

TOWN OF WASHINGTON

HISTORIC DISTRICT COMMISSION

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS

The undersigned, being the owner of the property situated in the _____ Historic District in the Town of Washington and hereinafter referred to, states that he or she has read and understands Section IV of the current Rules and Regulations of the Washington Historic District Commission and hereby makes application for a Certificate of Appropriateness for the action described herein on the location hereinafter referred to:

1. PROPERTY OWNER Name _____
Mail Address _____
Phone: Home _____ Business _____

2. OCCUPANT (if not owner) Name _____
Phone: Home _____ Business _____

3. LOCATION OF PROPERTY (include Street number) _____

4. OWNER'S REPRESENTATIVE, if any retained to supervise the work described below:
Name _____
Mail Address _____
Phone: Home _____ Business _____

5. Full description of all work to be done and materials to be used as they effect exterior appearance: (attach additional pages as needed):

6. Documents accompanying this application (for details concerning supporting documents, please consult Section IVc of the Rules and Regulations (attached):

- | | | | |
|---------------|----------|--------------------------------|-------|
| a. Fee | \$ 50.00 | f. Survey Map | _____ |
| b. Site Plan | _____ | g. Photographs | _____ |
| c. Elevations | _____ | h. Samples and Materials | _____ |
| d. Blueprints | _____ | i. Specifications of Materials | _____ |
| e. Drawings | _____ | j. Other | _____ |

7. The work described above is expected to be completed no later than ____/____/____.

Dated at Washington, Connecticut, this _____ day of _____, 20 ____.

Signature of PROPERTY OWNER

Accepted as complete by _____ on ____/____/____.

Washington Historic District Commission Rules and Regulations, Section IV
CERTIFICATES OF APPROPRIATENESS

A. Definitions--as used in the Section, the words and phrases listed below shall have the following meaning:

BUILDING--a combination of materials forming a shelter for persons, animals, or property;

STRUCTURE--any combination of materials (other than a building) which is affixed to the land, and shall include, but not be limited to, roads, driveways, parking areas, curbs, sidewalks, fences, walls, dams, bridges, docks, outdoor fireplaces, tennis courts, utility structures, gazebos, swimming pools, lampposts, monuments, statuary, signs, bill posters, and any other feature of the built environment;

ERECTED--constructed, built, installed, or enlarged;

ALTERED--changed, modified, rebuilt, reconstructed, restored, razed, demolished, removed, or moved;

EXTERIOR ARCHITECTURAL FEATURES--such portion of the exterior of a structure or building as is open to view (without regard to existing or proposed vegetation) from a public street, way or place;

APPROPRIATE--not incongruous with those aspects of the Historic District which the Commission determines to be historically or architecturally significant.

B. Jurisdiction of the Commission

1. No building or structure shall be erected, altered, or demolished within an Historic District until after an application for a Certificate of Appropriateness as to exterior architectural features has been submitted to, and approved by, the Commission. A Certificate of Appropriateness shall be required whether or not a building or zoning permit is required.
2. Except for such parking areas as were in existence prior to the establishment of the Historic District in which they are located, no area within any Historic District may be used for industrial, commercial, business, home industry, or occupational parking until after an application for a Certificate of Appropriateness as to parking has been submitted to, and approved by, the Commission, regardless of whether such area is zoned for such use.
3. For projects requiring a Certificate of Appropriateness, no building or demolition permit shall be issued until such Certificate has been issued by the Commission. If a building or structure is to be demolished, no demolition shall occur for ninety(90) days from issuance of a demolition permit if during such time the 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 the 90-day period, the Town may abate all real property taxes. At the conclusion of such 90-day period, the demolition permit shall become effective and demolition may occur.
4. A Certificate of Appropriateness need not be applied for in the following circumstances:
 - a) for ordinary maintenance or repair of a building, structure, or architectural feature which does not involve a change in its appearance or design or materials to be used;

Section IV – Certificates of Appropriateness (cont'd.)

- b) for the erection, alteration, or demolition of any building, structure or portion thereof which the Building Inspector or similar agent has certified as being necessary for the public safety; and
- c) for the erection, alteration, or demolition of any building, structure, or portion thereof under a building permit (or demolition permit) issued prior to the date on which the Historic District was created.

While of interest to the Commission, matters pertaining to a building's use, the arrangement of its interior features, and the color of paint applied to its exterior are not within the Commission's legal jurisdiction. The Commission may, however, recommend adaptive re-use of any building or structure compatible with the historic architectural aspects of the District.

C. Application Procedure for a Certificate of Appropriateness

1. General

- a) Applications may be obtained from the Land Use Office at Bryan Memorial Town Hall. Applications shall be signed by the property owner(s) or, in the case of corporations and institutions, by their chief executive officer or authorized agent. Applications with respect to jointly-owned property may be made by one owner.
- b) All applications shall be accompanied by a fee, payable to the Town of Washington in the amount specified on the application form, to help offset the administrative costs of publicizing and conducting the Public Hearing relative to such application.
- c) Applications should be addressed to the Commission and filed in the Town Hall.
- d) Commissioners will be available at their regular monthly meetings to have preliminary discussions with applicants regarding any aspect of the application procedure or required documentary evidence.

2. The Application

- a) All applications shall be accompanied by a site plan, elevations blueprints, drawings, survey map, photographs, samples or specifications of building materials, and/or whatever other evidence is accessible to show fully the nature of the work to be performed. Technical documentation shall be prepared by an architect, engineer, surveyor, or qualified building contractor unless the Commission waives this requirement in case of minor construction work. All drawings shall be to a scale which can be easily read, and the scale shall appear thereon. Photographs shall be no smaller than 3"x5" in size, and shall be identified as to the point from which they are taken.
- b) **Rehabilitation or Restoration**
Applications involving the rehabilitation or restoration of buildings, structures or any portion thereof should include:
 - 1) a description of existing materials and their condition;
 - 2) a statement supported by physical or documentary evidence for the proposed changes; and
 - 3) if possible, historical photographs.
- c) Applications for new construction should include a streetscape elevation or photographic mock-up showing the new design in the context of its surrounding neighborhood.

Section IV – Certificates of Appropriateness (cont'd.)

- d) Applications for signs and bill posters shall specify their respective style, material, size and location.
- e) Applications involving demolition or removal shall include a statement as to the anticipated appearance and condition of the property after the proposed work has been completed.

3. Public Hearing of Applications

- a) Completed applications will be heard at a public hearing, the date of which will normally coincide with the next regular monthly meeting of the Commission, provided applications are received at least eighteen(18) days prior to the date of that meeting. Applications received less than eighteen(18) days before a regular monthly meeting of the Commission will normally be scheduled for a public hearing on the date of the Commission's second successive regular meeting.
 - 1) A certified letter with return receipt requested will be sent to each applicant, stating the date, time and place of the public hearing at which his/her application will be heard.
 - 2) Omissions in the application must be supplied by the applicant prior to the public hearing.
 - 3) Applications which are not complete must be withdrawn by the applicant or face the probability of denial by the Commission.
- b) Copies of the application will be made available to members of the Commission prior to the pertinent public hearing.
- c) A sub-committee may review each application for completeness prior to the hearing.
- d) Commission members will be encouraged to visit the site prior to the pertinent public hearing.
- e) At the public hearing, the applicant or any interested party may appear in person, by agent, or by attorney, and may offer any relevant evidence or comment on the application and supporting materials. The Chair may require that anyone offering evidence shall be sworn. Formal rules of evidence shall not apply and no party shall have any right of cross examination. The Chair shall have the right to make such rulings as may be necessary to conduct the hearing in an orderly, expeditious and fair manner.
- f) Failure of the Commission to act within sixty-five(65) days of its receipt of an application for a Certificate of Appropriateness shall constitute automatic approval of such application.

D. Standards for Determining Appropriateness

1. Buildings and Structures

In making its determination as to whether or not exterior architectural features are appropriate, the Commission shall consider the following, in addition to any other pertinent factors:

- a) the overall character of the proposed structure and its compatibility with its site, existing structures on the site, and the historic district as a whole;
- b) the scale of the proposed structure relative to its site, existing structures on the site, and the historic district as a whole;
- c) the shape and massing of the proposed structure, and the compatibility of these qualities with those of existing structures on the site and in the historic district;

Section IV – Certificates of Appropriateness (cont'd.)

- d) patterns in the proposed work, such as those caused by window mullions, fenestration, or columns, and their compatibility with existing structures and the historic district as a whole;
- e) trim and decorative detail, and their compatibility with the proposed structure and existing buildings on the site;
- f) materials;
- g) the visibility, style and scale of utility structures, light fixtures, signs and such, including mechanical structures as described in the Washington Historic District Commission's Guidelines.

2. The Commission shall consider these and other similar factors:

- a) size;
- b) material;
- c) visibility of cars;
- d) location and relation to building(s); and
- e) lighting and signs.

E. Variations

Where by reason of topography or because of other unusual circumstance, strict adherence to the standards will impose exceptional practical difficulty or undue hardship on the applicant, the Commission may vary or modify its standards so as to relieve such difficulty or hardship, provided such variation remains in harmony with the general character of the District.

F. Actions by the Commission

After the public hearing has been concluded, the Commission will, at its next regular meeting or at a special meeting called for that purpose, deliberate as to whether or not the proposed erection, alteration or demolition of the building(s), structure(s), feature(s) or parking area(s) are incongruous with the historic or architectural aspects of the District, and thereupon vote on the pertinent application. The concurring vote of three seated members of the Commission shall be necessary to issue or deny a Certificate of Appropriateness.

1. Approval

If the Commission approves an application, a Certificate of Appropriateness will be issued. The Certificate of Appropriateness will be issued. The Certificate may contain stipulations clarifying or identifying types of materials, design modifications and limitations on the location of features. Each Certificate will indicate the time span within which the work must be completed.

The original Certificate, together with a covering letter, will be sent by certified mail/return receipt requested to the applicant. The letter will remind the applicant that the Commission's approval pertains only to work specified in the accompanying Certificate and that any changes or modifications will require a supplemental application before such work may commence.

A copy of the Certificate will be distributed to both the Town's Building Inspector and its Zoning Commission. A file copy, along with the original application and attachments thereto, will be placed with the Historic District Commission's permanent records in the Town Hall.

Section IV – Certificates of Appropriateness (cont'd.)

2. Amendments and Extensions

Requests either to amend or to extend an outstanding or expired Certificate of Appropriateness will be considered by the Commission upon receipt of an application for the amendment or extension of the Certificate of Appropriateness previously issued on (date of prior Certificate of Appropriateness). The application will be submitted in accordance with Section IV of the Washington Historic District Commission Rules and Regulations and considered at a public hearing as required by the Rules and Regulations.

3. Denial

An application for a Certificate of Appropriateness will be denied if, in the judgement of the Commission, the work proposed is not appropriate. The reasons therefore shall be recorded in the minutes of the pertinent meeting.

Written notice of denial will be sent by certified mail/return receipt requested, to the applicant. The notice will specify the basis for the Commission's reasoning that the work proposed is not appropriate and may also include recommendations relating to the design, arrangement, texture, material and similar features.

Applications for exterior architectural features whose primary purpose is to utilize renewable resources will be denied only if the Commission finds that such feature(s) cannot be installed without substantially impairing the historic character and appearance of the District. A Certificate of Appropriateness for such feature(s) may nevertheless include stipulations requiring design modifications and limitations on its location which would not significantly impair its effectiveness.

G. Appeal Procedure

Anyone who has been aggrieved by the decision of the Commission may, within fifteen(15) days of the rendering of that decision, take an appeal to the Superior Court of the Judicial District of Litchfield in accordance with Section 7-147i of the General Statutes.

H. Enforcement

The Commission will take action to prevent the violation of any rule or procedure contained herein or any section of the applicable Statute(s) and/or Town ordinance(s). In pursuance of its authority hereunder, the Historic District Commission is empowered to hire and retain its own Enforcement Officer who may be the Town's Building Inspector or its Zoning Enforcement Officer or such other person as the Commission may appoint.

In addition to its other remedies, the Commission may also institute an action in the Superior Court of the Judicial District of Litchfield to restrain any violation and order its correction or removal.

Any person(s) found to be in violation of the Commission's regulations or orders shall be fined not less than ten dollars(\$10.00) nor more than one hundred dollars(\$100.00) per day; where the violation is found to be willful, the fine shall not be less than one hundred dollars(\$100.00) nor more

Section IV – Certificates of Appropriateness (cont'd.)

than two hundred dollars(\$200.00) for each day the violation exists. All such offenses shall be under the jurisdiction of the aforementioned Court.

It shall be the responsibility of the person(s) found to be in violation to notify the Commission in writing at such time as the violation has been remedied.

NOTE: These Rules and Regulations were adopted by the Commission on April 8, 1991 and revised on July 16, 2001.

APPLICATION REVIEW CHECK-LIST

A. Fee

B. Site Plan

1. Locus map - showing primary & secondary roads
2. Existing & proposed site plan
 - Showing dimension of the lot
 - Orientation
 - Location & size of existing structures & neighboring structures, if any
 - Location & size of proposed structures & extent of demolition
 - Location & size of proposed fencing /gates / posts, etc.
 - Indicate all streets and/or public ways
 - Indicate all equipment such as AC compressors / exterior lighting, etc.

C. Existing & proposed drawings

1. Floor plans /exterior elevations /building & wall sections
 - Floor plans & exterior elevation @ min $\frac{1}{4}$ " = 1'-0" showing existing, proposed plus areas of demolition
 - Explanatory (existing if appropriate) building & wall sections
 - Details of door & window types
 - Porch (steps, rails, columns, eave) detail
 - Indicate finish floor & ceiling heights & grade
2. Rendering indicating three dimensional form of Structure

D. Photographs

1. Photos of all elevations of existing structures
2. Photos from public way or street

E. Samples & Materials

1. Stock items indicated by catalog number & specific item
2. Samples, such as shingles, paving, gravel, etc.
3. Catalog cuts /photos of proposed items /door, window Schedule

F. Miscellaneous

1. Written explanation of why proposed work is appropriate To the Historic District in which it is located