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Town of Salisbury, Connecticut

Land Use Administrative Procedures Review

Findings and Recommendations

December 14, 2009

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Mr. Curtis G. Rand
First Selectman
Town of Salisbury
P.O. Box 548
27 Main Street
Salisbury, CT 06068

RE: Land Use Administration Review

Dear Mr. Rand:

I write this letter as a brief introduction to the attached Land Use Administrative Procedures report. As you are aware, the Town of Salisbury retained me to conduct a comprehensive review of its land use administration and permitting process, including regulations, policies, agencies, permitting, and staff. This was a result of recent land use applications that resulted in appeals—costing the community a considerable amount of money in legal fees. Related to these recent appeals was the concern of additional litigation between the Zoning Board of Appeals and the Planning and Zoning Commission and some concerns that these issues may relate specifically to the Zoning Enforcement Officer position.

Based on the information provided to me, the concerns raised at preliminary meetings prior to my proposal, and my initial review of the Zoning and Subdivision Regulations, I thought that I had a general understanding of the issues that Salisbury has been facing related to planning, zoning, and the administration of the overall land use system. Based on my experience and extensive knowledge of issues that most small rural communities face—related to the land use system—this project appeared to be fairly straight-forward. Basically, I would conduct a general review of policies, regulations, administrative procedures, and the application and permitting process to determine what was not working and make recommendations regarding what would allow Salisbury to resolve these issues and move forward. However, once I began the review, what I found was much more complex.

The following report will provide an in-depth look at planning, zoning, and all of the land use related agencies and processes—the land use system—and why the system is not working, what the challenges are that face Salisbury, and what the community can do to improve the land use system to better address and manage these challenges in the future. The report, its findings and recommendations are an independent assessment and honest perspective from outside the existing land use system. In no way are the findings and recommendations intended to be critical or to judge Salisbury as good or bad, right or wrong, in its existing practices, but to demonstrate why the current system is not working, will continue to create conflict and litigation, and why the system must be improved. Most important, this report provides Salisbury with an opportunity to make changes to the system that will greatly benefit the community.

It has been a great pleasure for me to work on this project and to provide this report. The two greatest rewards in working on projects like this are learning and educating. I have learned much throughout this process, not just about Salisbury, but also about a community's struggle to cope with its evolution. And I am hopeful that Salisbury will learn from my analysis and recommendations. Salisbury is an amazing community with so many assets and opportunities. While the challenges that will be revealed in this report may seem difficult, overwhelming, and even costly, the fact is they are very manageable. As for the cost of improving the existing system, Salisbury must make a decision: does the Town invest in improving the system now (up-front) to reduce the potential for future litigation or does it maintain the status quo and pay thousands of dollars in legal fees each year for continual litigation?

I am pleased to present this report to the Town of Salisbury and I look forward to meeting with you and the land use agencies to discuss my findings and answer any questions.

Respectfully submitted,



Donald J. Poland, AICP
Connecticut Planning and Development, LLC

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Town of Salisbury, Connecticut
Land Use Administrative Procedures Review
Findings and Recommendations

I. Introduction

The Town of Salisbury retained me to conduct a comprehensive review of its land use system—the administration and permitting process—including regulations, policies, agencies, permitting, and staff. This was a result of recent land use applications that resulted in appeals costing the community a considerable amount of money in legal fees. Related to these recent appeals was the concern of additional litigation between the Zoning Board of Appeals and the Planning and Zoning Commission and some concerns that these issues may relate specifically to the Zoning Enforcement Officer position.

Based on the information and concerns provided to me at preliminary meetings prior to my proposal, the Town retaining me for this project, and my initial review of the Zoning and Subdivision Regulations, I thought I had a general understanding of the concerns and issues that Salisbury is facing, related to planning, zoning, and the administration of the overall land use system. Based on my experience and extensive knowledge of issues that most small rural communities face—related to the land use system—this project appeared to be fairly straightforward. Basically, I would conduct a general review of policies, regulations, administrative procedures, and the application and permitting process to determine what was not working and make recommendations regarding what would allow Salisbury to resolve these issues and move forward. However, once I began the review, what I found was much more complex.

Planning, zoning, and the administration of the land use system is a complex system that needs to balance law, property rights, community needs, and administrative procedures. The complexity of the system creates many challenges for communities of all sizes—from small rural communities to large urban centers. However, the 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.

Before I begin the specifics of my research and findings it is important to provide a general view of the land use system and the complexities of the system. The following section will discuss land use as a system.

II. Understanding Land Use as a System

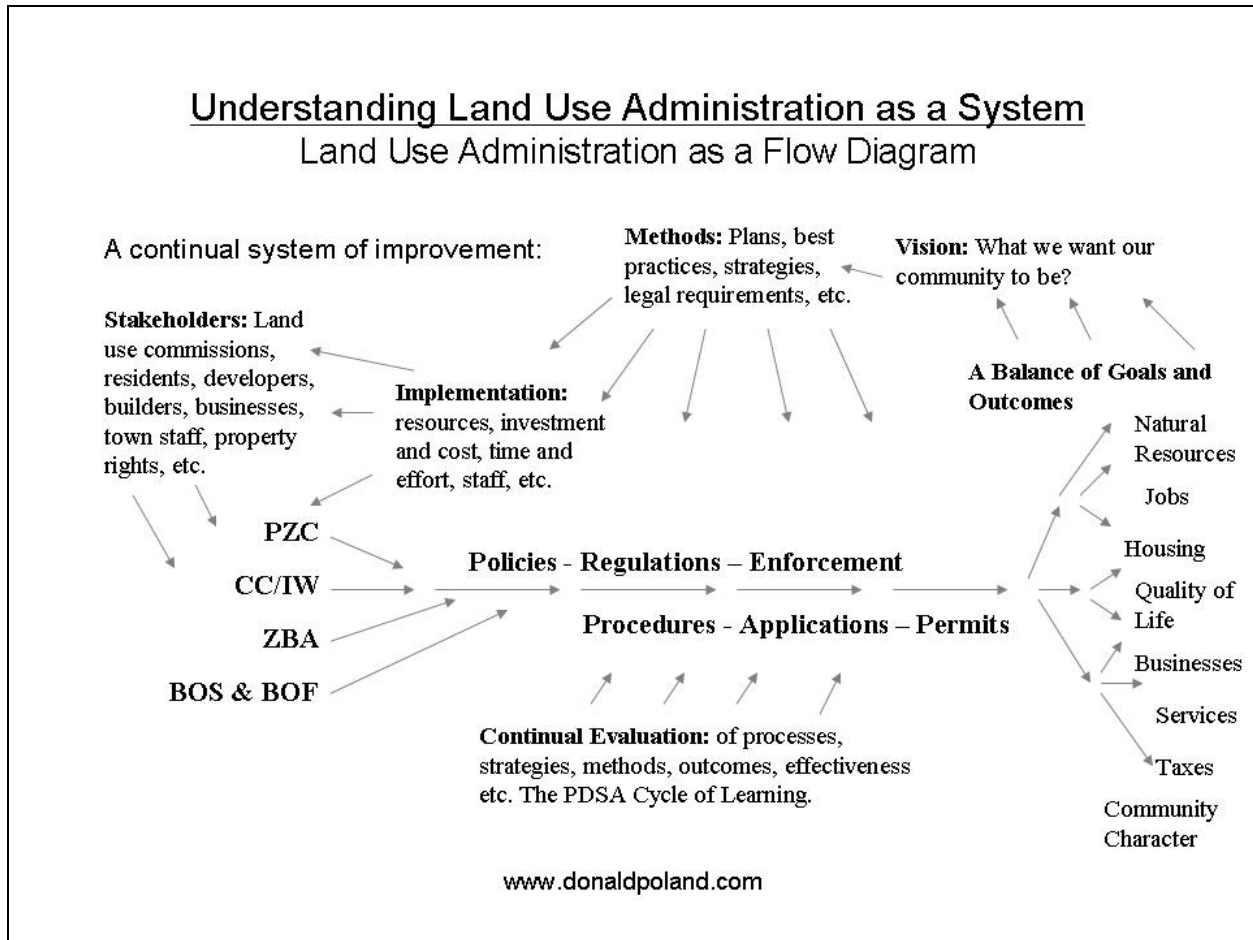
The land use system, unfortunately, is rarely viewed as a system, but as set of individual components, with disparate needs, desires, goals, and outcomes. It is, in fact, a system where commissions work against developers, where regulations conflict with markets and property rights, where boards and commissions view their roles in opposition to each other, and where the goals of conservation and economic development are viewed as opposites (one being good and the other being bad depending on a person's point of view). It is this disjointed or individualist view and administration of the land use systems that is often the cause of tension, conflict, and inefficient or ineffective processes and policies. Therefore, to adequately analyze the land use system with the intent of minimizing or eliminating tension, conflict, and to improve processes and policies, we must first recognize that planning, zoning, conservation, and development are all part of a complex system of land use. So how do we define and understand a system?

Dr. W. Edwards Deming, the quality control guru and system theorist, defines a system as a “network of independent components that work together to try to accomplish the aim of the system.” Deming continues, “A system must have an aim. Without an aim, there is no system. The aim of the system must be clear to everyone in the system. The aim must include plans for the future.” Last, Deming states, “A system must be managed.” (Deming, *The New Economics*, 1993)

Deming's definition of what a system is and the importance of a system's aim and the management of a system provides a context for understanding the administration of the land use system at the municipal level of government. To understand the land use system, we must define it, understand its aim, and manage it. So what is the land use system? The land use system is a “network of independent components that work together to try to accomplish the aim of the system.” The aim of the land use system is too effectively and efficiently plan for the use of land and to regulate such use of land in a way that balances the social, economic, and environmental needs of the community. The land use system is made up of many components or a “network of components” that includes government agencies and policies (boards, commissions, regulations, plans, and the related application and permit processes), participants (commission members, administrative, technical, and professional staff, property owners, applicants, developers, and all the related professionals involved in land development and conservation), influences (market conditions, geographic location, topography, and natural resources), and considerations (the balance of law with community needs and individuals rights).

Each board, commission, regulation, application, permit, and the individual players and stakeholders are all part of this land use system. That is, the authority, role, and function of each independent component of the system must be working together, toward the common aim and the system must be managed, not by a top-down method or approach (an organization chart that

puts someone or some entity in charge), but by a collective bottom-up approach where all the individual components work together to manage and improve the system. The following diagram, based on the work of Deming, depicts the land use system as a flow diagram. The system is a continual loop—a process that is complex, but understandable. It can be managed from within, provided each component of the system understands the overall system, the aim of the system, and its individual role within the system.



So why is this important in the context of Salisbury and this report? It has been evident throughout this process of reviewing the land use system that many of the individuals and agencies within the system do not have a firm grasp on their roles and how their roles and responsibilities relate to the overall system. The following table provides a summary of the roles, and the capacity in which Planning and Zoning Commission, the Conservation (Wetlands) Commission, and Zoning Board of Appeals act.

Fundamentals of the Land Use System The Roles of Land Use Agencies

| <u>Land Use Commissions</u> | <u>Authority and Role</u> | <u>Policy</u> | <u>Legislative</u> | <u>Administrative</u> |
|---|---|---|--|---|
| Planning Commission | Policy Legislative Administrative | Create, adopt, and implement Plan of C & D | Create and adopt Subdivision Regulations | Administer applications, permits, and enforcement |
| Zoning Commission | Legislative Administrative | X | Create and adopt Zoning Regulations | Administer applications, permits, and enforcement |
| Conservation Commission (wetlands) | Policy Legislative Administrative | Create, adopt, and implement the Natural Resource Inventory | Create and adopt Wetland Regulations | Administer applications, permits, and enforcement |
| Zoning Board of Appeals | Quasi-Judicial Administrative | X | X | Administer hearings for Appeals and variances |

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There are three important aspects of these above roles that I want to explain. The first is that the activity that a commission is conducting dictates the capacity and role in which the commission is acting. For example, if we look at the planning commission in the table above, when acting on various items (plans, regulations, and applications) it is responsible for, the capacity in which the commission acts changes (policy, legislative, and administrative). Each land use commission must keep these roles separate when it is conducting business. A commission's legal authority and its means of dealing with an issue or application changes based on whether it is making policy, legislative, or administrative decisions.

The second important aspect of this that I want to specifically address is the 'quasi-judicial' role of the Zoning Board of Appeals (ZBA). The ZBA, when acting on applications for variances and appeals of the zoning official, acts in a quasi-judicial capacity—hearing the specific facts of the case in relation to the laws (regulations) and making a determination based on the circumstances before them. This authority is very different from the policy, legislative, and administrative roles of other commissions.

Lastly, the third important aspect of this is that the Zoning Board of Appeals never acts in a legislative role (adopting regulations) or in an administrative role in relation to the zoning regulations. The ZBA is not responsible for the Zoning Regulations, their provisions, use, interpretation, administration, or enforcement. The ZBA is responsible only for hearing

applications for variances from the zoning regulations and appeals of the decision of the zoning official. (A Zoning Board of Appeals may act in an administrative capacity if it is hearing applications for special exceptions or site location approvals for automotive uses.)

Throughout the review and interview process it was very evident that individuals, both members of the ZBA and others not involved in the ZBA, felt that the ZBA was responsible for or has a role to play in the Zoning Regulations—their content, administration, and enforcement—as if they were the ZBA’s regulations. It must be understood that that is not the case and that the ZBA’s role is a quasi-judicial function to hear appeals related to the application of the regulations to specific properties and the enforcement of the regulations by the ZEO.

During the review and interviews it was also evident that there was some lack of understanding as to the types of land use permits issued by both the land use board and commissions and by staff and the purpose of each of the specific applications. Therefore, summary descriptions of each land use application and permit are provided in Appendix II.

III. Method of Research and General Themes

As stated above, I was retained by the Town of Salisbury to review the land use system in town as a result of recent conflicts, concerns, and litigation related to the administration of land use regulations and processes. My approach to this project employed a qualitative research method that involved firsthand reviews of existing regulations and procedures, interviews of key stakeholders, and general observation of many aspects of the land use system. Based on this approach and method, and on my experience as a former zoning enforcement official, town planner, and planning consultant (working for both developers and communities), I have been able to develop a good sense of the challenges that face Salisbury and have resulted in the recent concerns and issues that have resulted in this project.

I think it is best that I begin this report with a synthesis of the most frequent comments and remarks that were made to me during the many interviews that I conducted. I think it is important to note that the vast majority of those interviewed made similar comments about similar issues and concerns and that almost everyone interviewed commented on one or more of the following themes:

- A general perception of impropriety. Most of the individuals interviewed suspected that other individuals or groups of individuals are in cahoots with each other or up to no good. This theme was so pervasive that at times it appeared that no one trusted anyone. What was interesting about this was that there was not a common trend or single individual or agency that was free of such thoughts or who could escape such accusations.
- Related to the perception of impropriety was a general feeling that too many of the individuals involved in the land use system have been in their roles for too long. There is a belief that there is a “good old boys and girls” network protecting their own self interest or perspectives.
- Also related to the two themes above was a general feeling of unequal treatment of applicants and applications presented to land use agencies. It was evident this is related to

most people recognizing that there is a lack of consistency in regulations, enforcement, interpretation, process, and procedures.

- There is an overall sense that the complexity of land use issues has exceeded the capacity of the community and current system—regulations, staff, staffing, resources, and procedures. Due to this complexity there is dire need for training of both staff and commission members.
- There is a belief that the community and the issues facing the community have changed and continue to change. This was most often associated with the continued arrival of New Yorkers and wealth. A clear distinction between local issues and those associated with the “wicked weekenders” was expressed. When asked what were the most important issues facing the community the following were the most common answers (in no particular order): environmental concerns, affordable housing, community character, and inconsistency. When asked what were the two or three things that needed to be changed or improved, the following were the most common answers (in no particular order): better training for staff and commission members, a comprehensive update of the zoning regulations, professional staffing (planner and or attorney) at PZC and ZBA hearings, better notice requirements, better communication and information, and more consistent procedures.
- Most, but not all, had concerns related to the Zoning Enforcement Officer position. These concerns were both general in terms of the position and personal in terms of the person in the position. The concerns ranged from that of the position not being well defined and unable to keep up with the changes that are occurring in the community to blaming the position and person in the position for mistakes that may have led to recent appeals and litigation. At the same time, the position and the person in the position were also praised for doing a good job and others indicated that expectations based on the lack of regulations and inconsistency placed on the position were unreasonable. Others concerns were raised not related to land use, but to personal and human resource issues.
- Most, if not all stakeholders, point to the recent court appeals as a concern and problem. However, there were differing views. Some see the appeals as the manifestation of other problems such as inconsistency in regulations and interpretations while others view the court appeals as a result of staff, commission, or board mistakes, or improper behavior.
- Last, there was clear divide in philosophy and perspective as to the role of government in its application of land use regulations. A number of individuals felt very strongly about the rights of property owners and their abilities to do what they want with their properties with minimal government regulations. At the same time a number of individuals felt very strongly about the need for Salisbury to better utilize its authority to regulate land use and to protect the natural beauty and resources that define Salisbury’s charm and character.

Together, these themes tell me a lot about the community and the concerns and challenges that face Salisbury. On a basic level, Salisbury is experiencing growing pains, not in terms of population growth, but in terms of evolution as community and the complexity of issues that it

must deal with. As a result of this change or evolution, Salisbury is struggling with how to deal with these changes and the role of government—the role of land use regulations and processes—in coping with challenges and managing changes. Most important, these themes tell me the current system—the existing land use regulations and processes—is not working and that the existing land use system is no longer adequate to deal with the complex and modern issues associated with land development and land use.

IV. General Findings

The following are my general findings. They are founded in the perspective that planning, zoning, conservation, and all the other related functions are part of a larger system, a land use system. This section will discuss the challenges and issues that Salisbury is facing and the reasons for those challenges. My findings are as follow:

- The problems and issues that are facing Salisbury cannot be attributed to one individual, position, regulation, process, or board or commission. The problems facing Salisbury are generally not the result of specific mistakes or errors. Salisbury has reached a point in evolution, character, and location that has created a situation that is more complex than the existing land use system is designed to handle.
- The recent court cases and appeals to the ZBA are not special causes, but are common causes occurring within the overall administrative system of land use regulations, procedures, and processes. What I mean by this is that I cannot find any specific causes (a mistake, error, decision, or even incompetence) related to these cases that created specific problems. The fact is these cases came to be from systematic failure of the overall land use system. That is, the existing policies, regulations, procedures, and processes are not adequate to handle and manage the complexities of modern land use issues. As a result of this, I cannot recommend one or two specific changes that will prevent these types of cases from occurring again. Comprehensive and systematic changes will be required.
- The problems, issues, and challenges facing Salisbury are rooted in the overall system of land use (the complex mixture of ideology, perspectives, regulations, policies, procedures, applications, and permits) that makeup the regulatory processes. If I had to rate the Salisbury land use permitting and approval system on a scale of 1 to 10, one being the most basic and 10 be the most complex, Salisbury would score three. While this basic system of land use permitting has worked fine for Salisbury for over four decades, the value of property and cost of investment to property owners has become so high that it has created a complexity that the existing land use system is not designed to handle.
- As explained above, there is a general lack of understanding of the overall land use system and the specific roles that each agency, board, commission, and staff person play within the system. This is not unique or uncommon for a small community like Salisbury (or even larger communities) and it is not a criticism of Salisbury.
- The way things have been done in the past (processes, procedures, regulations, enforcement, interpretation, applications, permits, etc.), right or wrong, is no longer

working. Business as usual or the status quo is no longer adequate and may contribute to greater problems in the future. Simply put, the land use system is no longer working—it is collapsing under its own weight.

- The complexity of modern land use issues, practices, and procedures has outpaced the size of the community and the capacity of the community to manage the system. While basic regulations and casual procedures and processes worked fine for decades, they are no longer adequate. The value of land and the cost of investment have grown too high and too much is at stake for property owners to not litigate what they believe are threats to their investments. If changes are not made to the overall system, litigation will become the norm.
- There is a strong feeling or sense of obligation among many commission members that they need to protect the rights of property owners and limit the regulations imposed upon private property. This not an uncommon perspective for a small rural community like Salisbury. However, it is a perspective that is limited in understanding property rights and the role of government (land use regulations) in protecting those rights. While land use regulations are the manifestation of government imposing limitations on an individual's property, those regulations at the same time are also protecting the rights adjoining and neighboring properties. For example, if the regulations limit a property owner from performing significant grading (cuts and fill) to their property, that same regulation is protecting the rights of adjoining properties from potential negative impacts of their neighbor's activities.
- While individual property owners have rights to the use and enjoyment of their property, in our democratic and constitutional system, government has the right and responsibility to protect the rights of individual property owners and the general public health and welfare. This includes natural resources, community character, and even the value of property. Many people believe that land use regulations that limit the use of property decrease the potential value of property. However, this is not the case. Land use regulations, through the regulation of property use, creates predictability and stability in property values, which actually increases property value. It is through this stability that confidence is created, and confidence is the currency in which real estate values trade.
- The current system of zoning and land use in Salisbury is not providing predictability and confidence, two critical factors in land value and investment behaviors, to property owners. A property owner who does not feel confident in the future value of his property will not invest. However, if he has already invested, he will fight to protect his investment. In the case of land use regulations and processes that are not predictable, the fight to protect investments will be in the form of litigation. This is the cause of recent litigation related to land use approvals and permits in Salisbury.
- The inadequate land use regulations, procedures, and processes are not providing predictability as to what may or may not occur on properties. This has resulted in a lack of confidence in property owners, and the resulting litigation is the manifestation of this lack of confidence. The Bird Peak issues are a perfect example of this. The neighboring property owners to the property that is being graded have lost confidence in the regulations and processes to protect their property rights and investment. If the Zoning

Regulations regulated the grading of site, not just the removal of material from a site, then the current Bird Peak matter would be occurring under the authority of a permit. The owner of the property would still have the right to grade his or her property, but the town would regulate and monitor the processes to ensure the activity did not harm the rights of other property owners or the general welfare of the community. It is the lack of regulations, clear regulations, consistent procedures, and formal processes that are undermining predictability and confidence. In time, a continual loss of predictability and confidence may result in declining property values. Potential property owners and existing property owners will not invest if they feel the system is unpredictable.

- At the same time, conflicting perspectives related to private property rights and the role of government regulations (these conflicting perspectives are deeply rooted in the community) are compounded by a picturesque and sensitive natural environment and strong sense of community character. It is this very environment that has historically attracted people, often wealthy people, to this community, and it continues to attract an even wealthier group of people. This asset of natural beauty, what is most likely the community's greatest asset, is being threatened by a land use system that is not working to balance the individual rights of property owners with the rights of government to regulate land use and to protect the public interests.
- Like it or not, the community (Salisbury) must act. Too much is at risk. While property rights advocates dislike or even fear the land use system imposing regulations on private property, it is the land use system and only the land use system that can provide predictability and stability in the value of real estate to create the confidence necessary for continued investment. If property owners do not feel confident in the future of their property, the future of their neighborhood, the future of their community, and the future of their investment, they will not invest. If the community, through its land use system, cannot balance private property rights with protecting the interests of existing property owners and the protecting the community's natural beauty and resources (the very asset that is attracting and driving investment), then the charming and picturesque character of Salisbury will be lost as will investment in existing and future property.

The land use system in Salisbury is not providing the predictability and confidence to create stability. This is creating tension and conflict between land use commissions and board, residents and town staff, and neighboring property owners. The challenge for Salisbury will be to restore confidence in the community through the updating and modernization of the land use system. Salisbury will need to create a transparent land use system that is applied equally to all property owners and interests. This will require policies, regulations, procedures, and processes that are clear, concise, and consistent.

V. Specific Findings

The following are my findings related to specific concerns and issues that were raised throughout this review process or matters that I have determined to be important and that needed to be addressed more specifically than my general findings above.

The Position of Zoning Enforcement Officer

As part of this process I reviewed the position of Zoning Enforcement Officer (ZEO). This included my review and comment on the proposed (now adopted) job description, discussions with town officials, commission members, and residents regarding the ZEO position, and a lengthy meeting with the ZEO. The ZEO position, as the position most responsible for the administration of the land use system (zoning and subdivision) and as staff to the Planning and Zoning Commission, has been a focal point in the concerns and issues that resulted in this review process. In addition, the position of ZEO has been a lightning rod for the comments expressed during the many interviews that I have conducted. Therefore, I need to be clear that concerns related to the ZEO position have been directed both at the position itself and toward the person holding this position. As stated above in the general themes, the comments regarding the position of ZEO and the person holding the position have ranged from very positive to very negative.

The fact that the ZEO position has become a lightning rod in the context of the issues and challenges that face Salisbury has made this a critical and at the same time sensitive area of my review. This has caused me to think long and hard about the role of a ZEO, the activities and tasks a ZEO is engaged in, the expectations and perceptions of the ZEO position, and the specific circumstances of this position in Salisbury as well as the specific person in the position. Therefore, I believe it is imperative for me to first discuss generally the position of a ZEO before I discuss my specific findings.

The position and role of a ZEO, in any community, is to provide staff support (technical and administrative) to the zoning commission, to administer and enforce the zoning regulations as the agent of the zoning commission, and to generally serve the public on matters related to zoning and zoning enforcement. Land use regulations and more specifically zoning regulations are contentious in nature—in that they impose government requirements (laws) on private property. Therefore, even in the best of circumstances, the position of ZEO is always controversial and there are always a fair number of residents and stakeholders who have issues or concerns with the ZEO and the actions of the position. In short, a ZEO, on any given issue (a permit, enforcement, advice), will make fifty percent of the people happy and will upset the other fifty percent. Therefore, the position is very much in a no win situation.

In Salisbury, the position of ZEO is nowhere close to the “best of circumstances,” and in some ways may be closer to the worst of circumstances. I say this in a neutral context, not good or bad, but a matter of fact. These are the facts related to the ZEO position in Salisbury:

1. It is a part-time position that provides support to the Planning and Zoning Commission, administers the application processes for the Commission, and enforces the regulations.
2. There is no senior professional staff (town planner) to oversee, direct, and/or provide technical assistance and advice to the ZEO. Oversight, direction, advice, and technical assistance are provided mostly by a volunteer Planning and Zoning Commission. While

individual members are knowledgeable in the land use process and some have specific areas of expertise, none are trained (or can be expected to be) in the complexities of planning, zoning, and land use as a town planner would be.

3. A ZEO (the ZEO), in the context of the administration and enforcement of the zoning regulations, application processes, and permitting, can perform their role only as well as the procedures set forth in the regulations and policies established by the Planning and Zoning Commission. The Salisbury Zoning Regulations provide almost no policies, standards, or requirements for the administration and enforcement of the regulations, processing of applications, or issuing of permits.
4. As discussed above in the context of the Zoning Regulations, there are no standards or guidelines for plans submitted for applications to the commission or to staff for zoning permits, other than Section 607 Site Plan General Requirements. However, based on my review, it is evident that the Commission regularly allows plans to be submitted of a lesser standard than that of an A-2 survey as required or recommended by Section 607.
5. While there are a number of application forms for the many types of land use applications (site plan, special permit, subdivision, and zoning permits), these applications require minimal information and there are no policies that establish a formal application process. In addition, there are no educational documents to guide applicants through the process or checklists to aid staff and the Commission in processing applications.
6. There are no policies that establish permitting processes and procedures or the enforcement of the regulations and enforcement related activities and procedures.

Based on the facts, the lack of policies, procedures, and standards related to responsibilities, activities, and expectations placed on the ZEO, it would be unrealistic for me to find fault with or blame the position of ZEO for the concerns and issues that Salisbury is struggling with. While the recently adopted Job Description provides a first step in defining the position (responsibilities and expectations), it does not address the lack of policies and procedures for the administration processes that the ZEO is responsible for. Without clear policies (operational procedures, flow charts, and set policies for applications) the Job Description will do little to prevent or solve problems related to the administration of land use processes.

In the many of the interviews I conducted, concerns and complaints in regards to ZEO's ability to determine the location of an addition or newly constructed building were raised. These complaints asserted that the ZEO did not know how to measure and determine the location of such a structure during a site inspection and that the ZEO did not have a tape-measure long enough to accomplish this task. It was these comments (and other similar comments) that indicated to me that there were systemic problems within the overall land use permitting system.

As someone who has been a ZEO and a town planner, the expectation that a ZEO be responsible for measuring, with a tape measure, the location of a building or addition on a lot to a degree of certainty required for zoning compliance is unrealistic. First, the ZEO should NEVER be expected to make the final decision or certification as to the specific and actual location of a structure in the field. The only way that such a determination can be made is to require an as-built survey be provided by a licensed surveyor (a person trained to make such a determination) certifying to the location of the structure and its compliance with the zoning requirements. The

responsibility of the ZEO, when conducting a site inspection to determine compliance, is to review the as-built survey plan in relation to the existing conditions and circumstances on the site and make a determination that the certified plan, provided by the surveyor, adequately and reasonably depicts the conditions on the site. If there are questions or concerns as to what is represented on the plan versus what is found during the site inspection, some general measurements may be taken by the ZEO, but if any discrepancies or concerns need to be addressed or resolved, then the ZEO must request that the applicant/surveyor clarify or correct these concerns. Having conducted hundreds of site inspections over the course of my career, I could not and would not be able to go to a site with a tape measure and determine, to the level of accuracy required for zoning compliance, the location of a structure in relation to a property line or a building setback line. This is why certified as-built surveys must be required for any substantial improvements to a property and why surveyors are licensed by the State and must be insured. Therefore, the issue is not the ZEO's ability to measure or the length of the tape measure, but the lack of requirements for plans submitted for permits and the processes of determining compliance.

As a result of my meeting with the ZEO and our discussions of zoning and land use applications, I am confident that the ZEO is competent in the knowledge of zoning and related matters to fulfill the requirements of the position. She has a strong knowledge and understanding of zoning, statutory requirements for administering zoning permits, application processes, enforcement, and the role and responsibilities of a ZEO.

Throughout my review process, additional concerns related to the ZEO position were raised. These included the amount and type of information provided to the Planning and Zoning Commission, record keeping and the availability and access to files, and general recording and reporting of inspection and related permit activity. Once again, without any formal policies or procedures in place to evaluate the position against, it would be unreasonable for me to pass judgment on the position. What I can say and will elaborate on in my recommendations is that policies, procedures, and checklists need to be implemented to ensure a consistent, fair, efficient, and user-friendly land use process—regardless of the person holding the position.

Additional concerns were raised related to the person holding the position of ZEO. These concerns included time management, dealing with the public, perceptions of impropriety (which almost everyone has been accused of throughout my interviews), and overall performance as an employee of the Town. These concerns are a human resource matter and beyond the scope of land use administration and the scope of my review. Therefore, I cannot comment on them.

Review of Land Use Regulations

As part of this process I conducted a general review of the land use regulations (zoning, subdivision, and wetland). My findings are as follows:

- All three regulations would benefit from varying degrees of updating and improved administrative procedures. This would include specific provisions that address applications standards, procedures, and requirements, permit standards, procedures, and requirements, and enforcement policies and procedures.

- The subdivision and wetland regulations are not bad but could benefit from a comprehensive review and recommendations for improvements.
- The zoning regulations, by modern standards, are in poor shape and inadequate to handle the complexities of land use issues facing Salisbury. There are significant deficiencies in most, if not all, sections of the regulations. The definitions need to be individually reviewed against the specific words in the regulations. An interpretation section needs to be added. The non-conforming use section needs to be rewritten. Comprehensive excavation and fill regulations need to be added. An administrative section that addresses the roles of commissions and boards, the requirements for all applications, and standards for permits needs to be added. To be honest, the list goes on and on. The fact is that the zoning regulations need to be rewritten from cover to cover.

Review of Land Use Application Procedures

As part of this process I conducted a general review of the land use applications (zoning, subdivision, ZBA, and wetland). My findings are as follow:

- The applications for all land use regulations and permits are somewhat basic. The applications require a minimum of information and supportive materials. Salisbury, and each land use agency, would benefit greatly from comprehensive rewriting and updating of each application.
- There are no formal procedures or guidelines for applications and permits that describe and establish a formal process for submitting applications, reviewing applications, setting meeting and hearing dates, and issuing permits.
- There are no formal checklists in place to facilitate commission and staff review of applications or to determine if an application is complete and meets the required standards.
- Other than Section 607 Site Plan General Requirements, there are no specific standards or requirements for the accuracy and types of maps/plans required for specific applications. In addition, there appear to be no specific requirements for as-built surveys (at-foundation and final).
- It appears that none of the land use boards and commissions have bylaws that govern the authority, procedures, meetings, actions, and administrative functions of the boards.

VI. Recommendations

The following are detailed lists of recommendations based on my review, findings, and my professional experience. These recommendations are grouped together in topical areas. The intent of these recommendations is to provide Salisbury with specific steps it can take to improve the land use system.

Administrative Improvements

Salisbury should consider the following strategies and tasks to improve the administrative procedures related to the administration of land use application and permitting processes:

- Each of the land use commissions (the Planning and Zoning Commission, the Zoning Board of Appeals, and the Conservation Commission) should develop and adopt bylaws to guide their actions.
- Each of the land use commissions should review, rewrite, and implement new application forms for each of the land use applications that their commission and staff handle. This process should include application instructions that guide the applicant through the application and process, flow charts that indicate all the steps and potential steps in the process, and the development of application review checklists for staff and commission members to utilize for the review of applications.
- Each land use commission should consider establishing application deadlines for all applications and requests submitted to the commission. The deadline should be one week prior to the scheduled meeting. This will allow for the agenda to be set well in advance of the meetings.
- The Planning and Zoning Commission and other land use commissions should consider having formal meeting packets prepared with all the application materials submitted. The packets should be available to the members the Thursday before the next meeting. Packets can be placed in the Town Clerk's Office for members to pick up.
- Application requirements for all applications to the land use commissions should require the number of copies needed for staff, the file, and each commission member be provided by the applicant as part of the application. For applications that include site plan review, four or five copies of full size plan sets should be required for staff review, and the file and reduced sized (11"x17") plan sets should be provided for each commission member.
- Each land use commission should consider establishing minimum plan standards for each type of application submitted to the commission and staff. This should include requirements for foundation as-built and final as-built plans. (While I know the community is concerned about the cost to applicants for getting plans made, I think it is important to remember that requiring plans also protects the applicant. In addition, a policy for plan requirements can include provisions that reduce the potential burden on small applications like porches and sheds.) (See Appendix)
- Each land use commission should consider reviewing its application notice requirements and establishing notice requirements in accordance with state law, for each application. In

addition, additional notice requirements should be considered to make the public aware of applications and appeal periods. (See Appendix)

- A formal process of notices related to zoning permits should be established. At a minimum, all zoning permits issued since the last Planning and Zoning Commission meeting should be listed on an addendum to the next Commission meeting agenda. This will keep the Planning and Zoning Commission aware of all permits issued and will allow the permits to be posted on the Town website as part of the meeting agenda.
- The Town may also want to consider publishing notices in the Lakeville Journal. (See appendix.)
- Each land use commission should consider conducting a review of its application fees. The Board of Selectmen should consider amending the town ordinance that establishes land use application fees to provide for applicants to pay the cost of application review by outside consultants and experts. This is a standard procedure practiced by many communities.
- The ZEO Job Description should be modified to have the ZEO, on matters related to the Planning and Zoning Commission, report only to the Chairperson, not the officers. Joint reporting and supervision will only create confusion and conflicts and may create greater problems.

Land Use Commission and Staff Training

Salisbury should consider implementing a continual and ongoing training program for both staff and commission/board members. The following are specific strategies and tasks related to training that Salisbury may wish to consider:

- In the short-term, Salisbury should provide a series of in-house training sessions for the PZC, the ZBA, and the Conservation Commission. These can be done through consulting attorneys and planners.
- Training topics should include: legal powers and authority of land use commissions, roles and responsibilities, freedom of information requirements, meeting and hearing, application types and review requirements, and site plan review.
- In the long-term Salisbury should provide resources for yearly training of commission members through programs and seminars, and all new commission members should be required to attend training programs soon after they are elected or appoint to their board.
- The Town should provide additional training for the ZEO, including the CAZEO certification program, CAZEO membership, and attendance to CAZEO meetings. The Town may wish to consider also having the Building Official attend the CAZEO certification program. Last, administrative staff should also be included in the training programs. (See Appendix)

Professional and Technical Assistance

Recognizing that Salisbury is a small town, it is difficult to recommend that the community consider the hiring of a full-time town planner. Therefore, I recommend that Salisbury strongly consider utilizing out-sourcing techniques to provide professional and technical assistance to each of its land use commissions. The following are specific strategies and tasks related to professional and technical assistance that Salisbury may wish to consider:

- Salisbury should provide each land use board with access to professional and technical support.
- The Planning and Zoning Commission should use its planning consultant on a regular basis to review all applications submitted to the commission.
- The planning consultant should also be available to attend commission meetings.
- The land use board and commissions should utilize their land use attorneys on the more complicated applications and hearings for both review and possible attendance at the hearings.
- The Zoning Board of Appeals should have the ability to have their attorney attend hearings on complicated appeals and requests.
- On complicated matters, such as the Lime Rock Race Track, the Town should consider retaining an outside consultant to mediate and facilitate discussion with all of the stakeholders.

Regulatory Improvements and Updates

- The Planning and Zoning Commission should consider a comprehensive review and rewrite of the Zoning Regulations. This should include a reorganization of the regulations into a meaningful and user friendly format and rewrite of all sections of the regulations. (See Appendix)
- The Planning and Zoning Commission should consider a comprehensive review of the Subdivision Regulations. This should include a comprehensive review of the regulations and recommendations for improvements.
- The Conservation Commission should consider a comprehensive review of the Inland Wetland Regulations. This should include a comprehensive review of the regulations and recommendations for improvements.
- The Town should utilize the existing Planning and Zoning Commission planning consultant for assistance with these reviews and rewrites. If needed, the Town should contract with an additional consultant to assist in this process.
- The Town should consider assigning authority over the Aquifer Protection Regulations to an entity other than the Planning and Zoning Commission until other challenges discussed in this report have been addressed.

VII. Implementation

The Town of Salisbury needs to determine what is the best approach, in both process and cost, to proceed with the implementation of the recommendations provided in this report. At a minimum, I recommend that Salisbury develop new land use applications, adopt detailed standards and requirements for site plans, and add an Administrative and Enforcement section to the Zoning Regulations. However, I recommend that Salisbury utilize the recommendations in this report as a comprehensive strategy to modernize and improve the land use system.

Implementing a comprehensive strategy should take approximately 8 to 16 months and will allow the community to develop regulations, policies, processes, and procedures to best position the community to deal with the complex challenges that face the community. The following are four options that Salisbury may consider to implement the recommendations of this report.

- Option I: This option is basically the minimum recommendations for improvement. While it is the simplest approach and the least costly, it is also the least effective approach. This option will address some core issues, but still leaves much to be desired and provides the greatest potential for continued and, most likely, increased costs related to land use appeals.
- Option II: This option is an improvement upon Option I, providing a greater investment in staff and commission/board training, improved administrative policies and procedures, and increased technical support from the consulting land use attorneys and planner.
- Option III: This option includes the recommendations of Options I and II, but would also include a strategic and systematic process of improving the land use system. Based on cost and overall benefit to the Town, this is probably the most realistic and best option for Salisbury to consider.
- Option IV: This option would be the most comprehensive and ideal way for Salisbury to proceed. However, the cost and time implement would be the greatest and it would also be a significant change and transition to for the community. It would include comprehensive planning, complete rewrites of all the land use regulations, new policies and procedures, and increased staffing levels. It would require the greatest financial investment in the first three years and continued long term investment.

The following table provides a summary of each of these approaches. If Salisbury is willing to consider one of these options or a tailored combination of these options, I am willing to develop a sample scope of work and implementation strategy.

Possible Implementation Options

| | Option I. | Option II. | Option III. | Option IV. |
|---|---|---|--|---|
| Staffing | No change in hours or positions. | Increase existing staffing/hours. More administrative support. | Increase existing staffing/hours. More administrative support. Possibly redefine the ZEO position or consider a part-time planner. | Increase existing staffing/hours. More administrative support. Half-time ZEO and half-time Planner. |
| Consultants | No change in role or access of consulting attorneys or planner. | Increase role of attorneys and planner. | Increase role of attorneys and planner. | Increase role of attorneys. |
| Attorneys | No Change | Attend controversial hearings. | Attend controversial hearings. | Attend all hearings. |
| Planner | No Change | Planner to review PZC applications. | Planner reviews PZC applications and attends hearings. | Hire a full-time planner/ZEO. |
| Training | Provide In-House: CAZEO training | Provide In-House: CAZEO training | Provide Training Program: CAZEO training | Provide Training Program: CAZEO training |
| Staff | Yearly commissioner training. | Yearly commissioner training. | Yearly commissioner training. | Yearly commissioner training. |
| Commissions | | | | |
| Administrative | | | | |
| Procedures | Improve procedures including providing packets for review to members. | Improve procedures including providing packets for review to members. | Comprehensive bylaws for all commissions. Improve procedures including providing packets for review to members. | Comprehensive bylaws for all commissions. Improve procedures including providing packets for review to members. |
| Applications | Improve applications and application requirements. | Improve applications and application requirements. | Improve applications and application requirements. | Improve applications and application requirements. |
| Permits | Improve permit process | Improve permit process | Improve permit process | Improve permit process |
| Plans | Implement new standards for maps submitted based on permit type. | Implement new standards for maps submitted based on permit type. | Implement new standards for maps submitted based on permit type. | Implement new standards for maps submitted based on permit type. |
| Regulations | Update | Update | Modernize | Rewrite |
| Zoning | Improve sections with assistance from the consulting planner. | Improve and add sections with assistance from the consulting planner. | Reorganize and correct problem sections and add an administration and enforcement section. | Comprehensive reorganization and rewrite following Plan of C&D adoption. |
| Subdivision | Update and add sections with assistance from the consulting planner. | Update and add sections with assistance from the consulting planner. | Review and update including the addition of an administration section. | Comprehensive rewrite following Plan of C&D adoption. |
| Wetland | Update and add sections with assistance from staff. | Update and add sections with assistance from staff. | Update and add sections with assistance from staff and planner. | Comprehensive updating following Plan of C&D adoption. |
| Plan of Conservation and Development | Update Plan in-house. | Update Plan in-house with help from a consulting planner. | Contract with a planner to lead the in-house update of the Plan. | Contract with a planning consultant or firm to update the Plan. |

VIII. Conclusion

Salisbury is a very fortunate community that has many wonderful assets. Be it the location, its lakes, hills, or its residents, Salisbury is one of those special places that all residents should be proud of. Salisbury should not read this report as negative or as a criticism of the community and its land use system. The fact is that the land use system worked very well for over four decades and played a role in shaping and making Salisbury into the great place that it is today.

Unfortunately, the times and circumstances have changed. A simple, small town approach to land use is no longer adequate to manage the complex land use issues that are a result of high property values, significant natural resources, and the natural beauty of the community that defines its character. The existing land use system is not providing predictability and stability, which has resulted in a lack of confidence within the community related to the future development of the Town. Confidence is the currency that real estate values are based on and confidence is the currency that community is based on. If residents, property owners, and businesses are not confident, they will not invest their time, money, and effort in the community.

Land use regulations and processes—the land use system as a whole—are a key component to providing stability, predictability, and confidence. The land use system creates a stable real estate market that is predictable and provides investors the confidence needed to invest. While regulations and processes do place limits on individual properties, they also protect the investments of individual property owners. Salisbury has reached a point in its evolution as a community at which it needs to implement a land use system that protects the significant investments in the community. While implementing such changes will be challenging and will be different from the way things have been done for so long, the outcomes will be beneficial to the community as a whole.

The final issue that must be addressed here is the cost of implementing the recommendations in this report. First, I recommend that Salisbury view the costs associated with implementation of the recommendations as a long-term investment in the community. While money may be spent over the next year or two, the benefits will continue for many years to come. Second, the cost of not implementing the recommendations of this report will be far greater. Continued and most likely increased appeals and litigation will become the norm and will cost the Town significant amounts in legal fees. Finally, the implementation of these recommendations will improve the overall efficiency of land use staff and commission.

Appendix I. Plan Standards

Sample Plan Standards

All maps and plans shall be designed to meet the standards set forth in the STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT, prepared and adopted by the Connecticut Associations of Land Surveyors, Inc., September 26, 1996, as amended. (The standards are available at <http://www.ctsurveyor.com/conn-code.htm>.) In unique situations, if the Town Planner, Engineer, ZEO, and Wetlands Agent agree, the map requirements may be modified to best address the unique circumstances of the application. No plan shall be accepted that does not meet these minimum requirements. The following list identifies the plan standards expected and required for applications:

Site Plan: A Property Survey and/or Improvement Location Survey shall be required.

Special Permit: A Property Survey and/or Improvement Location Survey shall be required for commercial, industrial, and multi-family residential uses that require a site plan.

Change in Use: A change in use that requires site plan approval by the Commission shall require an Improvement Location Survey. (Changes in use not requiring site plan approval by the Commission may, with prior approval of the Town Planner, submit a Class “D” survey.)

Foundation As-Built: A Zoning Location Survey shall be required.

Final As-Built: An Improvement Location Survey shall be required. Final as-built surveys shall not be accepted unless all improvements are shown and all monumentation is found or set. Final As-Built maps shall not be accepted until all improvements are complete,

Subdivisions: A Subdivision or Resubdivision Map shall be required. All intermediate and final as-built streets shall require an Improvement Location Survey. Individual lot permits shall require an Improvement Location Survey.

Residential Construction: New home construction and other significant residential projects shall require an Improvement Location Survey. Minor residential projects shall require a Zoning Location Survey. (If approved by the Town Planner, a Class “D” survey may be acceptable.)

Variances: A Zoning Location Survey for the portion of the property to be affected by the variance shall be required. (If approved by the Town Planner, a Class “D” survey may be acceptable.)

Zoning Certificate of Compliance: An Improvement Location Survey shall be required showing only the existing property conditions and no proposed features.

Zoning Permits: All zoning permit applications that involve a structure within 5 feet of a required setback shall require a Zoning Location Survey for the portion of the property affected. (Where a setback is not affected, a Class “D” survey may be acceptable.)

Appendix II. Land Use Permits

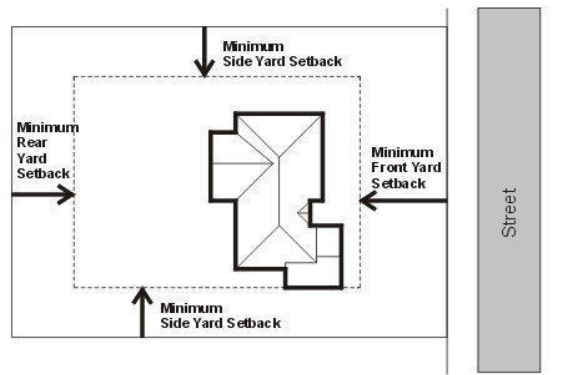
| Application/Permit | Explanation | Comments |
|--|--|---|
| By Commissions: | | |
| Site Plan | The review of a proposed development to ensure the development complies with the regulations. No hearing required. | An as-of-right approval. Less significant development proposals are sometimes approved by staff. |
| Special Permit or Special Exception | Site plan review for a development or use that may have adverse impacts and additional review/standards. Public hearing required. | Use/developments that may not be suitable for all locations with a zone. |
| Subdivision or Resubdivision | The review of a proposal to divide land into 3 or lots or subsequent revision to approved lots and public infrastructure. | 1st cut from a lot-of-record is exempt from approval. Resubdivision requires a public hearing. |
| Variance | A permit to legally violate the zoning regulations where the regulations create an unusual hardship. | Hardship cannot be financial or self-created and must be unique to the parcel and not the zone. |
| Zone Change – Map Amendment | A proposed change to the Zoning Map. A legislative act. A public hearing is required. | May be the creation of a new zoning district or a change in an existing district boundary. |
| Zone Change – Text Amendment | A proposed change to the text of the Zoning Regulations. A legislative act. A public hearing is required. | May be a change to or elimination of an existing provision or the addition of a new provision. |
| Wetlands – No Jurisdiction | The wetlands commission can determine they have no jurisdiction on an application with no significant impact to wetlands. | Determinations of no jurisdiction should be documented. |
| Wetlands – Significant Impact or petition (C.G.S. 22a-42a (c) (1)) | A public hearing is required when significant impact to wetland areas is possible. | Disturbance of six acres or more may require Army Corps. permit. |
| By Staff: | | |
| Zoning Permit | Issued by the ZEO to authorize construction activity that is in compliance with the zoning regulation. | A zoning permit is an administrative approval. May be its own document or a signoff on a building permit. |
| Certificate of Zoning Compliance | Issued by the ZEO to certify that activity associated with a zoning permit was constructed in compliance with the zoning regulation. | Can be issued as its own document or as a signoff on a building permit. |
| Building Permit | Issued by the Building Official to authorize construction activity that is in compliance with the State Building Code. | A building permit may not be issued unless a zoning permit or signoff has been issued. |
| Certificate of Occupancy | Issued by the Building Official authorizing the occupancy of a property after construction is complete | A CO ensures compliance with the code. |
| | | |

Appendix III. Zoning Graphics

Appendix III provides how diagrams can be utilized as part of the Zoning Regulations to best define and explain how provisions are applied to lots and building.

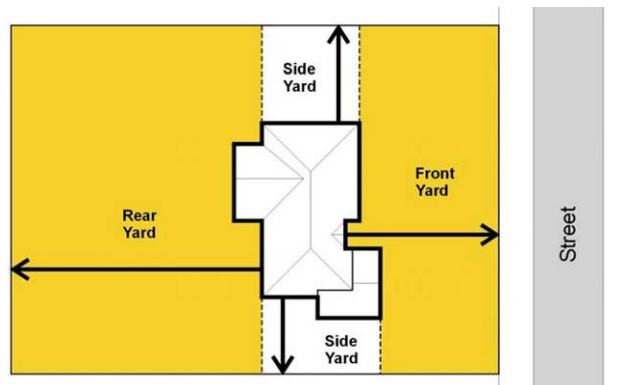
Utilizing Diagrams and Graphics in Zoning Defining Minimum Setbacks and Yards

Minimum setbacks - front, side, and rear setbacks



Source: Bloomfield Zoning Regulations

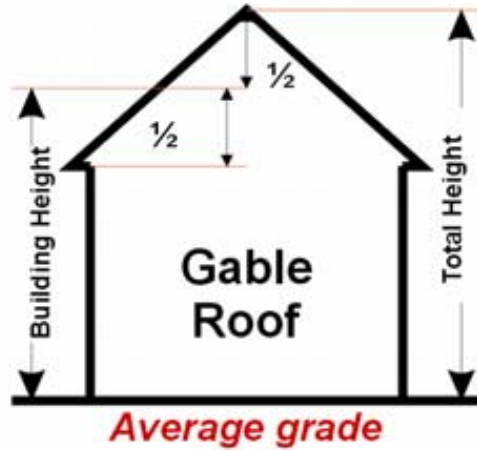
Establishment of yards



Source: Bloomfield Zoning Regulations

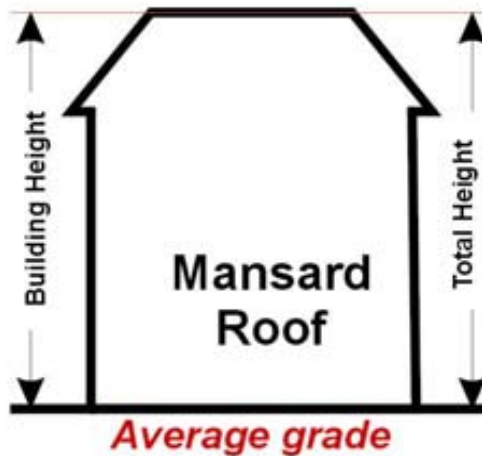
Utilizing Diagrams and Graphics in Zoning
Measuring Building Height

Maximum building height and
measurement for Gable Roof



Source: Bloomfield Zoning Regulations

Maximum building height and
measurement for Mansard Roof

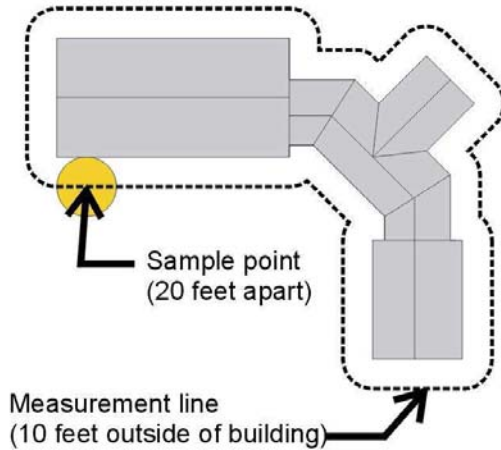


Source: Bloomfield Zoning Regulations

Utilizing Diagrams and Graphics in Zoning
Measuring Average Grade

Average Grade (Building)

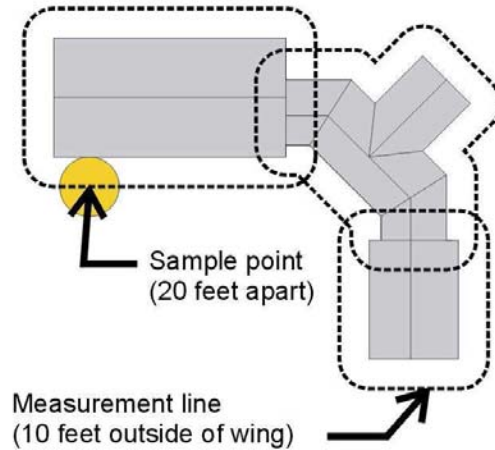
Take the lowest spot elevation within ten (10) feet of sample points located every twenty(20) feet along the measurement line for the entire building and average all of the elevations.



Source: Bloomfield Zoning Regulations

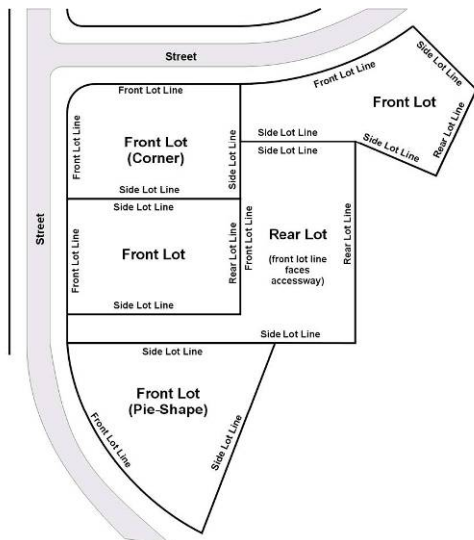
Average Grade (Building Wings)

Take the lowest spot elevation within ten (10) feet of sample points located every twenty(20) feet along the measurement line of each wing and average the elevations for each wing separately.

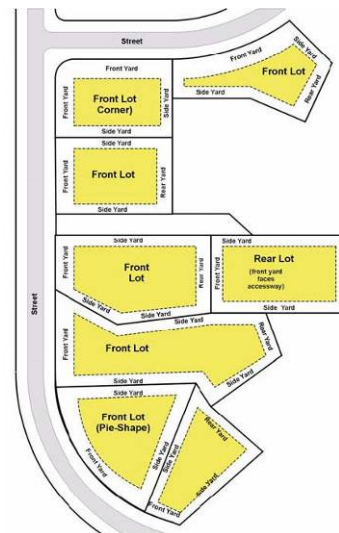


Source: Bloomfield Zoning Regulations

Utilizing Diagrams and Graphics in Zoning
Defining Lots and Yards

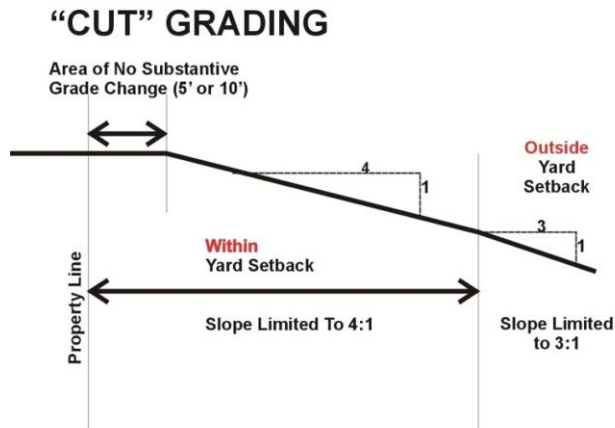


Source: Bloomfield Zoning Regulations

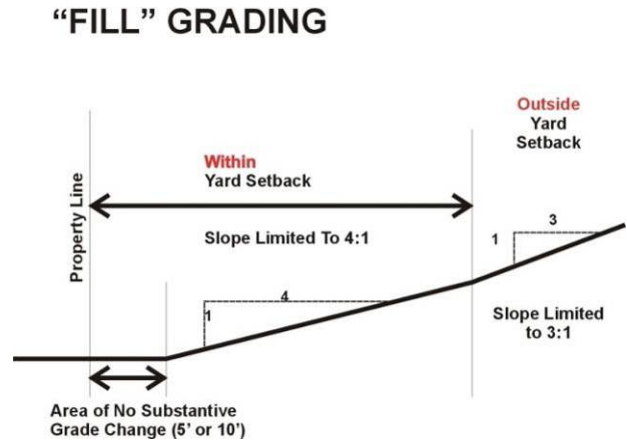


Source: Bloomfield Zoning Regulations

Utilizing Diagrams and Graphics in Zoning
Measuring Average Grade



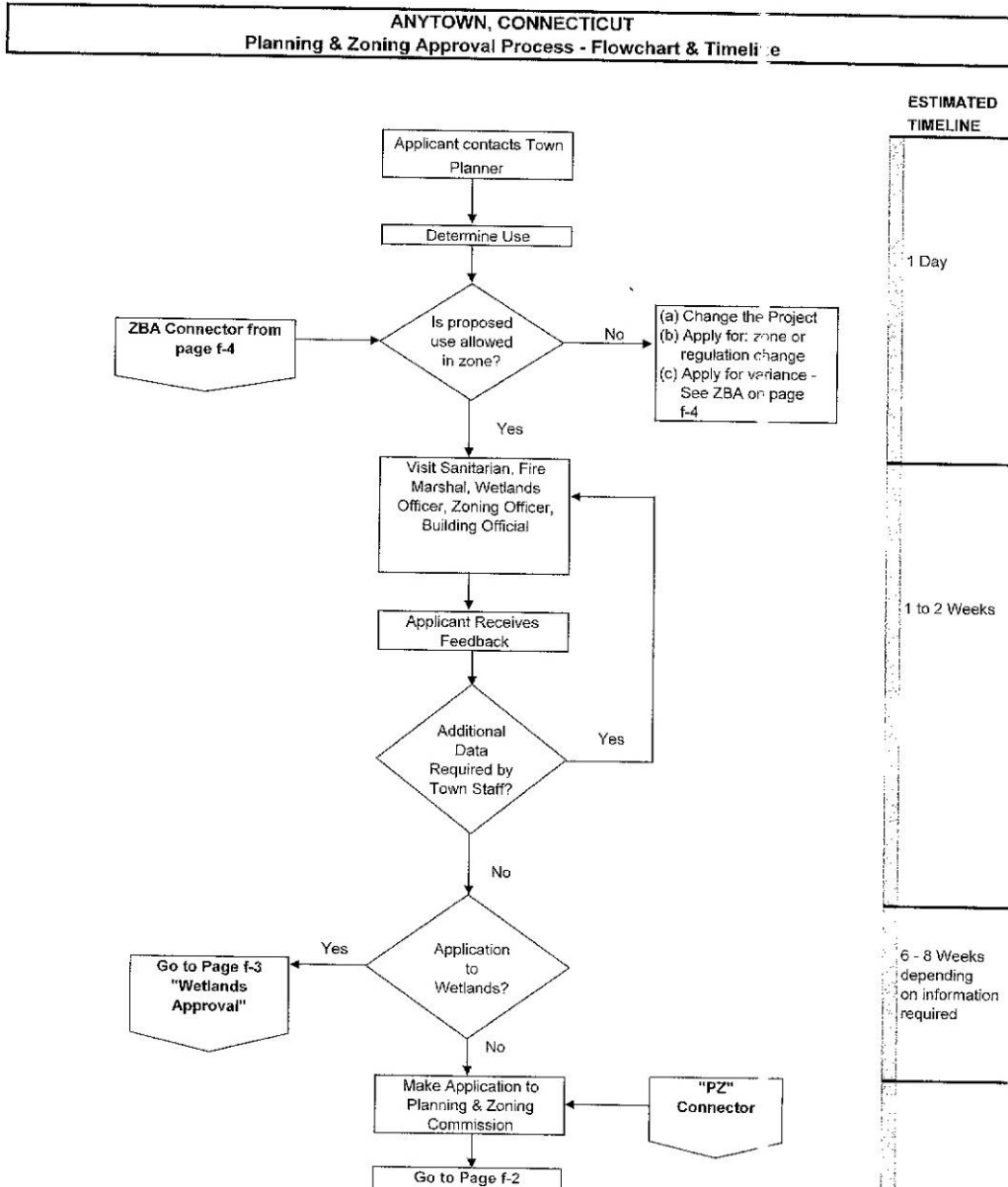
Source: Bloomfield Zoning Regulations



Source: Bloomfield Zoning Regulations

Source: Bloomfield Zoning Regulations

Appendix IV. Sample Flow Chart



Appendix V. Training Resource

Connecticut Association of Conservation and Inland Wetlands Commission. See <http://www.caciwc.org>.

Connecticut Bar Association - Connecticut Land Use Law Seminar for Municipal Land Use Agencies, Boards and Commissions. See www.ctbar.org.

Connecticut Association of Zoning Enforcement Officers. See www.cazeo.org.

Connecticut Chapter of the American Planning Association. See www.ccapa.org.

State Department of Environmental Protection – Municipal Inland Wetland Commissioners Training Program. See www.ct.gov/dep/cwp/view.asp?a=2720&q=325686&depNav_GID=1654.

University of Connecticut – Center for Land Use Education and Research. Land Use Academy. See <http://clear.uconn.edu>.

Appendix VI. Notice Requirement

If Salisbury is to require that notices of permits be published in the Lakeville Journal, the following paragraph should be included in all notices to adequately inform the public:

Appeals may be brought from this decision to the Zoning Board of Appeals. Pursuant to the provisions of Section 8-7 of the Connecticut General Statutes, there is a thirty day appeal period within which the appeal must be taken by filing with the land use administrator and the Zoning Board of Appeals a notice of appeal specifying the grounds thereof. Such appeal period shall commence for an aggrieved person at the earliest of the following: (1) upon receipt of the order, requirement or decision from which such person may appeal, (2) upon publication of a notice in accordance with subsection “f” of General Statutes allows the applicant to publish notice of this decision. Therefore, the applicant may have already published legal notice in another newspaper of substantial circulation in the community and the thirty day appeal period may have commenced at that time or (3) upon actual or constructive notice of this decision.

DONALD J. POLAND, MS, AICP
PLANNER – GEOGRAPHER - DEVELOPMENT CONSULTANT
PROFESSIONAL BIOGRAPHY

Mr. Poland is a professional planner and urban geographer with over fifteen years' experience in land use planning, neighborhood redevelopment, and executive level management. He has worked in public, private, and non-profit sectors as a municipal planning director, planning and development consultant, and as executive director/CEO of a non-profit neighborhood reinvestment corporation.

As Executive Director/CEO for The Neighborhoods of Hartford, Inc., a 501(c)(3) non-profit corporation, Mr. Poland had the exciting challenge of building a successful neighborhood reinvestment organization and implementing a "Healthy Neighborhoods" strategy. He is recognized as a leader and expert on neighborhood and housing issues. Mr. Poland is currently a consultant for St. Bernard Parish, Louisiana, assisting with post-Katrina redevelopment and land use strategies.

Mr. Poland previously held the position of Director of Planning and Development for the Town of East Windsor. As Director, he reorganized the planning, zoning, wetlands, building, and economic development departments into one agency, facilitated the creation of the Town's Plan of Conservation & Development and drafted a comprehensive rewrite of the zoning regulations.

As a dedicated professional and leader, Mr. Poland is President of the CT Chapter of the American Planning Association (CCAPA) and past Chairman of the CCAPA Government Relations Committee. Mr. Poland is a founding member, Secretary, and Executive Director for the Connecticut Partnership for Balanced Growth. He also serves on the Board of Trustees for the CT Trust for Historic Preservation.

Mr. Poland has established himself as a leader in planning and public policy. As Government Relations Chair for CCAPA he assisted the Legislature's Planning and Development Committee with bill screening and drafting legislation. Mr. Poland worked on APA's development of a smart growth policy guide and was a member of the National Delegates Assembly that adopted the APA Smart Growth Policy Guide. He also presented a lecture titled "Steering States Towards Smart Growth" at the APA national conference in Denver.

Mr. Poland earned a Bachelor of Arts degree majoring in both Geography and Psychology, from Central Connecticut State University and studied at Bolton University in Bolton, England. He earned a Master of Science degree in Geography, concentrating in Planning, from CCSU and is a certified member of the American Institute of Certified Planners. He is currently working on his PhD in urban geography at University College London, London, England.

Mr. Poland has taught world regional geography as an adjunct lecturer at Saint Joseph College and teaches an introduction to geography and urban geography at Manchester Community College. Mr. Poland also teaches an introduction to planning at CCSU. He was awarded the Connecticut Homebuilders 2003 Outstanding Land Use Official Award and was recognized by the Hartford Business Journal as one of Hartford's Forty Under Forty business and community leaders. Mr. Poland is a licensed private pilot and lives in the city of Hartford.

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