



## ATTORNEY GENERAL GEORGE JEPSEN

### ATTORNEY GENERAL CALLS DECISION AN IMPORTANT STEP IN HISTORIC PRESERVATION

*For Immediate Release*

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HARTFORD – A court decision protecting an historic building in Wallingford from demolition establishes a new precedent in Connecticut, which may help to preserve its remaining historic resources, Attorney General George Jepsen said Tuesday.

The Superior Court ruling protects a two-story, Queen Anne-style residential house on South Main Street, built around 1890 and owned since 1995 by the town of Wallingford, which sought to replace the building with a gazebo and bandstand. The property, known as the American Legion building, is part of the Wallingford Center Historic District and has been listed on the National Register of Historic Places since 1993.

“Historic and natural resources make a large contribution to quality of life in Connecticut,” Attorney General George Jepsen said. “This case is important for protecting historic resources because it is the first time a permanent injunction has been issued by a Connecticut court to permanently preserve a building on the National Register,” Jepsen said.

The decision Friday, by Judge Robert Berdon, also recognized the alternative of selling an historic building as “prudent and feasible alternative” to demolition.

Historic structures, landmarks or contributing structures are protected under the Connecticut Environmental Protection Act. The Office of the Attorney General represented the Connecticut Historical Commission, now renamed the Commission on Culture & Tourism, in the lawsuit. Assistant Attorney General Alan N. Ponanski represented Jepsen in this case.

“We welcome the decision for many reasons, but of particular note is Judge Berdon's statement that there is a public trust in state historic resources and it is in the public interest to protect such resources from unreasonable destruction,” said Helen Higgins, executive director of Connecticut Trust for Historic Preservation, which joined the suit as an amicus.

Elizabeth Merritt, general counsel of the National Trust for Historic Preservation, called the decision “a wonderful precedent.” “At a time when many other states are seeing the courts chip away at their strong state preservation laws, it is encouraging to see Connecticut’s law continue to be so effective. One of the key reasons, in my view, is the extraordinary degree of collaboration and partnership between the public sector advocates and the private sector preservation groups in Connecticut,” Merritt said.

CONTACT: *Susan E. Kinsman*, [susan.kinsman@ct.gov](mailto:susan.kinsman@ct.gov); 860-808-5324; 860-478-9581 (cell)