

NORTH BRANFORD CONSERVATION

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CONSERVATION

PLAN

FOR

NORTH BRANFORD



This conservation plan is presented to you, the townspeople of North Branford, to provide you with an increased awareness of our town's valuable natural assets. It is designed to make you concerned about the open space needs of the town, and to promote planning for the best possible use of the community's land while there is still time to do so.



Acknowledgements

The Conservation Commission wishes to express its appreciation to Gordon Miller, President, Northford Historical Society, for information on historic sites; to John Welch for photographs; to E. Robert Gregan for the cover and inside sketches, and to all who generously assisted in this plan's preparation by making editorial comments.

This Conservation Plan has been prepared for North Branford by the members of the Conservation Commission: Jules W. Aubry, Frederick A. Davis, Eileen Doody, E. Robert Gregan, Elizabeth Poulson, Stephen P. Syrotiak, Jr., and Dorothy McCluskey, Chairman. The text was written by Mrs. McCluskey.

February, 1970

Details on any of the plan's recommendations and proposals are available from the Conservation Commission, as are specific references from which information in this plan was obtained.

CONSERVATION PLAN FOR NORTH BRANFORD

Each generation has its own rendezvous with the land, for despite our fee titles and claims of ownership, we are all brief tenants on this planet. By choice, or by default, we will carve out a land legacy for our heirs. We can misuse the land and diminish the usefulness of resources, or we can create a world in which physical affluence and affluence of the spirit go hand in hand.

STEWART L. UDALL

The Quiet Crisis

WHY HAVE A CONSERVATION PLAN?

North Branford is fortunate to have farmlands, wooded hillsides, and good fishing streams, and still be within a fifteen minute drive from the urban advantages of New Haven. Much of the community has a rural atmosphere with cows grazing in open pastureland, fields of crops and roadside farmstands with homegrown produce. It has, in addition, many historic sites of early industry, homes, churches and Indian campsites.

These features make North Branford a most attractive community in which to live, and because of this more people are moving here every year. Consequently, our population is increasing at a rate that threatens to destroy the very things that make it so attractive. This growth need not and indeed cannot be prevented; however, it can and must be directed if the town is to continue to be a good place in which to live—that is; to have a good environment. This is the concern of the Conservation Commission: to ensure the finest possible quality in our community environment. The Commission's purpose is to encourage orderly growth and thereby ensure a balance be-

tween open space and developed space that will provide adequately and economically for the community's recreation and conservation needs.

The importance of open space in shaping the future development of the community is emphasized in the Comprehensive Town Plan of Development, presently being updated by the Planning Commission with the assistance of the Community Development Action Plan Agency (CDAP) and planning consultants Bryan & Panico. Through protection of desirable natural physical characteristics of the town, subdivision and commercial and industrial development would be encouraged in other areas which are more suitable for building, and thus neighborhoods would be created which could economically be provided with town services and which would avoid the blight of suburban sprawl.

This Conservation Plan is based upon a land index of property of ten acres or larger and a study of North Branford's natural resources, as is required of Conservation Commissions by law (PA 490, Sec. 4, 1963). It is intended to serve as a guide to the Planning Commission in its revision of the town's Comprehensive Plan and Open Space map.



WHAT IS OPEN SPACE?

We generally think of open space as undeveloped land of a predominantly natural character. In broader terms it is land which serves one or more of three broad functions: recreation, conservation or control of the location and timing of suburban development. As described in the Open Space Plan of Fairfield, the relevance of open space is "not determined by one factor alone . . . it makes little difference whether the space is small or large, public or private, accessible to the public or fenced off, as long as it is successful in achieving or helping to achieve a valid open space purpose or objective." Public Act 490 defines open space land in more detail specifying its uses:

'Open space land' means any area of land, including forest land and not excluding farm land, the preservation or restriction of the use of which would (1) maintain and enhance the conservation or natural or scenic resources, (2) protect natural streams or water supply, (3) promote conservation of soils, wetlands, beaches or tidal marshes, (4) enhance the value to the public of abutting or neigh-

borhood parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space, (5) enhance public recreation opportunities, (6) preserve historic sites or (7) promote orderly urban or suburban development.

These definitions assign open space land a wide range of uses, some of which will be of greater importance than others to a particular community.

There are many factors to consider in deciding which natural areas have special value to the community and should be kept open. Areas serving multiple open space uses should be given priority, as should areas where the least amount of open land would provide the greatest benefits to the most residents. Which of the three functions of open space is the most important: recreation? conservation? planning? In many cases it will become apparent that a piece of land serves all three functions and should therefore be given a high priority for preservation. A lower priority would be given when only one function is served. The importance of water and water-related land in fulfilling all three functions is becoming increasingly evident. A closer look

at these functions of open space will reveal specific criteria for deciding which lands should be kept open.

Land for recreation: Small neighborhood playgrounds, larger community areas for baseball and tennis, ponds for swimming and boating, rivers for fishing and picnicing, undeveloped natural areas for hiking and horseback riding, and land for golf, winter sports and scout camping are all necessary to serve the needs of the existing and future population of all ages. An editorial in the *North Branford Review* asked the questions, "What is a park? What is recreation?" Their answer was: "We can imagine a park meaning ball field to a twelve year old boy, and a few years later being a place to walk with his girl on a Sunday afternoon, then later a place to take the grandchildren to let off steam or just a place to go for 'peace and quiet'."

Land for conservation: Land set aside for conservation purposes should include areas where development might adversely affect the public health and safety such as land subject to flooding or with poor drainage. In addition land of scenic or of historic significance ought to be protected, and areas of natural importance such as water courses, ponds, swamps and woodlands which harbor wildlife, prevent soil erosion and absorb water and store it ensuring an adequate ground water supply.

Land for planning: The character of the community is determined in part by its visual assets which include scenic areas affording pleasure to both the homeowner and the motorist such as Totoket Mountain, the Farm River and cultivated fields. Rivers and riverbanks should receive special priority for protection because they serve more than one open space use—they provide both recreation and conservation and at the same time act as natural green belts readily accessible from developed areas, and thus play a significant role in shaping the development of the community.



WHAT ARE NORTH BRANFORD'S OPEN SPACE RESOURCES?

Several of our community's natural assets have already been mentioned: the country atmosphere (and its proximity to New Haven), natural beauty, operating farms, fishing streams, historic sites and wooded tracts. The 1961 Comprehensive Plan of Development states: "One of North Branford's greatest resources is the amount of land remaining undeveloped. Because of the topography of the town and the extensive holdings of water companies, approximately one-third of the town (6,000 acres) is likely to remain undeveloped and will provide green space, much to be desired in long range planning." The water companies' lands contribute much to the character of the community. However, they are inaccessible for any recreational use other than that of scenic enjoyment.

The total area of North Branford is approximately 17,920 acres or 28 square miles. New Haven Trap Rock Company has holdings of 734.8 acres. There are 144 landowners holding ten acres or larger parcels of land which total 5,595 acres.

Approximately 196 acres of open space land are publically owned: schools and school sites account for 127 of these acres; town parks and other (administrative buildings, dump, etc.) total 69 acres. Other than school playgrounds and the Worthen and the Administration Building baseball fields, there are two recreation areas serving the entire community. The Northford Recreation Center, 9 acres, provides intensive recreation facilities for this part of town. The Augur property, 23 acres, provides informal recreation space for scout and 4-H activities, camping, group picnicing, etc.

Private recreation facilities or land used for recreation to some extent (camps, golf courses, group outing sites, neighborhood association areas) total 128 acres. Cemeteries, another form of open land, total 34 acres.

The State Board of Fisheries and Game holds fishing rights along much of the Farm River which runs the length of the community. This

river is a natural asset of great value to the community. The Branford River is stocked with trout where it crosses Valley Road. This is the one stream in Connecticut where only women are permitted to fish.

North Branford boasts several lakes: Lake Gaillard, Cedar Lake, Linsley Pond and frontage on Clear Lake and Pistapaug Pond. Two of these, Lake Gaillard and Pistapaug Pond, are owned by water companies and inaccessible. The others offer recreation opportunities to neighboring property owners, but are not open to the public for swimming and boating. Linsley Pond is also used by Yale University as a laboratory lake; it is the deepest natural lake in the New Haven area. This has brought a measure of fame to North Branford:

... even today, after three suburban centuries, Linsley has more of the charm of Thoreau's Walden than Walden Pond has. A full-page portrait of the lake has been published in Scientific American: not satisfied with this, the world's experts on lakes—a busload of them on one occasion—have sought it out to photograph it for themselves.

Edward S. Deevey, Jr.
Dept. of Biology, Yale University
March 1963



WHAT ARE NORTH BRANFORD'S OPEN SPACE NEEDS?

In 1950 North Branford's population was 2,017; by 1960 it had increased to 6,771 and today it approximates 10,500. With these figures in mind, it is not difficult to believe the town will have 30,000 residents by the year 2000 as is estimated by the Regional Planning Agency. The town's existing Comprehensive Plan written in 1961 estimated the potential "holding capacity" of North Branford at 27,000 and "the acres available for building after deducting undesirable building land as 8,455."

During 1967 100 new homes were constructed; during each of the five previous years approximately the same number of new homes was built in North Branford. In other words, land here is being developed at at least 100 acres per year for residential purposes only. If the population estimates for the end of the century prove accurate, North Branford will at that time need 5,881 additional "housing units" for its 30,000 residents, according to Bryan & Panico's 1969 preliminary projection. In 1967 North Branford had 2,775 housing units (CDAP Report 1968). The 1968 CDAP report warns that the projected housing needs in the next thirty years are for "roughly double the amount allowed under existing zoning on the buildable vacant land."

It is the Conservation Commission's responsibility to make certain that this land is developed with the natural assets of the community in mind. The land should be put to its wisest use. Houses should be built on well drained soil, not on filled in swamps or rocky hillsides inviting future costly sewage drainage problems. Open space and recreation areas should be accessible from highly developed areas, and land of irreplaceable natural and historic value should be protected from development. The beauty of the community should not be neglected in the process of growth. The image of the community can be enhanced, especially in its commercial centers by encouraging observance of aesthetic standards. In other words it is the Conservation

Commission's responsibility to maintain the environment that makes this a good community in which to live.

Only about 30% of the homes in North Branford are provided with public water; none are provided with sewers. Therefore, the majority of lots must be of a size that will safely support both a septic system and a well. The recent Sewer Study Committee Report states that "critical sewage disposal and pollution problems exist throughout the town now and sewers are needed to protect the safety, health and welfare of the community." It would appear, therefore, that existing building regulations and enforcement procedures have been unable to protect the town's environment while coping with its rapid growth. Solutions to the problem of existing pollution are likely to be costlier than preventive measures.

High taxes are already a burden for North Branford residents. A recent study by the Connecticut Public Expenditures Council (CPEC) for North Branford points out that "the local mill rate reflected the highest absolute 35.5—and relative—151 percent—increase of any of the nine towns under review during the 1958-68 period. North Branford is currently spending nearly 80 percent of its total general fund appropriation on education" (*New Haven Register* 6/1/69). In 1969 a typical \$25,000.00 homeowner paid average taxes of \$529.85 per year (CPEC 1969). The expenses per pupil for education in 1966-67 were \$517.44 (CPEC 1968 in Board of Education Report, March 1968). Therefore, assuming this household had two children, the town's educational expenses were \$1034.88. The average family size in North Branford in 1960 was 3.7 compared to 3.2 in the region (CDAP, 1968). Add to this the cost of street lighting, road maintenance, police protection, administration, recreation, etc. and it is obvious that this home's taxes do not cover the amount the town spends to provide services for it.

The New Haven Water Company land is designated "open space" on the present town Open Space map. North Branford, has however,

no zoning regulations governing the use of this land—more than 30% of the community. In the last year 70 acres in three separate parcels have been offered for sale or lease by the New Haven Water Company. On much of this land the zone designation of "business" has been requested by the buyer. Recent state law requires the New Haven Water Company to offer to the town any land it proposes to sell because:

It is found and declared that the conservation of undeveloped lands and preservation of open spaces, together with orderly control and development of remaining natural resources is the settled public policy of Connecticut and bears a substantial relationship to the public health and safety and common welfare.

North Branford, has however, no money budgeted for purchasing such lands.

The active recreation needs of North Branford are being well met by the Park and Recreation Commission, especially in the activities provided for the elderly. Nevertheless, present recreation facilities and land are inadequate for the expanding and predicted population. An increasingly shorter work week will provide many with increased leisure time for recreation. In addition to organized recreation there is equal need for non-competitive outdoor recreation opportunities such as hiking, picnicing, hunting and fishing. North Branford has no public swimming or skating facilities. To fill these needs the Regional Planning Agency proposes a minimum of 360 acres be acquired by North Branford by the end of this century.

The Board of Education foresees the need for future elementary school sites, one in Northford and one in North Branford by the mid-1970's. (General Plan, May 23, 1967.)

Thus, the open space needs of North Branford include providing housing for the future population, while protecting the natural resources and variety of environments that make the town a good place to live, and planning for increased recreation and school site needs.

WHICH LANDS SHOULD BE KEPT OPEN? SPECIFIC RECOMMENDATIONS:

The following is a list of specific lands which the Conservation Commission feels should remain undeveloped. Areas serving multiple open space functions have been given priority. These areas are shown on the Open Space Resources Map prepared by the Conservation Commission for use by the Planning Commission in its updating of the town's Comprehensive Plan.

1. All riverbanks should be kept open to form natural greenbelts. Particularly in the Farm River the community has a valuable asset—a linear park that could become the focal point for the town's open space planning. It is ideally situated to serve the multiple open space needs of the town: recreation, conservation and planning. Retaining an open space corridor along the Farm River and protecting and developing its natural resources would significantly enhance the community.

It would form the basis for a framework of community recreation sites readily accessible from built-up areas. Historic sites along the river should be designated for use as outdoor museums illustrating our town's early traditions. Similarly, swamps and woodlands along the river should be designated, some as natural areas for study of native flora and fauna, some as hunting grounds.

Recreation in the form of fishing rights already exists along much of this river (and the Branford River), and picnic and camping grounds are provided on the town-owned Augur property near the town garage. Hiking easements along the Farm River could be purchased to provide another popular form of recreation. Walkways along the Farm River from developments near the Durham town line could afford children safe access to the Northford Recreation Center.

Since the Farm River leads to a public water supply, it is of particular importance for public health protection that development be restricted along its banks. Regulations are needed to en-

sure this public protection, as they are also needed to provide private protection from building upon lands subject to flooding. Flood plain lines and stream encroachment lines should be established along the entire length of the river.

2. Lakefront of Cedar Lake—30 acres—bordered by Cedar Lake School. This area contains a bog and woods of value for educational use and recreation and wildlife preservation. This is included in areas recommended for open space acquisition by the Regional Planning Agency of South Central Connecticut (RPA).

3. Wooded area adjacent on the north to the town-owned Augur property—4.8 acres.—This would have recreation value as a picnic, camping, etc. area and would increase the usefulness of the existing town-owned open space here.

4. Area between Valley Road and Branford Road owned by New Haven Water Company—76.9 acres.—Steep wooded hills here are ideal for recreation of an informal nature adjacent to thickly developed areas. There are existing horseback riding trails and a deep ravine on the Branford River. This land is included in RPA recommendations for recreation acquisition.

5. Small parcel of land in the center of North Branford adjacent to the Town Hall. This includes frontage on the Branford River and would provide an outdoor picnic and games area for the elderly recreation program.

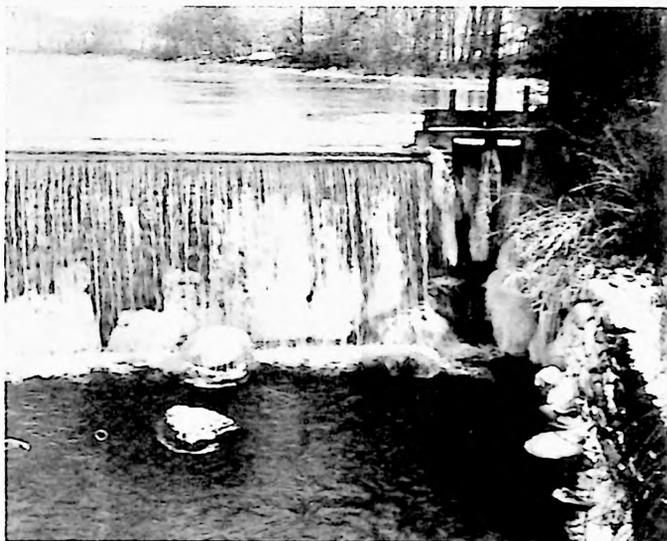
6. Farm and pastureland at junction of Forest Road and Augur Road—20 acres.—This borders the Farm River and has outstanding scenic value.

7. Land adjacent to streams at (A) the corner of Middletown Avenue and Woods Hill Road and (B) the corner of Middletown Avenue and Reed's Gap Road. Both areas have scenic and historic and recreational value. (A) This is the site of Dea. William H. Maltby's reciprocating saw mill (1845). (B) This is the site of the Milo Todd paper mill (1874) and the D. S. Stevens plated tableware firm (1875).

8. Area known as Indian Rock off Old Post Road in Northford—about 15 acres.—This land has scenic and historic value as the legendary site of early Indian camps. The town letterhead and constables' insignia are based upon this.



9. Page's Pond and waterfall north of Mill Road—scenic and historic value. This is the site of Rogers Mills and an early Brush Shop.



10. Area on Sea Hill Road at West Pond Extension—29 acres—partly wooded land including an Indian campsite, desirable for park/recreation use adjacent to a highly developed area.



11. Brush Shop Pond on Route 17 in Northford. Scenic and historic value. The river banks south of the dam contain the sites of the most important early industries in North Branford. (In the period 1830 to 1895 there was manufacturing here of pins, coconut dippers, buttons, spoons, tinware, etc.)

12. Wooded area behind Waterfall Acres—contains a waterfall and is used as a camping site by scouts.

13. The present town dump and land adjacent to it—much of this land is rock ledge or swamp, suitable for a future wildlife preserve and informal recreation area.

14. The site of Dan Jones' brownstone quarry (c1830) off Route 17 near Village Street—about 20 acres.—This is a rocky wooded hilltop of historic and casual recreation value. Stones from this quarry were used for the Northford Congregational Church in 1850, the wall of the Northford Cemetery and many house foundations.

15. Area surrounding Doody's Cross—about 40 acres.—This wooded and open steep hillside has value as a community park/winter sports area; it is included in the RPA recommendations for open space acquisition.

16. Some sizable parcel in the general vicinity of Lane's Pond Road near Durham is desirable to provide recreation near this highly developed area.

17. Peat bog off Totoket Road is also of geologic interest for its prehistoric relics.

This is not intended to be a complete list and suggestions and additions are welcomed. The Conservation Commission hopes this plan and these recommendations will form the basis of a program for long range protection. Both public and private action is needed to succeed in having land available for recreation, conservation and the shaping of community growth.



HOW CAN THIS LAND BE KEPT OPEN?

A variety of techniques other than direct land acquisition should be used to keep this land open. Some of it can be kept in private ownership and still serve open space needs; some of it can be protected by "less than fee" legal devices such as easement (where the right such as the right to develop the land may be purchased but not the land itself) or purchase and lease-back; and some can be protected through planning and zoning regulations. A few landowners with the sense of stewardship and an awareness of the tax advantages will donate land. But much land will need to be bought. An active land acquisition program should be undertaken at once. No specific priority schedule has been established yet for fulfilling these long range needs. Priority in some instances will be dependent on the threat of loss through imminent development.

A Land Acquisition Fund should be included by the Board of Finance in the next budget. Funding could be initiated with the proceeds of the "real estate conveyance tax" (which prior to 1968 went to the federal government and now goes to the municipalities). This tax amounts to \$1.10 on each \$1000.00 of property which changes ownership, and is estimated at approximately \$3500.00 per year for North Branford.

State and Federal Open Space Grants can be used to ease the burden of land acquisition on the local property tax. These grants can equal from 50% to 75% of the land costs, and insure that such land is restricted to recreation and conservation uses.

The North Branford Land Conservation Trust can be instrumental in establishing an active land acquisition program, including an educational program outlining the tax advantages of donating land. The Land Trust is a private, non-profit, tax-free organization which holds land in its natural state for the benefit of the community.

The 1961 Comprehensive Plan of Development emphasizes:

North Branford has a unique opportunity now for planning a recreational system before land is used for other purposes. . . . Such land need not be all flat and level, but may be and some of it certainly should be rough, even wild, land unsuited to any other use than a natural park. . . . A cooperative agreement with owners of unused land such as the New Haven Trap Rock Company and The New Haven Water Company with proper safeguards might be worked out. Certain human activities can be carried on within a watershed with no real danger of pollution.

While the development and operation of neighborhood public parks and playgrounds is the responsibility of the Park and Recreation Commission, recommendations as to the location and acquisition of recreation and open space sites to meet future needs is a problem for the Planning Commission and Conservation Commission. Acquisition of recreation and school sites in advance of residential land subdivision whenever possible is most desirable. Such land can be purchased at a lower price by doing so, and it achieves a dual open space purpose by providing land for recreation and at the same time helping to shape the growth of the community by encouraging subdivision of land located where it can be the most economically provided with municipal services.

Planning and Zoning Regulations can play an important role in providing open space. Zoning regulations are presently being established for the water company's land. Stricter enforcement of existing subdivision and zoning regulations and litter ordinances is needed. Combining the Planning and Zoning Commissions could greatly increase the efficiency and coordination of their functions. In addition a full time Planning and Zoning Administrator is needed. Residential zoning regulations must be altered to reflect projected housing needs.

Commenting on the proposed revision of the

existing zoning regulations, the Conservation Commission has requested the Zoning Commission to consider several additions: inclusion of a "village district" zone, stricter sign regulations, restriction of development in areas subject to flooding, and incentive for more imaginative residential subdivisions that are based upon the natural features of the site ("planned residential district" or "cluster development"). Cluster type development has proven to be a valuable means of providing open space and is not a new concept: "Cluster development is simply the old New England village brought up to date—houses built close together and, at the front door, open land held in common." (*Connecticut Conservation Reporter*, February 1969)

Under existing *subdivision regulations* a developer may be required to set aside a minimum of one acre in forty for open space. The Naugatuck Valley Regional Planning Agency pointed out in a 1967 report that in some instances, in lieu of reservation of this land for open space, developers might be instructed to make a cash payment to a special fund for purchase of park lands. This could result in larger parks at strategic locations, where this is deemed desirable, rather than many small parks difficult to maintain and administer.

Development along riverbanks, especially the Farm River should be restricted so as to preserve natural greenbelts throughout the community and protect streams and rivers from further pollution. Setting aside of a trail or streambank easement whenever appropriate should be required, especially when a subdivision is laid out on land formerly crossed by a publicly used trail or any watercourse. The water supply should be further protected by an ordinance prohibiting the unregulated filling and draining of swamps.

Implementation of the *Beautification Plans* for the two town centers could contribute to both the aesthetics and economics of these areas, and the image of the community. Making underground wiring mandatory in all new developments would maintain the natural beauty of the area and increase the value of the homes.



Establishing Historic Districting could contribute to meeting open space objectives. A Study Committee has been appointed to assess the need for Historic Districting and to study and make recommendations.

Under Connecticut *tax assessment* legislation land designated open space by the Planning Commission on an adopted Open Space Plan may be classified as open space for purposes of property taxation. Owners of such land may apply for its classification as such with the town assessor as outlined in PA #490, Sec. 5, 1963. Connecticut law also empowers towns to condemn land for open space purposes and permits conservation commissions to acquire land and gifts in the name of the municipality for conservation purposes.

CONCLUSION

We can no longer claim our land and streams are unpolluted—it is too late. We must pay the price to clean them up. It is not too late, however, to prevent further development on stream-

banks, on swampland, and on steep, poorly-drained hillsides. Maintaining the country atmosphere that forms an essential part of the character of our community now is not incompatible with community growth, provided this growth is planned for and directed.

But, to avoid the kind and location of development that will place an inordinate economic burden on the existing community, will require identification of areas with the highest potential for development: residential, commercial and industrial, and of areas most valuable for permanent open space uses. Planning and zoning regulations based upon consideration of the natural characteristics of the land, accompanied by a land acquisition program, can accomplish much to ensure the finest possible quality in our community environment. Most important of all, however, is the awareness of each resident of North Branford that the physical and economic well-being of his community is fundamentally dependent upon the wise use of its natural resources.



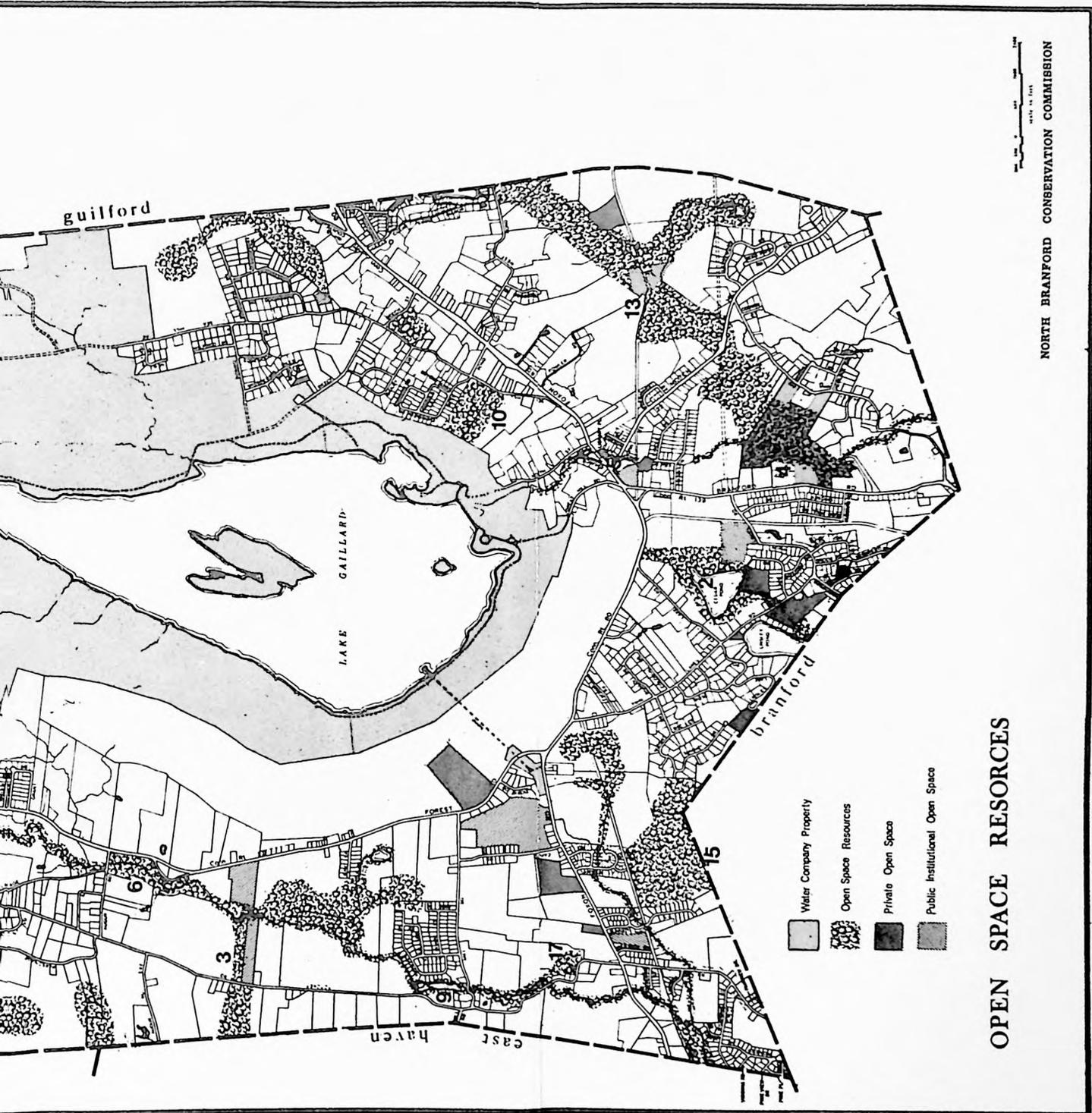
*The concept of the public welfare is broad and inclusive. . . .
The values it represents are spiritual and physical, aesthetic as well
as monetary. It is within the power of the legislature to determine
that the community should be beautiful as well as healthy, spacious
as well as clean, well balanced as well as carefully patrolled. . . .*

WILLIAM O. DOUGLAS
BERMAN VS. PARKER

U. S. Supreme Court Nov., 1964

NORTH BRANFORD
c o n n e c t i c u t





OPEN SPACE RESOURCES

NORTH BRANFORD CONSERVATION COMMISSION

PHOTOGRAPH LOCATIONS

Page	Location
2	View from Route 22 at Augur Road
4	Pond on Route 22
5	Farm River at Augur Road
8 top	Area known as Indian Rock, near Old Post Road
8 middle	Page's pond and waterfall
8 bottom	Area on Sea Hill Road near West Pond Extension
11	Bridge across the Farm River on the Town's Augur Open Space Property. Bridge designed and built by Boy Scout Troop 453
12	Farm River on the Augur Open Space Property

Conservation is more than preventing the destruction of the landscape. Conservation is not derived from 'conservatism,' the resistance to change, but rather is concerned, in common with planning and zoning, with assigning the proper amount, location and character of land to its appropriate use so that both man and nature may live together in harmony for their mutual benefit.

SALEM S. SHAPIRO, A.I.P.
speech delivered at Connecticut
Association of Conservation Commissions
winter meeting 2/20/69



