



# Sustainable Salisbury

**2024 Plan of Conservation and Development**

**Final Draft POCD for Referral to Board of Selectmen and  
Council of Governments  
October 11, 2024**

**Salisbury Planning & Zoning Commission**

**Effective— Month Day, 2024**



**Cover Picture**

Salmon Kill Valley at sunset after a summer thunderstorm  
(Photo: Michael W. Klemens)

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# Introduction, Purpose & Baseline Survey

# 1

Historical Collections of Connecticut by John Barber 1836

*This 2024 Plan of Conservation and Development (POCD) is an advisory document compiled by the Salisbury Planning and Zoning Commission (PZC). The PZC recognizes that change is inevitable, however change can be managed for the betterment of the community as a whole.*

*The POCD expresses the community's collective policies setting forth the most desirable uses of land and providing an overall framework for the future growth and development of the Town. Its purpose is to establish a vision for the future physical, social, and economic development of Salisbury by synthesizing and balancing the diverse and often conflicting interests within the community. The ultimate goal is to ensure sustainability and resiliency thereby maintaining a high quality of life for all of Salisbury's residents.*

*The POCD should not be confused with the Comprehensive Plan which consists of the Zoning Regulations and Zoning Map. The POCD supports and reinforces the Comprehensive Plan, promoting appropriate governance and direction to protect the health, safety and welfare of the people of Salisbury.*

**A. Basis for Developing a POCD**

This POCD has been compiled with consideration given to the State of Connecticut Office of Policy and Management’s *Conservation & Development Policies: The Plan for Connecticut (2018-2023)* as well as the Northwest Hills Council of Government’s (NHCOG) *Northwest (CT) NEXT (2017-2027)* Regional Plan of Conservation and Development.

Additional background information was drawn from the *Town of Salisbury Plan of Conservation and Development (2012)*, *Town of Salisbury Affordable Housing Plan (2018 and 2023)*, and *Salisbury Connecticut Natural Resource Inventory (2009)*.

The POCD also considered the results of the Salisbury Community Survey, an on-line survey conducted in the fall of 2021, to collect information from residents on their perceived concerns and priorities for the Town’s future.

The recent advisory studies conducted by Colliers Engineering of the Lakeville and Salisbury villages as well as the Town’s recreation and open space needs have also been considered in the development of this document. The three Colliers studies include concepts that warrant further investigation into their feasibility and appropriateness for the community.



This Plan updates the *Town of Salisbury Plan of Conservation and Development (2012)*. It builds upon the Town’s numerous accomplishments and reflects on how the Town has changed over the last decade. In response to those changes, as well as other long-term needs, the POCD provides the framework for prioritization of efforts and should serve as a guide for budgetary allocations for the forthcoming decade.

The POCD is the result of collaboration, consultation, and cross acceptance between elected/appointed boards (for the purposes of this document the term “boards” encompasses commissions and committees,) Town officials, and professional staff.

This Plan addresses long-term community development by promoting vibrant economies, resilient ecosystems, reliable infrastructure, and demographic diversity.

It is supported by the State’s growth management principles (see sidebar on this page) and the goals of the NHCOC Region (see sidebar on next page) by:

- Preserving valued community and natural resources while growing the economy.
- Promoting development where there is (or will be) infrastructure (e.g. water, sewer, roads, and schools) and prioritizing the use of existing infrastructure (as opposed to the creation of new infrastructure).
- Placing priority on re-use of previously developed sites and encouraging new development in targeted growth areas.
- Taking steps to safeguard the integrity of preserved open space as well as protect land identified for preservation.
- Pursuing a compact, mixed-use pattern of development for key core areas (village centers) creating walkable neighborhoods.
- Providing a range of housing options to ensure that households from young adults to seniors can choose to live in Salisbury.
- Promoting a safe transportation system that encourages multi-modal travel (e.g., walking, bicycling, and transit options other than the automobile).

By applying these growth and management principles for Salisbury, this POCD identifies strategies resulting in optimal outcomes for the Town.

### **State Growth Management Principles**

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- 1) Redevelop and revitalize ... areas with existing or currently planned physical infrastructure.
- 2) Expand housing opportunities and design choices to accommodate a variety of household types and needs.
- 3) Concentrate development around transportation nodes and along major transportation corridors to support the viability of transportation options.
- 4) Conserve and restore the natural environment, cultural and historical resources, and traditional rural lands.
- 5) Protect and ensure the integrity of environmental assets critical to public health and safety.
- 6) Promote integrated planning across all levels of government to address issues on a statewide, regional and local basis.

Not listed in any particular order of importance.

## Regional Goals (NHCOC)

- 1) Attract and retain young residents.
- 2) Protect water quality and natural resources.
- 3) Support farm businesses and protect farmland.
- 4) Strengthen our town centers and main streets.
- 5) Meet the needs of our older adult residents.
- 6) Continue to foster regional collaboration and resource sharing.

Not listed in any particular order of importance.

The POCD provides a framework for consistent and transparent decision-making and investments. It is designed to serve as an action plan, not a static report that sits on a shelf until a subsequent update is prepared in another ten years.

When making any municipal decision concerning development applications, public facilities, acquisition and divestiture of land, resource protection, infrastructure projects, and annual budget preparations, all Town boards, officials, and staff should consult the POCD.

While the statutory responsibility to adopt the POCD rests with the PZC, implementation will depend upon the degree that the community at-large embraces its conclusions and contributes to undertaking its recommended strategies. This document has been developed in a user-friendly format, providing an introduction to and description of the challenges(s) our community faces and proposed solution(s).



## B. Gathering Data to Inform the Plan

To help establish a preliminary direction for the 2024 Plan, the PZC first conducted a review of the 2012 POCD. Tasks and priorities from the 2012 POCD were examined to determine if they had been completed, and if not, whether they remained priorities for inclusion in the 2024 POCD. Additionally, the PZC identified topics of concern based on their experience with land use applications and trends.

### 1. Community Survey

Commencing in the fall of 2021, a survey was developed and distributed to the Salisbury community to collect information from residents on perceived concerns and priorities for the Town's future. Because of the ongoing COVID pandemic, in-person meetings and a charette were not possible. Following the survey, the PZC aided by consulting planner Glenn Chalder of Planimetrics, compiled and analyzed the results of the survey.

Following analysis of survey results, a POCD outline was developed identifying the issues as reported by the survey respondents, augmented by the PZC review, input from Town staff and boards, and other Town documents and studies.

#### a. Survey Highlights

- The survey response rate was high. According to the U.S. Census Bureau (2021), the Town of Salisbury has a reported population of 4,048 residents. Approximately 20% of the adult population (over 18 years of age) responded to the POCD survey<sup>1</sup>.
- Most people do not rely on the newspaper to find out what is happening in our town. Respondents primarily learned about the survey by word of mouth (46%) and online/social media/website use (31%). Only 8% of respondents learned about the survey from printed media. These response rates demonstrate that digital media may be a more effective outreach tool than printed media.
- Some questions may have been too complex for people to respond adequately. A pattern of skipped questions emerged, stemming from questions requiring multiple response choices.

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<sup>1</sup> This equates to far greater participation than at the majority of Town meetings. Analyzing the votes of fifteen Town meetings over the last five years, (excluding two controversial affordable housing meetings) between 4 and 56 individuals voted. This means that on average, substantially less than 1% of the population participated in significant Town decisions.

**Mill Rate**

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Fueled by a substantial residential grand list, Salisbury has one of the lowest mill rates in the State. Salisbury’s low mill rate obscures a dependence on residential tax streams. Only 3% of Salisbury’s tax revenues are generated by commercial establishments despite the existence of approximately 400 “business entities” as per the Assessor.

Over the long-term, a diversified tax base may be preferable to reliance on a single source of tax revenue and to avoid raising residential property taxes. Commercial development will diversify our tax base.

The majority of survey respondents were supportive of a mill rate increase between 0.5-1.0% to achieve resolutions to many of the problems they identified in the survey.

For already tax-burdened individuals, diversifying tax revenues through commercial development could offset the residential burden.

- Some respondents chose “Not Sure” as their answer for several of the survey questions. This could point to inadequate or ineffective messaging between the Town and its residents.
- The perceived quality of life in Salisbury was positive. The overwhelming majority (97%) responded either “Excellent” or “Good.”
- The perceived performance of Town government was mixed. Half (51%) of the respondents were “pleased” with the overall performance of the Town’s government. However, they were “Not Sure” if the Town was adequately addressing issues identified in the survey.
- The survey posed strategies to overcome the challenges facing the community, increasing tax revenues and increasing volunteerism.
  - 0.5% Increase in Mill Rate: A significant portion of respondents (73%) stated that they would be willing to pay more in property taxes to address problems identified by the survey. 54% of survey respondents also indicated willingness to pay up to a 1% increase in mill rate to address these problems. However, several respondents indicated that a mill rate increase could create an issue for individuals on fixed incomes.
  - Increasing Volunteerism: Survey results indicated 42% of respondents would be willing to volunteer on a commission/committee/board, however, 38% of respondents required more information before committing to volunteer. Only twelve individuals provided their contact information to learn about available volunteer opportunities.

**b. Survey Priorities**

The survey results identified the following priorities for the Town to address over the next ten years (listed with no implied priority):

- Housing affordability was an overwhelming concern.
- An ever-dwindling inventory of affordable dwellings fueled by escalating real estate prices and home values.
- Ongoing environmental damage caused by development, forest clear-cutting, and climate change. This results in degradation of wetlands, increased pollution, spread of invasive species, and overall decreased ecosystem functions and resiliency.

- The availability of essential medical services is increasingly under threat because of potential hospital closures and the retirement of many local physicians coupled with the difficulty of recruiting medical providers to the Region.
- Inadequate access to reliable communication infrastructure including high-speed internet and cell phone service.
- Maintaining agricultural viability. There was a distinction made between landscapes producing agricultural products versus landscapes that merely provide an aesthetic amenity.
- Maintaining high quality public schools.
- Lack of compliance with Regulations. Adopting a citation ordinance with financial penalties for those who fail to comply.
- Ineffective or inadequate communication within Town Hall (including elected and appointed boards) as well as between the Town and its residents.
- Unrealized opportunities in village centers, including improved circulation patterns, enhanced pedestrian and bicycle safety, and the adequacy of parking.
- Addressing inadequate stormwater management.
- Insufficient/inadequate training for paid officials, administrative staff, and the volunteer boards and commissions.

The Big Picture

Our planet is unique in our solar system. Earth's proximity to the Sun, insulating atmosphere and chemical makeup create optimal conditions to support life and its evolutionary processes. The atmosphere contains greenhouse gases which trap solar radiation in the form of heat establishing our climate and weather patterns. The elemental composition of the planet, notably carbon and oxygen, make life possible.

Since the second half of the 19th Century, when industries powered by fossil fuels became the dominant part of the economies of the world, human activities have contributed to the excessive release of greenhouse gases. This unnatural release of greenhouse gases accelerates the warming of our planet at a pace beyond the ability of life to adapt.

Effects of climate change include higher average annual temperatures and increased frequency of extreme weather events. For decades, the oceans have buffered land masses from increasing average temperatures but the oceans' capacity to act as a thermal sink is limited. As the oceans warm and expand, storms intensify, and sea levels rise. Changes in weather patterns including periods of flooding and drought disrupt ecosystems and upset the life cycle of many organisms as well as their relationships to one another.

C. Emergent Factors Influencing the Plan

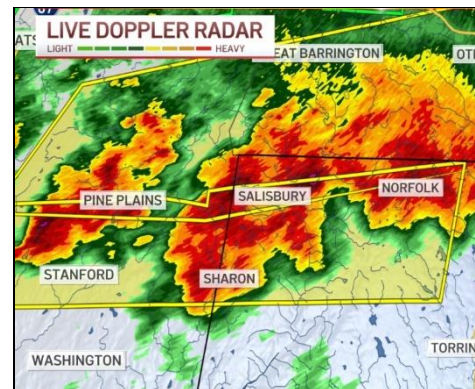
Since the adoption of the 2012 POCD, two additional factors have emerged that will continue to have profound effects on Salisbury: Climate Change and the COVID pandemic.

1. Climate Change

Climate Change poses an ever-growing threat to life as we know it. The 2014 Salisbury Hazard Mitigation Plan noted that there was an increase in tropical cyclones over the last 35-years. The National Oceanic and Atmospheric Administration (NOAA) states Climate Change has the potential to increase the frequency and intensity of tornadoes. The effects of Climate Change have become so severe and synergistic that they can no longer be simply ignored. Based upon historical data Litchfield County has a high risk of tornadic activity. Therefore, it is increasingly likely that the Town of Salisbury will experience tornadic damage events due to the increase in frequency and intensity of storms.

This Plan considers the far-reaching effects of Climate Change on infrastructure, agriculture, and natural resources. It outlines strategies for Salisbury to become more resilient to the effects of Climate Change. While there is little that can be done locally to significantly alter the trajectory of Climate Change, we can respond through resiliency strategies including hardening of built infrastructure, prioritizing investment in green infrastructure, and ensuring adherence to codes, standards and regulations. Additional details and recommendations can be found in the *Salisbury Connecticut Natural Resource Inventory (2009)*.

Climate Change: Increased Intensity and Frequency of Storm Events

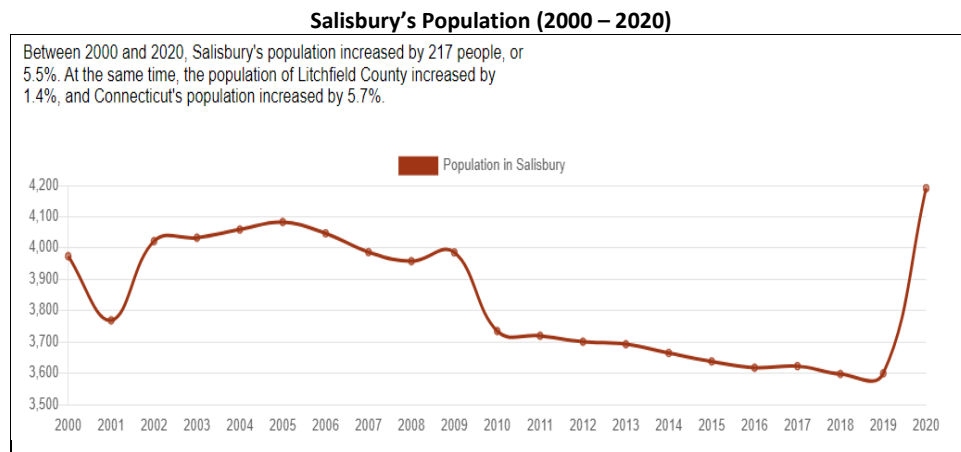


## 2. COVID Pandemic

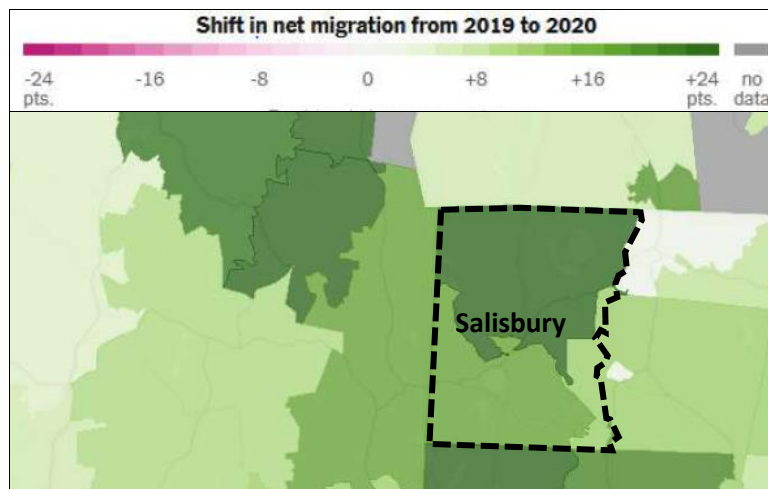
The COVID pandemic (2020-2023) was a life-changing event for many people. The impacts both short-term and long-term were felt throughout the community, economy, and all tiers of government. Salisbury, like other rural communities located close to metropolitan areas, became a safe haven for those seeking social distancing, not easily achieved in urban settings.

### a. Demographic Impacts

Over the course of the pandemic, Salisbury experienced a substantial influx of new full-time residents. COVID-related growth placed stress on Salisbury’s schools, businesses, infrastructure, and environment. More residents equated to increased traffic, which in turn raised concerns about pedestrian and bicyclist safety, and adequacy of parking.



Source - [Housing Data Profiles – Connecticut \(pschousing.org\)](https://pschousing.org/)



How the Pandemic Did, and Didn't, Change Where Americans Move - NYT 04/19/21

**b. Natural Areas and Recreational Facilities**

Natural areas and outdoor recreation facilities were overwhelmed by visitors as a direct result of the need to minimize exposure and spread of illness. Conflicts emerged concerning the overuse of fragile trails and overlooks. It quickly became apparent that our outdoor recreational facilities and natural areas lacked sufficient parking and wayfinding signage to accommodate large numbers of visitors. Sanitary and garbage disposal facilities are also inadequate or nonexistent.

An influx of visitors led to disputes over the right to access public trust resources versus the rights of residents to have the quiet enjoyment of their properties. Regrettably, some of these conflicts were culturally based, complicated by the lack of bilingual accommodation and differing attitudes toward natural areas. Increased calls to police and first responders were a direct result of the overcrowding and overuse of these areas.

Unlike COVID-related changes that continue to influence our lives, such as those reflected in the real estate market, the overuse of natural areas has largely subsided. It bears repeating that much of the overcrowding was the result of State Parks and other recreational facilities to the south being progressively closed as crowds increased.



Paddling on East Twin Lake

Photo: John Harney

### c. Economics and Infrastructure

Population increases lead to additional demands for services, straining both the Town and Region's infrastructure. The Land Use and Building Departments' caseload of permitting and inspection activities increased as did the workload of Land Use Commissions. Many land use and construction professionals were unable to keep pace with requests for their services. The majority of development projects were for guest houses, additional bedrooms, and amenities to accommodate new full-time residents.

Very few of the development projects in Salisbury resulted in investment in our village centers or provided much needed affordable housing. Instead, the influx of new residents resulted in escalating real estate costs with a concomitant reduction in the number of affordable and reasonably priced housing units.

Yet the economic effects, such as greatly elevated property values persist post-pandemic, contributing to the acute shortage of affordably priced housing in Town. Arguably, it could be said that the pandemic left Salisbury's housing market *less* resilient than before.

#### ***POCD Format***

Reviewing past POCDs, and those from nearby municipalities, resulted in the adoption of a streamlined, straightforward, user-friendly approach. This avoided parsing topics too finely, creating repetitive text.

Section A of each core chapter consists of the combined inventory and assessment and reports on:

- (1) what we have (inventory),
- (2) what has been accomplished (inventory/assessment), and
- (3) what still needs to be accomplished (assessment)

Within each core chapter, Section A provides the foundation for the strategies contained in Section B.

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# Housing

# 2

*The creation of affordable housing units continues to fall far behind in comparison to market-rate properties. We must redouble our efforts to create a broad diversity of housing available to people of lower and modest incomes, as well as the significant population of seniors who wish to age in place. Many of those priced out by the current real estate market provide essential services such as tradespeople, health care providers, town workers, teachers, and volunteers, including those who are the backbone of our fire and EMT services.*

*Apart from the creation of a diversity of housing types, including single family houses, apartments, duplexes, cluster housing, and multigenerational housing, we must provide relief/assistance to those individuals whose property tax burden may be forcing them out of their long-term homes and consequently, our community.*

## A. Inventory and Assessment

In 2023, the Salisbury Affordable Housing Commission (SAHC) developed an Affordable Housing Plan (AHP) which was adopted by the Board of Selectmen. In the preparation of the POCD, the SAHC was consulted to ensure consistency.

The 2023 AHP identified six factors contributing to affordable housing needs in Salisbury:

- Incomes have not kept pace with housing costs.
- High number of second homes.
- Growth in numbers of short-term rentals (STRs).
- Lack of multi-unit housing.
- Lack of affordable rental housing.
- Insufficient deed restricted affordable housing (1.9% versus the 10% goal of the Affordable Housing Appeals Procedure contained in Section 8-30g of the Connecticut General Statutes (CGS)).

The impact of these factors has increased over the past decade. The COVID pandemic significantly contributed to these factors by escalating real estate values and increasing construction costs.

The Salisbury Housing Committee, Inc. quantifies affordable housing needs by the number of families on their waiting list. In 2023, the waiting list for affordable units in Salisbury exceeded 100 households.

Although Salisbury has one of the lowest mill rates in the State, sharply escalating real estate values result in significant property tax increases. These tax increases seriously threaten the affordability of home ownership, particularly among those residents on fixed incomes and/or living in modest homes (*See NWCT NEXT Regional Plan, Goal 5: Meet the Needs of Our Older Adult Residents*). In short, not all residents can continue to afford to live here.



Dunham Drive – One of the first homeownership developments sponsored by the Salisbury Housing Trust  
Photo: Salisbury Housing Trust

Households are considered cost-burdened if they spend more than 30% of their annual income on housing. The United States Department of Housing and Urban Development’s (HUD) latest available Comprehensive Housing Affordability Strategy (data analyzed and released by HUD in September 2022), determined the following:

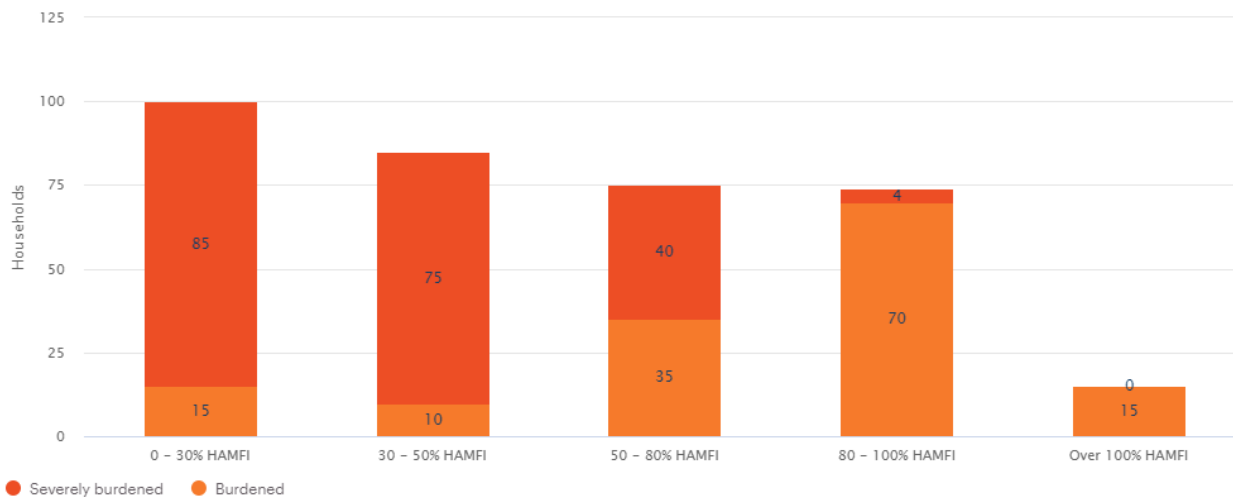
- There are 575 households in Salisbury spending more than 30% of their household income on housing costs.
- Of those 575 cost-burdened households, 295 households are severely cost-burdened, spending more than half (50%) of their income on housing
- 280 households spend 30%-50% of their income on housing (Affordable Housing Plan 2023:5).

Note: The HUD-adjusted Area Median Family Income (HAMFI) is very similar to the more commonly used “Area Median Income (AMI).” Essentially, it is a way of comparing household incomes within a region regardless of household size. For example, the 80% HAMFI for a single person household in Litchfield County is around \$64,000, while it’s around \$98,000 for a four-person household.

The chart below illustrates housing cost-burden broken down by income. The greatest number of cost-burdened households in Salisbury are those that earn less than 30% of the area median income. Cost-burdened households spend more than 30% of their income on housing costs, while severely cost-burdened households spend in excess of 50%.

### Housing Cost Burdened Households by Income

Salisbury



HUD Comprehensive Housing Affordability Strategy, 2016-2020

Litchfield County Housing Needs Assessment Tool (<https://rpa.org/work/reports/litchfield-county-housing-needs-assessment>)

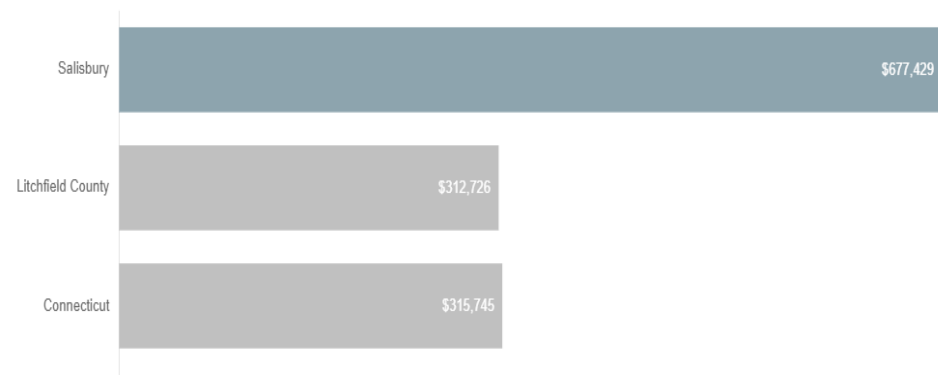
Housing prices have been on the rise while the inventory of homes for sale has been decreasing. SmartMLS Connecticut, a regional real estate service tracking listings and closed transactions, reported the following information on sales prices and inventory throughout Litchfield County from 2019 through 2023. The COVID-19 pandemic was a driver for escalating housing costs in rural areas.

The graphic below illustrates the disparity in home values between Salisbury, Litchfield County, and Connecticut in 2019 (before COVID).

**Home Values**

The real estate website Zillow provides data on home values across cities in the United States. The bar charts below show average home values in Salisbury, Litchfield County, and Connecticut in 2019 for single-family residences, including condos and apartments.

| In Salisbury, homes are more expensive than in Litchfield County.



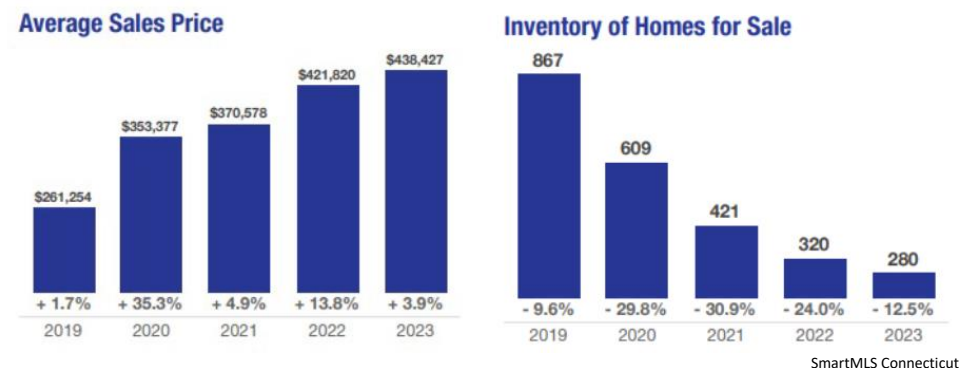
Source: 2021 Zillow Home Value Index (average for 12 months)  
Visualization created by CTData Collaborative

Source - Housing Data Profiles – Connecticut (pschousing.org)

The following graphic illustrates the changes in the housing market (average sales price and number of homes) in Litchfield County from 2019 to 2023.

Annual Report for Litchfield County Board of REALTORS  
Association Service Area

**Quick Facts**



SmartMLS Connecticut

The 2023 information regarding the escalation of housing prices is even more startling when focused on Salisbury. In a March 2023 SmartMLS update, the median sales price of 15 single-family homes in Salisbury was \$1,069,000 (AHP, 2023:6). In 2018, the median sales price was \$470,000. This shows the median sales price more than doubling since 2018.

Modestly-priced homes are infrequently available. These homes typically require substantial additional investment (\$100,000 - \$250,000) for upgrades and repairs, rendering them unaffordable for cost-burdened households.

The not-for-profit Salisbury Housing Trust (SHT) recently purchased a house for less than \$250,000 requiring considerable renovation. After spending an additional \$120,000 renovating this house, it was sold to a household earning less than 80% of the area median income. The SHT's affordability model lowers housing costs by selling only the house, with SHT retaining ownership of the land.

It is clear that affordable units are absent from Salisbury's real estate market. Therefore, the creation of affordable housing in Salisbury must be by intent, as opposed to reliance upon market forces. Land availability is a major development constraint. Therefore, where appropriate, Town-owned parcels should be prioritized to construct affordable housing.

SmartMLS data indicates that rental housing has followed a similar trend. According to the 2023 Litchfield County Rental Report prepared by SmartMLS, the average lease price in Salisbury in May 2022 was \$9,487/month and in May 2023 it was \$11,238/month. These numbers are likely inflated due to seasonal rentals. Many modestly priced units are not listed on MLS but informally rented by word of mouth, advertisement in local newspapers, or online platforms. Therefore, the SmartMLS rental data may be skewed, albeit demonstrating a significant year-to-year upward trend. In contrast, the 2023 rents for properties managed by the not-for-profit Salisbury Housing Committee, Inc. ranged between \$650/month - \$2,100/month, dependent upon the number of bedrooms and household income.

**Friendly 8-30g Applications**

The term “friendly 8-30g application” refers to a situation where the site-specific approval characteristics of the CGS Section 8-30g process are used to approve an affordable housing development.

Rather than some CGS Section 8-30g applications which may be contentious and/or combative, the details of the affordable housing application are typically worked out in advance and the process is used to grant a site-specific approval tailored to the particular site.

According to the State’s Affordable Housing Appeals Act (CGS Section 8-30g), Towns are encouraged to achieve 10% deed restricted affordable housing stock. That figure is a simple ratio of affordable versus market-rate units. If the creation of market-rate units outpaces the development of affordable units, the 10% goal becomes ever-the-more elusive.

**Affordable Housing Appeals Act (8-30g)**

*In 1989 the State legislature passed a law called the “Affordable Housing Appeals Act.” Connecticut municipalities with less than 10% of their housing stock dedicated to remaining affordable for households that earn less than 80% of the area median income, are subject to the Affordable Housing Land Use Appeals Procedure- widely known as “Section 8-30g.”*

*Salisbury is at less than 2% as of the 2022 Appeals listing. Therefore, a developer can propose a development under CGS Section 8-30g that does not comply with the local zoning regulations so long as at least 30% of the units in the development are dedicated affordable units. The development still must comply with the town’s wetlands regulations and receive area health district approval.*

*If a Zoning Commission denies a development submitted under CGS Section 8-30g and that denial is appealed, the Commission would need to demonstrate the denial was based on public health and safety concerns that “clearly outweigh” the town’s need for affordable housing. If the town was not able to demonstrate that, the court could stipulate that the development was approved.*

*There is no obligation for the town to reach the 10% threshold but until they do, they are subject to CGS Section 8-30g appeals for denials of housing developments that include dedicated affordable units.*

*In many small towns in Northwest Connecticut, Planning & Zoning Commissions have invited their local housing non-profits to utilize this law to create affordable housing options that are consistent with their Town Plans of Conservation & Development, often referred to as a “friendly 8-30g.” However, some municipal officials are reluctant to invite a “friendly 8-30g” because of the perceived stigma attached to using this Statute.*

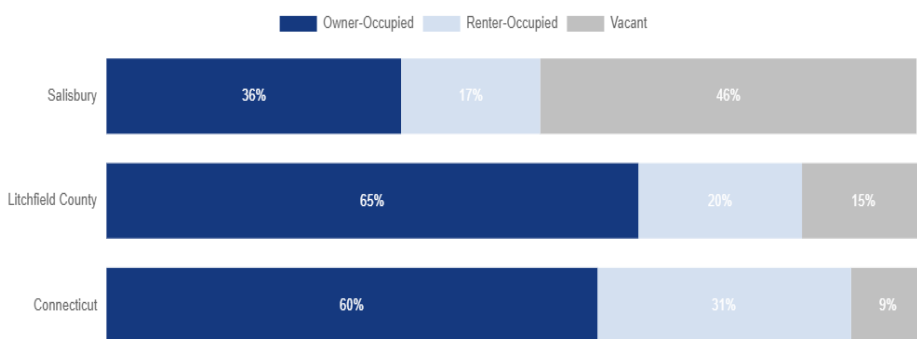
Further exacerbating the housing shortage, a substantial portion of the market-rate residences in Salisbury are reserved for “seasonal, recreational, or occasional use” (i.e., second homes)<sup>2</sup>. The fact that these units exist but are unavailable to meet the housing needs of people who want to live here full time contributes to the housing shortage and compromises the sustainability and vibrancy of Salisbury.

**Occupancy Status**

In Salisbury, 36.4% of housing units are owner-occupied, compared to 64.5% in Litchfield County.

The bar charts below show what percent of housing units are owner- and renter-occupied, and vacant in Salisbury, Litchfield County, and Connecticut.

Hover over bars to see units instead of percentages. Percentages may add up to 99 or 101 due to rounding error.

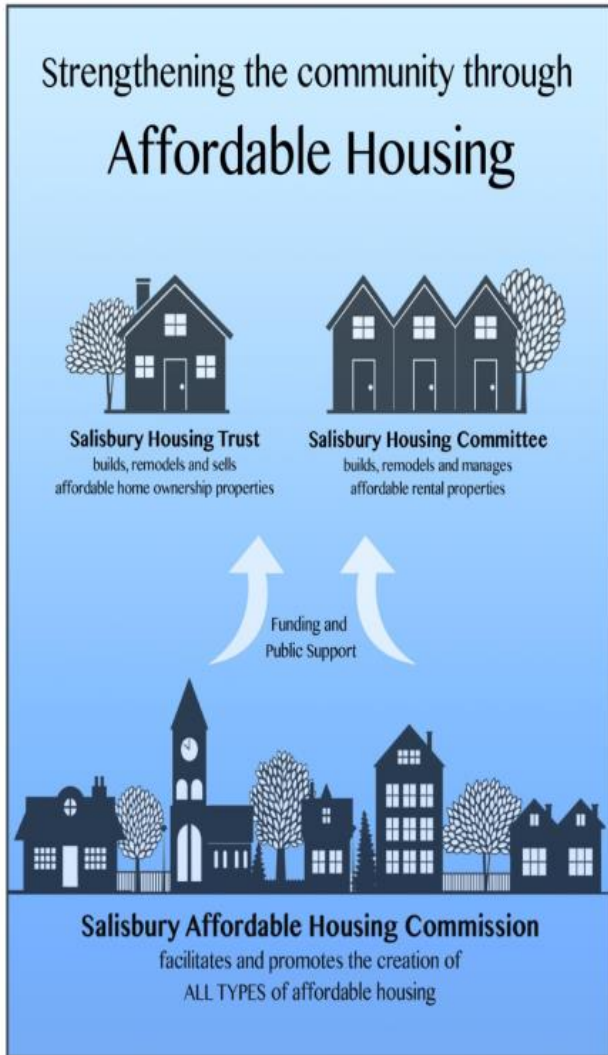


Source - [Housing Data Profiles – Connecticut \(pschousing.org\)](https://pschousing.org)

Compounding this problem, as of May 2023 there were 84 short term rental (STR) units advertised on websites such VRBO (Vacation Rentals by Owner) and Airbnb (AHP, 2023:7). This may be an undercount of units being used for short term rentals (STRs). Modestly-priced houses are being purchased by investors to be managed as STRs further depleting the stock of housing that is affordable.

<sup>2</sup> The 2022 American Community Survey reported that roughly 30% of all housing units in Salisbury (780 units or so) were being kept for “seasonal, recreational, or occasional use.”

The Town of Salisbury, aided by multiple local housing groups, has pursued a variety of strategies to facilitate the development of affordable and market rate units:



1. **Salisbury Affordable Housing Fund:** In 2010, the Town established the Salisbury Affordable Housing Fund (Town Ordinance No. 112). It is restricted to a variety of tasks and expenditures to advance affordable housing in Salisbury.

2. **Housing Overlay Zones:** As recommended by the POCD (2012) and the AHP (2018), the PZC adopted two overlay districts in 2019 incentivizing multi-family housing in the villages of Lakeville and Salisbury. The Multi-family Housing Overlay District (MFH) as well as the Pocketknife Square Overlay District (PKSQ) were created to maximize the development of parcels in proximity to State Route 41 and 44 served by public water and sewer. These Overlay Districts offer density bonuses and relaxed setback requirements for the creation of units meeting affordability requirements established by the State of Connecticut.

3. **Accessory Dwelling Units:** In 2021, multifamily and affordable housing was a major theme of Connecticut’s legislative session. The legislature adopted new Statutes requiring accessory dwelling units as of right. This was a response to many communities using single-family zoning as a *de facto* means of exclusion and segregation. While not specifically referencing affordability *per se*, this new legislation serves as an important first step to overcome housing inequality in many Connecticut communities by allowing as-of-right a diversity of housing types other than single family residential.



After careful analysis and deliberation, Salisbury voted to opt out (as allowed by the new Statute) finding the new legislation was duplicative of and in certain instances, even regressive, when compared to Salisbury's Zoning Regulations. The PZC found that simply allowing accessory units does not in and of itself address the affordable housing shortage in Salisbury.

A review of accessory units permitted between 2017 and 2022 demonstrated that the majority of accessory units were not designed to provide alternative housing options. In Salisbury, market forces drive the creation of amenities including guest houses, home gyms or offices. These amenities increase property values, contributing to the exclusivity of our community. Many accessory units are used seasonally or for short-term rentals. This contributes to the overall vacancy rate, rather than alleviating Salisbury's housing shortage.

4. **Underlying Zoning Districts:** In 2022, a revised zoning map was adopted incentivizing infill development served by public utilities and bordering major roadways within our villages. These areas are well-suited for multifamily housing and neighborhood design developments, mirroring the historic patterns of settlement. The new zoning map discourages exurban sprawl, with a concomitant loss of habitat and landscapes in rural sections of Town.

**Pockets Of Opposition**

Despite the concerted outreach efforts of Salisbury’s housing groups, affordable housing proposals continue to encounter pockets of neighborhood opposition.

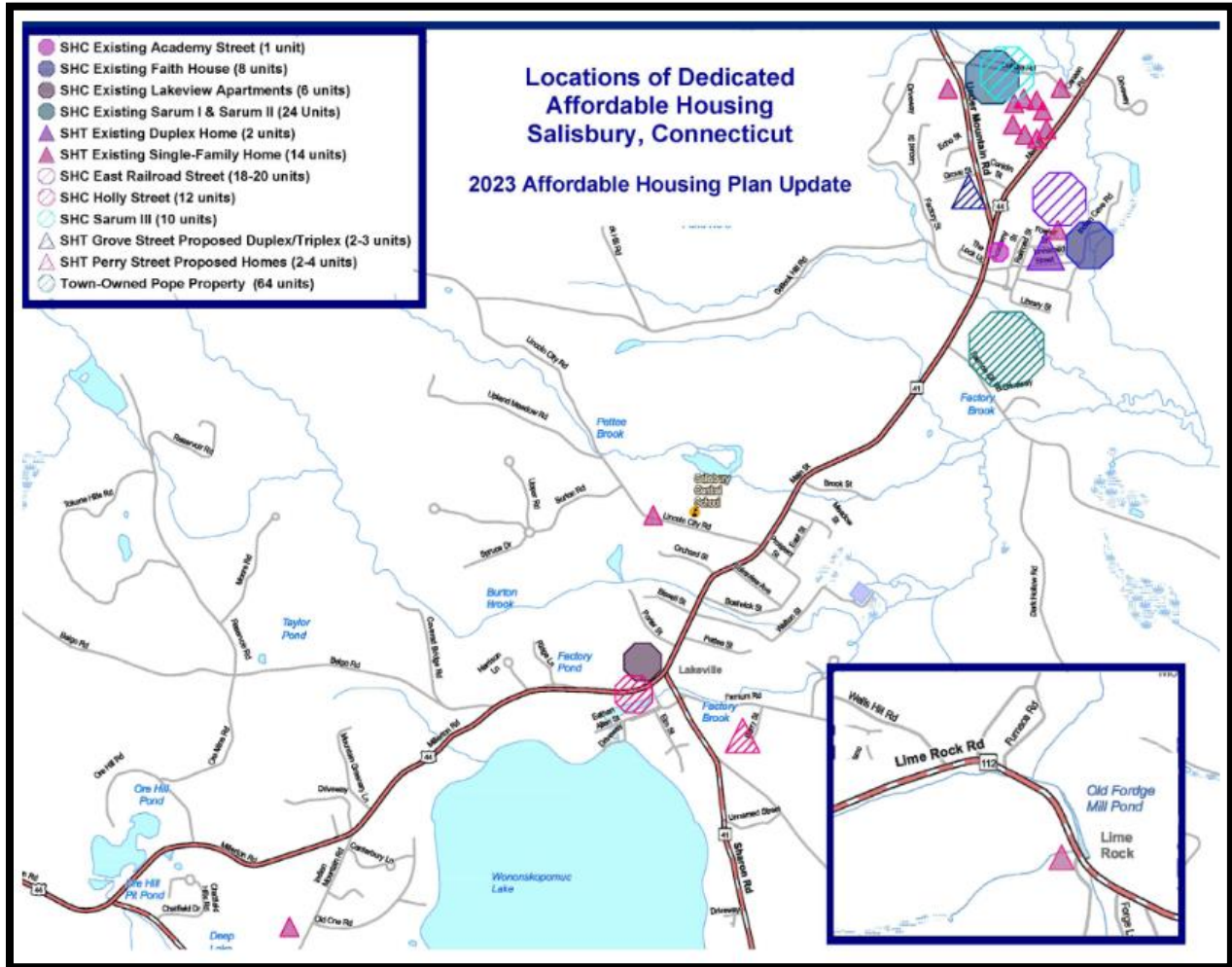
All too often the PZC hears concerns rooted in a desire to maintain the *status quo* within the villages primarily composed of single-family residences and parks. The historical reality, as articulated by many residents, paints a starkly different picture including mixed use and multi-unit buildings and thriving storefronts serving the day-to-day needs of the community.

The villages of today are but remnants of a once thriving and vibrant village economy. Opposition to multifamily housing and mixed-use developments discounts both history and the basic economics required to sustain vibrant New England villages

The creation of affordable housing faces many obstacles, including the acquisition of land as well as the funds to design and build housing. While there are a variety of strategies to overcome funding deficits and land acquisition, neighborhood opposition often fueled by distrust and misinformation is challenging to overcome. At the time of this writing there are six properties in various stages of planning and fundraising. Neighborhood opposition has impaired or delayed several of these. The 2014 *Salisbury Hazard Mitigation Plan* stated that “the Town should take care to ensure that vulnerable [human] populations are sited in locations that are at a low risk for natural hazards such as flood and wildfires.” All of the planned affordable housing units comply with this recommendation.

Only 1.9% of Salisbury’s housing stock is considered affordable. Adding 100 units would increase that percentage to 5.4%, still well below the 10% goal set by the State. The following affordable housing units are in various stages of implementation.

Sponsor / Project	Status
<u>Salisbury Housing Committee, Inc.</u>	
<ul style="list-style-type: none"> <li>Sarum Village Phase III – 10 rental units</li> <li>Holley Place – 14 rental units</li> <li>Dresser Woods – 20 rental units</li> </ul>	<p>Units available September 2024</p> <p>PZC approved, in need of funding</p> <p>PZC approved, in need of funding</p>
<u>Salisbury Housing Trust</u>	
<ul style="list-style-type: none"> <li>Perry Street – 2 homes</li> <li>Grove Street – 2 homes</li> </ul>	<p>PZC approved, land not yet conveyed by Town Meeting</p> <p>PZC approved, land not yet conveyed by Town Meeting</p>
<u>Salisbury Housing Committee /Salisbury Housing Trust</u>	
<ul style="list-style-type: none"> <li>Pope Property – up to 64 homes/rental units</li> </ul>	<p>Conceptual designs, no formal applications, no permits sought, or approvals given</p>



## B. Strategies

### Zoning Considerations

1. Consider expanding the multi-family housing overlay district(s) to encompass all R10, R20, C-20, and CG-20 lots served by town sewer and/or water.
2. Consider an Affordable Housing Floating Zone in RR-1, RR-3 areas of town with relaxed dimensional requirements and other standards for affordable units.
3. Amend the Zoning Regulations to simplify the permit process for attached apartments and some detached apartments encouraging the adaptive reuse of existing buildings.
4. Explore defining and permitting as-of-right two-family dwellings, as distinguished from multi-family, through a Site Plan.

### Site-Specific Considerations

5. Oversized lots and undeveloped land exist north of Fowler Street along the Rail Trail between the village of Salisbury and Route 44. These present significant opportunities to create a mixture of affordable and market rate housing. However, access to these lots and connecting to utilities (i.e., sewer, water) are development challenges. The Trail is 66 feet wide in this area, sufficient width to provide for utilities, vehicular access, as well as a walking and biking pathway. This was identified as a development opportunity in the 2024 report on Salisbury village prepared by Colliers Engineering.
6. Explore multiple access points to the Pope Property, including rehabilitation of the bridge over Wachocastinook Brook to foster multi-modal connectivity to the adjoining village of Salisbury. For example, automobile access could be gained from Library Street, integrating the Pope Property directly into the village center. This neighborhood design concept would create a continuous village pattern from Salisbury westward to Salmon Kill Road. ***Housing should be the primary driver for any development of the Pope property.***

7. In order to responsibly develop the Pope Property, the following actions are recommended:
  - a. Conduct comprehensive traffic studies and parking needs assessment including the analysis of multiple access points (i.e., Salmon Kill Road and Library Street).
  - b. Investigate the capacity and quality of existing infrastructure specifically power, water, and sewer.
  - c. Analyze the impacts of any proposed development on wetlands, biodiversity, and historic resources.
  - d. Consider replicating the development pattern of the Library Street neighborhood onto the northern portion of the Pope Property (*see Chapter 3 Vibrant Villages*).
8. Consider adaptive reuse of longstanding vacant or underutilized buildings especially in the Pocketknife Square Overlay District to create additional affordable housing units.
9. Consider partnering with the Salisbury Association Land Trust to explore limited development when allowed by the conservation restriction on parcels they own and acquire, ensuring that the conservation values of these parcels are not compromised, i.e. the development is compatible with conservation objectives.

Municipal Obligations and Considerations

10. Ensure that divestiture of Town-owned land fully considers opportunities for affordable housing. The CGS Section 8-24 ([see page 47](#) for detailed discussion) review is a legally mandated process for various municipal actions including change of use or ownership of Town-owned land. Engaging in the 8-24 process early on is essential, before any design is developed or committee/task force established.
  - a. The 8-24 review should recognize that the highest and best use of many Town-owned parcels may be to support in whole or in part affordable housing.
11. Ensure that there is adequate infrastructure capacity for all affordable housing projects before entering design stages to properly factor in budgetary needs. This could logically be incorporated into the CGS Section 8-24 review as it involves expenditure of Town funds and/or use of Town-owned lands.
12. Consider regulating Short Term Rentals (STRs) via a Town ordinance. The PZC concurs, upon advice from its legal counsel, that STRs should be regulated through an Ordinance rather than through the Zoning Regulations. The Ordinance could define a STR by the term of occupancy (e.g. less than 30 days) and require owner-occupancy. Explore mechanisms to collect fees from short term rentals and apply these revenues toward affordable housing.
13. The Town should continue and increase its annual allocation to the Affordable Housing Fund. This Fund serves a variety of worthwhile needs, and provides the needed match to the State's investment in the construction of affordable housing units.
14. Explore additional revenue streams to increase the Salisbury Affordable Housing Fund, including adoption of Ordinances<sup>3</sup>:
  - a. establishing dedicated real estate conveyance fees.
  - b. establishing dedicated permit surcharges.
15. Explore tax abatement mechanisms to incentivize the creation of deed-restricted affordable units.
16. Explore property tax relief for individuals with demonstrated economic hardship(s) to enable them to stay in their homes and within Town.

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<sup>3</sup> Fairfield and New Canaan have adopted ordinances which may serve as models.

Other Considerations and Opportunities

17. Embrace “friendly 8-30g” applications. Using this Statute to facilitate applications for affordable units avoids costly appeals and construction delays.
18. Explore a broader community dialogue about embracing all aspects of diversity. We have focused on socioeconomic diversity; however, we should continue and expand efforts to welcome residents of various ages, ethnicities, faiths, and orientations.
19. Under the right circumstances, market-rate housing can generate much needed revenue to construct affordable units. The intermixture of housing options and funding sources would facilitate inclusive and diverse neighborhoods. Consider promoting the use of density bonuses for new neighborhoods with a mix of market-rate and deed-restricted affordable units. While provided both by CGS Section 8-30g and Salisbury’s new Multifamily Overlay Districts, are there other mechanisms or approaches that could encourage private investment in affordable housing adding value to the efforts of not for profits?
20. Healthy communities need both affordable housing and conserved land. Therefore, encourage cross sector and regional collaboration among town governments, housing organizations, and conservation organizations. This is vital to achieving our regional affordable housing and conservation goals. Refer to the specific action items described within the *Northwest Connecticut Affordable Housing and Conservation Collaboration Strategy* (2024).

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# Vibrant Villages



*The planning choices and investments we make today are key to creating and sustaining the village centers of tomorrow.*

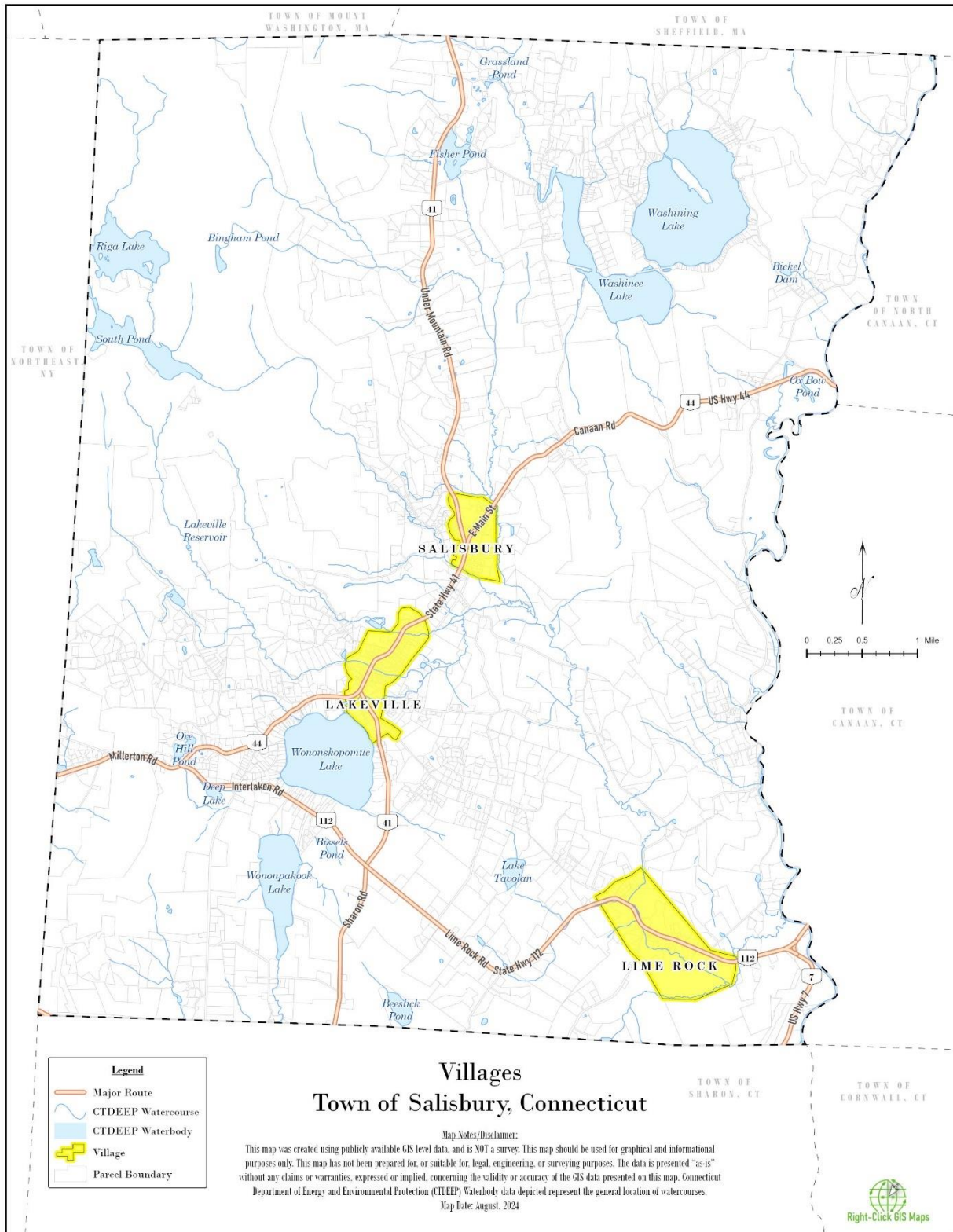
*To support the vision of vibrant villages, the Town must address the limitations imposed on commercial development by outdated Zoning Regulations. Sustaining businesses and incentivizing the establishment of new commercial enterprises is essential to village vibrancy.*

*Sufficient infrastructure exists to support dense mixed-used villages. Additional investments in infrastructure will yield dividends, encouraging people to live, work, and spend time in our villages, rather than speeding through seeking another destination.*

## A. Inventory and Assessment

Three villages exist within the Town of Salisbury located on State highways: Lakeville, Lime Rock, and Salisbury (see map on facing page). Unlike Lime Rock, the villages of Salisbury and Lakeville have the basic infrastructure (public sewer and drinking water) essential to support dense development.

The eighteenth and nineteenth century development and mixed-use patterns of these two villages pre-date the era of the automobile. The historical CNE railroad bed (now known as the Rail Trail) connects the villages of Lakeville and Salisbury. In the 1950s the Town adopted zoning, placing a regulatory template over these historic development patterns, which rendered the majority of village lots non-conforming. For a full discussion of Salisbury’s historical resources, many of which are located within the villages, see the 2009 *Natural Resource Inventory*.



The public is generally unaware of the underlying regulatory impediments to realizing vibrant villages. Big-picture opportunities and efficiencies are obscured by a land use process that is, by statutory design, principally focused on single lots. This can be readily observed within Salisbury Village, between Rte. 44 and the Rail Trail, where a hodgepodge of lot configurations results in a pattern of development and infrastructure that impedes large-scale village planning.

The non-conforming configuration of commercially-zoned parcels, coupled with performance standards that are difficult to achieve, impede commercial development. For instance, parking requirements rely on subjective formulas and can rarely be accommodated onsite, triggering the need for “parking flexibility” via a Special Permit. Therefore, if the goal is to foster commercial resiliency in villages, the regulatory framework imposed by the Zoning Regulations should reflect modern day aspirations. Simply stated, if commercial uses are desired in the C20 and CG20 Zones, the regulatory pathways should facilitate, not impede, that goal.

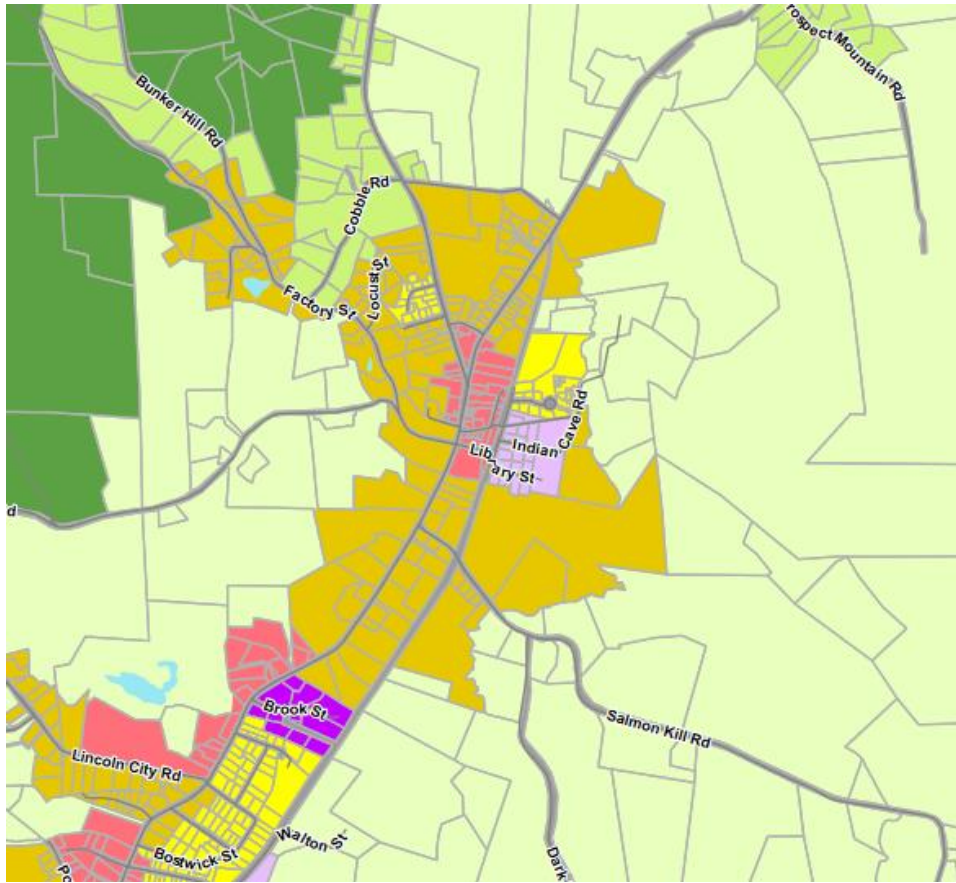
Salisbury’s current Zoning Regulations favor single family development in commercial zones, creating conflicts between commercial/mixed/multifamily uses and single-family residences. Diverse housing options, including multifamily and live/work units, are essential components of a vibrant village. However, development of such units is not guaranteed, as they require additional performance standards through a Special Permit. In contrast, the regulatory pathway to construct a single-family dwelling is much simpler, and as of right requiring only an administrative Zoning Permit.

Industrial-type uses including repair shops and landscaping operations can be a source of conflict with people residing in the single-family residences scattered throughout the commercial zones. A dynamic tension exists between those interest groups that desire economically vibrant and sustainable downtowns, versus those who wish to see the villages function primarily as quiet single-family residential neighborhoods.

In the 2021 POCD Survey, the topic of “Revitalizing Village Centers” appeared in the section on “Goals for the Town.” Of the respondents, 48% replied that it is “very important” and an additional 39% responded that it is “somewhat important.”

A complementary question elicited a similar response. “Promoting Business/Economic Development” was considered “very important” by 40% and “somewhat important” by 50% of the respondents. Therefore, substantial public support exists for maintaining our villages as functioning economic entities.

Zoning Detail for the Salisbury Village Area



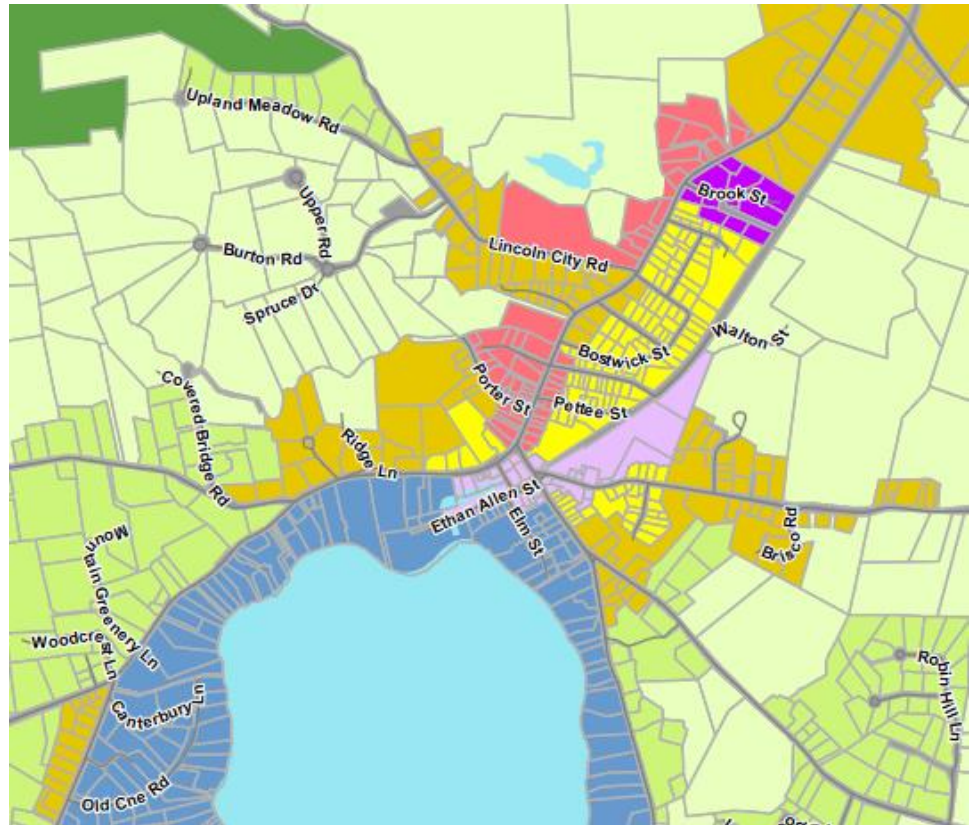
**Residential Zones**

- LA - Lake Residential Zone
- MR - Mount Riga Zone
- RR-3 - Rural Residence 3 Zone
- RR-1 - Rural Residence 1 Zone
- R-20 - Residence 20 Zone
- R-10 - Residence 10 Zone

**Commercial Zones**

- C-20 - Commercial Zone
- CG-20 - General Commercial Zone
- LI-1 - Industrial 1 Zone
- RE - Rural Enterprise

Zoning Detail for the Lakeville Village Area



**Residential Zones**

- LA - Lake Residential Zone
- MR - Mount Riga Zone
- RR-3 - Rural Residence 3 Zone
- RR-1 - Rural Residence 1 Zone
- R-20 - Residence 20 Zone
- R-10 - Residence 10 Zone

**Commercial Zones**

- C-20 - Commercial Zone
- CG-20 - General Commercial Zone
- LI-1 - Industrial 1 Zone
- RE - Rural Enterprise

Some individuals perceive that the village commercial areas are stagnant, lacking vitality. Vitality is difficult to define; it can be interpreted differently, depending on your perspective. More people spending time in our villages contributes not only to the success of local businesses but to the sense of community. Local businesses are losing retail revenue to other locales as well as to online merchants. Retail establishments are generally viewed as positively contributing to villages. Conversion of retail space to lower turnover office use may contribute to parking shortages by occupying public parking spaces for extended periods of time, competing with higher turnover retail uses. The predominance of restaurants in Lakeville has raised concerns, including inadequate parking, extended hours of operation, and overreliance on a specific use as economic vulnerability. On the flipside, Lakeville has become a restaurant destination contributing to the economic resurgence of that village.

Since the adoption of the 2012 POCD, the PZC has enacted several village-friendly Regulation amendments to begin to address the hurdles posed by Zoning:

- In 2014, a regulation providing flexibility encouraging adaptive reuse of residential buildings fronting on Rte. 112 in Lime Rock Village was adopted. The goal of this regulation was to maintain the residential appearance of the Village while allowing some commercial uses.
- In 2019, two multifamily overlay districts were adopted to encourage multifamily housing in the villages of Lakeville and Salisbury by offering density bonuses to encourage the construction of affordable units.
- In 2022, portions of the Salisbury and Lakeville villages were rezoned to encourage commercial and multifamily residential uses.

Nevertheless, the overarching problem remains that the current Zoning Regulations serve as an impediment to commercial diversity and viability in Lakeville, Salisbury and Lime Rock village centers. This results in lost economic opportunities and village stagnation.

Several planning studies have been initiated over the last decade to better understand the villages, identifying many of the aforementioned concerns and offering a variety of conceptual development opportunities. In 2023, the PZC hired Colliers Engineering to conduct comprehensive assessments of downtown Lakeville and Salisbury, focusing on traffic flows, speeds and safety, as well as multimodal circulation, parking, village aesthetic and stormwater management. Recognizing that many of the Town’s recreational facilities lie within the village centers, Collier’s scope was expanded to include a recreation and open space study. The three Collier’s reports have synthesized previous studies and provide recommendations to address some of these issues within the village centers.

Viable villages are enhanced by safe, multimodal pathway systems. These include defined road crossings, continuous sidewalks, as well as multimodal pathway systems allowing foot traffic to freely flow between establishments. Traffic calming within the villages is essential to promoting foot traffic. Public safety is also enhanced when paved sidewalks are reserved for pedestrians, and not used for bike and skateboard traffic.



Misaligned sidewalks and unmarked crossings at the intersection of Main Street and Academy Street Photo: Miles Todaro

Sidewalks are discontinuous, misaligned, narrow, and in certain areas uncomfortably close to vehicular travel lanes. In the village centers, parking areas are inadequately striped, lack way-finding signage, or are created informally and/or as an afterthought contributing to the perception of insufficient parking spaces. These conditions collectively impact the public’s safety. Municipal infrastructure projects, simultaneously addressing pedestrian circulation, safety, traffic flow, and improved parking, all contribute to reinvigorating Salisbury’s village centers.

Recommendations from the 2012 POCD focusing on pedestrian improvements *within* the village centers of Salisbury and Lakeville, improvement of the existing bike path connection between Salisbury Village Center and Lakeville Village Center, as well as the development of an overall plan for pedestrian and bicycle improvements Town-wide have not yet been completed.



The potential of municipal recreational areas including the Town Grove, Rail Trail, Community Field, and Trotta Field to be fully integrated into the villages remains unrealized. These are missed opportunities to encourage people to spend time in our villages, rather than merely passing through.



Dam and Outlet of Factory Pond

Photo: Miles Todaro

Increasing the number of visitors to the village centers for special events, shopping, or recreation fosters commercial vitality. Creating new community gathering spaces will accommodate a variety of events thereby developing community spirit and a sense of place.

Investment in village centers serves multiple purposes, including promoting community cohesion and identity. The community gathering places such as playgrounds, sitting areas, and public parks, in village centers lack requisite facilities, including parking spaces and restrooms. Of equal importance to creating these new facilities is the need to consider effective stormwater management. The large areas of hardscape (impervious surfaces) within villages create unique stormwater management challenges. In addition, stormwater management is critical as most of the villages of Lakeville and Salisbury lie atop the municipal drinking water aquifer, which is especially sensitive to waterborne pollution.

Historically, stormwater runoff was considered a waste product, quickly piped into storm drains or directly into streams. For example, Factory Pond's outlet is buried beneath parking lots and roadways daylighting downstream alongside Farnum Road. The proximity of development to wetlands coupled with outdated stormwater management practices renders built infrastructure vulnerable to increasingly frequent precipitation events, a result of climate change. Rather than treating stormwater as a waste product, stormwater detention and infiltration on-site is a best management practice. This allows water to slowly return to the land, minimizing stream flashiness and flooding. All too often overlooked, parks, recreation fields, floodplains, and riparian corridors are green infrastructure that dissipate and treat stormwater, offsetting the impacts of concentrated impervious surfaces in the villages.

Form-Based Codes

Traditional use-based zoning focuses mainly on uses with much less attention given to the form or design of the built environment.

On the other hand, according to the Form-Based Code Institute, form-based codes address:

- the relationship between building facades and the public realm,
- the form and mass of buildings in relation to one another, and
- the scale and types of streets and blocks.

The regulations and standards in form-based codes are presented in both words and clearly drawn diagrams and other visuals. They are keyed to a regulating plan that designates the appropriate form and scale of development, rather than only distinctions in land-use types.

**B. Strategies**Zoning Regulations

1. Consider establishing a new zone or overlay district created for the village areas that reduces/eliminates dimensional and parking requirements. Many village centers in New England do not mandate the number of parking spaces per square foot of building or use. The standards in this new zone could also apply to the expansion and adaptive reuse of existing structures.
  - a. Alternatively, consider adopting “village districts” in accordance with CGS 8-2j as was suggested in the 2012 POCD. The *State of Connecticut Conservation and Development Policies Plan* uses the term “urban service boundaries” as another method that could be employed.
  - b. Another approach may be to explore the utility of adopting a form-based code in the village centers as opposed to conventional zoning.
2. Within the villages:
  - a. investigate adopting architectural design standards in the Zoning Regulations, or
  - b. consider by ordinance, the establishment of an Architectural Design Review Board.
3. Revise the Zoning Regulations to facilitate commercial uses and foot traffic in downtown villages areas by:
  - a. Examining Section 205.2, Table of Uses in Rural Enterprise; Commercial & Industrial Zones for consistency with the objective of encouraging commercial uses within commercial zones.
  - b. Discouraging residential uses on the first floor of commercially zoned buildings.
  - c. Making single family residences a Special Permit use within commercial zones.
  - d. Developing use standards to make commercial uses authorized by site plan approval (not Special Permit approval) within commercial zones.
4. Revise Zoning Regulations, Section 703.5, to require non-residential properties provide paved, striped parking lots with ADA compliant parking spaces for cars and vans and incorporate low impact development (LID) stormwater best management practices.

### Sidewalks / Crosswalks / Pathways / Bikeways

5. Encourage continuous pedestrian pathways. Sidewalks should be accessible and contiguous, crossings should be marked and, in some instances, illuminated. Pathway projects should be based on a comprehensive plan. Planning should include relevant Town staff and regulatory commissions, and consideration of long- and short-term maintenance prior to construction. Priority should be given to establishing sidewalk and pathway connections within villages. For specific recommendations refer to *Chapter 5 Infrastructure*.
6. Encourage safe pedestrian pathways. Sidewalks should be well-separated from vehicular traffic by distance or barricade. Bicycles, scooters and skateboards, including electric models, should be prohibited on all sidewalks, as they pose a significant danger to pedestrians. For specific recommendations refer to *Chapter 5 Infrastructure*.
7. Improve the Rail Trail pathway, including bridges, within our village centers to facilitate accessible, safe, and defined multimodal use. For specific recommendations refer to *Chapter 5 Infrastructure*.

### Parking and Vehicular Circulation

8. Maximize municipal parking to serve multiple users. Public parking should be accessible, striped, illuminated (DarkSky Approved), and paved. Provisions for EV chargers should be made, wayfinding signage provided, and stormwater detained and treated onsite. For specific recommendations refer to *Chapter 5 Infrastructure*.
9. Because public parking may be limited, encourage high turnover uses, and uses with complimentary hours of operation (maximize the utility of public parking).
10. Explore the feasibility of public parking on private land. This will require establishing partnerships between the Town and private landowners.
11. Continue to work with the CT DOT to implement traffic calming measures on State highways.

### Parks / Recreation / Gathering Spaces

12. Identify opportunities for new or expanded community gathering spaces on public as well as privately owned land in our village centers. For example, the open field owned by the Salisbury Winter Sports Association could be used as a venue for short term events such as a farmers' market.

13. Explore the various concepts of creating "Community Park" (at present day Community Field) as identified in the 2023 *Colliers Lakeville Village Planning Study*. For specific recommendations refer to *Chapter 5 Infrastructure*. This may include:
  - a. new passive recreational structures,
  - b. improving accessibility to the Rail Trail,
  - c. pedestrian connectivity to Pettee Street,
  - d. safe and defined vehicular and pedestrian access from Sharon Road (Route 41),
  - e. community gathering spaces with essential amenities including public restrooms,
  - f. improved and formalized parking,
  - g. resurfacing sports courts, and
  - h. relocating the existing tennis court from Aquarion's property onto Town-owned property.
  
14. Town-owned recreation facilities contribute significantly to the village centers. Maximize accessibility, quality, and efficiency of existing recreation facilities (e.g., multi-use courts, expanded programming, improved parking). For specific recommendations refer to *Chapter 5 Infrastructure*.

#### Comprehensive Planning

15. All village infrastructure and planning projects should be conducted in an organized, efficient, and transparent manner by including relevant Town staff and regulatory commissions. For specific recommendations refer to *Chapter 4 Comprehensive Planning, Governance, and Administration*.
  
16. Develop the Pope Property as an extension of Salisbury village, as opposed to a stand-alone development. This will necessitate a multimodal connection from Library Street using an existing or new bridge crossing. For specific recommendations refer to *Chapter 2 Housing and Chapter 5 Infrastructure*.
  
17. Establish a cohesive, harmonious aesthetic within the village centers to celebrate and preserve Salisbury's eclectic architectural presence. Consider adopting design standards to promote a unified appearance of sidewalks and curbs, signage, seating, DarkSky Approved lighting, and other street furnishings with a focus on natural materials and sustainable fabrication. For specific recommendations refer to *Chapter 5 Infrastructure*.

# Comprehensive Planning, Governance, and Administration

# 4

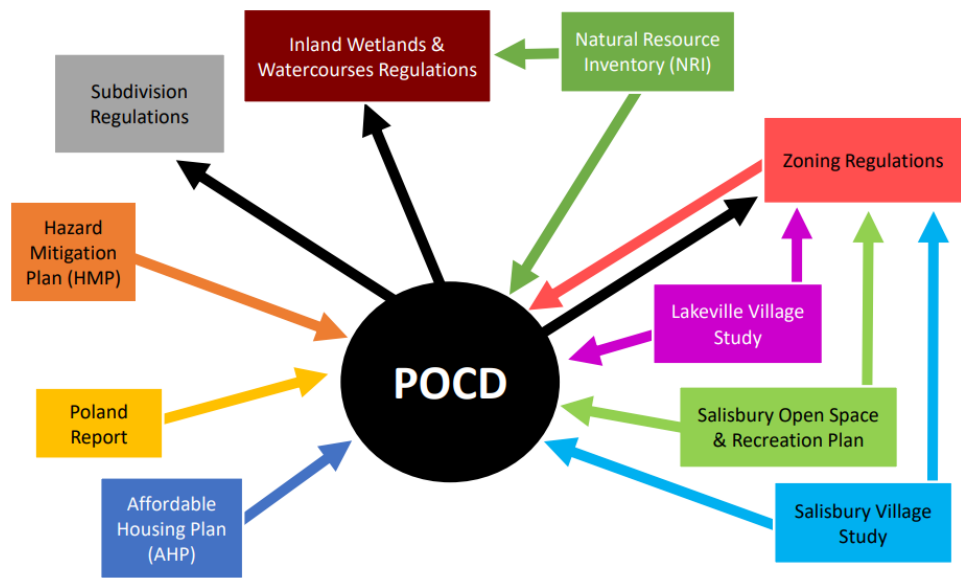
*Over the last decade, the Town of Salisbury has made considerable progress addressing the challenges posed by an ever-more complex world. There remains much to accomplish as the challenges are multi-faceted.*

*Responding to the technical and legal complexity of today will sustain and improve municipal functionality for tomorrow. Government functions best when conducted in an open, accessible, and transparent format. This includes adherence to legal mandates for equal protection, employment and personnel management, as well as fiscal accountability.*

*A long-term unified vision is necessary. Relying on the strategies of yesteryear impedes the effective, consistent delivery of services to residents today and into the future. Decisions made without comprehensive planning create roadblocks on our pathway toward a sustainable future.*

### A. Inventory and Assessment

Comprehensive planning is a proactive, synthesized approach to addressing a community’s long-term needs and future growth. This type of planning ensures that municipal decisions are executed based on sound principles, transcending political parties and terms. Planning comprehensively ensures adherence to State and federal requirements and incorporates recommendations from advisory documents such as local and regional studies, plans, and assessments. As shown in the following graphic, a POCD is a central element in this approach.



Planning comprehensively considers many factors (including the availability of fiscal and human resources) to guide local government in a professional, unified, and collegial vision. In short, an effective municipality functions much like an organism. Each part (employee, volunteer, office, or agency) is interdependent one upon another. Success will only be achieved when municipal employees, elected officials, and volunteer commissions cooperatively work together rather than independently.

In 2009, the Town commissioned certified planner Donald J. Poland to evaluate the effectiveness and adequacy of existing municipal procedures to respond to the modern-day challenges of land use. The findings of the Poland Report remain pertinent to and have ramifications for all facets of local government.

“... challenges are typically in direct proportion to the size of the community. A small rural community, with limited resources (staff and money), typically faces challenges that are less complex than a large urban community with greater resources (staff and money) that typically struggle with more complex challenges. This proportional relationship between the size of a community and the complexity of its challenges typically allows for a small rural community, like Salisbury, to manage or get by with a fairly basic land use administration system. Unfortunately, that is not the case for Salisbury. Based on Salisbury’s location (proximity to New York City and Westchester County), the town’s New England charm and character, the wonderful natural assets (the many lakes, river, hills, and picturesque views), and the distinguished private schools (that act as attractors of wealth to the community and become a selling point for the community), the many challenges within the land use system are far greater and more complex than that of small rural communities of similar size. ***In short, Salisbury’s existing regulations, policies, processes, and administrative procedures would be adequate—not great, but adequate—in most communities of 4,000 persons. However, the unique circumstances of Salisbury have created far more complex challenges that the existing land use system is not designed to handle.***” [emphasis added]

Historically, Salisbury has gotten by without comprehensive planning, relying on a small cadre of dedicated, well-intentioned individuals. Good intentions notwithstanding, there are current operating procedures and practices that are inconsistent with the legal requirements of sound government.

## **Chester Report**

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In February 2023, the lower Connecticut River Valley town of Chester evaluated alternatives to the Selectmen-Town Meeting form of government. More than a third of Connecticut's 169 towns were interviewed (mostly smaller towns).

The report analyzed the forms of municipal government used in Connecticut and summarized the effectiveness of these governance structures in addressing challenges faced by municipalities. The report found many commonalities, specifically declining participation and volunteerism in local government and the need for professional management.

The Selectmen-Town Meeting is the default form of governance available to towns lacking charters, but no longer functions effectively as an inclusionary, representative form of government. High attendance at Town Meetings is tied to high-profile issues, most routine matters lack community representation, resulting in a handful of individuals determining the future of the Town.

Many towns are adapting to the complexities of the future by engaging various forms of professional management. Charter adoption provides towns with the independence to tailor their government to suit their specific needs. Only 56 of the State's 169 municipalities, including Salisbury, operate without the benefit of a charter.

Over the next ten years, Salisbury will lose the majority of its staff and sitting commission members by retirement and other factors. This will result in the loss of most of the institutional knowledge which has stewarded the community through the last decades. Now is the time to plan for a seamless transition to the future. To accomplish this transition will require being receptive to new administrative structures and delivery methods to maintain the level of government services that the community expects.

A recent report (Town of Chester, 2023: 1-56) reviewed various models of governance throughout the State. While focused on the needs of a specific community, this comprehensive report has broad relevance throughout Connecticut. It serves as a template to retool governance to more appropriately address the realities of today, including professional management, insufficient number of staff positions, retention of institutional knowledge, lack of participation in governance, and declining volunteerism.

## **Employees**

Sound governance requires a top-down managerial structure to ensure effective even-handed deployment of staff, while fostering collegiality and professionalism.

Implementation of policies, regulations, and procedures must be consistent and transparent. These administrative procedures balance legal mandates, property rights, and community needs. This requires hiring and retaining qualified professionals to guide and support volunteer boards and commissions. The Town lacks a human resource professional as well as staff handbook, both essential for the effective management of employees.

Job responsibilities of Town employees and volunteers have become increasingly complex. They require a larger suite of specialized skills and educational backgrounds, including familiarity with advanced technologies. The increased expectations of constituents coupled with regulatory complexity results in Salisbury's employees being asked to do ever more with limited human and technological resources. A collateral challenge of having too few technically specialized employees is that in the absence (sickness, vacation, etc.) of certain employees, vital functions are suspended. Over the last decade, a few municipal positions have been created to alleviate some of this pressure, but some departments are still inadequately equipped to address the challenges of today, let alone tomorrow.

The ever-increasing workload can be efficiently managed and tracked by the deployment of specially-designed software programs. These programs improve accountability and transparency, while fostering cross department cooperation.



The Town has already made significant progress in acquiring and implementing management and tracking software. However, the success of these programs is contingent upon a commitment by all staff to uniformly implement these new technologies. A managerial structure that requires full participation of all departments and provides continuing education and support for employees is essential to realizing the Town’s investment in new technologies. New technologies can track permitting, licensing, inventory, sales data and productivity, resulting in greater accountability and customer service.

Web-based applications, resources, and records improve public service and transparency, especially helpful for those who are unable to come to Town Hall during business hours. Likewise, web-based services are more convenient for the substantial portion of Salisbury’s property owners who are part-time residents. The success of web-based technologies is contingent upon the Town’s commitment to ensure that their employees have the training and knowledge to input their departmental data online.

**GIS Mapping Technology**

In 2020 the Assessor’s and Land Use Offices acquired Geographic Information System (GIS). GIS is a web-based interactive map where layers such as topography, tax maps, and various other data sets can be overlaid on base maps to assist the public in identifying specific parcels and understanding their various attributes and constraints.

GIS enables citizens to access public information previously maintained only as paper records in the Land Use and Assessor’s Office. For example, field cards maintained by the Assessor’s Office are now available online. These data can be obtained from anywhere, twenty-four hours a day. GIS utility and capacity is expanded by supplementary layers including a revised Zoning Map (2022). Additional layers are being developed to illustrate features such as sewer availability, historic districts, and the location of vernal pools.

**On-Line Permitting Technology**

In 2022 the Land Use Office and the Building Department adopted an online permit system (OpenGov) designed to provide a clear workflow for permits:

- breaking down administrative walls (silos),
- maintaining the sequencing of permits and approvals,
- ensuring that critical steps in the review process are not missed.

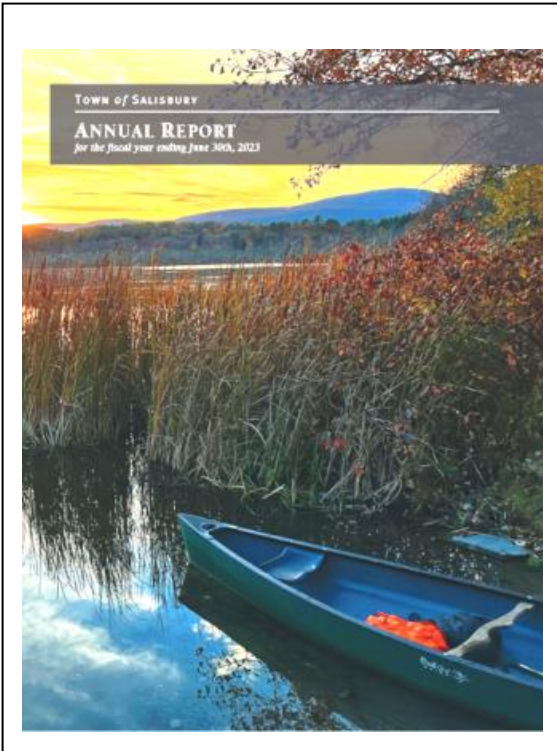
This system increases transparency and accountability of staff and applicants.

When fully implemented all departments (and the public) will be able to view building and land use applications as they move through the various phases of permitting and inspection. An added benefit of this software is cloud-based retention and organization of records.

Another substantial challenge is retaining individuals to perform vital clerical functions. The absence of adequate support staff has resulted in skilled employees being diverted to routine tasks. Until Town departments are adequately staffed, cross training of employees may be a way to prevent disruptions of services to the public. Careful consideration should be given to restructuring and replacement of retiring personnel based on current and projected needs, not based solely on historical practice or what neighboring communities are doing.

**Boards and Commissions**

Traditionally, the governance and administration of Salisbury has heavily relied on volunteer boards and commissions, augmented by a comparatively small number of paid municipal staff. Our volunteers are an incredible asset; we need to ensure that their time is spent efficiently and productively through governance based on a comprehensive plan that unifies a vision for Salisbury.



Municipal volunteer-based boards are subject to the requirements of the Freedom of Information Act (FOIA). However, there are concerns that many of these entities are not completely following the provisions of FOIA. Volunteers serving on boards and commissions are considered “Town employees” as pertains to various legal requirements. This applies not only to FOIA, but also federal laws that require policies of non-discrimination and a workplace that is inclusive and free of sexual or other forms of harassment and bullying. To date, sexual harassment and diversity training have not occurred for either employees or volunteers.

To insulate the Town from litigation, boards and commissions must be provided with training opportunities, have access to professional advice, and be committed to the equal application of the law for all individuals. Apart from having an interest in the subject, volunteers whether elected or appointed must be committed to regular meeting attendance, preparation for meetings, and transparency (FOIA). It has been noted that large commissions (more than five regular members) may foster a culture of absenteeism as there is “always someone else to step in.”

Some statutorily mandated/enabled commissions have multiple, long-standing vacancies. The words or actions of Town officials, special interest groups, or vocal members of the general public may dissuade qualified people from volunteering. A consideration when appointing commissioners should be seeking qualified individuals who are able to represent the entire Town, rather than certain neighborhoods or special interest groups. Successional planning should be a consideration in all appointments.

Maximizing the potential of Salisbury’s elected and appointed commissions and boards is integral to their success. The *Town of Salisbury Annual Report for the fiscal year ending June 30th, 2023* listed twenty-four municipal volunteer-based entities and an additional twenty-six self-governing community-based boards. Not only are a majority of these not required by Statute, but the sheer number of quasi- autonomous entities creates operational inefficiencies which impede comprehensive planning. Aggregating these 50 entities into those Commissions required by Statute will greatly improve operational and fiscal efficiency and reduce administrative silos.

Salisbury's unusually large number of redundant and competing governmental entities has been noted by consultants hired to advise the Town. According to these professionals, it is difficult to discern which entity or individual is responsible for specific functions of governance. Salisbury would benefit from reducing the number of committees and boards not required by Statute.

Many of the Town commissions that are mandated/enabled by Statute have a profound effect on the use of real property, one of the most tangible and important assets owned by the citizens of Salisbury. These commissions and boards suffer from one or more of the following challenges: Inadequate staffing, untrained commissioners, absenteeism, inconsistent procedures, outdated regulations, conflicting regulations, outside influences, and competition for resources.

### **Regulatory Procedures: Implementation of a Unified Vision**

A Plan of Conservation and Development (POCD) is a unifying tool to guide a community toward a long-term vision. Hand in hand with the POCD is the Connecticut General Statutes (CGS) Section 8-24 referral process. The CGS 8-24 referral is a statutorily mandated review process essential to proper governance and fiscal accountability. It is designed to ensure municipal decisions related to land use comport with the long-term community vision expressed in the POCD. The use of the mandated 8-24 review process has been inconsistently applied, and many municipal projects move forward without this essential check and balance.

### ***Mandatory Referral of Municipal Improvements (CGS Section 8-24)***

Until the proposal to take such action has been referred to the [planning] commission for a report, no municipal agency or legislative body shall:

- (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way,
- (2) locate, relocate, substantially improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building,
- (3) locate or extend any public housing, development, redevelopment or urban renewal project, or
- (4) locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes.

Notwithstanding the provisions of this section, a municipality may take final action approving an appropriation for any proposal prior to the approval of the proposal by the [planning] commission pursuant to this section ...

A proposal disapproved by the [planning] commission shall be adopted by the municipality ... only after the subsequent approval of the proposal by ... a majority vote of those present and voting in an annual or special town meeting ...

The provisions of this section shall not apply to maintenance or repair of existing property, buildings or public ways, including, but not limited to, resurfacing of roads

Connecticut General Statutes (CGS) Section 8-24

In order to achieve a consistent and streamlined approach to development applications, all departments and commissions should review identical plan sets and documents giving preference to those of a higher design and regulatory standard. Presently, one department or commission requires surveys and engineered plans, while another department relies upon less accurate standards including hand drawn sketches or site visits. For example, the PZC requires engineered infiltration of stormwater on site, not allowing direct discharge onto roadways and roadway catch basins. This policy conflicts with the current practices of the Town's Highway Department, often allowing curb cuts based on a hand drawn sketch or site visit.

Sound governance is predicated upon consistent messaging across all departments and commissions. Regulations and ordinances are another tool guiding community development and the implementation of a unified vision. Many of Salisbury's ordinances and regulations are outdated and inaccessible to the public. The continued attachment to old language and concepts results in regulations that are neither user-friendly nor logical, and therefore may be subject to legal challenge. Terms, when defined, are used differently between Commissions and Town Departments.

While many regulations are available online or in printed copy, in most instances the general public does not have the ability to navigate and apply the regulations to their specific concerns. This lack of understanding often results in inadvertent violation of local policies. Interpretation of municipal law is one of the essential, time-consuming services provided by Town employees.

Compounding this problem is the reality that it is increasingly difficult to achieve voluntary compliance with our ordinances and regulations. The days of local officials being able to successfully persuade citizens to cooperate and comply are waning. Voluntary compliance is dependent upon the cooperative, civil nature of the citizenry, a hallmark of small-town New England. While appearing friendly and/or neighborly, this long-standing, informal enforcement practice results in the inconsistent application of rules, differential treatment of individuals, and exposes the Town to legal challenges.

## **B. Strategies**

### Comprehensive Planning

1. All municipal planning and investments should be guided by the POCD as required by the 8-24 review process.
2. Consider alternative administrative and governance structures. Moving forward, practices and policies may be best administered by a professionally trained apolitical administrator/manager making decisions based on code, thereby shielding the Town from charges of actual or perceived favoritism.
3. Consider creating a Town Charter as per Connecticut Statute. The Town Charter provides flexibility for the delegation of administrative authority and alternate forms of governance. Many towns similar in size to Salisbury have benefited from having the governance flexibility provided by the Town Charter.

### Employees

4. Perform an objective assessment of the roles and responsibilities of Town commissions and departments to ensure they are being appropriately staffed. Much like the Poland Report served as an impetus for change in the Land Use Office, an independent consultant could be retained to conduct this impartial review.
5. Examine the existing Human Resources (HR) structure. Labor laws and workplace protections require that administration be by an individual specifically trained in HR. The proper implementation of State and Federal labor laws is essential to foster a productive workplace and avoid costly litigation.

6. Expand the use of technology to increase transparency and coordination between departments and commissions.
  - a. Ensure that all departments are complying both in spirit and practice with the goal of a fully transparent permitting and inspection system. All land use permits and inspections should be documented through OpenGov software to ensure that no single department or regulatory body leapfrogs ahead of another in the approval process.
  - b. Build out GIS (Geographical Information Systems) layers. While certain data sets (e.g., wetlands, topography) are in the public domain, other digital layers need to be custom-created for the Town.
  - c. Provide continuing computer literacy education to staff and volunteers maximizing the Town's benefits from new technologies and advances in data management.
7. Adopt interdepartmental policies and procedures to streamline delivery of services and reduce silo mentality.
8. Explore permitting for additional departments through the OpenGov portal increasing efficiency, transparency and cooperation between various Town departments. Examples might include curb cuts and sewer connections as well as applications to various boards commissions.

#### Boards and Commissions

9. Give professional staffing preference to statutorily mandated/enabled boards and commissions. The establishment of special committees aided only by consultants wastes resources and duplicates efforts, usurping the statutorily mandated role of the Town's regulatory bodies. Scarce volunteer and staff resources should be consolidated into those commissions required and/or enabled by Statute.
10. Consolidate overlapping commissions and *ad hoc* committees. Entities not required by Statute compete with statutorily mandated/enabled commissions for members and resources. Too often they work at cross purposes.
11. Ensure that statutorily mandated/enabled boards and commissions are fully functional. Fully functional means that all seats are filled by members committed to regular attendance and preparation, supported by professional staff.

12. Improve dialogue and collaboration between statutorily mandated/enabled commissions, mindful of FOIA requirements.
13. Limit commissions to five regular members and three alternates. Fewer members will necessitate better attendance and commitment to training and preparation.
14. Require attendance. Occasional absences from commission meetings are unavoidable. Repeated absences, especially those that are sequential, should not be accepted except in the most extenuating circumstances. Commission bylaws could also be developed to codify these concepts.
15. When recruiting commissioners or board members, willingness to serve is but one component of an appointment. It must be ascertained if a candidate is both willing **and** able to discharge all of their duties, including regular meeting attendance and preparation, in-service training, and compliance with Statute including FOIA.
16. Draw from the statutorily mandated/enabled land use commissions to represent the Town at regional agencies. The rationale is representatives tied into the land use process will be more effective in representing the Town's interests and there is a much higher probability that the work of these regional agencies will become part of Salisbury's comprehensive planning process.
17. Establish the Statutorily required Aquifer Protection Agency. Rather than creating and staffing another governmental body, the PZC should be designated as the Aquifer Protection Agency. This will require that the PZC meet separately to execute the authorities of the Aquifer Protection Program.

Regulatory Procedures

18. Explore the legality of expanding Ordinance No. 128 (adopted 6/29/2023 effective 7/28/2023) to include all permits issued by the Land Use Office. The Land Use Office (including the elected and appointed commissions) devotes considerable time to accepting and reviewing applications for various permits that will not receive a Building Permit or Certificate of Occupancy because of delinquent taxes on the subject property.
19. Create a citation ordinance as a method of enforcement to encourage compliance without resorting to court actions. The penalty fee is intended to help recoup the legal and personnel costs associated with enforcement of Town Codes and Regulations.
20. No less than once per year, the PZC should dedicate a meeting to evaluating progress on implementing the POCD. That meeting should include relevant representatives from other commissions, committees, and municipal departments.
21. The CGS 8-24 referral procedure needs to be standardized. Some projects fall through the cracks and do not benefit from a full and/or timely review. All too often such efforts work at cross purposes to the planning goals identified in the POCD.
22. Update regulations and ordinances including:
  - a. Zoning Regulations
  - b. Subdivision Regulations
  - c. Aquifer Protection Regulations
  - d. Inland Wetlands & Watercourses Regulations
  - e. Ordinances
  - f. Sewer Regulations



# Infrastructure

# 5

*All infrastructure incurs repair and operational costs to ensure maximum life expectancy. Thus, it is important to inventory and analyze the long-term liabilities associated with maintaining an ever-expanding infrastructure base. The cumulative effects of deferred maintenance are costly and result in a variety of adverse impacts to the community including hazardous conditions and disruptions to services and programming.*

*New infrastructure must be designed and/or retrofitted to respond to changing patterns of use, development pressure, and climate change. Responding to these changes requires comprehensive planning coupled with a commitment to disciplined implementation. This will ensure that Salisbury's infrastructure meets the challenges of today and tomorrow.*

## **A. Inventory and Assessment**

The provision of adequate infrastructure is important to the efficient functioning of a municipality. It is the Town’s responsibility to provide infrastructure and facilities accessible to all residents and visitors, and to advocate on behalf of its constituents as pertains to infrastructure that is not under local control.

There are two basic networks of infrastructure: built and green. Built infrastructure encompasses the multimodal transportation system of roads, bikeways and pedestrian walkways, and includes telecommunications and power supply grids, as well as drinking water and sewer services. Green infrastructure is the network of natural and semi-natural areas, managed to deliver a wide range of ecosystem services. These services include air and water purification, flood control, recreation, while providing resilience to climate change. Green infrastructure provides vital protection from the effects of climate change. Salisbury’s green infrastructure includes municipally owned parks and preserves.

### **Infrastructure Planning and Design**

Infrastructure planning and design requires an integrative multidisciplinary approach that joins built and green infrastructure. Stormwater runoff from built infrastructure is optimally treated by green infrastructure. Low impact designs incorporated into green spaces provide eco-friendly alternatives to conventional hardscape infrastructure.

The POCD mirrors the State of Connecticut Office of Policy and Management's (OPM) *Conservation & Development Policies: The Plan for Connecticut (2018-2023)* which includes the following infrastructure policies:

- Ensure the safety and integrity of existing infrastructure over its useful life through the timely planning and budgeting for maintenance, repairs and necessary upgrades. Undertake a deliberative public process to assess options for the replacement, expansion, or reduction of existing infrastructure as it ages or as circumstances warrant, taking into consideration the potential benefits and costs of any reasonable alternatives, including their potential socio-economic and environmental impacts;



- Promote the continued use or adaptive reuse of existing facilities, particularly those with historical and/or cultural significance, and support the redevelopment of former brownfields and other underutilized or abandoned facilities at a scale and density appropriate for the surrounding area;
- Perform a life-cycle cost analysis to identify potential cost burdens beyond the initial capital investment for any proposed action involving the expansion of infrastructure beyond the current limits of the existing or planned service area for the particular form(s) of infrastructure, except when necessary to address immediate public health or safety concerns.

## Hazard Mitigation

*The Town of Salisbury Hazard Mitigation Plan (2014)* identified threats and proposed solutions to harden infrastructure to various hazards, including the altered weather patterns resulting from climate change. The principal goal of *The Town of Salisbury Hazard Mitigation Plan (HMP)* is to prevent loss of life, reduce damage to property, infrastructure, as well as protect natural, cultural and economic resources from disasters. Limiting losses of and damage to life and property reduces the social, emotional, and economic disruption associated with a natural disaster. The HMP identified winter storms, hurricanes, and summer storms / tornados as the most severe and frequent hazard events for Salisbury.

Though the HMP is a decade old, many of the proactive steps identified do increase resiliency. The HMP lays out a well-defined implementation process for public engagement and plan updates which have not been undertaken. The HMP:

- Identifies mitigation initiatives to be implemented if and when funding becomes available.
- Connects hazard mitigation planning to other community planning efforts.
- Improves the mechanisms for pre- and post-disaster decision making efforts.
- Improves the ability to implement post-disaster recovery projects.
- Enhances and preserve natural resource systems.
- Educates residents and policy makers about hazard risk and vulnerability.

## Roadway Systems

Salisbury is traversed by four major arterial federal and State highways: Rtes. 7, 41, 44, and 112. Rte. 44 is essentially the Main Street of the villages of Salisbury and Lakeville. Of these four highways within Salisbury, all but Rte. 112 are State-designated Scenic Roads. State highways are controlled by the Connecticut Department of Transportation (CT DOT). This limits the Town's ability to independently address issues on State roads including vehicular speed, bridge reconstruction, on-street parking and road run-off.

There are a large number of private roads controlled by non-municipal entities. Many of these private roads are substandard both in their construction and maintenance. Like shared driveways, these private roads can be a source of conflict between homeowners. A serious consideration is that some private roads, by narrowness and inadequate maintenance, could impede passage of emergency vehicles (ambulance and fire), thereby compromising public safety.

Private roads have historically been encouraged by the Town as they are maintained at private cost and have misguidedly been used to limit land development. The Town's regulations mandate that private roads serve no more than six residential lots. However, there are several instances of private roads



Dark Hollow Road

Photo: Miles Todaro

serving more than six residences. The encouragement of substandard roads as a method to limit development is not in the public's best interest.

Salisbury exercises control on municipal roadways, both unimproved (= gravel) and paved. Unimproved roads have been implicated as a source of pollution. The untreated silt-laden run-off and dust (*see Chapter 7 Natural Resources, Wetlands, and Conservation*) from unimproved roads is frequently discharged directly into adjacent wetlands. There is an aversion to upgrading unimproved roads (e.g., pave, widen, or establish appropriate drainage) as they are considered as contributing to Salisbury's rural appearance.

As is the case in many small rural municipalities, Salisbury has a number of abandoned roads. There is a process for formally abandoning municipal roadways though this does not appear to have been practiced in Salisbury. Improperly abandoned roads may prove problematic in regards to legal ownership and right to pass, obligating a municipality to clear and maintain so-called abandoned roads.

Historical development patterns have resulted in established roadways and parking lots, encroaching both upon private property and *vice versa*. It is in the interest of all parties to determine property lines and easement boundaries. Encroachments should be rectified prior to investing in any infrastructure improvements. As many of these encroachments have been ongoing for decades, if not longer, they may best be remedied by initiating adverse possession actions on behalf of the Town.

The Town has a *laissez faire* approach to enforcing its interests in municipal rights of way (ROWs). Encroachments including fences, landscaping, and stone walls in the municipal ROWs occur throughout the Town. Recently, a retaining wall was constructed in the municipal ROW, filling behind it to create a significant level extension to their front yard effectively incorporating municipal property into private property. Encroachments favor individuals, limiting the Town's ability to expand or improve roadways to the detriment of all citizens.

Many of the Town's paved roads are inadequately striped and signposted and have substandard stormwater treatment. There is an informal Town maintenance program for roadways, primarily focused on resurfacing with some minor drainage improvements. Existing catch basins are often replaced without consideration for more holistic engineered drainage designs. This is a missed opportunity to create resilient infrastructure.

Engineering resilient design, although more costly in the short term, would harden the Town's infrastructure to the effects of climate change. In addition to drainage basins, many bridges and stream crossings are deteriorating. Most are also undersized, unable to accommodate the increased volume of water generated by heavier precipitation events. Conservative engineering design based on worst-case scenario modeling could accurately address narrow and substandard culverts. Undersized culverts also create impediments to the dispersal of wildlife and fragment riparian ecological connectivity.

## Parking

In the village centers on-street parking occurs on both State and Town roads. The Town also owns a handful of municipal parking areas. Like many of the roads, municipal parking spaces are often unstriped and lack signage making it difficult for patrons to know where public parking opportunities are available. Other parking lots are owned by private entities. The LaBonne's grocery store parking lot in Salisbury serves as a *de facto* public lot, used by customers patronizing businesses throughout the village.

Objections to zoning applications within the village centers often cite concerns about a perceived lack of parking. Despite these concerns, it remains unclear whether the existing parking is sufficient, or more is required (see *Chapter 3 Vibrant Villages* for a comprehensive discussion of this topic).

## Pedestrian Circulation

Pedestrian circulation has been a recurrent topic of concern. The 2012 POCD called for increased and improved pedestrian and vehicular circulation within the village centers. To date, some village center improvements have been made, including the Scoville Library sidewalk and improved pedestrian crossings on Routes 41 and 44. While segments of new sidewalks were also constructed between the villages of Salisbury and Lakeville, internal connections and pathways for pedestrians, bicycles, and vehicles, important to the overall function and appearance of the villages have largely remained unaddressed. The Colliers Village Planning Studies (2023 and 2024a) detailed a number of opportunities for improved multimodal connectivity to link pedestrian pathways within the villages of Lakeville and Salisbury not previously explored in the POCD (2012), many of which have been included as considerations in this Plan.

Not unlike the sidewalks, walking trails are discontinuous, variable in quality, and have arisen in an *ad hoc* manner. Colliers identified a series of actions to link trails and sidewalks and provide a more continuous and accessible pedestrian network.

Colliers also suggested formalizing the Rail Trail within the Salisbury Village Center substantially improving pedestrian and cyclist safety. Beginning at the northerly terminus of Railroad Street, the Rail Trail disappears into unstriped vehicular travel lanes lacking any directional signage. The defined path of the Rail Trail emerges once again at the intersection of Railroad and Library streets. Southward, the Rail Trail continues to the Pope Property and could provide ingress and egress to the Pope Property from the north, while fully integrating the proposed affordable housing development on the Pope Property into the village of Salisbury. The Rail Trail also serves as a sewer main easement.

**Inflow Or Infiltration?**

Inflow and infiltration (I/I) refer to the ways that stormwater runoff and groundwater can enter sanitary sewer pipes.

**Inflow** – non-sewer water directly enters the sewer system through basement sump pumps, roof drains, and/or catch basins.

**Infiltration** - Stormwater or groundwater indirectly enters the sewer system through pipes, laterals, and manholes as a result of cracks, failed seals, small openings, etc.

**Wastewater Treatment**

Salisbury’s sewage treatment plant is a 0.67 million gallon per day (MGD) facility located at 50 Walton Street in Lakeville CT. It was originally built in 1971 and has had minor upgrades since. The largest upgrade was made in 2020 when phosphorus removal was installed. In 2014, Loureiro Engineering Associates reported on the Town of Salisbury’s “urgent needs to:

- (1) reduce the increasing amounts of excessive groundwater infiltration and stormwater inflow entering into the town’s existing wastewater collection system which are usurping the design capacity and overall treatment efficiency of the town’s existing Water Pollution Control Facility (WPCF), and
- (2) reduce the amount of nutrients, specifically nitrogen and phosphorous, being discharged into Factory Brook from the town’s existing WPCF.”

The report generally concluded that the Town’s existing sewer facilities are in relatively good operating condition but with a few major deficiencies, as well as identified recommendations consistent with the requirements of the CT Environmental Protection Act.

The Loureiro report (2014) identified Lakeville’s mains and manholes as a major source (83%) of infiltration and inflow (I/I) noting that there are some properties where roof leaders discharge into the system. This excess water caused by I/I overwhelms the capacity of the treatment plant, resulting in the risk of untreated sewage being released into the adjacent watercourse. The Report implicated even minor rainfall events (fraction of an inch) as increasing volumes of water entering the WPCA facility. Due to the frequency of torrential rain storms accompanying climate change it is anticipated that I/I risk will continue to increase.

Proposed developments and changes in residential use patterns could easily overwhelm the existing capacity of the sewage treatment plant. Most recent estimates indicate, after the completion of Sarum Village III, the remaining sewer reserve capacity is around 200 bedrooms. Historical sewer usage data cannot solely be relied upon as a foundation for future planning. For instance, the possibility of increasing year-round use of existing residences should be considered, as well as the potential for infill development and/or expansion within the villages. Additional challenges to assessing the sustainability of our sewer system include lack of complete mapping, inadequate inventory of system infrastructure, as well as operational costs exceeding revenues. Addressing these data inadequacies and quantifying threats to this essential component of Salisbury’s municipal infrastructure will be a costly undertaking. However, these questions must be answered to assess the feasibility of future development and ensure compliance with public health and safety standards.



**Sewer Map – Under Preparation by NEGEO**

**Public Drinking Water**

The provision of public water is essential to a sustainable future. Most properties in Salisbury are served by private drinking water wells. However, the village centers are connected to public drinking water, provided by Aquarion Water Company.

This public water supply is sourced from a reservoir system on the Taconic uplift and two subterranean well fields; one lying below Lakeville village and the other below Salisbury village. The conundrum is the very area served by public water and sewer, intended to be the most densely developed, lies atop the aquifers. To protect the aquifers, the Zoning Regulations discourage certain types of commercial/industrial uses and regulate impervious surfaces, while encouraging onsite stormwater treatment and infiltration. However, infiltration of stormwater into the aquifer is discouraged by Aquarion.

Assessing the feasibility of future development concepts requires knowledge of the capacity and distributive infrastructure of Salisbury’s public drinking water supply. This assessment is hampered by the Town’s limited access to Aquarion’s proprietary data. Without Aquarion’s data, proposed developments may be constrained by limited supply of water, or cost-burdened by necessary capacity and distribution improvements.

**Electrical Grid**

Essential components of Salisbury’s power supply and communications are administered by other entities. The Town may be consulted about these infrastructure systems, but the ultimate decisions rest with other agencies.

Eversource is responsible for the delivery of electricity. Protecting above ground electrical infrastructure from unexpected outages due to extreme weather events remains the biggest challenge to reliability of the electrical grid. Eversource’s anticipation of and delayed responses to storm events is an ongoing topic of concern Statewide. Primary distribution lines are being “hardened” by removing all the trees within the entire right of way as required by the Federal Energy Regulatory Commission (FERC).

Reliability can be improved by using underground electrical distribution conduits. Sustainability can be improved by favoring renewable electrical generation. While many property owners are opting to install small solar arrays to offset their electrical costs, these systems are still dependent upon interconnection to the primarily above ground grid. Ground mounted solar installations of less than 1-megawatt are permitted by the Town's Zoning Regulations. Several installations have been locally approved since the last POCD, specifically solar fields at Hotchkiss and Indian Mountain Schools. Commercial scale (greater than 1-megawatt output) ground mounted solar installations, are under exclusive jurisdiction of the Connecticut Siting Council (CSC).

### **Communication Systems**

In terms of communication systems, the two land-line based communications providers are Frontier and Comcast. Frontier is, by law, obligated to provide copper line service to all users. Overall, the Frontier copper line system is old, and subject to failures because of faulty switch equipment. Comcast provides digital phone service and high-speed internet. As the Comcast transmission wires are dependent upon electricity, the internet is unavailable during electrical outages. Although the speed of Comcast service is superior, the cost to connect to Comcast's network is prohibitive for many residents.

The Northwestern Connecticut Council of Governments has developed a plan to install fiber optic internet service to the region. In Salisbury, Frontier is installing high-speed fiber optic lines to provide improved internet and phone service. Unfortunately, this installation has been plagued by repeated delays.

Cellular phone coverage in Salisbury is poor. This is a public safety as well as a convenience issue. Unlike land-line service, cellular communication companies are under no obligation to provide comprehensive coverage or 5G capacity service to all portions of the State. Therefore, rural areas of the State including Salisbury are underserved. The majority of cellular service improvements are focused on the high revenue markets located in the densely inhabited portions of the State. Placement of telecommunications facilities, including towers and small-cell installations, are under the exclusive jurisdiction of the CSC. The CSC supplants local regulation, limiting the Town's influence on the design and location of cellular communication installations.

**Community Facilities**

Utilities comprise an important part of Salisbury’s infrastructure. Another important infrastructure component are the bricks-and-mortar facilities owned by the Town to deliver services to its citizens. These facilities have not been comprehensively inventoried. It is important to inventory and assess options for the repair, replacement, expansion, or reduction of existing, aging infrastructure. Ensuring the safety and integrity of existing facilities requires long-term planning. This planning must be accompanied by sufficient budgeting to encompass maintenance, repairs and necessary upgrades and/or the retirement of aged facilities.

For example, the Town Hall built in 1986 has become inefficient for today’s needs. Deficiencies include inadequate office space for staff and limited capacity for file storage. Town Hall is not fully wired for internet, the phone system is substandard, and overall, the building lacks energy and water efficiency as well as backup power generation. While Town Hall staff have adapted to many of these conditions, remedies cannot be indefinitely deferred. An added complication and cost are that Town Hall’s custom architectural elements such as windows are difficult to maintain and replace.

Some of our “newest” buildings, including the Town Grove Building/Senior Center and Firehouse (opened in 2011) are now more than fifteen years old and in need of various system upgrades.

Many of the Town’s recreation facilities are approaching or have exceeded their life expectancy (Colliers, 2024b). Salisbury’s active recreation facilities are decentralized, located within various municipal parks including Community Field, the Grove, and Trotta Field. Colliers (2024b) assessment inventoried open space and active recreation facilities, suggesting improvements at the Grove, Community Field, and Trotta Field, as well as the Rail Trail. This study specifically excluded recreation facilities at Salisbury Central School (managed by the Salisbury Central School District) and the three private schools (Hotchkiss, Indian Mountain, and Salisbury) as these are not under municipal control.



### **Regional Facilities**

The Salisbury/Sharon Transfer Station was built in 2020. However, this project has not yet been completed. The Town has not fulfilled all the conditions of the DEEP permit, including wetland restoration, reforestation of the wetland buffer, and decommissioning the old Transfer Station on Sharon Road.

Essential medical services (hospitals, doctors, EMTs) are under threat, affecting all segments of the population, from newborns to seniors. Post-COVID, recruitment of doctors has been difficult in many rural areas, including Connecticut's Northwest Corner. In September 2021, Nuvance Health, the corporate owner of Sharon Hospital, announced plans to close Labor and Delivery and make cuts to the Surgical Department and the Intensive Care Unit. These proposed service cuts have created an outpouring of community opposition. This opposition has included efforts to enlist the support of the State to preserve these vital services at Sharon Hospital.

### **Emergency Services**

As identified in the introductory chapter, Salisbury's aging population creates a unique demographic challenge. While many of our residents are retired and therefore have time to volunteer on boards and commissions, essential volunteers including First Responders must meet certain physical criteria. Our First Responders are aging, and it is increasingly difficult to secure new recruits. Housing costs are among the highest in Litchfield County making it difficult to attract and retain people willing and able to serve as volunteer First Responders. This situation can only be remedied by hiring paid emergency services staff and/or developing more affordable housing opportunities.

### **Educational Facilities**

Salisbury prides itself on the quality of its public education system, both at Salisbury Central School and the Housatonic Valley Regional High School. Recruiting teachers, much like nurses, doctors, and EMTs, is dependent upon affordable housing options within the community. Having to commute thirty minutes or more to their classrooms limits the available pool of teachers. Maintenance of quality public education requires that school teachers are able to live in the communities they serve.

Vulnerability Assessment

The Town’s vulnerability assessment should consider at least the following three criteria:

1. Exposure - is the asset of a system located in an area that is likely to experience the effects of a climate change hazard now or in the future.
2. Sensitivity - how does an asset fare when exposed to a climate hazard.
3. Adaptive Capacity - is the system able to adjust to actual or expected climate stresses.

The Town’s vulnerability assessment will rank Identified vulnerabilities according to:

1. Their importance to the Town, and
2. The anticipated long-term impacts of these problems.

Plans should be developed to address each vulnerability, identifying those remedial or precautionary actions that could be undertaken by the municipality or that are within the purview of either State or federal government.

**B. Strategies**

Infrastructure Planning and Design

1. Long-term plans for all facets of infrastructure are a necessity. All infrastructure projects subject to CGS 8-24 must be accompanied by short and long-term maintenance plans.

Hazard Mitigation

2. Designate an interdepartmental committee to assess the vulnerabilities of each asset or system in the Town such as community infrastructure, socioeconomic assets and systems, natural and working lands using the methodology outlined in the sidebar. *This is not a citizen committee, but composed of personnel from the relevant Town departments.*
3. Use modeling to anticipate worst-case scenario flooding. This modeling would factor in the extreme weather patterns that accompany climate change coupled with the unique topography and hydrography of Salisbury.
4. Prioritize managing stormwater run-off from all roads that abut wetlands or watercourses to eliminate pollution. Sediment from unimproved roads threatens adjacent wetlands and watercourses.
5. Ensure regular stream maintenance to remove debris and obstructions in areas where potential constrictions may occur, such as culverts.
  - a. Establish a regular maintenance program for the Burton Brook culvert under Main Street.
6. Explore retrofitting stream crossings with oversized, three-sided box culverts to facilitate the passage of floodwaters, wildlife and reduce debris accumulation.
7. Implement recommendations of the *Housatonic Valley Association’s Town of Salisbury Road-Stream Crossing Management Plan (2018)*.
8. In areas of high seasonal water flows, consideration should be given to expanding stream profiles to slow and disperse floodwaters. One area would be Factory Brook east of Sharon Road.
9. Consider installing spillways at the outflows of Lakeville Lake (Lake Wononscopomuc) and Twin Lakes (Lakes Washining and Washinee) as identified in the *Hazard Mitigation Plan* dam assessment.
10. Establish rain gardens in localized low spots that are deemed unusable due to extended periods of wet and damp conditions.

### Roadway Systems

11. Designate an interdepartmental committee whose role is to conduct an inventory and condition analysis of all Town roads and bridges. ***This is not a citizen volunteer committee, but composed of personnel from the relevant Town departments.***
12. Develop an inventory of discontinued Town Roads and ensure that all of these have been formally/ abandoned by legal action of the Selectmen.
13. Create a GIS road layer. Distinguish between the different categories of roads i.e. public paved, private paved, public unimproved/gravel, private unimproved/gravel, discontinued roads that have not been formally abandoned by legal action of the Selectmen.
14. Review safety and accessibility of existing private roads and bridges. Private roads and bridges not meeting the minimum standards for access by fire and emergency vehicles should be upgraded.
  - a. Create a cost sharing program between private road owners and the Town. The goal is to improve existing substandard private roads.
  - b. Explore the feasibility of conveying these upgraded private roads to the Town.
15. Develop a long-term capital improvement program for roads and bridges, including road striping and directional signage.
16. Codify what types of ROW encroachments are permissible as customary, noting that these areas remain the property of the Town and can be used at some future time for road expansion and/or improvement. Prohibit and remedy encroachments that alter topography of the ROW.
17. Revisit design standards for new private roads to be built to Town standards. This ensures proper access by emergency vehicles and potential acceptance as a Town road.
18. Implement consistent and recognizable traffic enforcement including the consideration of traffic cameras.
19. When road improvements are undertaken, consider retrofitting stormwater management measures and opportunities for traffic calming including narrow road profiles.

20. Collaborate with the CT DOT to maintain the integrity and character of Scenic State Roads. This is especially relevant when contemplating the replacement of bridges which often results in roadway widening. Narrow bridges and lanes as well as bump-outs act as traffic calming measures, promoting public safety while encouraging motorists to experience the scenic qualities of these designated roadways.
21. Consider implementing short-term safety and circulation improvements as outlined in Colliers, 2023 and 2024a, addressing speed enforcement, and Main Street parking. **Note: Not all of Colliers' recommendations may ultimately be suitable for implementation.**
22. Consider and prioritize intermediate and long-term options as outlined in Colliers, 2023 and 2024a for implementation, to address intersection improvements, circulation, and pedestrian safety. **Note: Not all of Colliers' recommendations may ultimately be suitable for implementation.**
23. Encourage re-development opportunities at Lakeville's Railroad Plaza. The ultimate design is dependent upon moving the CNE Railroad Station building which is currently under investigation by the Board of Selectmen.
24. Support the efforts of the Board of Selectmen working with the State Historic Preservation Office (SHPO) to relocate the CNE Railroad Station building to facilitate traffic flow and parking at Lakeville's Railroad Plaza.

#### Parking

25. Explore public parking opportunities.
26. Expand and formalize parking by reconfiguring existing lots including paving, striping, and proper drainage.
27. Examine both the need and potential for building new municipal parking lots.
28. Explore opportunities for public private partnerships to provide additional parking.
29. In order to maximize efficiency and minimize stormwater impacts consideration should be given to:
  - a. paving and striping parking lots,
  - b. installing appropriate measures to detain, treat, and infiltrate parking lot runoff.



30. Designate a single vehicular access point to Community Field located on Town-owned property, abandoning the present vehicular trespass over Aquarion's property on Pettee Street.
31. Consider the construction of an improved multi-purpose parking lot at Community Field.

#### Pedestrian Circulation

32. Consider updating the *Salisbury Pathways Committee Strategic Plan 2023-2028* to incorporate the findings of the Colliers studies. Pursue cross acceptance with other Town Boards and Commissions.
33. Promote pedestrian improvements within the village centers of Salisbury, Lakeville, and Lime Rock.
34. Road improvements should incorporate consideration of pedestrian and bicyclist safety.
35. Explore multi-modal transportation options in the villages of Lakeville and Salisbury including dual usage of the Rail Trail in certain areas as illustrated in Colliers, 2024a:16-17.
36. In Salisbury, design the expansion/alignment of Railroad Street and the Rail Trail in concert with the development of "Dresser Woods."
37. In Lakeville, install missing sidewalk segments in the Railroad Plaza/Ethan Allen Street/Holley Street area.
38. Provide official pedestrian access to Community Field from Pettee Street on municipal property avoiding Aquarion property.
39. Enhance pedestrian connectivity between Cannon Park and Community Field.
40. Designate walkways between Sharon Road and Town Grove.
41. Consider a trail along the edge of Factory Pond to facilitate safe pedestrian passage to and from the Town Grove.
42. Build an ADA compliant access to and from the Rail Trail at Community Field.
43. Explore connecting the Rail Trail to the Farnum Road area.

- 44. Consider upgrading the Rail Trail surface with a porous material to allow infiltration of water.
- 45. Consider wayfinding and interpretive signage and strategic lighting along the Rail Trail.

Wastewater Treatment

- 46. Continue to reduce infiltration (I/I) into the sewer system to avoid overwhelming the wastewater treatment plant during high precipitation events.
- 47. Ensure that there is adequate capacity to sustain potential sewer use by existing residences resulting from year-round occupancy and/or increasing the number of bedrooms, especially in new accessory dwellings.
- 48. Ensure there is adequate capacity to sustain new developments prior to investing in detailed designs.
- 49. Consider expanding the capacity of the wastewater treatment plant to accommodate future developments in the villages.
- 50. The WPCA should continue to work with the Land Use Office to document the location and diameter of all sewer lines.
  - a. Locate all mains by surveying to A-2 standards.
  - b. Develop a GIS layer that illustrates the location of all sewer mains.

Public Drinking Water

- 51. Using GIS mapping define Aquarion’s service area illustrating all properties within 200’ of a water main.
- 52. Synchronize municipal road and drainage improvements with Aquarion to avoid damage to roads and duplication of efforts.

### Electrical Grid

53. Explore opportunities to bury electrical lines in the village centers.
54. Coordinate and synchronize the expansion/alignment of Railroad Street as an opportunity to bury electrical lines.
55. Require underground electrical lines in all new residential subdivisions and multi-unit developments.
56. Encourage rooftop solar photovoltaic generation panels as the preferred method of installation as opposed to ground mounted panels.
57. Require the development of publicly-accessible Electric Vehicle Charging Stations (EVCS) in accordance with the Zoning Regulations.

### Community and Regional Facilities

58. Designate an interdepartmental facilities committee whose role is to conduct an inventory and conditions analysis of all Town facilities. ***This is not a citizen volunteer committee, but composed of personnel from the relevant Town departments.***
  - a. Based on the results of that inventory, develop short- and long-term maintenance plans for all Town-owned buildings.
  - b. Identify those municipal structures that are no longer useful and should be retired or repurposed.
59. Close out the DEEP permit for the new Transfer Station.
  - a. Ensure that the revegetation of the upland and wetland restoration as required by the commitments made by the Town to the DEEP.
  - b. Decommission the old Transfer Station including habitat restoration in coordination with DEEP.
60. Explore retrofitting municipal facilities, especially Town Hall, providing for adequate and reliable internet connectivity, functional office space, and file storage.
61. Install a backup generator for Town Hall.
62. Install acoustical mitigation at the Grove's Senior Center building.

63. Consider the feasibility of implementing recommendations identified by the *Colliers Lakeville Village Planning Study (2023)* including but not limited to:
- a. Constructing a new bathroom at Community Field.
  - b. Decommissioning the old bathroom at Community Field. ***Note: The existing facility should not be demolished until and unless a replacement is built.***
  - c. Building a play area, picnic grove, and open-air pavilion at Community Field.
  - d. Establishing an 8-foot-wide perimeter path system around Community Field that creates a loop connecting the Rail Trail, Pettee Street, Main Street, and Sharon Road.
  - e. Providing additional benches, trash receptacles, and pet waste stations in Community Field.
  - f. Providing accessible walkways and seating at Bauer Park.

Emergency Services

64. Explore paid positions such as a full-time paid fire chief responsible for all operations of fire safety, including serving as fire marshal.
65. Consider regionalizing a first responders' network as well as financial incentives to volunteer.

# Agriculture

# 6

*In Salisbury, agriculture has been a way of life for centuries. However, changing market dynamics and demand for land has affected the community's relationship with agriculture. One important question needs to be asked, do we value agricultural landscapes merely as a scenic amenity or are we committed to maintaining working farms as an integral component of Salisbury's economy?*

*If the intent is to maintain farming as a viable part of Salisbury's heritage, creative ways to link farmers to local consumers and the community are needed.*

## A. Inventory and Assessment

### Economic Values of Farmland

According to Salisbury’s *Natural Resource Inventory* (NRI 2009), approximately one-third of Salisbury’s land is mapped as prime farmland or important farmland soils. Farmland is not solely defined as land used for raising food crops and livestock. In Connecticut, forestry (silviculture) is also an agricultural activity.

Lands used for agriculture contribute to the local economy. Marketable products include dairy, meat, corn and hay. Services including equestrian centers and agricultural education programs, all contribute to sustaining agriculture in Salisbury. Agricultural lands provide ecosystem services. These services include protecting biodiversity, providing flood control while contributing to the Town’s rural and scenic beauty.



Since the mid-20th century Connecticut's agricultural production has focused on dairy, largely abandoning historical patterns of diversified agriculture. Connecticut's high property values, coupled with improvements in refrigerated transportation, resulted in Midwestern farms outcompeting Connecticut's small-scale operations.

There are no longer self-contained dairy farms in Salisbury. Two former dairies, the Lee and Briscoe farms, are now satellite operations for a larger dairy in neighboring North Canaan that has concentrated feeding operations (CAFO). The Lee farm raises yearling dairy cattle, and the Briscoe farm houses cows in the late stages of gestation. This model benefits Salisbury's environment by eliminating pollution originating from CAFOs.

Meat products (beef or lamb) are produced on a handful of farms and sold directly to individuals or institutional customers. The desire for locally sourced food has rekindled small-scale agriculture, promoting high quality, organic, and ethically raised food products. When consumers purchase products solely based on price or convenience, they miss the opportunity to support local farmers who, in working the land, are preserving the landscapes enjoyed by all. Favoring locally produced foods contributes to overall food security, reducing both the dependence on far flung agricultural operations and the corresponding carbon footprint of long-distance transportation. Local institutions can support agriculture by adopting the farm-to-table model pioneered at Hotchkiss School. Restaurants are important partners in sustaining agriculture by offering locally sourced foods on their menus.

A consequence of fewer working farms is the loss of farming families, who have had generations of experience productively managing land. Salisbury's working farmers are aging, many 70 years or older. Recruitment of the next generation of farmers is far from assured, despite the excellent vocational agriculture program at Housatonic Valley Regional High School. Farming requires a commitment to long hours (seven days a week) and physical endurance. The attractiveness of less demanding and more lucrative professions contributes to the decline in young farmers. Returns are also increasingly unpredictable as agricultural products are susceptible to an ever-growing number of threats including extreme weather events and emergent pests and diseases accelerated by climate change. In totality, these factors all challenge the viability of local agriculture.

Farmland has become a highly valued real-estate commodity. This contributes to the loss of agricultural land and therefore, a decline in farming. Some of the best agricultural lands (gently sloping, cleared and/or tilled fields) have become preferred development sites (see case study below).

***Case Study – Disappearing Farms***

Grasslands Farm on Hammertown and Taconic Roads was subdivided into twenty-two building lots in 1988. For decades the lots went undeveloped, and the land managed for agriculture.

Although many of the lots would not be approved under current regulations (i.e., wetlands, new zoning maps) the owners of the approved lots have a grandfathered right to development.

Because of market demand in 2020, the previously approved subdivision parcels began to be sold as the land had become more valuable for development than agriculture. Between January of 2019 and June of 2023 twelve lots were sold. Six of those lots were undeveloped and six had existing structures. Of the lots with existing structures four underwent substantial renovation and one was re-subdivided. Zoning permits were granted to construct new houses on four of the six undeveloped lots.

New agricultural practices or enterprises with the potential to retain working farmland are emerging. However, not all new ideas are practical or a panacea. For example, hemp was heavily promoted as a new agriculture crop. Within a year, the market collapsed due to overproduction and lack of processing capacity. In adjoining states, medicinal and recreational cannabis is a highly regulated and costly investment. Cannabis production is technically farming, but it is largely an industrial process that will not sustain the familiar agricultural landscape that we value.



Silo on Taconic Road

Photo: John Harney



Farms can diversify their revenue streams, serving as venues for agricultural education and agritourism, farm-to-table dinners, destination weddings, concerts, and season-themed events. However, commercialization of rural lands and impacts to neighboring residences, including but not limited to noise and traffic, have raised community concerns.

Foundations (501c-3) have established farms for education and/or targeted on serving marginalized populations in the nearby Hudson Valley. As the economic structure of these farms is augmented by grant funds, this model allows farms to survive, freed from the traditional constraints of profitability. In 2022, an application to establish a foundation-operated farm on Long Pond Road was withdrawn in the face of stiff neighborhood opposition fearing commercialization of an established residential neighborhood.

### Natural Resource Values of Farmland

The scenic vistas provided by open, broad meadows with a mountainous backdrop are integral to Salisbury's sense of place. The pasturelands, hayfields, and meadows have been kept open by agricultural activities. Once agriculture is abandoned, these meadows revert to shrubland and ultimately into second growth forest.

Public Act 490 (PA-490) provides a local property tax incentive allowing certain lands (such as undeveloped farms, forests) to be assessed at their use value, as opposed to their fair market value. Fair market value is the highest and best use as determined by the local tax assessor. PA-490 helps those landowners who wish to maintain their land as undeveloped by lowering their local property taxes. Without lowering the assessed value, some landowners may be forced to subdivide and sell off their land. High property assessments equate to high property taxes, PA-490 is a strategy to overcome this issue.

PA-490 is calculated on a 10-year commitment but does not guarantee permanent protection. Therefore, we cannot rely solely on PA-490 to maintain in perpetuity the rural landscape valued by our community. By easing the financial burden of large blocks of land, PA-490 contributes to preserving the open rural vistas enjoyed by all. In contrast to PA-490, conservation easements held in perpetuity or by outright fee simple ownership are permanent methods to sustain agricultural landscapes.

Agricultural fields and pastureland are important habitats for wildlife and biodiversity in general. For example, all of Salisbury's bog turtle (State endangered, federally threatened) populations occur on pasture lands. The edges of agricultural lands create valuable habitat (ecotones) which contribute to biodiversity conservation.

### Public Act 490

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In many communities, it can be hard for private property owners to keep land undeveloped given the costs of ownership (taxes, etc.).

To help make undeveloped land less expensive to own (and reduce the chances that such land would be forced into development), the Connecticut legislature established a "use assessment program" in the 1960s (called the PA-490 program and codified in CGS Section 12-107) which provides for reduced assessments in certain situations:

- Land used for farming (farm assessment) based on statutory criteria,
- Parcels of 25 acres or more with a forest management plan (forest assessment) based on statutory criteria, and
- Other land in a municipality based on local criteria provided such land is designated in the POCD and the legislative body has approved the overall program (open space assessment).

Salisbury's 2023 Grand List indicated that more than half of Salisbury's land mass (20,680 acres) is participating in the PA-490 program:

- Farms (4,529 acres)
- Forests (13,256 acres)
- Open Space (2,895 acres)

There are many opportunities for farmers to partner with various agencies and non-governmental organizations (NGOs) to create and restore habitat on farms. One important example is on the Salmon Kill, north and south of the Farnum Road crossing, where stream banks are being stabilized and restored creating in-stream habitat for a variety of species.

### ***Case Study –Balancing Farms & Wildlife Habitat***

The high conservation values of farmland can create tensions between wildlife conservation and the needs of the farmer to productively use their land. For example, ornithologists support delaying the first cut of a hayfield until late July, to allow grassland birds to fledge. However, a delayed first cut reduces forage quality, affecting crop value and often causing farmers to abandon hay production. Finding a balance can be difficult. Programs such as the [Bobolink Project](#) recognize the competing needs of farmers and conservationists.



Beeslick Pond and surrounding landscape

Photo: John Harney

Significant portions of the Housatonic River and Salmon Kill floodplains are in agriculture, primarily pastureland. These floodplains provide important ecological services mitigating the effects of heavy rainstorms by retaining sediments, nutrients and floodwaters. Protecting floodplains as an integral part of the Town’s green infrastructure is increasingly important due to heavy precipitation events accompanying changing climate.

## B. Strategies

1. Consider adopting a right to farm ordinance. While the Town's Zoning Regulations allow agricultural activities in all but the LI (light industrial zone), a right to farm ordinance would strengthen and codify the Town's commitment to sustaining agriculture. A right to farm ordinance would affirm, in certain situations, that our agricultural heritage takes precedence over certain quality of life concerns such as smells, noise, and dust originating from farms.
2. Continue to publicize and promote the PA-490 program (see sidebar on page 78).
3. Explore how to protect more land by deed restricted conservation easements. This is the highest and best form of permanent protection, other than fee simple ownership by conservation groups or the Town.
4. Consider developing Zoning Regulations to allow a variety of alternative operations on farmland to help keep agriculture economically viable:
  - a. Consider expanding the number and types of accessory uses allowed on farms.
  - b. Investigate encouraging primary or secondary processing of farm products or other farm-related businesses in Salisbury.
  - c. Encourage agritourism including education as a pathway to diversify and sustain farms. Revise the Zoning Regulations to accommodate diversified uses on farms considering the scale, hours of operation, and frequency of such uses.
  - d. Consider making agritourism an explicitly permitted use with controls to avoid perceived and actual negative impacts to neighboring properties caused by special events. For instance, on farm brewing, distilling, and tasting events could be considered an accessory use.
  - e. Investigate creating an Agricultural Enterprise Overlay District. If the goal is to allow farmers to be innovative and to encourage multiple commercial activities on the farm, the Zoning Regulations need to change. This Overlay District would give the community certainty where Zoning could be legally "relaxed" to encourage diversification of agricultural revenue streams.

## **Community Supported Agriculture (CSA)**

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Community Supported Agriculture (CSA) directly connects consumers with local farmers.

It is a system, generally set up by farmers, where consumers purchase a share of the farm's produce. This purchase is typically made before the start of the growing season.

In other words, CSA consists of a community of individuals who pledge support to a farm operation so that the farmland becomes, either legally or spiritually, the community's farm, with the growers and consumers providing mutual support and sharing the risks and benefits of food production. The concept aims to create a mutually beneficial relationship between farmers and consumers.

5. Farms sometimes have multiple dwelling units to house farm workers. With mechanization and declining production, some of these units are unused or underutilized. Explore options and incentives that integrate the Town's affordable housing needs by utilizing these housing units.
6. Promote working landscapes as complementary to natural resource conservation. Consider developing a "wildlife-friendly farm" designation to acknowledge the contributions farming makes to preserving critical habitats. The relationship between farms and conservation of wildlife is not widely understood. Some farmers benefit from habitat enhancement programs of the NRCS (Natural Resource Conservation Service). For example, consider species such as bog turtles and bobolinks a "crop" of the farm. As society spends conservation dollars to sustain these species, it is logical to provide financial incentives to farmers raising these "wildlife crops." Community education about these benefits as well as finding resources to compensate farmers may be an important task for the Conservation Commission.
7. Broaden community interest in sustaining farms. For example, groups interested in wildlife could host educational dinners pairing agricultural products and the species protected on a particular farm. This was done with great success at a conference banquet of the Society for Conservation Biology, raising awareness of the unique role working landscapes provide for biodiversity.
8. Promote locally-sourced products at various community events. This would strengthen the relationship between local agriculture and the community's economy.
9. Encourage community supported agriculture (CSA). The CSA model is cooperative where shareholders provide upfront payment to the farmer covering start-up costs including seeds and field preparation. The CSA shareholder then receives periodic shares of the farm's production commensurate with their annual investment. (see sidebar on [page 82](#)).
10. Explore the potential of a weekly farmers' market at SWSA Field. This would draw people to downtown Salisbury increasing the vibrancy of the village as discussed in *Chapter 3 Vibrant Villages*.

# Natural Resources, Wetlands, and Conservation

# 7

*Salisbury is situated in the most topographically and ecologically diverse area of Connecticut. The mosaic of mountains, valleys, and wetlands contribute significantly to Salisbury's sense of place and attract many seasonal visitors.*

*However, habitat loss and fragmentation caused by development reflect a basic lack of consideration of the large-scale ecological issues such as connectivity, and the evolution of natural systems over time.*

*Climate change has amplified the need to understand and respond to the challenges of habitat loss and fragmentation. Land Use regulations alone cannot protect the ecological fabric of the Town.*

*Ecological literacy needs to inform planning, and planning needs to dovetail with regulations, in order to protect Salisbury's natural treasures.*

## A. Inventory and Assessment

Amongst the concerns of the respondents to the 2021 POCD survey, natural resources ranked second, only behind affordable housing. Fragmentation, climate change, development, and subsidized species (see explanation on [page 92](#)) are among the most readily recognizable threats to Salisbury's natural resources. These critical habitats and unique natural communities provide ecosystem services and support specialized species that are listed by both the State and federal government as endangered, threatened, rare, or in a non-cyclical statewide decline. Salisbury's biological diversity is recognized in numerous scientific studies and official designations. This chapter incorporates by reference extensive discussions and data about Salisbury's unique natural communities contained in the NRI (2009). Despite local and regional conservation efforts, Salisbury must do more to further protect these invaluable resources.

The geology of Salisbury is characterized by broad valleys underlain with calcareous bedrock, extensive glacial deposits of sand and gravel, and mountainous terrain underlain with a variety of bedrock types. Salisbury contains the highest elevation in Connecticut (2380 feet above sea level) and has the greatest topographic variability of any town in the State spanning 1840 feet. The convergence of these factors, coupled with a relatively unfragmented landscape, gives rise to a diversity of ecological communities, some of which are rare.

Development and climate change are the primary drivers contributing to ecological degradation. Bricks and mortar construction and human created infrastructure such as roadways, reservoirs, and utility corridors fragment the landscape. This fragmentation reduces forest canopy, increases impervious surfaces, alters drainage patterns, and concentrates atmospheric heat. As the temperature of the earth increases, these impacts are becoming increasingly noticeable. In the summer of 2023 Salisbury experienced many days of diminished air quality caused by smoke drifting southward from large Canadian wildfires. These wildfires were caused by altered weather patterns directly attributable to climate change.

By virtue of dividing the landscape into pieces, fragmentation fosters an abundance of edge habitats. While edge and early succession-stage habitats are naturally occurring, too much edge habitat can upset the ecological balance by fostering subsidized species. Habitat fragmentation reduces species diversity, increases the biomass of subsidized species, and exposes wildlife to a variety of perils as organisms attempt to move between habitat fragments. Climate change amplifies the need of plants and animals to move to more optimal habitats.

## Resources

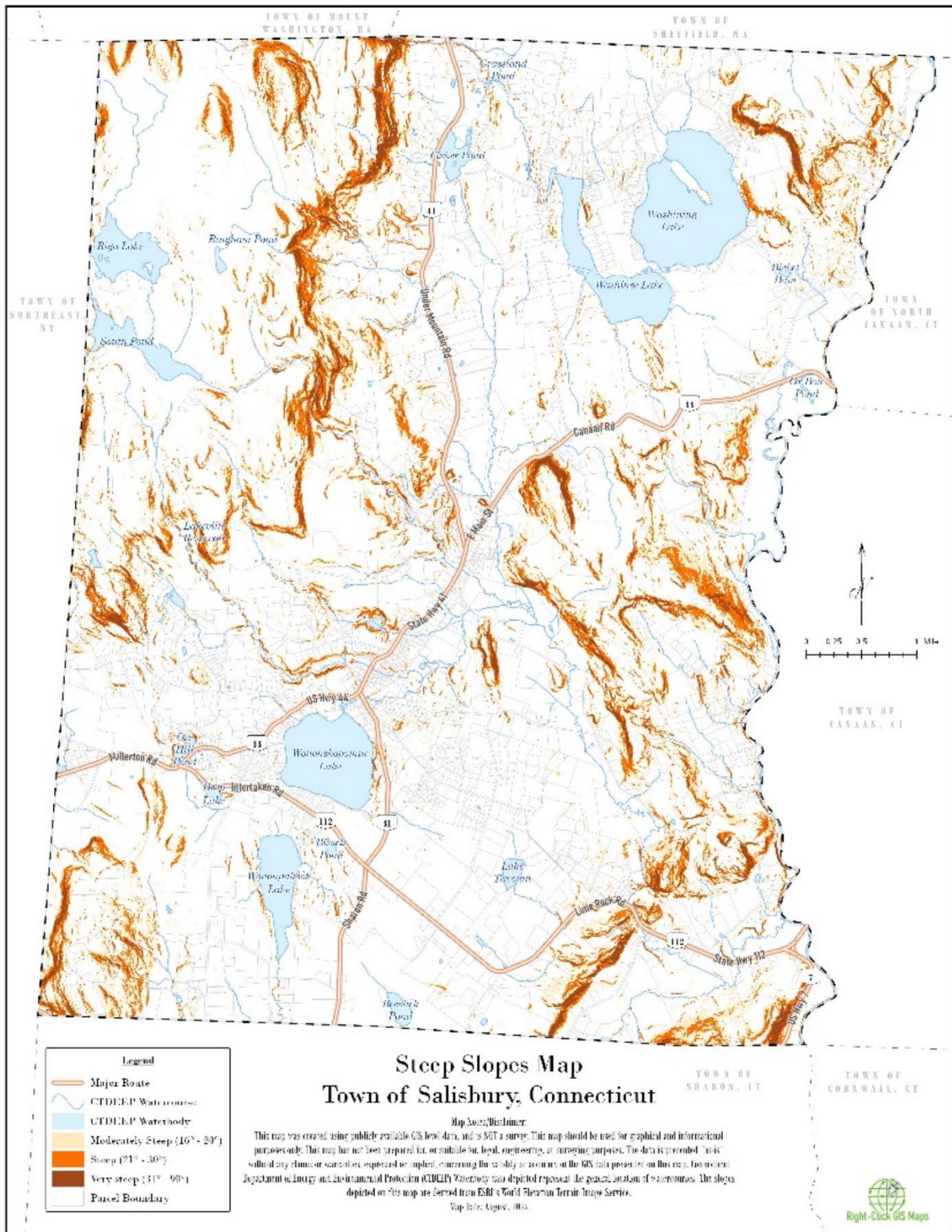
### Steep Slopes and Ridgelines

The Riga Plateau, also known as the Taconic Uplift, is a steep ridgeline. Steep slopes also occur on Wetauwanchu, Prospect, Forge, Indian, Red, and Sharon mountains. These steep slopes support important ecological communities and vary considerably depending upon slope and aspect. Noteworthy conservation acquisitions of ridgelines have recently been purchased in Lime Rock, the Mount Tom area north of Twin Lakes, and on the Taconic Uplift. Another justification for these acquisitions is the protection of unfragmented vertical gradients, allowing plants and animals to readjust their range and habitat use, in response to climate change.



Riga Plateau with South Pond in foreground looking northwestward toward Riga Lake  
Photo: John Harney

In 2008 the Planning & Zoning Commission adopted new Regulations to limit buildings and driveways on steep slopes. However, no Town Ordinance or Zoning Regulation has been specifically adopted to curtail ridgeline development.





## Forests

Forest management, known as silviculture, has been an established agricultural practice in Salisbury for generations. Yet, tree cutting was a concern noted by respondents to the 2021 POCD survey. Upon further analysis of these responses, these concerns appeared to stem from recent clear cuts in residential areas surrounding the lakes. Some towns address tree removal associated with development applications, by requiring a tree preservation plan. While certain development proposals in Salisbury enumerate trees to be removed or saved, these “good faith” efforts lack any regulatory foundation.

Forest communities are not static, responding to a variety of anthropogenic and natural disturbances. During the historical iron production period the Riga Plateau was largely denuded for charcoal production. Recently (2020-2023) spongy moth defoliation coinciding with protracted droughts has caused large scale die-offs of mature trees, primarily oaks. This die off is especially prevalent on Salisbury’s ridgelines, where shallow ground-to-bedrock soils do not retain large volumes of water. Increasing tornadic activity accompanying climate change creates forest openings known as blowdowns. These blowdown areas contain substantial accumulations of downed timber and are vulnerable to wildfires.

Mast (fruit of forest trees and shrubs, such as acorns and other nuts) production can be highly variable in response to environmental factors (weather, disease, rainfall, drought, pests, fire, etc.) and this can also affect other species that depend on such resources as part of their lifecycle.

## Forest Types

Salisbury has significant tracts of un-fragmented forest cloaking the Taconic Uplift.

These forests have recently garnered significant conservation attention through the Highland Conservation Act and the Litchfield Hills Greenprint Collaborative. These forests provide valuable carbon sequestration providing resilience to climate change.

Salisbury’s forest communities are primarily composed of mature, second growth, deciduous and mixed deciduous/coniferous stands. Hemlock ravines are found on the cooler, steeply graded, moist, and shaded slopes and are especially threatened by Climate Change.

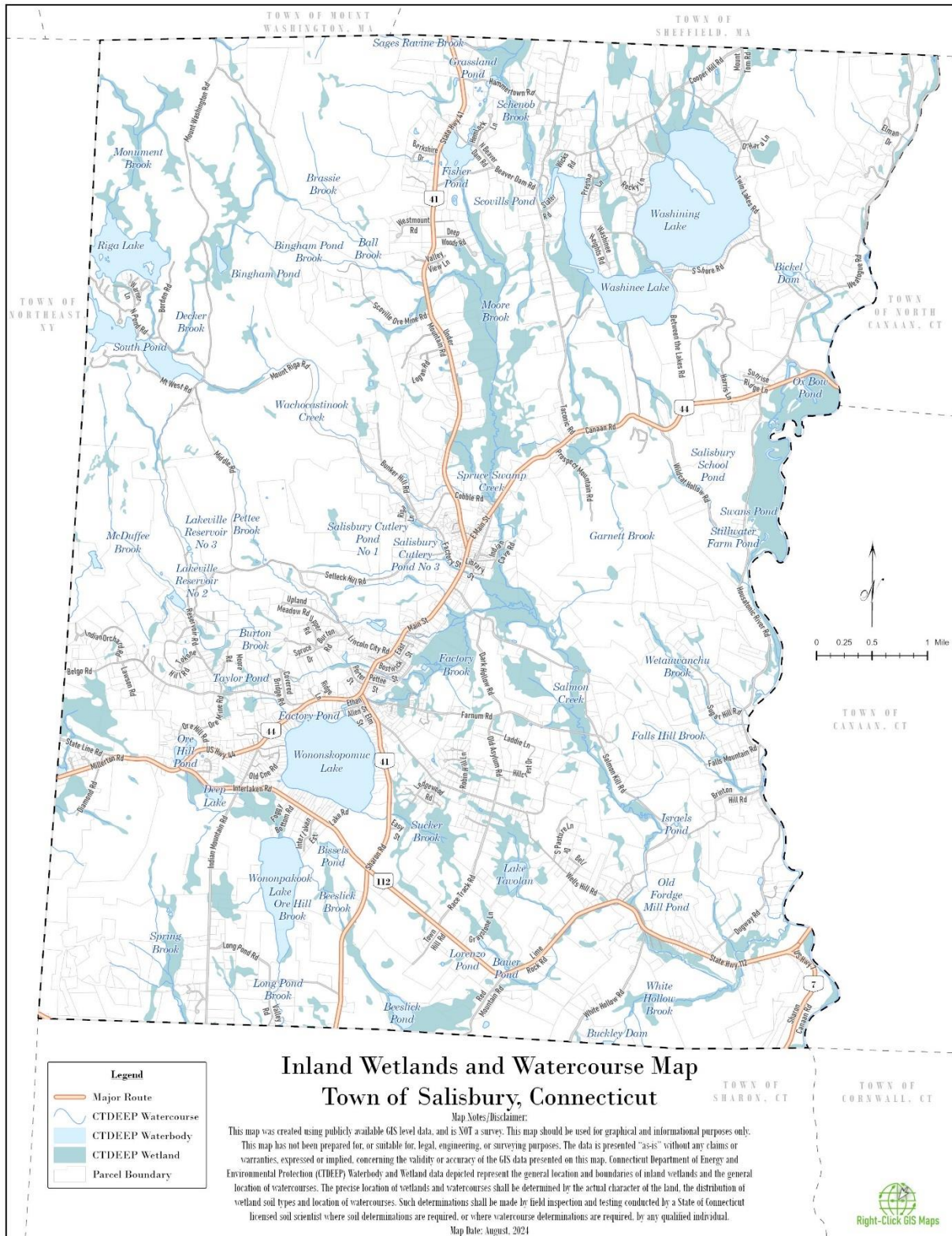
Aquatic Resources

Salisbury has a rich diversity of wetlands and watercourses; many are vulnerable to the effects of development including stormwater runoff and wetland alteration. Development frequently results in the conversion of complex canopy-stratified wetlands into open water bodies and other ecologically simplified wetlands.

These types of oversimplified wetlands have reduced biodiversity. Subsidized and over abundant species flourish in simplified wetlands to the detriment of ecosystem function. Some of the major challenges confronting Salisbury’s wetlands and watercourses (in no particular order of importance) are:



- agricultural uses including silviculture which are statutorily exempt from regulation
- pollution run-off from overgrazed pastures, plowed fields, and unimproved roads
- groundwater withdrawals
- inadequate wetland buffers
- overuse/overdevelopment with inadequate URAs (upland review areas) to assess potential impacts, especially downstream
- lack of enforcement coupled with a strong sense of private property rights
- lack of knowledge (both location and ecological constraints) of smaller important wetlands including vernal pools, fens, and high gradient streams



Salisbury’s floodplains along the Housatonic River, Salmon Kill, Factory Brook and Moore Brook are important riparian habitats for many wildlife and plant species. They serve as natural dispersal corridors, especially flyways for songbirds in the spring and autumn. These intact and extensive flood plains are ever-the-more important in managing heavy rainfalls caused by extreme weather events that characterize climate change.

The 2014 *Salisbury Hazard Mitigation Plan* (HMP) stated that “wetlands and floodplains provide protection against disasters such as floods. Proper planning and protection of natural resources can provide hazard mitigation at substantially reduced costs.” Floodplains serve as green infrastructure by slowing and detaining flood waters, protecting the Town from catastrophic flooding”. Ecologically informed floodplain management includes avoidance of development and filling within floodplains. Stabilization of stream banks by ecologically appropriate methods including restoration of riparian vegetation by fencing out cattle are integral components of responsible floodplain management.



Salmon Kill Flooding at Farnum Road

Photo: Michael W. Klemens

Degradation of Aquatic Systems

Nutrient loading of receiving waters is the primary cause of eutrophication. Eutrophication occurs when nutrients are introduced into aquatic systems from agricultural lands, lawns, and failing septic systems, causing an overabundance of algae and plants. In aquatic systems, this vegetative bloom leads to hypoxic (oxygen-deprived) conditions. This is especially prevalent in lakes and streams lying within developed watersheds.

Developed watersheds are more prone to frequent and rapid stream flow fluctuations during storm events also known as flashiness. Flashiness occurs when heavy rains fall on deforested and impervious surfaces, rapidly entering streams and water bodies. Flashiness is greatly amplified by the extreme precipitation events that accompany climate change.

Flashiness causes a strong flush of sediments. This rapid flush of water mobilizes sediments, nutrients, and debris polluting downstream waters. The rapidly rising and falling water levels also erode stream banks and cause stream scouring. This alters the structure of in-stream habitat, reducing biodiversity by eliminating species that depend upon organic, detritus-rich stream bottoms.

Rainfall runoff from solar-heated surfaces including paved roads, rooftops, and parking lots is substantially warmer than that originating from vegetated surfaces. This unnaturally warm runoff causes thermal loading of aquatic ecosystems. This in turn influences physical characteristics of water including temperature and dissolved oxygen which adversely impacts cold-water species including trout, slimy sculpin, and spring salamanders. Salisbury has a significant number of cold-water habitats supporting many threatened species. Climate modeling (Klemens et al. 2021) demonstrated that Salisbury may become the primary refugium for cold water species in the State. Therefore, Salisbury has an important stewardship role in the conservation of many cold-water-dependent, endangered and rare species.

Droughty periods and high temperatures are yet another effect of climate change. Warm springtime conditions accompanied by drought alter the hydroperiod of seasonal wetland ecosystems. Drought compromises vernal pool resiliency by shortening larval

developmental periods, which at times causes the complete loss of a season's reproductive output. Sequential years of drought weaken the population resiliency of many specialized species dependent upon these seasonal wetlands.



Eastern Spring Salamander Photo: Dennis P. Quinn

### Importance Of Water Temperature

In 2014, the Connecticut DEEP published research defining important water temperature thresholds, providing the ability to identify and classify areas of cold water stream habitat. The study documents the vulnerability of cold water stream habitat to factors such as climate change.

According to the research, average stream water temperature of 18.3 degree C (64.9 degrees F) or less from June through August, provides suitable habitat for cold water fish such as trout and slimy sculpin to survive.

An increase of about 3 degrees C (about 7 degrees F) in the average summer water temperature of can change a stream from a cold-water habitat to a warm water habitat. This temperature shift, substantially alters the fish, salamander, and invertebrate communities within the stream.

Subsidized Species (Non-Native and Overabundant Native Species)

Subsidized species encompass a subset of plants and animals that, through human activities, have developed a competitive edge in the ecosystem. These adaptable species flourish because of human activities including climate change, species introduction, habitat fragmentation, and landscape manipulation. Simplified wetlands, elimination of predators, and supplemental food resources are all by-products of human dominated landscapes.



Bears Crossing Farnum Road Photo: Michael W. Klemens

This problem increases each year, as the ecological disruptions caused by these species spread through the ecosystem. Some of these “problem species” have been recognized for many years, including overabundant native populations of Canada geese, white-tail deer, and non-native Oriental bittersweet. Others are of more recent origin, including the nonnative emerald ash borer, and overabundant, native black bear.

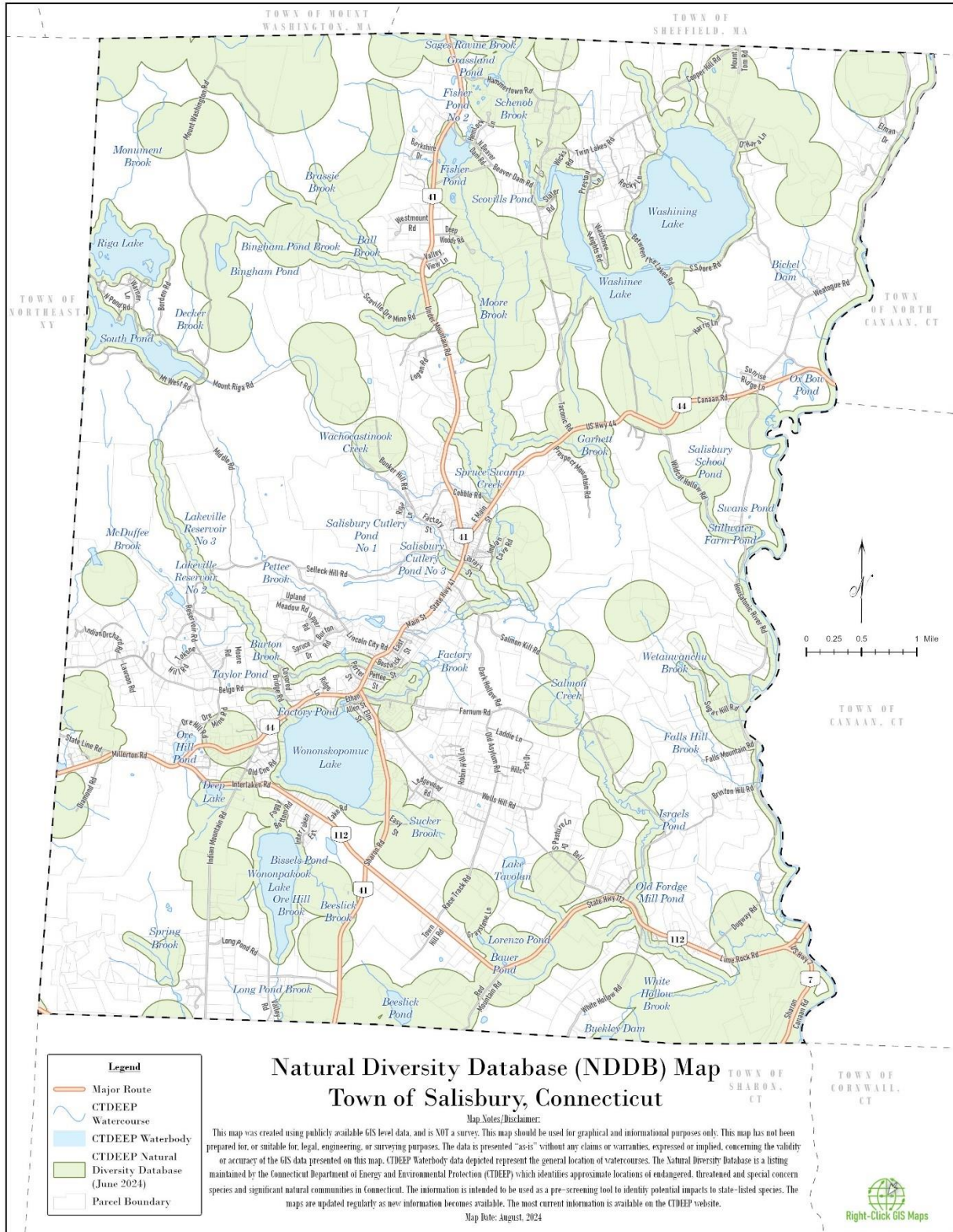
***Mindful Planting***

Mindful gardening and landscaping play an important role in maintaining Salisbury’s rich diversity of natural ecosystems. Many Salisbury landowners outsource their landscape management, but are ultimately responsible for the actions of their contractors, including violations of land use regulations.

Landscaping manipulates native habitats to create those that are more favorable to human activities. Problematic landscaping practices include removal of standing dead trees, clearing the forest floor of natural debris, blowing or depositing landscape debris into and near wetlands and watercourses.

Importing soil and mulch can transport invasive plants and invertebrates. Seemingly benign activities such as sharing dug plants between gardens, which is the practice that occurs at local plant sales, can move highly invasive plants and non-native earthworms to new areas.

Horticultural activities also introduce non-native species as well as genetically unsuited cultivars of native species which can compromise the genetic integrity of plants adapted to local conditions and ecosystems. Many species not specifically identified as “invasive” have the potential to escape from gardens and become established in the wild.



Recent research has revealed synergies between many subsidized species. For example, earthworms rapidly digest the leaf litter on the forest floor. This changes the physical characteristics of the microhabitat, eliminating moisture stored in leaf litter, reducing habitat for small vertebrates and invertebrates, inhibiting native plant germination, and creating conditions favoring invasive species including garlic mustard. Garlic mustard is allelopathic, secreting toxins that inhibit other native plant species from establishing.

Climate change alters the phenological (leafing and fruiting) cycles of native plants. This may adversely impact species that have co-evolved to rely on specific plants for the successful completion of their annual reproductive cycle. Many non-native plants emerge earlier in the spring and retain leaves later into the autumn, the longer growing season gives these non-native species a competitive edge over native trees and shrubs. A good example of this is the non-native Norway maple which leaf out several weeks prior to the native sugar maple and retain leaves much later into autumn.

Invasive species are best managed by accepting that eradication is not possible, but control by a scientifically informed approach is required. This approach includes targeting the invasive species that are most disruptive to the ecosystem.

#### Inadequate Regulatory Framework

Regulations alone cannot address the landscape-scale conservation issues in Salisbury. Parcel-based zoning obscures the “big picture” that is essential for ecological planning. More robust regulatory tools in concert with incentives will help address some of the threats particularly in aquatic systems.

The Planning & Zoning Commission and the Inland Wetlands & Watercourses Commission recognize the limitations of current regulations and are working with the Land Use Office to close loopholes and incentivize conservation. The newly constituted Conservation Commission could fill the gap between regulation and voluntary stewardship.



## B. Strategies

### Ridgelines

1. Consider creating regulations to manage and mitigate ridgeline development. Nearby Amenia NY has a Scenic Protection Overlay (SPO). The SPO encourages development to first avoid the SPO, or if unavoidable, requires mitigation in the form of vegetative screening and the choice of building shape, color, reflectivity as well as the types and placement of interior and exterior lighting to maintain dark nighttime skies. Nearby Kent and Canaan (Falls Village) have adopted ordinances to address this issue albeit in different ways.

### Forests and Trees

2. The Conservation Commission could consider ways to engage foresters and educate the public about the ecological benefits of well-managed forests (i.e., silviculture).
3. Develop regulations that require permitting for any tree clearing (clear cut) greater than half an acre in commercial and residential areas. In granting a permit, the Town should examine the potential impacts on receiving waters and wildlife, as well as the scenic view sheds of the Town and as ways to mitigate these adverse effects.
4. Consider amending site development standards to require a tree preservation and protection plan pursuant to Zoning and/or Subdivision approvals. Standards might include a requirement to replace with native trees (not varietal cultivars) loss of trees greater than eight inches diameter at breast height (DBH). Consider off-site compensatory mitigation for unavoidable tree loss with the goal to maintain Salisbury as a forested community resilient to climate change.
5. The Conservation Commission could develop educational programs and materials to promote education about the vital role that forests and forest floor debris (rotten logs, leaf litter) play in providing carbon sequestration. Discourage the “cleaning up” of forest floors. Forest litter is vital habitat for many vertebrates and invertebrates, creating a moist microclimate which also sequesters carbon.
6. Continue to proactively remove dead and hazardous trees along Town roads where they threaten electrical wires and roadways. Ash wood should be appropriately disposed of to prevent the spread of the emerald ash borer, a subsidized species (see *Chapter 5 Infrastructure* for a fuller discussion of overall road maintenance).

### Aquatic Resources

7. Evaluate the Town's unimproved roads to identify and remediate sources of silt laden run-off into adjacent receiving waters.
8. Consider the effects of ground-water withdrawals on adjacent wetlands, especially fens. This will require educating the Town's PZC and IWWC to this problem coupled with guidance from technically proficient staff or consultants to determine the reasonable likelihood of harm resulting from such withdrawals. The regulatory nexus may not always be present; therefore, the Conservation Commission could approach landowners to achieve voluntary compliance.
9. Evaluate the development standards in the PZC Lake Protection Overlay District (LPOD). Seek clarity of purpose in achieving the goals of the LPOD based on science.
  - a. Consider that driveways (dirt, gravel, and paved) should all be calculated as impervious surfaces unless specifically engineered and maintained for infiltration.
  - b. Consider that small surfaces such as walkways, stonewalls, mechanical structures, and ledges should not be calculated as impervious surfaces.
  - c. Eliminate interpretative ambiguity that results from inconsistent application of LPOD standards.
10. As part of the LPOD review process, consider adopting an impervious surface density bonus for properties that install an approved (by IWWC) deed-restricted buffer strip between the manicured upland and the lake. That density bonus should be grounded in science, i.e., the value of the buffer in maintaining water quality offset by providing a larger area of impervious surface.
11. Develop universal standards for buffers including minimum width, planting palettes, points of waterfront access, and maintenance requirements. All buffer planting plans approved by Town land use commissions should be native species that are genetically suited to the Town. Varietal cultivars of native plants should not be allowed as they can dilute the genetic fitness of the indigenous native plant gene pool.
12. Continue and expand efforts to educate and engage the public about wetlands and their stewardship. Stewardship of wetland resources should be expected of landowners. The Town should avoid direct financial incentives (i.e., tax abatements) in exchange for stewardship of wetland resources as a matter of public policy.

13. The Town should lead by example planting buffers along Factory Pond and Factory Brook as well as reconfiguring stream profiles along Factory and Burton brooks, thereby increasing compensatory storage for flood waters.
14. Protect wetlands and watercourses by:
  - a. Expanding upland review areas (URAs). Consider placing larger URAs around sensitive wetland resources including but not limited to fens, high gradient cold-water streams, and exemplary vernal pools. This will give the IWWC the ability to look farther into the surrounding landscape to determine if activities are reasonably likely to cause unreasonable harm to a wetland. Larger URAs will avoid the IWWC arguing for larger review areas on a case-by-case basis ensuring that the impacts of activities are adequately reviewed.
  - b. Ensuring that the IWWC comprehensively evaluates downstream impacts of development.
  - c. Ensuring that the IWWC permits consistently incorporate science-based best management practices.
15. Continue to educate the public as well as IWWC commissioners to the value of complex wetlands, reducing the simplification of these wetlands a byproduct of development and landscaping.
16. Continue and expand the Land Use Office's citizen science study of the Town's vernal pools to determine the relative importance of each pool. Assessments will determine the biological value and the landscape integrity. Not all pools are equal in biodiversity and biomass production, and it is important to identify and map exemplary pools.
17. Strengthen floodplain protection by ensuring floodplain development codes and regulations are up to date, applied, and enforced.
18. Consider using the Federal Emergency Management Agency (FEMA) 500-year flood elevation as the protective standard to avoid floodplain development and protect infrastructure. Floodplain protection is critical to mitigating the effects of heightened pluvial (= rainfall) events due to climate change. Floodplain protection is hampered by a lack of detailed and current FEMA maps for the Town.
19. The 2014 HMP stated that "riverbank stabilization is needed along various portions of the Housatonic River" and recommended conducting a Salmon Creek Watershed Study to identify appropriate methods of reducing flood risks.

20. Promote the use of oversized rectangular box culverts on new developments, and when replacing round corrugated pipe culverts on Town roads, to accommodate the increased rainfall resulting from climate change (*see Chapter 5 Infrastructure*). Box culverts are designed to maintain the natural stream bottom which is more wildlife-friendly for aquatic vertebrates and invertebrates, in comparison to round pipes. These box culverts also facilitate the movement of non-aquatic species between habitats.
21. Protect wetlands by an ecologically informed and rigorous development review process. Avoidance is the best form of mitigation. Techniques such as Low Impact Development (LID) should become the site standard for new development applications. If unable to comply with the LID standard, the applicant must produce written findings describing why LID techniques cannot be used.
22. Develop an understanding of the interconnectedness of watersheds that transcend political jurisdictions. Explore ways to scope and fund watershed studies that further the understanding of these interconnected and dynamic resources.

Agriculture (*see strategies in Chapter 6 Agriculture*)

23. The Conservation Commission should consider ways to engage farmers and educate the public about the ecological benefits of well-managed farms. Consider that the “production” of rare species and the maintenance of rare habitats is a “crop” that society should compensate farmers for. The rationale is quite simple: Connecticut and the Federal government spend large sums of money on acquiring and managing habitats for threatened and endangered species, many of them requiring habitat types that already occur on well-managed farmland.

### Species Conservation

24. Expand the use of the Natural Diversity Database (NDDDB) in reviews of development projects by the IWWC and PZC. This is especially relevant for projects that rely upon State funding as these projects cannot cause loss (= take) of protected species and their habitats. A recent example are the development concepts for the Pope Property that must consider the presence of State-listed species.
25. Require applicants to provide more detailed surveys/assessments of natural resources and provide mitigation where necessary. Consult staff or third-party reviewers to assess the completeness of these surveys, especially in the case of vernal pools and other sensitive habitats or resources.
26. Promote conservation efforts to protect a vertical gradient of habitats to accommodate species relocation in response to climate change.

### Improve Regulations and Administration

27. Develop Aquifer Protection Regulations using the State template and ensure that the PZC meets at least once a year as the Aquifer Protection Agency as required by State Statute.
28. Review Subdivision Regulations with the goal to increase ecologically-resonant conservation of natural resources. Avoid open space fragments that result from the need to meet regulatory requirements. Open space protected as part of a subdivision should be part of a larger connected natural area not subject to future development/resubdivision.
29. The PZC should consider a policy prohibiting new floodplain development and filling and require that all existing structures be retro-fitted to accommodate flow-through flood waters.
30. Continue to require and enforce that all stormwater be detained on development sites and not be diverted onto roads, neighboring properties, or into waterways.
31. Explore new ways to incentivize renewable/green energy.
32. Review Town policies as they pertain to burning brush and logs as part of land clearing and farm maintenance. Evaluate more ecologically responsible methods of disposing of brush and logs as burning releases large amounts of sequestered carbon and other pollutants back in the atmosphere.

33. Examine and where necessary revise Town policies as they pertain to the conservation of natural resources. Activities funded by the Town should minimize to the maximum extent practicable harm to the environment (see *Chapter 5 Infrastructure*).
34. Examine and where necessary revise Town policies as they pertain to promoting resiliency through improvements and protection of the green infrastructure.
35. Consider entering into inter-municipal agreements with neighboring towns to promote informed protection of shared interconnected resources. Home rule provides local controls but is compromised when adjacent towns treat shared resources differently.
36. Develop cooperative conservation policies that could be implemented regionally.
37. Consider partnering with lake associations and other homeowner and community associations to support and promote conservation efforts.
38. Consider partnering with regional agencies such as the Northwest Hills Council of Governments or conservation organizations such as Housatonic Valley Association to catalyze and add value to in-Town conservation actions.

Subsidized Species

39. Control invasive species along Town roads and rights of way (*see Chapter 5 Infrastructure*). While total elimination is often impossible, some of the worst effects of invasive species can be avoided with a program of regular removal and eradication.
40. Provide training for the Highway Department to identify and manage invasive plant species. Ensure that all Town funded projects remediate rather than contribute to the spread of invasive plant species.
41. The Tree of Heaven is the preferred host of the highly injurious spotted lantern fly. It is recommended that it be a priority for the Town to:
  - a. Eliminate the Tree of Heaven on public property.
  - b. Encourage/incentivize property owners to eradicate the Tree of Heaven on private property.
42. Continue to participate in the multi-town consortium to map and control Japanese knotweed.
43. The Conservation Commission could develop literature and a public education program focused on removing human-created subsidies that contribute to the spread of various invasive species.
44. Remove bear food resources by requiring bear proof garbage containers on any new house or business that is permitted. All restaurants should be required to have bear-proof dumpsters.

Education

45. Build a culture of ecological literacy, including the obligations of stewardship that are conferred with property ownership. Land ownership confers bundles of rights and responsibilities. Private property rights are well articulated in public discourse. The stewardship obligations to the commons (those attributes of the land and natural resources that are enjoyed by all and provide ecological services) feature far-less prominently in the public consciousness. Remedying these disconnects between property rights and the stewardship obligations of property ownership need to be addressed.
  - a. Best Landscaping Practices. A handbook could be prepared for property owners and landscapers outlining problems and best management practices. It would be advisable that written materials be made available in multiple formats and languages.
  - b. The Conservation Commission could sponsor (in concert with the Town's Land Use Office and possibly local nurseries) educational forums for property owners and landscapers. These forums would raise awareness of the unique ecosystems of Salisbury and provide best management practices for landscaping in a responsible and ecologically sensitive manner.
46. Continue to develop and expand citizen science programs such as the ongoing vernal pool assessment and knotweed identification program. The more the citizens of Salisbury understand the intricate web of life that occurs within the Town the more likely it is that they will support maintaining the natural, rural nature of our Town.
47. Partner with local schools to develop hands-on opportunities for students to become engaged in efforts to study and conserve Salisbury's natural resources. Logical partners would be the science and agriculture programs at HVRHS as well as the science programs at Salisbury and Hotchkiss schools.
48. Develop programs, such as the New York State Climate Smart Communities initiative, to think globally but act locally in regard to mitigating the effects of climate change (i.e., resiliency). Climate change poses one of the greatest threats to natural systems in Salisbury as discussed previously in the Inventory and Assessment section of this chapter.
49. Develop educational programs tailored to general contractors, tree service providers, landscapers, realtors, and others about how to become informed stewards of Salisbury's natural resources by educating their clients as well as promoting the use of best management practices (BMPs).



# Conclusion and Implementation

# 8



Sand Hill Cranes

Photo: John Harney

The heart of the POCD is six detailed chapters (2-7) reflecting major themes: affordable housing, economic vibrancy especially in the villages, governance, infrastructure, agriculture, and natural resources. Originally there was a chapter dedicated to wetlands but much of the wetland information was repeated in the natural resources chapter. Therefore, it made sense to integrate wetlands as a subset of natural resources. Understanding the impediments affecting the delivery of services to the community and the dissemination of information were topics of interest as these governance-related issues have never been adequately explored. *Chapter 4 Governance* delves deeply into this topic, providing a menu of strategies to move the Town forward in this ever-more complex world.

The Planning and Zoning Commission referred individual chapters to various Town commissions for review at their regularly scheduled public meetings. Certain commissions met on multiple occasions to review the content of the POCD. The commissions included: Salisbury Affordable Housing Commission, Economic Development Committee, Inland Wetlands and Watercourses Commission, and Conservation Commission. Town employees and citizens possessing specific knowledge on various topics were consulted.

One of the challenges in preparing this POCD was locating supporting reports and studies. There is no central repository for these informative documents, and much time was committed to retrieving and reviewing documents and studies scattered amongst various Town departments. This may sound trivial, but important studies were found sitting in a file or on a bookshelf of a single employee or department, their existence known only by a few people. Moving forward, the Land Use Office will collect and archive these documents and studies, ensuring that background information relevant to all facets of land use will be available in a single, centralized repository.

The POCD is a catalog of options and ideas that will move us through the next decade and well beyond. POCDs traditionally assign an entity within the Town as having primary responsibility for implementing specific strategies. Experience has shown that these assignments are not particularly effective, leading to balkanized approaches to implementation. For example, unimproved roads are viewed as contributing to the rural character of Salisbury. They are also major sources of pollution to wetlands. Assigning tasks to a single commission/committee (e.g., the Scenic Roads Committee or Inland Wetlands and Watercourses Commission) creates a silo mentality as opposed to a multidisciplinary solution.

One of the failures of past implementation processes is that they were *ad hoc*. An effective solution is to establish an Implementation Committee working collaboratively to implement the POCD's recommendations. The Planning & Zoning Commission should assemble this Committee from the statutorily required/enabled Town commissions (*see Chapter 4 Governance*) and relevant Town staff. The vision for this Committee is that they will approach their tasks in a structured manner and their progress will be tracked by the PZC. This Committee will meet at least quarterly.



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Rainbow Over East Twin Lake

Photo: John Harney