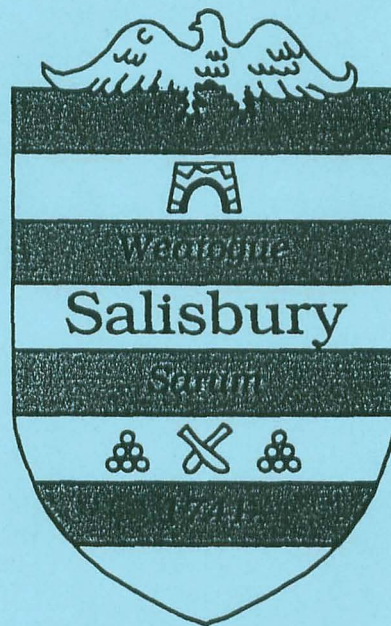


# Town Plan of Conservation and Development



**Town of Salisbury  
Connecticut**

### **Planning and Zoning Commission**

Jonathan Higgins, Chairman  
Val Bernardoni, Vice-Chairman  
Susan Vreeland, Secretary  
Michael Rogers  
Martin Whalen  
Donald Hewat, alternate  
Timothy Schilling, alternate  
Judy Swanson, alternate

Elizabeth M. Hall, Zoning Administrator  
Thomas A. J. McGowan, A. I. C. P., Planning Consultant  
Jeanne Walsh, Recording Secretary

### **Additional Commission members who served from 1992 to 1996**

Deborah Fisher  
Gordon C. Johnson  
Mathis Kiefer  
William F. Morrill, past Chairman  
Sherry Newkirk  
J. Leonard Stewart  
Roberta Willis

### **Board of Selectman**

Robert Smithwick  
Ann Cuddy  
Curtis Rand

**Public Hearing Date:** October 13, 1998  
**Approval Date:** December 8, 1998  
**Effective Date:** January 1, 1999

## **TOWN OF SALISBURY SALISBURY PLAN OF CONSERVATION AND DEVELOPMENT**

### **INTRODUCTION**

#### **Goals and Objectives**

The Salisbury Plan of Conservation and Development or more simply, the “Town Plan”, has one overriding goal. This is to balance conservation of the community’s natural resources, and preservation of its historic heritage with local needs for employment, housing and future growth.

Salisbury’s colonial heritage and natural beauty are among its greatest assets. In recognition, the Town Plan is designed to protect and conserve as much as possible of the Town’s distinctive cultural, natural and landscape features.

Town’s historic and economic hubs, the village centers of Salisbury and Lakeville, are a special focus of the Plan. This objective is to maintain and enhance the appearance, historic quality of life and identity of these small, historic, New England village centers.

The Plan recommends measures to encourage local commerce, economic development and provide a range of needed housing opportunities. Recognizing they are the framework for future development, the Plan recommends close coordination of water, sewer and road improvements with the land use plan.

#### **The Town Plan and Its Relationship to Zoning and Subdivision Regulations**

The Salisbury Planning and Zoning Commission was established by Town Ordinance and charged with the responsibility to prepare and amend to Town Plan of Conservation and Development, the Salisbury Zoning Regulations and the Subdivision Regulations.

Though the Town Plan is merely an advisory document, it is intended to guide the Commission’s Zoning and Subdivision policies and regulations. The Zoning Regulations establish the type, intensity and location of land uses permitted in Salisbury. The subdivision Regulations establish the requirements for dividing a parcel of land into three or more lots for the purpose of sale or development.

When the Commission proposes changes to its Zoning Regulations, it must refer to the recommendations of its Town Plan. Before adopting such changes, the Commission must “state on the record, its findings on consistency of a proposed zoning regulation or boundaries or changes thereof with the Town Plan of Conservation and Development”.

#### **Preparation of the Site Plan**

The Salisbury Planning and Zoning Commission began its work on the Town Plan by holding an open forum with local citizens and officials. All were asked to identify the

special community assets and issues the plan should address. With the information it collected and suggestions offered by the public, the Commission defined five main areas of study and developed objectives for each.

The sections of the Town Plan are – “Natural, Scenic and Historic Resources”, “Village Centers”, “Housing”, “Roads”, and “Sewer and Water”.

During the course of its work on the Plan, the Commission recognized that certain issues of critical concern to the community had to be addressed immediately. Rather than await the completion of the advisory Town Plan, the Commission addressed some of these issues. For example, the Commission prepared and adopted regulations governing the design and placement of telecommunication towers and the size, number and location of business signs.

After the Commission developed a draft of the Town Plan recommendations, it invited review and comments from local officials, other commissions, and groups with an interest in each subject area. The comments from these sessions often led to further additions and modifications to the Plan.

When the draft plan was complete, the public was invited to comment at a special meeting convened by the Commission. Many of the comments and suggestions received at this meeting were incorporated into the final draft Plan.

At the final, formal public hearing, numerous citizens and local officials endorsed the Town Plan as revised. The Planning and Zoning Commission adopted the revised Salisbury Plan of Conservation and Development effective January 1, 1999.

#### Relationship of the Town Plan to State and Regional Plans

The recommendations of this report are consistent with the recommendations of the recently updated Connecticut State Plan of Conservation and Development and the Regional Planning recommendations of the Northwestern Connecticut Council of Elected Officials.

The State and Regional Plans recommend a balanced plan for the future development of Connecticut. These plans view Salisbury as a community which should remain rural, retain a low density of residential development and seek to preserve its critical natural resources, especially its numerous wetlands, stream corridors and sources of public drinking water supplies, parks and natural areas, farmland, forests and scenic areas.

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**TOWN OF SALISBURY  
TOWN PLAN OF CONSERVATION AND DEVELOPMENT**

**SECTION I  
WATER, NATURAL, SCENIC AND HISTORIC RESOURCES PROTECTION**

**1.0 NATURAL AND CULTURAL RESOURCES**

The Town's natural and cultural resources can be classified into  
The following general categories:

1. Major lakes, Housatonic River, aquifer and bedrock  
Groundwater supply areas, water supply wells and  
Recharge areas, inland wetlands, gobs, marshes, and streambelts.
2. Active farmlands, and large contiguous areas of prime and  
Important farmland soils, and forestlands.
3. Recreation resources.
4. Views, vistas, ridgelines and State and town scenic road corridors.
5. Wildlife corridors and resources, including important plant and  
Animals habitats and other unique or fragile features.
6. Historic resources, including many historic homes both in village  
Centers and throughout the Town, farm structures, and structures  
And artifacts relating to colonial industries.

**2.0 OVERALL POLICY**

**The Town will strive to protect and conserve as much as possible of  
Its most distinctive and diverse natural resource and rural landscape  
features. This can be accomplished utilizing a variety of methods both public  
and private.**

**Salisbury is fortunate to have a considerable amount of permanently  
protected land and effective private conservation organizations. Major  
additions to the Town's inventory of permanently protected land will rely in  
large measure on the continued effectiveness of these organizations in  
cooperation with the public sector.**

**3.0 SPECIFIC POLICIES**

- A. The quality of the Town's groundwater and surface water drinking  
Water should be protected from pollution; especially the Town center well fields.
- B. The water quality in the Town's lakes and ponds should be improved and  
Maintained in a condition suitable for swimming and fishing.

Critical stream corridors:

Housatonic River, Dugway Road and Weatogue Road, Salmon Kill, Wildcat Hollow, Moore Brook, Sages Ravine to Schenob Brook, Burton Brook, Mt. Riga stream to library.

C. The Town's remaining tillable agricultural land should be a high protection priority and wherever possible, be kept available for farm use.

Priority Farm Areas: Existing farm areas should be shown on an "Existing and Proposed Priority Protection Areas Map".

D. Development proposed on priority Ridge line areas should be guided in a manner that preserves distant views of the most scenic portions of hill tops areas. (Note: Portions of the following priority ridgeline areas are permanently protected).

Priority ridge lines:

Mount Riga-Bear Mountain, Lion's Head to Bird Peak, Round Mountain and Gridley Mountain, Prospect Mountain highland, Indican Mountain, south ramparts of Mt. Riga, Tomps Hill highlands east of Washining, south end of Barrack-Matiff to Red Mountain in Lime Rock, Raccoon Hill, Prospect Mountain to Brinton Hill Road, along Tomps Hill and top of Canaan Mountain, Taconic Range, especially Mt. Riga, Selleck Hill, from Indian Cave Road to Falls Village and Lime Rock.

E. Scenic roads and the critical views and vistas along these roads are an important part of Salisbury's scenic quality and should be shown on an "Existing and Proposed Priority Protection Areas Map". The views and vistas from these roads can become obscured unless roadside vegetation is managed to retain views.

Scenic Roads:

Dark Hollow Rd., Between the Lakes Rd., Mt. Riga and Mt. Washington Rds., Wildcat Hollow Rd., Weatogue Rd., Taconic Rd., Housatonic River Rd., Selleck Hill Rd., Salmon Kill Rd., dirt roads from Grassland to Sheffield, Riga Rd., all of State highway Routes 41, 44 and 112.

Scenic Views and vistas:

View on Prospect Mt., Views from Taconic north, view of Bear Mt. From Route 112, from Rt. 44 toward Taconic Range, Ore Mine views, Bird Peak, Mt. Riga, Canaan Mt. From Weatogue Rd., Taconic Range, Selleck Hill, Rt. 41, Taconic Rd., Lions Head, Bald Peak, Selleck Hill from Salisbury-Sharon border and other view sheds should be shown on an "Existing and Proposed Priority Protection Areas Map".

## F. Protection of Unique and Fragile Features.

### Wetlands and Shoreline Areas:

Many of the following areas cannot be altered or disturbed without an inland wetland permit and are therefore protected to a large degree. (Note: Portions of the areas cited here are preserved lands).

Factory Brook by the Railroad Ramble, Bingham Pond, land south of the Lions Head development, Rt. 44 west of Salisbury School, Bridgeport Hydraulic Water Co., land around reservoir, Moore Brook area, land near Institute of World Affairs, a corridor of land along the shoreline of major lakes and ponds, Twin Lakes wetlands, wetland east of RR trail.

### Wildlife Habitats:

Wildcat Hollow, Prospect Mt., Indian Mt., Long Pond to Mudge Pond drainage area, Moore Brook basis, Tom's Hill, Sages Ravine corridor to Schenob Brook, Moore Brook corridor, West Twin Lake habitat, Canaan Mt., and other wildlife areas should be shown on an "Existing and Proposed Priority Protection Areas Map".

### Mature Forests:

Mature hemlocks on Dark Hollow Rd., Mt. Riga, Bird Peak, Sages Ravine, Canaan Mt., and Wild Cat Hollow region (in the Salisbury School area).

### Historically Significant Sites:

These include, but are not limited to, the Holly House, Grove Street, School Street, Brick Quarry off Rt. 12, Borland farm and house, the iron furnaces and sites, the historical look of Main Street, Hessian fields, Indian areas in Weatogue and all Federally designated historic places and sites especially in the center areas of Lakeville, Salisbury and Lime Rock.

## 4.0 RECOMMENDATIONS

### 4.1 Existing and Proposed Priority Protection Areas Map.

The Town should prepare a map showing the existing and proposed priority areas for protection as cited herein. As additional land is protected, it should be added to the map.

The Salisbury Association map of protected land can be updated to show permanently land which includes all Town owned recreational land and open Spaces, land trust owned land and permanent conservation easements, Nature Conservancy holdings, State protected land and other protected areas.

This information should be imposed on a map of the regulated inland wetlands and watercourses. It should also show the areas that are subject to land use regulations limiting development, such as the setback area for septic systems near waterbodies.

4.2 Public and Private Action to Protect Open Space. The Town Should focus its efforts to protect open space on the priority areas identified herein. An important new source of for acquisition of open space areas was recently approved by the State. The Town should apply for these match funds to acquire land in the priority open space areas.

The Salisbury Association will continue to plan a central role in the protection of the Town's many unique, scenic, historic and fragile areas. The Town and the Association should continue to cooperate to realize common open space protection goals.

The Town should also cooperate with the Connecticut Chapter of the Nature Conservancy which recently announced that Salisbury and other parts of the Northwest corner have been designated a Conservancy priority area for protection of open spaces and natural areas.

4.3 Public Act 490 – farm and forest land. Large areas of the Town are classified as farm or forestland under the provisions of P.A. 490, also known as the “Open space law”.

This act permits the owner of active farmland or of more than 25 acres of forestland to apply for a reduced property tax assessment. Once given a “490” designation, the land must be kept in farm or forest use to retain the lower assessment. Also, if an owner sells the land within 10 years of its 490 classification, a penalty is assessed on the sale.

Surveys conducted in Connecticut towns show that the tax relief provided under Public Act 490 allows property owners to delay placing land on the market for development. By delaying a sale for development purposes, P.A. 490 temporarily maintains land in open space.

It is an important conservation tool and the Town should support continuation of this law.

#### 4.4 Farms/Ridgelines.

Adopt a conservation-open space development regulation to encourage preservation of farm fields, prime and important farmland soils, corridors of open space, views and vistas along and on ridgeline areas.

This regulation would offer landowners the option of creating lots in locations that would best protect existing farmland. Without encouraging development, these regulations should provide incentives to landowners to elect a conservation-open development design.

#### 4.5 Scenic Roads.

Adopt a local scenic road ordinance which will enable owners of property on scenic road to petition to establish town scenic road designation.

#### 4.6 Initial Scenic Road Designation.

Mt. Riga Road and Mount Washington Road should be considered for designation as “scenic roads” in an initial designation category. The regulations in this special zone area should discourage the construction of new public roads and other measures that will minimize disturbance to the rugged terrain and wildlife habitats.

#### 4.7 Routes 41 and 44 State Scenic Road Corridor Management Plan.

In 1998 a comprehensive set of planning recommendations for the protection and improvement of the Route 41 and 44 highway corridors was completed with funding from the State of Connecticut and the technical assistance of a team of planners and engineers. The technical team developed the plan with the cooperation and assistance of Salisbury citizens and officials.

Although the plan is focused on the highway corridors, it provides extensive scenic and natural resource information on the entire town. All of this information and many of the recommendations are consistent with the purposes and objectives of the Town Plan.

The Planning and Zoning Commission should review and consider for action all the recommendations in this report it finds are consistent with the Town Plan.

#### 4.8 Open Space Protection in Subdivisions.

Many of the requirements and standards in the Town Subdivision Regulations are out-of-date. Of special concern is the need to update the Open Space protection section of the Subdivision Regulations.

#### 4.9 Fee in Lieu of Open Space.

A recent change in the Connecticut General Statutes on local planning and zoning adds a new option for protection of open space. The Statutes now permit a Planning and Zoning Commission to adopt a regulation authorizing the

Commission to accept a “fee in lieu” of a requirement to permanently protect open space as part of a plan to subdivide a parcel of land into building lots.

The Town should consider using this option in order to help raise the funds it needs to acquire open space or passive recreational uses. When the Commission reviews a proposed subdivision plan and finds there is no special area to protect or open space need, it could require the subdivider to pay a fee “in lieu” of dedicating open space. These fees collected could then be used to assist in the purchase of open space benefiting all town residents.

#### 4.10 Lake Protection

Consider adoption of a lake protection district in the areas bordering the Town’s major lakes. The principal aim of the district would be to limit the amount of stormwater run-off and associated phosphorous reaching the lake. Phosphorous is the primary element support lake algae growth.

Lake programs in Maine and other states require development applicants to project the amount of phosphorous runoff to a lake from developments planned in a lake watershed. Applicants are required to contain and treat phosphorous runoff on-site based upon the tolerance of the lake to accept additional phosphorous.

A simpler approach for Salisbury lakes would be to establish a Lake District along the shoreline. Within the shoreline district, development would be allowed at a density and under provisions that will minimize the runoff of phosphorous to the lake and its feeder streams. A protected band of vegetation along the lakeshore line provides a root structure that will absorb runoff and reduce the phosphorous reaching the lake.

#### 4.11 Sewers and Lake Protection

Extension of sewer lines in the areas along and near Lake Wononscopomoc increases the need to establish regulations controlling storm water run-off from new development in this lake zone.

Studies of sewerred areas in lake watersheds shows sewer extensions need to be coordinated with zoning regulations to limit development density. Without the proper zoning requirements in place, sewers encourage intensification of development and the flow of nutrients to the lake from accelerated storm water runoff.

#### 4.12 Take Extra Precautionary Measures to Avoid Ground Water Pollution in Sensitive Water Areas

No watercourse, waterbody or inland wetland can be counted in the calculation of minimum lot area in Salisbury. This is an important water quality protection requirement and should be continued.

This requirement is especially important in areas not served by public sewers and in the Aquifer Protection District, the Wellfield Protection Zone, and the Housatonic River corridor and in major lake watersheds.

These are water quality sensitive areas where the minimum lot area should not include waterbodies or inland wetland soils.

4.13 Protect against Utility Development in Sensitive Visual Corridors.  
Establish Special Permit requirements for the location of towers, such as telecommunication towers and utility installations such as electric substations that are subject to local zoning review as provided under the Connecticut General Statutes.

4.14 Mount Riga-Moore Brook.  
Amend the Zoning Regulations to establish a special Residential – Open Space District in the Mount Riga and Moore Brook area. The purpose of this zone should be to encourage development compatible with the largely protected areas in the district.

4.15 Moore Brook – Salmon River Corridor.  
The 1975 regional report on Conservation and Preservation in Northwestern Connecticut identified this streambelt as one of the region's most scenic corridors. It noted that the Salmon River corridor outside of the village of Salisbury adds definition and scenic interest to the large area of farmlands in the Salmon River valley.

The Moore Brook, Spring Swamp and Salmon Brook streambelt corridor should be a top priority for preservation and conservation. Fortunately, much of the headwater for Moore Brook is protected land. Private land trust protection action should extend protection of this greenway corridor especially the extensive wetlands in Spring Swamp and the streambelt and floodplain areas along the scenic Salmon Kill River corridor.

4.16 Non-Residential Uses Allowed In Residential Zones.  
The Salisbury Zoning Regulations allow a variety of non-residential uses in residential zones as a Special Permit use. This use list has not been revised in many years.

The Planning and Zoning Commission, after careful review and consideration, has proposed a revision to this list deleting uses no longer considered appropriate and adding more specific standards and requirements for others.

These Zoning Regulation amendments will make the regulations consistent with this plan and the goal of protecting residential neighborhoods.

4.17 Telecommunication Towers. The Planning and Zoning Commission has adopted a comprehensive regulations for the siting of telecommunication towers permitted under the provisions of the Federal Telecommunications Act of 1996. This act provides that although local communities may regulate such towers these regulations may not prohibit or have the effect of prohibiting such facilities.

These towers which can reach several hundred feet high if not properly located will have a negative effect on the pristine, rural character of the Salisbury countryside.

The Town should retain whole or at least partial jurisdiction over these facilities and the Commission should continue to review and revise its telecommunications regulations to permit these facilities under siting guidelines consistent with Zoning Regulations and the policies of the Town Plan.

**TOWN OF SALISBURY  
TOWN PLAN OF CONSERVATION AND DEVELOPMENT**

**SECTION II  
VILLAGE CENTERS-CONSERVATION AND DEVELOPMENT**

**1.0 OVERALL POLICY**

**Planning and improvements in the Town's primary village centers, Lakeville and Salisbury, will be designed to maintain and enhance the appearance, function, quality of life and identity of these small, historic New England village centers.**

**2.0 SPECIFIC POLICIES.**

- A.** An early New England residential appearance should continue to dominate village center main streets.
- B.** The village centers should have a diversity of residential housing and commercial services.
- C.** New residential development should be clustered, served by public water and sewer services and include housing opportunities for young adults and elderly persons.
- D.** Retail business and services should be provided for both the local and transient persons.
- E.** Commercial development should be contained in the village center areas with new commercial building located off the Main Street.
- F.** New residential development should blend with the Main Street New England residential architecture.
- G.** Distinctive village center features should be preserved such as the Salisbury village green, the White Hart buildings, the views of Lakeville Lake and the lake recreational area.
- H.** The boundaries of the village centers should be contained and clearly defined wherever possible by open space located along the main streets entering the villages.

- I. The streetscape in the village centers should be preserved and enhance with trees, landscape features and signage in scale and keeping with early New England appearance.
- J. Vehicular traffic improvements in the villages should aim to discourage through truck traffic and to avoid congestion and traffic conflicts.
- K. The distant views of open and forested hillsides as viewed from village center main streets should be preserved.
- L. The undeveloped sections of the village centers should provide locations and uses that can provide job opportunities and enhance the tax base.
- M. Plans for protection of village's water supply and extensions of water and sewer systems should support and be coordinated with the future plan of conservation and development for the center areas.
- N. Development within the village centers should be consistent with the requirement to protect the quality of the center's drinking water supplies.

### **3.0 RECOMMENDATIONS**

#### **3.1 Guiding Development in the Village Center Areas.**

The historic village centers are cultural assets and are important to the local economy. The Planning and Zoning Commission, the Board of Selectmen, the Historic District Commission, the Chamber of Commerce and other groups and citizens should cooperate, maintain and improve the Town's village centers as "living" historic centers.

Town centers should continue to reflect the historic New England village development pattern maintaining a balanced, stable mix of both commercial and residential uses.

The 1998 Route 41 and 44 State Scenic Road study offered many detailed suggestions for the improvement of the village center traffic, parking and appearance almost all of which are consistent with the objectives of this plan.

The Planning and Zoning Commission should review and consider for action all the recommendations in this report it finds are consistent with the Town Plan.

### 3.2 Main Streets.

The following recommendations focus on guiding changes and improvements in the Main Street areas.

- CAC District. Re-title the portions of “C-20” and the “LI-20” districts on the main streets in the village centers in Lakeville and Salisbury to “CAC-20 Center Area Commercial”.

- Statement of Purpose. The statement of purpose for the CAC districts should reflect the objective of permitting commercial uses in a manner that retains the historic quality and scale of the main street development.

- List of Uses Allowed in new CAC Districts. The list of uses allowed in the existing C-20, CG-20 and LI-20 must be consolidated and revised for the list of uses allowed in the new CAC District.

To promote traffic and pedestrian safety and permit a safe flow of traffic in the center area, high traffic generating uses should not be allowed in buildings fronting on the Main Street unless all required off street parking can be provided on the lot and to the rear of the building.

Other uses which should be discouraged from locating in the CAC District are those which require a large lot and outside storage, e.g. Lumber yards. These uses would be better located in a C-20 or CG-20 District and off the Main Street.

- Incentives for Main Street Streetscape Improvements. Regulations for the new CAC District should provide incentives encouraging property owners to preserve and enhance green space and historical facades on main streets. Incentives in the regulations should promote retention of front yard greenspace and encourage building expansion to the rear portion of the lot.

- Landscape and Lighting. Landscape and lighting standards should be established for new development in the CAC district and these requirements should protect adjacent residential zones and dwellings from the effects of commercial use lighting.

- Apartments. Accessory apartments should be allowed as a permitted use on the second floor of commercial buildings in CAC district. Apartments can provide a source of affordable housing for the community and an optional productive use of the upper floors of commercial buildings.

- **Uniform Building Setbacks.** The Zoning Regulations should encourage new or expanded buildings fronting on the Main Streets to be setback at a distance on line with adjacent buildings.

A Special Permit could allow a proposed building setback that is less than the minimum required provided it conforms to the existing setbacks for other buildings on the Main Street and the appearance of the proposed building or addition is consistent with the historic facades and the streetscape.

- **Development in the Rear Yards.** To allow for commercial expansion that will improve main street appearance the Zoning Regulations in the new CAC District could allow a “trade off”.

Expansion into the rear yard could be allowed as a Special Permit where adequate parking can be provided and the expansion will also improve the building façade, the historic character of the building or streetscape improvements.

### 3.3 Historic Village Center Areas.

- **Historic District Consolidation.** The Historic District Commission has carefully documented the historic quality of historic buildings and structures in Lakeville and Salisbury. Many early buildings in Salisbury have survived on their original settings, however, only a fraction of these buildings are included in a locally approved Historic District.

The Historic District Commission in Salisbury oversees a series of 14 isolated clusters of buildings and spaces located throughout the Town encompassing a total of 57 historic properties. Of the many historic buildings in Lakeville and Salisbury village centers, a total of only 23 are protected under an Historic District (15 in Salisbury and 8 in Lakeville, primarily in the Pocket Knife Factory area).

The historic character of the village centers would be better protected if the Historic District boundary encompassed the contiguous areas of historic structures in the two village center areas.

### 3.4 Village Center Districts and Site Design Review.

An alternative, or perhaps a complement to the expansion of the historic district, is to amend the Zoning Regulations to establish a “Village District” under the terms of new State legislation allowing communities to create such zoning districts to “protect the distinctive character, landscape and historic structures”. This legislation permits the Commission to institute a building and site design review process for development

proposed along the Main streets within and approaching the village centers.

The village center districts should include all portions of the centers, which are historically significant and visually sensitive.

Within the village center district, the Planning and Zoning Commission could refer to the Historic District Commission Site Plan applications and Special Permit applications that relate to historic structures. The Commission could also establish a Site Design review committee to assist in the review of architectural and landscape plans.

The Historic District Commission and/or an advisory “Building and Site Design Advisory Committee” would provide advisory comments and recommendations to the applicant and the Commission intended to maintain the historic and visual quality of the village centers.

Before implementing this review process, the Commission must develop a set of guidelines and principals of building and site design review for the village district. These guidelines should reflect the variable site and building settings existing within different sectors of the review area.

It is suggested that the guidelines include a series of local “case studies” Showing how commercial building modifications and improvements can be accomplished successfully while maintaining the historic integrity of the village centers. Design standards based upon these examples will encourage maintaining the historic character of commercial center.

### 3.5 Parking, Vehicle and Pedestrian Access in the Village Centers.

Village center areas improvement needs include: traffic control; pedestrian access; and accessible and safe parking for residential, commercial and public uses.

In response to these needs, the Planning and Zoning Commission recently amended the Zoning Regulations to permit sharing of commercial parking areas and to allow parking at off-site locations under certain conditions. These options provide practical solutions to the limited parking space opportunities in the village center commercial areas.

While these options will help some businesses meet parking requirements; there is also a need for additional public parking and improved pedestrian access to the commercial buildings and public facilities in the village centers.

Lakeville's commercial center has little parking available in front of commercial buildings for customers. These spaces should be kept reserved for customers and more parking developed off-street for both customers and employees.

The town should consider all available options for expanding public parking facilities in the center areas. The following specific recommendations are offered:

- **Parking Authority.** It is recommended that the Town adopt an ordinance designating the Board of Selectmen as a Parking Authority with jurisdiction in the village center areas. A Parking Authority provides the appropriate legal entity authorized to act for the Town to create parking areas.

- **Fee in Lieu of Parking Requirements.** The Commission, in cooperation with the Board of Selectmen, should consider amending the Zoning Regulations to allow applicants proposing a village center building or use on a lot that can not meet the requirements for parking to submit a fee in lieu of this requirement.

This Zoning regulation option is expressly permitted under Section 8-2c of the Connecticut General Statutes provided: the applicant consents, a formula for the fee is set in the regulations, the town establishes a dedicated fund to receive such fees and the fund is used exclusively for parking and transportation improvements.

- **Traffic Circulation Improvements.** The Planning and Zoning Commission should use every opportunity to require development applications in the CAC District to provide the needed access and circulation improvements in accordance with the requirements of Section 543 of the Zoning Regulations.

Where the Commission and/or the Board of Selectmen determine it is necessary for the public safety applicants should be encourage, if necessary required, to provide access improvements such as inter-connection drives between adjacent commercial uses, consolidated driveways on the Main Street, sidewalks and other similar traffic and access improvements.

Implementation of these improvements should consider other studies of traffic and parking previously prepared by the Town. The Town should also consider retaining a professional traffic engineer to offer other recommendations and to identify and prepare site specific designs for recommended improvements, such as consolidated driveways and inter-connections drives between adjacent commercial lots.

### 3.6 Water Supply Protection Recommendations. Lakeville Reservoir Water Supply Overlay Protection Zone.

The primary source of drinking water in Lakeville and Salisbury village centers is Bridgeport Hydraulic Company's (BHC) Lakeville Reservoir. The reservoir is supplied by a 625-acre watershed. Most of the land in this watershed is owned and protected by BHC. BHC's new water filtration will improve the quality of the drinking water in this system.

It is most important that the Lakeville Reservoir watershed be vigilantly and carefully protected to maintain the quality of the village centers water supply. Most of the watershed is owned by the Bridgeport Hydraulic Company and it should remain undeveloped to protect the water supply. The Town should oppose any proposal to sell land owned by utility that protects the water utility.

The balance of the watershed land which is privately owned can be developed. To protect this watershed, the Planning and Zoning Commission should consider establishing a "Lakeville Reservoir Water Supply Watershed Protection Overlay Zone".

In this watershed zone, all lots should be required to have a minimum square of 200 feet within which there is no inland wetland areas or waterbody. Any non-residential use involving hazardous materials should not be permitted, including home occupation uses involving use of hazardous materials, other than household products.

### 3.7 Well Field Protection Zones – Lakeville and Salisbury.

The secondary source of drinking water for BHC's Lakeville-Salisbury water system are ground water wells in Lakeville and Salisbury. These augment the Lakeville Reservoir supply primarily during the summer months and periods of drought.

In Lakeville, the BHC wells are located off Pettee Street near the abandoned Railway line. Salisbury's wells are located in the center area near Spruce Brook Swamp.

Unfortunately, the monitoring wells surrounding Pettee Street wells in Lakeville and the Salisbury production wells have shown low levels of contamination. Although these are levels considered acceptable for drinking water, the fact that these contaminants are in evidence at all underscores the necessity of establishing strict land use-water quality protection measures in the primary recharge areas around the Lakeville and Salisbury wells.

The Zoning Regulations will establish Well Field Protection Overlay zones and zoning requirements consistent with State guidelines to protect the quality of water in the drinking water supply wells located in each village center.

These requirements must establish standards and criteria for review of development applications within the immediate “area of influence” around the Bridgeport Hydraulic water supply wells. The wellfield “area of influence” zones are delineated on maps of Lakeville and Salisbury centers prepared by the Bridgeport Hydraulic Company under requirements of the State water supply protection law administered by the State Department of Environmental Protection.

These regulations should:

- a. Require a Special Permit and Water Quality Protection Plan for all uses except single family residences.
- b. Establish a minimum building setback from all streams and inland wetlands within the well field protection zone.
- c. Require sewer connections to any new use of expanded commercial, industrial or multiply family use within the overlay zone.

The Aquifer Protection Overlay Zone requirements in the Salisbury Zoning Regulation should be maintained in all areas outside of the Wellfield Protection Zone.

### 3.8 Establish a Residential Highway Corridor Zone.

This zone would be established along the major highway entryways to the villages – State Routes 41 and 44. State Route 112 should also be considered for designation as a Residential Highway Corridor Zone.

The entire length of both Routes 41 and 44 in Salisbury was designated State Scenic Roads in late 1993. These designations made by the State Department of Transportation formally recognize special scenic and cultural quality of these road corridors.

The purpose of the highway corridor zone would be to:

- encourage preservation of the visual quality within the highway corridors (along with the Village Center Site Design review process recommended about: and
- to maintain the boundary definition of the village centers. This latter purpose requires maintaining a clear distinction between the boundary of

the more densely developed village centers and the less developed residentially zoned land between the villages.

Between Lakeville and Salisbury centers on Route 41 and 44, the boundary between the village center areas is becoming more blurred as residential and non-residential development spreads along the highway corridor.

Nevertheless, the State highway approaches to the village centers from all directions can be maintained as a “transition” area by retaining the sense of open spaces along the highway corridor approaches to the centers.

The zone should establish requirements and incentives designed to encourage preservation of the open space and the treescape on these highway entrances. "Greenbelt" entryways to the village centers require that development be guided away from visually vulnerable locations and a tree planting plan should also be developed for the corridors.

The depth of this zone would be established in consideration of the “viewsheds” along the highways. Interior lots and clustered housing should be encouraged to minimize the visual impact of development as viewed from the highway.

The new zone would include requirements and incentives designed with the following measures in mind:

- a. In visually vulnerable locations, the required setback for the location of buildings from the street would be greater than for sites where housing was screened from view.
- b. Encourage the use of shared driveways, at least within the State right of way to minimize traffic conflicts and curb cuts on the State highway.
- c. Allow the Commission the option to require a cluster subdivision design in locations in the corridor where the lot design and house siting will preserve exceptional scenic assets as viewed from the road.
- d. Permit the extensions of sewer lines into the corridor zone only where such extension will permit a development plan in keeping with the objectives of the zone.

**TOWN OF SALISBURY  
TOWN PLAN OF CONSERVATION AND DEVELOPMENT**

**SECTION III – SEWERS, SEWER AVOIDANCE AND CONTROL  
OF STORMWATER RUNOFF**

Extensions to the Town's sewer system will influence the direction and extent of future growth and development in the village centers and the Town. Accordingly, it is important that the Planning and Zoning Commission and the Water Pollution Control Authority coordinate planning for new sewer service areas with the plans for future conservation and development in Salisbury.

The Water Pollution Control Authority (also known as the "Sewer Commission") oversees the sewer system consisting of a Sewage Treatment Plant located on Factory Brook and sewer lines in the village centers of Lakeville and Salisbury. The treatment plant located on a 10 acre parcel of land currently processes about 300,000 gallons of sewage per day which is under one half its full treatment capacity of 670,000 gallons per day.

Sewer lines installed in Salisbury center in 1969 and 1970 are in generally good condition. However, some sewer lines in Lakeville center were installed between 1914 – 1916. These clay tile lines are long overdue for replacement.

The sewer system serves almost all of the major sewage generating uses in the Town, except Salisbury School and Indian Mountain School. The Hotchkiss School facilities are connected to the Town sewage system generating almost 1/3<sup>rd</sup> of the Town's total daily sewage volume.

Over the years, planning for extension of the sewer system have focused the need to serve the cluster of homes around Lakeville Lake. Many of the lake's summer homes have been converted to year around use adding to the sewage load and the water conditions on the land surrounding the lake.

Sewer service to the lake area will not alone insure protection of water quality conditions in the lake. The effects of stormwater runoff must also be minimized to protect against pollution and increased lake algae growth. (See Section I recommendations)

## **1.0 OVERALL POLICY**

**To support and maintain a public sewer and stormwater control program that eliminates and control's sewage pollution problems. To contain expansion of the sewer lines to defined areas contiguous with the Village Center areas.**

**To coordinate the sewer use and extension policies with town plan land use policies.**

**To avoid the need for unplanned sewer extensions outside the village center areas.**

## **2.0 SPECIFIC POLICIES**

**A. The limits of sewer service areas should be kept with the boundaries of the village centers, especially along the main streets.**

**B. The force main between the Lakeville and Salisbury village centers must continue to be a "non-access" sewer line.**

**C. Cluster housing development in the center areas should be connected to the sewer system.**

**D. The Water Pollution Control Authority and the Planning and Zoning Commission should coordinate their plans and actions to discourage strip commercial development on main streets and encourage use of back lots in the village centers.**

## **3.0 RECOMMENDATIONS**

### **3.1 Greenspace and Impervious Surface Requirements.**

**Research on the impact of storm water run-off on water quality suggests new development on lots in the center areas of Lakeville and Salisbury should have more green space than currently required. Larger areas of greenspace will provide the natural vegetated surfaces needed to treat contaminants in storm water run-off.**

**The Planning and Zoning Commission should consider this new information and the need for changes to village center zoning requirements as part of a program to minimize the need for construction of stormwater collection systems and to protect water quality.**

These controls will be necessary especially for land uses that require large parking lots or other impervious surfaces.

### 3.2 Stormwater Design Standards and Requirements.

The Zoning Regulations and Subdivision Regulation requirements for stormwater runoff design criteria need to be reviewed and updated. Stormwater plans should be designed based upon watershed analysis and should encourage use of grass filter systems. Wherever possible, the construction of stormwater piping systems or large stormwater retention facilities should be avoided.

Site plans and subdivision plans designed according to stormwater controls recommended by the Connecticut Cooperative Extension Service “NEMO” program will be more effective, require less maintenance and be less costly than conventional structural designs.

The Zoning Regulations currently allow the lot size in RR1 and RRIV zones to be reduced by one half subject to the requirement for Special Permit and provided the lot is connected to “public water and sewer system”. Smaller lots will result in increased impervious surfaces and should not be permitted in sensitive environmental areas such as along waterbodies in aquifer areas.

The Planning and Zoning Commission should re-assess this policy and either eliminate it or provide criteria specifying the amount and location of green space that will be required under an application for approval of a Special Permit to double the density of housing.

3.3 Force Main “Non-Access” Policy. The Town Plan supports the Water Pollution Control Authority policy regarding the sewer force main running between the village centers. This should continue to be a “non-access” sewer line, meaning no new development should be connected to this main line. This policy should be stated in the land use regulations.

Lot size and setback requirements along the sewer force main “non-access” line should be maintained or revised where necessary to insure that lot designs will, in the long term, support operation of on site septic leach field systems.

3.4 Sewer Avoidance and Sewer Planning Coordinated with Town Plan. The town can avoid costly, unplanned sewer line extensions and maintain the boundary definition of the village

centers if these recommendations are followed. This requires consistent and coordinated policies by Planning and Zoning Commission and the Water Pollution Control Authority. In summary, the key requirements are:

**For the Planning and Zoning (and the Health District):** Implement requirements insuring lots outside village centers have sufficient area for on site water supply wells and subsurface septic leach field systems, and require that site plans designed to avoid pollution from stormwater runoff.

**For the Water Pollution Control Authority:** Limit future sewer line extensions to the village center areas in keeping with the recommendations in this plan.

**TOWN OF SALISBURY  
TOWN PLAN OF CONSERVATION AND DEVELOPMENT**

**SECTION IV  
POPULATION AND HOUSING**

**1.0 GENERAL**

Affordable housing legislation adopted by the State of Connecticut and decisions of the Connecticut Supreme Court require Connecticut towns to provide not less than 10% of their total housing units as “affordable”. Towns that have not achieved this goal must also move toward this goal at a minimum rate of 1% of its total housing units per year.

Where these goals have not been achieved, the State law requires the town Planning and Zoning Commission to approve any affordable housing application unless it can be shown by the town the approval would result in a clear adverse effect upon public health and safety. A housing development application is considered “affordable” if 20% or more of the total housing units meet the State definition.

Salisbury has added affordable housing at a rate that is better than most of Connecticut’s rural communities and has been recognized for its housing achievements. The Planning and Zoning Commission established one of the first regulations permitting applications from the Town or a local non-profit for affordable housing.

Yet just over 1% of the Town’s total housing units (approximately 2,500) qualify as “affordable” under the State housing law. Although Salisbury has privately owned rental units that are considered affordable, these apartments do not meet the State “affordable” definition.

**2.0 OVERALL POLICY**

To encourage local public and private actions that will help reduce the cost of housing and expand housing opportunities for Salisbury’s residents who qualify for affordable housing, especially young adults and elderly persons, also to encourage alternative housing options for elderly persons, such as assisted living.

### **3.0 ACCOMPLISHMENTS**

The Town of Salisbury has accomplished much in its effort to provide affordable housing. These include the following:

**3.1 Zoning Regulation Amendments Relating to Affordable Housing.** The Planning and Zoning Commission has adopted several regulation amendments that enhance the opportunity for creating affordable housing.

These are:

- Accessory Apartment Regulation. A zoning provision now allows the creation of an accessory apartment for a family member or as an income producing housing unit in a single-family residence.

- Town of Non Profit Affordable Housing. A zoning provision allows the Town of Salisbury or a Town sponsored non-profit housing organization to create affordable housing units. The Town has used this regulation to apply for and complete Town sponsored affordable housing in Salisbury.

- Conversion for Apartment Use. Another provision of the Zoning Regulations allows the conversion of larger, older homes for not more than three apartments.

**3.2 Subdivision Regulations Amendments Relating to Affordable Housing.** A major part of the cost of constructing new housing in a subdivision, especially in a rural area, is the cost of road construction.

The Planning and Zoning Commission has revised the Subdivision Requirements for street paved width and street construction. These amendments have in effect reduced the cost of developing housing in the Town.

**3.3 Construction of Affordable Housing in the Town of Salisbury.** The Town of Salisbury has been cited by the State of Connecticut and the Northwestern Connecticut Regional Housing Council as a leader in developing quality affordable housing opportunities.

### **4.0 RECOMMENDATIONS**

#### **4.1 Permanent Housing Organization.**

Several local organizations actively support affordable housing in Salisbury. Faith House and Sarum Village are local, private, non-

profit organizations that oversee local affordable housing developments. The Salisbury Housing Partnership is a Town appointed board designed to encourage the development of affordable housing. The Partnership includes representation from the two private non-profit housing groups.

These organizations have made significant contributions to the affordable housing effort in the community which could be enhanced by establishing a permanent Town sponsored local housing organization with the ability to develop affordable housing.

One alternative that should be considered is creation of a local non-profit Housing Development Corporation under the provisions of Connecticut General Statutes.

A permanent local housing organization would have the on-going responsibility to coordinate, assist and implement the program of providing Town or non-profit sponsored affordable housing.

#### 4.2 No minimum floor area requirement.

Zoning Regulations in many communities require a minimum floor area for a single family home. Affordable housing advocates criticize this as an unnecessary requirement adding to the cost of developing housing. The Salisbury Zoning Regulations do not have a minimum floor area requirement for a single-family residence.

#### 4.3 Provision for accessory apartments.

The Zoning Regulation permitting an accessory apartment in a residence is one of the most significant regulations adopted by the Planning and Zoning Commission relating housing opportunity. It permits creation of one accessory apartment in a home or approved accessory building subject to certain restrictions.

An accessory apartment can be rented or used by a family member. The regulation also permits the home owner, such as an elderly person or couple who would like to reduce their home care costs and responsibilities, to create an accessory apartment for their own use while renting the primary residence.

This regulation does not prohibit the construction of an accessory apartment in a new single family home, but perhaps the regulations should be clarified to specifically acknowledge this option.

Under this option, a young couple can include an accessory apartment in their plans for construction of a new home using the apartment rental income to secure a mortgage and help finance the cost of home ownership.

4.4 Information and education on accessory apartments. Accessory apartments are an underutilized affordable housing option, which should be encouraged. More information can be provided to home owners on the advantages of creating an accessory apartment and the procedures necessary to acquire approval. A local or region seminar on accessory apartments could be sponsored from time to time with the objective of improving the potential for this form of housing.

With the cooperation of area banks, contractors and local officials, interested home owners can learn about financing, construction costs and permit requirements for adding on an apartment.

4.5 “Affordable” accessory apartments incentives. As stated above, to qualify, as “affordable” under State requirements, an accessory apartment must be rented at a rate that meets the criteria of the affordable housing law. To qualify an apartment rent must be kept in the “affordable” range for a 30-year period. While the rental rate may increase, it must be in the proportion to the increases in median family income in the County.

Owners of local accessory apartments that rent at very reasonable rates have no incentive to commit to maintain an “affordable” accessory apartment. A possible incentive is to provide a tax abatement on the added value of the apartment where the apartment is maintained at an affordable rental rate.

4.6 Rental Dwelling Units in a Business Building in a Business Zone. Salisbury’s Zoning Regulations permit the owner of a business building in a business zone to construct apartments on the second floor. The second floor of business buildings in New England village centers typically have a lower value for business use and permission for apartments use is a productive alternative. This regulation provides another affordable housing alternative consistent with the traditional development patterns.

4.7 Establish an expand apartment “Conversion” regulation. The regulations allow a multi-family dwelling provided there are not more than three dwelling units in the dwelling. There are many larger, older homes in Salisbury some in locations that could be converted to more than three apartments without adversely affecting the neighboring properties.

The Commission will consider a regulation permitting more than three apartments as part of the conversion of a larger older single family house.

One such regulation was adopted in Sharon over ten years ago where it has been used advantageously to provide alternative housing opportunities.

4.8 Home occupation use and home ownership.

Salisbury Zoning Regulations permit the use of the home for limited business purposes. These opportunities make home ownership more affordable.

For example, a home occupation or a bed and breakfast use is permitted in a single-family residence in a residential zone. A homeowner with a home office or business avoids the added expense of financing a space in a business building and may qualify for a home office federal tax deduction.

4.9 New Concepts for Housing.

The Town should consider adopting an Open Space-Housing Regulation which would permit affordable housing where it protects valuable open space.

Such a regulation would require housing designed in a “cluster” arrangement. It could also permit a housing density bonus where the site plan protects especially important open spaces. The Planning and Zoning Commission has prepared a draft regulation which can be considered for implementation of this recommendation.

The Commission should refer all affordable housing applications to the local housing organization for review and comment. The housing organization should determine that the housing proposed as “affordable” meets the State definition as set forth in PA 89-311.

A housing density bonus should be permitted only where:

- it is recommended by the local housing organization, and
- the site plan protects some valuable scenic, historic, natural resource or open space feature, and
- if the housing is not served by public sewer or water, the plan shall provide extensive documentation of the suitability of the site and plans for proper treatment of sanitary wastes.

**TOWN OF SALISBURY  
TOWN PLAN OF CONSERVATION AND DEVELOPMENT**

**SECTION V  
ROADS, CIRCULATION AND PUBLIC SAFETY.**

**1.0 GENERAL**

Long range plans for a Town road system should be aimed at improving safety, providing for convenient traffic circulation, and permitting access for emergency vehicles.

Location, width, and layout of new roads, as well as improvements made to existing roads, greatly influence the Town's land use, form, and appearance. With careful forethought, the Town road system can be designed to shape and support the Town's' future land use plan and the goal of retaining the Town's' rural character.

The expense of maintaining and improving Town roads is the largest portion of the Selectmen's annual budget. Major road improvement projects must be programmed well in advance and should place a high priority on safety improvement. At the same time, these projects can be designed with the objective of retaining the town's rural landscape.

With this in mind, the following overall policy is recommended.

**2.0 OVERALL POLICY**

To maintain a hierarchy of State, Town and Local residential roads which permit a safe and convenient system of traffic circulation, especially for emergency vehicles and to encourage road design and location which will preserve and enhance the Town's rural appearance.

**3.0 BACKGROUND**

The Town of Salisbury's road system consists of Town owned and maintained roads, State highways, and privately owned and maintained roads.

The State highways are the backbone of the Town's road circulation system. State highways are Routes 44, 41, 112 and a portion of Route 7.

These routes provide the travel path for traffic that flows through the Town. They also “collect” traffic from Town roads.

Major town roads include Wells Hill road, Salmon Kill Road, Indian Mountain Road and Taconic Road. These roads in turn “collect” traffic from the local residential Town and private streets.

#### **4.0 ACCOMPLISHMENTS**

The Planning and Zoning Commission has enacted a comprehensive revision to the road section of the Subdivision Regulations. These regulations now provide detailed standards for road design and construction.

Under the guidance of the Board of Selectmen, the Town also adopted a comprehensive Town Road Ordinance governing the methods and materials required for construction of subdivision roads.

This Ordinance and the changes to the road section of the Subdivision Regulation were coordinated to provide a consistent set of requirements for new road construction in subdivisions.

Another important road related accomplishment was the adoption by the Planning and Zoning Commission of Zoning requirements affecting subdivision development on dead end roads. Now if a new development is proposed on a dead end road of more than 2,000 feet or one that serves more than 25 dwelling units, the commission must apply special standards for review of safety and emergency access.

The Town Plan supports all of these requirements enacted to insure safety and adequacy of emergency access.

#### **5.0 RECOMMENDATIONS**

##### **5.1 Support the road and bridge improvement recommendations for Salisbury as adopted and updated by the NWCCOG.**

The current list of regional transportation priorities for the Northwestern region identifies the Route 44/41 and Lincoln City Road/Prospect Street intersection as Priority for improvement. Another priority improvement project is for Route 112, 1 mile west of Route 7.

The Lincoln City Road project has been the subject of considerable debate over the improvement design. Many neighborhood residents have expressed serious concerns that the plan to widen the road and improve sight lines will encourage a higher rate of speed on this segment of Routes 44/41.

Future highway improvement projects in and near the Salisbury and Lakeville village center areas should be designed to include traffic “calming” techniques aimed at slowing traffic down in respect for the more populated center areas and residential nature of the travel corridor. (See also recommendations of State Route 41 and 44 Scenic Road Corridor Management Plan)

**5.2 Prepare a professional comprehensive road analysis.**

This analysis should identify and rank Town road related improvements – surfacing, drainage, culvert locations, sight lines, improvements, etc. On the basis of this information, the Town should adopt a long-term capital improvement program for road improvements.

**5.3 Capital Improvement Program.**

The Board of Selectmen, the Board of Finance and the Planning and Zoning Commission should participate in the preparation and on-going updating of the long-term major road and bridge improvements capital improvement program.

The Planning and Zoning Commission’s role in this process is essential to insure the goals of the Town plan, especially in terms of retaining the town’s rural character, are reflected in the proposed road improvement plans.

**5.4 Enact a Town Scenic Road Ordinance – Town Scenic Roads and Scenic Ridgelines.**

The Town should consider designating selected town roads (or segments of a road) as a “scenic road” under Section 7-149a of the Connecticut General Statutes.

This provision of the Statutes allows the town by ordinance to designate qualifying roads as scenic if the owners of a majority of the land on the “scenic” road approve of such designation.

Under this ordinance, improvements to town scenic roads would be planned in a manner that respects and preserves the road’s scenic qualities. It is important to stress that the ordinance would affect only land owned by the Town within the road right of way.

The Town should adopt an ordinance providing a process that permits submission of a petition to designate a local road (or portion of a road) as “scenic”.

The ordinance would allow preservation of the rural character by limiting and regulating improvements to the road. It would specify the methods

for protection of special features of a scenic road. These include: limits on road widening, maintaining unpaved surfaces, paving requirements, limiting changes to road grade and alignment, preserving stone walls and mature trees.

Salisbury is endowed with many roads qualifying for town scenic road designation. These include, but are not limited to, Dark Hollow Road, Between the Lakes Road, Mt. Riga Road, Mt. Washington Road, Wildcat Hollow Road, Weatogue Road, Taconic Road, Housatonic River Road, Dugway Road along the Housatonic River, Selleck Hill Road, Salmon Kill road, Indian Mountain Road and dirt roads from Grassland to Sheffield.

Residents and property owners along these roads are encouraged to consider the potential for scenic road designation. Property owners on a scenic road can develop a proposal to the town to establish a scenic road ordinance.

The Planning and Zoning Commission will provide further information and assistance to local residents interested in this recommendation.

#### 5.5 State Scenic Roads.

The State of Connecticut has a parallel process for recognition of State scenic roads. All of Routes 44 and 41 in Salisbury have been designated as State Scenic Roads. State Rt. 112 – Lime Rock Road and the portion of Route 7 in Salisbury would also qualify for designation.

The primary benefit of State scenic road designation are the advantages it provides in attracting funds and studies designed to protect land along the roadway. Funds for open space acquisition have been approved along the scenic road portion of Route 7 south of Kent center.

The Connecticut Department of Transportation has funded special planning studies for the Route 41 and 44 Scenic Road Corridors. These studies provide much information and many recommendations guiding and managing change in the highway corridor to preserve its rural landscape, views and vistas. These recommendations should be examined and implemented wherever possible. (See Section I, subsection 4.7 Routes 41 and 44 State Scenic Road Corridor Management Plan.)

#### 5.6 Road Views and Vistas.

Another important factor in preservation of the scenic quality of local roads and State highways is the preservation of scenic views on ridgelines visible from these roads. Ridgeline areas located outside of a road right of way cannot be protected under a scenic road ordinance, yet removal of vegetation and housing construction on a scenic ridgeline will detract from the scenic road views.

The Town and Salisbury Association should list the most scenic ridgelines and include these in a priority list for open space protection and sensitive development. Key ridgeline views and vistas are Bear Mountain from Rt. 44 toward Taconic Range, Bird Peak, Mt. Riga, Canaan Mt. From Weatogue Rd., views of Taconic Range, Selleck Hill, Rt. 41, Taconic Rd., Lions Head and Bald Peak.

#### 5.7 Road and Land Development Standards in Subdivision Regulations and Zoning Regulations.

- The Zoning and Subdivision Regulations should be revised to require applicants to submit cluster design subdivision plans along scenic roads, in village center areas and other historic or sensitive scenic areas of the Town.

- One option is to develop a Scenic Overlay District encompassing the critical viewshed areas along roads. Within this district, the zoning regulations would provide optional development standards for development plans that protect the highway frontage and viewsheds.

- Special building and driveway siting requirements and more flexible standards for house and road siting and road construction would provide an incentive to applicants considering subdivision development in these scenic sensitive areas.

5.7.1 Road Frontage Requirements. The Zoning Regulations frontage requirements should be revised to encourage a variable pattern of building setback in the residential zones located outside of the village center areas. This can be accomplished by requiring setback of 100' or more where the frontage provided is less than 200' in these zones.

#### 5.8 Common Driveways.

On the rural town roads in Salisbury, typical actual travel speeds are higher than the posted speed limit. Often sight lines on these roads are very poor. Under these conditions, proliferation of driveway intersections increases the risk of serious accident.

Over the past 20 years, segments of some Town road have developed with house on "front lots" with driveways spaced 200 to 300 feet apart. This pattern of development reduces travel safety on the road and detracts from the Town's rural appearance.

In contrast, a pattern of common driveways serving two lots off a Town road or State highway makes travel on the road safer by reducing the points of vehicular conflict, especially left hand turning movements, entering and exiting the Town road.

A Town road with well spaced “curb cuts” is not only safer to travel than one with a driveway every 200 feet, it also allows retention of vegetation along the road, reduces stormwater runoff onto the road and helps preserve scenic quality.

- It is recommended that the driveway regulation section of the Zoning Regulation be amended to expressly permit creation of common driveways, at least within the Town or State owned right of way.
- Currently, common driveways are allowed but without specific criteria for placement or requirements for construction. The criteria must be included in the land use regulations in order to ensure that the advantages of common driveways construction are fully realized.
- Common drives should be encouraged on sections of major town roads, State highways, scenic roads and in any location where a common entryway will improve sight line conditions and benefit travel safety. The regulations should require that legal instrument creating common ownership of driveways will ensure permanency of common use and provide for plowing and maintenance.

#### 5.9 Zoning Setback Requirements.

In residential zones outside the village centers, the Zoning Regulations require large lots and shallow building setback. If land on roads are developed according to these requirements, the result will be a pattern of residential strip development close to Town roads and State highways. These regulations and the high cost of constructing a subdivision road encourages strip development of “frontage” lots on existing town roads.

- The Zoning Regulations frontage requirements should be revised to encourage a variable pattern of building setback in the residential zones located outside of village centers. This pattern is consistent with the rural character of the town.
- Currently, a lot in Salisbury needs only 25’ of road frontage either in fee simple ownership or a right of way of 25’. A narrow frontage is acceptable if the building in residential zones outside the village.

#### 5.10 Private Streets.

The Town Subdivision Regulations have appropriately high standards and requirements for subdivision road design and construction. The zoning regulations offer the Private Street alternative to a subdivision road for development of interior parcels.

- **Criteria for permitting a Private Street should be reviewed and revised to ensure protection of open space along existing road frontage or to provide some other significant conservation benefit in exchange for private street development.**