

**Historic Preservation Commission  
Hartford, Connecticut**

**RULES OF PROCEDURE**

**ADOPTED BY THE HISTORIC PRESERVATION COMMISSION AUGUST 16, 2006**

**ADOPTED BY THE COURT OF COMMON COUNCIL AUGUST 29, 2006**

**Historic Preservation Commission**

**Hartford, Connecticut**

**ADOPTED RULES OF PROCEDURE**

**SECTION 1 GENERAL**

**SECTION 2 ORGANIZATION OF THE COMMISSION**

**SECTION 3 MEETINGS AND PUBLIC HEARINGS**

**SECTION 4 DOCUMENT OF SUITABILITY**

**SECTION 5 EXEMPTIONS, AMENDMENTS, ADDITIONS**

**HARTFORD, CONNECTICUT  
HISTORIC PRESERVATION COMMISSION  
RULES OF PROCEDURE**

**SECTION 1 GENERAL**

**1.1 Establishment of the Commission**

The Historic Preservation Commission, hereinafter referred to as the "Commission," was established by ordinance of the Court of Common Council, adopted on and approved by Mayor on May 24, 2005.

**1.2 Purpose of the Commission**

The purpose of this Article is to promote the educational, cultural, economic, environmental, and general welfare of the City by:

- (a) Strengthening the City's economy by stabilizing and improving property values and economic activity through the adaptive reuse of historic structures;
- (b) Creating a mechanism to identify, preserve and enhance distinctive areas, sites, structures, features and objects that have historic, cultural, architectural and archeological significance;
- (c) Fostering appropriate use and wider public knowledge and appreciation of such areas, sites, structures, features and objects;
- (d) Protecting and enhancing the attractiveness of the City to Homebuyers, home owners, residents, tourists, visitors, businesses and shoppers;
- (e) Providing a resource for information, education, and expertise to those interested in rehabilitation or construction in a historic district or of an historic structure;
- (f) Fostering civic pride in the City's history and development patterns;
- (g) Protecting and enhancing neighborhood character;
- (h) Fostering and encouraging preservation, restoration and rehabilitation that respects the historic, cultural, architectural, and archeological significance of distinctive areas, sites, structures and objects; and
- (i) Applying design standards in a reasonable and flexible manner to prevent the unnecessary loss of a community's historical features and to ensure compatible construction and rehabilitation in historic districts while not

stifling change and development or forcing modern recreations of historic styles.

### **1.3 Powers and Duties of the Commission**

The Commission has those powers, will perform those functions and will be subject to such limitations as provided by the Ordinance Amending Chapter 28 of the Hartford Municipal Code entitled Article XII Historic Preservation Commission, and as it may from time to time amend.

The Commission's jurisdiction applies to those properties established as "protected properties" by ordinance of the Court of Common Council.

The Commission shall review and act upon all applications for Document of Suitability. No person or entity may, without first applying and obtaining the approval of the Commission, file an application for a demolition permit, or for a building permit for any protected property as designated in the Historic Preservation Ordinance Sec 28-219.

The Commission shall report to the Court of Common Council, during the month of January, on its activities of the previous year.

## **SECTION 2 ORGANIZATION OF THE COMMISSION**

### **2.1 Composition of the Commission**

The Commission shall consist of the members and alternates of the Historic Property Commission as appointed pursuant to Sec. 28-170 of the Municipal Code.

### **2.2 Officers and Duties**

The Commission, by a majority of its membership, shall elect annually a chairperson, a vice chairperson and a secretary from its own members.

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

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of the resignation or death of the Chairperson, the Vice Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Commission shall select a new Chairperson.

The Secretary shall keep the records of the Commission and shall act as Secretary to the meetings of the Commission.

The Commission shall keep a permanent record of its resolutions, transactions and determinations and of the vote of each member participating therein.

The officers of the Commission shall perform such additional duties and functions as may from time to time be required by the rules and regulations of the Commission.

### **2.3 Election of Officers**

The Chairperson, Vice Chairperson and Secretary shall be elected annually by a majority of the Commission regular members at the organizational meeting of the Commission.

Should the office of Chairperson, Vice Chairperson or Secretary become vacant, the Commission shall elect a successor at a regular or special meeting, and such election shall be for the unexpired term of said office.

#### **2.4 Compensation and Expenses**

The members of the Commission shall serve without compensation, but shall be reimbursed for their necessary and reasonable expenses in the performance of their statutory duties.

The Commission may accept grants and gifts, and incur other reasonable expenses appropriate to the carrying on of its work, subject to appropriation by the Court of Common Council or receipt of such grants or gifts.

### **SECTION 3 MEETINGS AND PUBLIC HEARINGS**

#### **3.1 Meetings**

##### **3.1.1 Types of Meetings**

1. The organizational meeting of the Commission shall be held annually in May at its regular meeting date.
2. Regular meetings of the Commission shall be held monthly at a regular time to be set at the organizational meeting.
3. The Chairperson may, when deemed expedient or necessary, call a special meeting of the Commission for the purpose of transacting any business designated in the call.

##### **3.1.2 Conduct of Meetings**

All Commission meeting shall be open to the public and conducted in accordance with the State Freedom of Information Act, C.G.S. Sec. 1-200 et seq.

A majority of the voting membership of the Commission (three) shall constitute a quorum, and the number of votes necessary to transact business shall be a majority of the members of the Commission present.

The voting on all questions coming before the Commission shall be by voice vote of the members. Motions shall be restated by the Chairperson before a vote is taken.

The order of business at meetings shall be:

- Call to order
- Conduct public hearing, if applicable
- Approval of minutes of preceding meeting
- Reports
- Unfinished business
- New business

- Adjournment

### **3.1.3 Hearing for Document of Suitability**

A hearing shall be held upon each application for a Document of Suitability, unless the Commission determines that such application involves items not subject to approval by the Commission, or the Commission determines that the application can be processed administratively by staff.

The Commission shall fix a reasonable time and place for such a hearing.

### **3.1.4 Conduct of Hearings involving Document of Suitability**

Any applicant may appear in person, or be represented by an agent.

The order of business at a public hearing for a Document of Suitability shall be:

- At the discretion of the Commission when significant concerns or questions arise relating to the administration of the historic property.
- The Chairperson shall give a statement of the application.
- The applicant shall give a detailed description of the application as well as present any supporting evidence such as blueprints, drawings, specifications as to materials, etc.
- Upon completion of the presentation, the Commission shall have the opportunity to question the applicant.
- After questions by the Commission, the Chairperson shall ask for supporting testimony or comments of interested parties.
- The Commission shall then have the opportunity to question those in support of the application.
- Upon the close of hearing supporting comments, the Chairperson shall ask for comments by those in opposition to the application.
- The Commission shall then have the opportunity to question those in opposition to the application.

Note: To maintain an orderly process, each side shall proceed without interruption by the other. Each individual authorized to speak shall give his name and address prior to commenting on a particular issue.

### **3.1.5 Conflict of Interest**

Commission members are subject to the Code of Ethics (Hartford Code Sec. 2-456 et seq.) of the City, of Hartford. No Commission member shall appear for or represent any persons, firm, corporation or other entity in any matter pending before the Council, or any City board or, commission. No member shall participate in the meeting or decision of the Commission upon any matter in which the member is directly or indirectly interested in either a personal or financial sense.

## **3.2 Public Hearings**

Public hearings shall be held:

- At the discretion of the Commission when significant concerns or questions arise relating to the administration of the historic property.
- To adopt or revise the Rules of Procedure of the Commission.

- A hearing on an application for a Document of Suitability pursuant to Sec. 3.1.3 is not a public hearing within the meaning of this section.

### **3.2.1 Legal Advertisement**

Notice of the time and place for such hearing shall be given by publication in the form of a legal advertisement in a newspaper having a substantial circulation in Hartford, not more than 15 days or less than 5 days before such hearing.

The legal notice shall contain the purpose as well as the time, date and place of the meeting.

### **3.2.2 Evidence at Hearings**

The proceedings for each application, in addition to minutes taken by the Secretary, shall be recorded by a sound recording device.

Additional material or correspondence presented to the Commission during the course of the hearing shall be recorded in an orderly manner and retained as potential evidence.

## **SECTION 4 DOCUMENT OF SUITABILITY**

### **4.1 General Requirements for Document of Suitability**

No "Protected Property" shall be erected, demolished, or altered until after an application for a Document of Suitability as to exterior architectural features has been submitted to the Commission and approved by the Commission.

No site work on a property within a Historic District shall be altered until after an application for a Document of Suitability has been submitted to the Commission and approved by the Commission.

No building permit for erection of a building or structure or for alteration of an exterior architectural feature within the boundaries of an historic property and no demolition permit for demolition or removal of a building or structure within the boundaries of an historic property shall be issued by any municipal department, agency or official until a Document of Suitability has been issued.

The Commission will 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 provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure; however the Commission should be prepared to advise the applicant on paint colors should the applicant request advice.

### **4.2 Application for Document of Suitability**

#### **4.2.1 Application Forms**

Applications for Document of Suitability may be obtained from the Division of Development Services or Division of Licenses and Inspections

Applications should be accompanied by drawings and photos of existing condition of area(s) to be modified, showing the nature of the work to be performed as well as a list of materials to be used.

#### **4.2.2 Processing**

Completed applications shall be returned to the Department of Licenses and Inspections for processing.

Any application for Commission approval shall, at the latest be placed on the agenda of the next Commission meeting which occurs more than seven days after receipt of the application. The Commission may define one or more classes of minor alterations to be delegated to the Development Services Department ("Department") for approval or rejection, based upon the applicable design standards. A copy of each such approval or rejection shall be transmitted to each member of the Commission by the Department. Any approval or rejection by the Department shall become effective ten (10) days after its issuance. If within such ten (10) day period the applicant or the chairperson of the Commission requests that the Commission review the action of the Development Services Department, the Department's action shall not take effect and the application shall be placed on the next Commission agenda for action by the Commission. Any application submitted pursuant to this Article that is not acted upon by the Commission within forty five (45) days after its filing shall be deemed granted, provided that nothing in this section shall preclude the Commission and an applicant from agreeing to a longer time period for the completion of Commission action upon an application.

Each applicant shall be notified of the date, time and place of the hearing at which his/her application will be heard.

#### **4.3 Considering in Determining Suitability**

##### **4.3.1 General Considerations for Buildings**

If the Commission determines that the proposed erection, or alteration will be appropriate, it shall issue a Document of Suitability. In passing on suitability as-to exterior architectural features, buildings or structures, the Commission shall consider, in addition to other pertinent factors, the type and style of exterior windows, doors, light fixtures, signs, above ground utility structures, mechanical appurtenances and the type and texture of building materials, and parking considerations. In passing upon suitability 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 Document of Suitability 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 property. A Document of Suitability 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.



#### **4.3.2 Criteria for Review of Document of Suitability**

The Commission will use the Design Guidelines as approved by the City of Hartford, Secretary of the Interior's Standards for Rehabilitation (36 CFR Sec. 7.7) as revised and the Secretary's Guidelines for Rehabilitating Historic Buildings (revised in 1983); as the basis for review when considering applications for Document of Suitability. The standards noted and any successors thereto are hereby incorporated by reference into these rules of procedure.

Additional consistent review criteria may be promulgated and adopted, from time to time.

Any application requiring determination of economic hardship by an applicant seeking relief from the Criteria for Review of an application for a Document of Suitability as stated herein, shall conform to those conditions set forth in Section 4.3.7 of these Rules of Procedure as may be required by the Commission. Where economic hardship is determined to the satisfaction of the Commission, a Document of Suitability shall be issued so stating the determination of hardship and include any conditions the Commission may impose.

The Commission shall make provisions for the consideration of economic hardship and shall include provisions for owner occupied principal residences, non owner occupied residential buildings containing six or fewer dwelling units, provisions for all other commercial and industrial buildings, and provisions for demolition where there is no feasible alternative. If the applicant objects to compliance with the conditions of approval set by the Commission because compliance will increase the cost of the alteration by more than 20%, the applicant shall provide the Commission with at least two realistic comparable professional estimates showing the difference between the applicant's proposed alteration and alteration with the modifications requested by the Commission. If the Commission finds that such differences exceed twenty percent, the Commission shall work with the applicant to find an alternative which will not increase the cost of the alternative by more than twenty percent. The Commission shall not require alterations which add more than twenty percent to the cost of the alteration that is subject to review.

#### **4.3.3 General Limitation**

In its deliberations, the Commission shall act only for the purpose of controlling the erection or alteration of buildings, structures, objects, sites or parking that are incongruous with the historic or architectural aspects of the historic property.

#### **4.3.4 Variances or Modifications**

Where, by reason of topographical conditions or location or because of other unusual circumstances, the strict application of any provision would result in exceptional practical difficulty or undue hardship upon the owner of the historic property, the Commission in passing upon applications shall have power to vary or modify strict adherence to the provisions of this part, provided such variance or modification shall remain in harmony with the general purpose and intent of this part so that the historic and architectural aspects of the protected property shall be conserved. In granting variances or modifications, the Commission may impose such reasonable stipulations and conditions as will, in its judgment, better fulfill the purposes of this part. The Commission shall, for each variance or modification granted, place upon its records and in the notice to the applicant the reasons for its determinations.

#### **4.3.5 Criteria for Determination of Economic Hardship**

For applications requiring determination of economic hardship, the Commission may solicit expert testimony or may require the applicant to submit, by affidavit, any or all of the following information:

##### **Owner Occupied Principal Residence**

1. Proof of ownership.
2. Age of Property Owner.
3. Length of time living in residence.
4. Proof of income.
5. Cost of adherence to regulations.

##### **Non-Owner Occupied with six or fewer dwelling units**

1. Proof of ownership.
2. Age of Property Owner.
3. Cost of adherence to regulations.
4. Two cost estimates of the proposed construction, alteration, demolition or removal and three estimates of any additional cost that would be incurred to comply with the Commission's standards for changes that would be necessary for Document issuance without an economic hardship variance.
5. Any appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing or ownership of the property.
6. The real estate taxes for the previous two years.

##### **All other buildings including commercial and industrial**

1. Proof of ownership.
2. Proof of income.
3. Cost of adherence to regulations.
4. Two cost estimates of the proposed construction, alteration, demolition or removal and three estimates of any additional cost that would be incurred to comply with the Commission's standards for changes that would be necessary for Document issuance without an economic hardship variance.
5. Any appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing or ownership of the property.
6. A description of the form of ownership or operation of the property, whether it is under sole proprietorship, a for profit or not for profit limited partnership, joint venture or other arrangement.

The Commission may waive the submission request contained herein or require supplement information as the facts or circumstances of a particular application may reasonable require.

### Provisions for Building Demolition

1. Two cost estimates of the proposed construction or alteration, including estimates of any additional costs that would be incurred to comply with the Commission's recommendations for the issuance of a Document of Suitability.
2. A report from a licensed engineer or architect experienced in rehabilitation regarding the structural soundness and rehabilitation suitability of any structure proposed for demolition on the property.
3. The estimated market value of the property:
  - a. In its current condition;
  - b. After completion of the proposed construction, alteration, demolition and/or removal;
  - c. After any changes required by the Commission; and/or
  - d. If proposed for demolition only.
4. An estimate from an architect, developer, real estate consultant, appraiser or other real estate professional experienced in rehabilitation regarding the economic feasibility of rehabilitation or re-use of an existing structure proposed for demolition.
5. Any appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing, or ownership of the property. whether it is under sole proprietorship, a for profit or not for profit limited partnership, joint venture or other arrangement.

### 4.4 Actions by the Commission

#### 4.4.1 Approval

If the Commission approves the application, a Document of Suitability shall be issued.

The Document of Suitability may contain additional stipulations clarifying or identifying types of materials, etc. A copy of the Document of Suitability shall be mailed to the applicant. An additional copy, as well as a copy of the applications, shall be distributed to the Department of Licenses and Inspections, and a copy, along with the original application and attachments, shall be maintained in the Commission's file.

Document of Suitability shall be valid for a period of one year from the date of issue.

Extensions of six-month periods may be granted upon request from the Document of Suitability holder.

Failure of the Commission to act within said forty-five (45) days after the filing of the application shall constitute approval and no other evidence of approval shall be needed.

#### 4.4.2 Denial

A Document of Suitability may be denied by the Commission, when in the opinion of the Commission the issuance of such a Document of Suitability would be detrimental to maintaining the characteristic appearance of the historic property.

Written notice of the denial shall be sent to the applicant and the Department of Licenses and Inspections. The notice shall state the specific reason (s) for denying the application.

#### **4.4.3 Appeals**

Any person aggrieved by a final decision of the Commission, in regard to an application for approval filed pursuant to this Article, may appeal such decision to the Board of Preservation Appeals within fifteen (15) days of receipt of the Commission's decision.

#### **4.4.4 Action by Commission to Prevent Illegal Acts**

Department of Development Services staff of the Commission shall be designated to take action to enforce the ordinance.

### **SECTION 5 EXEMPTION AMENDMENTS AND ADDITIONS**

#### **5.1 Exempted Acts**

Nothing in these rules shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of a protected property which does not involve a change in the appearance or design thereof if no building permit is required; 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.

#### **5.2 Amendments**

Amendments, additions or revisions to these Rules of Procedure may only be adopted after a public hearing.

**CITY OF HARTFORD**  
**HISTORIC PRESERVATION COMMISSION**  
**APPLICATION FOR: Document of Suitability**

Date: \_\_\_\_\_

Application is hereby made for the issuance of a Document of Suitability regarding the proposed work described below:

Address of Proposed Work

Owner's Name \_\_\_\_\_

Address \_\_\_\_\_

Home Business Phone No. \_\_\_\_\_

Agent or Contractor & Phone No. \_\_\_\_\_

Architect Name & Phone No. \_\_\_\_\_

Are there any Federal grants or subsidies involved with this project?  Yes  No

Proposed Work:

\_\_\_\_\_ Repair \_\_\_\_\_ Addition \_\_\_\_\_ Demolition \_\_\_\_\_ Moving \_\_\_\_\_ New Construction \_\_\_\_\_ Other

Work is to be done on:

\_\_\_\_\_ Residential \_\_\_\_\_ Non-Residential \_\_\_\_\_ Accessory Bldg. \_\_\_\_\_ Other (Including Land)

Date work will start: \_\_\_\_\_ Date work will finish: \_\_\_\_\_

Description of Proposed Work (include materials to be used, photographs building front, sides, rear, detailed photo of area of work, photo of streetscape, cut sheet of materials or sample of materials. Attach additional sheets if necessary).

**PHOTOGRAPHS INCLUDED**

FRONT & SIDE

DETAILED WORK AREA

STREETScape, INCLUDING ADJACENT BUILDINGS

MANUFACTURER'S LITERATURE

\_\_\_\_\_  
Signature of Applicant

**CITY OF HARTFORD  
HISTORIC PRESERVATION COMMISSION**

**DATE:**

**PROPERTY ADDRESS:**

**CITY OF HARTFORD  
HISTORIC PRESERVATION COMMISSION  
APPLICATION FOR DOCUMENT OF SUITABILITY**

Date Application Filed: \_\_\_\_\_ Date Received by Commission: \_\_\_\_\_

Building Permit Required: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

Date of Public Hearing:

\_\_\_\_\_ Application APPROVED as Submitted

\_\_\_\_\_ Application APPROVED as Modified

\_\_\_\_\_ Application DENIED

Application APPROVED WITH CONDITIONS:

Date: \_\_\_\_\_ Signed \_\_\_\_\_

(Commission Title) \_\_\_\_\_