



WESTPORTSM

Historic District Commission

Town Hall, 110 Myrtle Avenue
Westport, CT 06880
Westportct.gov
Telephone (203) 341-1184

HDC Recission Policy

“So, The HDC Denied Your Demolition Waiver...”

Pursuant to Westport Town Ordinance Sections 14-24 and 14-25, the Building Department imposes an automatic 180-day waiting period, or delay, following any application to demolish a building or structure (or part thereof) which is 500 square feet in size or larger and 50 years old or more. The intent of the waiting period is to provide (1) time to inform property owners of the benefits of historic preservation rehabilitation and reuse of such building and structures and (2) time for all interested parties to consider and put forth alternatives to demolition. This waiting period or delay may be “waived” in the absence of any objection to the demolition from the Historic District Commission (HDC) or any other registered organization concerned with preservation in the Town.

To clarify its standards for granting such a waiver, the HDC has published its [Demolition Policy dated May 9, 2023](#) which states that if the HDC determines that a building or structure has no significant remaining historic, architectural, or cultural characteristics that would warrant consideration of alternatives to demolition, it will consider granting the waiver request and waiving the remaining waiting period. If, on the other hand, the HDC finds that a building or structure does have significant remaining historic, architectural, or cultural characteristics that would warrant such consideration, then the HDC will deny the waiver request and let the full 180-day waiting period stand.

If the HDC has opposed the issuance of a demolition permit (i.e., the HDC has denied the request for a waiver), then the applicant may request that the HDC rescind its opposition after providing evidence demonstrating, in the HDC’s sole discretion, that a good faith effort has been made to try to save the structure. The HDC will not consider requests for rescission of opposition to a demolition permit before its next regularly scheduled meeting. The process is as follows:

1. Within seven (7) days of the motion to oppose the demolition permit, the applicant must contact the Historic District Commission Administrator, Donna Douglass, ddouglass@westportct.gov, (203) 341-1184, to schedule an initial meeting with the Administrator and a Commissioner. The applicant must provide to the Administrator at this time the names and contact information of all interested parties, including but not limited to: the owner, if different from the applicant; the fiduciary or heirs-at-law if the owner is an estate; prospective purchasers if the applicant is a property seller; and anyone in opposition at the meeting of the Commission.

2. At that meeting, the Administrator and Commissioner will inform the applicants and interested parties about the benefits of historic preservation, rehabilitation, and reuse of the historic structure, and discuss alternatives to demolition, including, but not limited to: [1] zoning incentives for preservation of the structure, including use, setback, height, parking, landscaping, coverage, lot area, and shape incentives; [2] zoning incentives for historic accessory units exceeding the coverage ordinarily permitted on lots of 1.5 acres or less; [3] financial incentives

for historic preservation including grants, financing, and tax incentives; and [4] alternative sale, redevelopment, or relocation of the structure.

3. No sooner than sixteen (16) days from the motion to oppose the demolition permit, the applicant must contact the Administrator to schedule a follow-up meeting with the Administrator and a Commissioner. The applicant must provide to the Administrator at this time a brief summary of the efforts undertaken to investigate options for saving the structure. At the follow-up meeting, the applicant must detail the efforts undertaken to investigate options for saving the structure with supporting documentation, including but not limited to cost estimates, inspection and engineering reports, alternate purchase offers, and incentive applications. If the Administrator and a Commissioner have determined that a good faith effort has been made to try to save the structure, the applicant's request for rescission of the opposition to the issuance of the demolition permit shall be placed on the agenda for the next regular meeting of the Commission.

4. No sooner than the next regularly scheduled meeting of the Commission, the applicant shall appear before the Commission to request the rescission of the opposition to the issuance of the demolition permit. The applicant must detail before the full commission the efforts undertaken to investigate options for saving the structure, with reference to the supporting documentation submitted previously to the Administrator. Arguments that are not considered in the above deliberations include: [1] Financial hardship; [2] Owner/contractor convenience; and [3] Pre-emptive statements by the owner that they will not seek alternatives to total demolition. A good faith effort by the applicant is not determinative. For pre-WW2 structures possessing significant historic, architectural, or cultural characteristics, HDC expects an increased commitment from the owner to investigating options for saving the structure before rescission of its opposition to demolition will be considered. Removal of existing architectural features prior to issuance of a demolition permit will be presumptively considered cause for denying the request for rescission of the opposition to the demolition.