

TOWN OF CANTON

ORDINANCE # 190

AN ORDINANCE CREATING THE COLLINSVILLE  
HISTORIC DISTRICT AND THE COLLINSVILLE  
HISTORIC DISTRICT COMMISSION

Be it ordained by the Town Meeting:

SECTION 1. PURPOSE. ESTABLISHMENT OF COLLINSVILLE  
HISTORIC DISTRICT.

In order to promote the educational, cultural, economic and general welfare of the Town of Canton and others through the preservation and protection of buildings and places of historic interest within the Village of Collinsville, a unique example of an early one-company mill town, and through the development and retention of appropriate settings for such buildings and places, the Collinsville Historic District ("District") is hereby established pursuant to Sections 7-147a to 7-147k, inclusive, of the General Statutes of Connecticut, as amended.

SECTION 2. ESTABLISHMENT OF COLLINSVILLE HISTORIC  
DISTRICT COMMISSION

A Collinsville Historic District Commission, ("Commission") consisting of five regular members and three alternate members is hereby established. It shall be the purpose of the Commission to perform the duties and functions of an historic district commission as provided in Sections 7-147a to 7-147k, inclusive, of the General Statutes of Connecticut, as amended, and as provided in this Ordinance.

SECTION 3. ORGANIZATION OF COMMISSION.

The Board of Selectmen of the Town of Canton shall within sixty-five days after the adoption of this ordinance, appoint five regular members and three alternate members to the Commission in such manner that the terms of one regular member and one alternate member shall expire on the thirtieth day of June of each year commencing in 1989. All subsequent appointments shall be made by the Board of Selectmen for a term of five years for regular members and three years for alternate members, except that an appointment to fill an unexpired term shall be for the duration of said unexpired term only. Members and alternate members shall be electors of the Town of Canton holding no

salaried town office. At least two of the regular members and one of the alternate members shall be residents within the Collinsville Historic District. Within a period of 30 days after the appointment of said members to the Commission, and within a period not exceeding 30 days after the first day of July of each succeeding year commencing in 1989, said regular members shall meet, organize, and elect a chairman, vice-chairman and clerk from its own members. Alternate members shall not participate in any election of officers of the Commission. In all other matters when a member of the Commission is absent or has a conflict of interest the chairman of the Commission shall designate an alternate member to act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting. All members and alternate members shall serve without compensation and continue in office until the member's successor is duly appointed. Regular members and alternate members may be appointed for another term or terms.

SECTION 4. POWERS.

(a) The Commission shall be vested with all powers and shall faithfully perform all duties imposed upon historic district commissions in Section 7-147a to 7-147h, inclusive, of the General Statutes of Connecticut, as amended. The Commission shall fix the time and place of its regular meetings and provide a method for calling special meetings. It shall adopt rules of procedure. The presence of three members or alternate members shall constitute a quorum, and no resolution or vote except a vote to adjourn or to fix the time and place of its next meeting shall be adopted by less than three affirmative votes. The Commission may adopt regulations to provide guidance to property owners as to factors to be considered in preparing an application for a Certificate of Appropriateness.

(b) The Commission may:

- i) provide information to property owners and others involving the preservation of the district;
- ii) initiate planning and zoning proposals;
- iii) cooperate with other regulatory agencies and civic organizations and groups interested in historic preservation;

- iv) comment on applications for zoning variances and special exceptions where they affect the District;
- v) render advice on sidewalk construction and repair, tree planting, street improvements and the erection or alteration of public buildings not otherwise under its control where they affect the District;
- vi) furnish information and assistance in connection with any capital improvement program involving the District;

SECTION 5. CERTIFICATE OF APPROPRIATENESS.

No building or structure within the District shall be erected or altered, until after an application for a Certificate of Appropriateness as to exterior architectural features has been submitted to the Commission and approved by said Commission. "Exterior architectural features" means such portion of the exterior of a structure or building as is open to view from a public street, way or place. No building permit for erection of a building or structure or for alteration of an exterior architectural fixture within the District and no demolition permit for demolition or removal of a building or structure within the District shall be issued by the Town or any department, agency or official thereof until a Certificate of Appropriateness has been issued. A Certificate of Appropriateness shall be required whether or not a building permit is required. The style, material, size and location of outdoor advertising signs and bill posters within the District shall be under the control of the Commission. 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. No area within the District shall be altered or enlarged for industrial, commercial, business, home industry or occupational parking, whether or not the area is zoned for such use, until after an application for a Certificate of Appropriateness as to parking has been submitted to and approved by the Commission.

SECTION 6. APPLICATION FOR CERTIFICATE. HEARING. APPROVAL.

(a) The Commission shall hold a public hearing upon each application for a Certificate of Appropriateness unless the Commission determines that the application involves items not subject to approval by the Commission. Notice of the

time and place of such hearing shall be given by publication in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the Town of Canton not more than fifteen days nor less than five days before such hearing. Within not more than sixty-five days after the filing of an application as required by Section 5, above, the Commission shall pass upon such application and shall give written notice of its decision to the applicant. Evidence of approval, as referred to in Section 5 above, shall be by Certificate of Appropriateness issued by the Commission. Failure of the Commission to act within said sixty-five days shall constitute approval and no other evidence of approval shall be needed. The Commission shall keep a record of all applications for certificates of appropriateness and of all its doings.

(b) In its deliberations the Commission shall not consider interior arrangements or use, however, it may recommend adaptive uses of any buildings or structures within the District compatible with the historic architectural aspects of the District. The Commission shall take no action except for the purpose of controlling the erection or alteration of buildings structures, or parking which are incongruous with the historic or architectural aspects of the District. The Commission shall set forth its reason for approving or denying each application for a Certificate of Appropriateness in its written notice of its decision to the applicant and in the Commission's record of its proceedings. When a Certificate of Appropriateness is denied, the reasons shall include the basis for the Commission's conclusion that the proposed activity would not be appropriate. In its notice to the applicant, the Commission may make recommendations relative to design, arrangement, texture, material and similar features.

SECTION 7. CONSIDERATIONS IN DETERMINING APPROPRIATENESS

If the Commission determines that the proposed erection, alteration or parking will be appropriate, it shall issue a Certificate of Appropriateness. In passing on appropriateness as to exterior architectural features, buildings, or structures, the Commission shall consider the items set forth in Section 7-147f of the Connecticut General Statutes, as amended.

SECTION 8. COMMISSION DUTIES

a. Relationship to other Commissions

Jurisdiction of the Commission over any matter shall not be construed to diminish the authority or any other Town Agency, Board or Commission. In cases of overlapping jurisdiction, approval by all Agencies, Boards or Commissions with purview over the matter shall be required.

b. Annual Report

The Commission shall make an annual report of its activities to the Board of Selectmen.

c. Cooperation and Coordination

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The Commission may:

- i) provide information to property owners and other involving the preservation of the district;
- ii) initiate planning and zoning proposals;
- iii) cooperate with other regulatory agencies and civic organizations and groups interested in historic preservation;
- iv) comment on applications for zoning variances and special exceptions where they affect the Collinsville historic district.
- v) render advice on sidewalk construction and repair, tree planting, street improvements and the erection or alteration of public buildings not otherwise under its control where they affect the Collinsville historic district, and
- vi) furnish information and assistance in connection with any capital improvement program involving the Collinsville historic district.

SECTION 9. CITIZEN INVOLVEMENT

For the purpose of encouraging the responsiveness, securing the support, and drawing on the resources of interested residents of the Historic District who are not members of the Historic District Commission, and apart from the provision in the Act for formal appeals from the Commission decisions by aggrieved parties, and other than the required public hearings by the Commission upon applications for certificates of appropriateness, the Commission shall hold meetings with residents of the Historic District if and when at least twenty (20) of the owners of real property in the District make written petition to the Commission for such meeting to discuss matters of policy or other matters that may be at issue between property owners and the Commission. The commission shall call meetings, so requested within 65 days, shall not be bound by the meetings, but in formulating policy shall be responsive to the sentiments of the Community insofar as its best judgement suggests and the powers and limitations derived from the General Statutes permit.

SECTION 10. VARIATIONS PERMISSIBLE WHEN

Where, by reason of topographical conditions, District borderline situations or because of other unusual circumstances, solely with respect to a certain parcel of land and not affecting generally the District, the strict application of any provision of this ordinance or Sections 7-147a to 7-147k, inclusive, of the General Statutes of Connecticut, as amended, would result in exceptional practical difficulty or undue hardship upon the owner of any specific property, the Commission in passing upon applications shall have power to vary or modify strict adherence to said sections or to interpret the meaning of said sections so as to relieve such difficulty or hardship; provided such variance, modification, or interpretation shall remain in harmony with the general purpose and intent of said sections so that the general character of the District shall be conserved and substantial justice done. In granting variations, the Commission may impose such reasonable and additional stipulations and conditions as will in its judgment, better fulfill the purpose of said sections. For each variance granted, the Commission shall place upon its records and in the notice to the applicant the reasons for its determination.

SECTION 11      ACTION BY COMMISSION TO PREVENT ILLEGAL ACTS.

If any action or ruling taken by the Commission pursuant to the provisions of Sections 7-147a to 7-147k, inclusive, of the General Statutes of Connecticut, as amended, or of this ordinance has been violated, the Commission may, in addition to other remedies, institute an action in the superior court to restrain such violation. Regulations and orders of the Commission issued pursuant to said sections of the General Statutes of Connecticut, as amended, or of this ordinance, shall be enforced by the zoning enforcement officer of the Town of Canton. Penalties for violations shall be as provided in Section 7-147h of the General Statutes of Connecticut, as amended.

SECTION 12.      APPEALS.

Any person or persons severally or jointly aggrieved by any decision of the Commission or of any officer thereof may, within fifteen days from the date when such decision was rendered, take an appeal to the Superior Court for Hartford County, which appeal shall be made returnable to such court in the same manner as that prescribed for civil actions brought to such court. Notice of such appeal shall be given by leaving a true and attested copy thereof in the hands of or at the usual place of abode of the chairman or clerk of the Commission and with the Town Clerk within twelve days before the return day to which such appeal has been taken. Procedure upon such appeal shall be the same as that defined in Section 8-8 of the General Statutes of Connecticut as amended.

SECTION 13.      EXEMPTED ACTS.

Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior feature in the District which does not involve a change of design thereof; nor to prevent the erection or alteration of any such feature which the building inspector certifies is required by the public safety because of an unsafe or dangerous condition; nor to prevent the erection or alteration of any such feature under a permit issued by the building inspector prior to the effective date of establishment of the District.

If a building in the District is to be demolished, no demolition shall occur for ninety days from issuance of a demolition permit if during such time the Commission or the Connecticut Historical Commission is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable alternative to demolition. During such ninety-day period the Town may abate all real property taxes. At the conclusion of such ninety-day period, the demolition permit shall become effective and the demolition may occur. Nothing in this section shall be construed to mandate that the owner of such property sell such property or building.

SECTION 14. BOUNDARIES

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The boundaries of the District shall include the historic district located in Collinsville as shown on a map, which map shall be attached hereto as Exhibit A and incorporated in and made a part of this ordinance. A legal description of said historic district shall be attached hereto as exhibit B and is incorporated in and made part of this ordinance. The names of the owners of the various parcels included in the District to whom notice of the public hearing on the proposed district was mailed shall be attached hereto as Exhibit C.

SECTION 15. AUXILIARY SERVICES

The facilities and services of the Town of Canton, staff and office shall be available to the Commission as it may reasonably require. The Commission shall otherwise operate within the amount of the appropriation provided in the Town Budget each year.

SECTION 16. TOWN OWNED PROPERTY; RECORDING IN LAND RECORDS

This ordinance shall not apply to property owned by the town of Canton so long as the Town of Canton owns such property; however, the Town of Canton shall seek a recommendation on such property from the Collinsville Historic District Commission. A copy of this ordinance shall be recorded in the land records of the Town of Canton.

SECTION 17. EFFECTIVE DATE

This ordinance shall become effective with the appointment of the Collinsville Historic District Commission and not later than sixty-five days from the date of this Town Meeting.

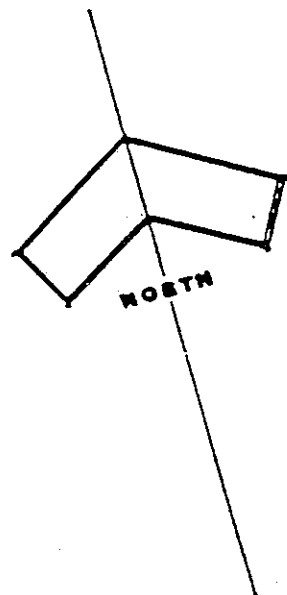
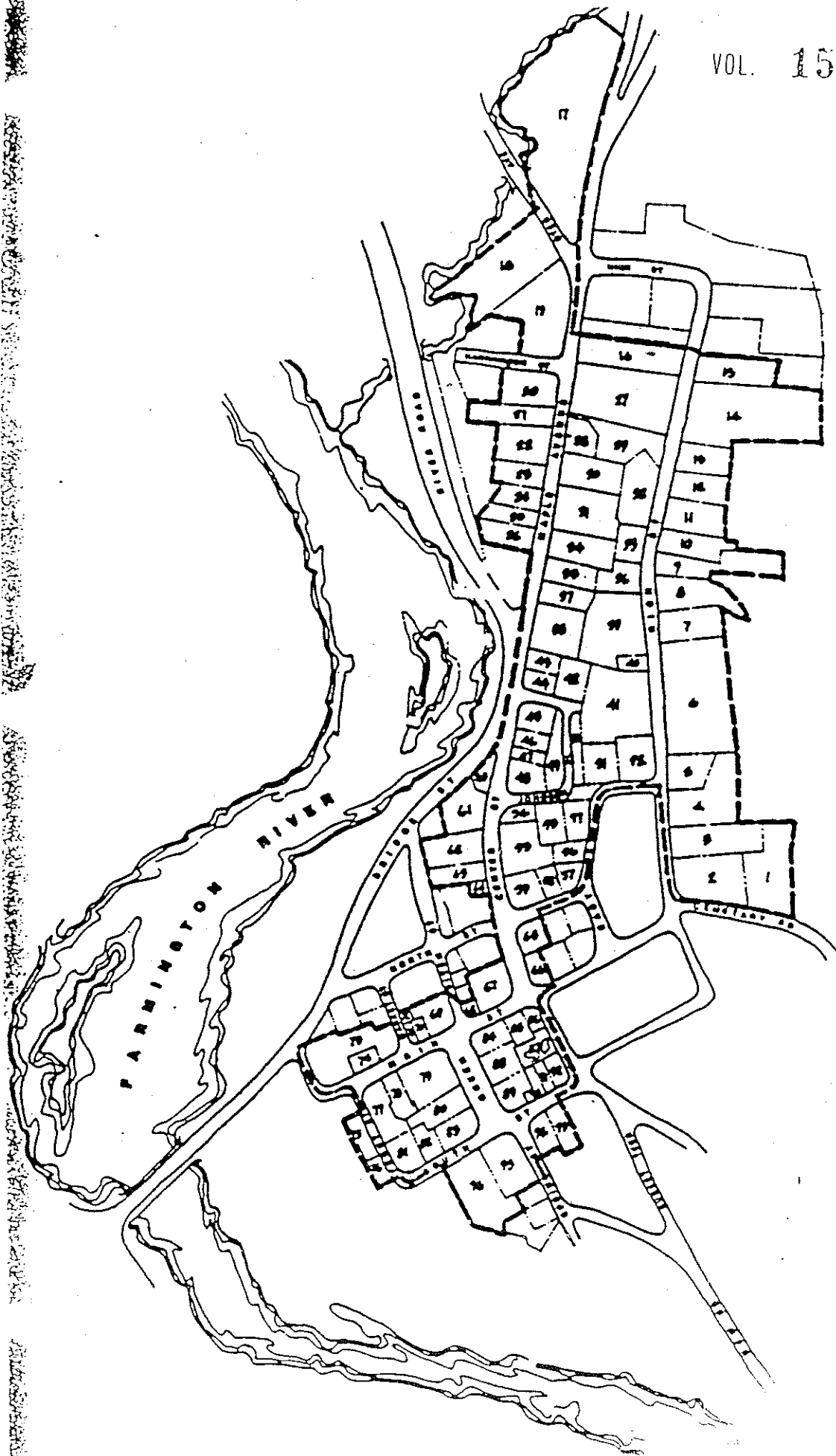


EXHIBIT BDescription of District Boundaries

The boundaries of the Collinsville Historic District are as follows:

Beginning at a point at the southeast corner of land now or formerly of Archie & Florence Paine; thence running north on the east line of said property to the northeast corner; thence west on the north line of this and land now or formerly of Lawrence Rose to a point at the southeast corner of land now or formerly of Irving Clark; thence north on east line of said land and land now or formerly of Towpath Associates and land now or formerly of Paul Gosselin to the northeast corner of said Gosselin land; thence southeast on the south line of land now or formerly of Jeffrey Glynn to the southeast corner of said land; thence northwest on east line of said Glynn land to its intersection with south line of land now or formerly of Steven Young; thence north and east on south line to the southeast corner of said Young land; thence north on the east line to the northeast corner of said land; thence west on north line of said Young land to the intersection of the east line of land now or formerly of David & Diane Durgin; thence north to the northeast corner of said Durgin land; thence west on north line of said land to the southeast corner of land now or formerly of Edward & Lynn Sembor, Jr.; thence north on east line of said Sembor land and that land now or formerly of Everett Larson and land now or formerly of Mark E. & Susan M. Diters to its intersection with the south line of land now or formerly of Guy & Lauren Ciccarillo; thence east on said line to the southeast corner of said Ciccarillo land; thence north on east line of said land to a point on the southeast corner of land now or formerly of Alex M. & Mary Francis Mackie; thence west to a point at the southeast corner of land now or formerly of Joyce Bristol; thence north on east line of said land to the northeast corner; thence west on north line of said Bristol land and across High Street to the northeast corner of land now or formerly of Larry Minichiello & K. Hooker; thence west on north line of said land continuing to the intersections with the center line of Maple Avenue; thence north from said center line to a point at the southeast corner of land now or formerly of Fred & Mary Fletcher; thence north on east line of said Fletcher land

continuing along north and west property lines to its intersection with Dyer Avenue; thence south to a point at the northeast corner of land now or formerly of Scott & Penny Jensen, thence west on north line of said land to intersection with east bank of Ned's Brook; thence south on east bank of Ned's Brook to its intersection with south line of said Jensen land; thence northeast on south line of said Jensen land to a point at the northwest corner of land now or formerly of Lois Pelczar; thence east on north line to northeast corner of said Pelczar land; thence south on east line to southeast corner of said land; thence west on south line of said Pelczar land to a point on Harrington Court directly north of northwest corner of land now or formerly of Michael & Marlena Derosa; thence south across Harrington Court south on west line of said Derosa land to intersection with north line of land now or formerly of Charles & Ellen Elliot; thence west on said north line to northwest corner of said Elliot land; thence south on west line of said land; thence east on south line of said land to northwest corner of land now or formerly of Burt Harrington; thence south on west line of said land and west line of land now or formerly of Burton & Lucelia Harrington to southwest corner of said Harrington land; thence east on south line of said land to northwest corner of land now or formerly of John Burns; thence south on west line of said Burns property continuing south across land now or formerly of Burton & Lucelia Harrington to the northwest corner of land now or formerly of Gerald Desimas; thence south on west line to southwest corner of said Desimas land; thence east on south line to southeast corner of said Desimas land; thence south on east line of land now or formerly of Charter Marketing and continuing down center line of Bridge Street to north corner of land now or formerly of Faith Dennis; thence southwest down west line of said Dennis land and north line of land now or formerly of Elsie Newell to northwest corner of said Newell land; thence south on west line of said land to northline of land now or formerly of Prosper Larose; thence west on said north line to northwest corner; thence south on west line of said Larose land continuing south on west line of land now or formerly of Celia Poirier to southwest corner of said Poirier land; thence east on south line of said land to northwest corner of land now or formerly of H&P Goldschlager; thence south on west line to southwest corner of said land; thence east to southeast corner of said Goldschlager land; thence south on east line of land now or formerly of Leslie Cole continuing across North Street to northeast corner of land now or formerly of William Champion; thence south on the east line of said land to the southeast corner; thence west on south line of said Champion land to northwest corner of land now or formerly of Donald Ostop & Jean Boulden; thence south on west line of said land to northeast corner of land now or formerly of Collinsville Savings Society; thence west on north line to

northwest corner of said Collinsville Savings Society land; thence northwest across River Street to a point at the northeast corner of land now or formerly of Valley House Condo Association; thence west on north line of said land continuing west on north line of land now or formerly of Collinsville Company to northwest corner of said land; thence southwest across Market Street to northeast corner of land now or formerly of Town of Canton; thence west on north line of said land and continuing to center line of Main Street; thence south & east on center line of Main Street to a point opposite to center line of Front Street, thence south to intersection with extension east of north line of land now or formerly of Canton Historical Society; thence west on north line of said land; thence south on west line of said land continuing south on west line to southwest corner of land now or formerly of Town of Canton; thence east on south line of said land and continuing to center line to corner of Front and South Streets; thence east on South Street to intersection of extensions of west line north of land now or formerly of Collinsville Congregational Church; thence south on west line of said land to southwest corner; thence east on south line of said Collinsville Congregational Church land to southeast corner; thence north on east line of said land to a point of intersection with south line of land now or formerly of Collinsville Congregational Church; thence east on said south line continuing to intersection with center line of Spring Street; thence north on Spring Street to a point of intersection with extension west on south line of land now or formerly of Barbara Lowell; thence east on south line of said Lowell land to intersection with west line of land now or formerly of Laura Byrne; thence south on west line of said Byrne land to southwest corner; thence east on south line of said land to southeast corner; thence north on east line of said Byrne land and continuing north to intersection with center line of South Street; thence east on South Street to intersection with Center Street; thence north on center line of Center Street to intersection with Main Street; thence east on Main Street to intersection of extensions of east line of land now or formerly of Collinsville Library; thence continuing north on said east line to intersection with south line of land now or formerly of Carol Kobza; thence east on said south line to southeast corner of said Kobza land; thence north on east line of said land extended to intersection with center line of North Street; thence east on said center line to point of intersection with center line of East Street; thence north on center line of East Street continuing east to intersection with center line of High Street; thence south on center line of High Street to intersection with extension of south line of land now or formerly of Fletcher Smith; thence east on said south line and continuing east on south line of land now or formerly of Archie & Florence Paine to point and place of beginning.

Map No.

Address

Owners VOL. 158 PAGE 472

1	4 Cemetery Rd.	Paine, Archie & Florence .
2	17-19 High St.	Smith, Fletcher .
3	21 High St.	Myers, Harold & Gail .
4	23 High St.	Clark, Irving .
5	25 High St.	Robert, Lawrence H. Datum, Deborah J. .
6	31-33 High St.	Towpath Assoc. .
7	35 High St.	Gosselin, Paul & Gertrude .
8	37-39-41 High St.	Towpath Assoc. .
9	45 High St.	Young, Steven & Andrea .
10	47 High St.	Durgin, David & Diane .
11	51 High St.	Sembor, Edward Jr. & Lynn .
12	53-55 High St.	Larson, Everett & Angela .
13	57 High St.	Diters, Mark E. & Susan M. .
14	59 High St.	Shaw, Lauren E. .
15	61 High St.	Bristol, Joyce W. .
16	35 Maple Ave.	Munichiello, Larry . Hooker, Katherine E.W.
17	54 Maple Avenue	Fletcher, Frederick & Mary Eichhorn .
18	2 Dyer Avenue	Jensen, Scott & Penny .
19	44-50 Maple Ave	Spescia, Michael & Thomas .
20	42 Maple Ave.	DeRosa, Michael L. & Marlina Y. .
21	40 Maple Ave.	Elliott, Charles T. & Ellen T. .
22	36-38 Maple Ave.	Harrington, Burton & Lucelia .
23	30-32-34 Maple Ave.	Harrington, Burton & Lucelia .
24	26-28 Maple Ave.	McCormick, John M., Jr. & John M., Sr. .
25	20-24 Maple Ave.	Harrington, Burton & Lucelia .
26	18 Maple Ave.	deSimas, Gerald & Catherine T. .
27	33 Maple Ave.	Gemmer, William & Lisa .
28	27 Maple Ave.	Grant, James K. & Dian F. .
29	29 Maple Ave.	Lesieur, Lettie .
30	25 Maple Ave.	Rees, James N. .
31	19 Maple Ave.	Power, Carol .
32	50 High St.	Keefe, Robert & Deborah .
33	44-48 High St.	Tomolonius, Gary & Mary .
34	17 Maple Ave.	Ledden, Paula W. .
35	15 Maple Ave.	Pearce, Robert T. & Marilyn .
36	40-42 Maple Ave.	Marandino, Peter & Amy L. .
37	13 Mapel Ave.	Zinchuck, Richard A. & Christine S. .

38	9-11 Maple Ave.	Marandino, Bias & Evelyn .
39	36-38 High St.	Portsmouth, Walter & Doris .
40	34 High St.	Bradley, Gordon & Susan .
41	High St.	Collinsville Company .
42	17 Johnson Place	Hunt, Winston Jr. .
43	5-7 Maple Ave.	Parsons, William & Nancy .
44	19 Johnson Place	Thivierge, Aurile & Dolores .
45	1 Maple Ave	Roth, Dr. Samuel & Rosalie B. .
46	2-4 Center St.	Lavieri, Isabelle C. Frey, William P.
47	6 Center St.	Griswold, Karen M. .
48	8-10 Center St.	Tolli, David ,
49	6-8 Johnson Place	Tolides, Rita .
50	11-13-15 Johnson Place	Dutcher, Ruth E., Maurice A. & Robert M. ✓
51	18 East St.	Allegretti, Eric Stewart, Margaret ✓
52	20 East St.	Eno, James L., Elaine & Diane E. .
53	3-5-7 Johnson Place	Reiner, Jeffrey A. & Michael D. .
54	12 Center St.	Lagace, Paula V. & Laurent A. .
55	14-16-18 Center St.	Passalacqua, John M. Harrison, Marye Gail .
56	8-10-12 East St.	Quintal, Phillip & Caroline .
57	26-28 North St.	Quintal, Phillip & Caroline Olkowski, Kathleen .
58	22 North St.	Andrews, Martha Drapeau, Gary & Marie ,
59	18-20 North St.	Hebb, Ottilia A. & Dean Brehm, Frederick C. .
60	5 Center St.	Dennis, Faith E. .
61	7 Center St.	Welsh, Elsie .
62	9 Center St.	Larose, Prosper & Marilyn E. .
63	11 Center St.	Poirier, Joseph & Yvonne M. .
64	13 Center St.	Goldschlager, Herbert & Pauline .
65	19-21 Center St.	Gotaski, Michael .
66	26 Center St.	Canton Soldiers Memorial Assoc., Inc. .
67	138 Main St.	Ostop, Donald & Shelly Boulden, Jean .
68	136 Main St.	Collinsville Savings Society .
69	130 Main St.	Valley House Condominium Assoc. .

Map No.	Address	Owner
87	31 Center St.	Drs, Marilyn S.
88	4 The Green	Leff, David Faulkner, Sarah
89	6 The Green	Tennen, Howard A. Rubenstein, Karel
90	12 South St.	Shadford, Jonathon, & Jacqueline
91	14 South St.	Kendra, Walter Shepherd, Maxwell.
92	33 Center St.	Kendra, Walter Shepherd, Maxwell.
93	13-15 South St.	Byrne, Laura
94	8 Spring St.	Lowell, Barbara.
95	South St.	Collinsville Congregational Church
96	South St.	Collinsville Congregational Church
97	9 Johnson Place	Besozzi, Charles Hofman, Jane

RECEIVED FOR RECORD AT CANTON, CONN.  
ON 7-6-88 AT 9:55 A.M.

ATTEST: SHIRLEY C. KROMPEGAL, TOWN CLERK

Received 7/6 19 88 At 9:55 A M  
 Recorded in TOWN OF CANTON  
 Land Records - Vol. 158 Page 461  
Shirley C. Krompegal Town Clerk