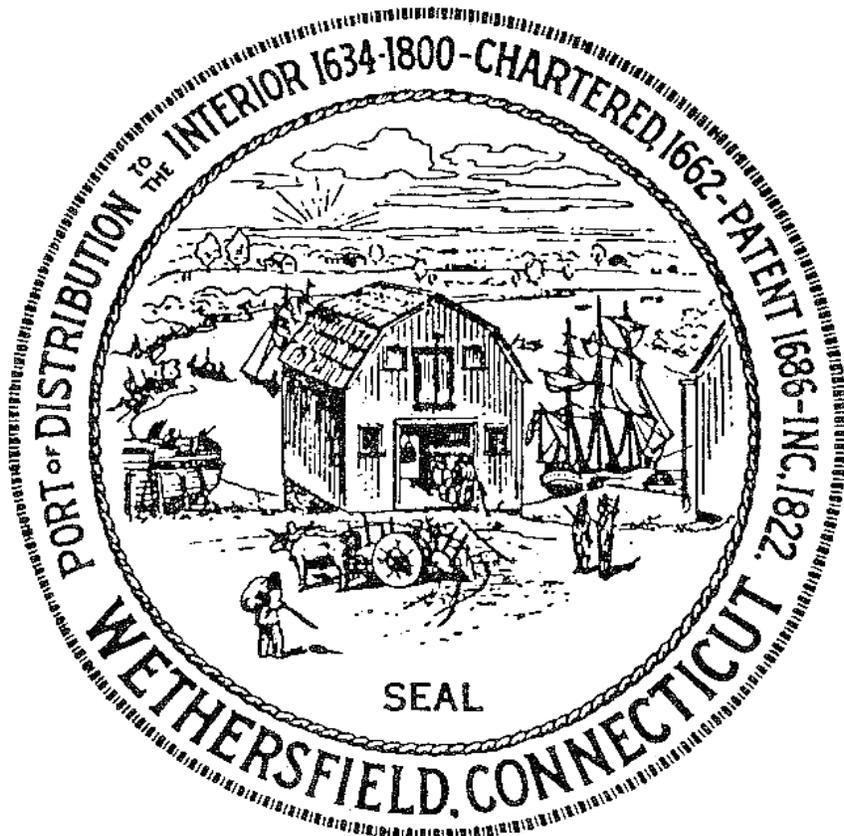


**WETHERSFIELD
HISTORIC DISTRICT COMMISSION
HANDBOOK**



**Application for
Certificate of Appropriateness
And
Design Guidelines
2012 Edition**

Wethersfield
Historic District Commission
Published October 2003
Amended in 2008 and 2012

This handbook is the official compliance manual of the Town of Wethersfield Historic District Commission. For further information, contact the Commission, c/o the Building Department, 505 Silas Deane Highway, Wethersfield, CT 06109, or telephone (860)-721-2839.

This project was coordinated by the Town of Wethersfield Historic District Commission in conjunction with the Town of Wethersfield Department of Building. A Commission sub-committee wrote and designed the handbook. Gary Vivian, AIA prepared the illustrations. The Town of Wethersfield Geographic Information System provided the maps. Wethersfield Historic District Commissioners provided critical comment and review. The Wethersfield Historic District Coordinator and the Town Planner provided additional comment and review. Public input was obtained through distributing the draft handbook to Town of Wethersfield Commissions and other local organizations and through a public hearing in the summer of 2003.

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PREFACE

The Town of Wethersfield's Historic District was legally established in 1962. Wethersfield residents have long been aware and proud of the historic character and architectural significance of Old Wethersfield. The current Wethersfield Historic District is the largest historic district in the State of Connecticut and contains approximately 1,200 structures, with over 150 structures built prior to 1850. The eight-member Wethersfield Historic District Commission reviews any and all alterations, demolition, or construction of buildings and other structures within the boundaries of the Wethersfield Historic District. The Commission has developed this handbook in hopes of providing Historic District residents with a clear understanding of the process of applying to the Commission and with some useful information regarding the role of the Commission.

The mandate of the Commission is to "preserve and protect the many architectural phases of a Connecticut River community in continual growth from the year 1634." We believe that buildings from all time periods are an integral part of the architectural landscape of the district and are as worthy of preservation as historic structures. We are sympathetic to the needs of current District property owners to expand, reduce or otherwise modify their properties. In fact, the philosophical goal of historic preservation is not to freeze time, but to integrate the necessary and desirable changes that are signs of our neighborhoods' continuing evolution and vitality. We perceive our job as Commissioners to be one of balancing the needs of property owners with the unique architectural and historical role of each property.

The Commission is a branch of local government and its decisions are binding under law. The specific state and town laws that create the Historic District are

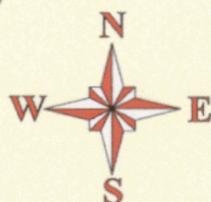
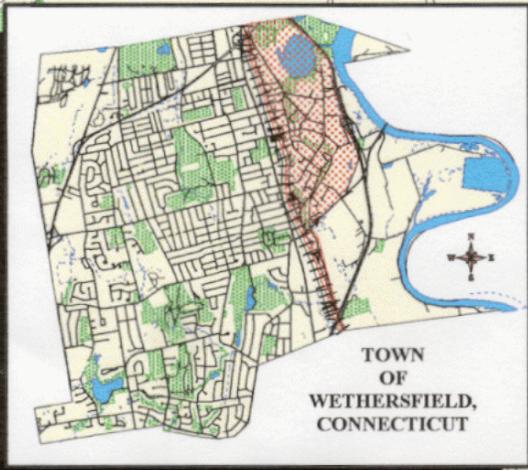
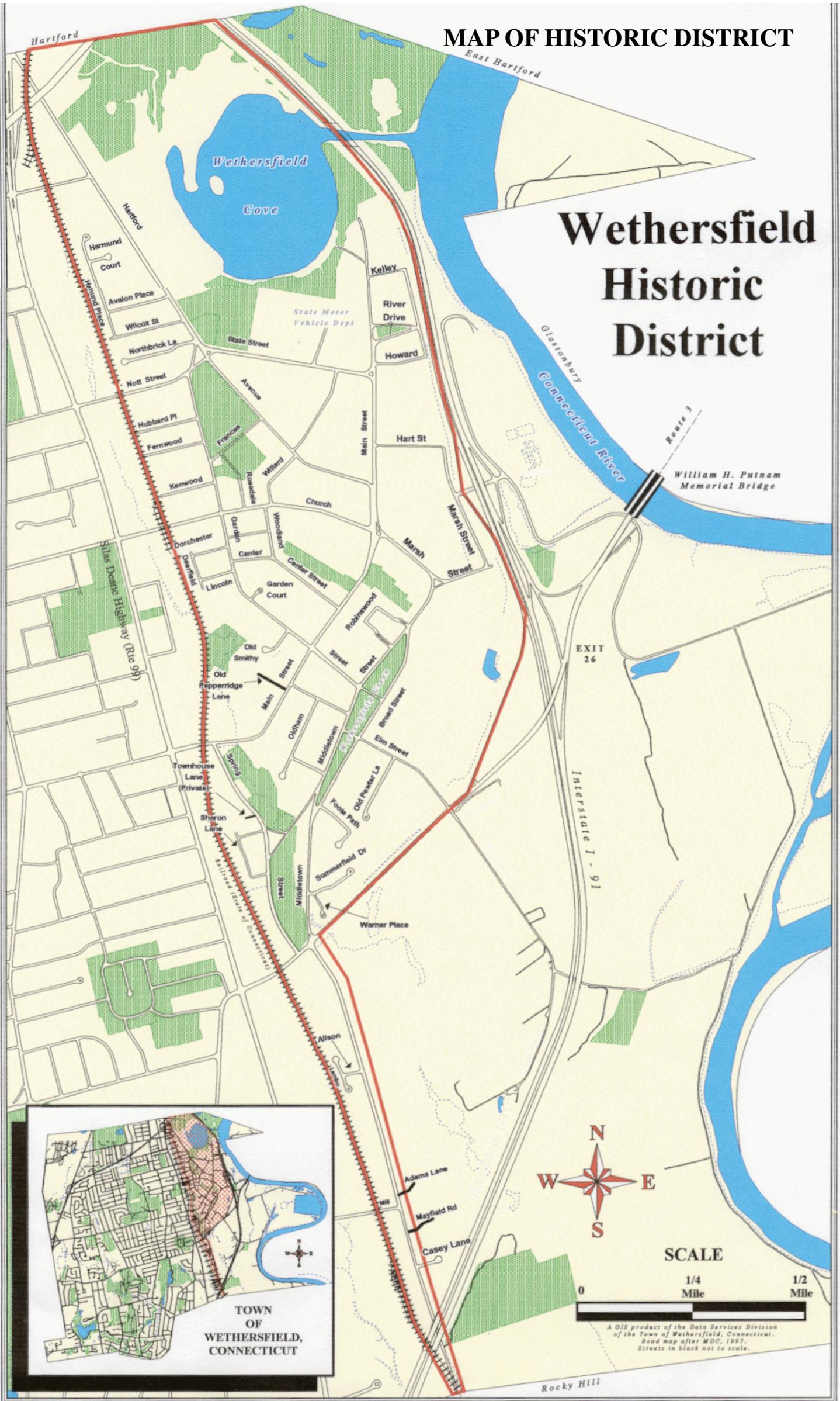
located in Appendix I. **The jurisdiction of the Historic District Commission is independent of and equal to that of any other local governmental authority except a court of law upon appeal.**

This handbook is divided into two major parts followed by a series of appendices. Part I reviews the necessary application procedures and outlines activities which are regulated under the Historic District Ordinance. Part II presents guidelines for appropriate design in the historic context. The Appendices section includes enabling statutes and ordinances, the official *Rules of Procedure* of the Historic District Commission, the U.S. Secretary of the Interior's short list of *Standards for Rehabilitation*, and the *Administrative Authority for the Historic District Coordinator*.

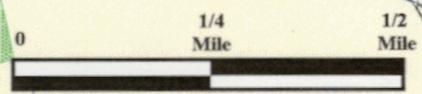
The content of this handbook is meant to be read and understood within the context of each section. We caution readers against selecting portions of text and taking them out of context.

MAP OF HISTORIC DISTRICT

Wethersfield Historic District



SCALE



A GIS product of the Data Services Division of the Town of Wethersfield, Connecticut. Road map after MDC, 1997. Streets in black not to scale.

Rocky Hill

PART I
APPLICATION PROCEDURES

APPLICATION PROCEDURES

REGULATED ACTIVITIES

General Discussion

Federal, State and Local laws give the Historic District Commission a broad range of responsibilities and powers. The Connecticut General Statutes state that

"...No building or structure shall be erected, altered, restored, moved or demolished within an historic district until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to the commission and approved by said commission." Conn. Gen. Stat. §7-147d (a)

For the purposes of Commission consideration, 'exterior architectural features' shall include such portion of the exterior of a structure as is open to view from a public street, way or place. Conn. Gen. Stat §7-147a (a)

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." Conn. Gen. Stat. §7-147d(c)

Before any of these changes can be made, a *Certificate of Appropriateness* must be obtained from the Town of Wethersfield Historic District Commission.

A map of the town's regulated historic district is included in the previous section of this handbook. **As defined by state statute, all structures located within the district, regardless of age or style, are regulated.**

To fall under the authority of the Historic District Commission, a proposed construction activity must be visible from general public view. The laws state that public view is not limited to public streets, sidewalks, and parks, but includes any

place customarily open to the public, such as private parking lots. The public viewpoint also can be from navigable waterways, boardwalks, and wharves, as well as from railways. A building or structure, which is hidden by landscaping, is considered to be in the public view if it would be visible without such landscaping.

The Wethersfield Town Building Department will require a *Certificate of Appropriateness* approved by the Historic District Commission before issuing a building permit for any construction activity in the historic district. Also, a *Certificate of Appropriateness* may be required whether or not a building or zoning permit 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 in addition to compliance with the Commission's decision.

Homeowners will be considered in non-compliance in the following instances including but not limited to:

- when work occurs before a certificate of appropriateness is issued;
- when work occurring or work that has occurred is not in compliance with the certificate of appropriateness;
- when work occurring or work that has occurred is not in compliance with the stipulations of a certificate of appropriateness.

Additionally, any unauthorized and inappropriate construction work can result in:

- 1) A court injunction requiring the removal or change of the work as approved by the Historic District Commission and/or,
- 2) A lien put on the property until such approved change is completed.

The following activities are typical of those that require a Certificate of Appropriateness under the Town Wethersfield Historic District Ordinance. We offer this list only to aid the application procedure; it is not a complete and final itemization of all activities that may be regulated by the Commission. Please call the Wethersfield Building Department or come to any scheduled meeting of the Commission if there are any questions as to the necessity for application.

*Examples of Regulated Activities Requiring Commission Action**

ALL PRINCIPAL BUILDINGS

OUT BUILDINGS including but not limited to:

Garages
Sheds
Barns
Greenhouses
Gazebos
Bandstands
Wooden well covers
Historic outhouses

ARCHITECTURAL ELEMENTS including but not limited to:

Doors & entranceways
Porches
Window frames, sash & muntins
Storm doors
Shutters
Architectural trims & ornament
Substantial removal or replacement of siding or roofing
Addition of aluminum, vinyl or similar siding
Exposed foundations
Chimneys
Dormers
Sunrooms
Awnings
Exterior Light Fixtures
Gutters
Replacement of historic gutters

*The Historic District Commission requires a Certificate of Appropriateness even if the view of a structure is blocked by a tree, shrub or other landscaping material.

SITE FIXTURES & STRUCTURES including but not limited to:

Driveways (except for 1- & 2-family residences where driveway is not greater than 11' 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 those less than 18" high)
Trellises pergolas, & arbors
Exterior lighting fixtures
Above-ground swimming pools and their fixtures
Any visible fixtures associated with in-ground pools
Dumpster enclosures and dumpsters
Above ground storage tanks
Sculptures or permanent decorative structures

NON-RESIDENTIAL PARKING AREAS including but not limited to:

Size
Location
Visibility of cars
Paving materials
Lighting

SIGNS including but not limited to:

Business
Multi-family residential
Street & traffic signs

MISCELLANEOUS FIXTURES, STRUCTURES and UTILITY BOXES including but not limited to:

Solar panels
Wind-powered energy devices
Exterior air conditioning units, exhaust vents, coolers, etc.
Utility boxes including electrical service, gas services, etc.
Solar panels
Satellite dish, ham radio, and other specialized antennae
Temporary structures such as tents, in place more than 180 days
Vending machines in place for more than 30 days

Any structure, even if of temporary materials, if left in place more than 180 days

*The Historic District Commission requires a Certificate of Appropriateness even if the view of a structure is blocked by a tree, shrub or other landscaping material.

Examples of Non-Regulated Activities Requiring NO Commission Action

CONSTRUCTION NOT VISIBLE FROM ANY PUBLIC WAY*

INTERIOR ALTERATIONS

ROUTINE MAINTENANCE & REPAIR:

Painting and choice of paint color

Masonry repair & repointing which exactly match the existing brickwork

*Siding & roofing repairs which match existing **exactly***

***Exact** replacement of existing architectural and site features*

LANDSCAPE PLANTING

MISCELLANEOUS FIXTURES:

Retaining walls not greater than 18" high

Walkways for 1 -2 family homes

Driveways for 1 -2 family homes under 11' in width

Parking areas for 1 -2 family residences where not in front yard

Boats and recreational vehicles

Flagstaffs attached to building facades

Storm windows

Residential patios and terraces on grade

In-ground swimming pools

Residential playground equipment

Incidental through-roof plumbing vents

TEMPORARY SIGNS:

Real estate signs

Construction signs

Tag sale signs

Political signs and event banners

TEMPORARY FIXTURES & STRUCTURES:

Event tent structures in place less than 180 days

Construction dumpsters, trailers, pods, storage units, toilets, security fencing, and utilities in place less than 180 days

*The Historic District Commission requires a Certificate of Appropriateness even if the view of a structure is blocked by a tree, shrub or other landscaping material.

APPLICATION PROCEDURES

PRE-APPLICATION MEETING

The Pre-Application Meeting is an optional, informal session with the Commission before a property owner submits a formal application. We offer this meeting to property owners so that we can discuss the general appropriateness of the proposed change. The Pre-Application Meeting is entirely optional, but strongly recommended, particularly with involved construction projects such as an addition or new house. We ask that the applicant review this handbook in preparation for the meeting, and bring all pertinent materials. Contractors, architects and other consultants may come to the meeting, but are certainly not required. The meetings are held during the regularly scheduled meeting times. The Pre-Application Meeting must be scheduled through the Wethersfield Building Office.

The Pre-Application Meeting may include the following:

Discussion of proposed scope of work

Determination if Certificate of Appropriateness is required

Clarification of application procedures

Review of preliminary plans, specifications, and/or photos

Identification of additional materials necessary for submittal

Advice on appropriate design and materials

Please note that the Historic District Commission can make no decision about an application during this initial, planning meeting, other than that a construction activity does not need a Certificate of Appropriateness. The Pre-Application Meeting does not begin the statutorily defined 65-day period for consideration of an application.

*APPLICATION FORM &
SUBMISSION MATERIALS*

An *Application for Certificate of Appropriateness* may be obtained at the Wethersfield Town Building Department, on the town's web site (www.wethersfieldct.com), or at any regularly scheduled meeting of the HDC, at:

Wethersfield Town Hall
505 Silas Deane Highway
Wethersfield, CT 06109
860-721-2839

An application fee is paid to the Building Department with the submitted application. This fee is non-refundable after public notice has been provided. We strongly suggest that the applicant request a Pre-Application Meeting before submitting a formal application. Pre-Application meetings are discussed in the preceding section of the handbook. However, this meeting is at the option of the applicant.

A sample application form follows in this section of the handbook. In addition to the completed application, applicants **MUST** submit supporting materials that explain the details of the proposed construction activity. In most instances, the supporting materials listed in the following table are required. We may request any other information we deem necessary to make a determination of appropriateness. Supporting material must be filed at the same time as the completed application so that the public and the Commissioners have advance time to review all details. Applicants who file only the form and then bring supporting materials to the scheduled meeting will have their applications tabled until the following meeting to create this review period.

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

Applicants are advised that Historic District Commission approval does not preclude the need for any other required permits, such as Planning and Zoning, Inland Wetlands or Building.

**WETHERSFIELD HISTORIC DISTRICT COMMISSION
SAMPLE APPLICATION FOR
CERTIFICATE OF APPROPRIATENESS**

**TOWN OF WETHERSFIELD
HISTORIC DISTRICT COMMISSION**
Application for
CERTIFICATE OF APPROPRIATENESS

OFFICE USE ONLY	OFFICE USE ONLY
Application No. _____	Date Received _____

Application is hereby made for the issuance of a CERTIFICATE OF APPROPRIATENESS for proposed work as described below and as shown on photographs and plans or drawings.

Address of Proposed Work _____

Applicant _____ Home Phone _____
Applicant's Address _____ Business Phone _____

Owner _____ Home Phone _____
Owner's Address _____ Business Phone _____

Agent or Contractor _____ Phone _____
Address _____

Type of building that the proposed work is to be done on: _____

APPLICATION FEE:

THE FOLLOWING INFORMATION MAY BE REQUIRED (Please consult staff):

Photographs/Manuf. Cut Sheets Plot Plan of Property Plans/Drawings of proposed work

EXPLANATION OF APPLICATION: _____

Signature of Applicant

OFFICE USE ONLY	OFFICE USE ONLY
() Referred to Historic District Commission for Public Hearing On _____	() Notice of Public Hearing published on _____

COMMISSION ACTION

- | | |
|--|---|
| <p>() Application TABLED</p> <p>() Application DENIED</p> <p>() Application CONTINUED WITH HEARING LEFT OPEN</p> | <p>() Application APPROVED AS MODIFIED</p> <p>() Application APPROVED AS SUBMITTED</p> <p>() Application APPROVED WITH STIPULATIONS</p> |
|--|---|

Date _____ Date _____

Signed _____ Signed _____
Clerk, Historic District Commission Clerk, Historic District Commission

APPLICATION REQUIREMENTS

SUPPORTING MATERIALS

Sketch perspective drawing of proposed work

Scale drawings and plans of existing property. A minimum scale of 1/4"=1" is recommended.

Architectural drawings (elevations) of all changed building facades and relevant site features. A minimum scale of 1/4"=1" is recommended.

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

Copies of product literature.

Detailed site plan showing proposed changes.
A minimum scale of 1/4"=1" is recommended.

Sketch site plan showing the proposed site change in relationship to adjacent properties.
A minimum scale of 1/4"=1" is recommended.

Photographs showing all facades of related buildings and structures on the property.

Photographs showing nearby structures and the spatial relationships of these buildings within the immediate neighborhood. These photographs should be arranged to show the entire street frontage for at least 2 successive properties in all pertinent directions.

If Demolition is proposed:

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

Copy 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 Connecticut Historic Commission.

APPLICATION PROCEDURES

PUBLIC HEARING

Public Access to Meetings & Records

Connecticut State Statutes require a *public hearing* for all applications. The Commission must advertise any scheduled public hearing at least once in a newspaper having substantial local circulation not more than 15 and not less than 5 days before the public hearing. 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 Wethersfield Building Department.

Special meetings may be held for any reason and at any time and location. Special meetings may include workshops, seminars, inter-agency discussions, consultation with experts and 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 posted at the town Clerk's office at least 24 hours before such meeting, though no other advertising is required.

Time & Location of Public Hearings

Public Hearings are scheduled in conjunction with the regular meetings of the Historic District Commission, which are held on the second and fourth Tuesday of every month unless otherwise posted (except holidays), at 7:30 PM at:

Wethersfield Town Hall
505 Silas Deane Highway
Wethersfield, CT 06109
860-721-2839

Hearing Procedure

At the public hearing, the Chairperson will first call the meeting to order. The Clerk of the Commission will read the legal notice as advertised. The Chairperson will call on the applicant or agent of the applicant to identify him/her self and explain the proposed work.

Additional supporting material may be presented, and expert consultants and other interested parties (such as neighbors) may be introduced. All regularly-scheduled Commission meetings are audio taped and transcribed into the meeting Minutes.

When the applicant's presentation is complete, the Chairperson and Commission members will direct questions to the applicant and his or her representatives. The Commission may also make suggestions as to design modifications. After both the Commissioners and the applicant have finished, the Chairperson will open the meeting to public comment, asking for audience members in favor of the application to speak first. After hearing comments against the application, if any,

the applicant will be allowed to respond. Only one person shall be allowed to speak at a time during a public hearing.

After comments and rebuttal have been heard, the Chairperson will proceed to the next scheduled application. Once all the applications on an evening's agenda have been heard, the Chairperson will close each individual public hearing and will then close the public hearing section of the meeting. At the Commission's decision, an individual hearing may be allowed to continue open to the next regularly scheduled meeting.

APPLICATION PROCEDURES

PUBLIC MEETING

The public meeting section of the regular meeting is closed to public comment. Applicants are welcome to stay for the public meeting but are not required attend. Commission members will deliberate and decide on each application. The Commission may approve it approve it with stipulations, table it for further consideration or in rare cases deny it. A minimum of three votes is required to carry a decision. Once all applications are voted upon, the Commission will proceed to other business matters.

The Commission must vote a final decision on an application within 65 days of officially recorded receipt of the application. A vote to table or continue a decision is not a final vote. The applicant may withdraw an application in writing at any regular *meeting*, or during normal office hours in the Building Department. A withdrawn application may be submitted in the same or revised form within one year of the official receipt date of the original application. For the purposes of

determining the 65-day review period, such resubmission shall be considered a new application effective of the date of re-filing. An application may only be resubmitted once without incurring the application fee but if the original application fee was returned then the application fee will apply to the resubmission.

Determination & Appeals

Determination of Appropriateness

The Historic District Commission is charged with determining the appropriateness of all proposed construction activities that are regulated under the Historic District Ordinance. These regulated activities are outlined at the beginning of *Part 1* of this handbook. The Commission will make this decision based on the submitted application materials and the duly recorded comments of the public hearing. In evaluating the impact of proposed construction activities, the Commission will consider:

- * The relationship of the proposal to its immediate streetscape, and to the district as a whole, in terms of size, scale, massing and proportions.
- * Compatibility with the characteristic styles and building traditions of the subject property itself, and of its immediate neighborhood, and of the district as a whole, in terms of general design, massing proportion, arrangement, materials, texture, and architectural features.
- * The unique architectural and historic contribution of the subject property and its immediate neighborhood.

We refer you to *Part II - Design Guidelines* of this handbook, which provides an in-depth discussion of both the general objectives and specific criteria used by the commission to determine appropriateness of design. While we hope that the following guidelines will assist the applicant, they should not be considered to represent absolute standards that can and must be applied in all instances. The Wethersfield Historic District encompasses nearly 400 years of settlement. Every property is unique and contributes to the evolving riverfront community for which the Commission is responsible. The Commission ultimately must use its own judgment to determine appropriateness based the unique details of the application and the setting and building traditions of the Historic District. To support its decision, the Commission may use any one of a list of reference books on historic design - some of these references are listed in Appendix III.

Decisions granting or denying an application shall be approved by a minimum of three Commission members (three members present constitute a quorum). All decision shall be in writing, 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. If an application is withdrawn, any subsequently resubmitted application will be considered to be a new application effective as of the date of the official receipt by the Commission.

If the Commission denies the application, written notice will be sent to the applicant and the Chief Building and Zoning Official. This notice will state the basis for the denial. Applications that are denied without prejudice may be resubmitted in exact form within one year of the official receipt date once without incurring the application fee; denials may not be resubmitted without change. The Historic District Commission may approve an application, but require changes, as detailed in stipulations attached to the decision. If the applicant does not wish to implement such changes, the applicant's only recourse is to reapply with a modified design proposal, or appeal the Commission's decision to the Superior Court.

*Certificate of
Appropriateness*

Once the Historic District Commission approves an application, a *Certificate of Appropriateness* will be issued to the applicant, with a copy filed at the Building Office. Construction or demolition may not begin, nor any building permit granted before a Certificate of Appropriateness is issued.

A Certificate of Appropriateness is valid for one year from the date of issuance. The expiration date will be displayed on both the Certificate of Appropriateness issued to the applicant and the copy filed in the Building Office.

Work must be completed within one year of the date of issuance of the certificate of appropriateness. If work will not be completed within one year of the date of

issuance of the certificate of appropriateness, then the applicant must apply for an extension. Requests for an extension should be made to the Historic District Coordinator. Extensions do not require a public hearing or public notice, do not carry a fee and will be considered during the public meeting after the public hearing portion of the regularly scheduled meeting.

Any substantial change in detail or scope of work from that authorized by the Certificate requires approval of a new application by the Commission. A minor change may be allowed as an *Amendment* to the original Certificate of Appropriateness. An amendment to an application must be applied for within two years of the date it was officially received. Applicants must discuss these changes with the Building Department or at any regularly scheduled Historic District Commission meeting. Any work stipulated as a condition of a Certificate of Appropriateness must be completed in conjunction with other work or the Commission may impose a Notice of Violation. A notice of violation may result in both fines and court mandated remedial work.

Appeals

If the applicant does not understand or agree with the decision of the Historic District Commission they may contact the Historic District Coordinator for more information and an explanation of the decision. Applicants are also encouraged to attend a regular Historic District Commission meeting to informally discuss their questions and concerns with the Commission. Finally, applicants may appeal to the Superior Court. An appeal must be made within 15 days from the date of an

adverse decision, and it must be made returnable to such court in the same manner as any other civil action.

APPLICATION PROCEDURES

ENFORCEMENT & NON-COMPLIANCE

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 that are proceeding in violation of a 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. This notice will state the general nature of the violation. The property owner must contact the Building Department and/or the Historic District Commission at a regularly scheduled meeting to determine both the required remedial work and the schedule for completion.

Should any violation persist, the same section of the state statues permits the Historic District Commission to begin action in Superior Court to restrain the violation and to issue orders that the violation be corrected or removed. Specifically, Section 7-147 of the Connecticut General Statues 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 feature altered or demolished in violation of said sections or any regulation or ordinance adopted under said sections.

In clearer language, the Historic District Commission, through the Superior Court, may require the demolition of a new building or structure that violate Commission rulings or regulations, or the complete reconstruction of a building demolished in violation of the same. We believe that use of this handbook will prevent property owners and the Commission from experiencing this degree of extreme action.

PART II
DESIGN GUIDELINES

DESIGN GUIDELINES

Introduction

The goal of the Wethersfield Historic District Commission is to preserve and reinforce the overall character of the town's historic district. Our District has evolved over time and consists of distinct architectural styles from many different time periods. We have developed these guidelines as a tool to guide our commission and homeowners in renovations and new construction. We understand that current property owners will want to expand, reduce, and alter their property to accommodate modern-day standards of living.

The purpose of these guidelines is to give the Commission a set of standards to use in judging the appropriateness of proposed modifications. These guidelines have been established to set some standards of consistency and provide a degree of predictability, however each application is based on its own merit.

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

DESIGN GUIDELINES

DESIGN PRINCIPLES

We recognize the architectural importance of structures from 1634 settlement through present day. We believe that even contemporary structures, such as those built within the last 50 years, play an integral part in the architectural landscape of the district and are as worthy of preservation as those structures built during the 17th, 18th, 19th and early 20th centuries.

We recommend that construction be harmonious with its immediate historic environment and should also reflect the character, scale, massing and traditions of the immediate area and the district. We encourage excellence in design that is compatible with the broad diversity of styles, periods, and materials represented in the district.

We recommend that additions be harmonious with the characteristic massing and architectural features of the original structure. Additions shall respect the main character-defining elements of the original structure and be harmonious with the immediate environment.

We recommend that alterations be consistent with the design of the original structure and any later architectural additions. We discourage alteration or removal of characteristic architectural features, including architecturally significant additions. We encourage, whenever possible, restoration of original features.

We encourage the repair rather than the replacement of deteriorated architectural features wherever practical. In the event that replacement is necessary, we recommend that the new material match the material being replaced in composition, design, color, texture and other visual qualities. In cases of both repair and replacement, we recommend that missing architectural features should be based on accurate duplications of original features, substantiated by physical or pictorial evidence rather than conjectural designs.

We do not permit the demolition of structures that are considered important to the district unless there is no prudent alternative. We will not permit demolition of property that has been allowed to deteriorate through neglect of base maintenance and upkeep. We consider moving historic structures only as a last resort.

We recommend that incidental site structures and fixtures, such as outbuildings, fences, street lighting, signs, utilities and paved surfaces be consistent with the characteristic scale and style of the environs. Utilities should be placed underground.

We recommend that parking and related traffic areas, wherever possible, be appropriately concealed or screened from public view. The visual impact of large parking areas should be softened through the use of traditional paving materials and suitable landscaping.

While we do not regulate the use of a property, we encourage the retention or restoration of original building and property use wherever possible. We are

supportive of adaptive reuse when it is essential for the practical preservation of a structure. Any changes in use should be compatible with the building and site as to require minimal alteration to both.

DESIGN GUIDELINES

HISTORIC CONTEXT

Size

When considering size, we evaluate the width and height of a building. We encourage designs that are similar in size to neighboring buildings. When adjacent buildings are of various sizes, we would also consider the rhythm of building sizes along the street. Architectural devices can aid applicants in either reducing or enlarging the apparent size of a building. For instance, a gambrel or mansard roof adds another story without adding to the façade height.

Massing

When examining massing, we examine the form of the building, its shape and its proportions. The shape of the roof is an important element of massing. A Street's rhythm is often influenced by its characteristic roof forms, so, roof styles become an important element in new designs and additions. Roofs may run parallel or perpendicular to the street. They may be gabled, hipped, gambrelled or many other types. The pitch may be steep, flat, or shallow. Appropriate roof designs will reflect the characteristic roof form of the neighborhood and the district.

When considering massing we also review the shape of the building. In general the older the building is, the simpler the shape. Over time some historic buildings gained porches, bay windows and the like, which have historic value in their own right. These additive modifications are generally smaller in size and an accessory to the more primary form to which they are attached.

Massing can be symmetrical or asymmetrical. Generally eighteenth and early nineteenth century buildings are relatively symmetrical and balanced. Mid to late

19th century architecture exhibits a more dynamic and deliberately asymmetrical balance. Symmetry regained popularity during the late 20th century.

When considering proportion, we review the relative height and width of the building - is it tall or low, wide or narrow? We encourage design that will reflect the overall proportions of abutting properties and the rhythm of the street at large.

Scale

We define scale as the relationship of individual design elements to the structure as a whole and the relationship of the structure to its neighboring structures, street, and topography. The scale of a structure is a primary consideration in determining whether a building is compatible with its setting. A building that is larger in scale than its neighbors requires a larger set back and side lots. Also, the volumes of the building can be broken up into several smaller units. In general public buildings are larger in scale than residential ones.

Scale should be considered in terms of both the structures itself and the space that surrounds it. Characteristic scale typically varies within any historic district, as for instance between residential, commercial, rural and waterfront areas. Moreover, environmental scale may be homogenous or diverse. For instance, in Wethersfield different scales exist in the Main Street downtown area versus the more open area of the Broad Street Green.

Usually the pattern of existing buildings along a street line is basic to establishing scale. An essential factor is whether the neighboring buildings form a consistent pattern or whether in fact they are characterized more by differences. For instance

the Hubbard homes found on Hubbard Street and Church Street are similar in size and in the rhythm of their placement along the road. On the other hand, the scale of buildings along the east side of Main Street between Garden and Marsh is very different. This street reflects the wide variation of construction dates and different uses of the structures. This variety creates a much different feel for the neighborhood.

Rhythm

We define rhythm as a recognizable pattern created by the repetition of design elements along a street or within a single structure. A repetition of similar front porches, roof shapes, dormers or balconies can create a rhythm along a street. The placement of windows on the façade of a single building can create a rhythm. When we consider the rhythm, we examine the pattern of relationships on a street. Street rhythms may be complex or simple.

Orientation

We define orientation as a building's position on the site in relation to the street. Differences in set back and side lot affect the rhythm of the street. New construction should take neighboring set backs and side lots into account. Generally buildings in our district are set square to the street with entranceways set facing the street. We encourage new designs to follow this pattern.

DESIGN GUIDELINES

CHARACTERISTIC STYLE



Our goal is to maintain continuity with the past. Many of Wethersfield's neighborhoods' display a historic progression of architectural styles from early colonial to contemporary. Some neighborhoods are notable for the domination of one or two styles while others are characterized by a diversity of styles. Our objective is to maintain continuity with the past and to protect and enhance the heritage as a whole.

We believe that both reproduction architecture and compatible contemporary architecture are appropriate for both new construction and additions. Designs for additions should be carefully crafted as not to upstage the main portion of the



building or to disrupt the neighborhood's ambiance. We determine appropriateness based not on taste, but on whether the architecture will be harmonious with the characteristic style of the its immediate environs and secondly of the overall district.



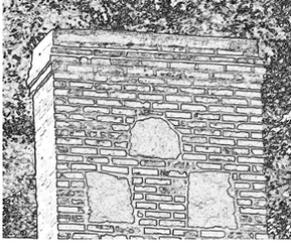
EXTERIOR ARCHITECTURAL ELEMENTS

Chimneys
Decks and Terraces
Street and traffic signs
Dormers
Front doors, Entrancesways and Porches
Fences and walls
Fire Exits and Handicapped Access
Foundations
Garage Doors
Gutters and Downspouts
Landscaping
Light fixtures
Masonry
Outbuildings
Parking areas
Roof Form
Roofing
Shutters
Sidewalks and Roadways
Siding
Signs
Storm Windows and Doors
Sunrooms
Trim and Ornamentation
Windows

Chimneys



Typically chimneys in Wethersfield are red brick with corbelling, or brick courses which step upward and outward. Chimneys should be maintained in their original height, form and design. Original decorative elements should be maintained. If a new chimney is



constructed, it should match the existing chimneys in style and material. Non-masonry chimney stacks should not be used.

Decks and Terraces

While porches, verandas and terraces are all traditional building elements in Wethersfield's Historic District contemporary decks have little historic precedence. Residential terraces and patios that are at grade are considered to be landscaping elements. Deck additions should be limited to the first floor and should be located out of public view. Landscaped terraces are encouraged in lieu of deck additions where in the public view.

Any deck proposed should be visually integrated with the main building. Partial roof coverings as well as railing design can help with the visual integration of the deck and main building. Framed latticework around the under deck area will help tie the deck to the building as well as give visual support.

Directional Signs, Street and Traffic Signs, Advertising Signs

Applicants should keep in mind that any sign installed must meet zoning regulations. Street and traffic signs are encouraged to reflect local historic precedence. But pretence to antiquity is discouraged where no such traditions exist. Carved wooden signs attached to wooden posts are encouraged for business use.

Dormers

Hipped roof and gabled dormers, first popularized with the advent of the Victorian style were used extensively with the Shingle, Craftsman and Tudor styles. The



shed roof dormer did not emerge as a roof form until the early twentieth century when its use was favored with the low spreading roof form of the bungalow. The Craftsman style shed dormer typically involved an exaggerated low profile.



In general both gable and hip dormers may be an appropriate way to use existing attic space. The addition of new dormers on existing architecturally significant roof surfaces is discouraged. Dormers may also be a useful way to reduce the



apparent scale of new construction. If shed dormers are used they should be clearly subordinate to the primary roof form and best used on broad low hung roofs. Flush dormers that are continuous with a wall below should have prominent fenestration that breaks the eave line of the main roof. All

dormers should be predominantly windows.

Fences and Walls

During the 1700's and 1800's most of Old Wethersfield's residences used wooden fences for animal control. Many of these fences have been lost to deterioration. Simple picket fences were typical of the earlier 19th century and again of the 20th century. During the mid-19th century more decorative fences emerged. By the middle of the 19th century ornate iron fences were fashionable.

Existing walls and fences should be preserved wherever possible. Restoration of existing historic fences and walls is always preferred to replacement. Where stone walls are reset or built new, they should follow the traditional drywall techniques used in original construction.

New fences should follow local traditions appropriate to the period of the property and immediate neighborhood. New fences should not exceed 3 feet in height in any front yard and 6 feet in height on side and back yards. High masonry walls, barricade fences, and other large imposing fence like structures are discouraged because they are not characteristic of the Old Wethersfield Historic District. Chain link fences are appropriate in industrial situations and **not** in residential and commercial retail areas. Vinyl fences are discouraged.

Fire Exits and Handicapped Access

Exterior stairs to upper level entrances are generally inappropriate to the historic context and thus should be concealed from public view. Visible exterior stairs generally will be permitted only when no other practical remedial action meets the safety code. If unavoidable, such exit stairs should reflect the detail and finish of the main structure. In additions, applicants should provide an interior exit.

Retrofitting for handicapped accessibility is difficult to achieve in historic buildings. Main entrances to historic buildings may receive special consideration under code as long as a suitable alternative access is provided. Where access ramps must be added to visible sides of a historic structure, they should be made

as discrete as possible by reflecting characteristic details of the main building. Often such ramps can be constructed as landscape terraces to further mitigate the visual impact on the architectural massing of the main structure. A ramp with a gradual rise of 1 foot per 22 linear feet is considered a sidewalk and does not require a railing.

Foundations

Old Wethersfield's earliest foundations were of native brownstone, field stone, stone topped with brick or in some cases cut stone. The high foundation became an important architectural element during the middle of the 19th century and remained popular through the 19th century.

If the design in a new construction calls for high foundation walls and/or raised basement stories, local building tradition would usually dictate the use of brick facing or traditional stonework. Large exposed areas of concrete foundation are not considered appropriate in Old Wethersfield's Historic District.

The Historic District does not require a certificate of appropriateness for the routine repair and maintenance of any masonry surface as long as any re-pointing and replacement of masonry duplicates the historic condition. For example, the grout material and color, the tooling style of grout and color and type of masonry should all be consistent with the existing materials.

Front Doors, Entranceways and Porches

Historically, entryways have been a major character-defining element of a home. The entranceway was often the primary



decorative feature of colonial era structures. Throughout the Victorian era and into the early 20th century, the porch remained a characteristic architectural feature.



On earlier Colonial and Federal era houses, the doorway was usually centrally located and was given the highest degree of ornamentation. Colonial doorways had single or double doors without lights. 17th and 18th century doors consisted of vertical



flush boards, mid to late 18th century doors had raised panels. Transom and side lights appear after 1780.

Porches were often the most embellished architectural element of a house. We recommend against removing existing porches because the entranceway would be stripped of its primary characteristics. The reconstruction of a lost porch



is strongly encouraged and should be based on historic precedence for the style of the building.

For new structures, porches are often an appropriate way to relate to the scale of



a

mid- to late 19th century neighborhood. The preservation and restoration of porch detail is crucial and should be considered as part of any appropriate design.

All porch additions should be compatible with the style and detail of the building. Depending on the style, a new porch roof pitch may reflect the main roof form of the building or may appear flat. Porch additions to building types which traditionally did not have any porches should be limited to the rear side of the building where possible. Enclosing an existing porch is generally inappropriate. Screening in a traditionally open porch requires the prior approval of the Historic District Commission.

Replacement of historic doors is discouraged. We encourage the repair of existing historic doors or new doors that duplicate the original design.

Garage Doors

The Historic District Commission regulates the design and type of material used in new and replacement garage doors. Barn style and carriage house doors are almost always the first choice with wood paneled as an alternative.

Gutters and Downspouts

Up until the turn of the century, water drainage systems usually consisted of diversionary rooftop devices or Yankee gutters built into the roof structure.

Attached metal gutters that are appropriate for most structures are the half round style. The metal k-style most commonly used today was introduced in the 50's and is most appropriately used on contemporary homes or as a replacement for similarly styled wood gutters.

Landscaping

The Commission specifies landscaping only when it is needed to obstruct the otherwise unavoidable public view of an inappropriate structure.

Light Fixtures

Lighting fixtures should be appropriate to the historic context of the building. The Commission regulates all outdoor lighting fixtures on residential and commercial buildings.

Masonry

The Historic District Commission does not require a Certificate of Appropriateness for the routine repair and maintenance of any masonry surface so long as any repointing and/or replacement of masonry units duplicates the historic condition and bond pattern. Any complete reconstruction of masonry surfaces requires the Commission's review.

Outbuildings

Outbuildings such as garages, barns, sheds, carriage houses, and even greenhouses, are all considered important elements of an historic district. Outbuildings are afforded the same protection under our guidelines as principal buildings, including the type of garage doors, building windows, and trim. The more modern demand for garages on sites where an automobile was not originally intended can have considerable impact on the site and the overall appearance of the district.

We encourage the use of natural materials traditional to Old Wethersfield such as wood shingles, wood clapboard, brick, stucco and board and batten. Outbuildings are afforded the same legal protection from demolition as are principal buildings.

Designs for new outbuildings should reflect the style and especially the roof line of the principal building or the vernacular of our district. Alternatively, outbuildings may be designed as a visual counterpoint to the principal structure. Typically, freestanding garages are preferred to those which are attached. The design may call for board and batten on the outbuilding in contrast to the formal clapboard of the principal building.

Outbuildings should be placed to as to minimize their visual impact.

Parking Areas

Generally parking areas are without historic precedence. Applicants should note the Historic District Commission has jurisdiction over the type of material used in a commercial and multi-family parking area or driveways.

The Historic District Commission evaluates the following areas to determine the appropriateness of a parking area:

Size

Location

Visibility of cars

Paving materials

Lighting

Off-street parking areas should be concealed from the road wherever possible and preferably should be located to the rear of the building. Parking areas in a front yard generally is inappropriate. Wide curb cuts are not appropriate and parking areas should be accessed by as narrow a driveway as is practical.

Paving materials which contrast with the adjoining roadway are preferred so as to provide a visual break in both texture and color.

Both asphalt and concrete may be acceptable as appropriate materials for parking areas but the use of more textured paving materials is encouraged especially for larger parking areas. Textured paving materials include gravel, brick pavers, granite paving blocks, or cobblestone.

Parking lot sidewalks should be gravel, brick, granite, or concrete in keeping with the characteristic neighborhood traditions. Curbs should be granite and gutters if provided should be granite paving block or cobblestone.

Parking which remains visible from the public right-of-way should be suitably screened with landscaping or fencing. Landscaping may also help reduce the apparent size of parking areas.

Roofing

Historically, Wethersfield's homes typically would have had wood shingles or slate roofs. Slate roofs were usually limited to public buildings and more elaborate Victorian houses due to cost. We encourage the preservation of existing slate and wood roofs and only under unusual practical difficulty will their replacement with other materials be permitted.

Restoration of original roofing materials is always encouraged where practical and we encourage the use of traditional materials characteristic to the neighborhood in new buildings.

In some instances, alternative roofing material may be acceptable as a practical replacement to the original roofing material. Pre-approved asphalt shingle colors are available for review at the town planner's office in town hall. If the color matches those on file and the type of shingle is to remain the same, the building owner need not apply for a certificate of appropriateness. If the color does not match those on file, the building owner must apply for a certificate of appropriateness.

Asphalt shingle is discouraged where the historic roofing is an important decorative feature such as a mansard roof.

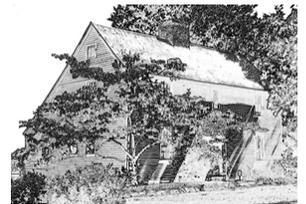
Roof Form

The pitch of the roof is a defining element of any building. Typically eighteenth and early nineteenth century houses were built with a pitch of about 8-12 inches in



vertical dimension to every 12" horizontally. The introduction of the mansard style is an example where the roof shingle itself is a deliberate decorative element.

Up until the Civil War, roof forms consisted of a single primary shape with most secondary wings or ells with a lower and usually similarly shaped roof. After the Civil War, the L plan was usually roofed by a single cross-gable form emphasizing both wings equally.



The bungalows of the Craftsman style typically have a gable roof brought forward over a full width front veranda and with the roof punctuated by a



central prominent dormer. The Pre-Depression era also saw the emergence of a number of picturesque Tudor revival and medieval houses which emphasized characteristically steep and sometimes flared pitch roofs with multiple cross gables, dormers hipped peaks and the like. They may be gabled, hipped, gambrelled or many other types. The pitch may be steep, flat or shallow. Appropriate roof designs will reflect the characteristic roof form of the neighborhood and the district. When considering massing we also review roof pitch. Roof form and pitch for additions normally should be similar but clearly secondary to the main existing roof form.

Queen Anne, Shingle and American Four-Square houses generally display a relatively steep pyramidal roof and prominent hipped dormers.

Shutters

Homes typically were not built with exterior shutters until the mid-19th century. For example, Colonial and Federal era houses did not typically have exterior shutters. Shutters were originally used for protection from storms, sun and for privacy.



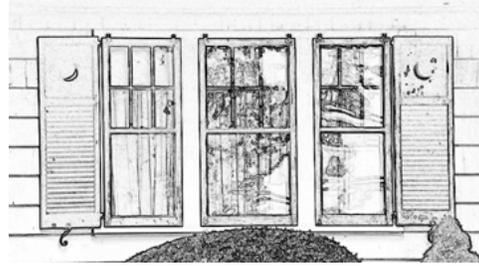
Appropriate installation of shutters requires that if closed they would cover the entire window. Paired shutters should flank a single window and should be sized so that the pair of shutters are equal to the width of the window frame.



Shutters come in different styles such as louvered or paneled. If installing shutters that are not replacing existing shutters, property owners should keep the following guidelines in mind:

If the shutters are not operable, they should be installed in a manner that imitates a hinged shutter.

The style of shutter installed should be consistent with the style of the house. For example elaborate Victorian shutters would not be appropriate on a Colonial Revival home.



Sidewalks and Roadways

Most of Old Wethersfield's roads generally were not paved until the 20th century.

Non-residential sidewalks and roadways which are viewable from any public way are regulated by the Historic District Commission.

Residential sidewalks should be installed in a manner that is sympathetic to the period of the property.

Both asphalt and concrete are appropriate paving materials for roadways. Granite paving blocks and cobblestone may also be considered but the use of these is probably more practically limited to accessory paved areas such as parking.

Siding

During the colonial era, clapboard was the predominant siding material. Typically the spacing was quite narrow with an exposure of around 3 ½ inches but was often narrower on the bottom, started with a flat termite board and were adjusted so that a full clapboard would fall above and below window and door frames. Board and

batten style siding was commonly used for barns and other outbuildings. During the Victorian period many homes were covered with a combination of clapboard and decorative wood shingles. 20th century homes in Old Wethersfield frequently combine a variety of natural materials including brick, stucco, and clapboard.

Additions and alterations to existing structures should use building materials original to the structure. Board and batten siding is more appropriate for accessory buildings than a primary structure. Typically the Commission will allow vinyl or aluminum replacement siding **only** if the details of the structure remain unchanged. Routine repair of siding of any type does not require an application to the Commission so long as the replacement does not alter the appearance of the structure. Because it is difficult to match the texture of adjoining materials when replacing siding, we encourage the repair of existing siding with wood restoration products. Replacement siding must match the color, texture, shape and pattern of existing portions. The Commission will consider approving siding products that replicate the look of the original in appearance and texture. Any replacement siding also requires a building permit in addition to a Certificate of Appropriateness.

New construction should incorporate building materials traditional to the neighborhood. The use of natural siding materials including clapboard, wood shingles, brick, stucco is encouraged. The use of aluminum and vinyl siding is discouraged on any new construction which has a prominent location within the district.

Signs

The Wethersfield Historic District Commission regulates the size, material, style and location of signs. Sign applicants should be aware that in most cases zoning regulations will dictate the size and location of signs. In cases where commissions set conflicting standards for signage, the standards of the Historic District, if stricter, prevail. Temporary signs and banners are not regulated by the Historic District Commission. When appropriately designed, signs can contribute to the visual vitality of an historic business district.

Outdoor advertising signs should reflect the historic traditions of signs for the building and district. Multiple sign types and locations are often preferable to a single larger sign. The style of the sign should reflect the style of the building to which it is attached or the prevalent style of the business district. The size of signs shall be appropriate to the scale of the building.

Carved signs are preferred but not required. Internally lit translucent plastic signs and flashing signs are inappropriate.

Storm Windows or Doors

Storm windows were developed to keep homes warm. They were typically built of wood and were replaced with wood framed screens for the warmer months.

Triple-track storm windows are more commonly used today. Because they do not adversely affect the structure of the building, they are given blanket approval. Storm doors also have blanket approval if they are of a plain, undecorated design.

Sunrooms

The architecture of the sunroom should compliment the architecture of the house. As with any other type of addition, we encourage the use of traditional materials.

Trim & Ornamentation

The trim and ornamentation of a building play an important role in defining its character. Historic houses often have purely decorative applied trim that may be found on windows, doors, porch columns, and eaves.

Original existing trim and ornament should be preserved or repaired in keeping with the original design. Epoxy based wood restoration products can repair damaged or rotted wood quite nicely. Replacement of lost trim and ornament is encouraged. The addition of trim and ornamentation for which no historic precedence exists is inappropriate.

Trim and ornamentation on additions should display the characteristic use of trim and ornamentation found on the main house. In many instances this may be done in a more simplified fashion than the main structure.

Trim on new buildings should be appropriate to the neighborhood. Highly elaborate ornamentation is usually inappropriate for new construction.

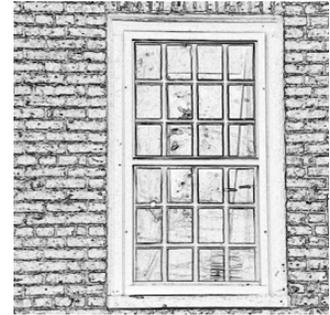


Windows

Windows are a major factor in the characteristic style and building traditions of a historic district. As styles progressed through history, windows became both larger and more frequent. In time, windows became decorative in their own right. By the middle of

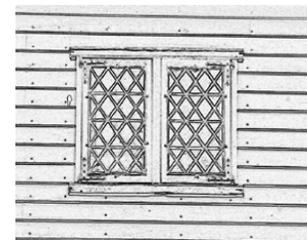
the nineteenth century, windows were grouped into bays and by the end of that century into horizontal window bands.

The proportion, rhythm, and relative symmetry of entrances and fenestration are the basic design elements of Old Wethersfield. Typically Colonial and Federal era windows had a fixed upper sash and a moveable lower sash. The windows consisted of multiple smaller panes of glass separated by wooden muntins. The earlier the window in general, the more the number of panes in a sash.

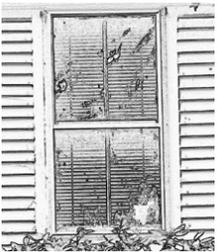


Double-sash windows are described by the number of panes per sash. For example, 8 over 12 or 12 over 12 windows are characteristic of the Colonial and Federal Eras. By 1830 larger panes of glass could be produced and one sees for the first time 6 over 6 windows and by 1850 2 over 2 windows. As styles evolved many homeowners of 18th and 19th century houses updated their windows with newer sash configurations with fewer panes.

Generally windows up to and just after the Civil War were consistent in size throughout the main facades. With the emergence of the Victorian period, windows began to vary considerably in size. The Shingle Style deliberately scattered different window types within the wall and roof surfaces of the house. High Victorian style dictated more elaborate patterns. The 1920's eclectic revivals continued this romantic ad hoc placement. With the colonial revival, more conservative placement of windows became fashionable again.

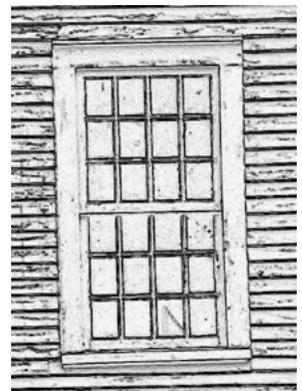


New buildings typically should have windows that are consistent with the architectural style of the structure. Existing additions should have windows that reflect the character and proportions of the structure, though they may be diminished in scale to reflect the secondary importance of the addition to the main massing of the building.



Restoration of original windows is encouraged where windows have been removed or where later replacements are historically inappropriate. Some exceptions include later replacements where the replacement itself is historically significant.

In general the Historic District Commission encourages the restoration of existing sash, in lieu of replacement. Like for like design and materials are preferred. Replacement of windows may be permitted, if in keeping with the design of the original. **Replacement** of true divided lights with snap-in grilles or grid between the glass (GBG) is inappropriate.



Window replacement does require a building permit in addition to a Certificate of Appropriateness

STATE STATUTES

Chapter 97a HISTORIC DISTRICTS AND HISTORIC PROPERTIES 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 Historical Commission, 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.)

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).

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727, 729. Cited. 196 C. 596, 607.

Subsec. (b):

Cited. 196 C. 596, 607.

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 Historical Commission, 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 Historical Commission may recommend either approval, disapproval, modification, alteration or rejection of the proposed ordinance or ordinances and of the boundaries of each proposed district. Each such commission, board or individual shall deliver such comments and recommendations to the committee within sixty-five days of the date of transmission of such report. Failure to deliver such comments and recommendations shall be taken as approval of the report of the committee.

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

(e) Notice of the time and place of such hearing shall be given as follows: (1) Written notice of the time, place and purpose of such hearing, postage prepaid, shall be mailed to the owners of record of all real property to be included in the proposed historic district or districts, as they appear on the last-

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

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

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

(h) The form of the ballot to be mailed to each owner

shall be consistent with the model ballot prepared by the Connecticut Historical Commission pursuant to section 10-320b. 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 nor 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 defined in section 53a-157b. The inner envelope, in which the ballot has been inserted by the owner, shall be returned to the municipal clerk in an outer envelope endorsed on the outside with the words: "Official ballot". Such outer envelope shall also contain, in the upper left corner of the face thereof, blank spaces for the name and return address of the sender. In the lower left corner of such outer envelope, enclosed in a printed box, there shall be spaces upon which the municipal clerk, before issuance of the ballot and envelopes, shall inscribe the name, street and number of the elector's voting residence and the date by which the ballot must be returned, and before issuance the municipal clerk shall similarly inscribe such envelope with his name and address for the return thereof. All outer envelopes shall be serially numbered. The ballots shall be returned to the municipal clerk by the close of business on the day specified, and such clerk shall compare each ballot to the list of property owners to whom such ballots were mailed to insure that each such ballot has been properly signed and returned. (i) If two-thirds of all property owners voting cast votes in the affirmative, the legislative body of the

municipality shall by majority vote take one of the following steps: (1) Accept the report of the committee and enact an ordinance or ordinances to create and provide for the operation of an historic district or districts in accordance with the provisions of this part; (2) reject the report of the committee, stating its reasons for such rejection; (3) return the report to the historic district study committee with such amendments and revisions thereto as it may deem advisable, for consideration by the committee. The committee shall submit an amended report to the legislative body within sixty-five days of such return. The committee need not hold a public hearing other than the one provided for in subsection (d) of this section, notwithstanding any changes in its report following such hearing, unless the legislative body has recommended a change in the boundaries of the proposed district or districts. The legislative body of the municipality may authorize another ballot of the owners within a proposed district or districts to be cast, other than the balloting provided for in subsection (g) of this section, notwithstanding any changes in the proposed ordinance following such balloting, if the boundaries of the proposed district in which the owners' property is situated are changed. (j) Any ordinance, or amendment thereof, enacted pursuant to this part, which creates or alters district boundaries, shall contain a legal description of the area to be included within the historic district. The legislative body, when it passes such an ordinance, or amendment thereof, shall transmit to the municipal clerk a copy of the ordinance or amendment thereof. Such ordinance, or amendment thereof, shall be recorded in the land records of the municipality in which such real property is located and indexed by the municipal clerk in the grantor index under the names of the owners of record of such property. (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.)
History: 1963 act amended Subsec. (c) to extend time for recommendations after receipt of report from sixty to ninety days and to authorize Connecticut historical commission to recommend re boundaries of proposed districts, amended Subsec. (d) to extend time within which hearing is to be held, amended Subsec. (e) to provide for sending a copy or synopsis of the study committee's report, together with a copy of the recommendations under Subsec. (c), a map and a copy of the proposed ordinance to property owners, amended Subsec. (f) to provide for inclusion of list of all buildings in report of committee and amended Subsec. (g) to provide for balloting by property owners; P.A. 75-52 added Subsec. (i) re ordinance contents; P.A. 77-338 deleted requirement in Subsec. (d) that hearing be held not less than one hundred

twenty days after report; P.A. 80-314 amended Subsec. (a) to allow more than one committee and to include provisions for alternate members, amended Subsec. (b) to include in requirements for report consideration of architectural merit, description of area to be included, map of exact boundaries, proposed ordinance etc., amended Subsec. (c) to include combined planning and zoning commissions and to replace previous provision requiring that recommendations be read at hearing with provision for turning over recommendations to committee, amended Subsec. (d) to require that hearing be held not less than sixty-five days after report sent to commissions unless conditions specified in exception are met, amended Subsec. (e) to require fifteen rather than twenty days notice and to allow towns to have available on request rather than to automatically send out complete report and other data, amended Subsec. (f) to change deadline from sixty to sixty-five days and deleted specific accounting of report contents, amended Subsec. (g) to set deadline for mailing ballots and to replace general provisions for voting and action on result with detailed provisions for voting, deleted former Subsec. (h) re proposed amendments to ordinance replacing it with further voting detail, added Subsec. (i) re actions taken following vote and relettered former Subsec. (i) as Subsec. (j) and added requirement that copy of ordinance be sent to municipal clerk; P.A. 87-167 amended Subsec. (i) to reduce the affirmative vote requirement from seventy-five per cent to two-thirds of all owners voting; P.A. 91-135 amended Subsec. (g) to transfer authority to mail ballots from the legislative body to the town clerk or his designee and amended Subsec. (h) to require that the ballot be consistent with a model ballot prepared by the Connecticut historical commission.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727, 729. Cited. 196 C. 596, 599, 600, 604, 608, 612. Cited. 227 C. 71, 74.

Subsec. (a):
Cited. 43 CS 297, 311.

Subsec. (b):
Cited. 189 C. 727, 730.

Subsec. (c):
Cited. 189 C. 727, 730.

Subsec. (d):
Cited. 189 C. 727, 731, 734, 735.

Subsec. (e):
Cited. 189 C. 727, 731.

Subsec. (g):
Cited. 189 C. 727, 731, 732. Each condominium unit owner "entitled to a vote proportionate to his freehold interest in the land ..." 196 C. 596, 599, 601, 603—605, 608, 610—613.

Subsec. (i):
Cited. 196 C. 596, 598.

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

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

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

(d) The historic district commission established under the provisions of this part shall consist of five regular and three alternate members, who shall be electors of the municipality in which the district is situated holding no salaried municipal office. The ordinance shall provide that one or more of the members or alternates of the historic district commission shall reside in an historic district under the jurisdiction of the commission, if any persons reside in any such district and are willing to serve on such commission. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the commission. If a regular member of said commission is absent or has a conflict of interest, the chairman of the commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting. The method of appointment shall be fixed by ordinance. The appointments to membership in the commission

shall be so arranged that the term of at least one member shall expire each year, and their successors shall be appointed in like manner for terms of five years. Vacancies shall be filled for the unexpired term and in the same manner as the original appointment. The commission shall elect annually a chairman, a vice-chairman and a clerk from its own number. Each member and alternate shall continue in office until his successor is duly appointed. All members and alternates shall serve without compensation. Any member or alternate may be appointed for another term or terms.

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

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

(g) A copy of any ordinance creating an historic district adopted under authority of this part, amendments to any such ordinance, maps of any districts created under this part, annual reports and other publications of the historic district commission and the roster of membership of such commission shall be transmitted to the Connecticut Historical Commission. 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.

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

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

(j) Any historic district commission established under this section may, unless prohibited by charter, ordinance or special act: (1) Make periodic reports to the legislative body; (2) provide information to property owners and others involving the preservation of the district; (3) suggest pertinent legislation; (4) initiate planning and zoning proposals; (5) cooperate with other regulatory

agencies and civic organizations and groups interested in historic preservation; (6) comment on all applications for zoning variances and special exceptions where they affect historic districts; (7) render advice on sidewalk construction and repair, tree planting, street improvements and the erection or alteration of public buildings not otherwise under its control where they affect historic districts; (8) furnish information and assistance in connection with any capital improvement program involving historic districts; (9) consult with groups of experts.

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

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.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727, 729.

Subsec. (j):

Cited. 227 C. 71, 72, 97.

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, 729, 733, 738. Cited. 196 C. 596, 607.

Cited. 29 CA 28, 40, 41.

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, 729. Cited. 196 C. 596, 607.

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, 729. Cited. 196 C. 596, 607. Cited. 227 C. 71, 96.

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

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

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

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727, 729. Cited. 196 C. 596, 607.

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

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

(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, 729. Cited. 196 C. 596, 607.

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.

See Sec. 51-197b re administrative appeals.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727, 729.

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 Historical Commission is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable

alternative to demolition. During such 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.)

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.

Cited. 153 C. 160. Cited. 171 C. 199. Cited. 189 C. 727, 729.

Sec. 7-147k. Prior districts unaffected. Validation of prior creations and actions. Nonprofit institutions of higher education excluded.

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

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

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

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.

Cited. 171 C. 199. Cited. 189 C. 727, 729, 734, 735.

Subsec. (a):

Validation of the Farmington Historic District by this statute rendered moot the basis for complaint. 189 C. 727, 738, 739.

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.

WETHERSFIELD CODE

ARTICLE XVIII, Historic District and Historic District Commission

§ 10-41. Purpose.

It is the intent of this Article to promote the educational, cultural, economic and general welfare of the town through the preservation and protection of buildings, places and districts of historic interest within the town; and to preserve and protect the many architectural phases of a Connecticut River Community on continual growth from the year 1964.

§ 10-42. Impairment of other powers.

All powers of the Town Zoning Commission and the Town Zoning Board of Appeals having to do with the use of land within the historic district shall not be impaired by this Article.

§ 10-43. District created.

There is created a historic district within the town.

§ 10-44. Boundaries.

The boundaries of the historic district shall be as follows: Commencing at a point which is the intersection of the easterly line of the right-of-way of the New York, New Haven and Hartford Railroad and the southerly line of the Wilbur Cross Highway; thence southerly along said easterly line of the right-of-way of the New York, New Haven and Hartford Railroad Company to the intersection of said line with a line parallel to and 150 feet west of the westerly line of Middletown Avenue; thence southerly along said parallel line to its intersection with the Wethersfield-Rocky Hill town line; thence easterly along the Wethersfield-Rocky Hill town line to the intersection of said line with a line parallel to and two hundred (200) feet east of the easterly line of Middletown Avenue; thence northerly along said parallel line to its intersection with the northerly line of the extension of Maple Street constituting the approach to the Putnam Memorial Bridge; thence easterly along said northerly line of the extension of Maple Street constituting the approach to the Putnam Memorial Bridge to the intersection of said line with the westerly line of Interstate 91; thence northerly along the westerly line of Interstate 91 to the Wethersfield-Hartford city line; thence westerly along the Wethersfield-Hartford city line to the intersection of said line with the easterly line of the Wilbur Cross Highway; thence southerly and westerly along the Wilbur Cross Highway to the point of beginning.

§ 10-45. Comprehensive plan.

The Commission shall prepare a plan of appropriateness and protection for the historic district as a standard by which to determine the appropriateness of historic architectural features of any new building or of any modification of existing buildings within the district. The plan shall comprehend construction materials and architectural arrangements considered appropriate for the district, to be illustrative but not necessarily comprehensive or extensive and to serve as a general

guide for the information of persons contemplating work involving historic architectural features within the district.

§ 10-46. Commission created; membership; powers and duties.

There is created a Historic District Commission of five (5) members and three (3) alternates who shall be electors of the town holding no public office and who shall be empowered to perform all functions appointed to them by Sections 7-147a through 7-147h of the General Statutes. Members and alternate members of the Historic District Commission shall be appointed by the Council.

§ 10-47. Appointment; terms; officers.

The initial appointments of members of the Commission and alternate members shall be made in such manner that the term of at least one (1) member shall expire each year. Within the month of July each year, the Commission shall elect from its own number a Chairman, Vice Chairman and Clerk.

§ 10-48. Administration.

The Historic District Commission shall administer the provisions of Sections 7-147a through 7-147h of the General Statutes as implemented by this Article within the limits of the appropriation made by the Council and the budgetary allocation made by the Manager. The clerical, technical and consulting services necessary to the work of the Commission shall be provided by the Department of Public Works.

§ 10-49. Rules and regulations.

The Commission may adopt rules of procedure, regulations and orders which it deems necessary to carry out the intent of Sections 7-147a through 7-147h of the General Statutes and the intent expressed in § 10-41 above.

§ 10-50. Filing procedure.

All work on any type of structure which would change the appearance of any property within the Historic District when viewed from the street line shall not be begun until the property owner has filed an application with the Building Inspector and has received a certificate of appropriateness from the Historic District Commission. For the purposes of this Article, the Building Inspector shall require the applicant to provide such information on those forms devised by the Historic District Commission as may be adopted or modified from time to time by the Commission. Prior to considering each application for a certificate of appropriateness, the Commission shall set a date for a public hearing to be held within forty-five (45) days of receipt of the application. Notice of the time and place of said hearing shall be given by publication in the form of a legal advertisement appearing in a newspaper having substantial circulation in the municipality at least seven (7) days before such hearing. Within sixty-five (65) days of the filing of an application, the Commission shall pass upon such application and shall give written notice of its decision to the applicant. Failure to act within the sixty-five (65) days shall constitute approval of the application. All hearings and all meetings of the Commission at which decisions are made shall be open to the public.

**TOWN OF WETHERSFIELD
HISTORIC DISTRICT COMMISSION**

Administrative Regulations and Procedures

1. APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Within the Wethersfield Historic District no demolition, moving, construction, alterations or repairs shall be started or performed affecting the exterior of an existing building or improvement, and no new construction shall be started, until a Certificate of Appropriateness has been issued. (As amended, effective 3/11/92)

- a. An application for such Certificate shall be made on the prescribed form and shall clearly describe the scope of the proposed work through drawings, pictures, writing, or other means satisfactory to the Commission. (As amended, effective 3/11/92)
- b. Issuance of a Certificate of Appropriateness does not eliminate the need for any other permits required by law.

2. PUBLIC HEARINGS

- a. All applications for work not specifically covered under blanket approval shall be approved by the Commission only after a public hearing.
- b. The following work has been granted blanket approval:
 - (1) Ordinary maintenance or repair which does not involve a change of existing design, exterior materials or scale, or outward appearance;
 - (2) Work required by a Town Official to eliminate an unsafe condition provided that any permanent repairs shall meet the criteria of 2.b. (1) above;
 - (3) Installation of temporary signs in connection with sale of premises;
 - {(4) Installation of storm windows; (as amended 6/1/05)
 - (5) Erection of any accessory building designed for the shelter of small animals, provided, that such proposed accessory building is not prohibited by any other statute, regulation or ordinance; and that no maximum horizontal or vertical dimension of any such proposed building shall exceed four feet;
 - (6) Use of pre-approved asphalt roofing color to replace an existing asphalt shingle roof. (As amended, effective 6/1/05)

3. HEARING PROCEDURE

Applications falling within the scope of Item 2.a. above shall be set for public hearing at a date selected in accordance with Section 10.50 of the Municipal Code of the Town of Wethersfield. Such hearings may be held along with or independently of the hearing of any other Board or commission concerned with the land use or structural features of property in the Wethersfield Historic District. However, decisions of the Commission shall not be concerned with land use, construction strength, or any other feature not included within the purview of the Ordinance establishing the District. (As amended, effective 3/11/92)

4. PREHEARING PROCEDURE

Any architect, builder, property owner, or any other person with an interest in a property located in the Wethersfield Historic District is encouraged to meet with the Commission to discuss contemplated work before the preparation of detailed plans and before the submission of an application.

5. CRITERIA FOR EVALUATING HISTORIC AND ARCHITECTURAL SIGNIFICANCE OF BUILDINGS AND SITES

- a. Within the limits of the resources available to it, the Historic District Commission maintains pertinent data on each property in the Historic District, including but not limited to historical and architectural values and significance, architectural style, general design, texture and materials of the building and its features, the relationship of the building and its features to other structures in the immediate neighborhood, and the importance of the building to the neighborhood. The Commission consults its records and property data in reviewing applications for Certificates of Appropriateness; {As amended, effective 3/11/92}
- b. The Wethersfield Historic District Commission Handbook (October 2003), describes the Commission's role and authority, the necessary application procedures and offers guidelines for appropriate design in the historic context. The Commission uses the Handbook frequently in substantiating its positions, and it encourages property owners to consult the Handbook to better understand the issues of concern to the Commission. (Effective 3/11/92)

6. CONSIDERATION OF APPLICATIONS

- a. In reviewing an application for a Certificate of Appropriateness for work on existing buildings, the Commission shall consider the extent to which the repairs or alterations complement the architectural style of the structure and the effects of the completed work on the appearance of the immediate neighborhood;
- b. In reviewing an application for a Certificate of Appropriateness for the enlargement of an existing building or for construction of a new building, the Commission shall consider size, mass, and scale, kinds of exterior materials and textures and ornamentation, site layout, and overall visual appearance, not only as to the building itself but its visual exterior effect on the immediate neighborhood and the surrounding buildings. Applications for enlargement and new construction shall be accompanied by explanatory line drawings and where required by the Commission drawings of the surrounding buildings, and shall clearly demonstrate the compatibility of the new structure with buildings in the neighborhood. It is

not the intent to limit new construction to anyone period or architectural style, but to preserve the integrity of historic buildings, and to insure the compatibility of any new work constructed in their immediate vicinity. In passing upon appearance as to parking, the Commission shall take into consideration the size of such parking area, the visibility of cars parked thereon, the closeness of such area to adjacent buildings, and other similar factors;

- c. Immediate neighborhood or immediate vicinity shall be defined as the two adjacent structures or properties on each side of the structure under consideration, the structure across the street and the two buildings on each side of such structure;
- d. A Certificate of Appropriateness shall not be issued where, in the judgment of the Commission, the work is inappropriate to the building or the site, or detrimental to the appearance of the immediate neighborhood;
- e. All construction work performed under a Certificate of Appropriateness shall conform to such Certificate and to any permits issued pursuant to such Certificate; (As amended, effective 3/11/92)
- f. The Commission may authorize the Chief Building and Zoning official or the Community Development Director to take any action deemed appropriate under Section 7-147(h) of the Connecticut General Statutes for the violation of any action or ruling taken by the Commission, or for failure to apply to the Commission; (As amended, effective 3/11/92)
- g. A Certificate of Appropriateness is valid for one year from the date of issuance after which it becomes null and void unless a one year extension is applied for before the certificate expires. There is no limit on the number of one year extensions. (As amended, effective 10/28/03)

WETHERSFIELD HISTORIC DISTRICT COMMISSION

BYLAWS

Article I

Purpose and Authorization

The objectives and purposes of the Historic District Commission of Wethersfield are those set forth in the Connecticut General Statutes, Revision of 1958, as amended Section 7-147A through Section 7-1471, and those powers and duties delegated to the Historic District Commission by the aforementioned Statutes by the Ordinance Establishing an Historic District within the Town of Wethersfield of September 4, 1962, as amended, in accordance with the above enabling law.

Article II

Name

The Commission shall be known as the Wethersfield Historic District Commission, and may hereinafter be referred to as the Commission, or as the Historic District Commission"

Article III

Office of commission

The office of the Historic District Commission shall be at Wethersfield Town Hall where all Commission records will be kept Copies of all official documents, records, maps, etc., will be filed or recorded in the office of the Building Department.

Article IV

Membership

The membership and terms of office shall be as specified in the above-stated Ordinance establishing the Commission and the aforementioned General Statutes.

Article V

Officers and their Duties

Section 1. The officers of the Commission shall consist of a Chairman, a Vice Chairman, and a Clerk.

Section 2. The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers. The Chairman shall have the authority to appoint committees, call special meetings, and generally perform other duties as may be prescribed in these Bylaws

Section 3. The Chairman shall be a Commission member. He shall have the privilege of discussing all matters before the Commission and of voting thereon.

Section 4. The Vice Chairman shall act for the Chairman in his absence and have the authority to perform the duties prescribed for that office. He shall be a Commission member

Section 5. The Clerk shall record the actions of the Commission and shall perform other duties as appropriate The Clerk shall be a Commission member

Section 6. In the absence of the Clerk, the Chairman shall appoint a Clerk pro tem.

Article VI

Election of Officers

Section 1. An annual organization meeting shall be held within 30 days following each July 1 at which time officers will be elected. Officers may be elected by a majority vote of members present

Section 2. Nominations shall be made at the annual organization meeting and elections of the officers specified in Section 1 of Article V shall follow immediately thereafter.

Section 3. A candidate receiving a majority vote of the members present shall be declared elected and shall serve for one year or until his successor shall take office

Section 4. Vacancies in offices shall be filled by regular election procedure as herein specified with terms to run until the next annual organization meeting.

Section 5. Resignations from the Commission shall be sent by letter to the Town Clerk, with copies to the Chairman and the Community Development Office.

Article VII

Meetings

Section 1. Regular meetings will be held at Wethersfield Town Hall on second and fourth Tuesdays of each month except the month of December when one meeting will be held on the second Tuesday and after each public hearing. In the event of conflict with holidays the scheduled regular meeting will be held on the next business day. The Commission shall file with the Town Clerk not later than January 31 of each year the schedule of regular meetings for the ensuing year; no regular meeting so scheduled shall be held sooner than thirty (30) days after such schedule has been filed. A majority at any meeting may change the date of any successive meeting.

Section 2. A notice and agenda of each regular meeting shall be filed in the office of the Building Department and mailed or e-mailed to each member of the Commission no later than twenty-four (24) hours in advance of such meeting. No other business may be considered at a regular meeting except by the affirmative vote of two-thirds (2/3) of the members present and voting. Notice and agenda of any special meeting shall be filed in the office of the Building Department and in the office of the Town Clerk at

least twenty-four (24) hours in advance of such meeting. No other business shall be considered at a special meeting.

Section 3. A majority of the voting membership of the Commission shall constitute a quorum, and the concurring vote of a majority of the members of the Commission shall be necessary to transact business and to issue or deny a Certificate of Appropriateness.

Section 4. Any member of the Commission who knowingly will be absent from a meeting or who must disqualify himself on any matter before the Commission shall arrange for replacement by an alternate member through the Building Department.

Section 5. All Commission meetings shall be open to the public when in session and shall be closed to the public for executive session only when so voted by a two-thirds (2/3) majority of the Commission members present and voting.

Section 6. Minutes shall be prepared of each meeting and shall be available for public inspection at the Town Hall during normal business hours.

Section 7. Unless otherwise specified Robert's Rules of Order shall govern the proceedings at the meetings of the Commission.

Section 8. The Commission may adjourn any regular or special meeting to a time and place specified in the order of adjournment. A copy of the order of adjournment shall be conspicuously posted on or near the door of the place where the regular or special meeting was held within twenty-four (24) hours after the time of adjournment.

Article VIII

Disqualification

No member of the Commission shall participate in any hearing or decision on any matter in which he has a personal interest, financial or otherwise. In the event of such disqualification, it shall be entered upon the records of the Commission and the place of the member disqualified shall be taken by an alternate member designated by the Chairman. The Chairman shall make the final decision as to the disqualification of a member for self-interest.

Article IX

Order of Business

Section 1. Unless otherwise determined by the Chairman, the order of business at regular meetings shall be:

1. Call to order
2. Recording of attendance
3. Dispositions of application for Certificate of Appropriateness
4. Approval of minutes
5. Correspondence

6. Other business
7. Adjournment

Section 2. A motion must be made and passed in order to dispense with any item on the agenda or to change the order of business.

Article X

Hearings

Section 1. The Commission may hold public hearings, in addition to required hearings, when it decides that such hearings will be in the public interest.

Section 2. All public hearings prescribed by law shall be advertised in accordance with the requirements set forth for such hearings in the Connecticut General Statutes.

Section 3. A competent stenographer shall take the evidence, or the evidence shall be recorded by a sound recording device, at such hearing before the Commission in which the right to appeal lies to the Superior Court. Proceedings of the hearing shall be incorporated into the minutes of the Commission to be a permanent part of that record

Section 4. To better expedite the proceedings of a hearing and to cause a better understanding of the issues involved, the Commission may prepare a hearing agenda and visual aids for display and presentation during the hearing.

Article XI

Conducting the Public Hearing

Section 1. The Chairman of the Commission shall preside at the public hearings. In the event of his absence, the Vice Chairman or a duly appointed Commission member shall act as presiding officer

Section 2. The Clerk shall read the legal advertisement and note the dates and newspapers in which the advertisement appeared.

Section 3. A summary of the question or issue shall be stated by the presiding officer at the opening of the public hearing. Comments shall be limited to the subject advertised for hearing. In any event, the Commission shall have the privilege of speaking first. The Chairman shall describe the method of conduct of the hearing

Section 4. The Chairman shall first call for statements from the proponents. The opponents shall be given equal opportunity to comment. The order is reversible, the discretion of the Commission prevailing. Whichever the case may be, each group shall make its presentation in succession without allowing an intermixture of comments pro or con. Opportunity for a brief rebuttal may be allowed at the discretion of the Chairman.

Section 5. It shall be made clear to the hearing that all questions and comments must be directed through the Chair only after being properly recognized by the presiding officer

Section 6. All persons recognized shall approach the hearing table in order to facilitate proper recording of comments. Before commenting on the matter before the hearing each person shall give his name and address.

Section 7. The presiding officer shall assure an orderly hearing and shall take necessary steps to maintain the order and decorum of the hearing at all times The presiding officer shall reserve the right to terminate the hearing in the event the discussion becomes unruly and unmanageable.

Section 8. The show of hands by those persons present shall not be allowed on any general question present at the public hearing. The hearing shall be conducted only for the purpose of taking testimony to be considered in deliberations of the regular meeting of the Commission. If a general consensus of the meeting is desired, the Commission may provide properly identified sheets on which the electors may signify in writing their opinion as either in favor or opposed to any question which is the subject of the public hearing.

Article XII

Committees

Section1. Special committees may be appointed by the Chairman for purposes and terms, which the Commission approved

Article XIII

Public Relations

Section1. The Chairman or a duly appointed Commission member or staff person shall act as public relations or publicity director for the Commission. All information releases shall reflect the thinking of the majority of the Commission.

Article XIV

Amendments

These Bylaws may be amended by a majority vote of the entire voting membership of the Commission, only after the proposed change has been read and discussed at a previous regular meeting, except that the Bylaws may be changed at any meeting by the unanimous vote of the entire voting membership of the Commission Revised 10/26

HISTORIC DISTRICT COORDINATOR ADMINISTRATIVE AUTHORITY

The Historic District Commission has granted administrative approval to the Historic District Coordinator in an effort to streamline the permitting process of selected improvements for homeowners in the Historic District. Following is an explanation of what can be administratively approved and will not require a Certificate of Appropriateness.

MECHANICALS

The Historic District Commission expects that all mechanicals shall be placed on the property in the areas with limited/no public view which include the rear and sides of the building. **Any mechanical/utility which is required to be placed on the front façade shall first obtain a Certificate of Appropriateness from the Historic District Commission prior to applying for any building, electrical or plumbing permit with the Wethersfield Building Department.**

Air Conditioning Condenser – All condenser units shall be located at the rear of the building where there is limited/no public view. When there is no other alternative but to place the unit on the side of the building or within public view, the unit must be screened with evergreen shrubbery of a proper height to obstruct the public view. **Unit placement must be documented on a plot plan, a description/photograph of the unit, and details of the screening must accompany any plumbing permit.**

Generator – All generators shall be located at the rear of the building where there is limited/no public view. Where there is no other alternative but to place the unit on the side of the building or within public view, the unit must be screened with evergreen shrubbery of a proper height to obstruct the public view. **Unit placement must be documented on a plot plan, a description/photograph of the unit, and details of the screening must accompany any plumbing permit application.**

In the instances when a propane tank is required to fuel the generator, the propane tank must first receive a Certificate of Appropriateness from the Historic District Commission.

Direct Vent/Hot Water Heating System Venting – All venting for direct vent/hot water heating systems shall be located at the rear of the building where there is limited/no public view. Where there is no other alternative but to place the venting on the side of the building or within public view, the venting must be screened with evergreen shrubbery of a proper height to obstruct the public view. The venting shall be painted to match the color of the home. **Venting placement must be documented on a plot plan, a description/photograph of the venting, and details of the screening must accompany any plumbing permit application.**

ROOFING

Any **exact** color and material repair or replacement of roofing shall be administratively approved by the Historic District Coordinator on an application for a building permit. This shall be considered an “in-kind” repair or replacement. Original restoration of roofing material shall be administratively approved by the Historic District Coordinator on an application for a building permit. The Building Department also has pre-approved asphalt shingle colors available for review. If an asphalt roof is being replaced with a new asphalt roof, the homeowner has the choice of using the same color as what currently exists or using one of the pre-approved colors. The Historic District Coordinator shall administratively approve the building permit application. **The name of the manufacturer and the name of the color must accompany any building permit application for asphalt roofing material.**

MICELLANEOUS

The Historic District Coordinator shall administratively approve permit applications to install venting pipes for heating appliances and bathrooms that must go through the roof. These pipes must be painted matte black. These pipes must remain open and shall not have caps. If a cap is required, a Certificate of Appropriateness must first be obtained from the Historic District Commission. **Venting pipe placement must be documented on a plot plan as well as the materials and dimensions of the pipe must accompany any building or plumbing permit application.**

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

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

The Standards (**36 CFR Part 67**) apply to historic buildings of all periods, styles, types, materials, and sizes. They apply to both the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction.

Rehabilitation projects must meet the following Standards, as interpreted by the National Park Service, to qualify as “certified rehabilitations” eligible for the 20% rehabilitation tax credit.

The Standards are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Appendix III

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