



REGULAR MEETING – HISTORICAL COMMISSION AGENDA

**JANUARY 22, 2025, 7:00 PM
BY ZOOM VIRTUAL MEETING**

To allow public access, anyone may access a meeting by telephone and/or Zoom, or a recording in the City of Norwalk YouTube channel. Specific instructions and links can be found at norwalkct.gov/meetings.



Members of the public may call in to participate. Callers will not be able to see the meeting participants. All participants will be muted upon entering the meeting. To speak, dial *9 on the phone and you will be called on by the host of the meeting during the public comment section. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed. Please find the information using the link above.



Members of the public who wish to provide "live comments" may also use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will be called by the host of the meeting during the public comment section. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed. Please find the information using the link above.



Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be included into the record, they must be submitted by 12:00 p.m. the day of the meeting. Please email Michelle Andrzejewski at mandrzejewski@norwalkct.gov with the subject line "Public Comment" to provide written public comment prior to the meeting.

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. ACCEPTANCE OF MINUTES**
 - A. Regular Meeting: 11/20/24**
- IV. PUBLIC PARTICIPATION**
- V. OLD BUSINESS**
- VI. NEW BUSINESS**
 - A. Election of Chairman**

B. 2025 Calendar

C. Proposed Amendment to Demolition Delay

VII. DISCUSSION

UPCOMING MEETINGS

VIII. ADJOURNMENT

Month	Historical Commission
January	22
February	26
March	26
April	23
May	28
June	25
July	23
August	No meeting
September	25*
October	22
November	19*
December	10*

*Meeting date moved due to holiday

§ 55-1. Purpose.

The purpose of this chapter is to encourage the preservation of historically and architecturally Significant Buildings by Delay of Demolition which promotes the educational, cultural, economic, and general welfare of the City of Norwalk, to establish a procedure whereby owners of ~~b~~B~~B~~uildings with significant historic characteristics will be informed of the economic, tax, aesthetic, and other benefits of historic preservation, and to further the preservation, rehabilitation, and reuse of architecturally ~~s~~Significant ~~b~~B~~B~~uildings and structures by providing adequate time for all parties to consider and put forth appropriate development alternatives to ~~d~~D~~D~~emolition, including attempts to find a purchaser who will retain or remove such historic or architecturally ~~s~~Significant ~~b~~B~~B~~uilding or structure or who will present some other reasonable alternative to the last resort of ~~d~~D~~D~~emolition.

§ 55-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

- A. Applicant - Any person or entity who files an application with the City for a Demolition Permit. If the Applicant is not the owner of the premises upon which the Building or structure is situated, the owner's consent or endorsement of the proposed application must be provided on the permit application.
- B. Building - Any combination of materials assembled by human intent to form a shelter for persons, animals, or property.
- C. Delay - A period of up to one hundred twenty (120) days imposed by the City, beginning on the date of application for a Demolition Permit, during which the owner of a Significant Building or structure shall consider any viable alternatives to Demolition, including but not limited to preservation, restoration, rehabilitation, relocation, or detailed recordation.
- D. Demolition, Demolish or Demolished - Any wrecking activity directed to the disassembling, dismantling, dismembering, and/or razing of the exterior of any ~~b~~B~~B~~uilding or structure or ~~p~~P~~P~~art ~~t~~T~~T~~hereof. The term shall not be construed to prevent the ordinary maintenance or repair of any ~~b~~B~~B~~uilding or structure or ~~p~~P~~P~~art ~~t~~T~~T~~hereof that does not involve a change in the design thereof, including, without limitation, the replacement of windows, doors, siding, or roof.
- E. Demolition Permit - The City permit issued by the Chief Building Official authorizing the full or partial Demolition of an existing Building, structure or Part Thereof, excepting for this Chapter only, any permit issued solely for the Demolition or removal of interior features with no effect on the exterior appearance of the Building or structure.
- F. HISTORIC PROPERTY - Any individual ~~b~~B~~B~~uilding, structure, object, or site that is listed on the State or National Register of Historic Places.
- G. Intent to Demolish Application – The application filed with the City to obtain a Demolition Permit.
- H. PART THEREOF - Fifty percent or more of a ~~b~~B~~B~~uilding or structure, as measured on ground level and above, as determined by the Chief Building Officer.
- I. Significant Building – Any Building or structure within the municipal boundaries which, in whole or in part, is known or presumed to be at least fifty (50) years old and which has been determined by the Norwalk Historical Commission based on one or more of the following criteria:
- The Building or structure is listed on the State or National Register of Historic Places, or

Commented [AM1]: Just thinking if it made sense to align the building definition with building or zoning code. However, I think this still works as is.

Zoning definition:

“Building: any Structure, other than a Parking Structure, having a roof supported by columns or by Walls and intended for the shelter, housing, enclosure, or storage of Persons or property.

is partially or completely within the boundaries of an area so listed; or

- The Building or structure has been determined by the State Historic Preservation Office and/or the National Park Service to be eligible for listing on the State or National Register of Historic Places; or
- The Building or structure has documented associations with one or more historic persons or events, or with broad architectural, cultural, political, economic, or social history of the City, the state, or the nation; or
- The Building or structure has documented historical or architectural importance in terms of period, style, method of construction, specific use, or association with a recognized builder or architect, either by itself or in the context of a group of Buildings.

§ 55-3. Permit required.

No property owner shall Demolish, cause, or permit to be Demolished, any ~~b~~B~~uilding~~, structure, or ~~p~~P~~art~~ ~~t~~Thereof without first obtaining a Demolition permit from the Chief Building Official. Such Demolition ~~p~~P~~ermit~~ shall be issued, except as otherwise provided in this chapter and pursuant to Section § 29-406 of the Connecticut General Statutes, as amended.

§ 55-4. Permit requirements for certain structures.

The Chief Building Official shall not issue a Demolition Permit for a Building or structure that is, in part or in whole, at least fifty (50) years old except in compliance with the provisions of this Chapter and Section 29-406 of the Connecticut General Statutes, as amended. If the age of the Building or structure is unknown, not indicated, or in dispute, it shall be assumed to be at least fifty (50) years old for the purpose of this Chapter. If the building, structure, or part thereof to be Demolished is a) at least 50 years old, b) listed on the Historic Norwalk Resources Inventory, as amended from time to time, or c) an Historic Property, then no permit shall be issued except in compliance with the provisions of this chapter and Section 29-406 of the Connecticut General Statutes, as amended.

§ 55-5. Application ~~content~~procedure.

A. The application for a Demolition ~~p~~P~~ermit~~ shall include the following information:

- (1) Common name, if any, and actual street address of the ~~b~~B~~uilding~~, structure, or Part Thereof to be Demolished;
- (2) The name, address and telephone number of the owner(s) of the ~~b~~B~~uilding~~, structure, or Part Thereof to be Demolished;
- (3) The age of the ~~b~~B~~uilding~~, structure, or Part Thereof to be Demolished;
- (4) The square footage or dimensions of the ~~b~~B~~uilding~~, structure, or ~~p~~P~~art~~ ~~t~~Thereof to be Demolished;
- (5) One or more current photographs of the ~~b~~B~~uilding~~, structure, or Part Thereof to be Demolished showing the affected area(s);
- (6) The reasons for requesting a Demolition ~~p~~P~~ermit~~;
- (7) A brief description of the proposed reconstruction or replacement for the ~~b~~B~~uilding~~,

structure, or Part Thereof to be Demolished; ~~and~~

- (8) The names and addresses of the owners of all properties that abut or are within a radius of one hundred (100) feet of any portion of the property on which the ~~b~~Building, structure, or Part Thereof to be Demolished is situated, according to an attached copy of the pertinent portion of the current Assessor's Map;~~:-~~
- (9) The Applicant shall within ten (10) days deliver copies of a notice of Intent to Demolish Application (the "Notice") to the owners or all properties that abut or are within a radius of one hundred (100) feet of any portion of the property on which the Building, structure, or Part Thereof to be Demolished is situated via registered or certified mail;
- (10) The Applicant shall within ten (10) days post in a conspicuous location on the property on which the Building, structure, or Part Thereof to be Demolished is situated a sign at least twenty four (24) inches by thirty six (36) inches in size visible from the nearest street or other accessway adjoining the property. Such sign shall include a copy of the Notice and shall contain the word "DEMOLITION" in capital letters no less than two (2) inches in height. The sign required hereunder shall remain posted on the property if the Demolition Permit is issued until the completion of all authorized Demolition activities; and
- (11) Within fourteen (14) days following the initial submission of the application for a Demolition Permit, the Applicant shall file with the Chief Building Official a statement verified under oath on a form approved by the Chief Building Official certifying that all of the delivery required under Section 55-5 have been satisfied and attaching thereto a copy of the Notice, as well as evidence of mailing as required under Section 55-5. Upon filing the certification statement, the application is deemed filed. If any delivery requirement is not complied with, the Chief Building Official shall reject the application as incomplete.

§ 55-6. Application Procedures

Any application to the Chief Building Official for a permit to Demolish any Building, structure, or Part Thereof pursuant to the provisions of § 55-4 shall be subject to the following procedure:

~~Within 10 days following the initial submission of an application for a Demolition permit, the applicant shall:~~

- (1) The Applicant shall within ten (10) days following the initial submission of an application for a Demolition Permit ~~deliver~~ Deliver a copy of said such application by certified mail and electronic mail to the Norwalk Historical Commission ("Historical Commission"), the Director of Planning and Zoning, and any individual, firm, corporation, organization, or other entity which has requested, in writing, from the Chief Building Official copies of such application(s);
- (2) If a written acknowledged objection is filed with the Chief Building Official and the Historical Commission within twenty-one (21) days after the filing of the certification statement as required by Section 55-5(A)(11), the Chief Building Official shall not issue the Demolition Permit until one hundred twenty (120) days after the application is deemed filed or such earlier date that such objection is withdrawn or deemed withdrawn by the party filing same. The sole basis for such objection shall be that the Building, structure, or Part Thereof proposed to be Demolished is historically or architecturally significant. If no such

Commented [AM2]: Is this in other words the intent to demolish application?

written objection is filed within twenty-one (21) days after the filing of the certification statement, the Chief Building Official may issue the Demolition Permit, provided that all other applicable requirements have been complied with. If an objection is filed, the City shall designate the Historical Commission as the reviewing agency.

- (3) If a written acknowledged objection is timely filed, the Historical Commission shall make a determination of the significance of the Building or structure using the criteria as set forth in this Chapter. This determination shall be made twenty-one (21) days after the filing of the objection or at the next regularly scheduled Historical Commission meeting, whichever occurs earlier.
- (4) Within ten (10) days of the Historical Commission's determination, it shall provide a written decision to the Chief Building Official and the owner/Applicant listing the reason(s) that the Building or structure is historically and/or architecturally significant. If the Historical Commission fails to notify the Chief Building Official of its decision within the allotted time, the Chief Building Official may proceed to issue a Demolition Permit.
- (5) If the Building or structure is not determined to be significant, or if the Historical Commission fails to notify the Chief Building Official of its determination within the allotted time, the Chief Building Official may proceed with the issuance of the Demolition Permit.
- (6) The Historical Commission may on its own initiative, and shall at the request of the owner/Applicant, hold a public hearing on any application to which an objection has been filed and at such hearing make a determination as to whether the Building, structure, or Part Thereof proposed to be Demolished is historically or architecturally significant. In the case of a request by the owner/Applicant, such hearing shall be held within twenty-one (21) days after the date of such request. If the owner/Applicant fails to make such a request, the Historical Commission should hold the public hearing no later than its next regularly scheduled after the objection was filed. Public notice of the time, place, and purpose of the hearing shall be posted on the City's website for a period of not less than seven (7) days prior to the date of said hearing. The Historical Commission shall also notify the Chief Building Official and the owner/Applicant in writing of the time and place of the meeting. Any interested party shall have the opportunity to speak at the public hearing, subject to normal limitations and procedures. At such hearing the Historical Commission shall decide by majority vote whether to invoke the Demolition Delay and shall notify the Chief Building Official and the owner/Applicant of its decision in writing.
 - (a) If the Historical Commission determines that the Building, structure, or Part Thereof proposed to be Demolished is not historically or architecturally significant, the objection shall be deemed withdrawn.
 - (b) If the Historical Commission determines that the Building, structure or Part Thereof is historically or architecturally significant, then it shall notify the Chief Building Official of its decision, and a Demolition Permit shall not issue before the expiration of 120 days from the date the application is deemed filed. the not issue the Demolition will issue recommendations on alternatives to Demolition.
 - (c) The Historical Commission decision may not be postponed unless the owner/Applicant is in agreement.

Commented [BC3]: Need to look into this. Which entity has the right to review a proposed demolition to determine whether it holds historical or architectural significance?

I think it is problematic that the Historical Commission can object to a demolition and then be the entity that determine whether the building is historic.

Commented [BC4R3]: Recommended edit: "There shall be a standing committee appointed by the Mayor consisting of not more than five persons with appropriate credentials or experience, if possible, in architecture, archeology, history or historical preservation. The committee shall have the following duties:

- Prepare and update the Historic Resource Inventory listing Buildings or structures in the City with historical significance.
- To prepare and update written criteria for the analysis of historical, architectural, and other characteristics relevant to this ordinance.
- To reach out proactively to owners of Significant Buildings or structures and inform them of the tax benefits, grants, and economic, cultural, and aesthetic benefits of historic preservation, and to encourage the preservation, rehabilitation, and reuse of such structures.
- To develop policies and procedures consistent with this ordinance.
- To review and decide upon objections to demolition filed in accordance with the following sections.
- To review the request by a person or persons asking for admittance to the property or to provide admittance to a person or persons who would be helpful in making the decision: i.e., structural engineer.

Commented [BC5]: I think it is problematic that the Historical Commission can object to a demolition and then be the entity that determine whether the building is historic.

Other municipalities use the following person or committee to determine if a building is historical:

- Bridgeport uses a land use and construction review officer
- South Windsor has a demolition delay committee (no less than 7)
- Redding has historic review committee (5 members). Empowered to determine whether a particular structure is historically sensitive.
- New Britain has the director of permits work with the historic preservation commission
- Easton has a historic review committee (3 members)
- Killingworth has a historic review committee (5 members)

Commented [AM6]: If the objection is made isn't the delay already triggered. Should it say the commission shall make one of the following determinations:

- (7) During the Demolition Delay period, the owner/Applicant shall pursue and give due consideration to all possible alternatives to Demolition including preservation, restoration, rehabilitation, relocation, or detailed recordation of the affected Building or structure. In order to avoid or mitigate the anticipated effects of Demolition, the owner/Applicant shall make a good faith effort to accommodate reasonable requests from any interested parties for information about or access to the Building or structure for the purpose of evaluating alternatives to Demolition. If no viable alternatives to Demolition are identified and accepted by the Historical Commission before the expiration of the Demolition Delay period, the Chief Building Official may issue the Demolition Permit.
- (8) In no event shall the issuance of a Demolition Permit be Delayed more than one hundred twenty (120) days from the date the application is deemed filed.
- (9) Appeal?
- a. Deliver copies of a notice of intent to Demolish (the notice) to the owners of all properties that abut or are within a radius of 100 feet of any portion of the property on which the building, structure, or Part Thereof to be Demolished is situated, via registered or certified mail; and
- b. Post in a conspicuous location on the property on which the building, structure, or Part Thereof to be Demolished is situated a sign at least 24 inches by 36 inches in size visible from the nearest street or other accessway adjoining the property. Such sign shall include copy of the notice and shall contain the word "DEMOLITION" in capital letters no less than two inches in height. The sign required hereunder shall remain posted on the property if the permit is issued until the completion of all Demolition activities authorized by the permit.
- (10) Within 14 days following the initial submission of the application for a permit to Demolish, the applicant shall file with the Chief Building Official a statement verified under oath on a form approved by the Chief Building Official certifying that all of the delivery requirements under § 55-5B have been satisfied and attaching thereto a copy of the notice, as well as evidence of mailing as required under Subsection B(2) above. Upon filing the certification statement, the application is deemed filed. If any delivery requirement is not complied with, the Chief Building Official shall reject the application as incomplete.
- (11) In the event that a written acknowledged objection is filed with the Chief Building Official

Commented [BC7]: See Vernon ordinance. See, Section 3-3(f).

and the Norwalk Historical Commission within 21 days after filing the certification statement as required by § 55-5C, the Chief Building Official shall not issue the permit until 120 days after the application is deemed filed or such earlier date that such objection is withdrawn or deemed to be withdrawn by the party filing same. The sole basis for such objection shall be that the building, structure, or Part Thereof proposed to be Demolished is architecturally or historically significant. If no such written objection is filed within 21 days after the filing of the certification statement, the Chief Building Official may issue the Demolition permit, provided that all other applicable requirements have been complied with.

(12) — The Norwalk Historical Commission may on its own initiative, and shall at the request of the applicant, hold a public hearing on any application to which an objection has been filed and at such hearing shall make a determination as to whether the building, structure, or part thereof proposed to be Demolished is architecturally or historically significant. In the case of a request by an applicant, such hearing shall be held within 21 days after the date of such request. If the Norwalk Historical Commission determines at such hearing, and in no event later than 10 days thereafter, that the building, structure, or Part Thereof proposed to be Demolished is not architecturally or historically significant, the objection shall be deemed withdrawn. If the building, structure, or Part Thereof proposed to be Demolished is determined to be architecturally or historically significant, the Norwalk Historical Commission may issue recommendations on alternatives to Demolition to the applicant.

(13)(10) — In no event shall the issuance of a Demolition permit be delayed for more than 120 days from the date the application is deemed filed.

§ 55-76. Demolition by neglect.

Throughout the Demolition ~~d~~Delay period imposed under § 55-5, the owner of record of the ~~b~~B~~u~~ilding, structure, or ~~p~~P~~a~~rt ~~t~~Thereof proposed to be Demolished shall secure and maintain such ~~b~~B~~u~~ilding, structure, or ~~p~~P~~a~~rt ~~t~~Thereof in a manner that minimizes the risk of water penetration, vandalism, fire, or other significant damage and otherwise complies with Section 29-408 of the Connecticut General Statutes, as amended. Partial Demolition, including the removal of windows, doors, roofing, or any other ~~b~~B~~u~~ilding material, is expressly prohibited during the Demolition ~~d~~Delay period, except to the extent required by law or permitted by the Chief Building Official.

§ 55-87. Exceptions.

This chapter shall not apply to:

- A. Any structure determined to be unsafe by the Chief Building Official according to the State of Connecticut Basic Building Code or as defined as a "hazardous building" under § 26-11 of the Norwalk Code;
- B. Any structure that is less than 400 square feet in size;
- C. The lifting of a ~~b~~B~~u~~ilding, structure, or ~~p~~P~~a~~rt ~~t~~Thereof to comply with regulations of the Federal Emergency Management Agency (FEMA) or the City of Norwalk governing coastal flooding, provided that such lifting does not involve a change in design of such ~~b~~B~~u~~ilding, structure, or Part Thereof; or

D. Any structure determined to be a threat to public health by the Director of Health.

§ 55-98. Violation and fines; lapse of permit.

- A. In addition to any other penalties and remedies provided by law, any property owner who violates any provision of this chapter shall be fined \$250 per day, with each day of such violation constituting a separate violation. All fines imposed under this chapter shall be collected and made payable to the City of Norwalk. The total amount of all fines imposed on a property owner under this chapter shall not exceed the lesser of \$30,000 or 10% of the assessed value of such ~~b~~B~~uilding~~, structure or Part Thereof.
- B. Any unpaid fine pursuant to this chapter shall constitute a lien upon the real estate against which the fine was imposed. Such lien shall be recorded on the Norwalk Land Records and shall only be satisfied upon the execution of the appropriate legal document between the property owner, the City, and any other necessary parties.
- C. The Chief Building Official is authorized to institute any and all actions or proceedings, in law or in equity, as they may deem necessary or appropriate to obtain compliance with the requirements of this chapter or to prevent a threatened violation thereof.
- D. If a Demolition is not commenced within six months after issuance of a permit, such permit shall be deemed null and void unless extended by the City, in which case such permit shall not be extended for more than an additional six months.

§ 55-109. Appeal.

Any person aggrieved by any order or decision under this chapter may, within 10 days of such order or decision, appeal therefrom to the Superior Court for the Stamford/Norwalk judicial district.

§ 55-1140. Report of Chief Building Official.

The Chief Building Official shall issue an annual report to the Mayor, the Common Council, and the Norwalk Historical Commission concerning the number of Demolition applications filed, the number of applications subject to this chapter, the number of applications that were objected to, and whether the ~~b~~B~~uildings~~, structures, or Parts Thereof subject to such applications were actually Demolished.