

# ORDINANCE CONCERNING THE DESIGNATION OF SCENIC ROADS

**Adopted: April 22, 1986**

**Effective: May 15, 1986**

SECTION 1 Pursuant to the provisions of Section 7-149(a) of the Connecticut General Statutes (P.A. 81-401), the Planning Commission may designate town highways or portions of highways as scenic roads. No state highway or portion thereof may be designated as a scenic road under this ordinance.

SECTION 2 The Planning Commission shall consider designating as a scenic road only those town roads which are free of intensive commercial development and intensive vehicular traffic and which meet at least one of the following criteria:

- 2.a It is unpaved,
- 2.b It is bordered by mature trees or stone walls,
- 2.c The travel portion is no more than 20 feet in width,
- 2.d It offers scenic views,
- 2.e It blends naturally into the surrounding terrain, or,
- 2.f It parallels or crosses over brooks, streams, lakes or ponds.

## SECTION 3

3.a When a highway is to be considered for designation as a scenic road, the Planning Commission shall schedule a public hearing on the proposal. Hearing notices and deadlines will be in accordance with the provisions of Section 8-26(d) and (h) and 8-26(e) of the Connecticut General Statutes. The Planning commission shall notify the Selectmen, the highway foreman, and owners of lot frontage abutting the highway or portion of a highway of the proposed designation and scheduled public hearing.

3.b Following the public hearing, the Planning Commission shall vote on the proposed designation. No highway or portion of a highway may be designated as a scenic road under this section unless the owners of a majority of lot frontage abutting a highway or a portion of the highway agree to the designation by filing a written statement of approval with the Town Clerk of the Town of Woodstock. The designation shall become effective upon such date as the Planning Commission may establish.

3.c The scenic road designation may be rescinded by the Planning Commission, using the same procedures and having the written concurrence of the owners of a majority of lot frontage abutting the highway.

3.d Any person aggrieved by a designation of a highway or a portion of a highway as a scenic road pursuant to this Section by the Planning Commission may appeal such designation in the manner in utilizing the same standards of review provided for appeals from the decisions of Planning Commissions under Section 8-28.

#### SECTION 4

4.a No road which has been designated as a scenic road under this ordinance shall be altered or improved, including but not limited to, widening of the right of way or of the travel portion of the road, paving, changes of grade, removal of stone bridges, straightening, removal of stone walls, and removal of mature trees, except for good cause determined by the Planning Commission. Prior to the Planning Commission approving any alteration or improvement of a road designated as a scenic road under this ordinance. The Planning Commission shall schedule a public hearing on the proposed alteration or improvement. The Planning Commission shall notify the Selectmen, the highway supervisor, and owners of lot frontage abutting the highway or portion of the highway designated as a scenic road of the proposed alteration and improvement and scheduled public hearing. Hearing notices and deadlines shall be in accordance with the Provisions of Section 8-26D and 8-26E of the Connecticut General Statutes. Following the public hearing, the Planning Commission shall vote on the proposed future alterations and improvements and shall state the reasons for any such approved alterations or improvements in its minutes.

4.b Any highway or portion of any highway designated as a scenic road shall be maintained by the Town, in good and sufficient repair and is in passable condition. Nothing in this Section shall be deemed to prohibit a person owning or occupying land abutting a scenic road for maintaining and repairing the land which abuts the scenic road if the maintenance or repair occurs on land not within the right of way, paved or unpaved on the scenic road.

#### SECTION 5

This ordinance will become effective 15 days following its publication in a newspaper having circulation in the Town of Woodstock.