

AN ORDINANCE ESTABLISHING
HISTORIC DISTRICT BOUNDARIES AND
ESTABLISHING A HISTORIC DISTRICT COMMISSION
FOR THE TOWN OF LEDYARD

RECEIVED FOR RECORD
2019 SEP 26 AM 11:45
Dorcas O. Anthony
LEDYARD TOWN CLERK

Be it Ordained by the Town Council of the Town of Ledyard:

Section 1. Establishment

Pursuant to the following General Statutes of the State of Connecticut there is hereby established Defined Boundaries of the Ledyard Historic Districts and a Historic District Commission for the Town of Ledyard.

A. Defined Boundaries of the Ledyard Historic Districts and Regulating Hours

Pursuant to Section 7-147a, et seq., of the General Statutes of the State of Connecticut, there are established within the Town of Ledyard, historic districts as defined herein.

(1) Districts, Boundaries and Administrative Control of Assigned Properties

The boundaries for the historic districts are as follows:

Nathan Lester House Historic District

Said district consists of 134.76 acres more or less situated on the easterly side of the intersection of Long Cove Road and Vinegar Hill Road in Ledyard. The exact boundaries of this property are described in three deeds recorded in the Ledyard Land Records. The first recorded in Volume 67, page 345, upon which is situated the Nathan Lester House, consisting of approximately 98.85 acres; the second, which includes the Ledyard Oak Tract, consists of 10.8 acres and is described in deed recorded in Volume 55, page 434 - This property is shown on the town assessor's map as 153 Vinegar Hill Road; the third is 800 Long Cove Road, Gales Ferry which consists of 25.11 acres/Open Space described in the deed recorded in Volume 540 page 679.

Up-Down Sawmill Park Historic District

Said district consists of a tract of land comprising approximately 11.6 acres upon which there is a pond of approximately 2.24 acres. The Sawmill stands at the east end of the pond. Further east and close by is the old blacksmith shop. The tract is located 2 miles east of Ledyard Center. It is bounded by Connecticut State Highway 214, the Peckham cemetery and lands formerly of Harry Main, Ira and Ruth Marquardt and Frank and Aurilla Hewes. Descriptions of these boundaries may be found in Ledyard Land Records Volume 63, page 244, deeded from Harry C.W. Main to the Town of Ledyard. This property is shown on the town assessor's map as 172 Iron Street.

(2) Regulating Hours in Historic District

Except as hereinafter provided, those areas owned by the Town of Ledyard and designated as Historic Districts pursuant to the provisions of Sections 7-147a, et seq., of the General Statutes of the State of Connecticut, shall be open to the public only during such hours as may be established by regulations of the Historic District Commission.

Such areas shall be closed to the public during the hours after sunset and before sunrise and entry into, or presence in such areas during the hours after sunset and before sunrise, except with the express consent of the Historic District Commission, is prohibited.

Any person who shall enter into, or remain present in, any area owned by the Town of Ledyard and designated as a Historic District during the hours after sunset and before sunrise, without the express consent of the Historic District Commission, shall be fined not more than One-Hundred (\$100.00) dollars.

(3) Administrative Control of Historic District Properties and Assigned Town Properties

Upon the establishment of the *Commission for Ledyard Historic Districts* in accordance herewith, the said Commission shall exercise administrative control of Town owned properties within the Historic Districts within the Town as established at this time, or in the future, or other properties as assigned by the Town Council, including the One Room School House in Ledyard Center.

Included in such administrative duties shall be the planning of historic districts, applications for grants in aid relating thereto, including local, state and federal grants, and the administration of the expenditure of any such grants which may be received.

B Historic District Commission

Pursuant to Section 7-147c, et seq., of the General Statutes of the State of Connecticut there is hereby established a Historic District Commission, which shall perform all the functions relative to the establishing of new districts and otherwise administering the provisions of the Sections 7-147a to 7-147K of said statutes and as the same may be amended from time to time

Section 2. Membership

The *Ledyard Historic District Commission* shall consist of five regular members and three alternate members.

All members shall be electors of the town holding no salaried municipal office and who shall be appointed by the Town Council.

All members and alternates shall serve without compensation.

Section 3. Terms of appointment

Members shall be appointed by the Town Council for a term of five (5) years. Members shall commence to serve their terms immediately upon appointment and shall serve until their successor has qualified or they have been reappointed or removed by the Town Council.

Appointment and removal of any member of the Parks and Recreation Commission shall be as provided for in Chapter IV, Section 9, of the Town Charter.

Any vacancy in the Ledyard Historic District Commission, other than by expiration of term, shall be filled for the unexpired portion of the term by the Town Council.

Any member of the Commission who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Commission. The vacancy shall be filled as herein before provided. Additionally, the commission may vote to waive the requirements of this section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this action.

It shall be the responsibility of the Chairman of the Ledyard Historic District Commission to notify the Town Council when a member has not properly performed his duties.

Section 4. Implementation

With the adoption of this Ordinance all current members and current alternate members of the Historic District Commission for the Town of Ledyard shall continue to serve in accordance with the term of their appointment.

The Commission shall elect annually a chairman, vice chairman and a clerk from its own number.

The Commission shall adopt Rules of Procedure not inconsistent with the provisions of Sections 147a to 7-147 inclusive, and 19A 308 of the Connecticut General Statutes, and may, subject to budgetary appropriations by the town, employ clerical and technical assistance of consultants and may accept money, gifts and expend the same for such purpose.

Section 5. Purpose

The purpose of the *Ledyard Historic District Commission* is to promote the education, cultural, economic and general welfare of the Town of Ledyard through the preservation and protection of the buildings, historic places, and districts of historic interest within the Town by maintenance of such landmarks in the history of architecture of the Town, of the State, or of the Nation and though the development and appropriate settings for such buildings, historic places and districts.

The Historic District Commission may recommend and over see improvements for buildings and structures in the Designated Historic District.

No building or structure shall be erected, altered, restored, moved for demolished within a historic district until after an Application for a Certificate of Appropriateness as to the exterior architectural features (as defined in the statutes) has been submitted to the Commission and approved by said Commission.

Consideration of such applications, public hearing and approval shall be in accordance with General Statutes.

Section 6. Severability.

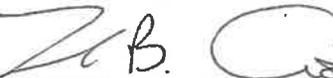
If any provision of this Ordinance shall be held invalid by a court having competent jurisdiction, such invalidity shall not affect any of the other provisions of this Ordinance that can be given effect without the invalid provision and for this purpose the provisions of this Ordinance are hereby declared severable.

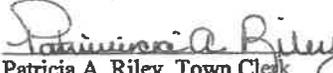
Section 7. Effective Date

In accordance with the Town Charter this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage.

Amended, Adopted and Renumbered by the Ledyard Town Council on: September 25, 2019


Linda C. Davis, Chairman


Fred B. Allyn, III, Mayor


Patricia A. Riley, Town Clerk

Approve / Disapprove: 9/26/19

Published on: October 2, 2019

Effective Date: October 23, 2019

Revisions: Ordinance #18. "*Ordinance Establishing a Historic District for the Town of Ledyard*" adopted December 14, 1970; Amended and Adopted: September 13, 1972; Ordinance #51 "*An Ordinance Amending an Ordinance Establishing a Historic District Commission for the Town of Ledyard*"; Adopted on July 10, 1991; Effective: August 10, 1991; Ordinance #52 "*An Ordinance Defining the Boundaries of Ledyard Historic Districts*"; Adopted July 10, 1991; Effective August 10, 1991; Ordinance #53 "*An Ordinance Amending An Ordinance Regulating the Hours of Historic Districts in the Town of Ledyard*"; Adopted November 10, 1993; Effective: November 8, 1993.

History:

The Twenty-fourth Town Council (2017-2019) Ordinance Update Initiative: Combined Ordinance #18, #52, #53; renumbered Ordinance(s) to Ordinance #300-019.

2019: Section 1 "*Establishment*" paragraph A. (1) Added "*800 Long Cove Road*" assigned at the Town Council Meeting December 14, 2016; Section 1 "*Establishment*" paragraph A (3) added "*One Room School House in Ledyard Center*"; Section 3 "*Terms of Appointment*" clarified language regarding member attendance and removal; Section 5 "*Purpose - Application for a Certificate of Appropriateness*" removed language to submit Application to Zoning Enforcement Official. Section 7 "*Cancellation*" was removed, based on Attorney's recommendation, the "*Revision*" and "*History*" paragraphs indicate that the previous Ordinance(s) has been updated, and was therefore, being replaced/cancelled. Added new Section 7 "*Effective Date*" to be consistent with Town Ordinance format.

LEDYARD HISTORIC DISTRICT COMMISSION

RULES OF PROCEDURE

1. MEETINGS

Regular meetings shall be held on the third Monday of each month at 7:00 P.M. When a regular meeting would fall on a state holiday, the meeting shall be rescheduled by the Chairman. Special meetings may be called by the Chairman, Vice-Chairman, or two other members of the Commission. A regular meeting may be cancelled by majority vote at the previous meeting. Executive meetings or sessions will be held only as permitted by Chapter 14, section 1-200 and 1-225 of the Connecticut General Statutes. All meetings, records, and proceedings of the Commission will conform to Chapter 14, Section 1-200 and 1-225.

2. ALTERNATES, QUORUM, VOTING

At the beginning of each meeting if regular Commission members are absent, a like number of alternates shall be selected to act for the absent members for the duration of the meeting. Alternates will be selected in rotation from a list arranged alphabetically. Alternates serving (acting) as members during any hearing shall continue to serve until the matter concerned has been disposed of. Four members (including alternates when acting) shall constitute a quorum.

Alternate members shall attend all meetings, take part in all discussions, and be assigned Committee responsibilities, but shall not be allowed to move, second, or vote unless acting as a regular member. No regular member or alternate shall participate in any hearing or decision on any matter in which he has a personal, financial, or other interest. In the event of such disqualification, it shall be entered upon the record of the meeting. The Chairman shall make the final decision as to the disqualification.

Regular members and alternates shall inform the Chairman or Clerk of any absence before a scheduled meeting. Failure to do so, on two consecutive occasions, will result at the discretion of the Chairman, in a letter from the Commission reminding them of their responsibilities to the Commission.

Any alternate or regular member who misses five (5) or more scheduled meetings in one (1) year shall, at the discretion of the Chairman, be notified of their absenteeism and asked to reconsider their commitment to the Commission.

3. COMMITTEES AND LIAISON ASSIGNMENTS

a. Standing Committees and Liaison Assignments

There shall be Standing Committees and Liaison Assignments for the purposes enumerated below:

Nathan Lester House Committee

The Nathan Lester House Committee is responsible for the operation, maintenance, and upkeep of the buildings and grounds in the Nathan Lester House District. Specific duties include the determination of visiting hours, and liaison with the tenants and caretakers. The Committee

shall make recommendations to the LHDC on operation and capital budgets, use policies, and new programs.

Sawmill Committee

The Sawmill Committee is responsible for the operation, maintenance, and upkeep of the buildings and grounds in the Sawmill District. Specific duties include the determination of visiting hours, and liaison with other Commissions having facilities in the district. The Committee shall make recommendations to the LHDC on operation and capital budgets, use policies, new programs, agreements with other Commissions or caretakers and the selection of sawmill operations.

Research & Preservation Liaison

The Research & Preservation Liaison is responsible for directing a program of research to document accurately the history and growth of the town. The Research & Preservation Liaison may assist property owners in researching the origins of their property and buildings. The Liaison shall administer a program of placing identification plaques on thoroughly researched structures and shall set criteria for the awarding of plaques. The Research & Preservation Liaison is responsible for promoting the preservation of town landmarks, buildings of historic significance and their environs. Included in its duties shall be liaison with other land use Commissions, providing historical input to town plans and zoning regulations, and identification of possible new historic districts. The Research & Preservation Liaison shall serve as the study committee for proposed historic districts, and nominations for the National Register of Historic Places and National Historic Landmarks.

Center School Liaison

The Center School Liaison is responsible for the operation, upkeep and maintenance of the Center School building and property. The Center School Liaison shall schedule tours of the schoolhouse as appropriate. The Liaison shall make recommendations to the LHDC on operation and budgets.

Social Media Liaison

The Social Media Liaison shall act as an administrator for all Social Media accounts administered on behalf of town properties under the purview of the LHDC. The Social Media Liaison shall adhere to the Town of Ledyard Management Information Systems (MIS) Social Media Policy.

b. Special Committees and Special Liaison Assignments

The LHDC may establish such special committees or liaisons as are found necessary to carry out its duties and programs. Such Committees or liaisons may be established by a majority vote at any meeting.

c. Membership of Committees and Liaison Assignments, Method of Appointments

All Committees shall consist of at least one LHDC member but not more than two regular Commissions members or alternates. Committees may also consist of community members at large as deemed appropriate for such Committee. Committee appointments shall

be made by the LHDC Chairman. Each Committee shall elect a Chairman, Clerk and such other officers as they deem necessary. Liaison Assignments shall consist of no more than one Commission member. Liaison Assignments shall be made by the LHDC Chairman.

d. General Committee Responsibilities

Reporting: All Committees and Liaisons shall submit a report to the LHDC at each regular meeting on Committee activities.

Budget Funds: Committees and Liaisons shall make budget recommendations to the LHDC by the November meeting each year.

Non-Budget Funds: Funds accrued from operations of the districts and any monetary gifts shall be placed in special bank accounts accountable to the Town Treasurer. Such funds may be expended by the LHDC for operating, maintenance, and miscellaneous purposes.

e. Non-Monetary Gifts

Acceptance of gifts other than money shall be made by vote of the LHDC after recommendation by the cognizant Committees or Liaisons. Gifts may require approval of the Finance Committee and Town Council as defined in the Town of Ledyard General Government Grant Application Policy and Procedures.

4. OFFICERS

The Commission shall elect annually at the January meeting a Chairman, Vice Chairman and Clerk. These officers shall be regular LHDC members. Officer vacancies as a result of resignation may be filled as needed by a LHDC vote. Specific duties are:

Chairman

The Chairman shall preside at all meetings of the Commission, appoint all Committee members; be an ex officio member of all Committees and be responsible for the proper functioning of each. He shall prepare an agenda for each meeting and cause notice to be given of each meeting as specified in Chapter 14, Section 1-200 and 1-225 inclusive of Connecticut General Statutes. He shall initiate purchase order requests, authorize payment of invoices, report LHDC finances at each regular meeting, prepare Annual Report during July, submit year's meeting schedule to Town Clerk in November, prepare proposed budget requests during December/January.

Vice Chairman

The Vice Chairman shall assume the duties of the Chairman during his absence or when requested by the Chairman.

Clerk

The clerk shall keep minutes and records of all LHDC meetings and hearings in compliance with Chapter 14, Section 1-200 and 1-225 of the Connecticut General Statutes.

5. CERTIFICATE OF APPROPRIATENESS, HEARING

No building or structures shall be erected, altered, restored, moved or demolished within an historic district until after an application for a certificate of appropriateness as to exterior architectural features (as defined in the statutes) has been submitted to the Commission and approved by said Commission. Applications for certificates of appropriateness shall be submitted on Commission prescribed forms by the Committee or Liaison responsible for operation and maintenance of the District. Such application must contain:

1. Names of Commission member making application.
2. Building or structure affected.
3. A written description of work to be done including the materials to be used.
4. Drawings or plans of the work to be done or photographs showing work to be reproduced.
5. Approximate dates of commencement and completion.

The Commission member making the application shall submit the same to the next regular meeting of the Commission at which time the Commission shall decide if a hearing is required and if so set a date for a hearing on the application. Such hearing shall be held within forty days of the Meeting at which the application is received. The Commission shall cause a notice of the hearing to be published in a newspaper having circulation in the town not more than fifteen (15) days nor less than five (5) days before the date of the hearing. Such notice shall contain the name of the property under consideration, a description of the proposed work, and the date, time and place of the hearing.

6. DECISIONS

The Commission shall render a decision on the certificate of appropriateness within forty-five (45) days of the hearing if held. In passing upon appropriateness, the Commission shall consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, general design, arrangement, size, mass, scale, texture and material of the architectural features involved and the relationship thereof to the exterior architectural style. A Certificate of Appropriateness may be refused for any building or structure, the erection, reconstruction, restoration, alternation or razing of which, in the opinion of the Commission, would be detrimental to the interest of the Historic District. All decisions granting or refusing a certificate of appropriateness shall be in writing and a copy shall be sent to the Building Official.

7. REVIEW AND AMENDMENT

These rules shall be reviewed annually at the November meeting. Amendments to or repeal of any or all sections may be voted by a four fifths majority at any meeting provided the proposed amendment or repeal has been entered into the record of the previous meeting.

8. AUTHORITY

These rules are established in accordance with a Ledyard Town Ordinance entitled "An Ordinance Establishing a Historic District Commission for the Town of Ledyard" as provided for under the Connecticut General Statutes, Chapter 97, Section 7-147a through k inclusive as attached. No portion of these rules may supersede or conflict with the above-mentioned ordinance or statutes.

Adopted by vote of the Ledyard Historic District Commission on June 19, 1978. Amended by vote of the Ledyard Historic District Commission on April 16 and June 18, 1984, on March 18, 1985, on February 23, 2004, on November 21, 2005, on November 17, 2008, on December 17, 2012, on February 25, 2019, on November 21, 2022 and on March 18, 2024.

Ledyard Historic District Commission (HDC) bylaws and procedures, found in the Ledyard, CT Town Code and related meeting documents, govern the review of exterior changes in designated historic districts, requiring Certificates of Appropriateness (COAs) for new construction or alterations. Their rules cover meeting schedules (often monthly), application requirements (plans, materials, photos), public hearings, and adherence to state statutes, with an emphasis on preserving architectural character, with proceedings generally guided by Roberts Rules of Order for procedural matters.

Key Aspects of Ledyard HDC Bylaws & Procedures:

1. **Authority:** The Commission reviews and approves applications for Certificates of Appropriateness (COA) for exterior changes in historic districts, as defined by state law.
2. **Purpose:** To oversee improvements, prevent inappropriate construction, and maintain the historic character of designated areas.
3. **Meetings:** Regular meetings are scheduled, often monthly (e.g., third Monday at 7:00 PM), with specific procedures for public hearings and deliberation.
4. **Applications:** Require detailed plans, scaled drawings, site plans, descriptions of materials and colors, photos, and a map of the property.
5. **Review Process:** Involves formal applications, review periods, potential public hearings, and approval/disapproval decisions.

Governing Documents: Rules are established in the Town of Ledyard Code of Ordinances, particularly Ordinance 300-019, and supplemented by the Commission's own Rules of Procedure.

Procedural Rules: Roberts Rules of Order often guide proceedings for town boards.

How to Use Them

For Applicants: Attend meetings, review the application checklist on the town's website, and understand the requirements for submitting a COA.

For Residents: Understand that significant exterior changes need HDC approval, and attend meetings for transparency.