

HDC HANDBOOK

Thoughts about the overall structure of the Handbook

Premise: The HDC has multiple responsibilities, not just as regulators of LHD and LHP. If one of the driving considerations of reformatting the handbook is to make it more accessible to residents of historic districts or properties, then perhaps that function of the HDC should be separated from the other functions. This function could be covered in the front of the book or highlighted in some other way to distinguish it from other activities of the commission. Other responsibilities could be included in Supplemental Responsibilities to include HDC reviews such as the demolition delay and other preservation initiatives (many enabled by our status as a C.L.G., of which there have been quite a few, such as the current grant application to prepare the Nat. Register nomination for Lees Canal, participating in the study to replace or rehab the Cribari Bridge, etc.). This section would also need to include information about Joint Committee authority related to Village District and Planning and Zoning recommendations. I'm concerned that this may be relegating too many of the important functions of the HDC to the depths of the book. But I am attaching a version of the table of contents that I have developed to try to reflect this format.

HDC HANDBOOK
Proposed Revised Table of Contents

PREFACE

PART 1 – PURPOSE

PART 2 – HDC AUTHORITY AND RESPONSIBILITIES

HDC Authority under Connecticut General Statutes

HDC Authority as a National Park Service Certified Local Government

PART 3 – REGULATED LOCAL HISTORIC DISTRICTS AND PROPERTIES

Types of Historic Designation

Local Historic Districts

Local Historic Properties

Maps of Local Historic Districts and Properties

Evergreen Avenue

Gorham Avenue

Kings Highway North

Morningside Drive

Violet Lane

Lincoln Street-Riverside Avenue

Local Historic Properties

PART 4 – APPLICATION PROCEDURES FOR CERTIFICATE OF APPROPRIATENESS

Regulated Activities

What is Regulated

Visibility From a Public Way

List of Regulated Activities

List of Non-Regulated Activities

Pre Application Meeting

Submission Requirements

Application for Certificate of Appropriateness Checklist

Application Form

Supporting Submission Materials

Public Hearings

Determination & Appeals

Decisions

Certificate of Appropriateness

Appeals

Enforcement & Non-Compliance

Inspection

Stop-Work Orders and Notices of Violation

Fines for Non-Compliance

Liable Parties

PART 5 – SUPPLEMENTAL PRESERVATION RESPONSIBILITIES

Historic District Commission Office

Certified Local Government

Planning and Zoning Advisory Role

Regulatory Zones

Village District

Historic Design Zoning District

Historic Overlay Zoning District

Business Preservation Zoning District

Business Center Historic/Zoning District

General Business/Saugatuck Zoning District

Design Development Zoning District

Maps of Zoning Districts with Preservation Restrictions

Historic Residential Structures (Zoning)

Demolition Delay Ordinance

Proposals for Historic Districts and Properties

Westport Plan of Conservation and Development

Westport Historic Resources Inventory

Town-Owned Buildings and Properties

Archaeological Resources

Historic Farmlands

Historic Cemeteries

Historic Landscapes

Scenic Roads

Streetscape Improvements

State Building and Life Safety Codes

Historic Rehabilitation Tax Credits

Public Outreach

Annual Preservation Awards

PART 6 – GENERAL AND ADMINISTRATIVE PROVISIONS

By-Laws of the Historic District Commission

Article I – Composition and Appointment

Article II – Meetings

Article III – Officers

Article IV – Quorum

Article V – Attendance

Article VI – Amendment

PART 7 – DESIGN GUIDELINES

APPENDICES

A – HISTORIC BACKGROUND OF THE TOWN OF WESTPORT

B – CHARACTERISTIC ARCHITECTURE OF WESTPORT

C – HISTORIC DISTRICT STATUTES AND ORDINANCES

D – NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

**E – SECRETARY OF THE INTERIOR'S STANDARDS FOR THE
TREATMENT OF HISTORIC PROPERTIES**

F – RELEVANT GOVERNMENT ORGANIZATIONS

G – RELEVANT PRIVATE ORGANIZATIONS

H - BIBLIOGRAPHY

DRAFT

APPLICATION PROCEDURES FOR CERTIFICATE OF APPROPRIATENESS

What is Regulated?

No building or structure shall be erected, added to, moved or demolished, nor shall any exterior architectural feature of any building or structure be altered, within any of the town's adopted local historic districts or local historic properties, without first obtaining a *Certificate of Appropriateness* from the Town of Westport Historic District Commission (HDC), except as specifically exempted below.

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

Maps of the town's regulated local historic districts and an inventory of regulated properties are available for review at the Office of the HDC. Note that all buildings and structures located within a local historic district, including those without individual historic or architectural significance, are regulated.

Because a construction activity is regulated does not mean that it necessarily is prohibited – the appropriateness or inappropriateness of all regulated activities will be reviewed and decided upon by the HDC during the application and review process described in this part of the handbook. The following table lists activities typical of those regulated under Westport's HDC regulations. However, this list should not be construed to be a complete itemization of all activities that may be regulated by the HDC. When in doubt as to the necessity for application, questions should be directed to the HDC Staff Administrator.

An application for *Certificate of Appropriateness* is required for all proposed work, whether or not visible from a **Public Way**.

List of Regulated Activities

Any new construction, demolition or removal of, or

addition or alteration to, the following is regulated by the HDC with respect to all Local Historic Districts and Local Historic Properties:

- All principal buildings
- All outbuildings, including, but not limited to.:
 - Garages
 - Sheds
 - Barns
 - Greenhouses
 - Gazebos
 - Pool Houses
 - Cabanas
 - Modular structures
 - Animal/livestock shelters
- Architectural elements, including, but not limited to:
 - Doors and entranceways
 - Porches
 - Window frames, sash, and muntins
 - Balconies
 - Storm doors and windows
 - Shutters
 - Architectural trim and ornament
 - Removal/ replacement of siding
 - Removal/replacement of roofing
 - Substantial paint removal to bare surface
 - Exposed foundations
 - Chimneys
 - Dormers
 - Skylights
 - Sunrooms
 - Awnings
 - Exterior lighting fixtures
 - Replacement/ removal of gutters
 - Masonry repair and repointing
 - Fixed exterior air conditioning units
- Site fixtures and structures, including, but not limited to:
 - Driveways
 - Parking areas
 - Walkways
 - Decks
 - Fences and masonry walls
 - Retaining walls
 - Pergolas and arbors
 - Exterior lighting fixtures
 - Above-ground swimming pools**
 - In-ground swimming pools

- Hot tubs and spas
- Dumpster enclosures
- Above-ground storage tanks
- Fixed playground equipment

- Signs, including, but not limited to:
 - Commercial
 - Multi-family residential
 - Street and traffic signs
- Parking areas, including, but not limited to:
 - Size
 - Location
 - Visibility of cars
 - Paving materials
 - Lighting
- Public right-of-way, including, but not limited to:
 - Paving materials
 - Sidewalks
 - Curbs
 - Retaining walls
 - Guard rails
 - Street lights
 - Utility poles
 - Street and traffic signs
 - Street trees and grates
 - Anchored sidewalk fixtures and furniture
 - Permanent statuary and monuments
 - Free-standing flagpoles
 - Designated scenic roads
- Waterfront structures, including, but not limited to:
 - Wharves
 - Docks
 - Boardwalks
 - Dams
 - Bridges
 - Seawalls and river bulkheads
- Miscellaneous, including, but not limited to:
 - Solar panels
 - Generators
 - Wind powered energy devices
 - Replacement of historic gutters
 - Exterior air conditioning units
 - Exhaust vents
 - Commercial freezers/coolers
 - Satellite dishes and antennae
 - Temporary structures (e.g., tents) in place more than 30 days
 - Removable vending machines

List of Non-Regulated Activities

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

- Interior alterations and use
- Routine maintenance and repair that does not reconfigure or remove existing features, but excluding repointing of masonry
- Paint removal that does not damage the structural surface
- Painting and paint color
- Landscape planting
- Temporary signs, e.g.:
 - Real estate sales signs
 - Construction signs
 - Tag sale signs
 - Political signs
- Temporary fixtures and structures, e.g.:
 - Tent structures in place less than 30 days
 - Construction dumpsters
 - Construction trailers
 - Construction toilets
 - Construction security fencing
 - Construction scaffolding
 - Temporary construction utilities
 - Event banners
- Miscellaneous, e.g.:
 - Boats
 - US Postal Service approved mail boxes
 - Flag staffs attached to building facades
 - Free-standing flag poles
 - Residential patios and terraces on grade
 - In-ground swimming pools
 - Movable playground equipment
 - Movable site furniture for any use
 - Incidental through-roof plumbing vents

Pre-Application Meeting

The Pre-Application Meeting is an informal session held by the HDC with an Applicant, prior to submission of a formal application. The Pre-Application Meeting is a workshop and not a public hearing. It is the primary goal of the Pre-Application Meeting to engage in dialogue and to gauge the HDC's stance on appropriateness. If the Applicant

APPLICATION PROCEDURES FOR CERTIFICATE OF APPROPRIATENESS

has already engaged the services of an architect and/or contractor, they are encouraged to attend as well. This preliminary review process is held prior to the submission of any formal application materials, though the Applicant is asked to bring any available materials and samples which might be pertinent. The Pre-Application Meeting does NOT begin the statutorily defined 65-day time period for consideration of an application, as no application is submitted at this stage. It is also suggested that, before requesting a Pre-Application Meeting, the Applicant review both the application procedures and design guidelines outlined in this handbook.

The Pre-Application Meeting is entirely optional but it is encouraged by the HDC as a means to expedite the ultimate application review process for both the Applicant and the HDC. Pre-Application Meetings are held during the HDC's regularly scheduled monthly meetings, though in exceptional instances a special meeting may be scheduled. A Pre-Application Meeting should be scheduled in advance through the office of the HDC. Note that the HDC can make no final decisions during this pre-application review process.

The Pre-Application Meeting may include the following:

- Discussion of proposed scope of work
- Review of preliminary plans, specifications, and/or photos, if available
- Determination if Certificate of Appropriateness is required
- Clarification of application procedures
- Identification of additional materials necessary for submittal
- Advice on matters of appropriate design
- Suggestion of resources for consultation by Applicant

Application Form

All proposed construction activities which are regulated under the Town of Westport Historic District Ordinance must be submitted for review to the Town of Westport Historic District Commission (HDC). An application for *Certificate of Appropriateness* may be obtained at the Office of the HDC.

The HDC suggests that the Applicant request a Pre-Application Meeting in advance of submitting a

formal application as discussed in the preceding section of this handbook. However, this Pre-Application Meeting is at the option of the Applicant.

A sample application form follows in this section of the handbook. In addition to the completed application, supporting materials must be submitted that delineate the proposed construction activity in sufficient detail for the HDC to render a decision as to appropriateness. At a minimum, the supporting materials listed in the following table are required with submission of a completed application. The HDC reserves the right to request any additional or waive any required information that it deems necessary or unnecessary to make a determination as to appropriateness.

The application shall be deemed officially received upon receipt by the office of the HDC, and the HDC shall schedule a public hearing and render a decision as to appropriateness no later than 65 days after such official receipt. The Applicant may withdraw an application without prejudice prior to decision.

Note that historic properties may be allowed special exceptions from building, life safety, and zoning codes, as well as from the American Disabilities Act. However, all such waivers or modifications must be directed to the Building Official, Zoning Official, or Fire Marshal as appropriate.

Supporting Submission Materials

As applicable, the following materials shall be submitted with the initial application for *Certificate of Appropriateness*. The HDC may waive the requirements for any of these materials if deemed not applicable.

- Photographs showing nearby structures and the spatial relationship of these structures with the immediate neighborhood – in village areas, photographs should be arranged to show adjacent street frontage for a minimum of two successive properties in each direction
- Photographs showing all facades of structures on subject property that are visible from a public way
- Historic photos of the subject property and environs if available
- Vicinity plan @ 1"=100' minimum scale, showing a minimum of two successive properties in all pertinent directions from subject site, and

WESTPORT CT – HDC HANDBOOK

all related street and topographic features – this vicinity plan may be in sketch form, but shall adequately delineate the general scale and relationships of nearby buildings (GIS vicinity maps are available at Town Hall)

- Sketch site plan of subject property showing proposed location and relationship to adjacent structures, @ 1" = 20' minimum scale
- Detailed site plan showing new construction, all new proposed site improvements, and the relationship of the same to adjacent properties that are visible from a public way, @ 1" = 20' minimum scale
- Architectural drawings of all proposed building facades and relevant site features that are visible from a public way, @ 1/8" = 1' minimum scale
- Architectural floor plans showing all new, added, and/or altered exterior architectural elements, @ 1/8" = 1' minimum scale
- Details of architectural and site features that are visible from a public way, @ 1" = 1' minimum scale
- Copies of product literature with photographs or drawings of any proposed prefabricated fixture or structure
- Written statement of the proposed condition and appearance of the subject property after demolition or removal – where demolition is proposed, statement shall explain practical difficulty which precludes preservation, and shall demonstrate why there is no prudent alternative to demolition
- Scale drawings and plans of existing subject property, if deemed architecturally significant by the HDC, @ 1/8" = 1' minimum scale, if demolition is proposed

Public Hearings

Connecticut State Statutes (CGS) require Public Hearings for all applications for *Certificate of Appropriateness*. The HDC is required to hold a Public Hearing and make a decision on an application within 65 days of the official receipt of application. The official date of receipt shall be recorded upon submission to the Office of the HDC.

The HDC must advertise all scheduled Public Hearings in a newspaper having substantial local

circulation at least once not more than 15 and not less than 5 days before the public hearing. In addition, public notice is posted at the Town Clerk's office. Written notice to neighbors is not required for meetings or hearings conducted by the HDC related to a *Certificate of Appropriateness*. However, written notice to neighbors is required under the town's *Demolition Ordinance*, and it is HDC policy to do so as well for all Public Hearings related to a *Certificate of Appropriateness*.

By law, all HDC meetings which constitute a quorum of its members, except Executive Sessions, must be open to the public and have a posted agenda and adequate public notice. Executive Sessions are closed to the public, but must be advertised on the posted agenda for any meeting, and must be limited to legal and personnel issues.

Three members of the HDC constitute a quorum. When less than five members are present, the chairperson may appoint the number of designated alternates required to make a full HDC. Alternates serve in rotation and have full voting rights.

Public Hearings are held during the monthly regular meetings of the HDC. All records are available for public review at the Office of the HDC.

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

Public Hearings are scheduled in conjunction with the regular meetings of the Historic District Commission (HDC), which are held on the second Tuesday evening of every month. Regular meetings normally begin at 7:00 PM at Town Hall, but may be scheduled at other times and location per published notice of Public Hearing.

At the public hearing, the Chairperson will first call

APPLICATION PROCEDURES FOR CERTIFICATE OF APPROPRIATENESS

the meeting to order. The Clerk of the HDC will read the advertised notices of public hearings, which will be heard in the order that the HDC deems proper. The Chairperson will ask the Applicant and/or Applicant's agent to be recognized and be identified for the record.

If the application is for a *Certificate of Appropriateness*, the Applicant shall then make a presentation to the HDC, explaining the proposed work. At the Applicant's option, the Applicant may also introduce expert witnesses and other interested parties (such as neighbors) who may make further presentation to the HDC.

If the application is for demolition, the Applicant shall focus on the nature and condition of the structure to be demolished, and shall not make any presentation related to proposed new construction. The Applicant should be prepared to provide a detailed explanation as to the necessity of demolition. Where a *Certificate of Appropriateness* is required for work proposed subsequent to an approved demolition, a separate application will be required for such new work and shall be heard only after demolition has been permitted.

After the Applicant's presentation, the Chairperson and HDC members may direct questions to the Applicant and his or her representatives. These questions may relate to the proposed work and/or demolition, and to the historic, architectural and cultural significance of the property, including the context of the property as it relates to the patterns of development of the town.

After questioning by the HDC, the Chairperson will hear questions and comments from the audience, if any, who in turn must introduce themselves by name and address. Those who wish to speak in favor of a project will speak first. Those who wish to speak against a project will be asked to do so only after all proponents have been heard. All comments must be directed to the HDC and not to the Applicant. Only one person shall be allowed to speak at a time. After hearing opposing comments, if any, the Applicant will be allowed to rebut objections.

After questions and comments from the audience and the Applicant's rebuttal have been heard, the Chairperson will call the public hearing closed. The Chairperson will then request the HDC members to individually comment on the application. With regard to proposed demolition, such comments will

be limited to the assessment of the existing structure and the viability of its preservation.

Decisions

The HDC may vote on an application immediately upon completion of a hearing, or may defer such vote until later in the same meeting or to a subsequently scheduled regular meeting, or if necessary to a special meeting. The HDC must vote on an application within 65 days of officially recorded receipt of the application, unless the application is either formally withdrawn or a written request for an extension is accepted by the HDC. Decisions granting or denying an application shall be approved by a minimum of three HDC members. If the HDC denies the application, written notice shall be sent to the Applicant, the Building Official, and the Zoning Enforcement Officer, stating the basis for such denial. At its discretion, the HDC may approve an application with additional stipulations. If the Applicant does not wish to implement such stipulated conditions, the Applicant's only recourse is to reapply with modified design proposal, or appeal the HDC's decision in Superior Court.

If the HDC determines that an application is insufficiently complete to make a proper determination, it shall have no recourse but to deny the application, unless the Applicant elects to withdraw the application. The Applicant may withdraw an application in writing at any regular meeting, or during normal office hours at the Office of the HDC. A withdrawn application may be resubmitted at any time thereafter but, for the purposes of determining the 65-day review period, such resubmission shall be considered a new application effective as of the date of re-filing.

The HDC shall make a determination based on the submitted application materials and duly recorded comments of the public hearing. The reader is referred to the design guidelines of this handbook, which provide an in-depth discussion of both the general objectives and specific criteria considered in the HDC's determination of appropriateness of design. These guidelines are provided to assist the Applicant in design matters, but should not be considered to represent absolute standards which can and must be applied in all instances. The HDC ultimately must make a determination as to appropriateness based on its own judgment as to a proposal's appropriateness within the characteristic

WESTPORT CT – HDC HANDBOOK

setting and building traditions of the historic district.

Certificate of Appropriateness

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

A *Certificate of Appropriateness* is valid for 5 years from date of issuance. An Applicant may apply for, and the HDC may approve, an extension only before expiration of the original *Certificate of Appropriateness*. Any change in detail or scope of work from that authorized by the *Certificate of Appropriateness* requires approval of a new *Certificate of Appropriateness* by the HDC. Any work stipulated as a condition of a *Certificate of Appropriateness* must be completed in conjunction with other work, or a *Notice of Violation* may be imposed by the HDC. A *Notice of Violation* may result in fines and court mandated remedial work.

Appeals

Any party aggrieved by any decision of HDC 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.

Inspection

All work completed under a *Certificate of Appropriateness* shall be inspected by a designated representative or representatives of the HDC before a *Certificate of Occupancy* can be issued by the Building Official and/or a *Certificate of Compliance* can be issued by the Zoning Enforcement Officer. Completed work found to be in violation shall be rectified prior to issuance of a *Certificate of Occupancy*, except that a bond may be posted as stipulated by the HDC to permit temporary occupancy prior to such rectification.

Stop-Work Orders and Notices of Violation

Under *CGS Section 7-147h, Action by Commission to Prevent Illegal Acts*, the HDC is:

authorized to inspect and examine any building, structure, place or premises and to require in

writing the remedying of any condition found to exist therein in violation of any provision of the regulations or orders made under the authority of said sections or of any regulation or ordinance adopted under said sections.

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

Should any violation persist, CGS permits the HDC to institute action in Superior Court to restrain such violation and to issue orders that the violation be corrected or removed. Such action may require the demolition of any new structure erected in violation of regulations, or the complete reconstruction of a building demolished in violation of the same. Specifically, *CGS Section 7-147* states that:

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

Fines for Non-Compliance

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

APPLICATION PROCEDURES FOR CERTIFICATE OF APPROPRIATENESS

Liable Parties

CGS Section 7-147h stipulates that any party who assists in or maintains a property in violation of HDC

regulations or rulings may be found liable for same. Such parties may include, but are not necessarily limited to, the property owner, tenant, design professional, contractor, and/or agent.

DRAFT

WESTPORT HISTORIC DISTRICT COMMISSION
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS CHECKLIST

If a property is located in one of the designated Historic Districts in Westport or if it is identified as a local historic property, no exterior alterations, additions, demolitions or new construction including, fences, signs and changes to parking areas or driveways can take place until a certificate of appropriateness has been granted by the Historic District Commission.

Applications require a public hearing and an application must be submitted two weeks prior to the next regularly scheduled meeting of the commission. Hearings are held on the second Tuesday of each month at 7:00 p.m. in Town Hall.

IMPORTANT: This application must be printed or typed and completed with all required exhibits attached. Failure to submit all requested information and exhibits may result in denial of the application. If you have any questions regarding the completion of this application, please call the HDC Coordinator at 341-1184.

APPLICATION MUST BE ACCOMPANIED BY:

- Completed application form
- Narrative describing project including details of changes to and materials used for project; including but not limited to changes to windows, skylights, gutters and leaders, doors, porches, walkways and driveways as well as any exterior feature of the subject property.
- One (1) set of construction plans to scale and one (1) reduced to scale, indicating size and location of all existing buildings and structures and size and location of all proposed building or additions and structures. Plans need to include all elevations and heights. *If an addition is being proposed, existing and proposed building plans must be submitted. If there is any demolition to take place, the extent of the demolition must be specifically and unambiguously highlighted on the application and on the elevations and stated in the presentation to the Commission.*
- Stamped addressed envelopes to the property owners of all properties abutting subject property, including a stamped self addressed envelope. The envelopes should not have a return address.
- Photos of existing elevations where work is proposed
- Owners written authorization when application is presented by an agent other than an attorney at law.

Once all the above required application materials have been compiled, an appointment should be made with a Historic District Commission Staff Administrator to review the plans and application. The application can then be submitted and a hearing date will be scheduled. The Historic District Commission office is in Room 108 in Town Hall.

NO APPLICATION WILL BE ACCEPTED UNTIL IT IS COMPLETED AND DOCUMENTED AS SPECIFIED ABOVE.

The Commission will give written notice of its decision. A copy of the certificate of appropriateness with the HDC Chairman's signature granting preliminary approval will be sent to the applicant and the Planning and Zoning Department.

If the HDC grants preliminary approval of the certificate of appropriateness and a zoning permit is required, an appointment should be made with the *Planning and Zoning Department by calling 341-1030 to obtain the necessary zoning permit.*

After the work is completed, the applicant must call the Historic District Commission office at 341-1184 to schedule a date for the final inspection.

For Office Use Only:
Date of Filing: _____

APPLICATION PROCEDURES FOR CERTIFICATE OF APPROPRIATENESS

For Office Use Only:
Date of Filing: _____
Date of Public Hearing: _____
65 Day Period Ends: _____
Type of Work: _____

Westport Historic District Commission
Application for Certificate of Appropriateness

Application is hereby made for the issuance of a Certificate of Appropriateness under the Historic District Ordinance of Westport, Connecticut, enacted pursuant to the enabling authority contained in Chapter 97A, Section 7-147d and 147s, as amended, of the General Statutes of Connecticut.

SECTION 1 (To be Completed by the Applicant):

Address of proposed work: _____
Owner: _____ Daytime Phone: _____
Agent/Contractor: _____ Address: _____ Phone: _____
Anticipated date of completion of construction: _____
Owner's Signature – Application must be signed _____ Date _____

SECTION 2 (To be Completed by the Zoning Enforcement Officer)

Signature of Zoning Enforcement Officer indicating preliminary review of compliance with zoning regulations: _____

When the application form is completed and all application materials compiled, return completed application with application materials to:

Historic District Commission Coordinator
Town Hall, 110 Myrtle Avenue, Room 108, Monday through Friday from 8:30 a.m. to 4:30 p.m.

SECTION 3 (To be Completed by the Historic District Commission)

Date of Public Hearing: _____
 Preliminary Certificate of Appropriateness granted
List any conditions or modifications: _____
 Certificate of Appropriateness denied
List reasons for denial: _____

Signature/Chair, WHDC _____ Date _____
Approval

Signature/Chair, WHDC _____ Date _____
Final Inspection

After approval has been obtained from the Historic District Commission, work cannot commence until proper zoning and building permits have been obtained from the Planning and Zoning and Building Departments.

HDC AUTHORITY AND RESPONSIBILITIES

HDC Authority under
Statutes

The Westport Historic District Commission (HDC) was established in 1973 by Chapter 97a of the Town of Westport Charter to review any and all alterations, demolition, or construction of buildings and other structures within the boundaries of Westport's regulated Local Historic Districts. The Commission is empowered to exercise all the powers, duties, and functions enumerated under the *Connecticut General Statutes (CGS) Chapter 97a Historic Districts and Historic Properties, Part 1* of Chapter 97a pertains to Local Historic Districts. *Part 2* pertains to Local Historic Properties.

CGS Sections 7-147a(b) and 7-147p(b) enable the legal formation of Local Historic Districts and Historic Properties, as follows:

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

Note that a vote of property owners within a proposed Local Historic District is also required. A two-thirds majority of returned ballots is required to approve the Local Historic District. For a proposed Historic Property, the owner or a simple majority of multiple owners of such property must not object.

Procedures for establishment of such Local Historic Districts and Historic Properties are specified in CGS Chapter 97a. Chapter 97a is included in its entirety as an appendix in this handbook. Establishment of such "local" regulated Historic Districts and Historic Properties should not be confused with historic districts listed on the *National Register of Historic Places*. The *National Register* is discussed as another appendix of this handbook.

Under CGS Section 7-147c, the HDC is established as the authority responsible for all functions relative to regulated Local Historic Districts and for administering the provisions of General Statutes

related to Local Historic Districts. Section 7-147r provides that the HDC can be the authority having jurisdiction over Historic Properties. The Westport HDC has been so empowered to also regulate Historic Properties.

Requirements of the HDC regarding membership, rules of procedure, hearings, variations, restraining orders, legal action, appeals and certificates of appropriateness are set by CGS Chapter 97a. These procedures are discussed in a later section of this handbook. In accordance with Chapter 97a, The Town of Westport Charter provides that the HDC consist of five members and three alternate members, all of whom shall be electors of the town holding no salaried municipal office, as appointed by the First Selectman.

CGS Section 7-147d and 7-147s, as applicable respectively to Local Historic Districts and Historic Properties, states:

- a) *No building or structure shall be erected or altered within an historic district [located within the boundaries of an historic property] until 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. [No earthworks or site of recognized historic or archaeological importance within the boundaries of an historic property shall be altered until after an application for a certificate of appropriateness has been submitted to the historic properties commission and approved by said commission.]*
- b) *No building permit for erection of a building or structure or for alteration of an exterior architectural feature within an historic district [the boundaries of an historic property] and no demolition permit for demolition or removal of a building or structure within an historic district [the boundaries of an historic property] shall be issued by a municipality or any department, agency or official thereof until a certificate of appropriateness has been issued. A certificate of appropriateness shall be required whether or not a building permit is required.*
- c) *The historic 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*

The issue of Public vs. Private view has been contentious & problematic. wording has to be more overt to suggest private roads which are subject to designation as a LHD By owner/neighbor request/submission should be considered public as they have invited that idea as needed by LHD regulation

Historic Property. In particular, the HDC has an advisory responsibility to other town agencies, and in particular to the Planning and Zoning Commission, which in its enforcement of the *Westport Zoning Regulations* should look to the HDC as the town's expert authority on historic resources. A discussion of pertinent zoning regulations is included in Part 4 of this handbook.

Westport Demolition Ordinance

Pursuant to CGS Section 29-406(b), the Town of Westport has adopted a demolition ordinance. Per Section 14-21 of the Westport Code of Ordinances:

The purpose of this ordinance is to authorize the Town of Westport, as allowed by C.G.S. §29-406(b), to impose a waiting period of not more than 180 days before granting a demolition permit for certain structures of architectural, historical, or cultural importance. The objective of this ordinance is to promote the cultural, economic, educational and general welfare of the Town of Westport by establishing a process whereby the owners of buildings with significant historic, architectural or cultural characteristics will be informed of the benefits of historic preservation, rehabilitation and reuse of such buildings and structures. The waiting period will provide time for all interested parties to consider and put forth

alternatives to demolition.

the policy of both the Building Department and Planning and Zoning Department to refer the proposed demolition of any structure 50 years or older and larger than 500 square feet to the HDC for review and comment before issuing a demolition permit. Administrative procedures are specified in *Demolition Permits Ordinance* as included in the indices of this handbook.

Accessibility from Public Way

The authority having jurisdiction for designated Local Historic Districts and Local Historic Properties, the HDC governs all construction activities that would be visible from any "public way" in the absence of planting.

Under the HDC policy that any of the following, individually and not necessarily in combination, constitute a public way for the purposes of regulating Local Historic Districts and Properties:

- Federal, state, or town owned highway, roadway, pedestrian way, trail, railway, bikeway, or waterway
- Any way that is maintained by any federal, state or town governmental entity
- Private ways where public access is invited, as for instance commercial, business, industrial, or multifamily parking lots
- Private roadways within and/or along any designated Local Historic District or Property
- Private roadways and rights of way that have been commonly used by the public without owner's objection

Town Zoning Regulations

Historic District Commission responsibilities, under its jurisdiction as a Certified Local Government (CLG), extend to the enforcement of the town's Zoning Regulations, in an advisory capacity, in all matters related to historic preservation. While ultimate authority under zoning resides with the Planning and Zoning Commission (P&Z), the HDC must be consulted where historic resources may be impacted. Moreover, the HDC is empowered to initiate recommendations to P&Z as may pertain to the continued development and enforcement of the Zoning Regulations. This is significant as Westport has adopted strong historic preservation initiatives within its Zoning Regulations, apart from the Local Historic Districts and Properties regulated by the

PART 4 REGULATED DISTRICTS, PROPERTIES AND ZONES

Types of Historic Designation

There are several local designations for historic districts, properties, and zoning districts within the

LHDs create by consent of property owners.

Regulations requiring demonstration of interest to participate before study committee formed?

Full Disclosure of information

Commission (HDC), the HDC has advisory responsibility to the Commission (P&Z), with the HDC as its expert advisor on historic matters.

In total, regulated Westport includes the described hereafter:

- Local Historic Districts
- Local Historic Properties
- Historic Design Zoning Districts
- Historic Overlay Zoning Districts
- Business Preservation Zoning Districts
- Business Center Zoning District/Historic
- General Business Zoning District/Saugatuck
- Design Development Zoning Districts
- Historic Residential Structure

Maps of the above districts are included in Part 4.

Local Historic Districts

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

...establish within its confines an historic district or districts to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinct characteristics of buildings and places

associated with the history of or indicative of a period or style of architecture of the municipality, of the state or of the nation.

Town of Westport's regulated Local Historic Districts have been created by consent of the property owners within each District. By state law, Local Historic Districts require a vote of affected property owners' with a minimum two-thirds of submitted votes being in approval. To date, the following Local Historic Districts have been adopted by property owners:

Evergreen Avenue Historic District
Orham Avenue Historic District
Kings Highway North Historic District
Maple Road Historic District
Morningside Drive South Historic District
Pine Street Lane Historic District

Local Historic Districts established by a municipality or state enabling legislation should not be confused with National Register Historic Districts. A Local Historic District, while sometimes based on a previously established National Register Historic District, is jurisdictionally distinct from the latter. Similarly, Local Historic Districts are jurisdictionally distinct from zoning districts as regulated under the *Zoning Regulations* of the Town of Westport.

Many other areas of town are deemed eligible for designation as a Local Historic District. The *Recommendations Report for Potential Local Historic Districts*, published by the HDC in 2008, identified 102 such potential districts. For a full list of these historic resources, see that report. All these districts are deemed worthy of the protection afforded by the regulations and guidelines of this handbook, given the due process of property owners' electing to become a Local Historic District.

All proposed construction activities within a Local Historic District are regulated by the HDC. The HDC has adopted design guidelines for appropriate design that form a later part of this handbook. These guidelines, however, are not intended as fixed standards. Instead, the design guidelines stress the design issues which must be considered and the context of characteristic building traditions within which appropriate design must be judged.

Local Historic Properties

Individual properties which are not part of a larger regulated Local Historic District may be designated a

check re. differences

Local District same prop Des per to f

What does designation regulate if anything?

ing the Historic authority over approval of the of designation. ic Property is val upon transfer

A Local Historic meet the same procedural requirements for design review as do properties within a regulated Local Historic District.

To date, the following Local Historic Properties have been adopted by property owners:

- Adams' Academy
- Allen House
- Batterson-Brotherton House
- Easton Road Toll House/Goodsell/Grumman/McCoy House
- Edward Burr/Capt. Thomas Nash House
- Emily McLaury House
- West Parish Meeting House
- Lower Green's Farms Colonial Burying Ground
- Machamux Boulder-West Parish Common
- Meeker Elwood House and Cross Highway Garage
- Morehouse-Jennings House
- Morehouse-Taylor House
- Veteran's Green
- Wakeman Farm

The above Local Historic properties are more fully described, including legal addresses and boundaries, in the *Westport Code* as transcribed in the appendices of this handbook.

In addition to these Local Historic Properties, the town's *Historic Resources Inventory* includes hundreds of individual historic properties that are deemed eligible to be a Local Historic Property. Some of these fall within existing Local Historic Districts, and others into one of the 102 identified potential Local Historic Districts, but some are stand-alone properties. All these individual properties are deemed worthy of the protection afforded by the regulations and guidelines of this handbook, given the due process of a property owner electing to become a Local Historic Property. However, until so designated, they remain outside the jurisdiction of the HDC unless otherwise included in a zoning district with historic preservation requirements. For a full list of these individual historic resources, one is referred to the most recent update of the *Historic Resources Inventory*.

Historic Design Zoning District

Historic Design District designation is a planning and zoning regulation specific to the Town of Westport. To be so designated, a district normally is also on, or eligible for, the National Register of Historic Places. However, any area recommended by the HDC must be considered by the Planning and Zoning Commission for zoning as a Historic Design District. In general, Historic Design Districts are intended to promote a uniform amenity based strictly on the historic context.

Presently, the following areas have been designated under the *Zoning Regulations* as a Historic Design District:

- National Hall
- Post Road West
- Wilton Road

The *Historic Design District* is a separate and distinct zoning district. As such, permitted uses and bulk requirements are restricted within the district. In general, this zoning district recognizes the unique and varied aspect of historic areas, and allows some discretion in an effort to promote the preservation of the same. Flood Plain regulations are also relaxed for historic structures within a Historic Design District.

What constitutes a facade easement? HDD - exterior mly?

natural design, scale, and massing construction activity within a district must be reviewed by the town shall make appropriate the Planning and Zoning matter's final approval. Thus, the this handbook pertain to all structures within any Historic whether or not also part of a Local

Historic Design District has the following specific requirements:

- All facades along public streets and riverfronts must be restored, with façade easements guaranteeing preservation granted to the town
- Streetscape items such as curbing, paving, lighting, signs, landscaping, and outdoor furniture must adhere to a uniform design scheme for the entire district as recommended by the HDC and approved by the Planning and Zoning Commission

As stated in the *Zoning Regulations*:

The purpose of the Historic Design District is to:

PART 4
REGULATED DISTRICTS, PROPERTIES AND ZONES

(a) prevent the potential loss of significant exterior historic factors and public buildings;

(b) preserve the historic buildings on the National Register of Historic Places;

(c) reduce traffic congestion at street intersections;

(d) provide adequate parking;

(e) discourage traffic generation and parking demand during peak periods on the local streets;

(f) encourage residential land uses; and

(g) encourage visual and physical access to and along the waterfront.

Such special purpose districts should be limited to areas where buildings are on the National Register, where areas are served by public utilities, where areas are served by mass transit, where areas have frontage on two State Highways, and where areas have frontage on the Saugatuck River and areas where buildings are recommended to be preserved by the HDC.

The Planning and Zoning Commission may exempt open porches, ramps, decks, balconies and other similar open structural projections from building coverage; provided that such open structural projection will benefit public access, safety or convenience. The ordinary projection of entry platforms, steps, cantilevered roofs, eaves, cornices, chimneys, windows, awnings and similar incidental architectural features, however, shall be exempt from building coverage; provided such architectural features will not impair the historic appearance or integrity of the building.

The architectural design, scale and mass of buildings and other structures, including, among other elements, the exterior building material, color, roof line, and building elevations shall be of such character as to harmonize and be compatible with the historic buildings in the HDD District so as to preserve and improve the appearance and beauty of the community. New construction or reconstruction shall adhere to the design purposes of this district, in whole or in part.

Building facades along public streets and riverfronts shall be restored and preserved, and

façade easements may be granted to the Town. Proposed new exterior building additions and alterations Town of Westport Zoning Regulations - §30, Historic Design District 30-5 and roof top mechanical units shall be submitted to the Historic District Commission for review and recommendation. Architectural Review Board review and recommendation is not required.

Streetscape amenities (e.g. pavers, lighting, signage, landscaping, curbing, benches, etc.) shall adhere to a uniform design scheme throughout the HDD District. The uniform design scheme for the entire district shall be submitted to the Historic District Commission for review and recommendation.

The reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places and located within a HDD shall be exempt from the provisions of §31-9, Flood Plain Regulations, provided that:

(1) A determination is made by the Planning and Zoning Commission that the proposed reconstruction, rehabilitation, or restoration will not destroy the historic character and design of the building;

(2) A determination that the reconstruction, rehabilitation or restoration will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with other existing local laws or ordinances.

Historic Overlay District

As stated in the Zoning Regulations:

The purpose of the Historic Overlay District is to encourage the preservation, restoration, and rehabilitation of buildings of historical, architectural or cultural value and to preserve and prevent the loss of significant historic elements, buildings and sites, located within non-residential districts.

Standards For Eligibility: In order to qualify for the Historic Overlay District designation, the site must be listed on the National Register of Historic Places or the State Register of Historic Places either as an individual building or site or as a contributing building or site in a district. If

At what point
do HDD A go
to ARB instead of
HDC?

WESTPORT CT – HDC HANDBOOK

- Maintain records related to public outreach materials
- Coordinate materials for HDC link at Town website, e.g., design guidelines, preservation briefs, preservation awards, maps, and links to pertinent regulatory and advisory jurisdictions

database describing properties by name and address. The source of data is varied, with many entries coming from different survey studies. Properties enumerated on the *Inventory* are deemed historic structures for the purposes of administering applicable town, state, and federal regulations. The HDC has the continuing authority and responsibility to maintain and update the *Historic Resources Inventory*.

The ultimate objective that all historic resources be inventoried individually using the standard of *Connecticut Historic Resources Inventory Buildings and Structures*.

check & update PoCD goals

CH4 p. 25-27

WHEN WAS LAST HRI?

ANY DISTRICTS PURSUED FROM
RECOMMENDATIONS

Historic Districts and Properties

The HDC has advisory responsibility for all town-owned buildings and properties with respect to their preservation. The HDC continues to support the development of a comprehensive program for the preservation of Westport's public buildings, including designation as Local Historic Properties and adaptive reuse studies.

Goals for Historic Districts and Properties

Revisions of this handbook have made recommendations for potential additional Historic Districts and Historic Properties. In 2008, the HDC published its *Recommendations Report for Potential Historic Districts*, which enumerated over a hundred potential districts, many comprised of just a few individual properties. See that report for a complete listing.

The HDC has the continuing responsibility to recommend additional Local Historic Districts and Historic Properties. The HDC also has the authority to recommend nominations to the National Historic Places (see Appendices) and individual properties, especially those of a Local Historic District or Local Historic Property, that are deemed to be impractical or untimely.

Example of
impractical
or untimely?

Following is a list of major neighborhood areas deemed eligible by the HDC for designation as Local Historic Districts:

- Bankside
- Beachside:
 - Burying Hill Beach
 - Frost Point

cemeteries, public rights-of-way, districts and sites

- Maintain an up-to-date inventory of the Town's historic and architectural resources which can be employed as a meaningful reference in conservation, preservation and development planning by town boards, commissions, staff and the public

To the end of accomplishing these goals, the Town Plan makes certain recommendations. Many of these recommendations are based on recommendations and policies stated in prior editions of this handbook. The HDC has the continuing authority and responsibility to participate in the preparation of *Town Plans*, which are prepared at no more than 10-year intervals, with the next due by 2017.

Westport Historic Resources Inventory

The HDC maintains the townwide *Historic Resources Inventory*. This is a computerized

PART 5

SUPPLEMENTAL PRESERVATION RESPONSIBILITIES

Beachside Avenue
 Maple Lane South
 Sasco Creek Road
 Green's Farms Railroad Station

- Charcoal Hill
- Coleytown:
 Coleytown Road/North Avenue vicinity
- Compo Road South:
 Post Road to Longshore
- Cross Highway/North Avenue
- Green's Farms:
 Center Street South
 Clapboard Hill Road
 Green's Farms Road
 Green's Farms School
 Maple Avenue South
 Morningside Drive South
 Turkey Hill Road South
- Long Lots:
 Adams Academy
 Long Lots Road
- Old Mill Beach/Mill Pond:
 At Hillspoint Road
- Prospect Road/Hillandale Road West
- Richmondville
- Riverside/West Bank:
 Lincoln Street/Burr Road vicinity
 Riverside Avenue
 Sylvan Road South
 Kings Highway Elementary School
 Saugatuck Elementary School
- Saugatuck:
 Bridge Street/In
 Riverside Aven
 Saugatuck Rail
 Saugatuck brid
- Westport Center:
 Post Road/Chu
 Main Street
 Town Hall
 Myrtle Avenue/Main Street North/Canal
 Street/Evergreen Avenue/Washington
 Avenue vicinity

ANY OF THESE
 DESIGNATED?

Local Historic Properties. See the Appendices for what constitutes eligibility for the National Register of Historic Places as a guideline. Generally, properties that fall within the following thematic categories are considered eligible:

- Native American sites
- Pre-Revolutionary War homesteads
- Revolutionary War sites related to British invasions (in conjunction with Towns of Fairfield, Danbury, etc.)
- Farmlands and farm buildings
- Factories and mills
- Maritime structures
- Summer and country estates
- Public buildings
- Colonial Revival remodels of earlier houses
- Post-bellum architecture of housewright George Fairchild and developer Platt Bennett
- Tudor and Colonial Revival suburban architecture of architect Charles Cutler
- Suburban architecture of housewright Frazier Peters (1920s and 1930s)
- Early twentieth century roadway improvements, such as cobblestone bridges and culverts
- Fairfield County Hunt Club equestrian trails
- Sites associated with the Westport arts community
- Modern architecture
- Mid-twentieth century residences by Victor Civkin Architect
- Suburban development

It is the HDC recommendation that Historic Design District zoning designation should be made by the Planning and Zoning Commission for the following areas:

- Saugatuck
- Riverside Avenue/West Bank
- Post Road/Church Street/Jesup Road vicinity (Westport Center)
- Myrtle Avenue (Westport Center)

Archaeological Resources

The Connecticut Office of State Archaeology (OSA), working with the State Historic Preservation Office, has the leadership in developing a comprehensive site inventory and management plan for archaeological resources. Such archaeological resources include both underground and undersea resources. Archaeological resources are not limited to Native

In addition to the above potential Local Historic districts, there are a number of individual properties that are deemed by the HDC to warrant protection as

WESTPORT CT – HDC HANDBOOK

American artifacts, but can include artifacts and foundations from colonial development sites, mill ruins, mill ponds, and shipwrecks.

Archaeological resources are protected by law. CGS Section 10-386 requires permits for archaeological investigations on State lands and in State waters. Moreover, archaeological resources discovered during the course of construction on both public and private lands must be reported under the requirements of the HDC and the Zoning regulations.

The HDC has regulatory responsibility for the protection of all archaeological resources within Local Historic Districts or on Local Historic Properties, and advisory responsibility for any such resources that may be located elsewhere in town. It is the HDC policy that all archaeological resources, upon discovery, be evaluated by the Connecticut Office of State Archaeology (see Appendices for contact information), with all recommendations by that office as to their preservation becoming binding.

Finally, the HDC may advocate for the establishment of State Archaeological Preserves. Per CGS 10-184a, designation as an Archaeological Preserve provides protection from unauthorized excavation and disturbances. An ongoing archaeological management plan for the care and use of designated sites must be approved by both the State Historic Preservation Office and the Office of State Archaeology. A state permit must be issued for any activity that might disturb a State Archaeological Preserve.

Historic Farmlands

Agriculture played a significant role in Westport's history, and farmland preservation is an objective of the HDC. The HDC encourages participation in the farm preservation programs developed by the Connecticut Department of Agriculture, such as the state Farmland Preservation Program, Agriculture Viability Grants, Public Act 490 (use-value taxation), the Agricultural Experiment Stations, and Connecticut Grown. For more information, see *Conservation Options for Connecticut Landowners: A Guide for Landowners, Land Trusts & Municipalities*, as published by the Department of Agriculture in conjunction with the American Farmland Trust.

The following is quoted from the Connecticut Farmland Preservation Program:

One of Connecticut's greatest resources is its farmland. This farmland is also the heart of one of the State's most vital businesses, agriculture. The Department of Agriculture preserves farmland by acquiring development rights to agricultural properties. The farms remain in private ownership and continue to pay local property taxes. A permanent restriction on nonagricultural uses is placed on these properties. Nationally, farmland preservation has been recognized in the federal Farm Bill and Connecticut's Farmland Preservation has qualified for participation in the federal Farmland Protection Program.

The HDC supports adoption of a town farmland conservation program, and cites *Planning for Agriculture: A Guide for Connecticut Municipalities*, as published by the American Farmland Trust in conjunction with the Connecticut Conference of Municipalities, as a reference for developing such a town farmland conservation plan.

WHAT CEMETERIES LISTED?
WHAT REMAINS TO BE DONE?

are protected under CGS Section 10-184a, designation as an Archaeological Preserve provides protection from unauthorized excavation and disturbances. An ongoing archaeological management plan for the care and use of designated sites must be approved by both the State Historic Preservation Office and the Office of State Archaeology. A state permit must be issued for any activity that might disturb a State Archaeological Preserve.

The HDC supports cemetery preservation with its historic resource survey efforts. It is the objective of the HDC to promote a comprehensive program for the restoration, preservation, and ongoing maintenance of cemeteries and burial grounds.

Historic Landscape

The HDC has advisory responsibility for historic landscapes, including open spaces, woodlands, farmlands, and waterfront areas, with respect to historic preservation. The HDC continues to support the development of a comprehensive program for the preservation of Westport's historic landscape and waterways, including:

- Gateway areas
- Woodlands
- Agricultural lands
- Rural roadways

- Saugatuck River
- Compo Cove/Compo Beach
- Long Island Sound shoreline
- Merritt Parkway and bridges

Scenic Roads

Country roadways are part of the historic context of the Town of Westport and fall within the advisory purview of the HDC. The HDC has identified the following as eligible for status as a designated Scenic Road:

- Beachside Avenue
- Cavalry Road
- Coleytown Road
- Green's Farms Road
- Long Lots Road
- Red Coat Road

Streetscape Improvements

It is the HDC objective to develop standards for townwide streetscape and other infrastructure improvements that are consistent with the HDC Design Guidelines, for implementation by the Department of Public Works. These standards should recognize the unique characteristics of different neighborhoods, and of town and country. Standards should be developed for at least the following:

- Paving
- Curbs
- Sidewalks
- Crosswalks
- Street signs
- Traffic signals
- Street lights
- Street trees
- Landscaping
- Topography
- Stone walls
- Guardrails
- Bridges

?? IS THIS
SOMETHING FOR
5 YEAR PLAN?

State Building and

Both the *State Building Code* and *State Safety Code* make special provisions for historic structures. The *State Resources Inventory*, which is typically provides adequate structure for the application of the *Building Code* and *Safety Code*. However, the HDC has no direct jurisdictional authority over

DIFFERENCE? →

either of these codes.

Historic Rehabilitation Tax Credits

Historic tax credits are available from both the federal and state governments for certain historic preservation projects. These tax incentive programs are outside the jurisdiction of the HDC, but the design guidelines under such incentive programs are comparable to those of the HDC. Both state and federal tax incentive programs are administered by the Historic Preservation & Museum Division of the Connecticut Commission on Culture & Tourism.

The HDC also supports the concept of property tax abatement at the municipal level, pursuant to CGS Section 12-65c et seq., to encourage neighborhood preservation and rehabilitation. Under these statutes, a municipality may waive up to 100% of property tax for the first year, with that abatement decreasing 10% per year thereafter, for projects involving multifamily housing.

Public Outreach

A key responsibility of the HDC under its role as a CLG is public outreach. The HDC advocates such programs, policies and resources as:

- Historic Preservation Awards
- Preservation Technology Reference Center
- Informal consultation and advice
- Publication of the *HDC Handbook*

Public assistance on matters related to restoration and preservation should be facilitated by coordinating efforts of the Westport Historic District Commission, the State Historic Preservation Office, and other public agencies, with the Westport Historical Society and other local preservation and conservation groups. Public and private organizations related to historic preservation are listed in the appendices of this handbook.

The HDC supports a townwide system of signage and plaques to recognize the town's historic properties, districts, and landscape. Local Historic District and Local Historic Property signs should be provided by the Town. Other historic properties, including those that contribute to a Historic District, should be coordinated with the Westport Historical Society.

Annual Preservation Awards of Merit

The Westport HDC manages the Annual Preservation Awards of Merit Program. This Program recognizes

WESTPORT CT – HDC HANDBOOK

- Signs, e.g.:
 - Commercial
 - Multi-family residential
 - Street and traffic signs
- Parking areas, e.g.:
 - Size
 - Location
 - Visibility of cars
 - Paving materials
 - Lighting
- Public right-of-way, e.g.:
 - Paving materials
 - Sidewalks
 - Curbs
 - Retaining walls
 - Guard rails
 - Street lights
 - Utility poles
 - Street and traffic signs
 - Street trees and grates
 - Anchored sidewalk fixtures and furniture
 - Permanent statuary and monuments
 - Free-standing flagpoles
 - Designated scenic roads
- Waterfront structures, e.g.:
 - Wharves
 - Docks
 - Boardwalks
 - Dams
 - Bridges
 - Seawalls and river bulkheads
- Miscellaneous, e.g.:
 - Solar panels
 - Wind powered energy devices
 - Replacement of historic gutters
 - Exterior air conditioning units
 - Exhaust vents
 - Commercial freezers/coolers
 - Satellite dishes and antennae
 - Temporary structures (e.g., tents) in place more than 30 days
 - Removable vending machines

List of Non-Regulated Activities

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

RETROACTIVE COAS?

WHAT CONSTITUTES PERMANENT?

SIZE REGULATIONS?

EACH SITUATION MUST BE

EVALUATED ON OWN MERITS

Construction dumpsters
Construction trailers
Construction toilets
Construction security fencing
Construction scaffolding
Temporary construction utilities
Event banners

▪ Miscellaneous, e.g.:

Boats
US Postal Service approved mail boxes
Flag staffs attached to building facades
Free-standing flag poles
Residential patios and terraces on grade
In-ground swimming pools
Movable playground equipment
Movable site furniture for any use
Incidental through-roof plumbing vents

Pre-Application Meeting

The Pre-Application Meeting is a formal session held by the Commission, prior to the submission of an application. The Pre-Application Meeting is not a public hearing. The Pre-Application Meeting is held to gauge the Commission's interest in the Applicant's project. If the Applicant is an architect and/or contractor, they are encouraged to attend as well. This preliminary review process is held prior to the submission of any formal application materials, though the Applicant is asked to bring any available materials and samples which might be pertinent. The

Pre-App
needs 24hr.
notice

Introduction

It is the primary objective of the Historic District Commission (HDC) and of these design guidelines to promote construction activities which are not incongruous with the characteristic building traditions of the community.

As historic areas have evolved over time, and can be made up of multiple architectural styles and building types, there is typically no single correct solution to

historic context. As appropriate solutions, and alternatives. The HDC must be able in evaluating any activity in the historic district involves rehabilitation, renovation, reconstruction,

It is stressed that the following sections of Part 7 are guidelines and not absolute standards for appropriate design. Because of the often individual and sometimes unique aspects of any given proposal, the HDC must in the end use its own judgment in determining appropriateness.

Secretary of the Interior's Standards for Rehabilitation

Following is a list of the United States Secretary of the Interior's "short list" of standards for rehabilitation of historic buildings and structures, as administered by the National Park Service, the Connecticut State Historic Preservation Office, and the Westport HDC. These ten Standards are the basis for all the design guidelines that follow in this handbook, except that they are not mandated by the HDC for interior modifications of buildings or to portions of buildings not in public view.

Quoting the National Park Service:

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... The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction... 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 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 archaeological 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