



CITY OF MIDDLETOWN
Department of Planning, Conservation and Development

DECD
505 Hudson Street
Hartford, CT 06106

March 14, 2008

RE: Documentation of Section 106 Non-repsonsiveness

To Whom it May Concern ,

This letter and the attached documentation show that the City of Middletown and its partners have fulfilled the legal requirements required under the National Historic Preservation Act of 1966 (NHPA).

However, seeing that Middletown's request for a Section 106 has not been acted on within the 30 days required by law, we are deciding to moving forward with the project and taking advantage of the latitude allowed under 36 CFR PART 800.3(4) Failure of the SHPO/THPO. We do feel that there is no reason for a SHPO review to require further investigation of alternatives, but given the need to move forward with this homeownership project, the City feels compelled to document that a SHPO non-responsiveness.

To summarized the City of Middletown has accomplished to following in order to comply with NHPA regulations:

- 1) On September 15, 2006, the City of Middletown submitted the following properties for SHPO review.
- 2) On October 2, 2006, the City received a letter stating that further investigation into prudent alternatives was required.
- 3) The City of Middletown, Developers and the Greater Middletown Preservation Trust collaboratively investigated alternatives and came to a consensus agreement that resulted in a mix of historic rehabilitation and historically sensitive new construction.
- 4) On October 29, 2007 the City requested a new SHPO review on the new proposal with the support of the local trust.
- 5) On November 14, 2007, the proposal was presented to Middletown's Design Review and Preservation Board and approved as proposed with minor conditions

To date the City has not received a response to its Oct 29th Section 106 request or subsequent follow-up phone calls and emails. The City of Middletown believes that over the past two years we have taken the appropriate actions to preserve and enhance Middletown's historic resources in our North End and no further action is required.

If there are any question, please feel free to contact me at 860-344-3425.

Sincerely,

A handwritten signature in black ink, appearing to read "Michel J. Th. Wackers", with a long horizontal flourish extending to the right.

Michel J. Th. Wackers
Deputy Director of Planning, Conservation & Development

CC: Michael Taylor