

Chapter 57

SCENIC ROADS, DESIGNATION OF

[HISTORY: Adopted 8-30-1999 by the Special Town Meeting of the Town of Somers, effective 9-20-1999. Amendments noted where applicable.]

~ 57-1. Definitions:

As used in this chapter, the following terms shall have the meanings indicated:

OWNERS -- Those persons having record title ownership to land which directly abuts any roadway subject to the provisions of this chapter.

PLANNING COMMISSION -- The Planning Commission of the Town of Somers or any other Commission designated with those powers set forth in Chapter 126 of the Connecticut General Statutes.

TOWN -- The Town of Somers, a municipal corporation having its territorial limits within the County of Tolland.

~ 57-2. Procedure for establishing scenic roads.

A. The Planning Commission shall have authority to designate any town road as a scenic road.

B. Such designation shall be made by a majority vote of the Planning Commission.

C. Prior to the designation of any road as a scenic road, the Planning Commission shall receive authorization, in writing, approving such designation from owners of a majority of lot frontage abutting the highway or portion thereof to be designated as a scenic road. All such approvals shall be filed in the Town Clerk's office. Any property along said road, owned by the Town of Somers, shall be included in the lot frontage calculation. Authorization from the town shall come from the Board of Selectmen.

D. The Planning Commission shall hold at least one public hearing before designating any highway as a scenic road.

E. Any highway designated as a scenic road must have at least two of the following characteristics:

- (1) It is unpaved.
- (2) It is bordered by mature trees or stone walls.

- (3) The traveled portion is no more than 20 feet in width.
- (4) It offers scenic views.
- (5) It blends naturally into the surrounding terrain.
- (6) It parallels or crosses over brooks, streams, lakes or ponds.

~ 57-3. Procedure for making alterations or improvements.

A. Any person wishing to make improvements or alterations to a scenic road shall make application to do so to the Planning Commission. For purposes of this section, "improvements or alterations" shall include, but not be limited to widening the right-of-way or traveled portion of the roadway, paving the traveled portion of the roadway, changing the grade of the roadway, altering the path of the roadway and removing any stone walls or mature trees. Notwithstanding anything to the contrary, the Town of Somers shall be required to make a similar application to the Commission in order to make improvements or alterations to a scenic road. Alterations or improvements shall not include minor improvements or repairs made by the Town of Somers in order to keep said scenic road in good, sufficient and passable condition.

B. Prior to approving any alterations, changes or improvements to a scenic road, the Planning Commission shall hold at least one public hearing on the application.

~ 57-4. Public hearings.

All public hearings required under this chapter shall be held in accordance with Chapter 126 of the Connecticut General Statutes.

~ 57-5. Rescission of scenic road designation.

A. The Planning Commission may rescind a scenic road designation by majority vote after receiving approval, in writing, from the owners of a majority of lot frontage abutting the scenic road.

B. The Planning Commission shall hold at least one public hearing on an application to rescind a scenic road designation.