



11 March 2026

Testimony of Preservation Connecticut against HB 5508, an Act Concerning Historic Districts and Historic Preservation.

Honorable members of the Planning and Development Committee:

Preservation Connecticut was chartered by the General Assembly in 1975 as the Connecticut Trust for Historic Preservation, the statewide nonprofit organization for historic preservation. We work in partnership with the State Historic Preservation Office and on behalf of our 3,000 members to protect and promote the wise use of Connecticut's irreplaceable historic places. I am Preservation Connecticut's deputy director and have worked in preservation in Connecticut for 36 years.

HB 5508 contains six major sections. Some of these will promote and improve preservation efforts, but others would harm preservation efforts across the state. On balance, the harmful effects outweigh the helpful ones, so Preservation Connecticut urges you to reject this bill as it stands now. However, as noted below, we do support some of the measures being proposed, if they can be adopted alone.

Section 1 (line 12) calls for historic district commission meetings to be "broadcast contemporaneously and continuously."

While easy public access to governmental meetings is always to be encouraged, it is unreasonable to single out historic district commissions. **Preservation Connecticut opposes Section 1 unless the same requirement is applied to all municipal boards and commissions.**

Section 2 (lines 29-30) calls for appeals of historic district commission rulings to be shifted from Superior Courts to the local zoning board of appeals.

This could weaken protections for historic properties. Zoning boards of appeal do not have the training to rule on historic character, whereas the Superior Court serves as an unbiased, objective third-party arbiter in the case of an appeal and eliminates any local conflicts of interest. **Preservation Connecticut opposes Section 2.**

Section 3 (lines 44ff.) would exempt state and municipal properties from historic district commission review while establishing a process for commissions to offer non-binding comments.

State actions are already exempt from municipal regulation under sovereign immunity, but providing commissions with an opportunity to review and offer nonbinding opinions on proposed actions concerning state-owned properties is good.

Towns and cities enact local historic districts through a defined legal process as an expression of the municipality's commitment to preserving the character of the districts. Allowing the municipality itself to bypass historic district regulations contradicts that commitment and erodes public trust. Note that local historic districts do not regulate use, only

design. For instance, if a town wants to build a school in a local historic district and zoning allows, it can do so. The historic district commission would then work with the town to come up with a design for that school that respects and enhances the historic character of the district.

Finally, historic districts are places that have an overall character that is greater than the sum of their parts, and the purpose of local historic districts is to protect that overall character. Creating exceptions to historic district regulations erodes that character. Moreover, where one type of property owner gets an exception, others will want exceptions as well, and before long some districts could have more exceptions than non-exceptions. For this reason, Preservation Connecticut also recommends the repeal of Section 7-147k(b), which provides an exception for properties owned by nonprofit institutions of higher education. **Preservation Connecticut opposes Section 3.**

Section 4 (lines 60-273) calls for expanding state historic rehabilitation tax credits for residential properties of two to four income-producing units.

This provision eliminates a loophole that has prevented these small properties from qualifying for preservation tax incentives and provides support for the state's goal of increasing housing. Much of Connecticut's supply of affordable housing comprises historic buildings like this in existing neighborhoods of our cities and towns. This tax credit will help owners meet the costs of keeping in or returning them to residential use—and at a lower environmental cost than new construction. On a larger scale, repairing and maintaining buildings like these can help stabilize historic neighborhoods.

However, there are technical issues that need to be worked out in consultation with the State Historic Preservation Office. In particular, the \$5 million set-aside for these properties could freeze up money that might not be needed for this program and prevent its being used for other rehabilitation projects. **Preservation Connecticut supports Section 4 in principle but urges further consultation with the State Historic Preservation Office on the details.**

Section 5 (lines 287-289): calls for the State Historical Commission, established in 2025, to collaborate with the State Commission on Capitol Preservation and Restoration on matters concerning the State Capitol building and grounds. **Preservation Connecticut supports Section 5.**

Section 6 (lines 303-305): calls for changing the Connecticut Environmental Protection Act (CGS 22a-15 to 22a-19) to cover properties deemed by the State Historic Preservation Review Board (SRB) to be eligible for listing on the National Register of Historic Places.

The Connecticut Environmental Protection Act allows any citizen to sue to prevent the unreasonable destruction of natural or historic resources. Historic resources are defined as properties listed on or under consideration for listing on the National Register of Historic Places (NR). Under federal regulations governing the NR, if the owners of a single property, or a majority of the owners in a district object, their properties will not be listed.

The proposed language has due process implications. Property regulations in the United States provide for property owners to have a voice in and to object to proposed regulations on their property, such as through zoning or local historic districts. The owners may be outvoted, but at least they are guaranteed an opportunity to try to persuade decision makers of their point of view.

Listings on the NR are determined in Washington by the National Park Service (NPS); the SRB offers an opinion to the NPS on the eligibility of nominated properties based on local knowledge. The SRB's recommendations are based on historic significance, integrity, and the adequacy of the nomination documents. There is no way for property owners to object to listing apart from those criteria. If RB 5508 passes, owners can find themselves subject to restriction with no opportunity to attempt to persuade the SRB that they do not want to be.

If adopted, this measure could drastically reduce the number of properties nominated to the National Register and therefore allow many fewer to qualify for federal and state

preservation incentives like the tax credits being promoted in Section 4. **Preservation Connecticut opposes Section 6.**

I will be glad to answer any questions that committee members have concerning this testimony. Thank you for your attention.

Respectfully submitted,

A handwritten signature in blue ink that reads "Christopher Wigren". The signature is written in a cursive, slightly slanted style.

Christopher Wigren
Deputy Director
cwigren@preservationct.org