

Public Comment: Re-establishing Village Districts and Design Guidelines

Good evening Commissioners,

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1928
Within the Gales Ferry Development District are three buildings listed on the National Register of Historic Places: the house at the corner of Hurlbutt Road and Military Highway, the historic store across from it on Hurlbutt Road, and the Methodist Church and School. Despite their national recognition, these buildings currently receive no protection under Ledyard's zoning regulations. 1868

They sit within a commercial and mixed-use zone that allows the highest-density, multi-story development permitted in town. Immediately adjacent is the former Sweet Hill Farm property, now agricultural open space, where the owner has expressed an intention to maximize parking and construct multiple six-story apartment buildings directly across from what is, in every meaningful sense, a historic village—yet one that is entirely unrecognized in local land-use regulations. Much of historic Gales Ferry remains in a standard R-20 zone, with no design standards or contextual safeguards.

As a first step, a group of concerned residents is seeking to **re-establish the Village Districts** that existed from 2012 until their rescission in 2022, in what are now known as the *Gales Ferry and Ledyard Center Development Districts*. Village Districts are an overlay zone authorized under **CGS §8-2j**. They do not prevent demolition, impose new height limits, or replace the role of a **Local Historic District** under **CGS §7-147a-m**. What they do provide is a clear, state-recognized framework for contextual design review—ensuring that new development respects historic scale, streetscape, and character across both residential areas and adjoining commercial or mixed-use zones. As such, they represent an appropriate and measured first step toward preservation.

Previously, Gales Ferry was designated only as a *Design District*, where guidelines were advisory, while Ledyard Center had full *Village District* status with mandatory guidelines. We see no principled justification for maintaining that distinction. Gales Ferry is no less historic and merits the same level of recognition and consideration.

Village Districts are established by the Planning and Zoning Commission, **provided the Plan of Conservation and Development supports them**. We believe the current POCD already does so for historic Gales Ferry, as it demonstrably did prior to 2012 when these districts were in effect. Their removal reflected a policy choice favoring short-term development expediency over long-term preservation. We respectfully disagree with the notion that the two are mutually exclusive. They are not. Village Districts exist precisely because the State recognizes that **good development and historic preservation can—and should—coexist**.

Tonight, I am asking that the **Historic District Commission serve as the applicant** to re-establish Village District overlay zones in Gales Ferry and Ledyard Center. Our citizens group

would undertake the bulk of the preparatory work required for the application and would offer full support before commissions and throughout public workshops and hearings.

I respectfully submit that this request falls squarely within the Historic District Commission's mission. Sponsoring this application would not predetermine priorities, limit future development, or substitute for the more rigorous process and protections afforded by a Local Historic District—an option we are also very interested in pursuing. Rather, it would ensure that the question of contextual protection for historic Gales Ferry is **formally, thoughtfully, and proactively considered by the Town, before development pressures irreversibly alter the historic character** the Commission is charged with safeguarding.

There is also an important procedural reason for requesting Town sponsorship. If a private citizen submits an application, a 65-day statutory clock compels the Planning and Zoning Commission to act quickly. If the Town is the applicant, no such deadline applies. The matter can be properly studied, addressed deliberately, and it would **take precedence over incoming development applications**. A Town-initiated application also signals institutional seriousness and stewardship, rather than opposition.

In short, Village Districts are a modest, lawful, and well-established planning tool—**one the Town previously embraced with good results**—that can help historic Gales Ferry and Ledyard Center grow through considered and context-sensitive development. We are respectfully asking the Commission to help place this issue on the proper procedural footing, so it can be evaluated carefully and responsibly.

I look forward to hearing the Commission's feedback, and exploring how we might move forward together.

Thank you for your time, and for your continued commitment to Ledyard's historic resources.

David Schroeder Jr

290 Whalehead Rd.

FAQ: Arguments for Re-Adopting Village Districts in Ledyard Center and Gales Ferry (CGS §8-2j)

I. Village Districts Are a State-Authorized Planning Tool — Not a New Regulatory Theory

- CGS §8-2j explicitly authorizes municipalities to establish Village Districts through zoning regulations.
- The statute was adopted to help towns:
 - protect traditional settlement patterns
 - encourage pedestrian-scale development
 - balance growth with existing neighborhood character
- Re-adopting Village Districts is **not discretionary activism**; it is using an **existing state planning tool as intended**.

Key point: This is about alignment with state law, not resisting it.

II. Village Districts Provide a Framework for Managing Growth Without Banning It

- Village Districts do **not prohibit development**.
- They provide a structured way to:
 - guide building placement and scale
 - address transitions between commercial and residential uses
 - ensure new development fits within a walkable village context
- This is particularly important in towns experiencing **incremental growth pressure rather than large-scale urbanization**.

Key point: Village Districts shape growth; they do not stop it.

III. They Address the Limits of One-Size-Fits-All State Housing Mandates

- Recent state housing legislation, including HB 8002, applies broadly across urban, suburban, and semi-rural towns.
- Village Districts allow municipalities to:
 - respond to local conditions such as narrow roads, lack of sidewalks, and limited parking
 - plan proactively rather than reactively to development impacts
- Without Village Districts, towns are left with fewer tools to manage impacts created by state-level preemption.

Key point: Village Districts restore balance between state policy goals and local realities.

IV. Village Districts Improve Predictability for Developers and Residents Alike

- Clear design and siting expectations reduce uncertainty for applicants.
- Developers benefit from:
 - knowing what scale and form is expected
 - fewer ad hoc negotiations and redesigns
- Residents benefit from:
 - predictable outcomes
 - reduced conflict and appeals

Key point: Predictability is good for both economic development and community trust.

V. They Support Economic Development Rooted in Place, Not Just Density

- Village Districts encourage:
 - small-scale commercial activity
 - mixed-use buildings appropriate to village centers
 - reinvestment in existing infrastructure
- This aligns with economic strategies focused on:
 - local businesses
 - tourism and cultural assets
 - walkable village centers
- Simply increasing residential density without village context does not reliably produce economic vitality.

Key point: Village-scale planning supports sustainable, place-based economic development.

VI. Village Districts Help Address Infrastructure and Safety Concerns Up Front

- CGS §8-2j allows consideration of:
 - pedestrian circulation
 - public safety
 - traffic and access
 - relationship of buildings to streets and public spaces
- These are precisely the issues that are harder to address later under state housing preemption.
- Early, plan-based review reduces the need for after-the-fact mitigation.

Key point: This is about planning ahead, not litigating later.

VII. Village Districts Strengthen Public Confidence in the Planning Process

- Residents are more likely to support growth when they see:
 - clear rules
 - respect for existing village form
 - consistency in decision-making
- Re-adopting Village Districts signals that:
 - growth is welcome
 - but it will be managed thoughtfully
- This reduces blanket opposition to all development.

Key point: Good process reduces polarization.

VIII. Re-Adoption Is a Low-Risk, High-Value Planning Step

- Village Districts can be:
 - narrowly drawn
 - carefully tailored
 - updated over time
- They do not require:
 - moratoria
 - down-zoning
 - litigation
- They provide a flexible framework that can evolve with future state mandates.

Key point: This is a prudent, incremental planning move.

One-Sentence Summary (useful for meetings)

“Re-adopting Village Districts under CGS 8-2j gives the town a state-authorized, flexible framework to guide growth in village centers—supporting economic development, safety, and predictability—while responding realistically to local conditions that one-size-fits-all housing mandates cannot address.”

Local Historic District (LHD) CGS § 7-147a–m vs Village District (ViD) under CGS § 8-2j

1. Purpose and Policy Intent

Local Historic District (CGS § 7-147a–m)

- **Primary purpose: Preserve historic buildings and districts.**
- **Strong preservation tool aimed at preventing alteration or demolition of historically significant structures.**
- **Historic value is the central and controlling rationale.**

Village District (CGS § 8-2j)

- **Purpose: Protect overall village character—historic, scenic, and architectural—while allowing change.**
- **Emphasizes compatibility, context, and design, not strict preservation.**
- **Historic character is one factor, not the sole focus.**

Bottom line:

LHDs are preservation-first; ViDs are design-compatibility-first.

2. How Districts Are Created

Local Historic District

- **Requires:**
 - **Study committee**
 - **Public hearings**
 - **Referendum vote of affected property owners**
- **Creation is politically and procedurally demanding.**
- **Often controversial because it restricts private property rights.**

Village District

- **Created by the zoning commission through zoning regulations.**
- **Must be identified in the Plan of Conservation and Development (POCD).**
- **No referendum required.**

Bottom line: LHDs require direct voter approval; ViDs do not.

3. Regulatory Authority & Strength

Local Historic District

- **Regulates nearly all exterior changes visible from public ways:**
 - **Alterations**
 - **New construction**
 - **Demolition**
- **Requires a Certificate of Appropriateness (COA) before work proceeds.**
- **Commission can deny demolition outright.**
- **Authority is explicit and strong.**

Village District

- **Regulates:**
 - **Design, scale, massing, placement**
 - **Site features visible from public roads**
- **Cannot prohibit development outright unless incompatible.**
- **Focus is on mitigation and modification, not prohibition.**

Bottom line: LHDs have hard veto power; VIDs have review and conditioning power.

4. Governing Bodies

Local Historic District

- **Governed by an Historic District Commission (HDC):**
 - **Independent of zoning**
 - **Members must have preservation expertise**
- **HDC decisions are binding.**

Village District

- **Governed by the Planning & Zoning Commission.**
- **Uses a Village District Consultant for advisory review.**
- **Consultant recommendations are non-binding.**

Bottom line: LHDs are run by specialized preservation commissions; VIDs are run by zoning commissions.

5. Standards & Discretion

Local Historic District

- **Applies historic-integrity standards:**
 - **Original materials**
 - **Period-appropriate design**
- **Less tolerance for deviation.**
- **More discretion is accepted because preservation is the statutory goal.**

Village District

- **Must:**
 - **Establish clear criteria**
 - **Allow “reasonable determination” of what is permitted**
- **Must avoid:**
 - **Purely subjective taste judgments**
 - **Architectural mandates not grounded in adopted standards**

Bottom line:

LHDs tolerate subjective historic judgment; ViDs must maintain predictable zoning-type standards.

6. Dimensional Controls (Height, Bulk, Setbacks)

Local Historic District

- **Can effectively restrict:**
 - **Height**
 - **Mass**
 - **Scale**
- **Even where underlying zoning allows more, if it harms historic integrity.**

Village District

- **Cannot create new dimensional zoning limits.**
- **Height, massing, and scale may be evaluated for compatibility only.**
- **Numeric limits must come from underlying zoning.**

Bottom line: LHDs can override bulk expectations; ViDs generally cannot.

7. Property Rights & Takings Risk

Local Historic District

- **More restrictive; higher impact on property rights.**
- **Upheld because:**
 - **Owners vote to create districts**
 - **Preservation interest is compelling**

Village District

- **Less restrictive by design.**
- **Courts scrutinize overreach more closely.**
- **If guidelines resemble historic-district-level control, they are vulnerable.**

8. Appeals & Enforcement

Local Historic District

- **COA decisions are appealable to Superior Court.**
- **Demolition delays and denials are explicitly authorized.**

Village District

- **Decisions appealed as zoning decisions.**
- **Denials must cite specific regulations and compatibility failures.**

9. Practical Use by Municipalities

Local Historic District

- **Used where:**
 - **Preservation is paramount**
 - **Community accepts strict controls**

Village District

- **Used where:**
 - **Preservation tools would be politically infeasible**
 - **Town wants design review without a referendum**

Summary Table

Feature	Local Historic District	Village District
Statute	CGS § 7-147a–m	CGS § 8-2j
Core Purpose	Historic preservation	Design compatibility
Creation	Referendum required	Zoning regulation
Governing Body	Historic District Commission	Zoning Commission
Power Level	Strong (can deny demolition)	Moderate (design review)
Dimensional Controls	Effectively allowed	Generally not allowed
Style Mandates	Permitted	Disfavored
Consultant Role	Binding commission	Advisory only

One-sentence takeaway

Local Historic Districts are preservation tools with veto power; Village Districts are zoning tools for contextual design review that must stop short of historic-district-level control.

