

Recommended Historical and Archaeological Preservation Language for Municipalities

This material is provided by the Office of State Archaeology to promote municipal regulations preserving local archaeological and historical resources for future generations. Many local development projects do not fall under state or federal permitting process that would require similar levels of historical impact evaluation, resulting in the daily destruction of sensitive cultural resources across the state. You can help to preserve Connecticut's public heritage by adopting local preservation regulations such as these.

For additional information, please contact:

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CULTURAL RESOURCE REQUIREMENTS

Purpose: to conserve and protect the historic and cultural resources of the Town, including but not limited to historic structures and significant archaeological sites.

a) Cultural Resource Conservation
Subdivisions, resubdivisions, and commercial or industrial development projects shall be laid out to preserve significant cultural and historical resources

and unique natural features. Suitable public access to any cemetery may be required by the Town's Planning & Zoning Commission (herein "the Commission"). Historic structures eligible for the National Register of Historic Places shall be conserved appropriately. Historic stone wall alignments shall be incorporated into project design plans to the degree possible. Any significant archaeological sites shall, where possible, be left undisturbed and may be considered in meeting the minimum open space requirements of the Commission's Regulations.

b) Cemeteries and Human Burials

All cemeteries within the proposed development shall be deeded to the Town, an existing cemetery association, a homeowners association, or other responsible party, as deemed appropriate by the Commission, along with a twenty (20) foot protective buffer, as measured from stonewalls surrounding a cemetery, or from any identified human burial in the absence of walls or other demarcated boundary.

c) Historic Structures

Any historic structures listed with the Town Preservation Alliance and/or Town Historic District Commission that are proposed to be impacted or destroyed as the result of the development project shall be subject to the Demolition of Historic Structures regulations of the Town. If any other identified structure built before 1900 is proposed to be impacted as the result of the development project, a qualified architectural historian shall provide an evaluation to determine that structure's eligibility for nomination to the National Register of Historic Places (NRHP) as

defined by the National Historic Preservation Act. If any structure to be impacted by the proposed development is determined to be eligible for the NRHP, an appropriate conservation plan shall be undertaken, as approved by the Connecticut State Historic Preservation Office.

d) Stone Walls

Stone walls are significant man-made features important to the character of the community.

Proposed street, utility and future buildings shall be designed to preserve stone walls to the maximum extent possible. The Commission may require conservation easements along stone walls to ensure their future protection. The location and orientation of all stone wall alignments and other historic structural features shall be depicted on development survey maps submitted to the Town.

e) Archaeological Evaluation

An on-site archaeological evaluation and management plan shall be required, if in the opinion of the Commission, there is a possibility that significant cultural resources or undetected human burials will be adversely impacted by construction activities associated with the proposed development. In any developments of XX acres or more, and all subdivisions of more than

XX lots, the Commission may require the applicant to make written inquiry of the Connecticut Office of State Archaeology, along with the development property location on a USGS topographic map and relevant site plans, to determine if there is evidence, or a likelihood, of sites of archaeological significance within the property. If the Connecticut Office of State

Archaeology determines a need for an archaeological evaluation of the development property, the evaluation shall be conducted in accordance with the standards outlined in the *Environmental Review Primer for Connecticut's Archaeological Resources*. Permanent reference copies are on file at the State Historic Preservation Office and the Town's Planning & Zoning office.

f) Determination of Need

The Commission's determination of need for an archaeological evaluation may be independently based on known historic structures or archaeological sites on a proposed development property; or *an archaeological sensitivity map and database, approved and maintained by the Commission, that reveals:*

- i. Proximity to identified cemeteries, human burials, archaeological sites, historic sites, historic routes, historic districts; and
- ii. Natural terrain features such as proximity to wetlands or watercourses, well drained soils, nearly level slope, potential presence of rock shelters, and other natural aspects of the landscape reflecting scientifically documented settlement patterns preferred by Native Americans or early historic colonists.

In making this determination, the Commission may seek the advice and comment from the Office of State Archaeology and/or State Historic Preservation Office. A letter seeking such advice shall be mailed within two (2) working days after the Commission's

preliminary review of the proposed development, as defined in these regulations.

g) Management Plans

Cultural resource management plans submitted to the Commission by the applicant shall consist of:

- i. A written investigative report prepared by a professional archaeologist, containing appropriate historic documentation, a description of research design methods and techniques, and a description of sites, features and artifacts discovered as a result of the archaeological investigation, as indicated in the *Environmental Review Primer for Connecticut's Archaeological Resources*. A list of accredited professional archaeologists is maintained by the Connecticut State Historic Preservation Office;
- ii. An evaluation of impact of the proposed development on identified cemeteries, human burials, archaeological sites and historic sites;
- iii. A description of alternative measures to be undertaken by the applicant to mitigate adverse impacts of construction activities on any identified cultural resources. This may include an estimate of mitigation cost and time required for more extensive archaeological investigations. Such measures may also include open space dedication; conservation easements; redesign or relocation of roads, drainage features or buildings to minimize

adverse impacts; or excavation and removal of cultural remains conducted via a professional archaeological data recovery program;

- iv. Copies of all investigative reports and management plans shall be submitted to the Connecticut Office of State Archaeology and/or State Historic Preservation Office for review and comment prior to any Planning & Zoning public hearing. Comments received from the state officials shall be incorporated into the public hearing record.