

EXISTING AND FUTURE LAND USE

For the Town of Salisbury

Land use in Salisbury is strongly influenced by the Town's location, topography, soils, and water resources. Geographically, Salisbury is well removed from major cities. Thus, a pattern of extensive, rural land uses has developed from the Town's earliest years. Land use along Salisbury's eastern border with Franklin has been affected by its proximity to that industrial community. Salisbury is 16 miles from Concord, and 89 miles from Boston, Massachusetts. The Town has a total land area of 39.3 square miles with 0.3 square miles of water bodies, totaling 39.6 square miles.

Salisbury's historic development pattern dictates to some degree where future growth occurs. The crossroads of US 4 and NH 127 form a natural "center of town" along with the Country Store, Post Office, Town Hall and Safety Complex. A large number of survey respondents reported that while they were not advocating for significant commercial growth, a few additional small businesses such as a restaurant or market would be desirable in the future as they would serve the needs of the town's citizens and provide employment opportunities for youth. This area of relatively high traffic volumes would be ideal for light commercial development while maintaining the treasured rural character of the Town away from the crossroads.



The Crossroads in Salisbury (US 4 and NH 127)

The purpose of this Chapter is to identify and explore land use trends in Salisbury in the areas of housing, economic development, environmental protection, and land use needs of the community. How zoning reflects the balance of encouraging both residential and economic development with natural resource conservation is a challenge that continually needs to be reviewed and addressed.

CHAPTER VISION

Maintain the high quality of the natural environment in Salisbury and to ensure the rural agrarian character of the Town is not jeopardized by future growth and development.

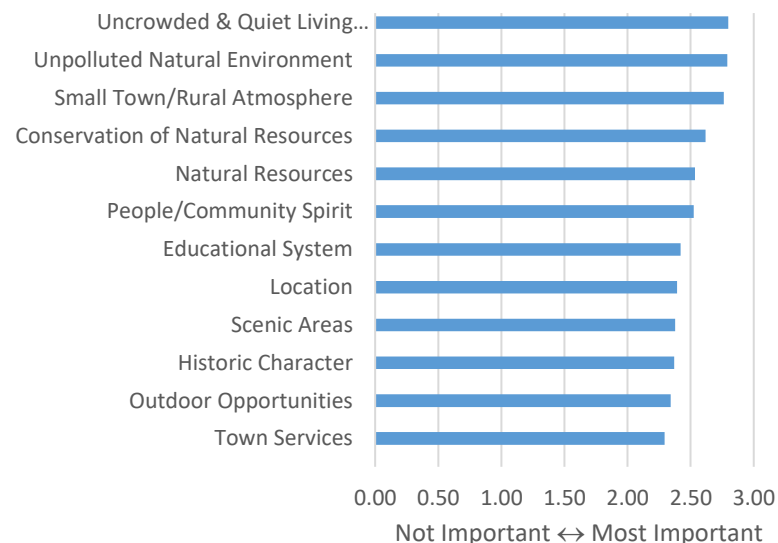
COMMUNITY SURVEY AND VISIONING SESSION RESULTS

Residents who responded to the Community Survey identified Rural Character as the most appreciated aspect of the Town. When asked what was important related to making Salisbury a desirable place to live, the top three answers were as follows: Uncrowded & Quiet Living Conditions, Unpolluted Natural Environment, and Small Town/Rural Atmosphere.

The importance of the natural environment to the citizens in Salisbury is undeniable as the fourth and fifth most popular answers were Conservation of Natural Resources and Natural Resources, respectively.

Community Survey Question 3:

Please rank the importance of the following items in making Salisbury a desirable place to live.



Residents were asked what they would like Salisbury to be like in ten years' time. Many respondents stated they wanted Salisbury to stay the same, but a near equal number also said they would like to see a few small, community-focused businesses established over the coming years. The open responses echoed the "bedroom community" feel of the Town, but many recognized the potential upside of welcoming small businesses to Town. Small business would help the tax base, provide goods and services closer to home and offer employment to local youth.

When asked if Salisbury should create a Commercial Zoning District, support and opposition could not have been more equal.

Community Survey Question 12:

Would you be in favor of a Commercial Zoning District?

Q. 12	Total	Percent
Yes	30	40.5%
No	30	40.5%
No Opinion	14	18.9%
Total	74	100.0%

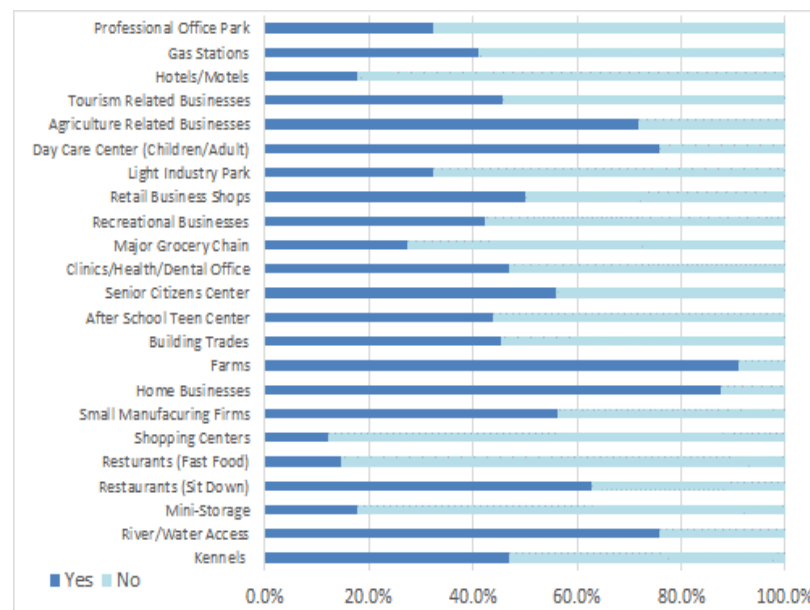
In 2014, Salisbury revised the Town’s Zoning Ordinance to add a Village Center Overlay District, the purpose of which is to: “Encourage a mix of uses, including residential, commercial, civic, and open space in proximity to one another in a manner consistent with Salisbury’s traditional development patterns.”

The Village Center Overlay District is located around the crossroads of US 4 and NH 127. The district allows for a higher density of buildings than the other districts in Town.

Regarding businesses, the most desired businesses for the Town include Home Businesses, Farms, Agriculture Related Businesses, Day Care Centers (Children/Adult), River/Water Access, and Sit-Down Restaurants. The least desired businesses were Shopping Centers, Mini Storage, Hotels/Motels, Fast Food Restaurants, and a Major Grocery Chain.

Community Survey Question 11:

State whether or not you want the following enterprises/services located in Salisbury.



Community Survey Question 23:

In your opinion, which statement best characterizes Salisbury’s rate of residential growth?

Q. 23	Total	Percent
Growing too fast	9	13.2%
Growth is acceptable	43	63.2%
Growing too slowly	10	14.7%
No opinion	6	8.8%
Total	68	100.0%

The majority of Community Survey respondents felt the current level of growth is acceptable (63%) while 15% thought the Town was growing too slowly and 13% thought the Town was growing too fast.

A series of questions were posed related to possible changes in the Zoning Ordinance. Most respondents felt that current frontages for districts were adequate (64%) while 18% favored an increase.

It was felt that existing lot sizes were adequate, with 57% desiring no changes. However, 29% of people felt sizes needed to be increased.

Community Survey Question 26:

Are you in favor of increasing the lot sizes in Salisbury?

Q. 26	Total	Percent
Yes	18	28.6%
No	36	57.1%
No opinion	9	14.3%
Total	63	100.0%

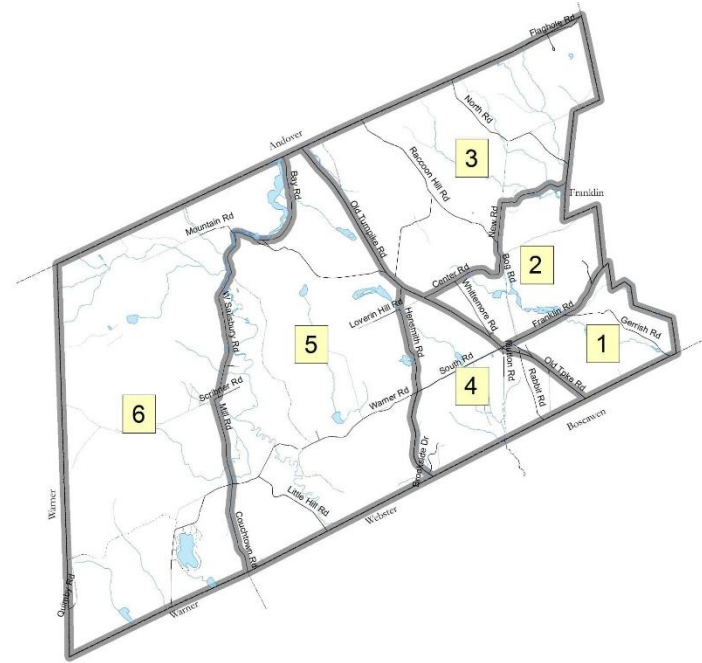
Community Survey Question 27:

Are you in favor of increasing the frontage length in Salisbury?

Q. 27	Total	Percent
Yes	11	17.5%
No	40	63.5%
No opinion	12	19.0%
Total	63	100.0%

Several survey questions referred to delineated areas of Salisbury on a map that accompanied the Community Survey. The purpose was to understand the respondents' preferences for future development and growth restriction.

Delineated areas of Town for Community Survey:



When future development occurs, respondents felt Area 1 (48%), the large block between US 4 and NH 127 in the southeast corner of Town would be the best area to develop. Respondents could choose more than 1 answer. Area 3 in the block of northeast Salisbury between US 4 and Searles Hill Road and Area 4 in a triangle along US 4 and Hensmith Road to the Boscawen town line both received 42% of the votes. The areas chosen are those which are the most developed in Town.

When asked if there are any Areas where future growth should be restricted, respondents overwhelmingly chose Area 6 (62%) and Area 5 (54%), both of which are the rural, western section of Town.

Community Survey Question 25:

Are there any areas where you feel growth should be restricted?

Areas to Restrict Growth	Total	Percent
Area 1	9	23.1%
Area 2	10	25.6%
Area 3	12	30.8%
Area 4	11	28.2%
Area 5	21	53.9%
Area 6	24	61.5%
Total Respondents		39

Community Survey Question 24:

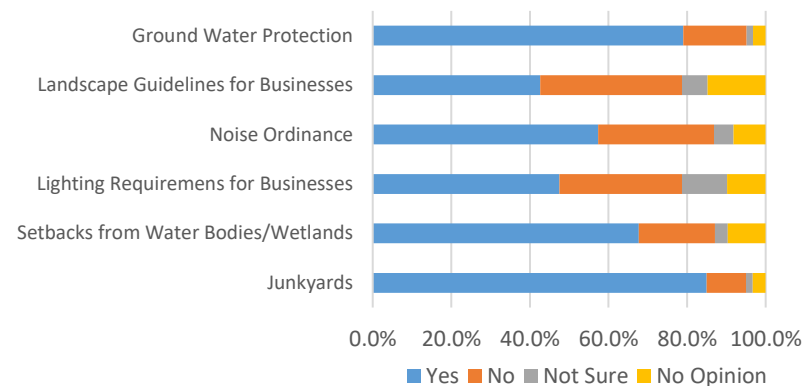
Which areas in Salisbury are most suitable for additional development?

Areas Suitable for Development	Total	Percent
Area 1	24	48.0%
Area 2	20	40.0%
Area 3	21	42.0%
Area 4	21	42.0%
Area 5	12	24.0%
Area 6	19	38.0%
Total Respondents		50

Respondents supported additional zoning regulations, including junkyard regulation, ground water protection, and setbacks from water bodies and wetlands.

Community Survey Question 29:

Should the Town create or maintain regulatory standards for the following?



Agriculture and forestry and important enterprises to rural Salisbury. Respondents strongly supported their use (84%) to bolster the local economy.

Community Survey Question 28:

Should maintaining agriculture and forestry as economically viable land uses in Salisbury be important objectives of the Master Plan?

Q. 28	Total	Percent
Yes	54	84.4%
No	5	7.8%
No opinion	5	7.8%
Total	64	100.0%

A significant percentage (79%) of survey respondents stated they enjoy hiking in Salisbury for recreation. Respondents expressed a desire for a trail system and identified hiking, nature observation (73%), and snowshoeing (55%) as the three top ways residents enjoy Salisbury’s existing recreation opportunities. Respondents could choose more than 1 answer.

Community Survey Question 17:

In what ways do you enjoy Salisbury’s recreational opportunities?

Please check all that apply:

Q. 17	Total	Percent
Hiking	53	79.1%
Nature Observation	49	73.1%
Snow Shoeing	37	55.2%
Fishing	31	46.3%
Canoeing/Boating	26	38.8%
Mountain Biking	20	29.9%
Snowmobiling	20	29.9%
Cross-country Skiing	20	29.9%
Hunting	19	28.4%
Swimming	13	19.4%
Maplewood Recreational Area	13	19.4%
Horseback Riding	9	13.4%
Personal Watercraft	3	4.5%

SALISBURY VISIONING SESSION

Residents who attended the Salisbury Visioning Session in March 2016 highly valued the Town’s rural and historic character, including the large number of historic houses and the small-scale agriculture that is present across Town. Many shared their desires for appropriate economic development as it could help mitigate the high property taxes paid by Salisbury residents; however, it was agreed that development not matching the historical character of Town be limited. It was suggested new businesses be encouraged to use existing vacant buildings downtown instead of new construction.

The themes that emerged from the Visioning Session are similar to the survey responses and can be categorized as stated below:

- Maintaining the high quality of the natural environment in Salisbury is important to its citizens.
- The rural, agrarian character of Salisbury should not be jeopardized by future growth and development.
- A trail system to allow further enjoyment of Salisbury’s natural resources, developed primarily through landowner permission, is highly desirable.
- Some small business development within the Village Center Overlay District would be acceptable.

EXISTING LAND USE TYPES

The existing land use pattern in Salisbury is typical of many communities in New Hampshire; commercial land uses are located along US 4 and NH 127, while the majority of residential development is scattered throughout Town. The **Land Use & Conservation Map** contains more detailed information.

RESIDENTIAL LAND

Residential land uses are found throughout the community, with development influenced primarily by the constraints of natural features such as wetlands, poorly drained soils, and steep slopes. Additionally, existing conservation lands, the Blackwater Flood Control Reservoir and the road network place limits on residential development. The residential category includes single family/duplex and multi-family dwellings. In total, residential land uses, with a total of 608 acres, occupy 49% of the community's developed land area or 2% of the Town's entire area of 25,468 acres.

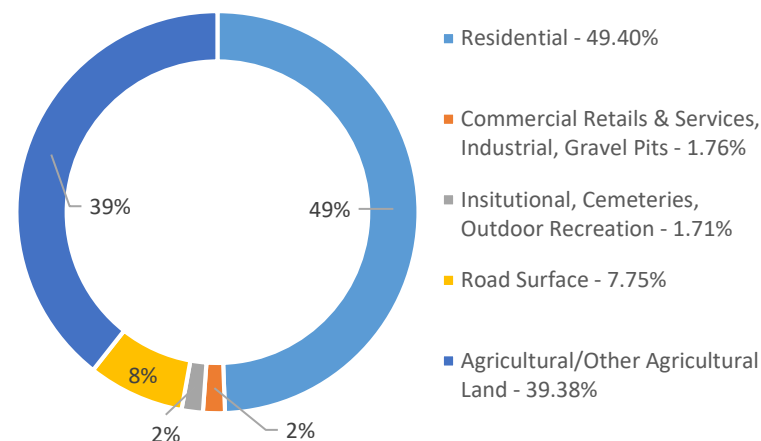
AGRICULTURAL LANDS, OPEN SPACE & RECREATION

Lands that have been cleared for agricultural purposes (486 acres) account for nearly 40% of Salisbury's developed land. This also includes structures built for agricultural purposes such as barns or stables. The open space of Salisbury which includes all land not developed, waterbodies, agricultural lands, and outdoor recreation area comprise 24,236 acres or 95% of Salisbury's total area. A total of 5,103 acres, or 20% of the Town's total area, is protected from future development via Conservation Easement, Fee Ownership, or Agricultural Preservation Restriction.

ROAD SURFACES & AUXILIARY TRANSPORTATION

Road surface area comprises approximately 0.4% of Salisbury's total land area. These relatively few roadways are a product of low levels

Figure 6.1: Developed Acreage Comparison by Land Use Category



Source: Town of Salisbury

of residential and commercial development and a large town footprint.

COMMERCIAL RETAIL & SERVICES

In total, commercial retail and services occupy approximately 0.03% of the Town's land area. Examples include retail stores like the Barn Store of New England on US 4, the Crossroads Country Store or commercial services like Blackwater Veterinary Services on US 4.

INSTITUTIONAL

This is another small land use category within Salisbury, comprising roughly 0.03%. Institutional land uses include the Elementary School, Town buildings, churches, and cemeteries.

INDUSTRIAL AND UTILITIES

This use occupies roughly 0.06% of the community's total land area.

Industrial uses are any land use where raw materials are processed, modified, or assembled to create a finished or value added product. Industrial uses can include the excavation of materials and lands classified as utilities.

Table 6.1: Delineated Land Use Acreage

Land Use	Acreage
Single Family/Duplex	607.4
Multi-Family	1
Other Residential	0.5
Commercial Retail	3.8
Commercial Mix/Other Commercial	3.1
Institutional	8.5
Industrial	8.7
Gravel Pits	6.3
Road Surface	95.5
Communication or Utilities	0.5
Cemeteries	10.3
Outdoor Recreation/Developed Parks	2.3
Agricultural Land	450.7
Other Agricultural Land	45.1
Water	409.9
Undeveloped	23,815.4
Total	25,469.0

Source: Town of Salisbury

VILLAGE CENTER OVERLAY DISTRICT

The Village Center Overlay District (VCOD) was established to encourage a mix of uses within the “crossroads” area, the intersection of Route 4 and Route 127. The uses permitted in this district include residential, commercial, civic, and open space in proximity to one another in a manner consistent with Salisbury’s traditional development patterns.

Prior to the adoption of the District in 2014, a Charrette was held in June of 2013 for the Crossroads. Themes that emerged from the Charrette include creating more pedestrian friendly walkways; a safer environment and connecting community activity centers, which included pedestrian paths and crosswalks for pedestrian safety, green areas, and traffic calming measures; and encouraging a New England village environment which included enlarging the village boundary, modifying land development regulations, and implementing design guidelines for both buildings and the surrounding landscape.

HISTORICAL DEVELOPMENT PATTERNS

Salisbury amended a controlled growth ordinance in 1997 establishing a maximum number of new building permits to 3% of the number of dwellings in Town. Table 6.1 shows the growth rate since 2010 has not come close to the limit set by the 1997 ordinance. At the 2017 Town Meeting, a warrant article to discontinue the controlled growth ordinance was approved.

Table 6.2: Residential Building Permit Growth, 2010-2015

	2010	2011	2012	2013	2014	2015
Number of Permits	2	4	2	2	3	4
Dwelling Units	600	604	606	608	611	615
Growth Percentage	0.33%	0.66%	0.33%	0.33%	0.49%	0.65%

Source: NH Office of Energy and Planning

CURRENT USE

In 1973, the New Hampshire State Legislature enacted RSA 79-A:1 and created the Current Use program, a tool landowners can use to reduce the amount of property tax they pay on open space within their property limits as well as an incentive to keep the land in its traditional use. Before the statute was enacted, financial burdens were being placed on individuals with large open space land holdings, since property taxation was based on the highest and best use of the land. Now under the program, current use value is the assessed valuation per acre of open space land based upon the income-producing capability of the land in its current use - not its real estate market value.

Property owners can file for reduced property taxes through the current use taxation program at the Town Offices where the

valuation shall be determined by the municipality’s assessor in accordance with the range of current use values established by the state’s Current Use Board (CUB). Eligible land types include farm land, forest land, open space land, unproductive land and wetlands.

By allowing open space land to be classified as current use, it acts as an incentive for landowners not to develop property. When land is removed from Current Use, ten percent of the full and true value of the land, not the Current Use assessed value, must be paid as a Land Use Change Tax (LUCT). It is important to understand that the Current Use classification can be placed on or removed from land at the landowner’s discretion, which is why these lands vary from conservation lands. For more information on Current Use, please refer to the Master Plan’s Natural Resources chapter and the NH Department of Revenue Administration:

www.revenue.nh.gov/current-use/index.htm.

Table 6.3 illustrates the amount of land in Current Use over the period of 2010-2016. Approximately 72% of Salisbury’s total land area was categorized as current use in 2016, which has steadily increased over the past seven years.

Table 6.3: Current Use Acreage, 2010-2016

Year	Acres in Current Use	# of Owners in Current Use	Land Use Change Tax Collected
2010	17,491	244	\$19,250
2011	17,556	249	\$16,910
2012	18,099	240	\$15,410
2013	18,114	239	\$2,190
2014	18,115	239	\$2,190
2015	18,155	246	\$8,342
2016	18,212	230	\$223

Source: Annual NH Department of Revenue Administration Current Use Reports

CURRENT ZONING REGULATIONS

Today, Salisbury relies on four primary Zoning Districts, one of which is an overlay district, to regulate land use within the

community. The location of these Districts is displayed on the Zoning Map. Table 6.4 is a summary of the Zoning Districts and their permitted uses and minimum lot sizes.

Table 6.4 Zoning Districts in Salisbury

Residential District
<p>Purpose: To provide for low to moderate density residential housing that encourages a variety of housing type to accommodate a range of households. Such housing will be served by private wastewater treatment systems and wells and will be developed in a manner that will maintain the rural character of Salisbury.</p> <p>Applicability: This district shall include the areas so indicated on the official Zoning Map to a depth of 300 feet from the center line of the state or town roads on which they abut.</p> <p>Permitted Uses: Single and two-family dwellings, general farming, roadside stands, stables, plant nursery, greenhouses, dog daycare facility, farmer’s market, churches, and minor home occupations, new telecommunications tower, Open Space Subdivision (> 20 acres).</p> <p>Permitted Uses Requiring a Special Exception: Bed & Breakfast.</p> <p>Permitted Uses Requiring a Conditional Use Permit: Multi-family dwellings (three to five units/building), kennel, outdoor commercial recreation, camps, assisted living facility/residential care, business, convenience store, retail sales establishment, restaurant, indoor commercial recreation, major home occupations.</p> <p>Minimum Lot Size: Two buildable acres with a minimum lot frontage of 200 feet. Minimum setback yard requirements are as follows: 75 feet for the front yard and 35 feet for both the rear and side yards. The maximum allowable height of a building is 35 feet. There are no imperious surface limitations in the Residential District. OSD lots have different dimensions*.</p>
Retail Village District
<p>Purpose: To encourage a mix of compatible uses including residential, civic, retail, commercial and recreational in relatively close proximity. Such uses shall maintain or enhance the historic, cultural and architectural quality of this area. Such mixed uses may be served by private and/or common wastewater treatment systems and wells.</p> <p>Applicability: This district shall include the areas so indicated on the official Zoning Map to a depth of 300 feet from the center line of the state or town roads on which they abut.</p> <p>Permitted Uses: Single and two-family dwellings, general farming, roadside stands, stables, plant nursery, greenhouses, dog daycare facility, farmer’s market, churches, bed & breakfast, hotel, inn, lodging house, motel, assisted living facility/residential care, business, convenience store, retail sales establishment, restaurant, service station, gas station, and minor home occupations.</p> <p>Permitted Uses Requiring a Conditional Use Permit: Multi-family dwellings (three to five units/building), kennel, outdoor commercial recreation, camps, indoor commercial recreation, and major home occupations, new telecommunications tower.</p> <p>Minimum Lot Size: Two buildable acres with a minimum lot frontage of 200 feet. Minimum setback yard requirements are as follows: 75 feet for the front yard and 35 feet for both the rear and side yards. The maximum allowable height of a building is 35 feet. There are no imperious surface limitations in the Retail Village District.</p>

Table 6.4 Zoning Districts in Salisbury (Cont.)

Agricultural District
<p>Purpose: To preserve Salisbury’s rural character. This zone will provide for agricultural and farming practices and low-density residential development served by private wastewater treatment systems and wells. It will be developed in a manner that preserves Salisbury’s rural, natural and scenic environment.</p> <p>Applicability: This district shall include all areas of the Town not included in a Residential District or the Village Retail District as described above, or as may be added to or subtracted from those districts at a later date.</p> <p>Permitted Uses: Single and two family dwellings, general farming, roadside stands, stables, plant nursery, greenhouses, dog daycare facility, farmer’s market, churches, bed & breakfast, and minor home occupations, new telecommunications tower, Open Space Subdivision (> 20 acres).</p> <p>Permitted Uses Requiring a Conditional Use Permit: Multi-family dwellings (three to five units/building), kennel, outdoor commercial recreation, camps, assisted living facility/residential care, business, convenience store, retail sales establishment, restaurant, indoor commercial recreation, and major home occupations.</p> <p>Minimum Lot Size: Two buildable acres with a minimum lot frontage of 200 feet. Minimum setback yard requirements are as follows: 75 feet for the front yard and 35 feet for both the rear and side yards. The maximum allowable height of a building is 35 feet. There are no imperious surface limitations in the Agricultural District. OSD lots have different dimensions*.</p>
Village Center Overlay District
<p>Purpose: To encourage a mix of uses, including residential, commercial, civic, and open space in proximity to one another in a manner consistent with Salisbury’s traditional development patterns. The district will also provide a diversity of housing styles, types, and sizes to accommodate households of all ages, sizes, and incomes; retain existing buildings with historical features or architectural features that enhance the visual character of the community; encourage new buildings to be consistent with the current village architectural character and building patterns; encourage a more efficient use of land through compact development that promotes a more walkable environment; and provide consistency with Salisbury’s Master Plan.</p> <p>Applicability: The Village Center Overlay District (VCOD) is defined on the Zoning Map of the Town of Salisbury and is generally located along US Route 4 and NH Route 127 in the “Crossroads” area and is identified on the Town Zoning Map, as amended, to include all of or portions of specific lots. The VCOD shall be construed as overlaying the other existing zoning districts but does not remove or alter the zoning rights permitted by the underlying districts.</p> <p>Permitted Uses: Single and two-family dwellings, general farming, roadside stands, stables, plant nursery, greenhouses, dog daycare facility, farmer’s market, churches, bed & breakfast, hotel, inn, lodging house, motel, assisted living facility/residential care, business, convenience store, retail sales establishment, restaurant, service station, gas station, and minor home occupations.</p> <p>Permitted Uses Requiring a Conditional Use Permit: Multi-family dwellings (three to five units/building), kennel, outdoor commercial recreation, camps, indoor commercial recreation, and major home occupations.</p> <p>Minimum Lot Size: Necessary 30,000 SF² with 75 feet of frontage. Minimum setback yard requirements are as follows: front yard requires 75 feet for State roads and 50 feet for Town roads and 15 feet for both rear and side yards. The maximum allowable height of a building is 35 feet. Maximum allowable impervious lot coverage is 50% and a one space of parking is required for each dwelling units.</p>

Table 6.5: Zoning District Acreage

Zoning District	Acres**	Percent of Total Land Area
Residential	1,468	5.8%
Retail Village District	64	<1%
Agricultural District	23,898	94.0%
Village Center Overlay District	177*	<1%*
Total	25,430	100%

*Village Center Overlay District is not counted in total Town acreage

Source: CNHRPC GIS Analysis **Calculated acreage will be different than reported acreage

As noted in Table 6.5 above, the largest zoning district is the Agricultural District, covering 94% of the Town’s land area.

SPECIAL ZONING AND LAND USE REGULATION PROVISIONS

In addition to the four Zoning Districts, Salisbury has adopted other Land Use Regulations that influence and help shape the land use patterns in Town. Most of these regulations apply to the entire Town. The following is a summary of the major regulatory provisions.

OPEN SPACE DEVELOPMENT

The purpose of the Open Space Development (OSD) provisions contained in Article XXI in the Zoning Ordinance is to further the recommendations of the Salisbury Master Plan by encouraging flexibility in the design and development of land to preserve open space and traditional rural character, retaining and protecting important natural, scenic and historic resources, providing for more efficient use of land and Town services, and promoting the development of balanced residential communities in harmony with the natural landscape.

Open Space Development (OSD) is intended to promote the following objectives:

- Maintain rural character through preservation farmland, forests and rural viewsapes and encouraging residential development that is sited in harmony with the environment and promotes a sense of neighborhood.
- Preserve those areas of the site that have high environmental or ecological value such as wildlife habitat (as identified in the Salisbury Master Plan and areas of high quality habitat as based on NH Fish and Game’s Wildlife Action Plan) and significant water resource value such as critical watersheds, wetlands, streams and rivers.
- Provide for alternative housing opportunities.
- Minimize impact of development sprawl by reducing potential for consecutive lot development on major roadways.
- Locate buildings and structures on those portions of the site that are the most appropriate for development and avoiding developing in areas not suitable for development such as hydric soil conditions, areas subject to flooding and steep slopes.
- Preserve historic, archeological, and cultural features located on the site. g. Create a permanently protected contiguous network of open spaces or “greenways” by linking the common open spaces within the open space subdivision and to open space on adjoining lands wherever possible.
- Reduce the number of roads, sidewalks, and storm water management structures that must be built and maintained.

- Preserve undeveloped frontage along existing roads, protecting transportation corridors from encroachment of structures.

EARTH EXCAVATION – SAND AND GRAVEL REMOVAL

The state law that governs excavations is RSA 155-E. The law was enacted in 1979, and saw significant revisions in 1989 and other revisions in 1991, to ensure that no town could prohibit any excavation. In that sense, RSA 155-E preempts local zoning because it states that if a zoning ordinance has no provisions for excavation, then by law it is considered to be a use that is allowed by special exception, based on specific criteria. RSA 155-E contains standards for the operation and reclamation of excavation sites, as well as a list of projects that would be prohibited (for example, damaging a known aquifer). A permitting process is also described, with a list of excavations that are exempt from a permit.

The law gives regulatory authority over excavations to the Planning Board, including the authority to adopt specific regulations for this activity. However, at Town Meeting in March 1981, Article #9 passed affirmatively which granted the Board of Selectmen the authority to be the regulators of earth excavation in Salisbury. In 2005, the Board of Selectmen developed and adopted excavation regulations for the Town.

The Town of Salisbury has only two (2) operational permits within the community consisting of > 5 acres, a very small area of the community’s 25,469 acres.

While the operation of sand and gravel excavation is not a major issue today, it would be desirable to have Excavations listed as a specific use within the Zoning Ordinance requiring either a Special Exception or Conditional Use Permit, as well as Site Plan approval. These protections will ensure the excavations occurring in the future will meet the needs of the community as well as the

Table 6.6: Active Excavation Operations, 2016

Map/Lot#	Location	Total Acres
220/1	Plains Road	3.3
219/43	West Salisbury Road/ Bay Road	2.1
Total:		5.4

Source: Town of Salisbury

operator. The purpose of the regulations would be to ensure that the Town’s road system is preserved, that abutters and nearby residents are not inordinately disturbed by the activity, aquifers are protected, and that the property is restored quickly and effectively as each portion of the excavation is complete.

Reclamation of depleted pits should consider the potential future uses of the site. Some, for example, may remain vacant and undeveloped with the primary considerations being soil stabilization and proper establishment of drainage patterns. If, on the other hand, there are immediate plans to develop the land, the accompanying site work becomes, in effect, the reclamation.

Another consideration for pit owners is to be sure that they have not conducted excavation in a way that could potentially limit the future uses of the site; for example, if the land is to be used for residential development after the gravel is removed, enough material should be left so to allow the construction of septic systems and other underground systems.

FUTURE LAND USE

Salisbury is largely forested, rural community with scattered housing and a limited amount of active farmland. Salisbury is fortunate to retain large unbroken areas of open space in and around the Mount Kearsarge State Forest Park and the US Army

Corps of Engineers Blackwater River Flood Reservoir. Other significant areas of open space are found in the southeastern part of town adjacent to a large tracts of protected open space in Boscawen and in the northeast section of Town next to a large area of protected open space in Franklin.

It is important to be aware of the following trends affecting the shape of land use in Salisbury:

- The aging population;
- The growing need for affordable housing for all ages;
- Technological changes that impact the home and business development;
- The desire for sustainable development.

VISION FOR FUTURE LAND USE

The dominant themes identified in the Community Visioning Session process were the desire to maintain the high quality of the natural environment in Salisbury and to ensure the rural agrarian character of Salisbury is not jeopardized by future growth and development.

Historically, Salisbury has been characterized by single family residential structures on 2 acre lots or larger and there is no strong desire to see this change over most of the community.

The Town does not have central potable water or sanitary sewer services and there is no intention of providing these services in the foreseeable future.

The residents of Salisbury at the same time do not want to adversely impact the ability of land owners to develop private property, and they recognize the need to address the issues of an aging population and the need for affordable housing.

The Salisbury Village Charrette held in 2013 enabled the creation of the Village Center Overlay District but also described the desire for a more pedestrian-friendly mixed-use village, the possibility for a Town green and maintaining historic character.

As a result, the Town of Salisbury established the Village Center Overlay District in 2014 centered around the Intersection of US 4 and NH 127. This area is substantially larger than is needed to provide for non-residential and multi-family development for the next twenty years.

The uses permitted in this District include residential, commercial, civic, and open space in proximity to one another in a manner consistent with Salisbury's traditional development patterns.

ISSUES AND CONCERNS

A number of issues exist which may adversely impact the ability of Salisbury to maintain its rural character and still allow for desirable growth and development to occur.

- Regulatory protection for undeveloped areas between the Mt. Kearsarge State Forest Park and the Blackwater River Flood Control Reservoir is needed. Protecting open space linkages in the northeast and southeast portions of the Town to maintain the rural character and natural values of these areas is crucial. The use of Open Space Residential Subdivisions can help preserve these areas.
- Strip commercial development along US 4 and to a lesser extent along NH 127 should be avoided. The relatively weak market for non-residential and multi-family development in the community can lead to the development of unattractive, land intensive, and low value development along highway corridors unless a community practices due diligence. Specific land use

regulations are needed to guide future development along the entire length of US 4 and along NH 127 in the Village Center Overlay District. These regulations would further the community’s desire for both aesthetically pleasing and traditional patterns of rural development, while at the same time reducing the ambiguity of the existing regulations.

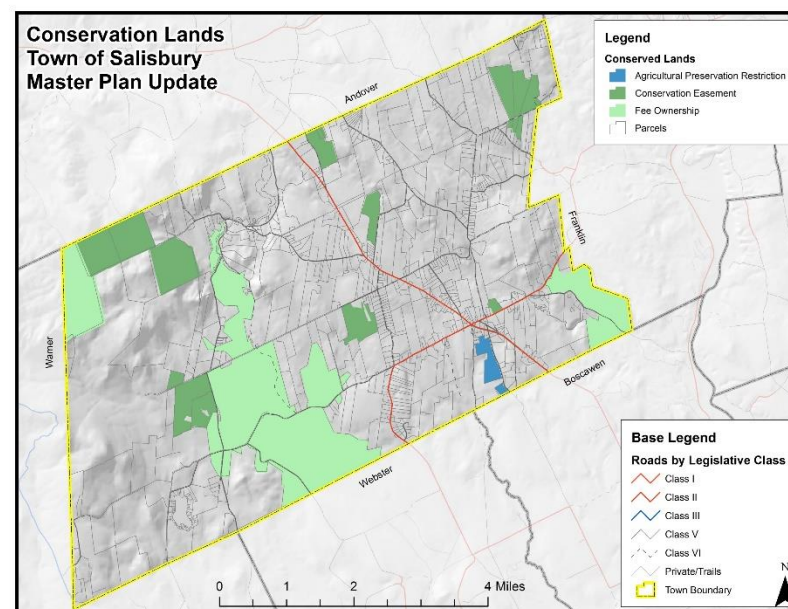
- Specific standards to promote viable alternative housing types in the Village District should be available. Cottage development is one type of development which may be both appropriate and viable within the Village Center Overlay District.
- The continued protection and support of the rural/agricultural landscape through the use of existing tools such as the Open Space Development Ordinance or more proactive efforts such as agricultural land protection measures.

REGULATORY RECOMMENDATIONS

The recommendations can have positive impacts on the future land use development of the Town. These recommendations specifically focus on regulatory controls and changes the Town can implement to meet the future land use vision.

PROTECTION OF POTENTIAL OPEN SPACE AREAS

As mentioned above, the community is fortunate to hold large contiguous areas of open space. However, only portions of these areas are permanently protected from development. Regulatory measures to preserve these areas could include requiring very large lot subdivisions from 20 to 120 acres per lot or to require mandatory Open Space Development Subdivisions for any major development in these areas.



AMENDMENTS TO THE OPEN SPACE DEVELOPMENT ORDINANCE

Concerns have been raised as why the Open Space Development (OSD) Ordinance) has not been used since it was adopted. The extremely low demand for new housing since 2008, both in the Central NH region and the State as a whole, is the primary contributing factor. Only 17 units have been constructed in Salisbury in the period from 2010 through 2016. The Planning Board has received testimony that incentives might be needed to encourage the use of the OSD Ordinance. Several provisions of the OSD Ordinance can function as a disincentive to its use, especially in weak economic conditions. The following are suggested changes to the Ordinance to encourage its use:

- Eliminate the yield plan as it often increases the cost of designing the subdivision.

FOR JULY 17, 2017 PUBLIC HEARING

- Allow development density in proximity to roadways. One unit would be allowable per two (2) acres of developable land consistent with the existing density of zones outside the Village Center Overlay District. It is understandable that the residents would be concerned about large scale subdivisions occurring that would change the character of the community by taking advantage of difficult to access buildable backland. One option might be to allow one (1) unit per two (2) acres of buildable land within 1,000 feet of an existing road. In the Subdivision Regulations, 1,000 feet is the maximum length of a dead-end road or cul-de-sac in Salisbury. Development density beyond the 1,000 foot depth could be assigned at a lesser development density such as 1 unit per 20 acres. This would go to great lengths to assuage community concerns and would still convey value to the landowners.
- Make Open Space Development Subdivisions mandatory for Major Subdivisions in the Agricultural District.
- Modify the 150 foot landscape buffer along existing roads to a smaller 75 foot buffer. Conventional subdivisions, existing residents, or currently vacant lots on the same street do not have this requirement.
- Allow common private driveways for more than two dwelling units. Three (3) to eight (8) units could be allowed on a common driveway if the design standards for the driveway allowed for appropriate access by emergency and service vehicles, and limit the length of the common driveway to less than 1,000 feet.
- Require Open Space Development Subdivisions for any major subdivisions (3 or more new lots) in the following areas:

- a. Between the Blackwater River Flood Control Reservoir and Mt. Kearsarge Forest Park.
- b. In the Northeast quadrant of the Town.
- c. In the Southeast quadrant of the Town.
- d. Along the Blackwater River north of the Flood Control Reservoir.
- e. In the Agricultural District.

As an option, large-lot subdivision could be allowed where a new lot would require a minimum lot size between 20 to 120 acres.

AQUIFER PROTECTION

The Town of Salisbury does not have an Aquifer Protection District but residents and other users rely entirely on groundwater for both potable and non-potable uses.

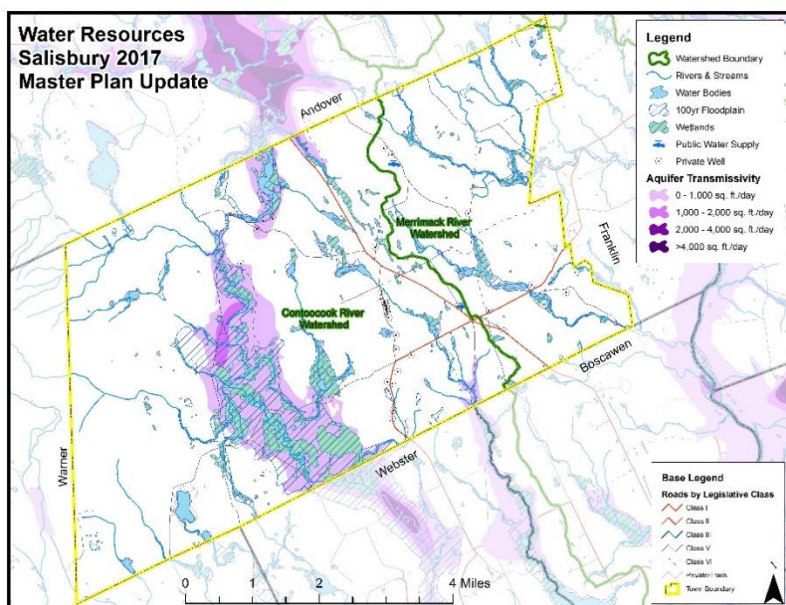
Much of the Town's stratified drift aquifers mapped by the US Geological Survey are situated along the Blackwater River Flood Control Basin area and are already located within protected open space. The aquifer areas in Salisbury fall within the Contocook River (Blackwater River sub basin) and Upper Merrimack River watersheds. Large volumes and transmissivity of groundwater are present along the Blackwater River and Beaverdam Brook in Salisbury. The need exists to protect this critical water resource from land uses on or nearby that could adversely affect groundwater.

The Town should consider adopting regulations establishing best management practices for land uses within the identified stratified drift aquifer areas and to establish best management practices to protect existing and proposed private wells. These include:

- Require performance standards within the aquifer areas for commercial activities such as vehicle service and repair

shops, junkyards, or other activities that produce liquid waste.

- Identify minimum Water Systems Protection Areas (WSPAs) for domestic wells (75 foot radius) and public water supplies (150 foot radius), and require performance standards within the WSPAs, such as regulating proposed land use activities, drainage to be sloped away, minimum 50 feet distance from roads, driveways or parking, and approved wastewater piping. In addition, provide maintenance, testing and inspection requirements.
- When the opportunity arises, obtain new permanently protected conservation land over the aquifer using the Conservation Fund or non-profit conservation assistance.



MINOR AND MAJOR SITE PLANS

While the Salisbury Subdivision Regulations include a distinction between major and minor subdivisions, the Site Plan Review Regulations contain no such distinction. In an effort to clarify the review process and required materials for site plans, an option would be to modify the Site Plan Review Regulations to include the following threshold definition for minor site plans:

- (1) The plan is for a change of use or expansion of use with minimal traffic impact, no change in access to a public street, and the increase in parking is no more than 2 spaces.
- (2) The increase in gross floor area is no more than 30% of the existing gross floor area, on no more than 700 square feet.
- (3) There are no special issues or concerns regarding the proposal.

Home-based businesses application that meet the requirements of the Zoning Ordinance and the above thresholds would then only be subject to Minor Site Plan Review.

COTTAGE DEVELOPMENT

Within the Village Center Overlay District, provisions for Cottage Development could be added. Cottage Development is a type of cluster development where smaller than typical units are grouped around common areas and facilities. Often Cottage style units are freestanding and are attractive to both single persons and elderly residents wishing to downsize.

There are examples of successful Cottage-style developments in New England and beyond. Cottage development would be more consistent with the intent of maintaining the rural, traditional land use atmosphere while providing alternative and affordable housing



Source: Spokane (WA) Municipal Code

in Town, especially when compared with traditional multi-family and duplex developments.

HIGHWAY ORIENTED DESIGN

The Town of Salisbury's Zoning Ordinance regulations allow for a wide variety of intensive land uses in most of the community by either the granting of Special Exception by the Zoning Board of Adjustment, or by issuance of a Conditional Use Permit by the Planning Board.

To assist in retaining the Town's rural character in the future, a number of standards could be included in the Site Plan Review Regulations to address the potentially negative impacts of frontage development on US 4 and NH 127.

- **Driveway design standards:** Examples for new single-family homes include: Right angle driveway between 12-22 feet in

width located at least 150 feet from an intersection and at least 300 feet away from existing driveways on same side of the street where possible.

Non-residential driveways should have a minimum width of twenty feet (20) and a maximum width of twenty-eight feet (28). Driveways along US 4 and on NH 127 within the Village Zoning District should not be located within 200 feet of an intersection when the posted travel speed is 40 MPH or less. When posted speeds exceed 40 MPH, driveways should not be located within 300 feet of an intersection. The spacing between driveways should be a minimum of 300 feet, with 500 feet being the desired minimum, along US 4 and on NH 127 within the Village Zoning District.

Driveway locations should be selected to provide safe sight distance and shall be in accordance with the standards of the American Association of State Highway and Transportation Officials (AASHTO) or New Hampshire Department of Transportation (NHDOT) standards, the where the stricter regulation shall apply.

- **Community character standards:** Examples for new development or modifications to existing buildings include: lighting, community color scheme, stone or brick base signage, picket fence or hedge screening and architectural treatments.
- **Building placement:** Buildings should be set forward on the lot with landscaping in front of the buildings. No more than 25% of the building frontage should be encumbered with buildings. Larger buildings may be built behind the frontage buildings.
- **Landscape buffer:** As an alternative, a minimum 300-foot natural landscape strip could be maintained between the right

of way and the proposed uses in order to fully screen the use from view from the highway. The 300-foot natural buffer should only include an access driveway and a utility corridor from the highway which both shall be bent or curved so the proposed use is not directly viewable from the highway. Additional plantings may be needed to provide the proper screening.

- **Parking:** Specific standards should be established for each major category of use within the Site Plan Review Regulations. The Board could allow up to 35% of the required parking to be shown but not initially constructed. Parking should be placed to the rear and sides of the building.
- **Landscaping** should be provided along the highway frontage including decorative masonry or wooden fences between three and four foot in height, along with evergreen hedges and a mixture of shade and evergreen trees to provide year- round color and to soften the hard surfaces. Existing native vegetation can be preserved on site to meet all or part of the landscaping requirements. Invasive species shall be removed and the area replanted with native species.
- **Buildings:** All buildings within 300 feet of the right-of-way should have width of no more than 80 feet fronting the highway, have a peaked roof, and all mechanical equipment should be located behind the buildings or be fully screened from view. The buildings within 300 feet of the highway shall be clad with either wood or cementitious planking, be provided with wooden trim including corner boards, window trim, facias and soffits. The Planning Board should only approve buildings which are in keeping with the appearance and scale of historical New England rural development unless

the use can be fully screened from the highway or the abutting properties.

It is recognized that many rural uses such as the Barn Store of New England or a Recreation Commercial Outdoor use will have a need for outside sales and storage. The US 4 and NH 127 frontage should not be dominated by these uses, while still allowing for the opportunity for business to present their merchandise. Requirements could be established which limit the amount of frontage along the highway devoted to these uses; for example, outside display and sales could be limited to no more than 25% of the road frontage to a depth of 50 feet so a business can display their materials and equipment sold or produced on site. Said areas should be neatly maintained. A five-foot landscape strip consisting of low flowering plants could be required along the display frontage. All other areas of outside storage should be fully screened from view from public rights of way and adjacent land uses.

FLOOD HAZARD PROTECTION

The Town of Salisbury's Floodplain Development Ordinance has been adopted as part of the community's Building Code. The Ordinance was last updated in 2010 to accommodate the new National Flood Insurance Program April 19, 2010 maps. An advisory note should be added to the Zoning Ordinance, Subdivision and Site Plan Review regulations to let potential developers and home builders know about the community's participation in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program.

EXCAVATION OF EARTH MATERIALS

Provisions should be established in both the Zoning Ordinance and the Site Plan Review Regulations governing earth excavations

pursuant to NH RSA 155-E. The purpose of the regulations would be to ensure that the Town's road system is preserved, that abutters and nearby residents are not inordinately disturbed by the activity, and that the property is restored quickly and effectively as each portion of the excavation is complete.

AGRICULTURAL LAND PROTECTION MEASURES

Viable agricultural lands can be lost due to poorly planned residential development, and this loss could adversely impact the existing rural character of Salisbury, which residents in the Community Survey overwhelmingly found to be of the highest importance. A possible method to protect agricultural lands is to establish an Agricultural Overlay Zone whose purpose is to direct residential development away from prime agricultural soils and viable agricultural operations.

The intent is to preserve the development potential of private property while preserving un-fragmented fields and orchards, allowing for continued agricultural use, and helping to preserve the communities rural character.

Prime or significant agricultural lands can be identified through the existing USDA Natural Resources Conservation Service (NRCS) soils map for Merrimack County. Existing agricultural fields, orchards, and significant fallow open fields can be identified using available aerial mapping and local knowledge. A one-time Agricultural Committee could be set up to review this information, identify important agricultural properties, and specify the relevant importance of each agricultural property.

The Agricultural Committee would in cooperation with the Planning Board, Conservation Commission, and Board of Selectmen, develop an overlay zoning map and regulations. A consultant, such as the Central New Hampshire Regional Planning Commission, could assist

the Town in the preparation of the Agricultural District Map and Regulations. This process could also include renaming the existing Agricultural zone as the Rural zone.

The purpose of the Agricultural Overlay Zone would be to direct new residential development away from the identified significant agricultural assets of the Town. For example, a major subdivision of three or more lots within the Agricultural Overlay District might only be approved as an Open Space Development, protecting most of the prime agricultural land as open space. For minor subdivisions of two lots, or the construction of a home on an existing lot, the Agricultural Overlay Zone would act to require homes to be constructed outside of the prime agricultural fields or orchards, wherever feasible. A possible incentive to preserve the prime agricultural areas would allow the new homes to be constructed on smaller lots, possibly lots as small as one-acre with 150' of road frontage, if said areas were permanently preserved through an agricultural easement. Smaller lots might require a portion of the required DES septic tank receiving layer, as well as the required DES well head protective radius, to be located within the preserved agricultural areas.

NON-REGULATORY RECOMMENDATIONS TO MEET FUTURE LAND USE GOALS

The focus of this section is on Conservation, Open Space, and Economic Development. Open space and agricultural preservation are importance to maintain the community's sense of character and are strongly interrelated to potential economic development opportunities now and in the future for the Town of Salisbury.

CONSERVATION, PRESERVATION, AGRICULTURE AND OPEN SPACE

All of the Town's resources, whether natural or human-made, are interconnected and any change to one resource can and will have significant impact on the others. As the Town's population increases, demands on many of these resources will increase, some to the point of threatening the quality and quantity of the resource. The goal is to help develop a balance between development and resource protection within the Town.

When asked to choose the desirable features of Salisbury, maintaining the high quality of the natural environment, and the protection of the rural atmosphere and development pattern were the respondents' major focus.

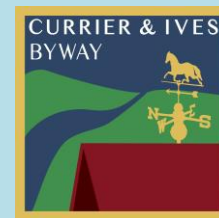
The Town's existing open space consists mainly of forests, flood control reservoirs, fields, small farms, and wetlands.

While significant areas of protected open space exist, a large undeveloped area between the Mt. Kearsarge State Forest Park and the Blackwater River Reservoir is not protected. Other linkages between existing protected open space remain developable, especially in the northeast and southeast portions of the community.

It is important for the Town to identify critical habitats, greenways, agriculture lands, and corridors that should be protected through purchase, easements, or other means. These actions will help to reduce land fragmentation and help maintain the rural, cultural, and historic character of the Town that makes Salisbury the place it is today and the vision of what it wants to be tomorrow.

With this in mind, the Town should maintain the existing 50% land use change tax set aside for conservation purposes.

CURRIER & IVES SCENIC BYWAY



The Currier & Ives Scenic Byway stretches approximately 40 miles through the five towns of Salisbury, Webster, Warner, Hopkinton, and Henniker. Originally designated in 1976 as one of several picturesque New Hampshire "Yankee Trails", the route became a state-designated Scenic and Cultural Byway in 1994. The Currier & Ives Scenic Byway Council formed in 2010, as a recommendation of the Corridor Management Plan. The Council is composed of Selectmen as well as members of local, regional, and state agencies, committees, and organizations. They play an advisory-only role and their purpose is to promote the Byway, encourage collaboration among the Towns along the route, and to advocate corridor-wide protections and improvement efforts. The Council meets quarterly and all meetings are open to the public.

Today the Byway runs the length of NH 127 from the Franklin town line to NH 103, along Route 103 to US 202, along US 202 to Old Concord Road and down Western Ave to the Hillsborough town line. A spur was added to the Byway in June 2017 that extends down NH 103 West up Kearsarge Mountain Road. More information can be found at currierandivesbyway.org.

The Town should coordinate land protection efforts with state, federal and private agencies interested in protecting both locally, and regionally significant open space, within and adjacent to Salisbury.

RURAL ECONOMIC DEVELOPMENT

The Town of Salisbury desires to develop an economic base and services for its residents that are compatible with both the existing high quality natural environment and the community's rural character.

The Town's main economic assets are its natural resources, a well-educated and prosperous population, and transportation linkages, most notably US 4.

Along US 4, placement of gateway signs would welcome an active Village feel and increase economic development opportunities. The placement of crosswalks and traffic calming measures such as striped or raised vegetated islands and trees planted along shoulders would ensure drivers kept speeds lower.

There are several types of economic activities which the Town could encourage to build its economic base while still retaining its rural character.

- Tourism-related businesses which focus on active recreation, especially non-motorized and equestrian activities. Tourism business could support additional lodging establishments such as Bed and Breakfast establishments or a small lodge, recreational outfitters, equestrian facilities or a farm-to-table type restaurant.
- Some institutions, such as a residential treatment facility attracted to rural communities, can generate high-quality jobs,

additional property taxes, and can be operated with minimal adverse impacts on the community.

- Specialty farming, including horticultural and floral operations, as well as small-scale vegetable and fruit production targeting restaurants, and health food establishments and pick-your-own orchards and patches.
- The Town website should include a section expressly outlining what types of economic development activities are most desired in the community. Include photos of the Town's rural assets, successful businesses, Community Survey Results, and post the Zoning Ordinance, Subdivision Regulations, and Site Plan Review Regulations on the same page for ease of availability.

CHAPTER RECOMMENDATIONS & OBJECTIVES

The following Objectives were developed that capture the overall aims of the Chapter. Individual Recommendations were developed that correlate to existing conditions and needs of the community.

OBJECTIVE 1:

Consider the implementation of regulatory recommendations that seek to protect Salisbury's rural character and implement the recommendations that are an outgrowth of the 2013 Crossroads Charette.

- Develop amendments to the Open Space Development Ordinance to increase its use through the simplification of the approval process, the increase of incentives for its use, and the requirement of its use in certain locations.
- Consider the adoption of aquifer protection measures that establish best management practices with the Town's aquifer areas.
- Develop agricultural land protection measures that seek to preserve un-fragmented fields and orchards, this allowing for continued agricultural uses.
- Incorporate provisions for Cottage Style housing development in the Village Center Overlay District to meet the demand for an alternative to the traditional subdivisions.
- Enhance the Town website to include an economic development section outlining the most desired activities in Town; include photos of rural assets, successful businesses and other tools readily accessible to interested people.

- Consider the establishment of an Agricultural Overlay Zone whose purpose is to direct residential development away from prime agricultural soils and viable agricultural operations.

OBJECTIVE 2:

Promote appropriate levels review and design of commercial uses through an update of the Site Plan Review Regulations.

- Implement Major and Minor Site Plan Review criteria to clarify the site plan review process and simplify the review and approval of home based businesses.
- Consider the adoption of highway oriented design standards in the Site Plan Review Regulations that address access and design standards for commercial uses along US 4 and areas of NH 127.
- Establish provisions in both the Zoning Ordinance and the Site Plan Review Regulations governing earth excavations pursuant to NH RSA 155-E to ensure proper permitting, standards and reclamation of sites.

OBJECTIVE 3:

Utilize non-regulatory measures to sustain the Town's rural atmosphere and enhance the existing economic base.

- Implement the recommendations found in the Natural Resources chapter, specifically related to working landscapes and education related to the criteria for identifying and selecting potential conservation lands for acquisition.
- Consider rural economic development measures such as the promotion of specialty farming, tourism-related businesses associated with equestrian activities, and other related commercial activities.