

Date: December 5, 2024

To: landuse@salisburyct.us

Re: Draft 2024 Plan of Conservation and Development (the "Draft Plan")

I write as a representative of a group of homeowners who live in the immediate vicinity of 121 Long Pond Road to request on behalf of the entire group that the second sentence of the paragraph just before section entitled "Natural Resources Values of Farmland" on numbered page 86 of the Draft Plan (copy attached) be deleted in its entirety. I do so on the basis that the sentence is inaccurate and misleading and it has nothing to do with the subject of the paragraph in which it appears.

The 2022 application to which the Draft Plan refers was not in fact to "establish a foundation operated farm on Long Pond Road". The applicant was a foundation established many years prior to the application for purposes totally unrelated to agriculture. That foundation did not own or lease or have any connection whatsoever with the residential property at 121 Long Pond Road which was the subject of the application, and hence it had no standing to bring the application.

The owner of 121 Long Pond Road was an individual who resided in a spacious home on the property, property which had never historically been used for agricultural purposes. The owner's wife wanted to operate commercial ventures on the property unrelated to agriculture, including an event space, a Sunday night restaurant and free-standing overnight rental accommodations, all of which she had already started advertising on a website. These were the commercial activities unrelated to agriculture which our neighborhood group opposed. Our group had retained counsel and was prepared to demonstrate that the applicant foundation had no standing to make the application and that the application could only be made by the owner of the property. We were never given the chance to do so however. After discussion among P&Z members at the hearing the property owner's wife was persuaded to abandon her original purpose to operate commercial activities open to the public on the property and agreed she would only engage in permitted public activities, having school children visit the miniature animals which reside on the property and perhaps holding a community picnic for local volunteers. The P&Z then advised her that if that was the case no application was necessary and she agreed to have the application withdrawn.

We trust that given this further explanation of the misguided 121 Long Pond Road application it should be clear to the authors of the Draft Plan that it should not be referenced in the Draft Plan. It is completely unrelated to the subject of properly constituted "Foundations which have established farms for education and/or targeted on serving marginalized population in the nearby Hudson Valley".

In conclusion the sentence about the Long Pond matter serves no purpose and should be deleted from the Draft Plan.

Sincerely,



M.E. Freeman.

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.

Public Act 490

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).