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**TESTIMONY PRESENTED TO COMMITTEE on PLANNING and
DEVELOPMENT**
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Connecticut Commission on Culture & Tourism*

Testimony Regarding

Senate Bill 452

**AN ACT CONCERNING NOTIFICATION TO MUNICIPALITIES OF
PROPOSED DESIGNATION OF STRUCTURES OF THE STATE or
NATIONAL REGISTER OF HISTORIC STRUCTURES**

Senator Coleman, Representative Feltman and members of the Committee on Planning and Development: my name is Karen J. Senich and I am the Executive Director for the Connecticut Commission on Culture and Tourism, whose mission is to preserve and promote all of Connecticut's cultural and tourism assets in order to enhance the quality of life and economic vitality of the state. I am also the State Historic Preservation Officer for Connecticut. I appreciate the opportunity to testify in opposition to Senate Bill 452 - An Act Concerning Notification to Municipalities of Proposed Designation of Structures of the State or National Register of Historic Structures.

Senate Bill 452 would require the Commission to provide written notice of an application for designation for a property to the State or National Register of Historic Places. The Commission is the State Historic Preservation Office (SHPO) for the State of Connecticut and as such administers the national historic preservation programs for the state as mandated by the Department of Interior. Connecticut General Statutes §10-409 authorizes the Commission, through the Historic Preservation Council and the State Historic Preservation Board (§10-321q), to designate properties to the State (§10-409(2)) and National Registers (§10-409(4)).

The National Register of Historic Places is a federal designation governed by federal regulations and administered in Connecticut by the Commission. The State Register of Historic Places is a state designation administered by the Historic Preservation Council of the Commission.

The process by which a property is submitted for consideration for designation and is nominated to the National Register of Historic Places is dictated by 36 CFR



60 and the Commission, as the SHPO, adheres to the procedures set forth in the federal law. The notice requirements and hearing procedures by the State Historic Preservation Board are also dictated by federal law.

In compliance with the federal rules, the Commission acknowledges receipt of the application and notifies the Chief Executive Officer of the municipality, by certified mail, return receipt requested, of the area or property proposed for study and said notice is also provided to the applicant. If the area or property is approved for National Register study by the SHPO, the applicant and/or owner is notified by certified mail, return receipt requested, and a copy of that letter is sent to the Chief Executive Officer of the municipality. If the application is not reviewed for study, the Commission notifies the applicant. If the municipality or other interested party wished to appeal the decision, they must request in writing, within 30 days of notification, that the matter be submitted to the State Historic Preservation Board for final determination. C.G.S. §10-321q sets forth the process for municipal notification and public comment.

Authority for designating properties to the State Register of Historic Places is set forth in the Commission's enabling statutes. There are essentially three ways for a property or area to be listed on the State Register of Historic Places. The first is by application. The procedures for nomination to the State Register of Historic Places mirrors the federal rules and are dictated by CGS §10-321q. Municipalities are always notified of nomination and of any hearing date. The second way to be listed on the State Register is if a property is a proposed local historic property or within a local historic district pursuant to CGS §7-147, it will be listed on the State Register. The designation of a local historic property or district is a process administered by the municipality and, thereby, the municipality has notice. In both of these cases, the Historic Preservation Council of the Commission holds a public meeting and accepts public comment. The third way for a property or area to be listed on the State register is if it is listed on the National Register; then it is automatically listed on the State Register. The municipality would have been notified by virtue of the procedures dictated by the federal regulations.

In both the National Register and State Register designation process, municipalities are notified and given an opportunity to make public comment. Proposed SB 452 proposes rules that are unnecessary, duplicative and contrary to federal law. I strongly urge you to vote against this bill.