



# TOWN OF STRATFORD

CONNECTICUT  
06615

STRATFORD HISTORIC DISTRICT COMMISSION  
2725 MAIN STREET  
STRATFORD, CT 06615

## **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**

**TABLE OF CONTENTS**

<b>Preface</b>	<b>Page 1</b>
<b>Map of the District</b>	<b>Page 3</b>
<b>General Discussion</b>	<b>Page 4</b>
Regulated Activities	
Non-Regulated Activities	
<b>Pre Application Review</b>	<b>Page 8</b>
<b>HDC Procedure</b>	<b>Page 9</b>
Application Form	
Submission materials	
Public Access	
Public Hearings	
Hearing Procedure	
Decisions	
Certificate of Appropriateness	
Appeals	
Stop Work Orders and Notices of Violation	
Non-Compliance, Fines and Liabilities	
<b>Appendices</b>	<b>Page 15</b>
<b>A Application Requirements – Supporting Materials guidelines.</b>	
<b>B Sample Application Form and summary outline of requirements.</b>	
<b>C Text - State of Connecticut enabling statutes and regulations.</b>	
<b>D Text - Town of Stratford Historic District Commission ordinance.</b>	
<b>E Secretary of the Interior's "short list" of Standards for:         Rehabilitation, Preservation, Restoration &amp; Reconstruction.</b>	

## 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.)**

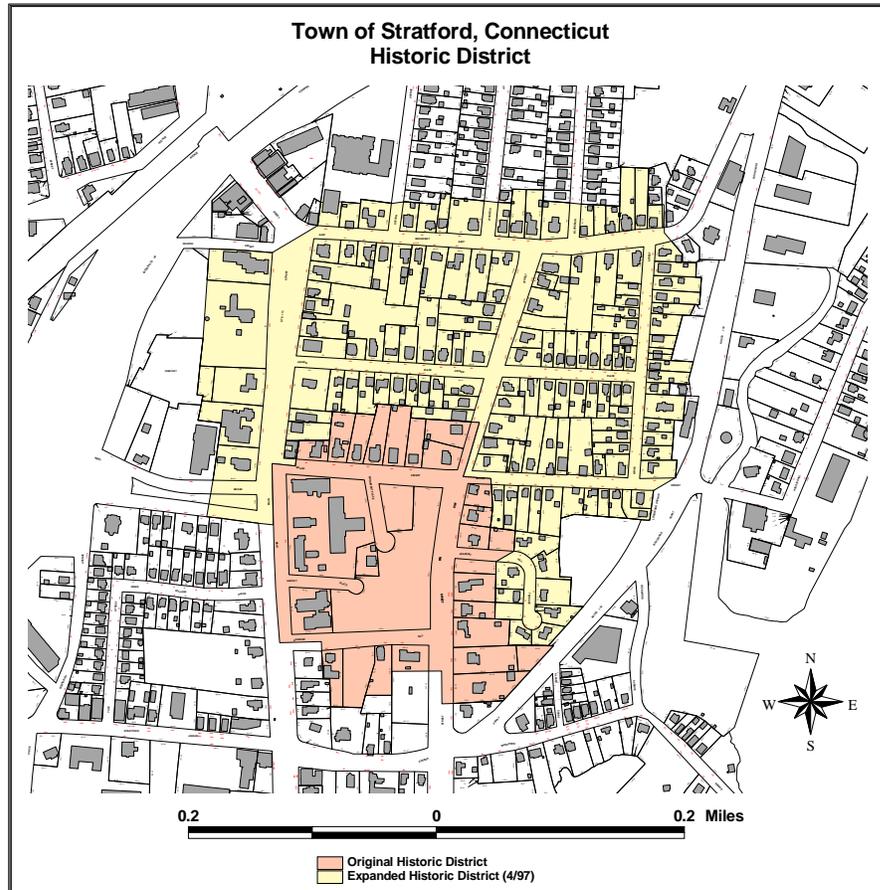
*Historic district designation carries with it no inherent restrictions, only a review process to prevent incongruous change.*

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 statutes 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 mean necessarily 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 &amp; 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 &amp; 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 &amp; 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 &amp; 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 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 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**

**[April 2007]**

## **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.**

## Appendix A – Certificate of Appropriateness Application Requirements

### 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:

Demolition & Removal: Items **A, B, C, D, G, M** and **N**, below.

New Construction: Items **C, E, F, H, I** and **J**, below.

Addition & Alterations: Items **A, B, C, E, F, H, I** and **J**, below.

Parking Areas: Items **C, E, J** and **K**, below.

Site Improvements: Items **A, B, C, D, H, J, K** and **L**, below.

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,  $\frac{1}{4}'' = 1'$ .

J. Details of any relevant proposed architectural and site features are recommended. Minimum scale,  $1 \frac{1}{2}'' = 1'$ .

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.**

APPENDIX B: Sample Application Form and summary outline of requirements.

**STRATFORD HISTORIC DISTRICT COMMISSION  
Certificate of Appropriateness Application**

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**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. \_\_\_\_\_  
(Initials)

\* 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 \_\_\_\_\_

**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.

APPLICANT \_\_\_\_\_

**5. PARKING/ DRIVEWAY/ PAVING – (Continued)**

Driveway Material \_\_\_\_\_ Parking Area Material \_\_\_\_\_

No. Parking Spaces: New \_\_\_\_\_ Existing \_\_\_\_\_ Total \_\_\_\_\_

Zoning requirements \_\_\_\_\_ Handicap Access requirements \_\_\_\_\_

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**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 \_\_\_\_\_

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

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**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:**

<b>Thomas Yemm, Chairman</b>	<b>378-2535 (H) (917) 696-9751 (C)</b>
<b>Paul Reslink</b>	<b>375-8907 (H &amp; W)</b>
<b>Paul Joy</b>	<b>375-3547 (H) 626-0085 (W)</b>
<b>Pat Pistey</b>	<b>378-8284 (H)</b>
<b>Ann Miron</b>	<b>380-9070 (H)</b>
<b>Michael Bingham, Alternate</b>	<b>378-7725 (H) 781-3480 Ext. 101 (W)</b>
<b>Lisa Donnelly, Alternate</b>	<b>377-4926 (H)</b>
<b>Beth DaPonte, Alternate</b>	<b>386-9665 (H)</b>
<b>Betsy Ross, Recording Secretary (Retired)</b>	<b>377-4258 (H)</b>
<b>Richard Buturla, Town Attorney</b>	<b>377-1311 (W)</b>
<b>Lewis G. Knapp, Town Historian (Honorary)</b>	

**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.

(1961, P.A. 430, S. 1; February, 1965, P.A. 221, S. 2; P.A. 80-314, S. 1; P.A. 86-105, 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.)

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.

## Appendix C - State of Connecticut enabling statutes and regulations

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727. Cited. 196 C. 596.

**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.

## Appendix C - State of Connecticut enabling statutes and regulations

(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

## Appendix C - State of Connecticut enabling statutes and regulations

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

## Appendix C - State of Connecticut enabling statutes and regulations

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.

(1961, P.A. 430, S. 2; 1963, P.A. 600, S. 1; P.A. 75-52; P.A. 77-338, S. 1; P.A. 80-314, S. 2; P.A. 87-167; P.A. 91-135, S. 1; June 30 Sp. Sess. P.A. 03-6, S. 210(e), 235; P.A. 04-20, S. 3; 04-205, S. 5; 04-257, S. 4; May Sp. Sess. P.A. 04-2, S. 30.)

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

## Appendix C - State of Connecticut enabling statutes and regulations

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.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727. Cited. 196 C. 596. Cited. 227 C. 71.

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

## Appendix C - State of Connecticut enabling statutes and regulations

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

## Appendix C - State of Connecticut enabling statutes and regulations

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.

(1961, P.A. 430, S. 3; P.A. 77-338, S. 2; P.A. 80-314, S. 3; P.A. 86-105, 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.)

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.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727.

Subsec. (j):

## Appendix C - State of Connecticut enabling statutes and regulations

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.

(1961, P.A. 430, S. 4; 1963, P.A. 600, S. 2; P.A. 73-473, S. 1; P.A. 80-314, S. 4.)

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. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727. Cited. 196 C. 596.

Cited. 29 CA 28.

## Appendix C - State of Connecticut enabling statutes and regulations

**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.

(1961, P.A. 430, S. 5, 7; 1969, P.A. 37; P.A. 73-473, S. 2; P.A. 80-314, S. 5; P.A. 86-105, S. 3.)

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.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727. Cited. 196 C. 596.

Subsec. (a):

Failure to republish notice of continuance of a hearing in newspaper did not violate subsec. 49 CS 498.

## Appendix C - State of Connecticut enabling statutes and regulations

**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.

(1961, P.A. 430, S. 8; P.A. 73-473, S. 3; P.A. 80-314, S. 6; P.A. 81-326.)

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.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727. Cited. 196 C. 596. Cited. 227 C. 71.

**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

## Appendix C - State of Connecticut enabling statutes and regulations

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.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727. Cited. 196 C. 596.

**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

## Appendix C - State of Connecticut enabling statutes and regulations

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.

(1961, P.A. 430, S. 10; P.A. 73-473, S. 4; P.A. 74-183, S. 166, 291; P.A. 76-436, S. 145, 681; P.A. 78-280, S. 1, 127; P.A. 80-314, S. 8.)

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, attorneys' fees and fines.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727. Cited. 196 C. 596.

**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.

(1961, P.A. 430, S. 11; P.A. 76-436, S. 282, 681; P.A. 78-280, S. 1, 127; P.A. 80-314, S. 9.)

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.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727.

**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.

(1961, P.A. 430, S. 6; 1963, P.A. 600, S. 3; P.A. 80-314, 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.)

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.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727.

**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

## Appendix C - State of Connecticut enabling statutes and regulations

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.

(1961, P.A. 430, S. 12; P.A. 80-314, S. 11; P.A. 06-196, S. 39.)

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.

Cited. 171 C. 199. Cited. 189 C. 727.

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.

(1963, P.A. 600, S. 4, 5; 1971, P.A. 333; 1972, P.A. 127, S. 8; P.A. 75-158; P.A. 78-285; P.A. 80-314, S. 12.)

**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.)

History: 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. 7-147q. 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

## Appendix C - State of Connecticut enabling statutes and regulations

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

## Appendix C - State of Connecticut enabling statutes and regulations

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.)

History: 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.

## Appendix C - State of Connecticut enabling statutes and regulations

**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.

## Appendix C - State of Connecticut enabling statutes and regulations

(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.)

## Appendix C - State of Connecticut enabling statutes and regulations

**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.)

History: 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.

## **Appendix D - Town of Stratford Historic District Commission ordinance**

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

## Appendix D - Town of Stratford Historic District Commission ordinance

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 50 feet, more or less, to the northwest corner of No. 890 Broad Street; thence east along the north bound of No. 890 Broad Street and the north bound of No. 2175 Elm 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

## Appendix D - Town of Stratford Historic District Commission ordinance

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, being the rear line of 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.

### **§ 121-3. Establishment of Historic District Commission.**

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.

§ 121-4. Membership of Commission; terms; alternates; organization. [Amended 8-10-1998 by Ord. No. 98-8; 11-9-1998 by Ord. No. 98-13; 7-19-2001 by Ord. No. 01-11; 4-8-2002 by Ord. No. 01-22]

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.

## **Appendix D - Town of Stratford Historic District Commission ordinance**

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

## **Appendix D - Town of Stratford Historic District Commission ordinance**

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

## **Appendix D - Town of Stratford Historic District Commission ordinance**

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

## **Appendix D - Town of Stratford Historic District Commission ordinance**

fixtures, signs, aboveground 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. 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

## **Appendix D - Town of Stratford Historic District Commission ordinance**

District Commission pursuant to the provisions of this chapter or 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. Archeological 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.

## **Appendix E**

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