

Liberty Green Historic District Expansion Report

Clinton, Connecticut



prepared by

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Clinton Historic District Commission

and

Approved by the Clinton Historic District Commission, 12/20/2018

Recommended by the CT State Historic Preservation Commission, 01/09/2019

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LIBERTY GREEN HISTORIC DISTRICT EXPANSION REPORT

Section 1) Introduction:

Clinton, Connecticut traces its history back to 1663, when a committee appointed by the General Court at Hartford laid out a settlement to be known as the Homonoscitt Plantation on land that lay between two rivers, with a third river running through the middle. The committee determined that the plantation would be established for 30 families and provision was made, as well, for a church and support of the minister. Main Street was laid out by a surveyor and the adjacent land was divided into 30 equal lots. Each of the original 30 families received three parcels. One on which to build a house. A second, a salt marsh, on which to grow salt hay to feed their animals. And a third, a lot from which wood could be cut for housing, heat and cooking.

In 1667, the settlement was designated a town by the Court of Election at Hartford and given the name of Kenilworth, though it was changed to Killingworth by the middle of the eighteenth century.

On January 9, 1788, the Connecticut Colony was admitted to the union, becoming the United States of America's 5th State. Fifty years later, the southern portion of the town of Killingworth was incorporated by the State of Connecticut's General Assembly as the Town of Clinton, "upon a petition of the sundry inhabitants of the town of Killingworth". Thus, the part of Killingworth that lay south of the line dividing the first and second school societies would "constitute a separate and distinct town, by the name of Clinton". The northern portion of the town would retain the name of Killingworth. And "all paupers of said old town of Killingworth" would be "divided between the two towns of Killingworth and Clinton."

Present day Clinton has an amazing number of 17th, 18th and 19th century buildings still standing, which are listed in the United State Department of Interior's, Department of Parks', National Register of Historic Places. The National Historic Preservation Act of 1966, as amended, established the National Register of Historic Places. The Act authorizes the United States' Secretary of the Interior to maintain and expand a National Register of districts, sites, buildings, structures, and objects significant to American History. Administration of the National Register of Historic Places is by the Department of Interior's National Park Service.

Clinton, Connecticut's Clinton Village Historic District established under the National Historic Registration Act is comprised of 144 contributing buildings; two structures; two sites; and six objects for a total of 154 resources. These resources can be found on Clinton's Cemetery Road; Church Street; East Main Street; Liberty Street; Old Post Road; and Waterside Lane.

The authentication process spanned many years of study done by Historic Resource Consultants and was followed by a review by the State's Historic Commission, with the consultant's report being dated March 25, 1994.

Two decades before Clinton had a National Register District, a local Clinton, Connecticut study committee did extensive research to create and establish a local historic district, which was approved on May 23, 1979 by the Connecticut Historical Commission, thereby creating the Liberty Green Historic District and enacting its enabling ordinance. The Liberty Green Historic District as created in 1979, was comprised of the Town Green and six houses, all but one of which were built before 1800.

Now, in 2018, there are two additional structures, both of which are already listed on the National Register of Historic Places and are physically adjacent to the Liberty Green Historic District, that want to join the previous six. They are aware that by joining, they, too, will be overseen and protected by the Town's Historic District Commission and subject to the Liberty Green Historic District's enabling ordinance.

These two properties are:

1) 6 Liberty Street (Lot No. 24) was built in 1840 and currently belongs to Andrew and Karen Marzano. It is a two story, nine room, three bedroom house of wood frame construction, with a gable/hip roof and clapboard siding. The first floor has 1,239 square feet of living space. The 392 square foot upper story and 294 square foot attic expansion are both finished. There is also a 392 square foot unfinished basement with sump pumps that run 24/7, necessary because the house is situated on 1.1 acres, much of which is wetlands. The deed for Lot No. 24 describes it as follows: "All of that certain piece or parcel of land containing one (1) acre, more or less, together with the buildings and all other improvements thereon, situated in the Town of Clinton, County of Middlesex and State of Connecticut known as #6 Liberty Street, and bounded and described as follows: NORTHERLY: or Northeasterly by land formerly of Austin Wallman, deceased, more recently of Elliot F. Kimball, 432 feet more or less; EASTERLY: or Southeasterly by the highway known as Liberty Street, 135 feet more or less; SOUTHERLY: by land of the Town of Clinton, believed to be highway or common land, 108 feet, more or less; WESTERLY: or Northwesterly by land now or formerly of the Clinton Historical Society, 58 feet; WESTERLY: or Southwesterly by land now or formerly of said Clinton Historical Society, 275 feet; and WESTERLY: or Northeasterly again by land formerly of Wright, or more recently of Mearle Marsh Marquand, 80.00 feet."

and

2) 109 East Main Street (Lot No. 22) was built in 1850 and currently belongs to Joseph and Virginia Kabe. It is a 1.5 story building of wood frame construction with a hip/gable roof and clapboard siding, which was originally built as a store and is one to this day – currently an antique shop. The first floor is 1,062 square feet and the porch, another 100 square feet. There is a 900 square foot unfinished attic and an unfinished basement, which is also 900 square feet. The building covers almost the entire .03 acre property and is described in its deed as follows: "All that certain parcel of land, together with surrounding buildings and improvements thereon, situated in the Town of Clinton, County of Middlesex and State of Connecticut being 1/16th acre, more or less bounded: NORTHERLY: By land now or formerly owned by the Clinton Historical Society; EASTERLY: By Liberty Street; SOUTHERLY: By East Main Street, and WESTERLY: By land now or formerly owned by the Clinton Historical Society.

"Exhibit A", Lot No. 3-2: It must be noted that between 1979 and 2018, the owner of a parcel of one of the original six Liberty Green Historic District properties (Lot No. 3) was misled by a town employee, who advised him that his property was entitled a free land split. By the time the split was discovered, the side yard to said Lot No. 3 had been sold to a local developer, who then bulldozed the 200 year old stone wall that fronted the property. Yet once discovered, the developer was forced to meet the Certificate of Appropriateness requirements of the Liberty Green Historic District for any house he built on the site. This property, which is now Lot No. 3-2, is depicted as such on the revised Liberty Green Historic District map and is currently owned by Michael & Marilyn Sexton (1/2) & Co-Owner Tyler Peska (1/2). Accordingly, "All that certain piece of land, with improvements thereon, located in the Town of Clinton, County of Middlesex and State of Connecticut and identified as "LOT 2 AREA 192009.16 Square Feet/.44 acres +/- on map titled "Free split of 11 Liberty Street, Clinton, Connecticut prepared for Michael Giordano September 27, 2003", which map is filed as map #3053 in the Clinton Town Clerk's Office. Said parcel is bounded and described as follows:

NORTHERLY: by Lot 1, 273 feet;

EASTERLY: by Lot 1, 70 feet;

SOUTHERLY: by land now or formerly of Haught and Cassin and land now or formerly of Pontillo, in part by each, a total of 275.83 feet; and

WESTERLY: by Liberty Street, 70.06 feet.

Said premises are located in a designated Historic District and are subject to the terms, conditions and restrictions pertaining thereto as set forth in Volume 134, Page 976 of the Clinton Land Records. The premises are also subject to the following encumbrances: 1) And all provisions of any ordinance, municipal regulation, public or private law, included but not limited to building and zoning ordinances affecting said premises; and 2) Any provisions, if applicable, of an inland/wetland or coastal wetlands statutes, ordinances, rules and regulations."

Section 2) : § 320

Liberty Green Historic District

[Originally Adopted 10-17-1979 and expanded/amended in 2018]

§ 320-1 Purpose and description.

A. Purpose. To promote the educational, cultural, economic and general welfare and to preserve the historic and architectural character of certain areas of the Town through the preservation and protection of buildings and places of historic interest, by the maintenance of such as landmarks in the history of architecture and of the Town, the state, and the nation, and through the development of appropriate settings for such buildings, in 1979, there was hereby established an historic district in the Town, known as the "Liberty Green Historic District", said district now being expanded to incorporate two additional properties. The boundaries of the expanded historic district are shown on a map incorporated herein by reference and titled "Liberty Green Historic District."

B. Description. The following geographical description of the Liberty Green Historic District is based on current land records and maps of the Assessor, Town of Clinton:

(1) Southern boundary: Beginning at a point being the southwest corner of property now or formerly of Joseph and Virginia Kabe (Lot No.22), the boundary of the Liberty Green Historic District extends on a direct line southeasterly across property now or formerly of the Town of Clinton (Lot No. 23) thence across the west branch of Liberty Street to a point being the southwestern corner of property now of the Town of Clinton (Lot No. 26) and known as the "Green" or "Common," thence southeast along the southern boundary of said Green to a point being the southeast corner of said Green, thence on a direct line southeasterly across the east or main Liberty Street right-of-way to a point being the southwest corner of the property now or formerly of 3 Liberty Green, LLC (Glenn Coutu) thence along the southern boundary of said 3 Liberty Green LLC to a point being the southeast corner of said 3 Liberty Green LLC.

(2) Eastern boundary: Beginning at a point being the southeast corner of aforesaid 3 Liberty Green, LLC property, the Liberty Green Historic District boundary extends generally northeast along the rear or east boundary of said 3 Liberty Green, LLC to a point being the northeast corner of said 3 Liberty Green, LLC, thence northeast along the rear or east boundary of property now or formerly of Peggy Adler (Lot No. 5) to a point being a junction of said Adler boundary with that of property now or formerly of Mary Rita Pontillo (Lot No. 4), thence running southeasterly along the southern boundary of said Pontillo to a point being the southeast corner of said Pontillo and thence turning northeasterly along the rear or east boundary of said Pontillo to a point being the junction of said Pontillo boundary with property now or formerly of James & Magda McCarthy (Lot No. 3-1) and property now or formerly of Marilyn & Michael Sexton and Tyler Peska (Lot No.3-2), excluding the house on 3-2 (See Part 1, Introduction, "Exhibit A" and Map #68 adapted for this report), thence extending southeasterly along the southern boundary of said McCarthy to a point being the southeast corner of said McCarthy thence turning northeasterly along the rear or east boundary of said McCarthy to a point being the northeast corner of said McCarthy, thence along the rear or east boundary of property now or formerly of Richard Manley & Eric Ambler (Lot No. 2) to a point being the northeast corner of said Manley/Ambler.

(3) Northern boundary: Beginning at a point being the northeast corner of aforesaid Manley/Ambler property, the Liberty Green Historic District boundary extends northwesterly along the northern boundary of said Manley/Ambler to a point being the northernmost corner of said Manley/Ambler, thence continuing northwesterly along the northern boundary of property now or formerly of Alice and Dennis Parker to a point being the northwest corner of said Parker, thence following the same compass bearing of the northern boundary of said Parker, the Liberty Green Historic District boundary extends across Liberty Street and the Liberty Street right-of-way at a point being the northern boundary of property now or formerly of Andrew and Karen Marzano (Lot No.24).

(4) Western boundary: Beginning with the point heretofore described on the west side of the property now or formerly of Andrew and Karen Marzano (Lot No.24), the Liberty Green Historic District boundary continues generally southwest, through the property now or formerly of the Town of Clinton (Lot No. 23), thence to a point being the southwest corner of the heretofore described property now or formerly of Joseph and Virginia Kabe (Lot No.22).

§ 320-2 Historic District Commission.

A. Establishment of Commission. An Historic District Commission was established in 1979 along with the establishment of the Liberty Green Historic District and consists of five members and three alternate members, with overlapping terms, who are bona fide resident electors of the Town holding no salaried Town office. All appointments are made by the Board of Selectmen and shall be for a term of five years, except that an appointment to fill an unexpired term shall be only for the duration of said unexpired term.

B. Organization:

(1) After the first of January of each year, the members shall elect a Chairman and Vice Chairman and Clerk from its members. Alternate members shall not participate in election of officers of the Commission. When a member of the Commission is unable to act at a particular time because of absence, sickness, disqualification by reason of personal interest, or other good reason, he shall notify the Chairman who shall designate an alternate member to serve in the place of such member. All members and alternates shall serve without compensation.

(2) The Commission shall fix the time and place of its regular meetings, which shall be held at least quarterly, and provide a method for calling special meetings. The presence of four 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 fewer than three affirmative votes.

§ 320-3 Powers and duties of Commission.

The Commission has such powers, shall perform such functions, and shall be subject to such limitations as shall, from time to time, be prescribed by the applicable General Statutes of Connecticut. The Commission adopted rules of procedure and may adopt regulations not inconsistent with said statutes; may, subject to appropriation, employ clerical and technical assistance; and may accept money gifts and expend the same for purposes consistent with this article. The Commission shall perform all the functions of an historic district study committee relative to establishing new historic districts, as provided in the General Statutes, and from time to time may suggest proposed amendments to this article.

§ 320-4 Certificate of appropriateness required.

A. No building or structure shall be erected, altered, restored, moved or demolished within the Liberty Green Historic District until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to and approved by the Commission. "Exterior architectural features" shall include such portion of the exterior of a structure as is open to view from a public street, way or place. The style, material, size and location of outdoor advertising signs and bill posters within the Liberty Green Historic District shall also be under the control of the Commission. The provisions of this section shall not be construed to extend to color of paint used on the exterior of any building or structure.

B. No area within the Historic District shall be used for industrial, commercial, business, home industry or occupation parking, whether or not such 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 said Commission.

§ 320-5 Hearing and decision on application for certificate of appropriateness.

A. The Commission shall hold a public hearing upon each application for a certificate of appropriateness. 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 at least seven days before such hearing. 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 § 320-4, shall be a certificate of appropriateness issued by the Commission. The Commission shall set forth its reasons for approving or denying each application for a certificate of appropriateness in a written notice of its decision to the applicant and in the record of its proceedings. Failure of the Commission to act within 65 days shall constitute approval, and no evidence of approval shall be needed. The Commission shall keep a record of all applications for certificates of appropriateness and of all its doings.

[Amended 8-5-2009]

B. In its deliberations the Commission shall not consider interior arrangement or use and shall take no action except for the purpose of preventing the erection, reconstruction, alteration or razing of buildings or parking in the Liberty Green Historic District obviously incongruous with the historic aspects of the district.

§ 320-6 Determination of appropriateness.

If the Commission determines that the proposed erection, construction, restoration, alteration, razing, moving or parking will be appropriate, it shall issue a certificate of appropriateness. In the passing upon appropriateness the Commission shall consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, general design, arrangement, texture and material of the architectural features involved and the relationship thereof to the architectural style and pertinent features of other structures in the immediate neighborhood. In passing upon appropriateness as to parking, the Commission shall take into consideration the size of such parking area, the visibility of cars parked therein, the closeness of such area to adjacent buildings and other similar factors. A certificate of appropriateness may be refused for any building or structure the erection, reconstruction, restoration, alteration, moving or razing of which, in the opinion of the Commission, would be detrimental to the interest of the Liberty Green Historic District.

§ 320-7 Variances or modifications.

Where, by reason of topographical conditions, district borderline situations, immediately adjoining existing developments or because of other unusual circumstances, the strict application of any provisions of C.G.S. §§ 7-147a to 7-147k, inclusive, amended, or of this article 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 that 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 variances, the Commission may impose such reasonable and additional stipulations and conditions as will in its judgment better fulfill the purpose of said sections.

§ 320-8 Enforcement; penalties for offenses.

[Amended 8-5-2009]

If any action or ruling taken by the Commission pursuant to the provisions of C.G.S. §§ 7-147a to 7-147k, inclusive, as amended, or pursuant to the provisions of this article has been violated, the Commission may, in addition to other remedies, institute an action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, razing, maintenance or use for parking or to restrain, correct or abate such violation or to prevent the occupancy of such building, structure or land. Regulations and orders of the Commission issued pursuant to said sections of the General Statutes of Connecticut, as amended, or this article, shall be enforced by the Building Official of the Town of Clinton. The Building Official is hereby authorized to inspect and examine any building, structure, place or premises and to require in writing the remedying of any condition found to exist therein or thereon in violation of any provision of the regulations or orders made under the authority of said sections of the General Statutes of Connecticut, as amended, or this article. The owner or agent of any building or premises where such a violation has been committed or exists, or the owner, agent, lessee or tenant of an entire building or entire premises where such violation has been committed or exists, or the agent, architect, builder, contractor, or any other person who commits, takes part or assists in such violation, shall be fined not less than \$10 nor more than \$100 for each day that such violation continues. However, if the offense is willful, the person convicted thereof shall be fined not less than \$100 nor more than \$250 for each day that such violation continues, and the Superior Court for the district wherein such violation continues or exists shall have jurisdiction of all such offenses, subject to appeal as in other cases. Each day that a violation continues to exist shall constitute a separate offense.

§ 320-9 Appeals.

Any person or persons severally or jointly aggrieved by any decision of the Commission or of any officer thereof may, within 15 days from the date when such decision was rendered, take an appeal to the Superior Court, 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 within 12 days before the return day to which such appeal has been taken. Procedure upon such appeal should be the same as that defined in C.G.S. § 8-8, as amended.

§ 320-10 Exemptions.

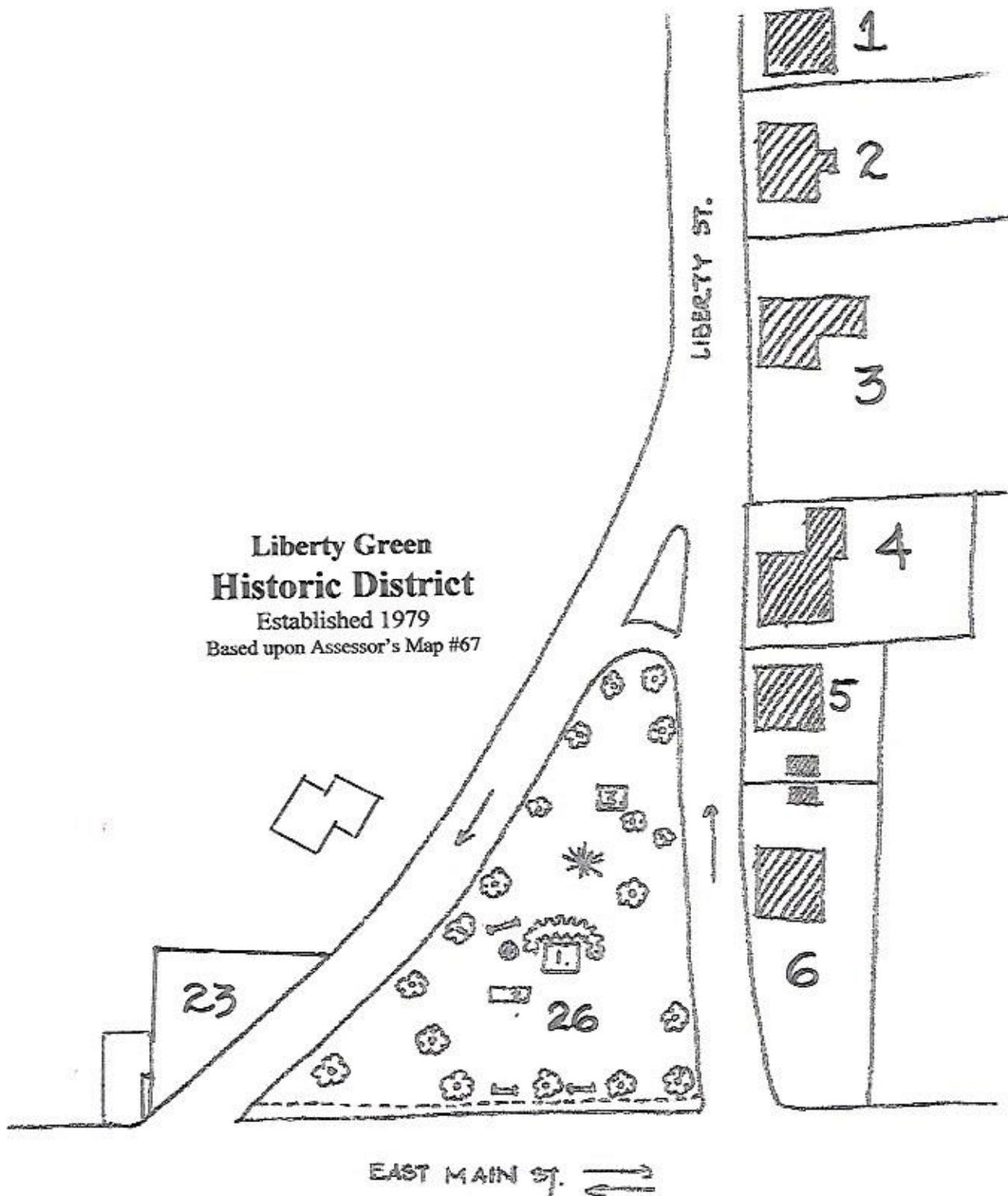
[Amended 8-5-2009]

Nothing in this article shall be construed to prevent the ordinary maintenance or repair of any feature in the Liberty Green Historic District which does not involve a change of design thereof, nor to prevent the construction, reconstruction, alteration, or demolition of any such feature which the Building Official certifies is required by the public safety because of unsafe or dangerous condition, nor to prevent the construction, reconstruction, alteration or demolition of any such feature under a permit issued by the Building Official prior to the effective date of establishment of the district.

§ 320-11 Recording.

This article and any amendment hereof shall be recorded in the Land Records of the Town of Clinton and indexed by the Town Clerk in the Grantor Index under the names of the owners of record of such real property as is included within the district.

**Liberty Green
Historic District**
Established 1979
Based upon Assessor's Map #67

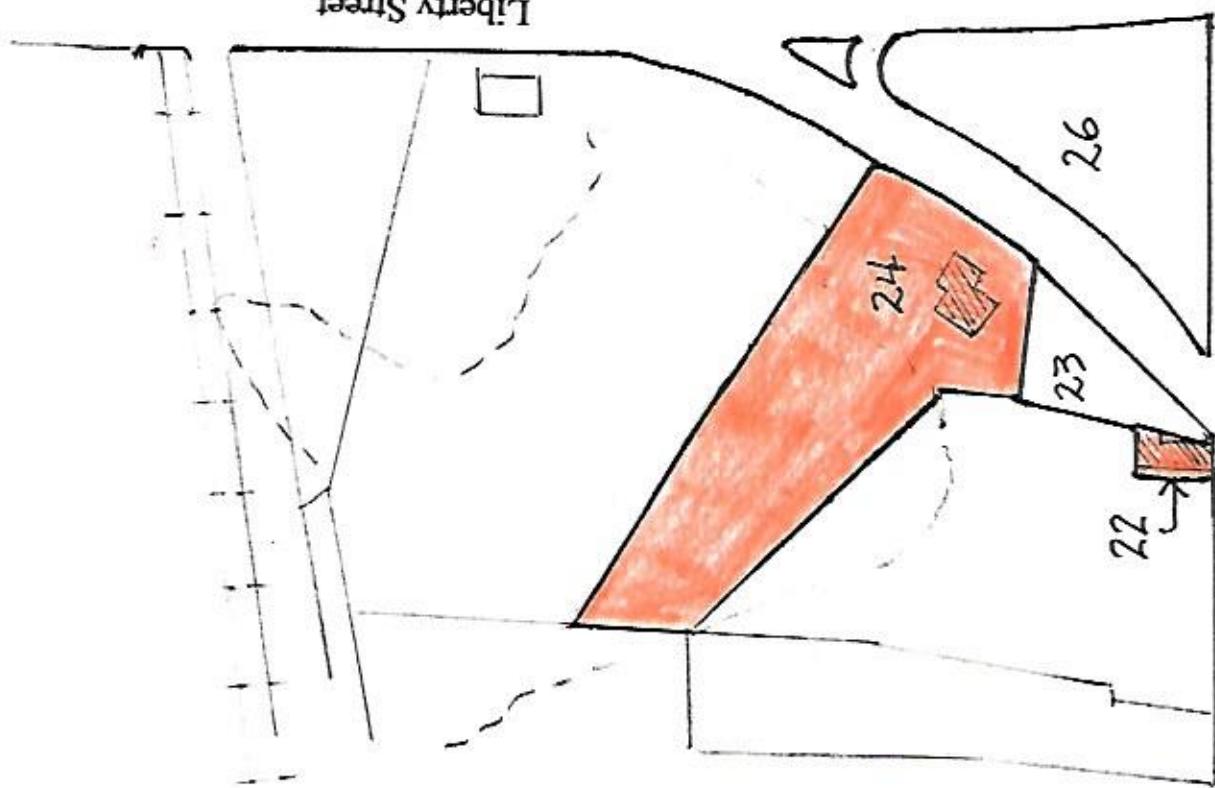
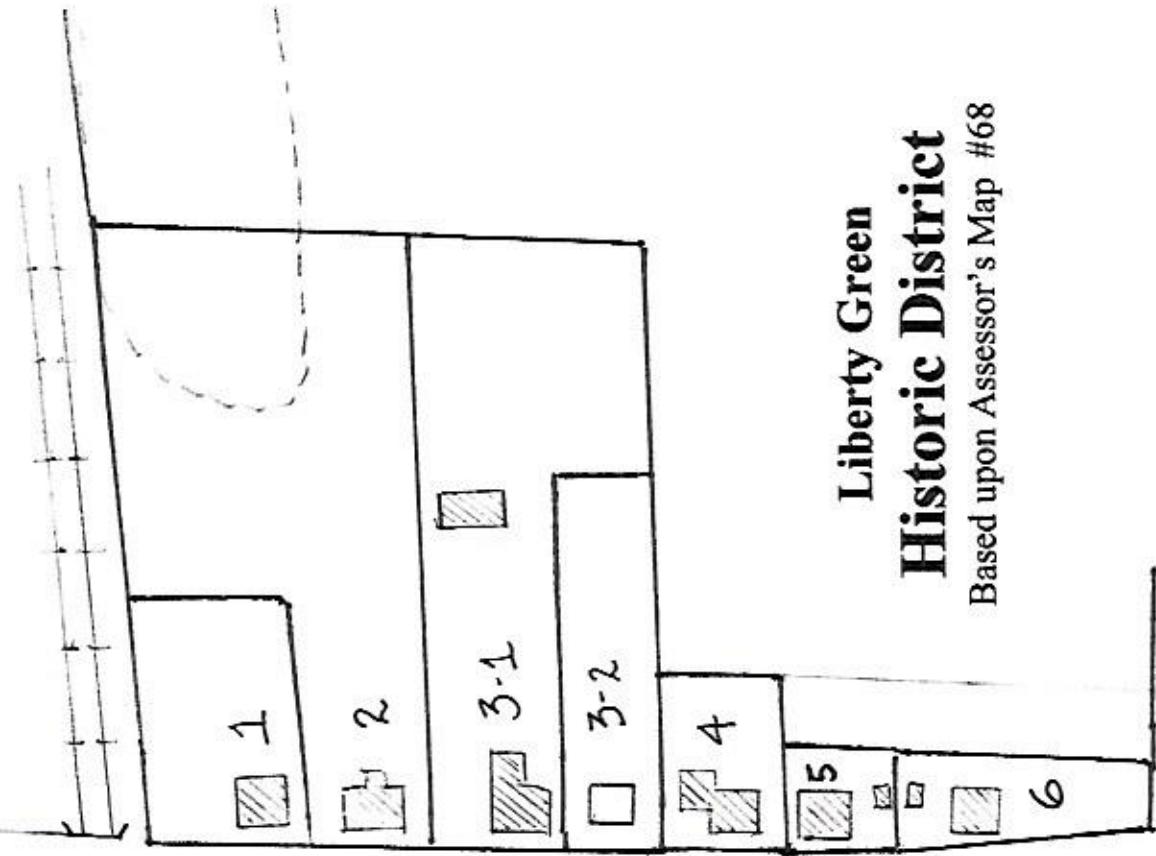


**Liberty Green
Historic District**

Based upon Assessor's Map #68

Liberty Street

East Main Street





109 East Main Street in Clinton, Connecticut was built in 1850 and is listed on the National Register of Historic Places. The upper photograph was taken in the late 1800s. The lower photograph was taken in 2018.



United States Department of the Interior
National Park ServiceNATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEETDescription Clinton Village Historic District
Clinton, Middlesex County, CT 7-4

INVENTORY: BUILDINGS						
ADDRESS	STORIES	DATE	STYLE	MATERIALS	C	NC
88 East Main Street	2	c.1900	no style	siding	1	0
89 East Main Street Photograph 6	2	c.1820	Federal	clapboards	2	0
90 East Main Street former shop for making shoes, melodeons	2	c.1820	no style	siding	1	0
91 East Main Street antique shop - Photograph 6	1	c.1920	no style	clapboards	1	0
92 East Main Street JOSIAH KELSEY HOUSE	1 1/2	c.1760	Colonial/Gothic Revival	clapboards, matched boards	1	0
93 East Main Street	2	c.1840	Greek Revival	clapboards	1	0
95 East Main Street GEN. HORATIO G. WRIGHT HOUSE	2 1/2	1807	Federal	siding	1	0
96-98 East Main Street ELI KELSEY HOUSE	2 1/2	c.1790	Colonial	siding	1	0
97 East Main Street	2	c.1820	Federal	siding	1	0
100 East Main Street LEMUEL WELLMEN HOUSE	2 1/2	c.1792	Colonial	siding	1	0
101 East Main Street WRIGHT HOUSE	2 1/2	1819	Federal	clapboards	2	0
103 East Main Street CAPT. ELISHA WHITE HOUSE (Clinton Historical Society)	2 1/2	c.1750	Colonial	brick	1	1
104 East Main Street NATHANIEL WILLIAMS HOUSE	2 1/2	c.1763	Colonial	siding	1	1
108 East Main Street former bank	1	c.1980	no style	siding	0	1
109 East Main Street	1 1/2	c.1850	no style	clapboards	1	0
110 East Main Street CAPT. W. H. WILLIAMS HOUSE	1 1/2	c.1710	Colonial	clapboards	1	0
114 East Main Street	2 1/2	c.1890	Victorian	clapboards, shingles	1	0
125 East Main Street	1	c.1787	Colonial/Gothic Revival	composition	1	1
127 East Main Street	2 1/2	c.1840	no style	siding	1	0
129 East Main Street	1 1/2	c.1790	Federal	clapboards	2	1
130 East Main Street BEN MERRILL HOUSE	2 1/2	c.1735	Colonial	clapboards	1	0



6 Liberty Street was built in 1840 and is
listed on the National Register of Historic Places
(Both photographs were taken in 2018)



United States Department of the Interior
National Park ServiceNATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEETDescription Clinton Village Historic District
Clinton, Middlesex County, CT 7-5

INVENTORY: BUILDINGS						
ADDRESS	STORIES	DATE	STYLE	MATERIALS	C	NC
131 East Main Street	1 1/2	c.1765	Colonial	clapboards	1	1
137 East Main Street	2 1/2	c.1840	no style	siding	1	0
138 East Main Street	2 1/2	c.1800	Federal	clapboards	1	0
143 East Main Street Village Motel: includes house, barn and three modern motel units	2 1/2	c.1875	Italianate	clapboards	2	3
				(Photograph 7)		
142 East Main Street	1 1/2	c.1950	"Cape"-type	siding	0	1
144 East Main Street	2	c.1900	no style	siding	2	0
145 East Main Street	2 1/2	c.1860	no style	siding	2	0
146 East Main Street	1 1/2	c.1810	no style	clapboards	2	0
147 East Main Street	2 1/2	c.1870	Italianate	clapboards	2	0
149 East Main Street	1 1/2	c.1800	no style	clapboards	1	1
153 East Main Street includes outbuilding, 155-157 East Main Street, now the "Corn Crib" basket shop	2 1/2	c.1800	Federal	clapboards	2	0
159 East Main Street	1 1/2	c.1720	Colonial	composition	3	0
163 East Main Street Clinton Motel	1 1/2	c.1950	no style	brick	0	1
170 East Main Street DIBBLE HOUSE - Photograph 8	2 1/2	c.1860	Greek Revival	brick	1	0
3 Liberty Street JOHN ROSSITER HOUSE	2	c.1734	Colonial	clapboards	1	1
5 Liberty Street Photograph 9 - right	1 1/2	c.1725	Colonial	clapboards	1	1
6 Liberty Street	2	c.1840	no style	clapboards	1	0
7-9 Liberty Street Photograph 9 - left	2 1/2	c.1800	Colonial	clapboards	1	1
11 Liberty Street	1 1/2	c.1750	Colonial	clapboards	3	0
15 Liberty Street Photograph 10	2 1/2	c.1830	Federal/Greek Revival	clapboards	2	0
17 Liberty Street attrib. to JOHN ROSSITER	1 1/2	c.1750	Colonial	shingles	2	0
18 Liberty Street	1 1/2	c.1780	Colonial	composition	1	0
22 Liberty Street J. LANE HOUSE	1 1/2	c.1750	Colonial	clapboards, shingles	1	0