

## Questions and Answers on Historic Easements in Redding

Here are some Questions and Answers to guide you through the steps to take, if Redding's Pilot Program for Historic Easements looks like a good idea for your historic home.

- ***What exactly is an Historic Preservation Easement?***

An Historic Preservation Easement is a legal vehicle, attached to the property deed, which sets forth particular aspects of a property that are designated to be preserved and/or restored. The easement transfers to a designated institution the permanent duty and authority to enforce the preservation provisions.

The key factors in establishing such an easement are: a.) Documenting of the historical value of the house, property, or portion thereof that is to be preserved, and b.) Donating the easement to an organization qualified to receive it and able to perform a long-term expert role in administering and enforcing its provisions.

- ***How do I know if my house is suitable for an Historic Preservation Easement?***

To qualify for an Historic Preservation Easement as normally defined, a house must be suitable for designation on the National Register of Historic Places, or as a contributing feature in a National Register Historic District. In Redding, there are two National Register historic Districts (in Redding Center and in Georgetown), and the structures cited as contributing features are documented within those districts.

Formal designation on the National Register may not be necessary, however. Designation under similar standards by a qualified state or local entity can be sufficient. In Redding, numerous properties are listed in the State of Connecticut's Historic Resource Inventory, and there are also many unlisted properties that may be suitable for inclusion in this inventory, or for eventual National Register designation.

- ***Are we talking about the entire house and property?***

Historic Preservation Easements sometimes are designed to preserve an entire structure - or an outbuilding, or even the entire ensemble of structures and property. But they also can be tailored to the specific features on your property that are of special value or significance. The advice of the historical consultant - along with your own goals - will come into play in determining what to preserve.

- ***Is this a well-proven idea?***

Historic Preservation Easements have been used for generations to preserve significant properties without the imposition of centralized bureaucracies or bodies of regulation.

In Redding, there are several Historic Preservation Easements in place, and several more are in process of discussion. In addition to this, however, there is a very long history in Redding of using similarly-structured Conservation Easements in favor of the Town, the Redding Land Trust, and other entities involved in preserving open land. Redding's new Pilot Program for Historic Easements is modeled on the community's recent experience in Historic Easements, as well as its extensive experience with Conservation Easements.

- ***How is the town's Pilot Program Structured?***

The Town of Redding's Pilot Program for Historic Easements is intended to inform owners of historic properties of the easement concept, and to facilitate the placement of Historic Preservation Easements where requested.

Under this Pilot Program, the Town has established a pre-set cost for many of the services necessary to set up an easement. In addition, the Town is prepared to function as the recipient of the easements, with the Redding Preservation Society designated as a long-term provider of services to the Town for administering and enforcing the provisions of the easements.

- ***What is my out-of-pocket cost in setting up an easement?***

If your house is already listed as a qualified historic property, the Town has arranged a fixed price with James Sexton, an historical consultant, to work with you in documenting and structuring an easement and with the Redding Preservation Society to take on the long-term administrative and monitoring role. The total one-time cost for these services is set at \$500.

If your house is not presently designated as a qualifying historic property, there will be some potential additional cost in applying for designation (such as inclusion in the State of Connecticut Historic Resources Inventory.) Also, you should plan on the cost of reviewing the easement with your attorney, your tax or real estate adviser, etc.

- ***My house isn't listed on the State Historic Resource Inventory. What now?***

If the historical consultant sees potential for your house to be listed on the State Historical Resource Inventory, you will need to make application for the house to become listed. A sample application form is included in this packet.

- ***What are the legal and real estate implications?***

An easement is a legal document having a permanent and significant impact on your property. You should plan on reviewing something like this in detail with your attorney.

Also, at time of resale an Historic Preservation Easement might be seen as a partial interest in the property, which the purchaser must be willing to accept. This may or may not limit the number of people who will be interested in buying the house. You should review this with your real estate advisor - and you may want to research the well-established history of how Historic Preservation Easements have influenced the real estate market in other communities.

- ***OK, I'm interested. What do I do?***

The first step is to contact the Town via the First Selectman's office. Within the scope of the Pilot Program, the Town is prepared to facilitate the entire process with you.