-19a.
9) Allow consideration of fire and life safety code compliance alternatives when rehabilitating historic buildings.

1 The boundaries of the National Register district, extending to include the Palisado Bridge, are slightly larger than the local Historic District. Both the local Historic District and the National Register district are listed on the State Register of Historic Places.
THE NATIONAL REGISTER DOES NOT

1) Restrict the rights of private property owners in the use, development, or sale of private historic property.
2) Require that properties be maintained, repaired, or restored.
3) Automatically lead to historic district zoning or landmark designation.
4) Force federal, state, local or private projects to be stopped.
5) Provide for review of state, local or privately funded projects which may affect historic properties.
6) Guarantee that grant funds will be available for all significant historic properties or projects.
7) Provide federal tax credits to owners of residential historic properties, unless those properties are rental and treated as income-producing by the IRS.
8) Provide a marker plaque for registered properties (owners may purchase a plaque from the SHPO).
Sec. 14-50. Establishment of district and commission.

Pursuant to the enabling authority contained in sections 7-147a and 7-147c, the General Statutes, there is hereby established:

1) A historic district within the town, and
2) A Historic District commission of five (5) members and three (3) alternates, who shall be electors of the town, and at least three (3) members of said commission and at least two (2) of the alternates to be residents of the so-called historic district, or historic districts, who shall be empowered to perform all the functions appointed to them by sections 7-147a through 7-147k of the General Statutes.

(Code 1961, § 13.17.01; Ord. of 3-13-63)

Sec. 14-51. Purpose.

It is the intent of this article to promote the educational, cultural, economic and general welfare of the Town through the preservation and protection of buildings, places and districts of historic interest within the Town, and to preserve and protect the many architectural phases of the oldest Town in the state, which was settled in 1633. (Code 1961, § 13.17.02; Ord. of 3-13-63)

Sec. 14-52. Historic District Commission members and officers.

The initial appointments of members of the Commission and alternate members shall be made by the Town Council in such manner that the term of at least one member shall expire on the second Monday of October of each year. Prior to November first of each year the Commission shall elect from its own number a chairperson, vice chairperson and clerk. (Code 1961, § 13.17.08; Ord. of 3-13-63)

Sec. 14-53. Administration.

The Historic District Commission shall administer the provisions of said statutes as implemented by this article within the limits of the appropriation made by Town Council. The clerical, technical and consulting services necessary to the work of the Commission shall be provided by Building Inspector’s office or such departments as the Town Manager may designate. (Code 1961, § 13.17.03; Ord. of 3-13-63)
Sec. 14-54. Rules, regulations, orders.

The Commission may adopt rules of procedure, regulations and orders which it deems necessary to carry out the intent of said statutes and the intent expressed in this article. (Code 1961, § 13.17.04; Ord. of 3-13-63)

Sec. 14-55. Effect on land use regulations.

All powers of the Town Planning and Zoning Commission and the Town Zoning Board of Appeals having to do with the use of land within the historic district shall not be impaired by this article. (Code 1961, § 13.17.05; Ord. of 3-13-63)

Sec. 14-56. District boundaries and name.

The boundaries of the historic district shall be as follows:

A strip of land, 250 feet wide on either side of Palisado Avenue, starting at Bissell Ferry Road, and running south along said Avenue to the Farmington River, together with a strip of land up to 250 feet wide on either side of North Meadow or Great Meadow Road from Palisado Green to the Farmington River and a strip of land 250 wide on either side of Pierson Lane for a distance of 500 feet from Palisado Avenue, which shall be designated as the Palisado Historic District. (Code 1961, § 13.17.07; Ord. of 3-13-63)

Sec. 14-57. Plan.

The Commission shall prepare a plan of appropriateness and protection for the historic district as a standard by which to determine the appropriateness of historic architectural features of any new building or of any modification of existing building within the district.

The plan shall include a list of paints, construction materials and architectural arrangements considered appropriate for the district, such list to be illustrative, but not necessarily comprehensive or extensive and to serve as a general guide for the information of persons contemplating work involving historic architectural features within the district. (Code 1961, § 13.17.09; Ord. of 3-13-63)


All work on any type of structure which would change the appearance of any property within the historic district when viewed from the street line shall not be begun until the property owner has filed an application with the Building Inspector and has received a certificate of appropriateness from Historic District Commission. No certificate of appropriateness need be obtained for ordinary maintenance and repair of structures within the historic district,
which do not involve change of design, material, or outward appearance thereof. For the purposes of this article, the Building Inspector shall require the applicant to provide such information on those forms devised by the Historic District Commission as may be adopted or modified from time to time by the Commission. Prior to considering each application for a certificate of appropriateness, the Commission shall set a date for a public hearing to be held within forty-five (45) days of receipt of the application. Notice of the time and place of said hearing shall be given by publication in the form of a legal advertisement appearing in a newspaper having substantial circulation in the municipality at least seven (7) days before such hearing.\(^2\) Within sixty (60) days of filing of an application, the Commission shall pass upon such application and shall give written notice of its decision to the applicant. Failure to act within the sixty (60) days shall constitute approval of the application. All hearings and meetings of the Commission at which decisions are made shall be open to the public. (Code 1961, § 13.17.06; Ord. of 3-13-63)

### RULES AND PROCEDURES, ADOPTED OCTOBER 12, 1993

The Commission will operate in accordance with Connecticut General Statutes Sections 7-147a-k inclusive, and the Town of Windsor’s enabling ordinance, dated April 10, 1963, both as may be amended from time to time.

1. The boundaries of the District are a strip of land, 250 feet wide on either side of Palisado Avenue, starting at Bissell Ferry Road and running south along said avenue to the Farmington River, together with a strip of land up to 250 feet wide on either side of North Meadow or Great Meadow Road from the Palisado Green to the Farmington River and a strip of land 250 feet wide on either side of Pierson Lane for a distance of 500 feet from Palisado Avenue, all of which shall be designated as the Palisado Historic District. These boundaries are shown on a map entitled “Palisado Historic District” and dated February 27, 1964, which is on file with the Town Clerk and the Planning Department.

2. The following definitions are to be used in these regulations:
   a. altered – changed, modified, rebuilt, removed, demolished, restored, razed, moved, or reconstructed;
   b. appropriate – not incongruous with those aspects of the District that the Commission determines to be historically or architecturally significant;
   c. building – any combination of materials forming a shelter for persons, animals, or property;

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\(^2\) Public hearing notices are published in the Hartford Courant. All applications are posted on the Planning Department webpage and are available in the Planning Department for review.
d. erected – constructed, built, installed, or enlarged;  
e. exterior architectural features – such portion of the exterior of a structure or building as is open to view from a public street, way, or place;  
f. structure – any combination of materials, other than a building, which is affixed to the land and shall include, but not be limited to signs, fences, and walls.

3. No building or structure shall be erected or altered within the District until after an application for a Certificate of Appropriateness as to exterior architectural features has been submitted to, and approved by, the Commission. A Certificate of Appropriateness shall be required whether or not a building permit is required.

**ORGANIZATION OF THE COMMISSION**

**COMMISSION MEMBERSHIP**

The Commission shall consist of five (5) regular members and three (3) alternate members, all of whom shall be residents of the Town and holding no salaried Town office. At least three (3) of the regular members and at least two (2) alternate members shall be residents of the Historic District(s). The members of the Commission shall be appointed by the Town Council. Regular members shall be appointed so that the term of one member shall expire each year. The Town Council shall appoint regular members to terms of five (5) years and alternate members to terms of two (2) years, except that an appointment to fill a vacancy shall be for the duration of the unexpired term of a regular or alternate member. All members shall serve without compensation.

**OFFICERS AND DUTIES**

At the annual January meeting, the Commission shall elect a Chairperson, Vice Chairperson, and a Clerk from its membership.

1) Chairperson
   a) The Chairperson shall preside at all meetings and hearings of the Commission;  
   b) Shall appoint alternates to fill a vacancy caused by the absence of a regular Commission member at a meeting;  
   c) Shall appoint committees;  
   d) Shall appoint a Clerk pro tem in the absence of the elected Clerk;  
   e) Shall file with the State Historic Preservation Office and the Windsor Town Clerk any publication of the Historic District Commission; the roster of the Commission’s membership; and an annual report summarizing the Commission’s
actions during that year, including a statement of the number and nature of Certificates of Appropriateness issued, any changes in the Commission’s membership, and any other information the Commission deems appropriate; and

f) Shall be an ex officio member of all committees.

2) Vice Chairperson
   
a) The Vice Chairperson shall act for the Chairperson in his/her absence and shall have the authority to perform duties prescribed for that office.

3) Clerk
   
a) The clerk (or a secretary under the supervision of the Clerk) shall keep the minutes and records of the Commission;
   
b) Shall provide notice of all meetings to all Commission members;
   
c) Shall arrange proper and legal Public Hearing advertisements;
   
d) Shall attend to the correspondence of the Commission; and
   
e) Shall perform other duties as are normally carried out by a Clerk.

4) Alternates
   
a) Alternates to the regular Commission shall be appointed on as close to a rotating basis as possible so that they shall act as nearly an equal number of times as possible.
   
b) Alternate members shall, when seated, have all powers and duties of a regular member of the Commission.
   
c) Alternates may serve on any committee.

5) In the absence of the Chairperson and Vice Chairperson, the Commissioners present shall elect a Chairperson pro tem.

COMMITTEES

Committees shall be appointed and dissolved as needs and projects require.
MEETINGS AND PUBLIC HEARINGS

MEETING SCHEDULES

1) The annual meeting for election of officers and regular changes in Commissioners’ terms shall take place in January.

2) All other meetings shall be held on an as-needed basis and shall be deemed to be Special Meetings. Meeting notices shall be posted in the Town Clerk’s Office at least twenty-four (24) hours prior to the meeting’s commencement and shall state the time, place, and business to be transacted. No other business other than that posted in the notice shall be considered at special meetings.

3) Emergency meetings may dispense with the notice requirements, but minutes explaining the nature of the emergency and the business transacted shall be filed in the Town Clerk’s Office within seventy-two (72) hours of the meeting’s adjournment.

CONDUCT OF MEETINGS

1) Quorum shall consist of three (3) regular members of the Commission or their designated alternates for the transaction of all business either at meetings or public hearings.

2) No resolution or vote, except a vote to adjourn or to fix the time and place of the Commission’s next meeting, shall be adopted by fewer than three (3) affirmative votes.

3) Order of Business
   a. Attendance and Appointment of Alternates, if necessary.
   b. Public Hearings for Certificate of Appropriateness, if applicable.
   c. Reading and Approval of Minutes of Preceding Meeting.
   d. Public Communications & Petitions, if applicable.
e. New Business
f. Old Business
g. Report of Committees
h. Adjournment

PUBLIC HEARINGS

1) Frequency
   a. Public Hearings shall be held within forty-five (45) days of receipt of an application for a Certificate of Appropriateness.
   b. Public Hearings shall be held at the discretion of the Commission when significant questions or concerns arise relating to the administration of the District or to adopt and revise the Rules and Procedures of the Commission.

2) Legal Notices & Agendas
   a. Legal notices shall appear in a newspaper having substantial circulation in the Town of Windsor. Publication will occur once between the 5th and 7th day prior to the Public Hearing.
   b. The legal notice shall contain the purpose as well as the time, date, and place of any public hearing.
   c. Notice of public hearings may be mailed to abutting landowners.

3) Conduct of Public Hearings concerning Certificates of Appropriateness
   a. Any individual may appear in person, by agent or attorney, or by written communication.
   b. Applications are heard in the order in which they are received by the Planning Department and as shown on the Agenda.
   c. In order to maintain procedural order and promote fairness, the Windsor Historic District Commission’s Procedures for a Public Hearing concerning a Certificate of Appropriateness shall be followed.

4) Evidence at Hearings
   a. A recording device shall record the proceedings for each application in addition to the minutes taken by the Clerk.
   b. Attachments to each application will be recorded by the Clerk as exhibits in numerical order. Additional material presented during the Public Hearing will be recorded in like manner.
NOTICE OF DECISION

Within sixty (60) days after the filing of any application for a Certificate of Appropriateness, the Commission shall render a decision and shall give written notice of its decision to the applicant by mail. When a Certificate of Appropriateness is denied, the Commission shall place upon its records and in the notice to the applicant the reasons for its determination, which shall include the basis for its conclusion that the proposed activity would not be appropriate. In the notice to the applicant, the Commission may make recommendations relative to design, arrangement, texture, material, and similar features. The Commission may issue a Certificate of Appropriateness with stipulations. Evidence of approval, as referred to in General Statutes Section 7-147d, shall be by Certificate of Appropriateness issued by the Commission. Failure of the Commission to act within said sixty (60) days shall constitute approval and no other evidence of approval shall be needed. The notice of the Commission's action shall be mailed to the applicant within forty-eight (48) hours of the rendering of the Commission’s decision, exclusive of Saturdays, Sundays, and legal holidays. If the Commission approves an application, a Certificate of Appropriateness shall be issued. Certificates shall be valid for one year. Extension of a six-month period may be granted upon request.

APPEALS OF DECISION

Any person or persons severally or jointly aggrieved by any decision of the Commission or of any officer thereof may, within fifteen (15) days from the date when such decision was rendered, take an appeal to the Superior Court for the Judicial District of Hartford/New Britain in accordance with General Statutes Section 7-147i. Notice of such appeal shall be given by leaving a true and attested copy with the Town Clerk within twelve (12) days prior to the return date to which such appeal has been taken.

PROCEDURES FOR A PUBLIC HEARING CONCERNING A CERTIFICATE OF APPROPRIATENESS

1) Call to order.

2) The roll call will be read by the Clerk.

3) The Clerk shall read the Notice of Public Hearing from the legal notices.
4) The Clerk shall read the rules for speaking:
   a) Only one person may speak at a time.
   b) Person must be recognized by the Chairperson before he/she may speak.
   c) Even Commissioners must be recognized by the Chairperson in order to speak or question other speakers.
   d) Each speaker other than a Commissioner shall identify him/herself by name and address.
   e) If the speaker is an expert or consultant, he/she must give his/her credentials as they apply to the application at hand.

5) The applicant and his/her expert consultants shall give a detailed description of the application as well as present any supporting evidence such as blueprint drawings, specifications as to materials, etc.

6) Upon completion of the presentation, the Commission shall have the opportunity to question the applicant and his/her consultants.

7) The Chairperson will ask for supporting testimony or comments of interested parties.

8) The Commission shall then have the opportunity to question those in support of the application.

9) After hearing supporting comments, the Chairperson will ask for comments by those in opposition to the application.

10) The Commission will then have the opportunity to question those in opposition to the application.

11) Applicant (or his/her agent) may briefly rebut objections raised.

12) Those wishing to speak neither in favor nor in opposition to the application may briefly comment if they have anything new to offer.

13) Determination is made by the Commission if the Hearing is to be closed, continued, or tabled.

**ADMINISTRATIVE PROCEDURES**

**AGENDA**

1) The Chairperson shall be responsible for the compilation of the agenda.
2) The agenda and relevant resource material shall be distributed to Commissioners and applicant(s) no fewer than five (5) days prior to a regular or special meeting.

3) A copy of the agenda shall be filed in the Town Clerk’s Office, posted on the Commission Notice Board, and posted online at least twenty-four (24) hours prior to the meeting.

4) The Commission may discuss items not listed on the agenda of a regular meeting upon the affirmative vote of at least two thirds of those member present.

5) Any person who is not a regular, alternate, or non-voting member of the Commission may have a matter placed upon the agenda of a regular meeting after filing a request with the Chairperson at least seven (7) days before the date of such a meeting.

MINUTES

1) Minutes of meetings of the Commission shall be taken by the Clerk or by any other person designated by the Chairperson.

2) Minutes and the records of the vote of each member will be available in the office of the Town Clerk for public inspection within the time period prescribed by the Freedom of Information Act.

3) Typed copies of the minutes will be sent to each Commissioner within ten (10) days after the meeting also with the next meeting’s agenda.

4) The Clerk has the option to use a tape recorder to assist in accuracy. Tapes shall be kept on file until minutes are approved.

5) The Commission shall keep a permanent record of its resolutions, transactions and determinations, and of the vote of each member participating therein. These records shall be maintained by the Clerk of the Commission in the office of the Town Chief Building Official, in addition to any records already on file with the Town Clerk.

REGULATION ENFORCEMENT

1) The Historic District Enforcement Officer will be the Town Chief Building Official.

2) The Commission will take action to prevent the violation of any Rule or Procedure contained therein, or any Section of the applicable Connecticut State Statutes specifically Section 7-147h.
3) Fines of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) per day shall be imposed on any individual involved in the violation. Where the violation is found to be willful, the convicted person(s) thereof shall be fined not less than one hundred dollars ($100.00) nor more than two hundred fifty dollars ($250.00) for each day that such violation continues.

CONFLICT OF INTEREST

All members shall conduct their activities in accordance with the provisions of Article IV, Code of Ethics, Sec. 2-20 through 2-32 of the Town of Windsor Ordinances.

AMENDMENTS AND REVISIONS

Amendments and revisions to these Rules and Procedures will be sent in writing to each regular member and alternate at least ten (10) days in advance of the meeting at which it is proposed that they be considered.

A majority vote of the Commission is required to adopt any revision or amendment.

CERTIFICATE OF APPROPRIATENESS

The Windsor Historic District Commission will hear and determine applications for a Certificate of Appropriateness in accordance with the provisions of the Connecticut General Statutes, Section 7-147a-k inclusive, as the same may be amended from time to time.

APPLICATION PROCEDURES

Applications for a Certificate of Appropriateness may be obtained from the Planning Department or online here http://www.townofwindsorct.com/planning/. Applications should be accompanied by drawings and photographs showing existing conditions and the nature of the work to be performed as well as a list of materials to be used. The Commission may request such plans, elevations, photographs, specifications, materials, and other information, including in the case of demolition or removal, a statement of the proposed condition and appearance of property after such demolition or removal, as may be reasonably deemed
necessary by the Commission to enable it to make a determination. With respect to signs, the applicant should state the style, materials, size, and location(s).

The completed application must be returned to the Planning Department. It will then be time stamped with the date as having been filed and received by the Commission. Completed applications will be heard at the next scheduled meeting of the Commission, provided applications are received fifteen (15) days in advance of that meeting. Applications received after that date would be carried over to the next meeting. Please refer to Section III, D, “Public Hearings”, of this document for the Public Hearing procedure. Legal notice will also be sent to each applicant stating the date, time, and place of the Hearing for the application.

STANDARDS FOR DETERMINING APPROPRIATENESS

In passing on appropriateness as to exterior architectural features, buildings, or structures, the Commission shall consider, in addition to other pertinent factors, the type and style of exterior windows, doors, light fixtures, signs, aboveground utility structures, mechanical appurtenances, and the type and texture of building materials.

The Commission shall also consider, in addition to other pertinent factors, the historical and architectural value and significance, architectural style, scale, general design, arrangement, texture, and materials of the architectural features involved and the relationship thereof to the exterior architectural style and pertinent features of other buildings and structures in the immediate neighborhood.

The Commission has adopted as guidelines, the Secretary of the Interior’s Standards for Rehabilitation of Historic Buildings.

Parking Areas: No area within the Historic District shall be used for industrial, commercial, business, home industry, or occupational parking, whether or not such area is zoned for such use, until after an application for a Certificate of Appropriateness has been applied for and granted. This shall also apply to the enlargement or alteration of existing lots.

The Commission shall consider the size of a parking area; the visibility of cars parked therein, the closeness of such area to adjacent buildings, and other similar factors.

Variations: Where, by reason of topographical conditions, District borderline situations, or because of other unusual circumstances solely with respect to a certain parcel of land not affecting generally the Historic District, the strict application of any provision of General Statutes Sections 7-147a-k inclusive, as the same may be amended from time to time, would result in exceptional practical difficulty or undue hardship upon the owner of any specific property, the Commission in passing upon applications shall have power to vary or modify strict adherence to said Sections or to interpret the meaning of said Sections so as to relieve
such difficulty or hardship; provided such variance, modification, or interpretation shall remain in harmony with the general purpose and intent of said Sections of the Statutes so that the general character of the District shall be conserved and substantial justice done. In granting variations, the Commission may impose such reasonable and additional stipulations and conditions as will, in its judgment, better fulfill the purposes of said Statutory Sections. In addition to the filing required by Section III, D-S, of these regulations, the Commission shall, for each variation granted, place upon its records and in the notice to the applicant the reasons for it determinations.

EXEMPTED ACTS

Nothing in these Rules and Procedures shall:

1) Be construed to extend to the color of paint used on the exterior of any building or structure;

2) Prevent the ordinary maintenance or repair of any exterior architectural feature in the District, which does not involve a change in the appearance, or design thereof;

3) Prevent the erection or alteration of any such feature which the Chief Building Inspector or a similar agent certifies is required due to public safety concerns; or

4) Prevent the erection or alteration of any such feature under a permit issued by a Building Inspector or similar agent prior to the effective date of the establishment of the District.

WHEN A CERTIFICATE OF APPROPRIATENESS IS REQUIRED

No building or structure shall be erected, altered, demolished, or removed within the district until an application for a Certificate of Appropriateness as to exterior architectural features has been submitted to, and approved by the Commission. A Certificate of Appropriateness shall be required for all changes that are visible from a public way, regardless of whether or not a building permit is required. For a sample application form for a Certificate of Appropriateness, please see the Appendix. Applications are also available on the Planning Department webpage. Reviewable actions by property owners include, but are not limited to:

- Masonry replacement and repointing.
- Extensive or total replacement of any siding and roofing materials.
• Any visible temporary or permanent additions to the dwelling, accessory building or site, whether structural or technological. This includes signs, TV antennas, solar panels, fences, pools, decks, outbuildings, and outdoor lighting fixtures.
• Any construction, alteration or enlargement to driveways or parking areas, walkways, walls and patios.
• The methods and reasons for total paint removal.
• Any partial or entire window, storm windows, doors, and storm door modification, or replacement, except *exact* replacement.
• The addition, removal or replacement of window shutters.
• The addition, removal or replacement of any architectural detail or ornament as defined in the Guidelines.
• Outdoor signs and bill posters. Please see page 62 – 63 for signage guidelines.
• When a building permit is issued, you need a Certificate of Appropriateness first. The Building Official will require the Commission’s approval before issuing a permit.

For information on filing for a Certificate of Appropriateness, turn to the Rules and Procedures section (page 29). The Commission may also provide information to property owners, suggest legislation, initiate planning and zoning proposals, cooperate with other groups interested in preservation, render advice on landscaping and street improvements, and consult with experts.

**WHEN A CERTIFICATE OF APPROPRIATENESS IS NOT REQUIRED**

You do not need a Certificate of Appropriateness when you do routine maintenance, which does not involve a change in materials, design, or texture. The Commission is concerned only if changes will be “open to view from a public street, way or place”; therefore all interior and many exterior changes to the rear of buildings are exempt. Examples when a Certificate of Appropriateness is not required includes:

• Fixing a fallen fence.
• Patching driveways.
• Repairing loose shingles.
• Reshingling with like shingles.
• Putting up and taking down screens, storm windows, etc.

When in doubt as to whether any planned work on a structure or site in the Historic District requires application for a Certificate of Appropriateness, please bring questions to the Planning Department in the Town Hall or to a Historic District Commissioner. Please visit [http://www.townofwindsorct.com/commissions/members.php](http://www.townofwindsorct.com/commissions/members.php) for a list of current Commissioners.
Design Guidelines
DESIGN GUIDELINES

Windsor’s Historic District Commission is responsible for protecting and preserving the character and integrity of its historic district. The Commission determines the appropriateness of any proposed exterior alteration, erection, or demolition visible from a public road, way or place.

The following guidelines will be used by the Historic District Commission to assist in its decisions and will be useful to anyone who is considering work which alters the historic architectural features. Because of the often individual and sometimes unique aspects of any given proposal, the Historic District Commission ultimately must make a determination as to appropriateness based on its best judgment as to a proposal’s appropriateness within the characteristic setting and building traditions of the Historic District.

The guidelines are divided into sections dealing with a variety of architectural elements such as windows, entrances and porches, roofs, etc. Each section is further divided into sections covering general background, maintenance/repair, replacement, and new construction. Generally, maintenance and repairs do not require a Certificate of Appropriateness when new materials are the same as those being repaired, but information is included about appropriate maintenance and repairs to assist homeowners when working on their home. Work involving replacement or new construction will generally require a Certificate of Appropriateness. The guidelines provide alternatives to assist the homeowner in making decisions concerning some options to be considered or avoided in building or restoration. While the guidelines do not cover every situation or condition which may arise in the Historic District, informational material can be found through the References and Resources section, through the Commission, and through the Windsor Historical Society.

Slight changes may not affect a building’s character and integrity; however, it is the position of the Commission that even small changes over the years can radically alter the appearance of a building. Therefore, the Commission attempts to be sensitive both to the contemporary needs of homeowners and to the historic significance of the Historic District as a whole.

SECRETARY OF THE INTERIOR’S STANDARDS FOR REHABILITATION

The Secretary of the Interior's Standards for Rehabilitation set forth the principles and purposes of historic preservation and provide a good introduction to the more specific guidelines, which follow them. Copies of the Standards for Rehabilitation are available in the Building Department in the Town Hall and are summarized as follows:
1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities, and where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
ORIGINAL CA. 1700-1780 GEORGIAN PERIOD STYLING

Character-Defining Features
- Small panes, usually 9/9, 12/12 or 12/8, 9/6 or the reverse.
- Windows aligned vertically and horizontally in symmetrical rows, five-ranked on front façade.
- Decorative dentil moldings.
- Paneled door, decorative pilasters, crown, rows of “lights” within door or transom above.
- Side-gabled roof predominates over occasional gambrel, hipped or center-gabled roof.
- Central chimneys, occasional paired interior chimneys.

Inappropriate Modifications
- Stylistic alterations to original materials or design, e.g. removal of first story windows with modern replacements.
- Modern door with glass panes.
- Covering of original clapboard with artificial siding.

More Appropriate Modifications
- Additions which blend in size and proportion. This requires some research to discover what other styles of architecture might have been contemporary with your house.
Character-Defining Features

- Hipped roof.
- Prominent two chimneys.
- Corner boards.
- 6/6 or 12/12 panes.
- Floating sidelights.
- Brick or wood construction.

Inappropriate Modifications

- Replacement of original window sash with various modern window types (all inappropriate).
- Removal and replacement of entry details.
- Siding replacement (first-story original horizontal clapboards removed and replaced by vertically grooved Texture 111 exterior plywood panels).

More Appropriate Modifications

- Restoration of original wood siding.
- Additions that maintain mass and scale.
GREEK REVIVAL 1825 – 1860

Character-Defining Features
- Entry is off-centered, allowing sufficient space for parlor and dining hall.
- Gabled roof typically low to medium in pitch with gable end facing the street.
- Windows typically 6/6.
- Porches common.
- Front door surrounded by narrow side lights.
- Columns, either actual or faux.

Inappropriate Modifications
- Windows of a different style and size.
- Addition overpowers the structure and disrupts balance.

More Appropriate Modifications
- Consideration for scale and proportion.
- Continuation of characters of the main block, such as consistent patterning of windows in the addition.
Character-Defining Features

- Two or three stories, typically asymmetrical.
- Tall, narrow windows frequently embellished with heavy crown molding or pediments.
- Porches common, centered or full width.
- Shallow or flat roof.

Inappropriate Modifications

- Removal of porch.
- Insertion of inappropriate features such as a picture window.

More Appropriate Modifications

- Restoration of original windows and porch.
Character-Defining Features

- Varying textures of siding: cut shingles, plain clapboard, flushboard, and molding.
- Asymmetrical massing.
- Often has a porch with turned and/or carved woodwork.
- Unique bracket and/or gingerbread under eaves.

Inappropriate Modifications

- Removal of original features, e.g. the porch.
- Creation of a uniform texture: in the siding, i.e. destruction of the original variety of textures.
- Additions which obscure the original asymmetrical design.

More Appropriate Modifications

- Restoration of brackets and features, which are obviously missing, as shown by marks on the building, old photographs or pieces possibly stored in the attic, cellar, or barn.
- Addition of authentic wood shutters.
- Painting of trim and different textures of siding in different colors; three to four harmonizing colors were standard treatment for this style.
1970’S SHINGLED CAPE

Character-Defining Features

- Single story.
- Low-pitched roof sloping toward street.
- Asymmetrical.

Inappropriate Modifications

- Addition dwarfs main house.
- Stylistic clash, for example a two story, ornate addition that does not blend with the traditional simplicity of the main house.

More Appropriate Modifications

- Similar lines, proportions.
- Similar detail.
- Rear facing dormer.
- Raising the roofline, not exceeding the original line.
EXTERIOR WALLS AND SIDING

BACKGROUND

Exterior walls and siding provide the building with an overall texture. The choice of materials and their relationships to each other help in defining the historic character of the building.

Wood clapboard is the most prevalent siding material within the Historic District. Other siding materials include wood shingle and brick.

Masonry is a very durable material and with proper care can last indefinitely. The major cause of deterioration is inappropriate cleaning and waterproofing which leads to water damage. Decay is usually found near the roof, at ground level, around mortar joints, or on any horizontal surface such as windowsills. Air pollution can also lead to masonry decay. Maintenance for masonry walls and foundations includes proper drainage systems and, when necessary, cleaning of the exterior surface. (See Preservation Briefs 1: The Cleaning and Waterproof Coating of Masonry Buildings for more detailed information.)

Wood siding is also a very durable material when properly maintained. Routine painting and caulking are usually the best preservatives: water, insects, fungi, and vegetation growing too close to its surface can all contribute to siding damage. Handcrafted detailing and finishing should be carefully preserved when maintenance and/or repairs take place.

Foundations within the historic district are predominately brick and stone.

MAINTENANCE AND REPAIR

Masonry repair normally consists of repointing and limited replacement. Both are rather technical procedures, which require research on the part of the homeowner. When repairing, try to match the original color, texture, size, and pattern of the existing mortar joints and masonry. Special care should be taken when repointing. Historic mortars are generally softer and use more lime than Portland Cement. Today's standard mortars can destroy historic masonry walls. (See Preservation Briefs 2: Repointing Mortar Joints in Historic Brick Buildings for additional information.)

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3 Preservation Briefs are available through the National Park Service. Please see References in the Appendix.
When wood decay is suspected, there are easy methods for detecting affected areas. Limited replacement or repair for decayed, warped, or missing siding pieces should be considered if they are no longer providing adequate weather protection. Try to match patching materials with existing siding in size, shape, texture, pattern, and color.

PAINT

Paint is used on both masonry and wood to provide protection, color, and articulation of details. When reapplication is needed, normally every five to eight years, cleaning, light scraping and hand sanding is generally sufficient and recommended. Different paint problems require different treatments. In most instances, total paint removal is not recommended or necessary, and if removed, a new coating should be reapplied to the exposed surface. There are several paint removal methods, some of which are not satisfactory for historic surfaces. Among the most destructive methods is sandblasting. Although it is a quick and easy way to remove paint, it is highly inappropriate for the Historic District, and alternative methods should be used. (See Preservation Briefs 6: Dangers of Abrasive Cleaning to Historic Buildings and Preservation Briefs 10: Exterior Paint Problems on Historic Woodwork.) It is important to be aware that some structures may have lead-based paint. Property owners should consult a certified lead abatement contractor (please see References in the Appendix).

REPLACEMENT

In Windsor, clapboards and weatherboards were the most common siding types in the 18th and 19th centuries. When replacing siding, the use of historically traditional building materials is strongly encouraged.

When considering any request for approval for a change in siding of an existing wood structure, the Commission will give more favorable consideration to a structure erected after 1940. For a structure erected before 1940 the Commission favors maintaining the original appearance and will consider favorably an application for a change in

Examples of Siding

Wood Shingle  Horizontal  Unique
Clapboard      Original Shingles

Basic Bonding Patterns

Running Bond
English Bond
Flemish Bond
siding only if extraordinary hardship is shown or if such change will give the structure a more authentic historic appearance.

While the Commission strongly favors the use of historically traditional building materials, the Commission may consider approving siding products that replicate the look of the original material in appearance and texture. For example, vinyl or cementitious siding may be considered in some cases provided the material duplicates the texture, relief and detail of wood. When such a material is installed, care should be taken to match width, spacing and direction of original siding, and to replicate or preserve surrounding architectural features such as windows and door trim, corner or sill boards, cornices, brackets, and/or eave details (see Preservation Briefs & Aluminum and Vinyl Siding on Historic Buildings for additional information). Furthermore, changes in siding materials between stories and/or gables reflect original stylistic intentions. Try to be sensitive to these effects when replacing original siding.

Changing the style of the siding, for instance from clapboard to brick, or shingle to clapboard, is considered inappropriate.

**ADDITIONS**

Any addition should be compatible in material to the existing structure. In some cases, synthetic siding may be permitted for additions (please see guidance above under ‘Replacement’).

**WINDOWS**

**BACKGROUND**

Window material, type, arrangement, details/ornamentation, and construction are an important part of the character and style of a building. Window evolution has been parallel to improvements in glass making and changes in building style. Consequently, a good fenestration study can help in dating a building. The earliest known window type in the Historic District is the 12-over-12 double-hung window. Other traditional windows include...
9-over-6 and 12-over-8 double hung. There are also more decorative and unusual styles, especially in houses of the 19th century. The window and all its parts should be considered together as a whole, and should therefore be preserved as such. Routine maintenance can help insure the building’s character and style, as well as thermal efficiency. Good reproductions are available.

**MAINTENANCE AND REPAIR**

A window can often be repaired through patching or replacing deteriorated parts. It is recommended that this alternative be studied and considered before replacing the entire window.

**REPLACEMENT**

While the Commission strongly encourages the repair and restoration of existing historical windows, if a window is beyond repair and must be replaced, the original features should be duplicated. Since most windows in the Historic District are of wood construction, it is recommended that the windows be replaced using the same material. If this is not possible, the Commission may consider the use of a substitute material, such as aluminum clad, vinyl, vinyl clad, or composite windows. The replacement window should match the color of other windows or surrounding elements and should match in dimensions, profile and overall appearance. When replacing a non-original window, all efforts should be made to obtain window types appropriate to the building’s style and period.

**ADDITIONS**

New windows can easily destroy a building’s integrity. The placement, type, and number of windows contribute and conform to both the original function and appearance of the building. Attempts should be made to place new windows on non-character-defining sides of the building, and try to conform to the building’s overall style, proportion, scale and materials.

**STORM WINDOWS**

Storm windows and screens can be both appropriate and energy efficient for historic buildings, and when present, should be retained. Storm windows combined with an original window may provide better thermal efficiency than a modern (double glazed) replacement. When choosing and installing a storm window or screen, attempts should be made not to cover window details, damage the frame, or visually impair the appearance, e.g. match color to trim. Muntins and trim should line up with original window.
SHUTTERS

Window shutters were not used until the end of the 18th century, though at this time many were added to older buildings. Their first function was to provide insulation and privacy, but have since been used as decorative features. Adding non-original shutters to historic homes is not recommended. If shutters are desired, they should be the traditional woodslat type capable of closing and covering the window completely, in line with their original historic function.

ENTRANCES AND PORCHES

Entrance Features

BACKGROUND

Entrances and porches can be the focal point of a building's façade. Together with their functional and decorative features such as doors, steps, balustrades, pilasters, and entablatures, they can be extremely important in defining the overall historic character of a structure. Furthermore, they can be the most individually expressive part of the building with many variations existing within each architectural style. Unfortunately, particularly for porches, they are also often the part of the house which undergoes the most change. This phenomenon is a result of faster deterioration due to greater exposure, stylistic trends, personal taste, or the inhabitant's special needs.

MAINTENANCE AND REPAIR

Most entrances and porches in older homes are constructed of wood, and, for reasons mentioned above, are more easily prone to deterioration, and need to be monitored in order to keep replacement and reinforcement to a minimum. Decorative woodwork gives the structure its unique character. When repairing, try to match new parts with existing features as best and accurately as possible.
REPLACEMENT

Replacement of doors and their features, such as transoms, fanlights, sidelights, pilasters, caps, panels, and hardware, should try to conform to the original building style, façade proportion, and material. It is sometimes possible to find used doors of the same period, and this may be a good solution if size or design is a problem. Certain woodworkers also specialize in period reproductions. Avoid removing the original features on an entrance without replacing them with visually compatible elements.

Porches did not come into use until the middle of the 19th century, and, like shutters, they were added to older homes. When replacing a porch, try to determine whether it is original or a later addition. If the porch is original to the house, it is an integral part of the total design, and its replacement should convey the same visual appearance. When adding a porch to a house which originally had one, photographic or physical documentation is particularly helpful. The Windsor Historical Society is one source for old photographs. A new porch which resembles the old in material, arrangement, scale and proportion may often be appropriate and even help restore the house’s original character and integrity.

If the porch is not original, consider restoring the house to its original condition, providing the building’s historical or architectural integrity is not lost. Be careful about removing an old porch from an even older house, as this construction may make an historical statement. Furthermore, a significant amount of the earlier material may have been removed or destroyed to construct the later addition.

ADDITIONS

Generally, the addition of new entrances or decks should be confined to the sides or back of a building, not visible from the public way.

Some houses have enclosed porches or porticoes in order to provide more interior space, greater privacy, or better thermal efficiency. Often these goals can be achieved in more appropriate and less visually disturbing ways, by using larger sheets of glass behind the
porch supports, rails and details, installing removable screens for seasonal use, and/or using weather stripping in existing windows and doors.

Storm doors are often very prominent features, which can distract from the original door. Avoid inappropriate detail, and try to choose a storm door which resembles the main door in proportion, color and material.

**ROOFS AND ROOFING**

**BACKGROUND**

The roof’s shape, particular features, material and color can be important in defining the building's external appearance and overall character. Along with this design role, the roof is essential for the preservation of the entire structure and should be maintained to provide a weather tight cover.

In this area, wood shingle has been the predominant roofing material since Colonial times. Slate tiles, forming colorful and decorative patterns, and metal were also used in the 19th century, while in the 20th century asphalt has become popular for both roofing and re-roofing, and is now the most prevalent roofing material in the district.

**REPLACEMENT**

Restoration/repair of original roofing materials is always encouraged. However when damage and/or wear is too extensive, or when limited repair is not possible, replacement work should consider first the roof’s original shapes, features, color and materials. Alternative material, such as asphalt shingle, is usually appropriate, except when the roofing material is highly decorative.

When roofing is installed on buildings within the Windsor Historic District, every effort should be made to have the material and color harmonize with the building and the architectural period which it represents. The Commission encourages the return to original roofing materials. Wood shingles or slate will be recommended for any building erected before 1910. If this causes a hardship to the applicant, other
roofing will be acceptable providing it resembles wooden or slate shingles and is appropriate for the architectural style of the house. There are various synthetic products that may simulate historic roof materials including an imitation slate made out of composite rubber, imitation wood shingles made out of cement fiber board, and various asphalt and bituminous products. The Commission may consider the use of these materials.

While the Commission encourages property owners to maintain or return to the original roofing material when replacing a roof, property owners are permitted to replace existing asphalt shingle roofs with asphalt shingles. If the color matches the existing roof and the type of shingle is to remain the same, the building owner does not need to apply for a Certificate of Appropriateness. If a property owner proposes to replace three tab asphalt shingles with architectural shingles, a Certificate of Appropriateness is not required provided the color is to remain the same.

If a property owner proposes a change in roofing material, the Commission will consider the proposal provided the material closely resembles what is appropriate to the period of the structure. For example tin roofing was popular in the United States in the late 19th century. Such roofs were commonly painted red or green to resemble the patina of copper. The Commission may also consider cedar and slate shingles if appropriate to the period of the building.

Efforts should be made to ensure roofs on any outbuilding are compatible to that of the main structure.

**ADDITIONS TO ROOFS**

Additions to roofs are generally discouraged, except when proper documentation reveals missing features. When adding new features consider placing them out of view from the public way, and avoid covering, removing, or distracting from the character-defining features or forms.

**Skylights**

Skylights are generally not encouraged. However, if proposed, low profile skylights are preferable and they should be placed at the rear of the house.

**Dormers**

New dormers may be appropriate provided they are compatible with the original style and period of the building.
Chimneys

Chimneys should be maintained in the original height, form, and design and all original decorative elements should be maintained. If a new chimney is proposed to be added to a building, it should match the existing chimney in style and material. Care should be taken to maintain massing and balance.

Gutters and downspouts

Gutters on buildings in the American colonies were typically constructed of wood consisting of two boards in a V-shape. Over time, improvements were made to wooden gutters and not only did they become more effective drainage components, but they became important architectural features. At the turn of the 19th century, half-round lead gutters and cylindrical lead downspouts were used on many buildings. The metal K-style gutter commonly seen today was not introduced until the 1950’s.

When replacing gutters and downspouts, replacements should not detract from the building’s composition, color or special details. A Certificate of Appropriateness is needed if a change in material for the replacement gutter is proposed or if removing original gutters from a building. A Certificate of Appropriateness is not needed if replacing gutters with the same style and color gutter.

ARCHITECTURAL ORNAMENTATION

Ornamentation

Rake
Cornice
Bracket
Corner Board

BACKGROUND

The earliest Colonial houses had little elaborate ornamentation, although simple hand carved cornice moldings were applied. By the end of the 18th century, these moldings had become more prominent and refined.

Later, by the end of the Civil War, and with the perfection of the band saw and turning techniques, many architectural styles became known for their prolific ornamentation.

Details and trim, such as cornices, rakes, brackets, columns, beaded joints, corner boards, entablatures, and balustrades, give each building its own special character and charm. The type and variety of ornament and decoration often help emphasize and define the building’s form, use and style. Original features, whether simple or elaborate, are integral
to and consistent with the building as a whole, and should be maintained and retained as such.

MAINTENANCE AND REPAIR

Since most details and decorative elements are commonly made from wood, their maintenance and repair is similar to any wood construction. Depending on whether the feature is structural or applied ornamentation, its repair may consist of refastening, reinforcement, piecing-in, patching, or limited replacement. Often, partially rotted wood may be preserved and reconditioned using contemporary materials such as epoxies, polyesters, and other synthetic resins.

REPLACEMENT

When it is necessary to replace a detail or decorative feature, closely examine the original, its parts, and how they are combined or constructed. If duplication of the original design is not possible, approximation or careful simplification, which conveys similar visual appearance, may be appropriate; any replacement should be compatible in size, scale, rhythm, and material. If the feature is too deteriorated to allow for proper examination, consider looking for similar features on another building. Avoid removing original details or decorative features without replacing them.

ADDITIONS

In most cases, it is appropriate, and encouraged, to add missing historic details and decorative features. Any additions should be appropriate to the style and period of the building.

Try to respect original ornamentation patterns using pictorial and historical evidence, and avoid creating a ‘false’ historical appearance. Additions should be compatible in size, scale, and material to both the building and its historical prototype.

NEW ADDITIONS

An attached exterior addition to an historic building expands its outer limits to create a new profile. Such expansion has the capability to radically change the historic appearance. If a new use cannot be met by altering non-character-defining interior spaces, then an attached exterior addition may be an acceptable alternative. New additions should be designed and constructed so that the character-defining features of the historic building are not radically changed, obscured, damaged, or destroyed in the process.

Furthermore the new addition should be compatible with the historic building in terms of mass, materials, proportion, location, scale, and relation of solids to voids.
NEW CONSTRUCTION

The statutory mandate of an historic district does not require reproduction or replication of historic styles, or strict adherence to any architectural style, provided a proposed structure is visually compatible with the area. After all, historic districts and properties are not museums, but places where people live and work. Virtually all districts contain a blend of styles from previous decades and centuries, and this process can and should be tastefully continued to include new styles.

Important considerations for totally new structures will include, among other criteria:

a) Qualities of the building form, including mass, scale, and roofing;
b) Qualities of the façade, including doors and windows, architectural styles, details of embellishment and roof material;
c) Relationship to immediate neighbors, including architectural compatibility and placement of buildings on the site;
d) Relationship to the Historic District as a whole, including materials, texture, projections (porches, ells, etc.) and color, other than color of paint; and
e) Environmental factors, including paving, fences, lighting fixtures, signs and relationship to open space.

New construction applications will require a hardline drawing to scale with a list of building materials. A second review of the finished product will be held prior to issuing a certificate of occupancy.

OUTBUILDINGS

Outbuildings found in the Historic District include garages, tool sheds, greenhouses and barns. Some of these are historically significant in their own right. For example, a number of barns reflect the history of Windsor as a farming community. Every effort should be made to maintain and repair these historic outbuildings in keeping with previous sections of these guidelines. The complete deterioration, which can result in loss of these structures, causes an even greater loss to the character of the Historic District. Consider rehabilitation or adaptive re-use options before demolishing a deteriorated historic building.

New construction, such as garages and tool sheds, should be compatible with the major building in material, scale, design, and location. If possible, try to locate these structures near the rear of the property and/or screened from public sight.
SITE

The relationship between an historic building or buildings and the site helps to define and often enhance the character of an historic property. The site’s features, such as outbuildings, fences, signs, exterior light fixtures, walkways, driveways, and vegetation can all contribute to, or detract from, the historic building.

LANDSCAPING

Under Connecticut State Statute, landscaping is not regulated in a historic district. For this reason, portions of a structure, which are screened from the public way by vegetation, will be considered as though vegetation did not exist when an application is being considered.

FENCES AND WALLS

Existing walls and fences should be preserved whenever possible; restoration is always preferred to replacement. If replacement is needed, new fences and walls should be compatible with the building’s style and character. Fences compatible with rural lifestyle, such as livestock fencing, are also considered appropriate. Fences and walls within the Historic District include simple wooden fences, picket fences, stone walls, and stone posts with wooden fence rails. The Commission may consider alternative materials for fence replacement, provided the fence resembles historic design. Concrete walls and chain link fences are not recommended. Privacy (stockade) fences are not recommended in the front yard; such fences should be located in side and rear yards and should not be highly visible from the public way. Compliance with the Zoning Regulations is also required for all fences and walls.

SIGNS

New signs are subject to zoning regulations and review by the Historic District Commission. As a rule, signs simple in shape and color are most effective, easiest to read and usually appropriate for any building. The sign should relate to and not obscure its surroundings.
Furthermore, it should be compatible in design, material and details to the building and its style.

The Historic District Commission suggests that the appearance, size, position, method of attachment, texture of materials, and design of signs is in keeping with the collective characteristics of the structures located within the Historic District. A Certificate of Appropriateness will be required for all signs except real estate “For Sale” signs (g) and temporary (h) signs. Signs as may be allowed within the Historic District shall be further limited as follows:

a) Off-site signs shall not be permitted.
b) Business signs shall be regulated on an individual basis.
c) Maximum area of any permanent sign located in a Historic District shall be two (2) square feet, except for the signs which identify the District.
d) No sign may extend above the top of the nearest façade, eaves, or firewall of a building or structure.
e) No sign that flashes, blinks, revolves, or is not in motion by the atmosphere shall be permitted. No visible bulbs, neon tubing, luminous paints or plastics will be permitted as part of any sign.
f) Buildings and signs within the Historic District may be illuminated by remote light sources, provided that these light sources are shielded to protect adjacent properties.
g) One real estate sign shall be permitted per property, not to exceed one (1) square foot in size. Real estate signs shall be removed within two (2) days after the closing of the sale of a house or lot.
h) Temporary outdoor signs for political, charitable, and civic purposes shall be permitted under the following conditions:
   1) No temporary sign shall exceed six (6) square feet.
   2) Political signs must be removed the day after Election Day.
   3) Tag sale signs will be allowed two days prior to and the day of the sale.
   4) All other temporary signs must be removed within 24 hours of completion of purpose.

WALKWAYS AND DRIVEWAYS

Large expanses of paved surfaces can visually detract from the historic house. When repaving consider either material originally used or something compatible in color and texture to the building site. Avoid large areas of blacktop. Alternatives such as crushed stone, rolled into a sticky base, or gravel should be considered.
BUILDING AND SITE UTILITIES

Utility Lines

In new buildings, utility lines from the street to the house should be buried underground. It is a long-term goal of the Commission to bury all utility lines within the District in order to restore the historic character of the District and to allow mature trees to assume their natural shape.

Solar Panels

When solar panels are to be mounted on the roof, they should be installed on rear slopes or other locations not easily visible from the public way. Panels should be installed flat and not alter the slope of the roof. If possible, solar panels should be positioned behind existing architectural features such as dormers and chimneys. The color of the panels and mounting equipment should be compatible in color to the roof. The removal of historic materials or alteration of features is highly discouraged when installing solar panels.

Freestanding solar panels should be installed in locations that minimize visibility from the public way. If panels may be visible from the public way, they should be screened with materials found elsewhere in the District such as fencing or vegetation of suitable scale for the District and setting.

Mechanical Units

Permanently installed equipment, such as air conditioning units, generators, etc. should be placed out of public view wherever possible. If the equipment may be visible from the public way, it should be screened with materials found elsewhere in the District such as fencing or vegetation of suitable scale for the District and setting.

Other Utilities

All other utilities, structures, attachments, and service connections (telephone, TV signal, well heads, etc.) should be placed out of public view wherever possible. If visible from the public way, they should be screened with materials found elsewhere in the District such as fencing or vegetation of suitable scale for the District and setting.

MAILBOXES

Mailboxes should conform to United States Post Office Standard regulations. They should be mounted on a wood post. Excess ornamentation should be avoided.
Appendix
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

WINDSOR HISTORIC DISTRICT COMMISSION

Application for a Certificate of Appropriateness

Please complete the Application for a Certificate of Appropriateness and submit it to the Planning Department. Please contact the Planning Department at (860) 285-1980 if you have any questions.

Address of Proposed Work: ____________________________________________________________

Applicant: Name: ___________________________ Phone: ________________

Mailing Address: __________________________________________ Email: ________________

Owner: Name: ___________________________ Phone: ________________

(if different)

Mailing Address: __________________________________________ Email: ________________

Contractor/Agent Name: __________________________________________

Proposed Work Start Date: ___________ Estimated Work Completion Date: ___________

Nature of Proposed Work (check all that apply): _________________________________________

___ New Construction
___ Addition
___ Alteration/Replacement
___ Relocation of Structure
___ Demolition/Removal

Type of Structure: _________________________________________________________________

___ Residential Building
___ Non-Residential Building
___ Accessory Structure
___ Other: _____________

Nature and Description of Proposed Work. Please include any additional materials (e.g., floor plan, plot plan, architectural drawings) or pertinent details that describe the change. _________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

Please use reverse side or attach additional pages if needed.

Applicant Signature ___________________________ Owner Signature _______________________

If the Commission approves the application, a Certificate of Appropriateness will be issued. Certificates are valid for one year.

FOR OFFICE USE ONLY

Fee $ None Application Received By: ___________________________ Date Received: __________

Certificate No. HDC- ___________ □ Approved □ Disapproved □ Withdrawn Date: __________

Rev. 9/2016
PAINT COLOR

While paint color is not regulated by the Historic District Commission, it does play a critical role in the appearance of the District. The Commission has compiled the following information that can be used as a guide when selecting paint color.

1700-1780 Georgian Period Styling

Georgian style homes were typically painted yellow, tan/brown, red, orange or white.

Federal/Greek Revival Styling

Rich creams, softer yellows, and soft white colors were common for Federal style homes while Greek Revival homes were typically painted white or gray, with dark green or black shutters.

1890 Queen Anne Victorian

Queen Anne homes were commonly painted deep greys, reds, olive green, tan or brown. Trim was painted two or three different colors to harmonize with the base color.

REFERENCES AND RESOURCES

These resources and references are intended to show homeowners a small sample of the variety of materials available to assist those who are interested in various aspects of historic preservation. These materials also assisted in development of the Handbook. Additional information and assistance may be provided by the Planning Department staff at the Windsor Town Hall, Historic District Commission members, and the Windsor Historical Society.


For lead abatement information and questions, please contact the Windsor Health Department at 860 285 1823.

For additional information, you may also contact:

State Historic Preservation Office
One Constitution Plaza, 2nd Floor
Harford, CT 06103
860 256 2800

Connecticut Trust for Historic Preservation
940 Whitney Avenue
Hamden, CT 06517
203 562 6312 | Cttrust.org
Photo Credits:
Cover, First Church: Historic Buildings of Connecticut, Sterner
1970’s Shingled Cape: Google Images
Bonding Patterns: Encyclopedia Britannica
Entrance Features: Historic Buildings of Connecticut, Sterner
Historic District Commission Regulations

Members
Susan Cheatham, Chairperson
Maureen Donnarumma
Lois Fiftal
Robert Kolesnik, Jr.
Frank Sherer, Jr.

Alternates
Nancy Bailey
Eugene Crawford
Mark Kroll

Effective January, 1988
Revised April 1, 2018
Town of Woodbury
Historic District Commission Regulations

SECTION 1 - AUTHORITY AND PURPOSE

Pursuant to the General Statutes of the State of Connecticut, Section 7-147a to 7-147k, and Town Ordinance, Article V, Section 8-81 to 8-86, the Historic District Commission of Woodbury, Connecticut hereby adopts the following regulations for the purpose of promoting the educational, cultural, economic and general welfare of the public through the preservation and protection of buildings, places and districts of historic interest by the maintenance of such landmarks in the history of architecture of the town, state or nation; and through the promotion and development of appropriate settings for such buildings, places and districts.

SECTION 2 - BOUNDARIES AND LOCATION OF HISTORIC DISTRICTS

2.1 Historic District Number 1:

Historic District No.1 shall be situated in the center of town and located on both sides of Main Street, also known as U. S. Route 6, and its boundaries are hereby fixed and defined as follows: On the easterly side of Main Street, it commences with 557 Main Street South (Map 103, Lot 48) at the intersection of Old Sherman Hill Road, and extends northerly to the southerly boundary of 264 Main Street North (Map 023, Lot 032). On the westerly side of Main Street, the district begins with 4 South Pomperaug Avenue (Map 103, Lot 003) at the intersection of Pomperaug Avenue and extends northerly to and including 4, 5 and 17 Flanders Road and Route 6 (Map 023, Lot 055). Also included are the following streets, running from Main Street: (1) Hollow Road and Sycamore Avenue to the Pomperaug River; (2) Judson Avenue to the Pomperaug River (which includes 9 Riverview Lane, 6 Orton Lane and 2 White Oak Road); (3) School Street (which includes 36 & 67 Washington Avenue); (4) Orenaug Avenue and Park Road up to Orenaug Park; (5) Pleasant Street to and including 5 Pleasant Street (Map 105, Lot 083). Both sides of all of said streets are included to a depth of two hundred (200) feet from the edge of the street pavement (which includes #’s 5, 7, 11, 17 & 19 Mountain Road and #’s 8 & 9 Spring Street). Said district includes a total of approximately four (4) miles, of which two (2) miles are along Main Street or U. S. Route 6, and two (2) miles are along the side streets above mentioned. The boundaries of Historic District No.1 are shown on the attached Exhibit 1 (Woodbury Historic Districts), Exhibit 2 (Woodbury Historic District No. 1 – North) and Exhibit 3 (Woodbury Historic District No. 1 – South), attached hereto and incorporated herein.
2.2 Historic District No. 2:

Historic District No. 2 shall be situated in the southerly part of the town and is located on both sides of Main Street, also known as U. S. Route 6, and its boundaries are hereby fixed and defined as follows: Commencing at the Southbury Town Line and extending northerly approximately one mile on the easterly side of Main Street to and including 813 Main Street South (Map 102, Lot 050), and on the westerly side of Main Street to and including 828 Main Street South (Map 102, Lot 001A). Said District No. 2 includes the land on both sides of said street to a depth of two hundred (200) feet from the edge of the street pavement (which includes 4 & 5 Applegate Lane and #’s 28, 29, 30 & 33 Curtiss Road). The boundaries of Historic District No. 2 are shown on Exhibit 1 (Woodbury Historic Districts) and Exhibit 4 (Woodbury Historic District No. 2), attached hereto and incorporated herein.

SECTION 3 - DEFINITIONS

3.1 **Altered**: Changed, modified, rebuilt, removed, demolished, restored, razed, moved or reconstructed.

3.2 **Building**: Any combination of materials used in the forming of a shelter for persons, animals or property.

3.3 **Commission**: The Woodbury Historic District Commission.

3.4 **Erected**: The construction, building, installation or enlargement of a building or structure.

3.5 **Exterior Architectural Features**: The portion of a building or structure that is open to view from a public street, way or place.

3.6 **Municipality**: Any town, city, borough, consolidated town and city or consolidated town or borough.

3.7 **Structure**: Any combination of materials, other than a building, which is affixed to the land and shall include, but not be limited to, signs, fences, walls, and lighting fixtures.

3.8 **Fixtures**: Lawn adornments, lawn apparatus, lawn decorations, property adornments and apparatus that function as a sign, such as a vehicle with a sign on it parked in a yard.
SECTION 4 - MEETING PROCEDURES

4.1 Scheduled Meetings: The Historic District Commission, after issuance of proper notice, shall meet on the first Monday after New Year's Day of each year at 7:30 P.M. in the Town Offices. At said meeting, the Commission shall elect officers as prescribed by law and shall establish the date, place and time of each regular meeting that the Commission will conduct for the balance of the calendar year. The clerk of the Commission shall file with the Town Clerk, within seven (7) calendar days of the meeting, the schedule of the Commission's regular meetings for the balance of the year. The Commission, upon the call of the Chairman or two regular members, may call a special meeting. Special meetings called by the Commission shall comply with Section 1-225 of the Connecticut General Statutes.

4.2 Amendments to the Agenda: The published agenda may be amended by two-thirds vote of the members present and voting. The motion and actual vote for amending the agenda shall be recorded in the minutes.

4.3 Postponement, Cancellation or Continuation: The procedure for the call and conduct of meetings of the Commission is regulated by the Freedom of Information Act, and specifically by Section 1-225 and 1-228 of the Connecticut General Statutes.

4.3.1 Under Section 1-228, the Commission may, with a quorum or with less than a quorum present for the called meeting, adjourn any regular or special meeting to a time and place specified in the order of adjournment. If all Commission members are absent from any regular meeting, the Clerk or Secretary of the Commission may declare the meeting adjourned to a stated place and time (time not to be less than 48 hours) and shall cause a written notice of the adjournment to be given in the same manner as provided in Section 1-225 of the Connecticut General Statutes for special meetings. A copy of the order of notice of adjournment shall be conspicuously posted on or near the door of the place where the adjourned regular or special meeting was held, within twenty-four (24) hours after the time of adjournment. When the order of adjournment for any meeting fails to state the hour at which the adjourned meeting is to be held, it is to be held at the time otherwise specified for regular meetings.

4.3.2 Any public hearing being conducted by the Commission may, by order or notice of continuance of the Commission, be continued or re-continued to any subsequent Commission meeting in the same manner and to the same extent set forth in Section 1-228 of the Connecticut General Statutes; however, if the hearing is continued to a time that is less than twenty four (24) hours after the specified time in the order or notice of the hearing, a copy of the order or notice of the continuance of the hearing shall be conspicuously posted on or near the door of the place where the hearing was held, immediately following the meeting at which the order or declaration of continuance was made.
SECTION 5 - CERTIFICATE OF APPROPRIATENESS

5.1 No building or structure or property fixture shall be erected or altered within the historic district until after an application for a Certificate of Appropriateness, as it relates to exterior architectural features, has been submitted to the Commission and approved by said Commission.

5.2 No building permit for the erection of a building or structure or for the alteration of any exterior architectural feature within the historic districts and no demolition permit for the demolition or removal of a building or structure within the historic districts shall be issued by any department, agency or official of the Town of Woodbury until a Certificate of Appropriateness has been issued. A Certificate of Appropriateness must be obtained from the Commission whether or not a building or demolition permit is required. Should exception be made for a matter of public safety, the Fire Marshal or the Building Official is given authority to order the demolition of a building or structure without obtaining a Certificate of Appropriateness, provided that the Commission and the Zoning Enforcement Officer are given notice of the action taken within five working days. Where practical, notice shall be given prior to taking any action.

5.3 The Commission may request such plans, plot plans, elevations, photos, specifications, material and other information as may be reasonably deemed necessary in order for the Commission to make a determination on the application. In the case of a demolition or removal request, the applicant shall furnish the Commission with photographs and a statement depicting the condition and appearance of the property before and after the requested demolition or removal.

5.4 The style, material, size, lighting, and location of all outdoor signs in the historic districts shall be under the control of the Commission.

5.5 No area within the historic district shall be used for industrial, commercial, business, home business or occupational parking, whether or not such area is zoned for such a use, until after an application for a Certificate of Appropriateness as to parking has been received and approved by the Commission.

5.6 A Certificate of Appropriateness shall be required prior to the installation of any additional lighting apparatus to a new or existing building, structure or sign which is used in connection with an industrial, commercial, business, home business or any other non-residential structure if the lights or lighting apparatus is visible from a public street.
SECTION 6 - APPLICATIONS, HEARINGS AND DECISIONS

6.1 Applications: An application for a Certificate of Appropriateness or a Variance shall be submitted on the form prescribed by the Commission to the Town Planning Office. All applications for a Certificate of Appropriateness or a Variance require a public hearing, including applications for signs, fences, lighting, non-residential driveways and parking areas, exterior architectural alterations of existing buildings or structures, the demolition or removal of existing buildings or structures, and the construction of new buildings and structures.

6.2 Fees:

6.2.1 An application fee of $50 must accompany each application or request for variance. There is no fee for determinations of exceptions.

6.2.2 If the Commission determines that it is necessary to obtain specialized review to fully and properly review and evaluate the application, the fees for such expertise shall be paid by the applicant within ten (10) days of the Town’s written notice of the actual or estimated fees.

6.2.3 Failure of an applicant to submit all required fees shall be sufficient grounds for denial of the application.

6.3 Hearings:

6.3.1 The Commission shall hold a public hearing on all applications for a Certificate of Appropriateness unless the Commission determines that such application involves items not subject to approval by the Commission. The Commission shall fix a reasonable time and place for such hearing. Notice of the time and place of such hearing shall be given by the Commission by publication in the form of a legal advertisement appearing in a newspaper having substantial circulation in the municipality at least once, not less than five days, and not more than fifteen days before the scheduled hearing.

6.3.2 Notice of public hearings may be mailed to abutting property owners.

6.4 Decisions: In order to issue a Certificate of Appropriateness, the Commission must have a concurring vote of a majority of the Commission members. Decisions for a Certificate of Appropriateness must be rendered within sixty-five (65) days after the filing of a completed application with the Commission. Failure on the part of the Commission to act within the sixty-five (65) day period shall constitute an approval and no other evidence of approval shall be needed. In its deliberations, the Commission shall act only for the purpose of controlling the erection, alteration or demolition of buildings, structures or parking areas that are incongruous with the historic or architectural aspects of the district. The Commission shall not consider interior arrangement or use. However, the Commission may recommend adaptive reuse of any buildings or structures within the historic district.
compatible with the historic architectural aspects of the building.
When the Commission acts upon an application, it shall submit written notice of its
decision to the applicant. Should the Commission deny a Certificate of Appropriateness,
the reasons for the denial, including the basis for its conclusion, shall be placed upon the
Commission’s records and included in the notice sent to the applicant. The notice to the
applicant may also include recommendations relative to design, arrangement, texture,
material and other similar features. The Commission is empowered with the authority to
issue a Certificate of Appropriateness with stipulations.

SECTION 7 - VARIANCES, EXEMPTIONS AND DEMOLITION DELAYS

7.1 Variances: The Commission shall have the power to vary or modify strict adherence to
these Regulations so as to relieve exceptional practical difficulty or undue hardship as it
relates to a specific parcel of land and not generally affecting the historic district in which
the land is located; provided such variance, modification or interpretation is in harmony
with the general purposes and intent of these Regulations, so that the general character of
the historic district shall be conserved and substantial justice is done. In granting variances,
the Commission may impose such reasonable and additional stipulations and conditions as
will, in its judgment, better fulfill the purposes of these Regulations. Any application for
such a variance must include an explanation of the practical difficulty or undue hardship. The Commission shall, for each variance granted, place upon its records, and in
the notice to the applicant, the reasons for its determination.

7.2 Exemptions: Certain activities that are undertaken in the historic districts are declared to
be of such a nature that they are exempt from these Regulations. Specific activities
considered exempt, upon submittal of documentation satisfactory to the Commission or its
Enforcement Officer, are:

7.2.1 Ordinary maintenance or repair of any exterior architectural feature in the
districts which does not involve a change in the appearance or design thereof;

7.2.2 The erection or alteration of any feature which the Building Inspector, or similar
agent, certifies is required by public safety because of a condition that is either
unsafe or dangerous due to deterioration of the feature; and

7.2.3 Any property owned by a nonprofit institution of higher education, for so long as a
nonprofit institution of higher education owns such a property, is exempt from these
Regulations.

7.3 Demolition Delays: The Commission may delay the issuance of a demolition permit
for a structure situated in a historic district for ninety (90) days providing during such
time the Commission or the Connecticut Historical Commission is trying to find a
buyer who will retain or remove such building or who will present some reasonable
alternative to demolition.
SECTION 8 - CONSIDERATIONS IN DETERMINING APPROPRIATENESS

If the Commission determines that the proposed erection, alteration, or parking will be appropriate, it shall issue a Certificate of Appropriateness. In determining appropriateness, the Commission shall consider, in addition to other pertinent factors, the type and style of exterior windows, doors, light fixtures, signs, above ground utility structures, mechanical appurtenances, and the type and texture of building materials. The Commission shall also consider the historical and architectural style, scale, general design, arrangement, texture and material of the architectural features involved and their relationship to the architectural style and pertinent features of other buildings and structures in the neighborhood. The Commission shall also consider the principles contained in the United States Department of the Interior “Secretary of the Interior’s Standards for Rehabilitation.” No application for a Certificate of Appropriateness for an exterior architectural feature, such as a solar energy system, designed for the utilization of renewable resources, shall be denied unless the Commission finds that the feature cannot be installed without substantially impairing the historic character and appearance of the District. A Certificate of Appropriateness for such a feature may include stipulations requiring design modifications and limitations on the location of the feature that do not significantly impair its effectiveness. In determining appropriateness as to parking, the Commission shall consider the size of such parking area, the visibility of the cars parked in that area, the closeness of such area to adjacent buildings, and other relevant factors.

8.1 Guidelines for Construction and Alterations in the Historic District

8.1.1 Except as provided in Section 7.2 of these Regulations, the removal or alteration of any historic materials or architectural features should be held to the minimum.

8.1.2 Deteriorated architectural features should be repaired rather than replaced. If replacement is necessary, the new material should be compatible with the replaced material in composition, design, color, texture, and other aesthetic and architectural qualities. Repair or replacement of architectural features should be based on the original features of the building rather than based on designs taken from other historic buildings. Alterations that create an appearance inconsistent with the character of the building are discouraged. Low maintenance siding, such as aluminum or vinyl clapboards, which are products of the mid-20th century, are by nature, inappropriate on historic buildings.

8.1.3 Wherever possible, new additions or alterations to buildings should be made in such a manner so that if they were removed in the future, the essential integrity of the original building would be unimpaired.

8.1.4 New construction should be consistent with the scale of the surrounding structures in terms of building height, width, proportion of height to width, proportion of wall area to door and window openings, size of overhangs, setbacks, and other dominant features. New construction should compatible with surrounding buildings as to form, texture, scale and character.
8.1.5 Signage should consider the pedestrian uses of the Historic District. Artistic, graphic or handcrafted identification signs are appropriate. If window lettering is used for signage, it must be etched or painted lettering. The size and style of such lettering should be visually compatible with the structure itself as well as with surrounding buildings.

SECTION 9 - ENFORCEMENT

The Zoning Enforcement Officer and Deputy Zoning Enforcement Officer of the Town of Woodbury are designated to be the Enforcement Officers of the Historic District Regulations. The powers and duties of the Enforcement Officers shall be as prescribed by law and Woodbury Town Charter, in addition to those delegated by the Commission. If any provision of these regulations has been violated, the Commission and/or its duly authorized agent may, in addition to any other remedies, institute an action in the Superior Court as provided by the Connecticut General Statutes which said court shall have jurisdiction to restrain such violation and to issue orders directing that the violation be corrected or removed. Any penalties imposed by the courts will be in accordance with Section 7-14 7h (b) of the Connecticut General Statutes.

SECTION 10 - AMENDMENTS

These Regulations may be amended or repealed in a manner provided by the Connecticut General Statutes at the initiation of the Commission. All proposed amendments shall be considered at a public hearing. Notice of the time and place of such hearing shall be published in the form of a legal advertisement appearing in a newspaper having a substantial circulation in such municipality at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days or less than ten (10) days and the last not less than two (2) days before such hearing and a copy of the proposed amendments shall be filed in the office of the Town Clerk for public inspection at least ten (10) days before such hearing. The proposed amendments shall be established only after a majority vote of the Commission and become effective at the time prescribed by the Commission, providing a copy of the adopted amendments is filed in the office of the Town Clerk and a notice of the Commission's decision shall have been published in a newspaper having a substantial circulation in the municipality prior to the effective date.

SECTION 11 - SEPARABILITY

If any section, subsection, paragraph, sentence, clause or provision of these Regulations shall be adjudged invalid, such adjudication shall apply only to the section, subsection, paragraph, sentence, clause or provisions so adjudged invalid and the remainder of these Regulations as they shall now or hereafter exist, shall be deemed to be valid and effective.

SECTION 12 - EFFECTIVE DATE

These Regulations shall become effective at 12:01 a.m. on the fourth day of January, 1988. Revisions to these regulations adopted by the Woodbury Historic District Commission shall become effective at 12:01 a.m. on the 1st day of April 2018.
EXHIBIT 4 - Woodbury Historic District No. 2

For planning purposes only.
Delineations may not be exact.

Sources:
National Register of Historic Places
CT 911 Roads: CTDPS/TeleAtlas
Parcels: New England Geographics
Hydrography: CT DEEP

Woodbury Historic District No. 2
Parcel Boundaries
Model Historic Preservation Ordinance, pursuant to Connecticut General Statutes Section 7-148, as amended by P.A. 13-181

Background

The recent passage of PA 13-181 by the Connecticut General Assembly specifically authorizes any municipality to

*Protect the historic or architectural character of properties or districts that are listed on or under consideration for listing on, the National Register of Historic Places ... or the State Register of Historic Places.*

This enabling legislation encourages communities to explore innovative ways to highlight and preserve historic resources that are listed on the State or National Register of Historic Places, but are not located in designated Local Historic Districts.

The Connecticut Trust for Historic Preservation proposed the new enabling act for the 2013 session of the state legislature, and has drafted a model Historic Preservation Ordinance for municipalities to consider and discuss.

The model ordinance derived from PA 13-181 offers three ways to encourage the preservation of a community’s distinct historical and architectural heritage

1) Research, documentation, and public recognition of historic buildings, sites, and structures
2) Closer collaboration with municipal boards, commissions, and agencies in recognizing the value of historic resources and planning for preservation
3) Modest regulatory review for significant exterior alteration or demolition of historic properties

The ordinance can be shaped and customized to suit the needs of the individual municipality.

A town or city may want to adopt some or all of the model ordinance, or develop a different type of historic preservation ordinance under the general language of the new law. For communities that already have a demolition delay ordinance, a blight ordinance, or a local historic district ordinance, the new enabling legislation opens a new realm of possibilities.

As of 2013, EVERY ONE of Connecticut's 169 cities and towns has properties that are listed on the State and National Registers of Historic Places, either individually or in designated districts. For these municipalities, PA 13-181 provides a vehicle to create a framework of protection for designated historic properties without the cumbersome procedural constraints of a Local Historic District ordinance.
Section 1. Legislative Authority

The purpose of this ordinance is to protect the historic and architectural character of properties and districts that are listed on, or under consideration for listing on, the National Register of Historic Places, Section 470 of Title 16a of the United States Code, or the State Register of Historic Places, as defined in Section 10-410 of the Connecticut General Statutes, as such sections now exist or may subsequently be amended. This ordinance is adopted pursuant to the authority granted to municipalities under Section 7-148 of the Connecticut General Statutes, as amended by Public Act 13-181, and the Charter of the Town of ________________.

Comments: The ordinance falls under C.G.S. 7-148(c)(10)(F), rather than under C.G.S. 7-147a et seq. (local historic districts and properties). The last clause concerning the municipal charter should be omitted if the town has no such charter.

Section 2. Specific Purpose.

The purposes of the commission established by this ordinance are to promote the educational, cultural, economic, environmental, and general welfare of the municipality by:

(a) Protecting the historic and architectural character of properties and districts that are listed on, or under consideration for listing on, the National Register of Historic Places or the State Register of Historic Places;

(b) Strengthening the local economy by stabilizing and improving property values and economic activity through the adaptive use and reuse of historic structures;

(c) Fostering appropriate use and wider public knowledge and appreciation of distinctive areas, sites, structures, features and objects that have historic or architectural significance;

(d) Protecting and enhancing the attractiveness of the locality to homebuyers, homeowners, residents, tourists, visitors, businesses and shoppers;

(e) Providing a resource for information, education and expertise to those interested in rehabilitation or construction in a historic district or of an historic structure;

(f) Fostering civic pride in the locality’s history and development patterns;

(g) Protecting historical continuity and enhancing neighborhood character of the locality;

(h) Ensuring and fostering preservation, restoration and rehabilitation that respects the historic, cultural, and architectural significance of distinctive areas, sites, structures and objects;

(i) Drafting and applying design standards in a reasonable and flexible manner to prevent the unnecessary loss of a community’s historic character and to ensure compatible rehabilitation and development in historic districts.
Section 3. Relevant Definitions.

(a) “Protected property” means a property or historic district that is that is listed on, or under consideration for listing on, the National Register of Historic Places or the State Register of Historic Places, including any area and all sites, structures, features and objects within such area that is part of a historic district.

(b) “Under consideration” means, in regard to an application for placement on the National Register of Historic Places, that an application has been approved for study by the State Historic Preservation Office and, in regard to an application for placement on the State Register of Historic Places, that an application has been scheduled for hearing by the State Historic Preservation Council.

Comments: The definition of “under consideration” for National Register properties is based upon the Superior Court decision in Hill/City Point Neighborhood Action Group v. City of New Haven, 2000 WL 728841 (2000) and Opinion of the Attorney General (Jan. 6, 2003)

Section 4. Organization of the Historic Preservation Commission.

(a) Establishment of the commission: There is hereby established a historic preservation commission whose purpose and duty shall be to carry out the purpose and to administer the provisions of this ordinance.

Comments: The name of the commission should reflect its specific role in the municipality, e.g. Heritage Commission, Historical Commission, or Historic Preservation Commission

(b) Membership and appointing authority: The membership of the commission shall consist of five persons appointed by the mayor or chief elected official. The mayor or chief elected official may also appoint up to three alternates, who may be designated by the chairperson of the commission to sit as a commissioner if a commission member is absent.

Comments: The number of members, the number of alternates, and the appointing authority should be established by the town in adopting the ordinance.

(c) Qualifications: All members of the commission shall be residents of the town.

(d) Term: Members shall serve for a term of five years, except that the initial members
of the commission shall be appointed for terms of one, two, three, four, and five years, respectively, so as to have staggered terms. Members shall serve until a successor is appointed. Members may be reappointed without limit.

Comments: The length of term, the staggering of terms, and any limit on reappointment should be determined by the town in adopting the ordinance.

(e) Officers: The historic preservation commission shall elect annually a chairperson, a vice-chairperson and a secretary from its members.

(f) Rules: The commission shall adopt rules of procedure for the receipt of complaints, applications, the conduct of meetings and hearings, and any other matters deemed appropriate by the commission.

(g) Conflict of interest: No member of the historic preservation commission shall participate in a meeting or decision of the commission upon any matter in which the member has a unique financial interest.

(h) Compensation: The members of the historic preservation commission shall serve without compensation but may be reimbursed for their necessary and reasonable expenses in the performance of their duties.

(i) Meetings: The historic preservation commission shall meet monthly, except when there is no business for the commission to act upon, and at such other times as it deems necessary. A quorum shall consist of three commissioners. The commission shall keep records of its meetings and activities.

Comments: The monthly meeting requirement is included in the interest of relatively rapid action on applications. It is not required to be part of an ordinance.

Section 5. Community Heritage Responsibilities

a) The Commission shall undertake, on their own initiative or with the cooperation of other partners, the research and documentation of historic buildings, sites, and structures in the town using public records, historical records, and visual observation from the public way.

b) The Commission may enlist and supervise the work of volunteers, students, or paid consultants to help document historic resources in the community, subject to available resources. The standards and format for documentation shall comply with those of the
Model Historic Preservation Ordinance, pursuant to Connecticut General Statutes Section 7-148, as amended by P.A. 13-181

State Historic Preservation Office for community-based surveys and inventories.

c) The Commission shall compile and present historical and architectural information of general interest to the public through programs, tours, websites, or other events designed to encourage an appreciation of the heritage of the town and/or specific neighborhoods.

d) The Commission shall plan and sponsor commemorative events, memorials, and celebrations to highlight the historic character of the community, to encourage local preservation efforts, and to acknowledge significant public and private achievements related to community heritage.

e) With the approval of the Mayor or the chief elected official, the Commission shall be authorized to apply for grants from public and/or private sources to support the activities of the Commission as outlined in this ordinance.

Section 6. Advisory Responsibilities

a) The Commission shall advise and assist other municipal boards, commissions, and staff in recognizing and preserving the buildings, sites, or structures of historical or architectural significance in the town.

b) The Commission shall maintain a list of properties that are listed on or under consideration for listing on the State Register of Historic Places or the National Register of Historic Places, as well as any buildings that have been inventoried or documented by the Commission. The list shall be made available in printed form at the Municipal Clerk’s Office and in the local library, as well as on the municipal website.

c) The Commission shall submit annually to the Mayor or the Board of Selectmen a list of historic properties that are recommended for nomination to the State Register or the National Register of Historic Places. The Commission shall also have the authority to prepare and submit nominations to the State Historic Preservation Office on behalf of the town.

d) The Commission shall advise other municipal boards, commissions, and staff on the preservation, rehabilitation, reuse, or demolition of any municipally owned properties of historic or architectural significance.

e) The Commission shall advise and assist other municipal boards, commissions, and
staff in implementing and administering local ordinances that may have an impact on historic properties, including zoning, demolition delay, and blight ordinances.

f) The Commission shall participate in the periodic preparation and updating of the municipal Plan for Conservation and Development.

Section 7. Regulatory Responsibilities: Historic and architectural review.

(a) No person or entity may, without first applying and obtaining the approval of the commission, file an application for a demolition permit pursuant to section _____ of the Municipal Code or for a building permit pursuant to section 9-15 of _____ Municipal Code for:

1. any demolition of any protected property or part thereof that is listed on, or under consideration for listing on, the National or State Register of Historic Places, or, in regard to the National Register, for which a National Register application has been approved for study by the State Historic Preservation Office,

2. any alteration of any such protected property or part thereof if that alteration is visible from a street other than a street which faces only the back of the building, or

3. any construction of a new structure in a historic district or on the site of a demolished protected property.

Comments: This section is critical because it describes the scope of the ordinance. It is based upon the Hartford ordinance, which is triggered only by an application for a building or demolition permit.

(b) The commission shall adopt the Secretary of the Interior's Standards for the Treatment of Historic Properties (36 CFR Part 68), which shall serve as the guidelines for the Commission unless the Commission adopts design guidelines of its own. Such guidelines shall provide for flexibility in materials and design to promote economic feasibility and describe a variety of methods and designs for preserving the historic architectural character of buildings and neighborhoods. The commission shall make reasonable efforts to guide owners in preserving historic architectural character in a cost-effective manner.

(c) Any application for commission approval shall, at the latest, be placed on the agenda of the next commission meeting which occurs more than seven days after receipt of the application, except as otherwise provided in this subsection. The commission may define one or more classes of minor alterations to be delegated to the [Department of Planning] for review, based upon the applicable design standards. A copy of each administrative action by the [Department] shall be transmitted to each member of the commission by the [Department]. If within ten days of an approval or rejection any person requests that the commission review the action of the [Department], the action shall be suspended and the application shall be placed on
Model Historic Preservation Ordinance, pursuant to Connecticut General Statutes Section 7-148, as amended by P.A. 13-181

the next commission agenda for action by the commission.

Comments: This is a modified version of a provision in the Hartford ordinance. It is optional as part of an ordinance and is probably undesirable for any commission that expects to receive only a small number of applications. It would in any event not be appropriate in any town in which there is no municipal staff assigned to the commission.

(d) Demolition of a protected property shall be approved by the commission only if the applicant establishes, to the satisfaction of the commission, that (1) there is no feasible nor prudent alternative to demolition or (2) the property, through no fault of any owner of the property after the effective date of this [chapter] ordinance, does not contribute to the architectural or historic character of the district and its demolition will not detract from the architectural or historic character of the district or area.

Comments: Note that subsection (d) is about the standard to be met for demolition. In contrast, subsection (e) is about the circumstances in which a health and safety demolition of a historic property can be implemented without going through the commission first and is intended to be a difficult standard for the municipality to meet.

(e) This section shall not apply to any structure for which an emergency demolition or repair has been ordered by the municipality, but only if the emergency condition represents so immediate a hazard to public safety that demolition or repair cannot be deferred and the structure cannot be protected, secured, or stabilized by reasonable temporary measures until the commission is able to meet.

Section 7.1. Appeals Process.

(a) There shall be a board of preservation appeals which shall be comprised of three persons appointed by the mayor. Any person aggrieved by a final regulatory decision of the commission may petition for a review of such decision to the board of preservation appeals within fifteen (15) days of the commission's decision. The board shall adopt rules and procedures for the aforesaid review of such decision within sixty (60) days of its appointment. Any decision by the board shall be based upon the same standards as are to be applied by the commission and shall include a statement of the reasons for the decision.

Comments: The size, membership, and appointing authority for the appeal board is up to the municipality. Need to require transcript of proceedings or at a minimum- minutes of meeting filed per FOIA

(b) Any person aggrieved by a decision of the board of preservation appeals, or by a decision of a municipal historic preservation commission if no board of preservation appeals has
been created, may appeal to the superior court within fifteen days of the adverse ruling.

Comments: Subsection (b) is actually unenforceable under state law, because towns cannot create jurisdiction in the Superior Court, and there is no state statute granting jurisdiction. See Danziger v. Demolition Board of the City of Stamford, 18 Conn. App. 40, 556 A.2d 625 (Appellate Court, 1989). As a result, challenge to a final commission order is not by “appeal” but rather by the bringing of a separate action in the Superior Court.

Section 8. Policy of municipal departments and agencies.

It shall be the policy of the municipality and its departments and agencies to give priority to the preservation of the municipality’s historic architecture and character. All departments and agencies of the municipality, including but not limited to those dealing with planning, zoning, health, and safety, shall consider historic and architectural significance and preservation when making decisions concerning whether and how properties should be rehabilitated, mothballed, or demolished, including decisions concerning to whom dispositions of property will be made. Demolition shall be treated as an alternative of last resort and shall be utilized only when other reasonable alternatives do not exist.

Comments: This section is especially important in urban areas, where most demolitions are conducted by the city itself and not by private individuals.

Effective date: