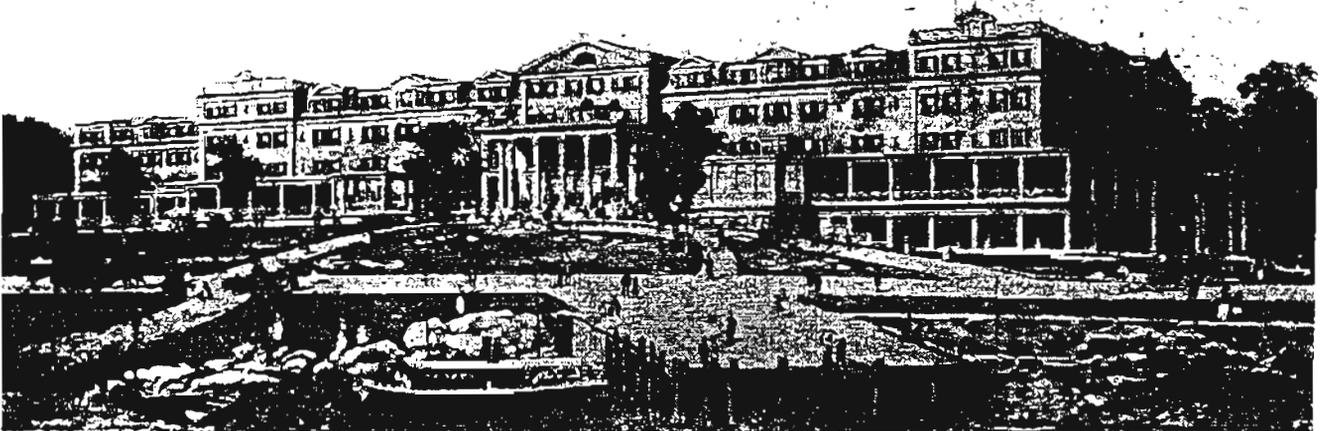


Eastern Point Historic District Handbook

Application Procedures & Design Guidelines



The Griswold Hotel, Eastern Point

Approved November 1998

Effective January 1, 1999

Eastern Point Historic District Commission
City of Groton, Connecticut

Acknowledgments

This handbook is the official compliance manual of the Eastern Point Historic District in the City of Groton and is based on the *Historic District Handbook* prepared by the Town of Groton. The Eastern Point Historic District would like to acknowledge the work done by the Town of Groton Historic District Commission in preparing the document on which this is based, and would especially like to thank James Butler, AICP, Director of Planning of the Town of Groton, for his assistance in adapting the handbook to meet the needs of the Eastern Point Historic District.

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

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

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

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

The Eastern Point Historic District (see map following this preface) has been created by public mandate. By state law, the town's historic districts were approved by a minimum 75% majority of the property owners within each of its districts. The Eastern Point Historic District Commission was established to review any and all alteration, demolition, or construction of buildings and other structures within the boundaries of Eastern Point Historic District. The Eastern Point Historic District Commission is empowered to exercise all the powers, duties, and functions enumerated under the *Connecticut General Statutes, Title 2; Sections 7-147a to 7-147k*, inclusive and as amended. The Commission is a branch of local government and its decisions are binding under the law. The jurisdiction of the Eastern Point Historic District Commission is independent of and equal to that of any other local governmental authority except a court of law upon appeal.

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

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

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

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

The goal of historic preservation is to preserve *continuity* with the past not the *isolation* of the past. Indeed, the continuity of our cultural heritage both anticipates and encourages ongoing change and development. Historic properties are *resources* important to the ongoing development of our community. These resources contribute to both the aesthetic quality of our environment and our cultural heritage. Moreover, these properties can be important resources in economic development. As the City of Groton, and indeed much of the nation, emerges from a long period of expansion into one of consolidation and diversification, the potential role of Groton's historic villages, waterways, and rural areas should not be underestimated.

This handbook is divided into two major parts plus a series of appendices. *Part I* deals with 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. An *Appendices* section includes copies of pertinent enabling statutes and ordinances and the Secretary of the Interior's "short list" *Standards for Rehabilitation*.



City of Groton Connecticut Historic District



Scale: 1 Inch to 2158 Feet

PLANIMETRIC AND TOPOGRAPHIC INFORMATION SHOWN ON THIS MAP WAS PREPARED THROUGH THE USE OF PHOTOGRAMMETRIC METHODS FROM PHOTOGRAPHY TAKEN ON 1988. THESE INFORMATION NEEDS METRIC MAP ACCURACY STANDARDS. REAL PROPERTY IS COPIED FROM RECORDS DEEDS, PLATS, AND OTHER PUBLIC RECORDS AND DATA. USERS OF THIS MAP ARE WARNED THAT THE APPROXIMATE PUBLIC RECORD INFORMATION SHOWN IS SUBJECT TO VERIFICATION OF THE INFORMATION CONTAINED ON THIS MAP. THE TOWN AND THE MAPPING COMPANIES ASSUME NO LEGAL RESPONSIBILITY FOR THE INFORMATION CONTAINED ON THIS MAP.

MAPON - CONNECTICUT 1985 NORTH AMERICAN DATUM VECTRALE DATUM 1984 NATIONAL GRANITIC AGREEMENT



**NOTE: Ledge Light Lighthouse
is part of this district.**

PART I

APPLICATION PROCEDURES

General Discussion

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 the Eastern Point Historic District, if such erection, addition, or alteration is visible from public view, without first obtaining a *Certificate of Appropriateness* from the Eastern Point Historic District Commission (hereafter referred to as the Commission), except as specifically exempted below. However, because a construction activity is regulated does not mean that it necessarily is prohibited -- the appropriateness or inappropriateness of all regulated activities will be reviewed and decided upon by the Commission during the application and review process described in the following sections of this part of the handbook.

A map of the city's regulated historic district is delineated in the previous section of this handbook. Note that historic districts within the Town of Groton are regulated by a separate Town of Groton Historic District Commission, and do not fall under the jurisdiction of this handbook. Note also that all buildings and structures located within an historic district, including those without individual historic or architectural significance, are regulated.

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

The City of Groton Zoning and Building Official (hereafter referred to as the Building Official) will require a *Certificate of Appropriateness* approved by the Commission before issuing a building permit for any construction activity in the city's historic district, unless either the Commission or the Building Official certifies in writing that a proposed construction activity is not regulated under the *Eastern Point Historic District Ordinance*. Moreover, a *Certificate of Appropriateness* may be required whether or not a building or zoning permit also is required. Failure to comply with the Eastern Point 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 Commission.

The following activities are typical of those regulated under the *Eastern Point Historic District Ordinance*. However, this list is offered only to facilitate the application procedure, and should not be construed to be a complete and final itemization of all activities that are regulated by the Commission. When in doubt as to the necessity for application, questions should be directed to the Building Official's office, or to the Commission at any regularly scheduled meeting.

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

ALL PRINCIPAL BUILDINGS

OUTBUILDINGS:

*Garages.
Sheds.
Barns.
Greenhouses.
Gazebos.
Bandstands.*

ARCHITECTURAL ELEMENTS (EXTERIOR):

*Doors & entranceways.
Porches.
window frames, sash, & muntins.
Storm doors.
Shutters.
Architectural trim & ornament.
Substantial removal or replacement of siding & roofing.
Addition of aluminum, vinyl or similar siding.
Exposed foundations.
Chimneys.
Dormers.
Skylights.
Sunrooms.
Awnings.
Light fixtures.
Replacement or removal of historic gutters.*

SITE FIXTURES & STRUCTURES:

*Driveways.
Parking areas.
Walkways.
Decks.
Fences & masonry walls.
Retaining walls (except less than 18" high if not in public right of way)
Trellises, pergolas, & arbors.
Exterior lighting fixtures.
Swimming pools.
Dumpster enclosures & routinely placed dumpsters.
Above-ground storage tanks.*

PARKING AREAS (Other than those exempted above):

Size.
Location.
Visibility of cars.
Paving materials.
Lighting.

PUBLIC RIGHT-OF-WAY:

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

WATERFRONT STRUCTURES:

Wharves.
Docks.
Boardwalks.
Dams.
Bridges.
Seawalls & river bulkheads

SIGNS:

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

MISCELLANEOUS FIXTURES & STRUCTURES:

Solar panels or wind powered energy devices.
Exterior air conditioning units, exhaust vents, coolers, etc.
Satellite dish, ham radio, and other specialized antennae.
Temporary structures such as tents, in place more than 30 days.
Vending machines in place for more than 30 days.

**List of
Non-Regulated Activities**

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

CONSTRUCTION NOT VISIBLE FROM PUBLIC VIEW

INTERIOR ALTERATIONS

ROUTINE MAINTENANCE & REPAIR:

Paint removal that does not damage the structural surface.

Painting and paint color.

Masonry repair & repointing which match existing exactly.

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

Exact replacement of existing architectural and site features.

***"Siding and roofing repairs which match existing exactly or*

*replace 3-TAB with architectural shingles"*October 4, 2012

LANDSCAPE PLANTING

TEMPORARY SIGNS:

Real estate sales signs.

Construction signs.

Tag sale signs.

Political signs.

Event banners.

TEMPORARY FIXTURES & STRUCTURES:

Event tent structures in place less than 30 days.

Construction dumpsters.

Construction trailers.

Construction toilets.

Construction security fencing.

Temporary construction utilities.

MISCELLANEOUS FIXTURES:

Conventional TV antennae.

Standard Postal Service approved mail boxes.

Flag staffs attached to building facades.

Storm windows.

Residential patios and terraces on grade.

Residential playground equipment.

Movable site furniture for any use.

Incidental through-roof plumbing vents

Historic district name plaques.

Pre-Application Meeting

The Pre-Application Meeting is an informal session held by the Commission with an applicant prior to, or concurrent with, the submission of a formal application to obtain a *Certificate of Appropriateness*. The Pre-Application Meeting is optional, but is encouraged by the Commission as a means to expedite the formal application review process.

The primary goals of the Pre-Application Meeting are to engage in dialogue with the Commission, to explain the project to the Commission, and to gauge the Commission's stance on the project's appropriateness. If the applicant has engaged the services of an architect or a contractor, the architect or a contractor is encouraged to attend as well. Although this review may be held prior to the submission of any required application materials, the applicant is encouraged to bring all available data, in whatever stage of completion, to the informational meeting. It is also suggested that before requesting a Pre-Application Meeting, the applicant review both the application process and the design guidelines contained in this Handbook.

Pre-Application Meetings are normally held during the Commission's regularly scheduled monthly meetings; however, in specific instances, a special meeting may be scheduled. Pre-Application Meetings are scheduled through the office of the Building Official. Please note that the Commission will make no decisions during the pre-application review process, except to determine that a Certificate of Appropriateness (and therefore an application) is not required for a particular project.

The Pre-Application Meeting may include the following:

1. Discussion of proposed scope of work.
2. Review of preliminary plans, specifications, and/or photos, if available.
3. Clarification of application procedures.
4. Identification of additional materials necessary for submittal.
5. Advice on matters of appropriate design.
6. Determination if Certificate of Appropriateness is or is not required.
7. Suggestion of resources for consultation by applicant..

Application Form & Submission Materials

All proposed construction activities which are regulated under the *Eastern Point Historic District Ordinance* (see pages 1-2 and 1-3 earlier in this handbook) must be submitted for review to the Commission. An *Application for Certificate of Appropriateness* may be obtained at the office of the Building Official at:

*Municipal Building
295 Meridian St.
Groton, CT 06340
(860) 446-4104*

The Commission suggests that the applicant request a Pre-Application Meeting in advance of submitting a normal 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 Commission to render a decision as to appropriateness. As a minimum, the supporting materials listed in the following table are required with submission of a completed application. The Commission reserves the right to request any additional or waive any required information that it deems necessary or unnecessary to make a determination as to appropriateness. The application form and all plans shall be submitted in duplicate; upon approval one set shall remain in the Commission files at the office of the Building Official, and the second shall be returned to the applicant stamped approved by the Commission. Only one set of photos is required but these shall be retained in the Commission files.

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

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

APPLICATION REQUIREMENTS - SUPPORTING MATERIALS

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

Photographs showing all facades of related buildings and/or structures on the subject property, and/or of subject grounds if site features are affected or site improvements proposed.

Historic photographs of the subject property and environs are recommended (the Mystic River Historical Society, Seaport Museum, and Indian & Colonial Research Center have many).

Vicinity plan showing at least 2 successive properties in all pertinent directions, and any related street and topographic features. This vicinity plan may be in sketch form, but shall adequately describe the general scale and relationships of nearby buildings. (Aerial photographs are available from the town).

Sketch site plan showing proposed location and relationship to immediately adjacent properties, at a minimum scale of 1" = 10', is recommended.

Detailed site plan showing proposed new construction, any proposed site improvements such as parking areas, driveways, walkways, fences, decks, etc., and the relationship of the same to immediately adjacent properties, at a minimum scale of 1" = 10'.

Sketch perspective drawing of proposed work is recommended.

Scale drawings and plans of existing subject property, if deemed architecturally significant by the HDC, at a minimum scale of 1/4" = 1'.

Architectural drawings (elevations) of all proposed buildings facades and relevant site features, at a minimum scale of 1/4" = 1'.

Architectural floor plans of all new, added, and/or altered exterior architectural elements, at a minimum scale of 1/4" = 1'.

Details of proposed primary architectural and site features, at a minimum scale of 1-1/2" = 1', are recommended.

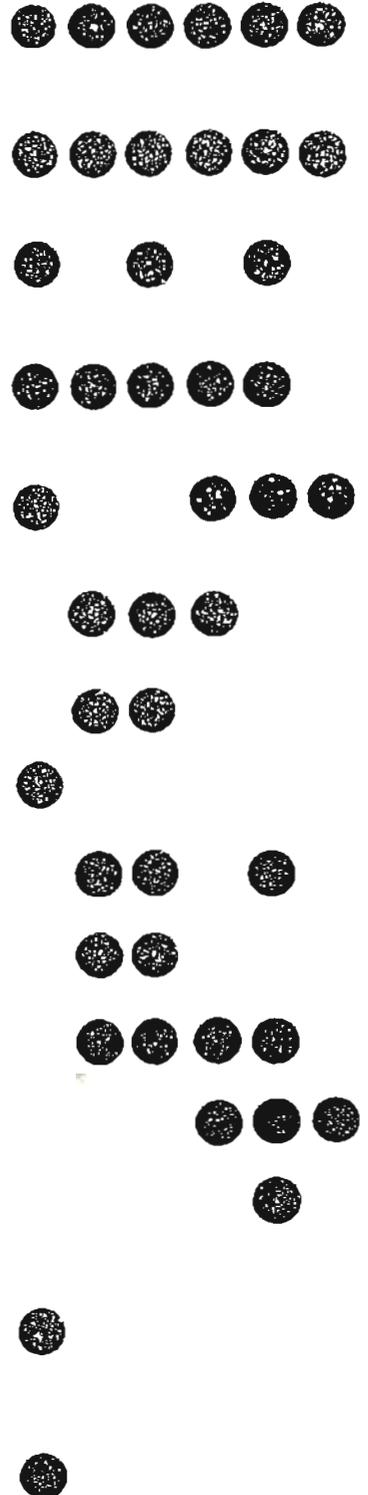
Detailed drawings and specifications for lighting, signage, and other related fixtures, showing size, materials, colors, lighting source, etc.

Copies of product literature with photographs for any proposed prefabricated site fixture or structure.

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

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.

Demolition & Removal
New Construction
Additions & Alterations
Parking Areas
Site Improvements
Signs



CITY OF GROTON
EASTERN POINT HISTORIC DISTRICT COMMISSION

Application for Certificate of Appropriateness

Application No. _____

Address: _____
Map: _____ Block: _____ Lot: _____ PIN: _____

Name of Owner _____ Phone # _____

Address _____

Name of agent, contractor and/or architect (if applicable)

_____ Phone # _____

Address _____

Description of work proposed: (Please Attach) (In case of new construction, a plot plan and elevations will be required giving dimensions, including height, and indicating materials to be used, such as wood shingles, siding, brick, etc. The Commission reserves the right to require additional information and exhibits, such as photographs, grading plan, specifications, etc. Failure to submit all requested information and exhibits may result in denial of the application.)

Estimate of Cost \$ _____

Certification that the proposed work complies with zoning Regulations.

Date _____ Signature of Applicant _____

Address for mailing: _____

APPLICATION PROCEDURE PUBLIC HEARING

Public Access to Meetings & Records

Connecticut State Statutes require a public hearing for all applications. The Commission must advertise any scheduled public hearing in a newspaper having substantial local circulation at least once not more than 15 and not less than 5 days before the public hearing. By law, all Commission meetings, 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 Commission. Any person may request in writing to be notified of any pending meetings. All records are available for public review at the office of the Building Official.

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

Time & Location Public Hearings

Public hearings are scheduled in conjunction with the regular meetings of the Commission, which are held on the first Thursday evening of every month (except holidays) at 7:30 PM at:

*Municipal Building
295 Meridian St.
Groton, CT 06340*

or if no public hearing is scheduled the meeting may be held at:

*Zbierski House
Eastern Point Beach
Groton, CT 06340*

Hearing Procedure

A public hearing is held by the Commission with an applicant who wishes to submit a formal application to obtain a Certificate of Appropriateness for a specific project. This is a required meeting, and is normally held during the Commission's regularly scheduled monthly meeting; however, in specific instances, a special meeting may be scheduled. Public hearings are scheduled through the office of the Building Official.

Procedure:

1. The Chairperson will call meeting to order.
2. The Clerk of the Commission will read the advertised notice of public hearing.
3. The Chairperson will ask the first applicant or agent to be recognized.
4. The Clerk will accept any required exhibits and enter same into the meeting record.
5. The applicant, after introduction with name and address for the formal record, will make a presentation explaining the proposed project.
6. At applicant's option, additional exhibits and materials which support the application may be presented for review and entered into the meeting record.
7. Applicant may introduce expert consultants and other interested parties (such as neighbors) to make additional presentations to the Commission.
8. Upon completion of the applicant's presentation(s), the Chairperson and Commission members may direct questions to the applicant and may also make suggestions as to design modifications.
9. After questions and comments by the Commission, the chairperson will solicit and hear any comments from the public. Audience members who request to speak will be introduced by name and address.
10. Audience members who wish to speak in favor of the project will be asked to speak first, followed by the members who wish to speak in opposition of the project, followed by members who wish to comment generally on the project .
11. After comments against the project, if any, the applicant will be invited to rebut any objections.
12. Audience members will be allowed to respond only to correct inaccuracies.
13. After the presentation, comments, questions and rebuttal have been heard, the Chairperson will declare the public meeting closed.

**APPLICATION PROCEDURE
PUBLIC HEARING**

**Hearing Procedure
(continued)**

The Commission may vote on any application upon completion of said hearing, or may elect to defer such vote until later in the same meeting or to a subsequently scheduled regular meeting, or if necessary, to a specially scheduled meeting. Upon completion of all public hearings and any votes pertaining thereto, the Commission will proceed to other business matters.

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

Determination of Appropriateness

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

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

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

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

APPLICATION PROCEDURES DETERMINATION & APPEALS

Decisions

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

If the Commission denies the application, the basis for denial shall be stated in the meeting minutes. Written notice shall be sent to the applicant by the Building Official stating the basis for such denial as established by the Commission. At its discretion, the Commission may approve an application with additional stipulations. If the applicant does not wish to implement such stipulated conditions, the applicant's only recourse is to reapply with modified design proposal, or appeal the Commission's decision in Superior Court.

Certificate of Appropriateness

Upon approval of an application by the Commission, a *Certificate of Appropriateness* will be issued to the applicant by the building official, with a copy filed at the office of the Building Official. A sample *Certificate of Appropriateness* is given on the following page. 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 two years from date of issuance. When the work covered by the *Certificate of Appropriateness* is complete, the applicant shall notify the Building Official. The Building Official will then perform an acceptance inspection, and indicate satisfactory completion by signing the appropriate section of the *Certificate of Appropriateness*.

An applicant may apply for, and the Commission may approve, an extension only before expiration of the original *Certificate of Appropriateness*. Any change in detail or scope of work from that authorized by the *Certificate of Appropriateness* requires approval of a new *Certificate of Appropriateness* by the Commission. Any work stipulated as a condition of a *Certificate of Appropriateness* must be completed in conjunction with other work, or a *Notice of violation* may be imposed by the Building Official. A *Notice of Violation* may result in both fines and court mandated remedial work.

CITY OF GROTON
EASTERN POINT HISTORIC DISTRICT COMMISSION

Certificate of Appropriateness

Certificate No. _____

Date Issued: _____

Expiration date: _____

This Certificate of Appropriateness is issued for work described in Application for Certificate of Appropriateness:

Number: _____ Dated: _____

Address: _____
Map: _____ Block: _____ Lot: _____ PIN #: _____

Person Doing Work: _____

Work Proposed: _____

This Certificate is issued under the conditions indicated below:

- _____ Application Approved as Submitted
- _____ Application Approved with Stipulations or Modifications as Noted Below:

All work authorized by this certificate must be accomplished as presented and approved.

Date: _____ Signed: _____
Clerk, Eastern Point Historic District

This certifies that the work performed under this Certificate of Appropriateness is in compliance with the work specified and has been completed.

Attested: _____ Dated: _____
Zoning Enforcement Officer

Date of Inspection: _____

Any party aggrieved by any decision of the Commission may appeal to the Superior Court. An appeal must be made within 15 days from the date of an adverse decision, and it must be made returnable to such court in the same manner as any other civil action. An appeal will not result in the Court rehearing the application; rather, the Court will review the action of the Commission to determine whether it was reasonable and accorded with the Commission's regulations and the State statutes.

**Stop-Work Orders &
Notices of Violation**

By Connecticut General Statutes, Section 7-147h - Action by Commission to Prevent Illegal Acts, the Building Official 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 Building Official may issue an immediate *Stop-Work Order* for any construction or demolition activities which are proceeding in violation of the *Eastern Point Historic District Ordinance*, or in violation of any Commission 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 Commission for its determination both as to required remedial work and schedule for completion of same.

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

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

Fines for noncompliance

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

Liabile Parties

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

- * *Property owner.*
- * *Lessee or tenant.*
- * *Architect.*
- * *Engineer.*
- * *Builder.*
- * *Contractor.*
- * *Agent for any of the above.*

DESIGN GUIDELINES

OBJECTIVES

Introduction

The primary goal of the Eastern Point Historic District Commission is to preserve and where possible reinforce the overall character of the Eastern Point historic district. It is recognized that the historic district has evolved over time and is generally made up of different architectural styles and building types which reflect this evolution. Thus, it is the intention of the Commission, and of these design guidelines, to promote construction activities which blend harmoniously with the characteristic building traditions of this community.

The following design objectives are basic to the design guidelines which are the subject of this part of the handbook. Note that these objectives and the guidelines that follow pertain only to regulated activities which are in public view, or would be if obstructing landscaping were removed; for similar reason, interior spaces are not regulated (see pages *I-1* through *I-4* for a discussion of regulated activities).

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

Short List of Design Objectives

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

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

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

**Short List of
Design Objectives
(continued)**

- * Additions and/or alterations to an existing structure, when such structure is not architecturally significant and is deemed in its present state to detract from the overall character of its environs, should mitigate such existing adverse impact through the design of new elements which will make the structure as a whole more harmonious with its environs.
- * Exact replacement of original architectural elements, such as windows and siding, is not prohibited. However, the Commission encourages the repair rather than replacement of deteriorated architectural features wherever practical.
- * Demolition of structures which contribute to the overall scale of an historic district shall not be permitted unless there is no prudent alternative. Moving of historic structures should be considered only as a last resort.
- * Incidental site structures and fixtures, including but not necessarily limited to outbuildings, fences, street lighting, signs, utilities, and paved surfaces, shall be consistent with the characteristic scale and style of the environs. Fixtures which are to be located in a public way, whether or not that public way is publicly owned, shall be compatible with Commission guidelines. Placement of utilities underground is encouraged.
- * Parking and related traffic areas, wherever possible, should be appropriately concealed or screened from public view. The impact of large areas of parking shall be mitigated through the use of traditional paving materials and suitable landscaping.
- * Recognized archaeological resources shall be protected wherever possible. Professional archaeological survey is encouraged when such resources are encountered.
- * Land use is not regulated by the Commission, and adaptive reuse of historic properties is not discouraged by the Commission when it is essential for the practical preservation of a structure. However, the Commission encourages any such change of use to be compatible with the historic building and site so as to require minimal alteration to both. Wherever possible and where consistent with zoning, the Commission encourages the retention or restoration of original building and property use.

It is a fundamental objective of the historic district that new construction, including additions to existing structures, shall be made harmonious with its immediate historic environs by reflecting the characteristic scale and building traditions of those environs. As any appropriate design must begin with consideration of its siting, this handbook begins its discussion of design guidelines with this issue. Thus, this section of *Part II* deals with those elements of scale, rhythm, size, orientation, massing, and style, which derive from the larger and characteristic context of a building's immediate environs. This section is intended primarily for additions to existing buildings and the construction of new principal buildings. Subsequent sections of *Part II* discuss specific architectural features as they relate to the individual building, accessory site fixtures that may complete an appropriate design, and finally two areas of particular concern which, because of the unique issues inherent in the same, are addressed as separate sections of this handbook -- parking and signage.

Scale

The *scale* of a structure is a primary consideration in determining whether a structure is compatible with its setting. *Scale* as incorporated into these guidelines refers to the relationship of a structure as a whole to its neighboring structures, street, and topography -- that is to the scale of a structure in its community context. Scale as it may be understood to refer to the relationship of a structure's individual architectural features to that structure as a whole is discussed under the later *Exterior Architectural Elements* section of Part II.

Scale in siting must be considered in terms of both the structure itself and the space that surrounds it. Characteristic scale typically varies within any historic district, as for instance between residential and waterfront areas. Moreover, environmental scale may be homogenous or diverse.

Usually the pattern of existing building along a street line (sometimes the river might be a more important datum) is basic to establishing scale. An essential factor is whether neighboring buildings form a consistent pattern or whether in fact they are characterized more by their differences. In the former case, appropriate design options may be more limited, while in the latter may be afforded more freedom of individual expression.

Scale (continued)

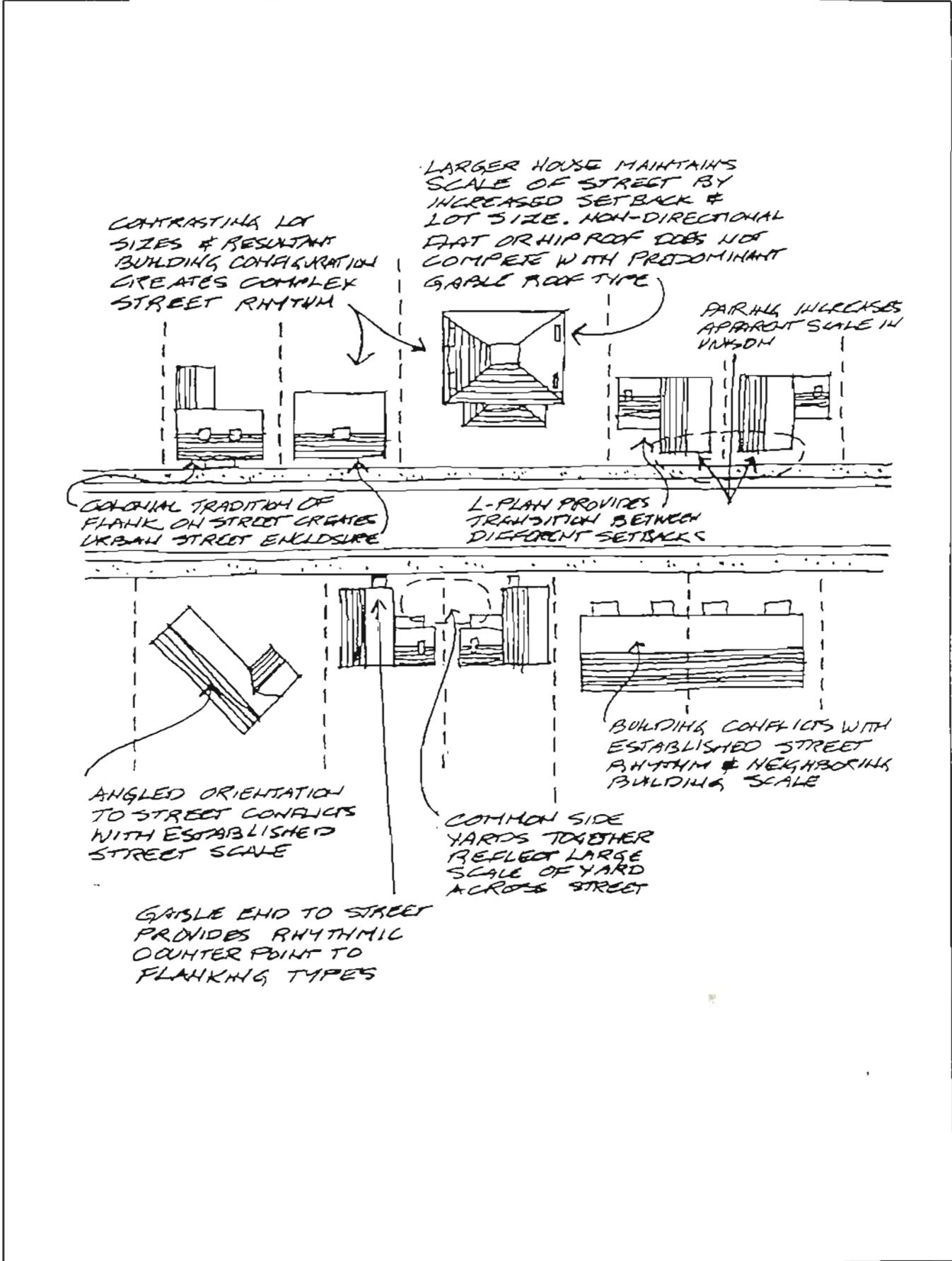
For, instance, the residences which overlook the Thames River are generally similar in *size*, and in the *rhythm* of their placement along the street. While somewhat more diverse, the *massing* of these residences in terms of *proportion*, *shape*, and complexity of *form*, is compatible. Moreover, with a few exceptions, the style of these residences is limited to those of the late nineteenth century -- predominantly the Queen Anne and Shingle styles. However, the *orientation* of these buildings remains considerably varied.

Thus it is important in designing appropriately scaled new elements to identify first those elements which are generally consistent to a structure's environs, and secondly those which are not. New construction shall be expected to be compatible with the unifying contextual elements of scale, but may be permitted an individuality not incongruous with the diversity of its environs.

Rhythm

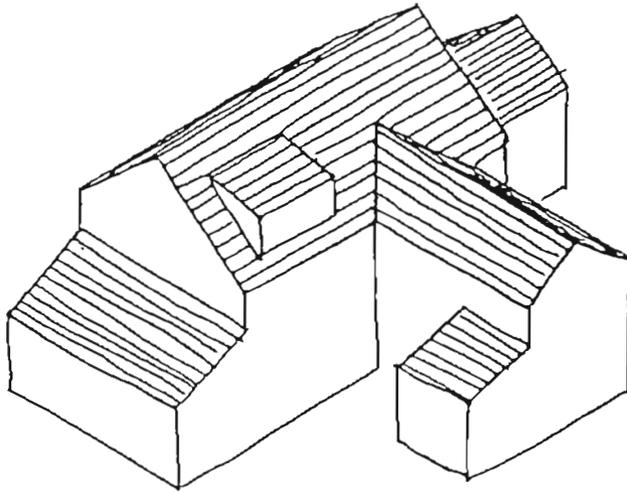
Rhythm refers to the pattern of relationships of structures which may line a street or thoroughfare. Such rhythm is determined by the relative repetition of these buildings in terms of their apparent *scale*, which in turn is determined by these buildings' relative *size*, *massing*, *orientation* and *style*. It is important to remember that each of these elements interact in a way to affect the apparent scale of a building. Different architectural features may change the apparent scale of a building, as may its siting on a lot. The rhythm of a street is thus an abstraction of the relative scale of the buildings which line it, accounting for both consistency and change in scale along it. Street rhythm may be more or less complex. Where buildings are diverse in individual scale or style the rhythm that is established by these buildings is often the fundamental order that gives character to their setting. Appropriate design shall understand and contribute to the characteristic rhythm of the street.

The concept of *rhythm* also can pertain to the interrelationship of exterior architectural elements of an individual structure, as for instance the rhythm of fenestration that might characterize a building facade. This is discussed more fully in conjunction with such exterior architectural elements later in *Part II*.



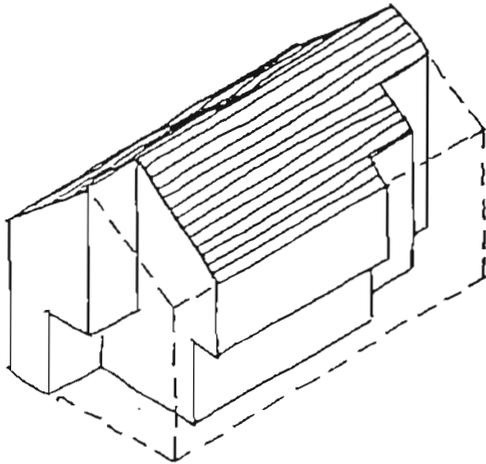
Scale, Rhythm, & Orientation

Figure 1



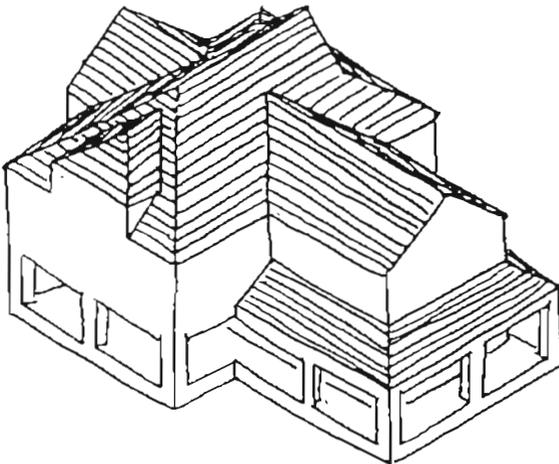
ADDITIVE MASSING

TRADITIONAL MASSING THROUGH MID-19TH CENTURY—SIMPLE ADDITIONS REMAIN SUBORDINATE TO ORIGINAL PRIMARY MASS. THIS IS USUALLY PREFERRED MASSING TYPE IN THE HISTORIC CONTEXT.



SUBSTRACTIVE MASSING

CONTEMPORARY TYPE WITH NOTCHES, RECESSES, & OVERHANGS IS USUALLY NOT APPROPRIATE IN THE HISTORIC CONTEXT.



COLLIDING, ADDITIVE, & SUBSTRACTIVE MASSING

COMPLEX MASSING WHICH EVOLVED BY END OF 19TH CENTURY—COLLIDING, MAIN MASSES, FLUSH DORMER, & GABLE-ON-HIP; ADDITIVE VERANDA; & SUBSTRACTIVE LOGGIA. COMPLEX MASSING TO BE USED WITH DISCRETION IN HISTORIC CONTEXT.

Massing

Figure 2

Orientation

Orientation refers to a structure's position on its site in terms of angle to the street and to its setbacks from both street and property lines. Generally, buildings in the historic district are set square to the street with entranceways set in the street facade, and thus appropriate new design will often follow this pattern.

Neighboring structures usually are similar in the distance of their setback from the street line, though there is no absolute consistency in this regard. If two abutting properties have similar setbacks, such setback is generally appropriate for new construction. However, if the characteristic setback of the street is significantly different from these abutting properties, an appropriate setback sometimes may better reflect the overall rhythm of the street. If two adjacent buildings properties have significantly different setbacks, but are otherwise similarly scaled, a setback which averages the two neighbors may be appropriate, unless the overall rhythm of the street dictates otherwise.

Orientation also refers to a structure's setbacks from its side and rear property lines. While orientation to a street line may be relatively consistent, orientation to side property lines often is more varied. On narrower lots, buildings were often set to one side to create a single but larger open yard. Sometimes, an adjacent property would mirror this so that narrow side yards abutted, allowing for an even greater apparent openness of the abutting major side yards. On the other hand, privacy and solar orientation often dictated repetition of large individual south side yards. Houses erected on larger lots more often are centered on the same. Again, appropriate design must consider the street rhythm thus established by the consistent and/or varied aspects of site orientation.

Size refers to the width and height of a building, and if appropriate to the depth of the building. In general, appropriate design will be similar in size to its immediately adjacent buildings. If such adjacent buildings are dissimilar in size, appropriate size will often be dictated by the size of buildings in the greater neighborhood, considering the *rhythm* of building size along a street or thoroughfare, along with the relative size of the lot. An appropriately sized structure also will facilitate the transition between existing dissimilarly sized buildings.

Size

The apparent size of a building may be altered by the nature of its exterior architectural elements and by its siting -- that is by changing its *scale*. A large building set back may appear smaller and vice versa. Similarly, a small building with monumentally scaled detail may appear larger than it actually is. The apparent size of a large simple mass can be reduced by breaking it into smaller but adjoined components. Another traditional means of manipulating the apparent size of a building is the incorporation of a habitable attic story, such as with a gambrel or mansard roof and dormers -- effectively adding a story without adding to facade height. Similarly, beginning with the Greek Revival, structures were often placed on raised basements, creating both additional usable space and increasing the apparent scale of a 2-story building. In the end, it is the apparent *scale* of a structure, and not its actual *size*, that is critical in determining appropriate architecture in the historic context.

Massing

Massing relates to the characteristic *form* of a building, and is dictated by its *shape and proportions*, both of which are discussed more completely under later design guidelines for *Exterior Architectural Elements*. However, in discussing scale in context, and particularly the rhythm of a street line, relative massing of neighboring buildings is an important consideration.

Roof form is a significant aspect of massing, and is an important consideration for appropriate design. In particular, the rhythm of a street is often influenced significantly by the characteristic roof forms located along it, dictating that roof form become a major determinant for appropriate new design. A roof may vary from a simple single gable roof form to a complex of interlocking or additive forms, both parallel and perpendicular to the street, and both higher and lower. Roof forms typical of the historic district include the mansard of the Second Empire style, and the gambrel of the Shingle Style. Appropriate design will generally reflect the characteristic roof form of its environs, and contribute to the historic rhythm of the street.

Another aspect of massing relates to the *shape* of the basic plan of a building. On one hand, a building may have a simple rectangular plan made up of a single structural form. Generally, the older a building, the simpler it would have been in its original state. On the other hand, a building may be made up of a number of wings, porches, bay windows, towers, and the like, which may have been added to an earlier structure over its history, or which may be original to the design.

Complex building forms generally can be characterized further as being *additive*, *subtractive*, or *interpenetrating* in nature. *Additive* forms are formed by attaching discrete building elements to one another, generally with a predominant form and secondary wings, porches, bay windows, etc. Such additive forms are characteristic of both simple early structures which have been added to over history, and to the more complex structures built just before and after the Civil War. For instance, when porches gained popularity following the Civil War, they were additive elements affixed to the predominant massing of earlier building prototypes.

Later in the nineteenth century, Victorian architecture began to experiment with still more complex forms where major building elements appear to *penetrate* one another. Major building elements often were cut away to form recessed porches -- thus the term *subtractive*. Often, Victorian architecture displays a deliberate irony between additive, subtractive, and interpenetrating forms. For instance, a dormer might also be continuous with a facade -- was the dormer simply added to the roof or was it formed by cutting away the surrounding attic story, or was it formed by the collision of two interpenetrating masses? While such complexities and ironies are found in Groton, particularly in its turn-of-the-century seaside resort architecture, they are not characteristic of the architecture of its earlier maritime and rural communities.

Symmetry and *asymmetry* are also components of massing, and again one sees an evolution from the relatively symmetrical and balanced designs of the eighteenth and early nineteenth century to an interest in the more dynamic and deliberately ambiguous asymmetrical *balance* of the later Victorian era. Architectural massing of the turn-of-the-century through most of the twentieth century reflects the conflicting academic and progressive ideals of the times -- the formal symmetries of neoclassical architecture are in contrast to the more "organic" and environmentally contextual forms introduced by the Arts & Crafts movement and related Shingle and Craftsman Styles. Architectural massing since the turn-of-the-century may be simple or complex, it may be additive, subtractive or interpenetrating, and it may be symmetrical or organic.

Proportion is a final aspect of *massing* and, when related to appropriate scale in context, refers primarily to the relative height and width of a building -- is it tall or low, wide or narrow? Generally, appropriate design will reflect the overall proportions of abutting properties and the rhythm of the street at large. Again, appropriate massing will achieve balance in context.

The concept of proportion also can be applied to the relationship of the smaller exterior architectural elements of a structure to the structure as a whole, and this is discussed in more detail later in *Part II*. It is noted here, however, that the proportion of a building's individual architectural features can become an important influence on the larger scale of the street, particularly where buildings are sited closely and are of similar design. ■

Characteristic Style

It is the objective of historic district regulations to maintain continuity with and not the isolation of the past. The historic district itself displays a historic progression of architectural styles from the early Colonial to the Modernist, and this evolution is basic to the integrity of these districts' historic fabric. A property's environs may be characterized by one or two dominating styles or types of architecture, or may be characterized more by diversity of style. For instance, the district as a whole is characteristically late 19th century, especially Queen Anne, though it possesses significant examples from both before and after that period. Thus, it is the objective of the Commission, while maintaining continuity with the past, to protect and where possible to enhance the districts late 19 century heritage as a whole. Thus, *style* is a significant aspect of appropriate design in context.

While there are a few significant examples of Modernist design in the historic district, they are not characteristic of the districts -- flat roofs for residences, window walls, and other Modernist elements thus are deemed to be generally incompatible with the historic district and therefore inappropriate for new construction. However, contemporary architecture can be compatible with an historic district, and indeed is often more appropriate than reproduction architecture. In particular, the contextual and historical approaches of contemporary "Post-modern" architecture are generally consistent with the objectives of an historic district. Contemporary architecture can contribute to the ongoing evolution of an historic district, as long as it reflects the characteristic scale, rhythm, and building traditions of its setting. However, the appropriateness of avant-garde architecture which could upstage existing historic structures is doubtful. But ersatz reproduction architecture is also discouraged if there is no historic precedence for the same, and main stream suburban architecture will be found to be generally inappropriate to the characteristic scale and architecture of the historic district. The appropriateness of style will vary according to the nature of the proposed work and to its setting within the district. Where styles vary in immediate context, the resultant *rhythm* of scale and styles must be taken into consideration in determining a style of new construction appropriate to the setting.

While reproduction architecture may be appropriate in restoring a historic facade where no early photographs exist, or for infill construction where one style dominates, compatible contemporary architecture is generally more appropriate for new construction in the more heterogeneous parts of a district. Excellence of design without pretense to antiquity is encouraged for all new construction. Additions to existing structures, however, are encouraged to continue the style of the existing structure, so as not to upstage the main portion of the building itself or disrupt the district's overall architectural ambiance. Again, the use of characteristic features, forms, scale, and so forth will dictate appropriate style.



Second Empire



Queen Anne

Figure 3



Queen Anne



Queen Anne

Figure 4



Shingle



Shingle

Figure 5



Mediterranean



Garrison Colonial

DESIGN GUIDELINE SCALE & SITING IN THE HISTORIC CONTEXT

Characteristic Style (continued)

Most existing buildings are considered to be worthy of preservation in their own right. However, the Commission reserves the right to allow the "re-styling" of any building, no matter what its age, if deemed in the best interest of the district as a whole. By doing so, the Commission is acting to consolidate what is generally considered to be favorable in a district, while eliminating or mitigating that which is considered to be unfavorable.

Prevailing attitudes undoubtedly will limit individual expression to a certain degree, restricting on one hand avant-garde architecture and on the other hand the banal residential architecture of the mass produced suburb. Often there is a fine line in determining what is stylistically appropriate, and in the end a consensus based on sound judgment of a building's and district's characteristic features must govern. Taste *per se* is not an appropriate ground for determination of appropriateness. Appropriate architecture will be harmonious with the characteristic style first of its immediate environs, and secondly of the overall historic district.

EXTERIOR ARCHITECTURAL ELEMENTS

General Discussion

Previous sections of this handbook have discussed the importance of scale in siting and of appropriate architectural style in the historic context. As noted in those sections, the historic district is not only varied stylistically, but may also be varied in terms of scale and massing. This diversity is often fundamental to the charm of an historic neighborhood, reflecting the often complex evolutionary patterns of an historic district. As discussed previously, these varied neighborhoods may find unity in a characteristic street rhythm. Similarly, otherwise diverse architectural styles often date from a recognizably distinct period of time, characterized by the very function of the historic district.

However, it is often a simple compatibility of exterior architectural elements which creates the fundamental harmony of an historic district. A tradition of common materials, construction details, and typical architectural features, may bridge a number of styles and accommodate differences in both scale and setting. For instance, a limited "palette" of clapboards and shingle, double hung windows, and porches, contributes to the characteristic ambiance of the historic district. It is this subject of exterior architectural elements that forms the following section of these design guidelines. (A later section addresses finally those incidental site features which contribute to the integrity of an historic context.)

Again, the primary goal of the Commission is to reserve and where possible reinforce the overall character of an historic district. Thus, it is the intention of the Commission, and of these design guidelines, to promote construction activities which reflect the characteristic building traditions of the community. Four of the fundamental objectives of the Commission, as outlined at the beginning of *Part II*, are reiterated here as they pertain to exterior architectural features.

- * *Additions to an historic structure shall be harmonious with the characteristic massing and architectural features of that structure, and shall not destroy the main character defining elements of such structure, nor be incongruous with its immediate environs.*
- * *Alterations to an historic structure shall be consistent with the design of the original structure and of any later additions which are architecturally significant in their own right. Alteration or removal of characteristic architectural features, including architecturally significant additions, should be avoided. Whenever possible, restoration of original features is encouraged.*
- * *Additions and/or alterations to an existing structure, when such structure is not architecturally significant and is deemed in its present state to detract from the overall character of its environs, should mitigate such existing adverse impact through the design of new elements which will make the structure as a whole more harmonious with its environs.*

DESIGN GUIDELINES

EXTERIOR ARCHITECTURAL ELEMENTS

General Discussion (continued)

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

As the appropriate design of exterior architectural elements should reflect the characteristic building traditions and related styles of its context, a basic understanding of the evolution of these elements is necessary. Thus, the following parts of this section offer both basic design guidelines, and a brief historic background of the relationship between style and appropriate exterior architectural elements. Actual design guidelines are presented in *italic* text, to highlight the same from the more specific historic discussion.

Roof Form

The historic structures from the Colonial and Federal eras, that is from before about 1840, have relatively steep gable pitched roofs, with the flank of the long eave side as the primary facade. Typically, the pitch of these eighteenth and early nineteenth century houses was about 8 to 10" in vertical dimension to every 12" horizontal. A number of the earliest structures, and in particular the 1-1/2 story "Cape" style houses, have rear "saltbox" extensions, where the rear roof-line was extended downward over a rear addition.

Another Colonial roof type is the gambrel, with its trussed roof structure that allowed additional headroom in the attic story. Gambrel roofs essentially have two eaves, with a shallow upper gable pitch spilling over a steeply pitched lower pitched roof. The break line between these two roof surfaces was always articulated with a horizontal trim board, because the sharp bend could not otherwise be covered by wood shingle. While the Colonial gambrel roof was used occasionally, its exaggerated adaptation during the late nineteenth century Shingle Style was more common.

The mansard roof was introduced immediately following the Civil War in conjunction with what is known as the French or Second Empire Style. This roof type allowed a full height attic story to be incorporated into a structure, while maintaining the traditional eave line of a structure with one less story. The mansard incorporated formal dormers to permit fenestration of the "attic" story, and this represents the first prevalent formal use of dormers in districts architecture. In contrast to the immediate preceding styles, the roofing shingle itself became a deliberately decorative element, incorporating patterned wood or slate roofing. Often mansard roofing was laid in three bands, with a central band of scalloped or diamond shaped shingle, flanked above and below with square cut shingle. Slate mansards also introduced alternating colored bands of gray and red slate.

Up to the Civil War, roof forms consisted of a single primary shape, with at most secondary wings or ells with a lower and usually similarly shaped roof. However, a significant development had occurred with the development of the L-shaped plan in the immediate pre-Civil War era. The roof forms of the L-plan at first reflected the relationship of primary and secondary building wings, but after the Civil War the L plan was usually roofed by a single cross-gable form emphasizing both wings equally -- for the first time a single complex roof form is a characteristic of architectural form. The cross-gable became the favorite form for more modest Italianate houses of the time, and by 1885, at the height of the Queen Anne Revival style, the cross-gable roof was combined with dormers, turrets, hipped gable ends (jerkinheads), and lower porch roofs to form the most complex roof forms known before or since in town. The simpler Eastlake style "cottage", which was a popular spin-off of the more elaborate Queen Anne Revival, retained the earlier and more straightforward cross-gable form of the Italianate. In many cases, the Eastlake side wing was not much more than a wide full-height bay window -- this side wing is referred to as a *pavilion*.

DESIGN GUIDELINES

EXTERIOR ARCHITECTURAL ELEMENTS

Roof Form (continued)

The Colonial Revival of the turn-of-the-century revived the classic roof forms of the Georgian and Federal eras, though now with prominent neoclassical dormers symmetrically placed on a larger mass. In contrast, the contemporaneous Shingle Style returned to a deliberately rustic image loosely based on the rambling vernacular forms of Colonial America. The roof form itself was often primary to the characteristic form of the Shingle Style, and included roofs which appeared to flow from one to another, descending to a low eave line of a verandah. A favorite shape of the Shingle Style was an oversized version of the Colonial gambrel form, often with cross-gambrel and other interlocking "vernacular" roof forms. Cedar shingle was always the choice for the Shingle Style. The bungalows of the Craftsman Style continued the tradition of the Shingle Style in simpler form, with a gable roof brought forward over a full width front verandah, the roof punctuated with a central prominent dormer. The pre-Depression era saw the emergence of a number of picturesque pseudo-Tudor and medieval houses, which emphasized characteristically steep and sometimes flared pitch roofs, with multiple cross gables, dormers, hipped peaks, and the like. Because of the architectural prominence of the roof form, these romantic revivals were roofed with slate or wood shingle.

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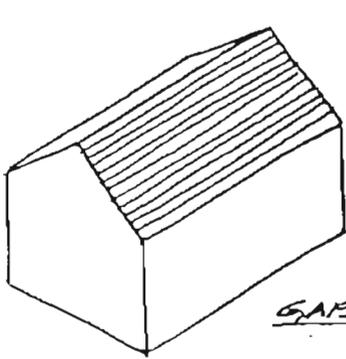
Roof types for new construction should reflect characteristic local types, and be compatible with the general rhythm of roof forms along a street. Complex interpenetrating roof forms may be appropriate in the district's shoreline resort community. Roof form and pitch for additions normally should be similar but clearly secondary to the main existing roof form.

Any new use of the shallow pitched roof should be done in conjunction with a pedimented facade or substantial eave returns, and other appropriately large scale classical trim. Except where flat roofs are appropriate, a roof pitch of less than 6" in 12" will usually be considered inappropriate for new construction. The use of flat roofs and the Gothic roof is not considered a characteristic building tradition, pitches in excess of 12" vertical dimension in 12" horizontal are also discouraged.

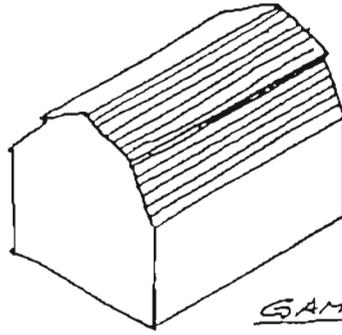
**Roof Form
(continued)**

The broad overhangs of the Prairie School and subsequent suburban architecture will generally be considered inappropriate in the historic district.

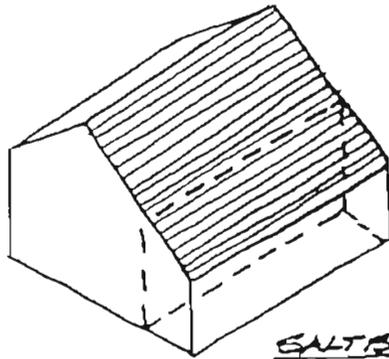
The construction of new glazed cupola forms on shallow roofed structures may be considered by the Commission. 'Widow's walks' may also be considered for more steeply pitched roofs. Small venting cupolas, however are not characteristic of any historic era in district, and their use is discouraged. Appropriately sized venting cupolas however may be considered for outbuildings.



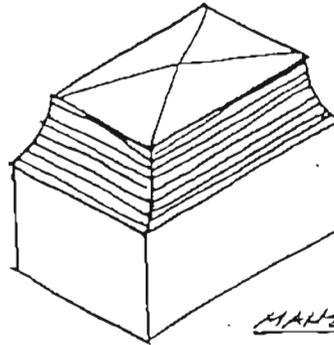
GABLE



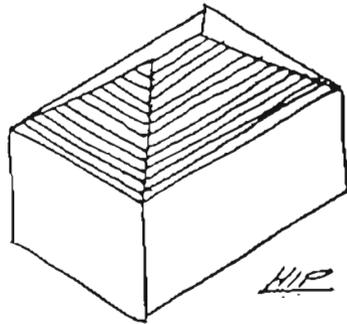
GAMBREL



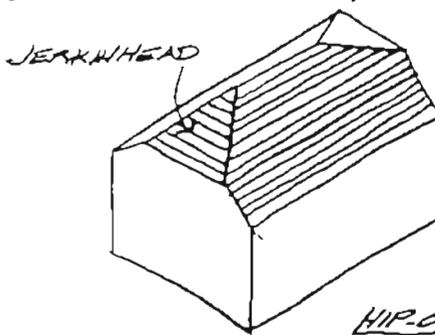
SALTBOX



MANSAIRD

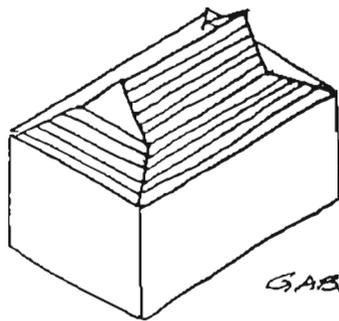


HIP

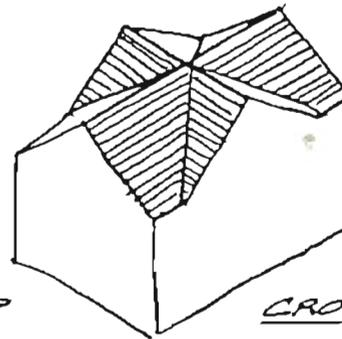


JERKINHEAD

HIP-ON-GABLE



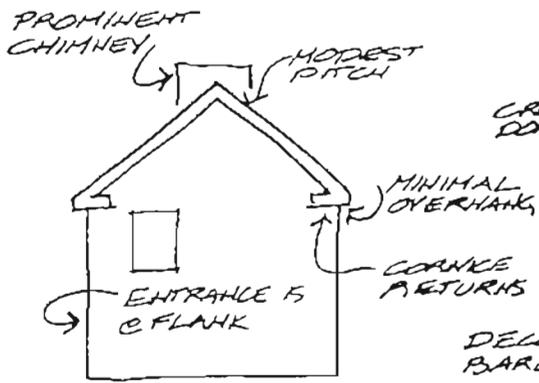
GABLE-ON-HIP



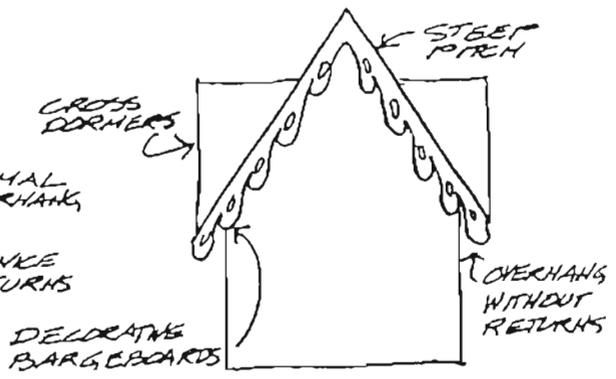
CROSS-GABLE

Roof Form

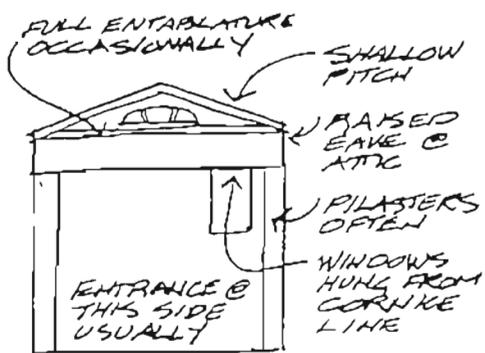
Figure 7



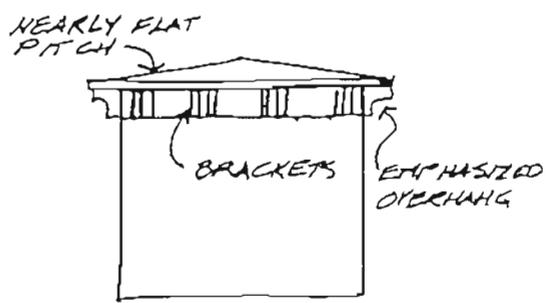
COLONIAL/FEDERAL



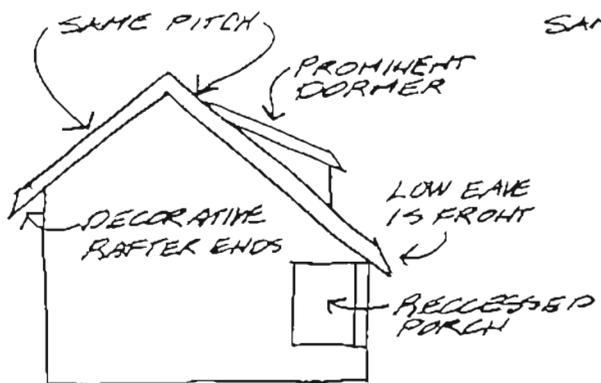
GOTHIC REVIVAL



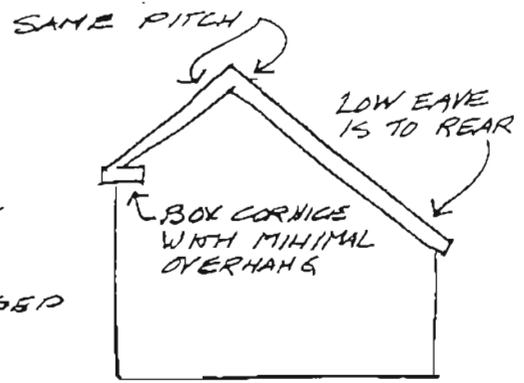
GREEK REVIVAL



ITALIANATE VILLA



BUNGALOW



COLONIAL SALTBOX

Roof Pitch

Figure 8

Dormers were generally not introduced until the mid-nineteenth century. After the Civil War, dormers became popularized with the mansard roof of the French Second Empire style, which like the Gothic Revival incorporated a usable attic story behind a steeply pitched roof surface. Mansard dormers however were treated now as distinct and usually ornamental features, often with a neoclassical pediment and decorative windows. The gable dormer remained a prominent dormer type through the Queen Anne Revival, and culminated in the elaborate neoclassical gable dormers of the turn-of-the-century Colonial Revival.

Hipped roof dormers were popularized first during the Stick and Chateau Styles of the 1870's, for their medieval as compared to neoclassical image, and their use continued through the subsequent and related Queen Anne Revival of the 1880's. The hipped dormer also was used extensively with the turn-of-the-century Shingle and Craftsman Styles, and into the era of the so-called Stockbroker Tudor of the Twenties. The hipped dormer allowed both broader horizontal groupings of windows and more increased attic headroom than did the gable dormer, without overwhelming the scale of the roof with an oversize pedimented gable. The expanded visible roof surface of the hipped dormer also contributed in a decorative way to the roof-oriented massing of Shingle and Craftsman Style architecture. A less common variation of the hipped dormer incorporated a partial gable truncated by a hipped "jerkinhead", and is associated particularly with the turn-of-the-century English cottage style.

The shed roof dormer did not emerge as a classic roof form until the early twentieth century, when its use was favored with the low and spreading roof form of the bungalow. Used in this fashion, the shed dormer was clearly secondary to the roof surface around it, and was rarely continuous with a wall plane. The Craftsman Style shed dormer was typically comprised of an exaggerated low profile.

The English cottage revival popularized the flush dormer, where a single and usually large window grouping broke the eave line and was thus as much an extension of the wall plane as it was a discrete roof element. Again, however, the prominence of the main roof form was not lost to the flush cottage dormer. Typically, the flush dormer had a hipped or shed roof, and occasionally a jerkinhead.

*

In general, both gable and hip dormers may be an appropriate way to utilize existing attic space, but 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, by incorporating usable floor area into a roof form instead of an extra full story.

Dormers (continued)

If shed dormers are used, they should be clearly subordinate to the primary roof form, and are best used on broad low hung roofs. The roof pitch of any shed dormer should not be less than 4" vertical dimension in 12" horizontal

Flush dormers that are continuous with a wall below should have prominent fenestration that breaks the eave line of the main roof

All dormers shall be predominantly fenestrated and shall incorporate minimal wall surfaces other than architectural trim or ornament.

Skylights

Skylights are not a traditional building element and thus are generally inconsistent with the historic district. Dormers are usually preferred to skylights for new construction. However, skylights may be preferable to dormers in some cases, because they may be less intrusive on the scale and massing of an existing building. The addition of skylights is discouraged from any architecturally significant roof surface. Skylights generally should not be visible from public view and where they are visible, should be as small as practical. Because of both the opportunities and problems associated with skylights, the Commission reserves considerable discretion in reviewing the same.

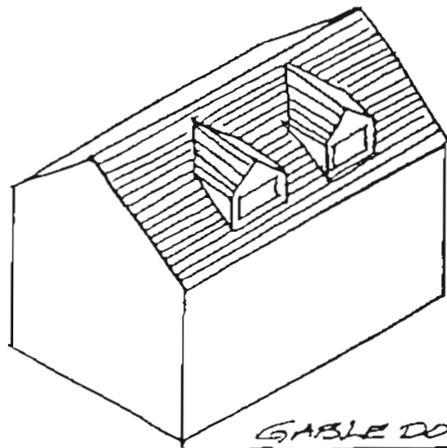
Skylights associated with sunrooms can be particularly problematic 'as many large prefabricated glazed structures are entirely inappropriate in the historic context. Traditional conservatory designs are available but, where connected to an existing structure, often will be deemed to be out of scale. Sunroom and conservatory additions will be considered only with discretion

Roofing

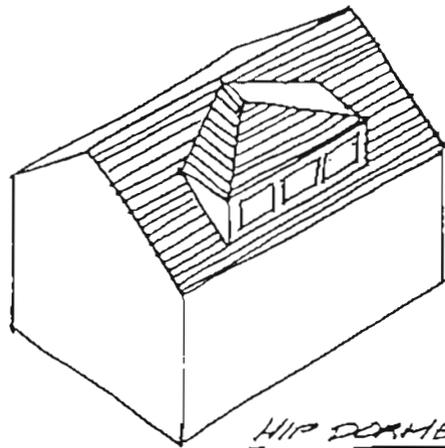
Most of the historic houses typically would have had cedar shingle roofs originally, though some of the nearly flat roofs of the mid-nineteenth century had metal roofing, as did many of the shallow pitched porches of that same time.

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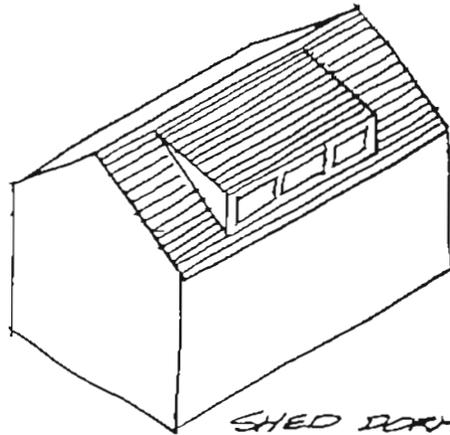
Restoration of historic roofing materials is always encouraged where practical, and new construction is encouraged to utilize traditional materials characteristic of a neighborhood.



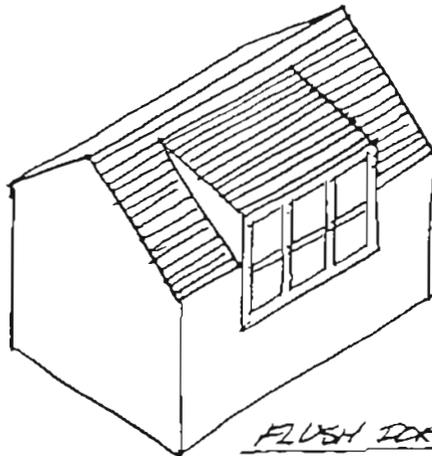
GABLE DORMERS



HIP DORMER



SHED DORMER



FLUSH DORMER

GABLE DORMER IS EARLIEST & MOST COMMON DORMER TYPE. HIP DORMER PERMITS GREATER USE OF ATTIC SPACE BUT REMAINS DISCRETE BY EMPHASIZING ROOF PLANE. SHED DORMER MAY BE APPROPRIATE IF NOT OVERSCALED - SHED DORMERS WERE POPULARIZED WITH LOW SLUNG BUNGALOW ROOFS. FLUSH DORMERS SHOULD HAVE FENESTRATION WHICH BREAKS EAVE LINE OF PRIMARY ROOF - FLUSH DORMERS MAY ALSO HAVE HIP & GABLE ROOF FORMS.

The texture of asphalt shingle is regulated under the historic district -- a weathered wood tone of warm gray and emphasized shadow line is the best current replacement.

Clay and concrete roof tiles are limited to a very few 1920's structures. New use of roof tiles same should be limited to properties where existing structures are so roofed.

Metal roofing may be appropriate in certain occasions -- for porches and other shallow pitch and flat roofs (note that flat roofs that are visible from the public way are regulated as any other roof).

Chimneys

Chimney form was an important characteristic of all structures prior to the Greek Revival era, and again gained symbolic importance during the late nineteenth century. The earliest houses had a large central chimney of fieldstone and occasionally brick, with at least three flues to separate fireplaces -- this chimney would be at least 3' square and could be more than 5' square. After the Revolutionary War, a more developed and formal house plan emerged with a central formal hall through the house. This in turn dictated paired chimneys about 2' to 3' square in size, symmetrically located to either side of the hall. Though granite was preferred for most masonry work, nineteenth century chimneys usually were constructed of brick because of the relative ease of constructing flues with the same.

With the favored lower roof pitches of the Greek Revival and Italianate styles, which emphasized the main building mass and deliberately downplayed the chimney mass, chimneys became secondary elements, small in stature and often located in ad hoc fashion. Chimneys ceased to be a character-defining element.

Later in the nineteenth century, the high Victorian styles with their more steeply pitched roofs included elaborately detailed and often massive chimneys as part of the eclectic patterning, massing and textures associated with that era. The decorative use of brick chimneys was limited to turn-of-the-century shoreline resort architecture and the occasional residence of the late Victorian era.

Chimneys (continued)

*

New chimneys should be appropriately massed and located in proportion to the massing of the house itself and particularly to the massing of the roof. Elaborately ornate chimneys are generally not appropriate in the historic context of the district, though discretion is allowed upon review by the Commission. Chimneys which are projected from an exterior wall are usually inappropriate. Visible prefabricated metal chimneys are generally inappropriate for residences.

The Commission allows by right, that is, without formal application for Certificate of Appropriateness, the routine repair and maintenance of any chimney, so long as any repointing and/or replacement of individual masonry units duplicates the historic condition. Any complete reconstruction however requires the Commission's review and approval. Note that old mortar is usually softer than modern types, and repointing will require a higher proportion of lime to be structurally compatible with the same. Similarly, old bricks often vary in size, texture, and color from what is available today, and similar replacement of bricks is sometimes impossible. The Commission encourages, wherever possible, the restoration and maintenance of original chimneys.

Masonry

The use of brick in the historic district was limited to chimneys and secondary foundation surfaces prior to the end of the nineteenth century. A few early stone buildings exist -- mostly early utilitarian and rural structures -- but, except for raised basement stories, stone is not a characteristic siding material of the historic district.

*

As a general siding material for new residential construction, brick or stone masonry is considered inappropriate for the historic district.

The Commission allows by right, that is without formal application for Certificate of Appropriateness, the routine repair and maintenance of any masonry surface, so long as any repointing and/or replacement of individual masonry units duplicates the historic condition. Any complete reconstruction of masonry surfaces requires the Commission's prior review and approval

DESIGN GUIDELINES

EXTERIOR ARCHITECTURAL ELEMENTS

Basement Stories & Foundations

The districts earliest foundations were of local fieldstone. High basements came into favor during the Greek Revival era of the middle third of the nineteenth century, and remained popular throughout the subsequent Italianate, Second Empire, and Queen Anne Revival styles of the Victorian era, and into the Colonial Revival and related neoclassical architecture of turn-of-the-century. The high foundation itself thus became an important architectural element and is found in some of the district homes.

The emergence of the Shingle Style before the turn-of-the-century brought a return to a lower ground-hugging proportion, and while the subsequent Craftsman Style bungalow retained a raised living level, it also dispensed with the formal basement story-- the Shingle Style and in particular the Craftsman Style preferred foundations of rounded cobble stones.

*

The use of high foundation walls and/or raised basement stories is traditional and thus appropriate to the historic district. Local building tradition normally dictated the use of granite and brick for the same, and the continuation of this tradition is encouraged. Large exposed areas of concrete foundation are less desirable in the historic district.

The Commission allows by right, that is without formal application for Certificate of Appropriateness, the routine repair and maintenance of any masonry surface, so long as any repointing and/or replacement of individual masonry units duplicates the historic condition. Note that old mortar is usually softer than modern types, and repointing will require a higher proportion of lime to be compatible structurally with the same. Any complete reconstruction of masonry surfaces requires the Commission's prior review and approval

Siding

Wood clapboard was the predominant siding material though cedar shingle sometimes may have been used on "secondary" wall surfaces as well as on outbuildings. In the earliest of these houses this clapboard may have been allowed to weather naturally, but later houses would have been painted. Clapboard material itself was usually pine or cedar -- quarter sawn edge grain clapboard was preferred for its resistance to checking and cupping. Colonial clapboard spacing was often quite narrow, typically with an exposure of 3-1/2" and sometimes varied progressively from a wider spacing at the base of a wall to a narrower one at the roof eave. In more elaborate houses of the subsequent Federal era, the clapboard may have been embellished with a routed bead along its base.

Another spin-off of the Italianate and particularly of the contemporaneous Gothic Revival style of the mid-nineteenth century was vertical board and batten siding. In this system, wide planks were placed vertically and flush, with joints covered by a narrow wood batten. The vertical proportions that board and batten siding emphasized was consistent with the vertical proportions favored by the Italianate and Gothic styles, in contrast to the traditional horizontal proportion established by clapboard. However, board and batten was commonly used for barns and other outbuildings, where a picturesque rustic quality was desired. However, clapboard remained the predominant siding material throughout the significant historic period of maritime and rural communities.

The earliest shingle used would have been of the white cedar that was once common in New England, before its overuse for boat building. White cedar can be distinguished by its natural gray weathered color, in contrast to the darker and browner color of the western red cedar which became popularized late in the nineteenth century.

The so-called Shingle Style of that time came to dominate the resort architecture of the coastal Northeast from Cape May to Maine. Roof and walls alike often were shingled to form an apparent integral flowing surface. For similar effect, Shingle Style architects could create curved wall and roof forms with wood shingle. The preference for red cedar shingle for both siding and roofing continued through the subsequent Craftsman style associated in particular with the bungalows of the first quarter of the twentieth century. Note that many earlier historic houses may have later wood shingle, which has been applied over or as a replacement for original clapboard or flush boarding.

In recent years, it has become popular to use the traditional white cedar of the Colonial era for walls in combination with the darker and more weather tight red cedar for roofs, which emphasizes the separate planes of wall and roof. Red cedar shingle generally has superior resistance than white cedar to both checking and coupling, though both can be left unfinished. Wood shingle is traditionally placed at about a 5" exposure, though the bungalows of the Craftsman era commonly paired shingle courses vertically so that a narrow exposure alternated with a wider one, thus emphasizing the horizontal proportion and massing typical of the style.

A unique use of both clapboard and decoratively shaped wood shingle emerged during the Victorian era of the last quarter of the nineteenth century, as part of an overall aesthetic which incorporated a number of different patterns and textures. This practice characterizes the so-called Queen Anne Revival style which, because of its elaborateness, is considered to be the culmination of high Victorian architecture. The simpler Eastlake adaptation of this style, along with the Shingle Style, also incorporated a more restrained variety of wall surface pattern. Usually, clapboard and patterned shingle would be placed in distinct horizontal bands, delineating one story from another, or an attic gable end pediment from the wall below, or to continue the horizontal line of an apparent window band. Horizontal banding continued in fashion well into the twentieth century and is associated particularly with the Prairie Style of the Midwest, and subsequent Modernist era.

*

Additions and alterations to existing structures normally should utilize the type of building materials original to that structure, and new construction should incorporate building materials traditional to its neighborhood. Clapboard and wood shingle are both normally acceptable and are preferred to aluminum and vinyl siding. Board and batten is most appropriately limited to accessory outbuildings.

Routine repair of siding, including the incidental replacement of individual siding members, is permitted by right and does not require an application to the Commission, so long as such repair and replacement does not alter the historic appearance of such siding. However, it is often difficult in partial patching to match the texture of adjoining materials, and the repair of existing siding is encouraged in lieu of replacement. There are several epoxy-based wood restoration products currently on the market which can repair damaged or rotten wood to a condition stronger than new. Replacement materials must match the color, texture, shape, and pattern of existing portions. Routine painting is similarly allowed by right without application for Certificate of Appropriateness.

Siding (continued)

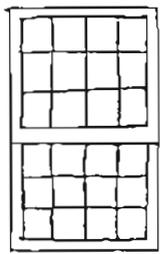
When aluminum or vinyl siding is used, it should be similar in width to the original siding. There are several narrow exposure type vinyl "clapboard" products on the market, which are usually preferable to the more common wide board aluminum type. The color of aluminum and vinyl siding is regulated under the historic district and one is referred to the later section of this handbook that discusses appropriate colors.

Structures which have been resided at a later date with asbestos cement, asphalt shingle, or aluminum or vinyl siding, usually remain in relatively good condition under this later siding. While the Commission cannot dictate the removal of such siding, restoration and refinishing of original surfaces is always encouraged by the Commission. Glazing compound is a good material for filling nail holes. Note that the replacement of existing but historically inappropriate siding materials is not permitted by right, and the installation of new artificial siding must follow the guidelines previously stated.

Windows

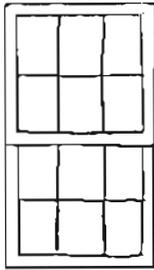
Windows are a usually major factor in the characteristic style and building traditions of an historic district. As styles progressed through history, windows became both larger and more frequent. In time, windows became decorative in their own right. By the middle of the nineteenth century, windows were grouped into bay windows, and by the end of the century into horizontal window bands -- the origin of the Modernist ribbon window.

The proportion, rhythm, and relative symmetry of entrance and fenestration are the basic design elements of Colonial and Federal era architecture. These early houses were generally symmetrically composed, most often with a central entrance and two windows to either side -- this is referred to as 5-bay fenestration. The five bays of the facade were never evenly spaced but instead each pair of flanking windows was grouped more closely together, so that a rhythm was established between the paired window groupings and the central entrance. This served to emphasize the entrance, which in turn received the most attention as to detail (decorative entrance side lights and transom lights are discussed later with entranceways). A second floor reflected the same symmetry, except that a central window was located above the entrance. Front windows were of a consistent size, though second floor windows might be slightly shorter than at the first floor, as for instance with 8-over-12 windows above 12-over-12 windows. Windows beneath eaves were "hung" directly from the cornice, with no wall surface above these windows.



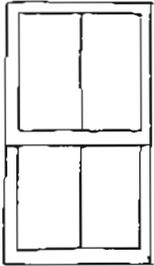
12 OVER 12
DOUBLE HUNG
SASH

COLONIAL/FEDERAL



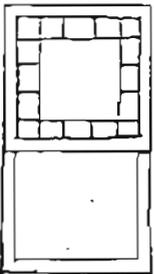
6 OVER 6

GREEK REVIVAL



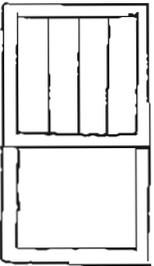
2 OVER 2

POST-CIVIL WAR



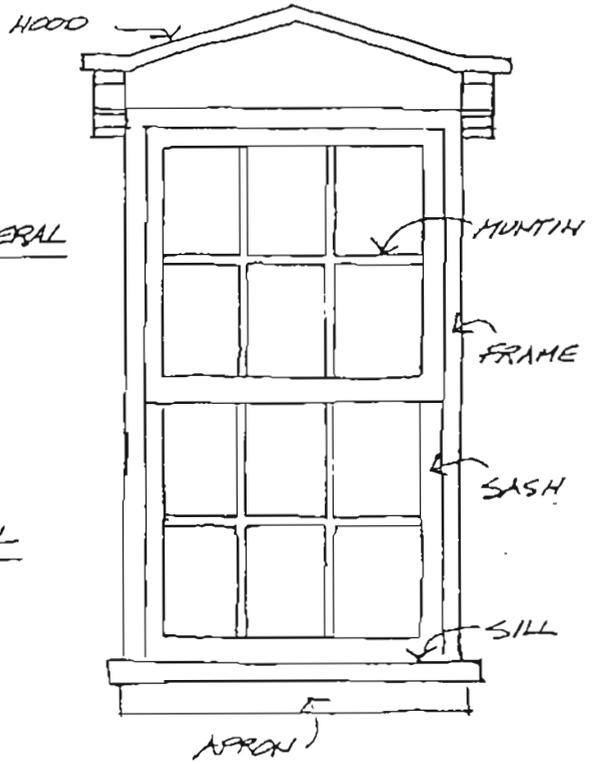
DECORATIVE
UPPER OVER
SINGLE GLAZED
LOWER SASH

QUEEN ANNE

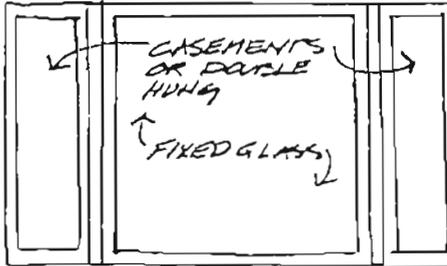
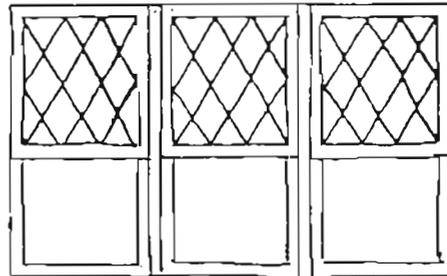


CONTEMPORARY
PICTURE
WINDOW
GROUPING

CRAFTSMAN



TURN-OF-THE-CENTURY
WINDOW BAND



CASEMENTS
OR DOUBLE
HUNG

FIXED GLASS

Windows

Figure 10

While the symmetry of the Colonial and Federal era house facade was ideally perfect, it often was distorted to accommodate practical considerations of plan and siting -- however, these houses typically achieve a *balance* in proportion which is characteristic of the neoclassical ideal of *symmetry*. The sides and rear of Colonial and Federal era buildings however were considered to be of less formal importance, and windows on these secondary facades were often placed in *ad hoc* as ion as needed in plan. The front of these buildings was thus a true facade, and usually fronted directly onto the street.

When the Greek Revival turned the gable end to the street as the main facade, strict proportional design traditions were also transferred to the gable end facade. However, the spacing of windows and entrance of such gable-enders is usually only 3-bay wide, and the side hall floor plan of the style required the entrance to be placed off center. This asymmetry is downplayed though by framing both windows and entrance within a yet larger neoclassical composition of attic story pediment and corner pilasters covering the entire gable end facade. Moreover, many Greek Revival gable-enders incorporated an original side wing on the entrance side, which lent balance to the entire composition. As with earlier styles, front windows were of a consistent size, while the secondary facades were fenestrated more casually.

Colonial and Federal era windows were always double hung with a pair of vertically sliding sash windows. These sash windows in turn were made up of multiple smaller panes of glass, separated by muntins. The earlier the window in general, the more the number of panes in a sash. Double hung windows are referred to according to the number of panes per sash -- 8-over-12 and 12-over-12 double hung windows for instance are characteristic of the Colonial and Federal era. By the time of the Greek Revival, larger panes of glass could be produced, and one sees for the first time 6-over-6 windows and, by the Italianate and Second Empire Styles of the immediate pre- and post-Civil War era, 2-over-2 windows. During this evolution, many 18th and early 19th century houses were updated with the newer sash of fewer panes, especially 2-over-2 windows after the Civil War.

High Victorian style dictated more elaborate patterns, and double hung windows of this era commonly had an upper sash with multiple panes set in decorative patterns, in counterpoint to a single paned lower sash. The so-called Queen Anne Window is comprised of a decorative upper sash of a single large pane surrounded by small square panes, and a lower sash of single glazing. The Shingle Style sometimes incorporated diamond panes in the upper sash, and the tradition continued into the Arts & Crafts era of the turn-of-the-century, though now the upper sash might simply be comprised of multiple vertical muntins without horizontals; again the lower sash would have been of a single or double pane.

Windows (continued)

A characteristic of windows up to and just after the Civil War was that of consistent size throughout the main facades. However, with the emergence of eclectic tastes and complex architecture of the high Victorian era, windows began to vary considerably in size, even within a common facade. The use of diverse and distinct windows continued as a characteristic of the Shingle Style, which deliberately scattered different window types within the stylistically dominant and continuous wall and roof surfaces of that style. The 1920's eclectic revivals continued the romantic *ad hoc* placement of windows in pseudo-Medieval fashion. However, the Colonial Revival revived the more conservative tradition of fenestration consistent in both size and placement.

Double hung windows were often grouped, especially during the second half of the nineteenth century, into clusters which effectively provided wide expanses of glazing. The bay window that began with the Italianate prior to the Civil War was the first break from the traditional Colonial and Federal era fenestration pattern of symmetrically spaced individual windows. The bay window grouped windows side by side and turned corners, allowing considerable openness to the outside. However, bay windows were always comprised of double hung windows, and the bay windows themselves were treated as a single architectural entity located on an otherwise solid wall -- thus, the traditional proportion of glazing to wall surface was disrupted only at the projecting bay. It is noteworthy that a number of earlier houses were updated during the Italianate and subsequent Victorian era with the addition of such bay windows, and the resultant marriage of styles is often interesting in its own right.

By the turn-of-the-century, double hung windows were often grouped into horizontal groups and even window bands. Again, the windows were treated as a single albeit larger architectural element. Generally window bands were incorporated within different patterns of still larger areas of textured wall surfaces.

Decorative windows, with ornate panes and/or unusual groupings were generally used in limited ways in the historic district. The first decorative window popularized was the Palladian window over the central entrance of a Federal era house, though such elaborate fenestration is rare in Groton. The gable end of the attic story of a Federal era house sometimes had a centered elliptical or triangular window with elaborately patterned muntins. The tradition of a decorative pediment window was elaborated upon during the Greek Revival era, and many of the town's gable-enders have such prominently placed ornamental attic story windows.

The Italianate style was the first to stylize primary windows purely for picturesque effect. Typically, Italianate double hung windows are proportioned tall and narrow, and this effect was sometimes exaggerated by breaking a window into a pair of even narrower 1-over-1 windows. In fact, the Italianate style introduced the pairing of windows, which is a characteristic of that style. Some Italianate windows had round top glazing, reflecting the arch of the Italian Renaissance. The French Second Empire Style continued the Italianate tradition of fenestration but, with the addition of dormers, often included elaborate round-head or similarly ornate dormer windows. Both the Italianate and French Second Empire Style incorporated elliptical windows in unusual spaces, such as at stair landings or in tight corners. During the Gothic Revival which emerged along side the Italianate, windows with pointed arches and interlocking arched panes were popularized, but this style is very rare in town.

Decorative windows of the later nineteenth century departed from the picturesque shapes of the Italianate and Gothic Revivals and instead favored the use of decorative multiple panes, often in multiple window groupings. These groupings could become quite complex and eclectic in themselves, and were incorporated into bays, oriel windows, towers, turrets, and conservatories. The turn-of-the-century saw a return to more traditional and reserved windows, as this was consistent with both the neoclassical ideals of the Colonial Revival and the more progressive and organic ideals of the Arts & Crafts movement.

*

New buildings typically should have fenestration located to reflect the characteristic proportions and rhythms of neighboring facades. Similarly, windows in new additions should be spaced to reflect the characteristic proportions and rhythm of the existing proportions, though they may be diminished in scale to reflect the secondary importance of the addition to the main mass of the building. Restoration of original windows is encouraged where windows have been removed or where later replacements are historically inappropriate (note however that some later windows can in themselves be historically significant). Windows without historic precedence should not be added to existing primary architectural facades.

Double hung windows are characteristic of the historic district. While there are significant examples of Modernist architecture, these are not characteristic, and so the window walk, picture windows, and awning and casement windows associated with the Modern movement are generally inconsistent with the historic district. Such windows are not necessarily prohibited however, and with sensitive rhythmic and proportional spacing may be deemed appropriate for new construction in the historic context. However, any large scale fenestration which becomes greater proportionally than the surrounding wall plane will usually be found to be inappropriate, and the use of such window walls is discouraged.

Windows (continued)

In general the Commission encourages the restoration of existing sash, in lieu of replacement, though the Commission recognizes that this is not always practical. Replacement of windows is permitted, if in keeping with the exact design of the original. Wood windows should be replaced with wood windows; windows with factory applied paint are preferred. When contemporary replacement is proposed for windows which themselves are not original to the structure, restoration of the original type multiple pane sash is normally appropriate, but if the environs typically post-date the building, a later sash style may also be considered.

Groupings of double hung windows are preferred to single expanses of picture window glazing.

The tradition of decorative windows should not be discounted for contemporary use, but such use must be careful not to upstage its characteristic historic setting.

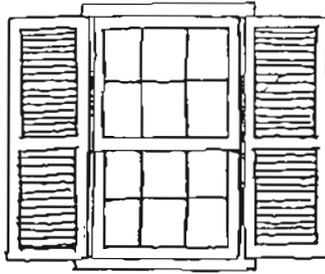
Shutters

Shutters are a characteristic building tradition of historic district and the use of the same is not discouraged where appropriate for both existing and new structures. Shutters are thus appropriate on Second Empire houses and may be appropriate for Shingle Style.

Where shutters are to be installed, they should appear to be operable. For instance, the installation of shutters to either side of a picture window, or to either side of a pair of windows is improper because in a closed position these shutters would not cover the windows. Paired shutters should flank a single window and should be sized so that they each are just wider than one half the width of the window frame.

Storm Windows & Doors

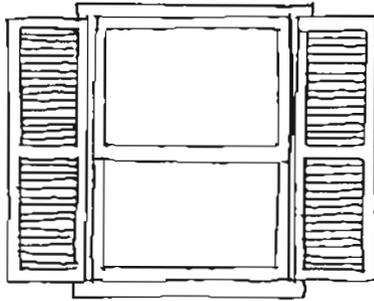
Because of concerns for energy conservation, storm windows and screens are permitted by right without review by the Commission, if they do not damage existing historic window detail. Storm windows should have no exposed metallic surfaces, and instead should have painted or suitably clad frames and sash -- color should be similar to surrounding trim. Existing wood storms should be retained wherever practical. Storm doors may be permitted upon review, if they do not damage any existing historic entrance detail. Storm doors should have no exposed metallic surfaces, and instead should have painted or suitably clad frames and sash, with color similar to surrounding trim or door. Storm doors with historically inappropriate ornament are not permitted; storm doors should be simple and as discrete as possible so as to minimize distraction from the main door.



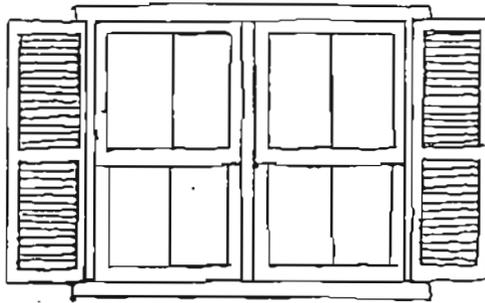
APPROPRIATELY SIZED
SHUTTERS COMPLETELY
COVER WINDOW IN
CLOSED POSITION.

NOTE THAT SHUTTERS
WERE NOT USED
UNTIL AFTER
MID-19TH CENTURY

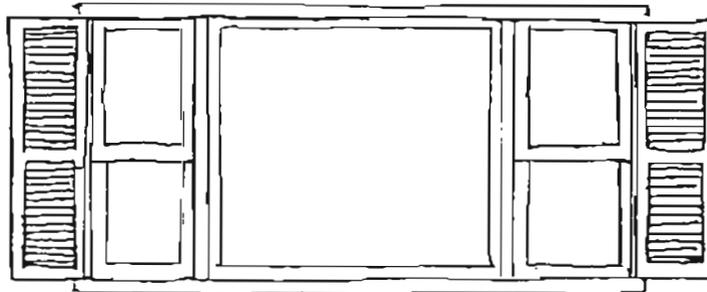
APPROPRIATE



SHUTTERS ARE TOO
NARROW.

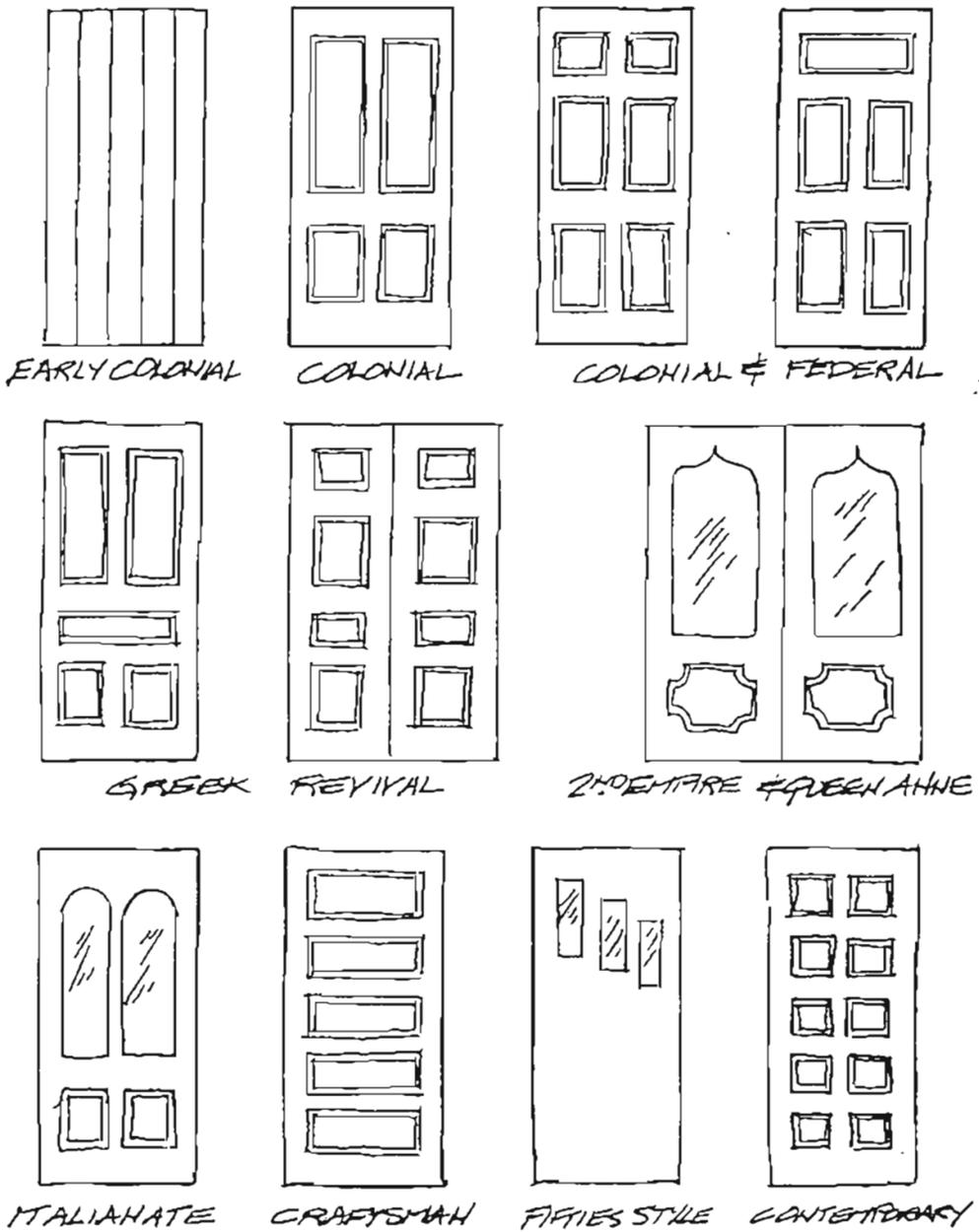


ANOTHER COMMON
EXAMPLE OF
IMPROPER USE
OF SHUTTERS.



ERSATZ
USE OF
SHUTTERS
IS ENTIRELY
INAPPROPRIATE.

NOT APPROPRIATE



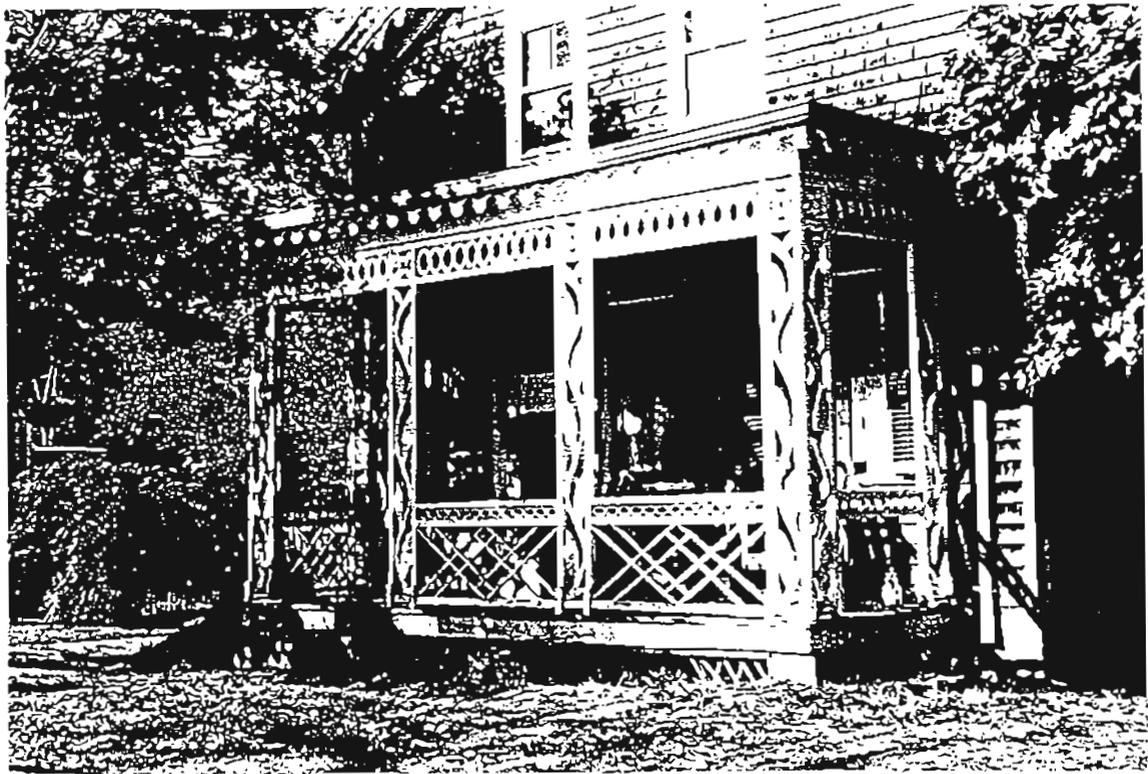
NOTE - TYPES SHOWN ARE REPRESENTATIVE.
MANY VARIATIONS EXIST.

Door Types

Figure 12



Characteristic Entranceways



Characteristic Porches

Figure 14

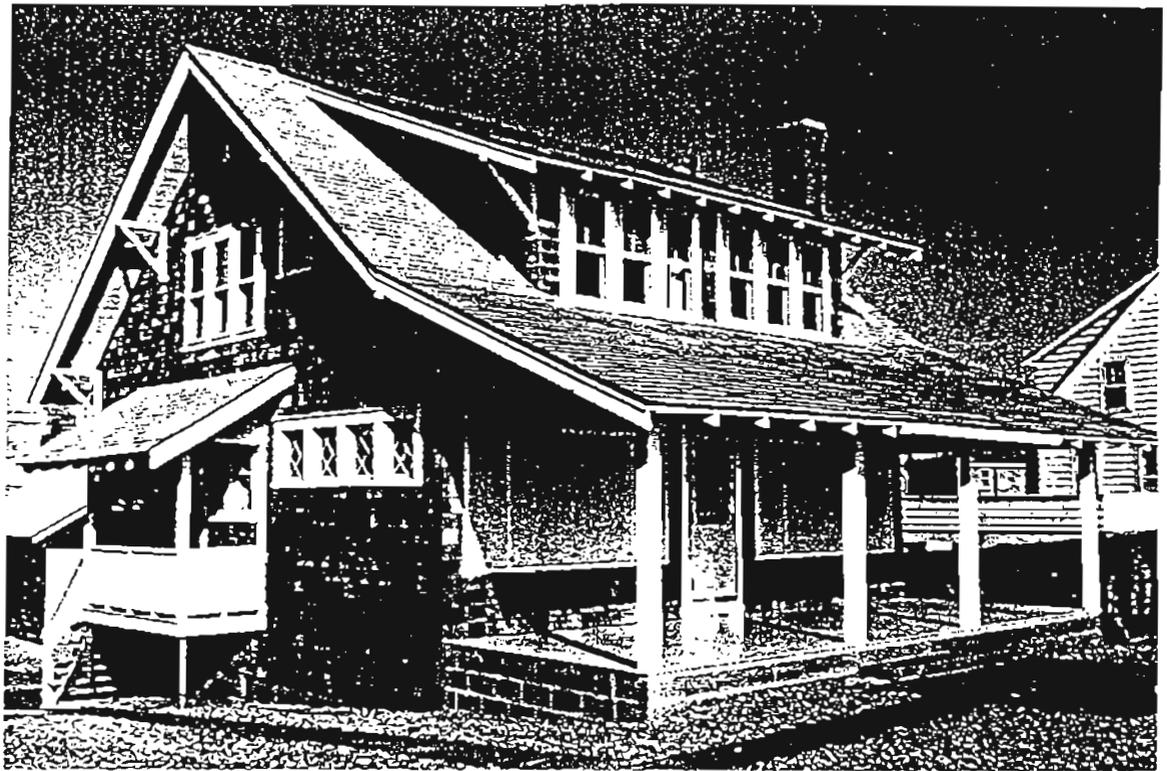


Characteristic Porches



Characteristic Porches

Figure 16



Characteristic Porches

Figure 17

DESIGN GUIDELINES

EXTERIOR ARCHITECTURAL ELEMENTS

Entranceways & Porches

The entranceway was often the primary decorative feature of Colonial and Federal era structures, and its decorative role continued in the later Greek Revival though often then in combination with other decorative facade detail. Throughout the Victorian era and into the early twentieth century, the porch remained a characteristic architectural feature, taking the form of neoclassical portico, wrap-around verandah, and recessed loggia. Indeed, in the historic district, entrance porches are major character defining elements.

On earlier Colonial and Federal era houses, the doorway was usually located centrally as the focus of a facade, and was given the highest degree of ornamentation. Beginning with the earliest houses of the eighteenth century, one sees a trend to progressively more elaborate doorway surrounds, first with a simple row of transom lights above the door itself, and later with side lights as well. This transition sees a similar evolution from simple flanking trim boards to the more elaborate fluted pilasters which typically flanked the Federal era entrance, supporting a neoclassical entablature across the top. At its highest development, the Federal era transom light had become an ornate elliptical fan light with often complex muntin patterns, and which broke the flat entablature itself into two halves. The earliest Colonial doors were made of simple vertical flush boards, but soon evolved into the familiar six-panel type with center rail. Colonial and Federal doors were generally not glazed.

Greek Revival structures continued the Federal tradition of side and transom lights, but in gable-enders the entrance was offset to one side, often framed within a pedimented neoclassical facade that comprised the entire gable end of the structure. The flanking pilasters and capping entranceway entablature of the doorway itself were not as delicately ornate as the highest Federal era type but gained impact instead through exaggerated scale. Side pilasters were generally made of wide boards with a raised panel surround. The Greek Revival flat entablature was similarly exaggerated in size, and usually incorporated a heavy projecting cap. Fan lights were no longer used, and the entablature was never broken. However, the Federal tradition of ornamental muntin patterns for both transom and sidelights continued. Occasionally, more elaborate Greek Revival houses had slightly recessed entrances though more typically such upscale houses had projecting roofed porticos that covered the entranceway. Portico columns were usually of the Doric order, though sometimes Ionic. Sometimes, though quite rarely, the entrance portico was expanded to include the entire gable end of the structure, in pure temple tradition -- the columns either spanned the full two stories to the attic pediment or supported a second story balcony with in turn another row of columns. Greek Revival doors were paneled, though not limited to the 6-pane Colonial type; Greek Revival doors were not usually glazed.

Entranceways & Porches (continued)

With the development of the Italianate style before the Civil War entranceways were often transitional in nature, reflecting both the earlier Greek Revival tradition and the emergence of the full porch. Simple houses of this era often retained the gable end format, though the Greek entrance portico now was reduced to a projecting cap supported on brackets. The brackets themselves, which are characteristic of the Italianate style, were cut by a band or scroll saw into thick volute-like forms. Often, doors were now glazed themselves in lieu of side and transom lights, and often had paired round-head windows. More elaborate Italianate houses had both glazed doors and sidelights set back within a single-story porch that stretched across the entire facade. The Italianate porch typically had square posts, which were sometimes paired, and bracketed eaves. The nearly flat porch roofs, which were deliberately downplayed, were roofed with metal. Sometimes the porch would wrap around two or more sides of a building in true verandah style. While visually significant, the Italianate porch was in actuality a simple addition to the main mass of the structure, another horizontal "layer" which provided both privacy and shade for the often sizable first story windows that opened onto it, and which ceremoniously fronted the street. The Italianate entrance porch continued in popularity in conjunction with the French Second Empire Style popularized nationally upon the cessation of the Civil War.

By the mid- 1870's, the verandah had become a major character defining feature of the house, and was sometimes joined with projecting outdoor sitting pavilions with their own pyramidal or turreted roofs. By the full emergence of the Queen Anne Revival in the 1880's, the verandah was combined with the loggia which, unlike the verandah, was recessed into the main body of the house, the first common instance of interpenetration of the main building block. Moreover, the Queen Anne popularized both projecting and recessed balconies at upper floor with the verandahs and loggias of the first floor, and miscellaneous bays and turrets, visually obliterated what was only a half century earlier a simple rectangular building block.

The Shingle Style, itself an offshoot of the Queen Anne, simplified the general effect of the high Victorian era in preference of a more rustic tradition. Verandahs and porches however were even more important to the Shingle Style, which was truly a shoreline resort architecture. The roof form of the Shingle Style verandah often merged with other roof forms in continuous and picturesque fashion. The Craftsman era bungalow of the early twentieth century also extended the main roof over a front verandah, which in turn was recessed in ironic fashion into the main body of the house itself.

The other major development of the turn-of-the-century was the neoclassical Colonial Revival, which revived the more elaborate Georgian motifs of Colonial and Federal architecture. In this case, we see a return to the neoclassical detail of a central entrance way with pilasters, entablature, side and transom lights, and often portico. However, Colonial Revival entranceway and porch detail reflected much more elaborate and ornamental Georgian motifs than had been used in Colonial and Federal eras.

*

For new structures, porches are often an appropriate way to relate to the scale of a late-nineteenth century neighborhood. Existing porches should not be removed as often the structure, let alone the entranceway, would thus be stripped of its primary character defining element. As porches were often the most embellished architectural element, the preservation and/or restoration of porch detail is also crucial and should be considered as part of any appropriate design. The reconstruction of a lost porch is encouraged, and if early photographic evidence is not available, should be based on historic precedence for the style of the building.

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 should be limited to the rear side of the building whenever possible. Glazing an existing open porch is generally inappropriate. Screening in of a traditionally open porch requires the prior approval of the Commission

Replacement of historic doors is discouraged, as is the addition of storm doors with historically inappropriate ornament. Replacement of a non-original and inappropriately styled existing door should be by historically appropriate type. There are many good sources for energy efficient doors of traditional design, and used historic doors are often available.

Proper entranceway design may also consider front steps, walkway and even fencing. Walkways, fencing, decks and terraces are discussed later in Part II under Site Elements

Fire Exits & Handicapped Access

Exterior stairs to upper level entrances (exits) are generally inappropriate to the historic context, and thus should be concealed from public view. Visible exterior stairs generally will be permitted only where no other practical remedial action is available for a building to meet the life safety code. If unavoidable, such exit stairs should reflect the detail and finish of the main house; consideration should be given to providing exit via a new interior stair in a new and appropriately styled building addition

Retrofitting for disabled access is often achieved with difficulty in historic buildings. Historic buildings may receive special consideration vis-à-vis the code requirement that the primary entrance be accessible, as long as suitable alternative access can be provided. Where disabled access fixtures must be added to visible sides of an 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.

Trim & Ornament

While the massing and proportion of a structure's exterior architectural elements may dictate much of the character of an individual building, trim and ornament also play varying roles in defining character and thus appropriate design. In addition to purely decorative applied trim, functional elements such as windows, doors, porch columns, eaves, and the like are often embellished in ornamental fashion characteristic of a particular style. Ornament might be carved or beaded as *molding*, it might be *paneled* with multiple layers of flat stock, it might be *sawn* from flat stock, it might be *turned* on a lathe, or it might be *eased* by sanding from solid stock -- such ornament evolved as technology evolved to produce the same. Ornament might also be made up of a combination of any of these. Ornament might reflect motifs suggestive of classical architecture ranging from the Egyptian to the Mayan and may even reflect such unique organic sources as the Ginkgo leaf. Finally, a building's physical structure itself might be articulated as the sole ornament of the building. A progression of preferences in the amount and type of ornament, as well as for the symbolic references to be inferred from the same, can be seen throughout the evolution of architectural styles in the district. An understanding of stylistically appropriate ornament is basic to appropriate design in the historic context.

The Colonial era houses are generally reserved in their approach to trim and ornament. As discussed previously, these early buildings achieved their architectural style through general building massing and the proportion of windows and entranceway. Typically Colonial and Federal era trim is carved as *molding* and incorporated in various layers as paneling. Trim was usually limited to the central entranceway, and at its height Federal era architecture reflected the delicate classicism associated with the then recent excavations of Pompeii -- this furniture-like detail contrasted to the more robust neoclassical of Georgian architecture. Indeed, the Colonial era houses generally did not incorporate such Georgian motifs as quoining, cornice dentils, and window caps. However, neoclassic Georgian trim would later be incorporated into the Colonial and Classic Revival style buildings of the last turn-of-the-century.

DESIGN GUIDELINES EXTERIOR ARCHITECTURAL ELEMENTS

Trim & Ornament (continued)

The Gothic Revival shares similar romantic traditions with the contemporaneous Italianate style, but is most characterized by the steep pitch of the Gothic roof. The pointed arch is applied to windows, doorways, dormers and roofs. Particularly characteristic of Gothic Revival structures is the often highly ornate and individualistic use of sawn barge boards on the gable end eaves, and the emphasis provided by rustic vertical board and batten siding, which gave rise to the term *Carpenter Gothic*.

During the 1870's, the Stick Style elaborated on the "carpenter" style by highlighting the wood frame structure both on its facade and in the multiple verandahs that surrounded it. Structure itself was thus promoted to an ornamental role, though with its characteristic chateau-like roof forms the Stick Style also continued the Gothic tradition of the picturesque. Indeed, the Stick Style and related chateau styles of the time avoided all obvious neoclassical motifs in favor of the rustic and picturesque. The Stick Style reliance on richly varied patterns and textures of materials would lead directly into the Queen Anne Revival.

The Queen Anne Revival which culminated during the 1880's represents the peak of eclectic use of ornament and trim. Treating all of the building's exterior architectural elements in ornamental fashion, it is not actually possible to isolate trim apart from these features-siding, windows, porches, bay windows, chimneys, etc. The Queen Anne reintroduced classical European motifs but used them in unconventional ways, and in combination with the earlier Stick Style tradition of a varied surface pattern, texture, and notably color. A distinctive ornamental feature of the Queen Anne is the use of turned details, i.e., of columns, posts, etc., that have been turned on a lathe in ornamental fashion. Turned details characterize many Queen Anne porches and were also used as spindle screens beneath porch eaves and in gable peaks. The use of turned detail originated with the Queen Anne and related Eastlake styles, and its use distinguishes these styles from earlier styles which incorporated primarily *sawn* detail. Turned squat urn forms were sometimes used as balustrades during the later Colonial Revival era, and sometimes as spindle screens during the Shingle Style, but otherwise such turned detail is a characteristic limited to Queen Anne and Eastlake style structures.

The Shingle Style began a reaction from the apparent excesses of high Victorian ornament, and together with the ensuing Craftsman style emphasized more rustic and natural elements. The Shingle Style evoked the vernacular traditions of Colonial America, in deliberate contrast to the neoclassical European traditions of high Colonial architecture. Traditional Japanese post and beam architecture, which stressed simplicity but exquisite craftsmanship was particularly influential, and the bungalows of the early twentieth century often reflect Oriental trellis-like forms in their overhanging eaves, porches, and even car ports.

Trim & Ornament (continued)

Finally, Modernist architecture of the mid-nineteenth century sought to remove all classical ornament. The building envelope, interior walls, and structure were conceptually separated, with both the freestanding wall and structural column promoted to the status of ornament -- joint details between the flat wall planes and structural columns became highly though subtly articulated, a tradition in itself which reflects the influence of classical Japanese architecture. Another characteristic of Modernist architecture is its emphasis on horizontal proportions, a symbolic reference to the open suburban landscape it promoted. In time, Modernist architecture would become divided between camps which on the one hand, in the European tradition, symbolically stressed the technology of machine-like forms and on the other hand, in the tradition of Frank Lloyd Wright, stressed organic relationships to both site and structure.

Recent contemporary architecture has sought once again to incorporate traditional motifs and neoclassical ornament, though in new combinations and often with a play on scale. There is a renewed interest in exploring traditional regional images, and along the New England shoreline much of this has been directed at a revival of turn-of-the-century Shingle Style, which itself sought to revive earlier American traditions in a fresh way. However, the Modernist play between building envelope, walls, and structure continues in many directions in avant-garde architecture.

*

Existing trim and ornament which is traditional to a structure should be preserved or repaired in like fashion. There are several epoxy-based wood restoration products currently on the market which can repair damaged or rotten wood to a condition stronger than new. Replacement of lost trim and ornament is encouraged, though if no photographic evidence exists, reconstruction of trim and ornament must be based on sound historic precedence for the particular building type and style. The addition of trim and ornament for which no historic precedence exists is inappropriate.

Additions to existing structures are generally encouraged to continue the characteristic trim and ornament of the main structure, though often in simplified fashion.

New buildings may be permitted rather more freedom of individual ornament, but should not be incongruous with the neighborhood. Often ornament can be used to alter the apparent scale of a new building so that it might better fit into its historic context. Highly elaborate ornament is usually inappropriate for new construction in the historic context.



Trim & Ornament

Figure 24



Trim & Ornament

Figure 23



Trim & Ornament

Figure 22



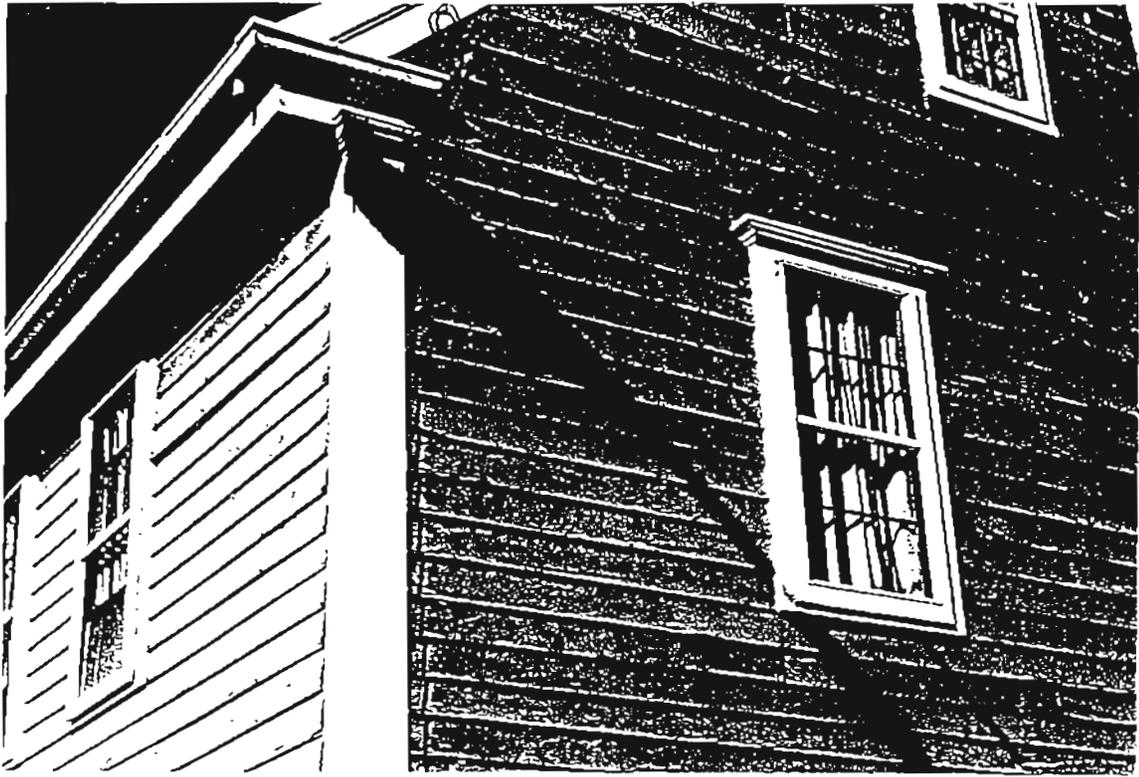
Trim & Ornament

Figure 21



Trim & Ornament

Figure 20



Trim & Ornament

Figure 19



Trim & Ornament

Figure 18

The earliest Colonial structures were probably not painted at all but instead were allowed to weather naturally. However, by the early eighteenth century structures were usually painted, though paint colors were limited by the available technology of the times. Typically, Colonial era houses were painted dark red, dull gray, or brown. Colonial trim would have been painted the same color as the siding. During the Federal era following the American Revolution, houses retained the monochromatic color schemes of the Colonial era, but by now used an expanded color palette of dark greens, mustard yellows, and gray blues, in addition to the traditional dark red of the Colonial era.

White paint was developed during the early nineteenth century and was popularized as the "correct" color for Greek Revival architecture. Greek Revival structures remained monochromatic, that is without separate trim colors. During this time, a number of earlier Colonial and Federal era structures were "updated" to the Greek Revival white color -- this is the source of the common misconception that Colonial structures were white. It should be noted also that the white color was really an off-white -- a pale gray or sand color -- as today's pure white was not yet possible to produce. Moreover, the off-whites of the Greek Revival represented what was perceived to be a proper reflection of classical stone construction. Only with the development of white leaded paint, did the prevalent white of today's emerge. The Italianate and Gothic Revival structures of the pre-Civil War era were a stylistic reaction to the what was considered the stark monumentality of the Greek Revival. Deliberately rustic in spirit, this new architecture moralized about the appropriateness of earth tones, and in particularly the stone-like tones of taupe, ivory, warm and cool grays, and slate-like reds and blues. Sand was even added to paint sometimes to imitate stone texture. Unlike the Greek Revival which strode to stand out against the background, these new romantic styles attempted to blend into the natural. Indeed, the naturalized setting was itself a reaction from the urbane forms of the Greek Revival. This was also the first period to popularize the painting of trim and siding different colors. Generally, a darker and lighter tone of a single basic hue was utilized -- taupe and ivory for instance. Usually, trim color was the lighter of the two, though there are a number of examples where the opposite was true. Only one color would have been used on trim, with the exception that shutters were usually a third and very dark color -- often green.

Paint (continued)

The French Second Empire Style of the immediate post-Civil War era at first continued the Italianate color traditions, but soon and in conjunction with the more elaborate decorative notions of high Victorian architecture, complex multiple color schemes came to dominate. Preferred colors were still earth-tones, but these were expanded to include the warmer tones of drab green, warm brown, mustard, ochre, and even plum. Two primary colors were still chosen, but now they often were complementary on the color wheel -- in contrast to the previous tranquil harmony of two tones of the same hue, a more vibrant use of opposing colors was preferred. Thus, one might see drab green with an ochre red or plum. These two primary colors formed the background for sometimes several other colors which highlighted more elaborate detailing and smaller features of the house -- these detail colors were generally brighter and purer colors than the two predominant but more subdued field colors. In America, polychromatic color schemes reached their peak of popularity during the eclectic Queen Anne Revival era -- these are the so-called "painted ladies".

The Arts & Crafts movement of the turn-of-the-century saw a return to the more organic and rustic color preferences of the pre-Civil War era, though generally darker in nature. More important however was the emergence of a preference for natural materials -- wood shingle on the exterior and wood paneling on the interior. locally, this is reflected in the Shingle Style and later in Craftsman Style bungalows. Red cedar was allowed to weather to its natural dark brown state. Trim was painted a single dark color -- most commonly green or red, and sometimes blue; Craftsman buildings added salmon and mustard tones to this palette. The preference for natural materials and colors continued through the many eclectic revivals of the 1920's commonly referred to as Stockbroker Tudor, and through the Prairie School of Frank Lloyd Wright and his subsequent Broad Acre City ideals, which in turn greatly influenced suburban architecture well into the Fifties. White was never considered an appropriate color during this evolution from the rustic to the progressive organic ideal in architecture.

Simultaneous to the turn-of-the-century evolution of the Shingle and Craftsman Styles was the revival of the perceived neoclassical traditions of American Colonial architecture. The more neoclassical of these structures diverged however from the Shingle Style by returning to the Federal era colors of reds, yellows, and blues -- though all now purer in color than was possible during Colonial times. The Colonial Revival also retained the nineteenth century tradition of painting trim a separate color -- but usually the white of the still earlier Greek Revival. In time, white became a popular color for Colonial Revival houses as a whole. This revival of white as a preferred color reflected neoclassical ideals more than Colonial ones. With the emergence in Europe during the Twenties of the International Style, white became the color of choice of much Modernist architecture as well, and its popularity continues today.

DESIGN GUIDELINES EXTERIOR ARCHITECTURAL ELEMENTS

Paint
(continued)

Different philosophies can be brought to appropriate color selection. One is a preference for painting a building in colors appropriate to its original era. Another says that a neighborhood as a whole is always being updated, and that paint color should reflect a unity of that neighborhood. In the latter case, for example, many Colonial houses were painted white during the Greek Revival era, and that tradition emerged again after World War II. On the other hand, individual architectural styles may be better revealed by returning to historically original colors. Painting a building lighter than original can greatly impact upon its apparent scale. Painting a building monochromatically hides the existence of often richly patterned and textured building elements. In recent years, the trend in historic districts has been to revive colors appropriate to the individual building, allowing a district to display a rich and sometimes eclectic diversity of color, though at the cost of the easier unity of all white.

*

Routine repainting is not regulated by the Commission. The painting of any previously unpainted surfaces such as masonry or wood shingle is discouraged and requires the prior approval of the Commission. In general it is preferable from an historic point of view to allow well adhered paint to remain, as this is part of the history of the building.

*

Paint color is not regulated by the Commission. However, requests as to historically accurate colors are often directed to the Commission, so the following discussion of historic paint colors is presented for the advice of the reader -- such colors however are not required.

Note that while paint color is not regulated by the Commission, color that is integral to any proposed unpainted construction material is regulated by the historic district. Such materials may include brick, aluminum and vinyl siding, clad windows, asphalt roof shingle, as well as natural materials that are customarily left to weather without paint, such as white and red cedar shingle.

Color

*

Utility structures which are not traditional to a building or to the general historic context should be concealed from view wherever possible.

Conventional television antennae are not regulated, but other large and unusual antennae such as satellite dishes, and ham radio antennae are regulated by the Commission, and should be concealed from public view.

Solar panels are allowed, but their type and location is regulated in the historic district. Solar panels may be placed on a street facing roof only as a last resort, and only if their type and installation has been chosen to minimize any adverse effect on the architectural integrity of the structure. Solar panels must be placed on that south facing roof which is least apparent from public view, preferably on a rear wing, but alternatively on a side wing. Solar panels should be flat and placed parallel to the roof surface on curbs which are set flush to the adjacent roof surface, even if this compromises the maximum effectiveness of the system. Piping which is not integral to a panel shall be concealed within the attic.

Wind generators are permitted but must be located so as to minimize their visibility, without overly compromising the effectiveness of the same. Wind generators shall be located away from the main portion of any historic building wherever possible.

Permanently installed air conditioner equipment must be placed out of public view wherever possible.

Above-ground propane and similar tanks must be placed out of public view. When tanks cannot be relocated to the rear of a building, they shall be placed underground. Fueling inlets and related vents shall be placed as discretely as possible, while allowing for reasonable access for fueling.

Electric meters shall be placed as discretely as possible, while allowing for reasonable access by the electric company.

Plumbing roof vents shall be located out of public view wherever practical.

Light Fixtures

Lighting fixtures which are affixed to all but single family residence structures are regulated, and should be appropriate to the historic context. It is recognized that lighting fixtures were not original to the historic district, and thus it is not the intent of these guidelines to require falsely antique fixtures. Appropriate fixtures may reflect early gas prototypes, but may often more appropriately reflect more recent electric prototypes. Contemporary styled fixtures are not necessarily prohibited if suitably scaled to the structure and its environs. Excessive glare should be avoided by proper shielding of brighter light sources.

Street lights are discussed later in Part II under Site Elements

Outbuildings

Historic outbuildings, such as barns, sheds, greenhouses, carriage houses, and even garages are all considered contributing elements to an historic district, and may themselves be fundamental to the integrity of a district. Consequently, historic outbuildings are afforded the same protection under these guidelines as are principal buildings, and it is the intention of these guidelines to promote the preservation of existing historic outbuildings wherever practical. Conversely, the demand for garages where the automobile was not originally traditional can have considerable impact on all historic district. Other outbuildings which may impact upon the historic context range from residential gazebos and arbors to public bandstands and even bus and parking control shelters.

It is not the intention of these guidelines to discourage the construction of outbuildings, but instead to guide their character so as to mitigate any overt adverse impact. Indeed, a new accessory shed or gazebo may afford a property owner needed expanded space without necessitating a perhaps inappropriate addition to an historic structure. For the same reason, a new freestanding garage structure may be preferable to one that is attached to an historic structure. Again, it is not the intention of these guidelines to overly restrict the character of new accessory outbuildings, so long as they are not incongruous with the scale and characteristic style of its environs.

Note that where the historic context is characterized by a vernacular tradition of outbuildings, the local vernacular associated with these outbuildings may often be appropriately applied to new principal buildings.

*

Historic outbuildings shall be afforded the same consideration under these guidelines as principal buildings. In applying these guidelines, it must be understood that there often exist unique vernacular building traditions for accessory outbuildings, and these traditions should be acknowledged as appropriate to their building type. The continued use of materials traditional to district's outbuildings is encouraged -- in particular, wood shingle and vertical board and batten.

An existing historic outbuilding should be preserved and adapted to current needs wherever possible, in lieu of replacing the same with new structure. Significant outbuildings are provided the same legal protection from demolition as are principal buildings.

New accessory outbuildings may be afforded a reasonable freedom of expression as allowed for new principal buildings. Appropriate outbuilding design might reflect the style of the principal building that it is accessory to, or it might reflect a vernacular building tradition of the community. Another characteristic tradition is the design of accessory outbuildings as a visual counterpoint to the principal structure -- using rustic board and batten or cedar shingle siding for instance in contrast to the more formal clapboard of a principal building.

Outbuildings
(continued)

Accessory outbuildings should be located to minimize their visual impact on the public view. Generally, it is preferable to locate an accessory structure to the rear of a building. The location of new outbuildings however should reflect the characteristic rhythm of the street, which may include other historic outbuildings. New outbuildings which overwhelm the scale of adjacent historic buildings or which block significant public views generally will be found inappropriate. Garage doors are encouraged to reflect characteristic shed or carriage house door types that may exist in the district.

Traditional trellises, arbors, and pergolas will usually be permitted where they do not unduly obstruct significant architectural features of the historic context. Gazebos may also be appropriate if properly scaled to the principal buildings. Such structures however are usually inappropriate if located in front yards.

Accessory Structures
in the Public Way

As public way structures are by nature generally without precedence to the historic district, they will be considered by the Commission only on a case by case basis.

*

Where no historic precedent exists for accessory type structures located in the public way, such as for bandstands or transit shelters, appropriate design for the same should be discretely scaled. Such structures are encouraged to incorporate building materials traditional to the locale, but should avoid overt pretense to antiquity. wherever possible, incidental pedestrian right-of-way amenities should be incorporated into structures which are characteristic of a district.

Fences & Walls

Fences and stone walls are an historically significant aspect the historic district. During the nineteenth century for instance, most residences had low wood or granite and iron fences which bordered the public right-of-way. Many of these fences have been lost to deterioration, and while the curb structures for these fences often remain, the traditional delineation of public and private spaces has been seriously eroded.

Simple picket fences were typical of the earlier nineteenth century and again of the twentieth century. More decorative fence with pickets of ornate sawn profile and sometimes paneled intermittent posts were erected during the mid-nineteenth century, and are associated in particular with the Italianate and Second Empire Styles. By the middle of the nineteenth century, many pre-manufactured and often ornate iron fences could be purchased by catalogue, and several of these type remain today.

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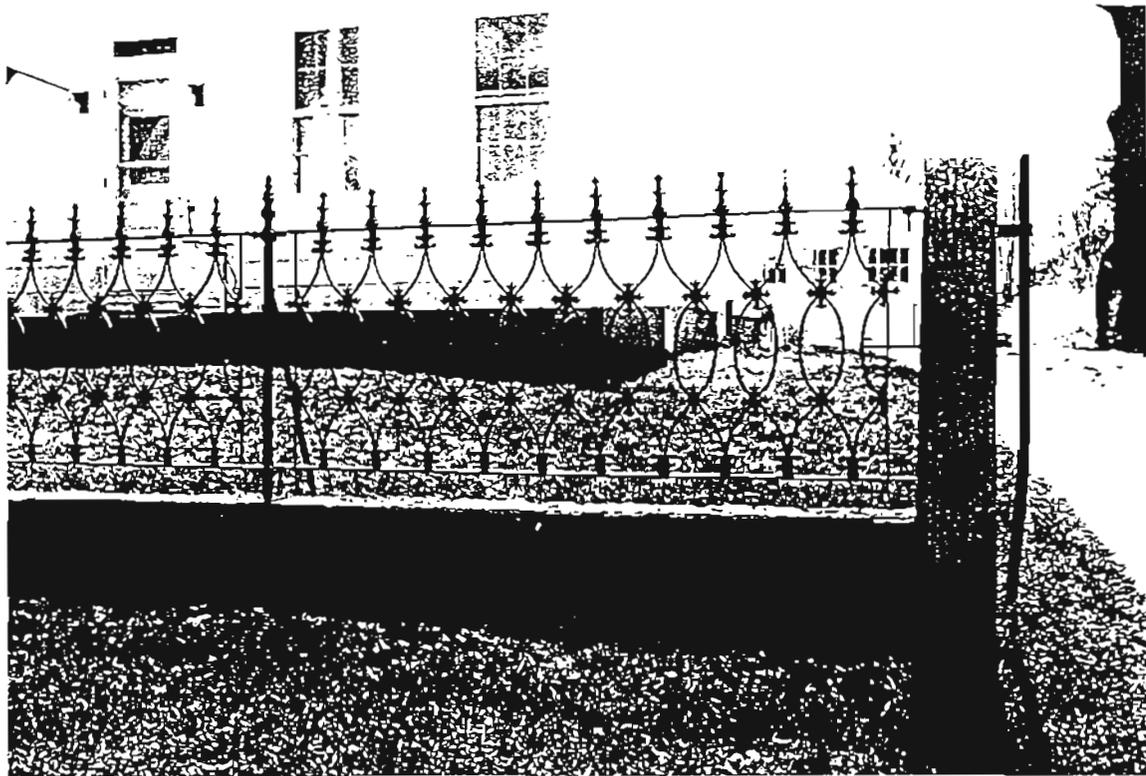
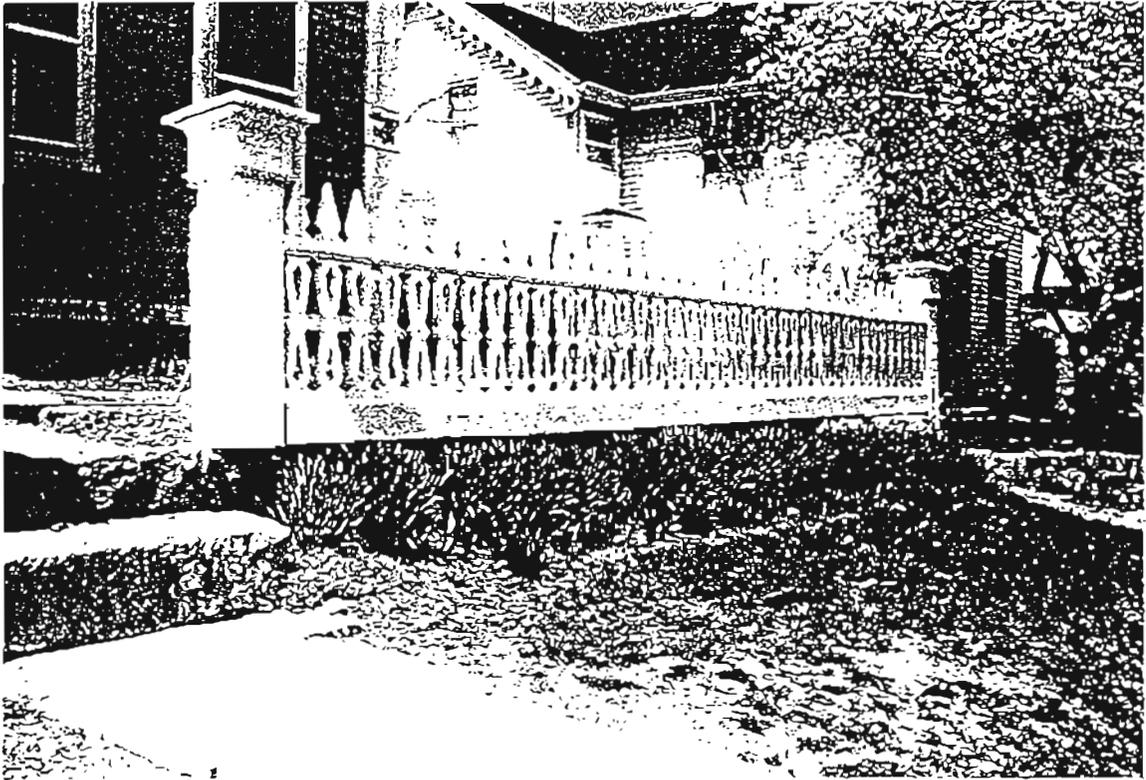
Existing walls and fences should be preserved wherever possible. Restoration of existing historic fences and walls is always preferred to replacement of the same. where stone walls are reset or built new, they should follow the traditional drywall techniques used in the original construction.

Where fences have been removed, the reconstruction of historically appropriate fences is encouraged. New fences should follow local traditions -- simple picket fences which are associated with the earlier nineteenth century and again with the twentieth century, or the more decorative fences with pickets of ornate sawn profile and sometimes paneled intermittent posts associated with the mid-nineteenth century, or any of the many manufactured iron types which could be purchased by catalogue throughout most of the nineteenth century.

New fences generally should not exceed 4' in height in any front yard. Brick walls, barricade fences, and split rail fences are all discouraged as not characteristic of the historic district. Chain link fences are not appropriate.



Characteristic Fences



Characteristic Fences

Figure 26

While porches, verandahs, and terraces are all traditional building elements in the historic district, contemporary decks have little historic precedence. Porches and verandahs are discussed under exterior architectural elements, and residential terraces and patios are allowed by right as generally consistent with the goals of an historic district.

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Deck additions should be limited to the first floor and should be located out of the public view wherever possible. Landscape terraces are encouraged in lieu of deck additions where in the public view.

Decks proposed with new buildings should be visually integrated with the main building mass. Partial roof coverings can help the visual integration of deck and building, as can rail detail which reflects the characteristic detail of the main building mass. Paint color should be consistent with the color of the main building mass.

Cantilevered or floating decks are normally inconsistent with these guidelines, and lattice or similar enclosure of under-deck areas is encouraged where decks cannot be located at grade. Terraces which are integrated into the landscape, or which form part of a formal foundation structure, should be considered in lieu of decks wherever possible.

Sidewalks & Roadways

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Sidewalks and roadways which fall in the public way are regulated by the Commission, as an essential component of the historic context. Contemporary standards of safety and convenience may preclude the continued use of historic materials in certain cases, and indeed the use of traditional paving materials for contemporary applications can falsify the historic context of an historic district. On the other hand, later paving materials may detract from the characteristic scale and texture of an historic neighborhood. Consequently, sidewalk and roadway improvements will be reviewed by the Historic District Commission only on a case by case basis.

Brick is not recommended as a paving material for sidewalks or roadways as there is no historic precedence for the same in the historic districts.

Asphalt is not appropriate for either sidewalks or curbing.

Both asphalt and concrete are appropriate paving materials for roadways according to historic tradition. Granite paving blocks and cobblestone may also be considered but the use of the same is probably more practically limited to accessory paved areas such as parking. Other and more recently developed alternatives are porous concrete and porous asphalt, which suggest packed gravel but provide a hard and permanent surface. Porous paving moreover allows rainwater to drain through the surface, eliminating the need for gutters and catch basins which in turn can detract from the historic setting.

Driveways

Driveways which do not exceed 11' in width are not regulated for single family residences. Non-residential driveways, which generally constitute a public way, are regulated precisely because they are in the public way and because of the major impact they can have on the historic setting. Regulated driveways may access parking areas or may be provided for service access to a building or particular activity. Note that parking areas themselves are discussed in the next section.

*

Driveways are encouraged to be paved in materials characteristic to the historic district, as recommended above for roadways. Paving materials which contrast with the adjoining roadway are preferred, however, so as to provide a visual break in both texture and color. Traditional textured surfaces are consistent with the typically shared pedestrian and vehicular use of driveways.

Parking Areas

As parking areas are without historic precedence in the historic district, their impact on the same can be enormous. State statute dictates that all parking areas be regulated under the historic district ordinance. Note that improvements to existing parking areas are also regulated, as for instance paving or repaving.

*

The following issues in particular are evaluated by the Commission in determining the appropriateness of any proposed parking area.

- * *Size.*
- * *Location.*
- * *Visibility of cars.*
- * *Paving materials.*
- * *Lighting.*

Off-street parking areas should be concealed from the road wherever practical and preferably should be located to the rear of a building. Parking in any front yard will generally be found inappropriate. Wide curb cuts are not appropriate and parking areas should be accessed by as narrow a driveway as practical. The use of shared driveways for such access is encouraged so as to reduce the total amount of necessary curb cut.

Paving materials which contrast with the adjoining roadway are preferred so as to provide a visual break in both texture and color. Traditional textured surfaces are consistent with the typically shared pedestrian and vehicular use of driveways.

Both asphalt and concrete may be acceptable as an appropriate paving materials for parking areas, but the use of more textured paving materials is encouraged especially for larger parking areas. Such paving might include gravel, clamshell, granite paving blocks, or cobblestone. Other and more recently developed alternatives are porous concrete and porous asphalt, which suggest packed gravel but provide a hard and permanent surface. Porous paving moreover allows rainwater to drain through the surface, and can thus eliminate the need for gutters and catch basins which can detract from the historic setting. Brick is not recommended as a paving material as there is no historic precedence for the same in the historic district.

Parking lot sidewalks should be in keeping with characteristic historic traditions.

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.

Parking lot lighting should be consistent with design guidelines noted under later separate section for site lighting fixtures.

Waterfront Structures

Because of the overwhelming importance of the waterfront to the maritime heritage, all waterfront structures within an historic district are regulated by the Commission. This is especially important as any navigable body of water is considered a public way in determining what falls within the public view. The historic district has no jurisdiction over actual use of the waterfront, but it is an objective of the Commission to promote the preservation of existing and construction of new structures which reflect the characteristic maritime heritage of the community.

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The preservation and repair of historic waterfront structures is encouraged wherever practical. New waterfront structures are encouraged to continue the historic traditions of stone bulkheads and wood pile construction. However, it is not the intention of these guidelines to limit the use of state-of-the-art marine technology for new construction when not incongruous with adjoining historic properties. Instead, it is the goal of the historic district in regulating new waterfront structures to preserve where appropriate the characteristic nature of its maritime waterfront structures.

Light Fixtures

There is little historic precedence for formal street lighting in the historic district. With the introduction of utility poles at the turn-of-the-century, simple electric light fixtures were affixed to the same. These lights had decorative glass "acorns" mounted on ornate iron brackets, which in turn were affixed to existing utility poles. During the 1960's, these early electric lights were replaced by new "cobra head" fixtures, which however are still generally mounted on earlier utility poles.

*

It is recognized that lighting fixtures were not original to the historic district, and thus it is not the intent of these guidelines to require falsely antique fixtures. Contemporary styled fixtures are not necessarily prohibited if suitably scaled to the structure and its environs. Excessive glare should be avoided by proper shielding of brighter light sources.

Other Site Fixtures

Miscellaneous site fixtures will be considered by the Commission on an individual basis, including consideration of prototype designs.

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Wherever possible, utilities should be placed below grade.

Reasonable leeway is permitted in selection of street furniture and related fixtures. However, it is an objective of the historic district to avoid unnecessary clutter related to trash receptacles, news boxes, and the like -- consolidation of the same in designated areas is recommended.

Street and traffic signs should be consolidated and placed front to back where practical to reduce the cluttered sprawl of the same in historic districts.

Landscaping

Landscaping is not regulated by the historic district, except that landscaping may be stipulated in conjunction with any variance of its regulations granted by the Commission. The Historic District Commission is also empowered to make recommendations related to street trees in the public right-of-way.

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The planting of street trees in residential neighborhoods should continue the tradition of varied planting where appropriate.

Under Connecticut statute, outdoor signs may be regulated by historic district ordinance with regard to the following:

- * Style.
- * Material.
- * Size.
- * Location.

This historic district regulation is in addition to regulations of other jurisdictions such as of the Planning and Zoning Commissions, and when the standards of the Commission are stricter, they must be adhered to. Temporary signs and banners, as enumerated in *Part I - Regulated Activities*, are not regulated by the Commission. Note that home occupation signs are not allowed by zoning, and therefore are not addressed by these guidelines. Routinely positioned vending machines are considered as both fixture and sign under the historic district regulations, and are therefore restricted by design guidelines for the same.

Street & Traffic Signs

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Street and traffic signs should be consolidated and placed back to back where practical to reduce the cluttered sprawl of the same in historic districts. Signs may also be properly attached to street lighting poles where such lighting is installed. Street signs are encouraged to reflect local historic precedence.

CHAPTER 97a*

HISTORIC DISTRICTS AND
HISTORIC PROPERTIES

*Cited. 196 C. 596, 597, 607.

PART I*

HISTORIC DISTRICTS

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

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 10-321. 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-157. 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.
 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. (c) 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.

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.

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, aboveground 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.

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.

NO. 75 ORDINANCE ESTABLISHING THE EASTERN
POINT HISTORIC DISTRICT

Section 1. AUTHORITY

This ordinance is enacted pursuant to Sections 7-147a through 7-147k, as amended, of the Connecticut General Statutes.

Section 2. PURPOSE

It is the intent of this ordinance to promote the educational, cultural, economic, and general welfare of the public, and to preserve and protect the character and flavor of Eastern Point, a turn-of-the-century seaside area, including buildings and structures of historic architectural design, and natural places in the public interest, as fixed and defined on a certain map properly entitled and dated.

Section 3. BOUNDARIES

The boundaries of said Historic District are hereby fixed and defined as follows:

Beginning at a point in the easterly shore of the Thames River and the southwesterly corner of land belonging to Ethel Orkney;

Thence running easterly along the southerly line of land belonging to said Orkney to the southeasterly corner of land belonging to said Orkney and in the northerly line of Shore Avenue;

Thence running easterly along the northerly line of Shore Avenue to the westerly line of Circle Avenue;

Thence running northerly along the westerly line of Circle Avenue to a point opposite the southwesterly corner of land belonging to Patricia Rabitaille;

Said last two courses bounded northerly and westerly by land of said Orkney;

Thence running easterly across Circle Avenue to the southwesterly corner of land belonging to said Rabitaille and the easterly line of Circle Avenue;

Thence continuing easterly along the southerly line of land belonging to said Rabitaille to the southeasterly corner of land belonging to said Rabitaille;

Thence running northerly along the easterly line of land belonging to said Rabitaille, the easterly line of land belonging to Pfizer, Inc., formerly of Douglas Alves, to the northwesterly corner of other land of said Pfizer, Inc., formerly of Richardson;

Thence running easterly 103 feet more or less along the northerly line of land belonging to said Pfizer, Inc. to a corner;

Thence running northerly 8 feet more or less to the southerly line of other land belonging to Pfizer, Inc., said last two courses bounded southerly and easterly by land belonging to said Pfizer, Inc., formerly of said Richardson;

Thence running easterly along the division line of land belonging to said Pfizer, Inc., to the northeasterly corner of land belonging to said Pfizer, Inc., formerly of Ann L.H. Bailey, and in the southerly line of other land of said Pfizer, Inc.;

Thence running southerly along the easterly line of land belonging to said Pfizer, Inc. to the northerly line of Meech Avenue and the southeasterly corner of land belonging to said Pfizer, Inc.;

Thence running southwesterly across Meech Avenue to the southerly line of Meech Avenue and the northeasterly corner of land belonging to Pfizer, Inc., formerly of Raymond and Patricia Holmes;

Thence running southerly along the easterly line of land belonging to said Pfizer, Inc., to the easterly line of land belonging to Ronald and Karen Tranchida, and along the easterly line of land belonging to George and Linda McLaughlin to the southeasterly corner of land belonging to said McLaughlin and in the northerly line of land belonging to Stanley King;

Thence running easterly along the northerly line of land belonging to said King to the northwesterly corner of land belonging to Estelle Burdick;

Thence running southerly along the westerly line of land belonging to said Burdick and along the westerly line of land belonging to Dorothy Bielecki to the southwesterly corner of land belonging to said Bielecki;

Thence running easterly along the southerly line of land belonging to said Bielecki to the westerly line of Eastern Point Road and the northeasterly corner of land belonging to said Pfizer, Inc., formerly of Sanford Meech;

Thence running southerly along the westerly line of Eastern Point Road and the easterly line of land belonging to said Pfizer, Inc. to the southeasterly corner of land belonging to said Pfizer, Inc., formerly of Milton O. Slosberg, said point being located in the westerly line of Eastern Point Road and in the northerly line of Avery Street;

Thence running southwesterly across Avery Street to the southerly line of Avery Street and the northeasterly corner of land belonging to Pfizer, Inc.;

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Thence running southerly along the easterly line of land belonging to said Pfizer, Inc. to the southwesterly corner of land belonging to Remo and Mary Fusconi;

Thence running southeasterly along the southerly line of land belonging to said Fusconi to the northwesterly corner of land belonging to Herbert and Bette Thomson;

Thence running southerly along the westerly line of land belonging to said Thomson to the northeasterly corner of land belonging to Warren Wildes;

Thence running westerly to the northwesterly corner of land belonging to William and Ruth Connolly;

Thence running southerly to the southwesterly corner of land belonging to said Connolly and in the northerly line of Central Avenue;

Thence running westerly along the northerly line of Central Avenue to the southeasterly corner of land belonging to Betsy Chickering;

Thence running southerly across Central Avenue to the southerly line of Central Avenue and the northeasterly corner of land belonging to Jonathan Johnson;

Thence running southerly along the easterly line of land belonging to said Johnson to the southeasterly corner of land belonging to said Johnson and in the northerly line of land belonging to Anthony and Andrea Skiff;

Thence running easterly along the northerly line of land belonging to said Skiff to the northeasterly corner of land belonging to said Skiff;

Thence running southerly along the easterly line of land belonging to said Skiff, the easterly line of land belonging to Thomas and Charlene Hill to the southeasterly corner of land belonging to said Hill and in the northerly line of Tyler Avenue;

Thence running southeasterly across Tyler Avenue to the southerly line of Tyler Avenue and the northeasterly corner of land belonging to Robert and Lois Geary;

Thence running southerly along the easterly line of land, belonging to said Geary to the southeasterly corner of land belonging to said Geary;

Thence running westerly along the southerly line of land belonging to said Geary to the easterly line of Shore Avenue and the southwesterly corner of land belonging to said Geary;

Thence running southerly along the easterly line of Shore Avenue to the southwesterly corner of land belonging to Waldron and Emily Higgins and in the northerly line of Beach Pond Road;

Thence running southeasterly across Beach Pond Road to the southerly line of Beach Pond Road and the northwesterly corner of land belonging to Joseph and Paula Zepperi;

Thence running southerly along the westerly line of land belonging to said Zepperi to the shore of Fishers Island Sound and the southwesterly corner of land belonging to said Zepperi;

Thence continuing southerly to a point being located in Fishers Island Sound, said point being located in the most southerly boundary line of the City of Groton;

Thence running westerly along the southerly line of the City of Groton to the division line between the City of New London and the City of Groton;

Thence running northerly by said division line to a point being located where said division line forms a right angle with the point and place of beginning;

Thence running easterly from said point to the point and place of beginning;

Said District includes the New London Ledge Lighthouse within its boundaries.

a. ESTABLISHMENT - An Eastern Point Historic District Commission is hereby established which shall have such powers and limitations and perform such functions as shall be prescribed under the General Statutes of Connecticut and as provided in this ordinance.

b. COMPOSITION - The Commission shall consist of five members and three alternate members who shall be electors of the city holding no salaried city office. At least three of the members and two alternate(s) shall reside in the Historic District, under the jurisdiction of the Commission, if any persons reside in any such district and are willing to serve on such Commission. (Connecticut General Statutes 7-147c(d)).

c. TERMS - The terms of the original members of the Commission shall be such that the term of at least one regular member and one alternate member shall expire each year. Their successors shall be appointed for terms respectively of five years for regular members and five (three) for alternate members, except that an appointment to fill a vacancy shall be for the duration of the unexpired term. Any member or alternate may be re-appointed.

d. OFFICERS - Within thirty (30) days after appointment of the original members of the Commission, and annually thereafter, the regular members shall meet and elect officers as specified in Section 7-147d of the Connecticut General Statutes. Alternate members shall not participate in the vote for election of officers of the Commission.

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e. APPOINTMENT - Members shall be appointed within thirty (30) days of the passage of this ordinance. Appointments shall be made by the Mayor with the approval of the City Council.

f. QUORUMS - Three members or designated alternates of the Commission shall constitute a quorum for the transaction of its business or the performance of its functions. The affirmative vote of at least three members or designated alternates shall be necessary for the approval of a Certificate of Appropriateness.

g. DESIGNATION OF ALTERNATES - When a member of the Commission is unavailable to act at a particular time due to absence, sickness, conflict of interest, or other good reason, the Chairman shall designate an alternate member to act in place of such, choosing alternates in rotation so that they act as nearly equal a number of times as possible. When acting in accord with the provisions of this section, alternates shall have all the powers and duties of a member of the Commission

h. POWERS OF THE COMMISSION

(a) The Commission shall be vested with all powers and shall faithfully perform all duties imposed upon historic district commissions in Section 7-147c to 7-147h, inclusive, of the General Statutes of Connecticut, as amended. The Commission shall fix the time and place of its regular meetings and provide a method for calling special meetings. It shall adopt rules of procedure. The presence of three members or alternate members shall constitute a quorum, and no resolution or vote, except a vote to adjourn or to fix the time and place of its next meeting, shall be adopted by less than three affirmative votes. The Commission may adopt regulations to provide guidance to property owners as to factors to be considered in preparing an application for a Certificate of Appropriateness.

(b) The Commission may:

i) provide information to property owners and others involving the preservation of the Historic District;

ii) initiate planning and zoning proposals;

iii) cooperate with other regulatory agencies and civic organizations and groups interested in historic preservation;

iv) comment on applications for zoning variances and special exceptions where they affect the Historic District;

v) 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;

vi) furnish information and assistance in connection with any capital improvement program involving historic districts.

Section 5. CERTIFICATE OF APPROPRIATENESS

No building or structure within the Historic District shall be erected, restored, moved, or altered 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. "Exterior architectural features" means such portion of the exterior of a structure or building as is open to view from a public street, way, place, or waterway.

No building permit for erection of a building or structure or for alteration of an exterior architectural feature within the District and no demolition permit for demolition or removal of a building or structure within the District shall be issued by the city 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.

The style, material, size, and location of fences, outdoor signs, and bill posters within the District shall be subject to the approval of the Commission.

The provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure nor to any interior arrangement or use of any building or structure.

If the Commission determines that the proposed erection, alteration will be appropriate, it shall issue a Certificate of Appropriateness.

a. EXTERIOR FEATURES - In passing on appropriateness as to exterior architectural features, buildings, or structures, the Commission shall consider, in addition to other pertinent factors, the type and style of exterior windows, doors, light fixtures, signs, aboveground utility structures, mechanical appurtenances, and the type and texture of building materials.

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.

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b. PARKING - 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.

c. SOLAR ENERGY SYSTEMS - 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.

Section 6. APPLICATION FOR CERTIFICATE. HEARING. APPROVAL.

(a) The Commission shall hold a public hearing upon each application for a Certificate of Appropriateness unless the Commission determines that the application involves items not subject to approval by the Commission. Notice of Publication in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the City of Groton not more than fifteen (15) days no less than five (5) days before such hearing.

(b) Unless otherwise provided by local 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 (65) days after the filing of an application as required by Section 7-147d of the Connecticut General Statutes the Commission shall pass upon such application, and shall give written notice of its decision to the applicant. Nothing in this ordinance 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 other similar agent certifies is required by the public safety because of any unsafe or dangerous condition caused by 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 this Historic District.

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 the 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 6 (b), shall be by Certificate of Appropriateness issued by the Commission. Failure of the Commission to act within said sixty-five (65) days shall constitute approval and no other evidence of approval shall be needed.

Section 7. 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 provisions of this ordinance 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 this ordinance or to interpret the meaning of this ordinance so as to relieve such difficulty or hardship; provided such variance, modifications or interpretation shall remain in harmony with the general purpose and intent of this ordinance so that the general character of the District shall be conserved and substantial justice done.

In granting variances, the Commission may impose such reasonable and additional stipulations and conditions as will, in its judgement, better fulfill the purpose of this ordinance. In addition to the filing required under the ordinance, the Commission shall, for each variance granted, place upon its records and in the notice to the applicant the reasons for its determination.

Section 8a. VIOLATIONS

The owner or agent of any building, structure, or place where a violation of any provision of this ordinance 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 in accordance with Section 7-147h of the Connecticut General Statutes. Each day that a violation continues to exist shall constitute a separate offense. 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.

If any provision of this ordinance or any action taken or ruling made by the provision of this ordinance or of any

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regulation adopted under this act 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 this ordinance or any bylaw adopted under this ordinance or the substantial restoration of any building, structure, or exterior architectural feature altered or demolished in violation of this ordinance or any bylaw or regulation adopted under this ordinance.

Regulations and orders of the Commission issued pursuant to this ordinance, shall be enforced by the building inspector, 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 this ordinance or of any regulation or bylaw adopted under this ordinance.

Section 8b. JUDICIAL RELIEF; APPEALS PROCEDURE

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

Section 9. EFFECTIVE DATE

This Ordinance (Ordinance #75) shall take effect February 6, 1991.

Initially approved November 5, 1990

Finally approved December 3, 1990

Catherine Kolnaski, Mayor


James C. Carlson, City Clerk

**SECRETARY OF THE INTERIOR'S
STANDARDS FOR HISTORIC PRESERVATION**
SHORT LIST

- * Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
- * The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- * All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- * Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- * Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
- * Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than conjectural designs or the availability of different architectural elements from other buildings or structures.
- * The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- * Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
- * Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historic, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.
- * Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

E. Historic District and Historic Properties Commissions, Government, and the Law

by William G. Rhines, Attorney-at-Law and President,
Connecticut Association of Historic District Commissioners

Historic district and historic properties commissions must keep in mind that their activities are legal in nature, that there is recourse to the law for their actions, and that, typically, lawyers are involved at one or more stages of their activities. Administrative law, also called the law of administrative agencies, governs commission actions. Administrative agencies came into being as an efficient means for bringing expertise and specialized knowledge to bear on a defined field of activity. Thus, for example, Congress, which is charged constitutionally with control of interstate commerce and therefore cannot abdicate it to any other entity, could and did delegate its control to the Interstate Commerce Commission as the specialized rule-making and quasi-judicial regulator of commerce between the states.

Several requirements follow logically from the administrative agency concept. The first is that the mandate of the legislator to the agency be clear and unambiguous, because the agency can only operate within the four corners of that mandate. Therefore, planning or zoning criteria are irrelevant to the decisions of an historic district or historic properties commission. Although both planning and zoning commissions and historic district and historic properties commissions are concerned with land use and overlap jurisdictionally, their respective mandates, and therefore the issues with which they may legally concern themselves, are different. Each commission can operate only within its mandated jurisdiction. For an historic district or historic properties commission in Connecticut, this means that it can legally operate only with respect to exterior structural features that are located within an historic district or historic property and are visible from a public street, place, or way.

Further, since an appeal from a commission's action is not a trial *de novo* by the courts but is based almost totally on the written records of the commission, the fact of competent jurisdiction must be clearly and unequivocally fixed on the record as a prerequisite to any action being taken by the commission.

Another requirement is that all commissioners must have an accurate and detailed knowledge of the governing statute. If they do not, how will they know whether they are acting within or outside their mandate? Since in Connecticut, municipalities have no inherent powers but only those powers expressly delegated to them by the General Assembly, it is essential for a commission to have total familiarity with the state statutes (principally 67-147a *et seq.*) and the ordinance by which the historic district or historic property in question exists. In addition, the written record must conform exactly to the legislation. Thus, if a decision of an historic district or historic properties commission is not backed up by a written record of the reasons and the legislative bases for those reasons, the record is fatally deficient and there is no basis on which a court can find in favor of the commission even though traditionally the stance of courts has been to avoid, as much as feasible, overturning the work of a local board or commission.

Knowledge of the applicable law is essential. So is knowledge of the subject matter. For example, it would be inconceivable for an Interstate Commerce Commission member not to know the inner workings of the railroad or trucking industry, or for a member of the Securities and Exchange Commission not to be thoroughly familiar with the stock market. In the case of historic districts or historic properties, subject matter knowledge means architectural "literacy." One cannot function in this area without knowing about construction and architectural styles and features, in some detail. How often is the criticism heard—"But your judgments are only subjective." Of course they are, because, being based on an assumed level of expertise, that is what they are supposed to be. One should not, therefore, be intimidated by the psychologically loaded word "subjective," because it is merely a statement of fact *if* the requisite level of expertise is present. However, *if* it is not—if the person to whom the comment is directed is not knowledgeable about the law and/or is architecturally illiterate—then it becomes a *bona fide* statement of lack of competence. "No, because I don't like it" is not efficacious legally, and will not withstand an appeal. It should also be kept

in mind that the bases for expertise must be reflected clearly *on the record* in the stated reasons for a decision having been reached, because that is the only means by which they will be before the court, the ultimate decider, if the case goes to appeal.

A related area for consideration is that of the interplay between historic district or historic property statutes and regulations as a body of law, and other bodies of law such as planning and zoning, wetlands, and zoning boards of appeal. This interaction takes on two aspects. The first is the fact of *concurrent jurisdiction*. Like the other bodies of law noted above, historic property or historic district designation regulates land use, albeit from a unique set of criteria. Just as a conservation commission administering inland wetlands laws is conceded by a planning and zoning commission to have concurrent jurisdiction with it, albeit to carry out other purposes, so also must an historic district or historic properties commission be recognized. Its jurisdiction is independent of, and not subservient to, that of any other governmental authority except a court of competent jurisdiction upon review. These governmental authorities include boards of selectmen and other legislative bodies, as well as planning and zoning commissions, zoning boards of appeal, and other boards and commissions, none of which can act outside their designated area of authority any more than can an historic district or historic properties commission. Thus, a board of selectmen, sending back a proposal for an historic district or historic property pursuant to 67-147 of the General Statutes, not only is required to give reasons for suggested changes, but the suggested changes must be within the selectmen's designated purview; otherwise they are of no force or effect. For example, the selectman may not favor historic districts or historic properties *per se*, or think that only sites of historic events should be designated. Such reasoning may be ignored because it is not within the prerogative of the selectmen to override the enabling statute or to delimit it beyond its *prima facie* scope.

It is imperative in this context for historic district or historic properties commissions to realize that they are not to be intimidated or coerced by an earlier favorable result at the hands of another board or commission. In its own designated area of expertise, an historic district or historic properties commission has the obligation statutorily to exercise independent judgment without compromise.

A second consideration is that historical district and historic properties activities must not violate other bodies of law. For instance, if a shopping center that is permissible under zoning regulations was denied by an historic district or historic properties commission for reasons not supported or supportable by the mandate of the historic district or historic properties statute, the action might be argued to be a conspiracy to restrain trade, possibly actionable against the commissioners individually (i.e., non-compensable by the municipality and/or its insurance carrier) and possibly actionable for treble (actual, compensatory, and/or punitive) damages.

The point being made is that an historic district or historic properties commission cannot exceed its mandate, and it is subject to the operation of other bodies of law as well. Care must be exercised, therefore, to ensure that at all times there is a high level of awareness of these possible secondary implications for actions taken.

APPENDIX E

LISTING OF PROPERTIES IN THE EASTERN POINT HISTORIC DISTRICT

Meech Avenue (North)

- 27 Meech Avenue, c. 1940, Georgian Revival
- 41 Meech Avenue, c. 1925, Queen Anne
- 63 Meech Avenue, c. 1880, Queen Anne
- 77 Meech Avenue, Lot 022-057-077

North Prospect Street (West)

- 3 North Prospect Street, c. 1920
- 9 North Prospect Street, c. 1900
- 23 North Prospect Street, 1960
- 35 North Prospect Street, 1975

North Prospect Street (East)

- 10 North Prospect Street, c. 1910
- 20 North Prospect Street, c. 1920
- 30 North Prospect Street, c. 1950
- 38 North Prospect Street, 1959

Cottage Place (North)

- 12 Cottage Place, c. 1870, Queen Anne
- 18 Cottage Place, c. 1884, Shingle

Hillside Avenue (West)

- 31 Hillside Avenue, c. 1910, Queen Anne

Hillside Avenue (East)

- 2 Hillside Avenue, c. 1895, Queen Anne
- 8 Hillside Avenue, c. 1880, Cottage
- 16 Hillside Avenue, c. 1910, Cottage
- 20 Hillside Avenue, c. 1885, Queen Anne
- 30 Hillside Avenue, c. 1920, Mediterranean

Shore Avenue (West)

- 15 Shore Avenue, c. 1907, Queen Anne
- Shore Avenue, Lot 022-100-001
- Shore Avenue, Lot 022-100-003
- 175 Shore Avenue, 1952, Ranch
- 181 Shore Avenue, 1985, Cape
- 197 Shore Avenue, c. 1885, Cottage
- 205 Shore Avenue, c. 1899, Shingle
- 213 Shore Avenue, c. 1895, Shingle
- Shore Avenue, Lot 022-100-008
- Shore Avenue (Hobs Island), c. 1977
- Groton City Beach
 - West Tyler House, c. 1904, Shingle
 - Zbierski House, Georgian Revival

Shore Avenue (East)

- 6 Shore Avenue, c. 1955, Cape
- 24 Shore Avenue, c. 1896, Queen Anne
- Shore Avenue, Lot 022-103-009
- 138 Shore Avenue, c. 1887, 2nd Empire
- 160 Shore Avenue, c. 1880, 2nd Empire
- 164 Shore Avenue, c. 1900, Queen Anne
- 178 Shore Avenue, c. 1890, Queen Anne
- 182 Shore Avenue, c. 1899, Queen Anne
- 198 Shore Avenue, c. 1900, Shingle
- 212 Shore Avenue, c. 1895, Shingle
- 218 Shore Avenue, c. 1920, Cottage
- 224 Shore Avenue, c. 1920, Shingle
- 234 Shore Avenue, c. 1920, Shingle
- 240 Shore Avenue, c. 1910, Shingle
- 248 Shore Avenue, c. 1891, 2nd Empire
- 254 Shore Avenue, c. 1883, Queen Anne
- 258 Shore Avenue, c. 1897, Queen Anne

Eastern Point Road (West)

- 839 Eastern Point Road, c.1890

Thames River Mouth

- New London Ledge Light

LISTING OF PROPERTIES IN
THE EASTERN POINT HISTORIC DISTRICT

South Prospect Street (East)

- South Prospect Street, Lot 022-104-004
- 30 South Prospect Street, 1960
- 36 South Prospect Street, c. 1930

Island Avenue (North)

- Island Avenue, Lot/Barn 022-104-035
- Island Avenue, c. 1920, Lot/Carriage House 022-104-034
- Island Avenue, Lot/Garage 022-104-033
- 30 Island Avenue, Lot/Carriage Shed 022-104-032
- Island Avenue, Lot 022-104-031

Island Avenue (South)

- 17 Island Avenue, 1960
- Island Avenue, 1910, Lot/Garage 022-104-027A
- Town of Groton, Lot 022-104-030

Central Avenue (North)

- 20 Central Avenue, c. 1928, Shingle
- 32 Central Avenue, c. 1890

Tyler Avenue (South)

- Tyler Avenue, c. 1913, Queen Anne