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Designation of Scenic Roads

Sec. 13b-31c-1. Definitions

(a) “Advisory Committee” means the Scenic Road Advisory Committee established pursuant to these regulations.

(b) “Commissioner” means the Commissioner of the Department of Transportation (DOT).

(c) “Department” means the Department of Transportation (DOT).

(d) “Improvement” means actions or activities initiated by the Department of Transportation which alter or improve a designated scenic road in one or more of the following ways: (1) widening of the right-of-way or traveled portion of the highway, (2) installation or replacement of guide railing, (3) paving, (4) changes of grade, and (5) straightening and removal of stone walls or mature trees.

(e) “Scenic Road” means any state highway or portion thereof that (1) passes through agricultural land or abuts land on which is located an historic building or structure listed on the National Register of Historic Places or the state register of historic places, compiled pursuant to section 10-321 of the general statutes, or (2) affords vistas of marshes, shoreline, forests with mature trees or notable geologic or other natural features.

(f) “State Highway” means a highway, bridge or appurtenance to a highway or bridge designated as part of the state highway system within the provisions of chapter 237 of the Connecticut General Statutes, or a highway, bridge or appurtenance to a highway or bridge specifically included in the state highway system by statute.

(Effective May 1, 1989)

Sec. 13b-31c-2. Administration, advisory committee, composition and duties

(a) The Commissioner shall establish a Scenic Road Advisory Committee. This Committee will include representation from the Departments of Transportation, Environmental Protection and Economic Development.

(b) The Advisory Committee shall meet quarterly, unless there is no business, or as necessary to:

(1) Develop a method to systematically evaluate requests for scenic road designation.

(2) Review and evaluate the requests submitted to the commissioner to designate a State highway, or portion thereof, as a scenic road.

(3) Prepare recommendations to the Commissioner as to those highways, or portion thereof, appropriate for designation as a scenic road.

(4) Review Department proposals to evaluate whether the proposed improvement will have an effect upon or alter the characteristics that qualified the highway as scenic.

(5) Recommend alternate courses of action which could avoid, mitigate or minimize adverse effects of the improvement on the scenic road, without compromising the safety of the traveling public.

(6) When conditions of development, zone change or other local action occur they may review the designated scenic road and recommend to the Commissioner any changes in designation.

(Effective May 1, 1989)

Sec. 13b-31c-3. Request to designate a highway as scenic

(a) Requests to designate a state highway as a scenic road may be made to the Commissioner by any agency, municipality, group or individual.

(1) Requests for consideration must include a report providing pertinent information on the proposed designated highway. This report shall be prepared by the requesting agency, municipality, group or individual and submitted to the Commissioner. The report shall include the following:

- (A) Highway segments or areas to be included.
- (B) Description of natural and cultural resources and features of scenic interest.
- (C) Existing land use.
- (D) Photographs of outstanding and representative scenery.

(E) Properties listed on the National Register of Historic Places and/or state register of historic places.

(b) The Advisory Committee shall make a systematic evaluation of the extent and quality of historic or scenic, natural and cultural resources for the proposed designated scenic road.

(c) The Advisory Committee may review any reports, letters, articles, etc. or any other document which it deems necessary to assist in its recommendation. It may also request additional information from the applicant to clarify any information provided in the report.

(d) Within 90 days of its meeting, the Advisory Committee shall, based on the review of the submitted information report and systematic evaluation of the resources, forward recommendations to the Commissioner for approval or denial of designation. This recommendation will include the identification of the specific features or characteristics which would qualify it as scenic or the reasons why a scenic designation is not considered appropriate.

(e) Within 45 days after receiving the Advisory Committee's recommendation, the Commissioner will approve or deny the request for scenic road designation.

(f) Within 15 days of the Commissioner's determination, the requesting agency, municipality, group or individual shall be informed in writing of the decision and the basis for it.

(Effective May 1, 1989)

Sec. 13b-31c-4. Reconsideration of requests to designate a highway

(a) State highways which do not receive a recommendation for designation or are recommended for deletion will receive no further consideration until additional information is presented to the Commissioner. This additional data is limited to the specific item or items which resulted in the denial or deletion of scenic designation. Within 60 days of its meeting to reconsider, the Advisory Committee shall forward its recommendation to the Commissioner for a final decision.

(b) Within 45 days after receiving the Advisory Committee's recommendation, the Commissioner shall render a final decision on the requested designation.

(c) Within 15 days of the Commissioner's final determination, the requesting agency, municipality, group or individual, shall be informed in writing of the final decision and the basis for it.

(Effective May 1, 1989)

Sec. 13b-31c-5. Qualifications for a scenic road

(a) In order to qualify for scenic road designation, the state highway under consideration must have significant natural or cultural features along its borders such as agricultural land, an historic building or structure which is listed on the National Register of Historic Places or the state register of historic places or affords vistas of marshes, shoreline, forests with mature trees or notable geologic or other

natural features which singly or in combination set this highway apart from other highways as being distinct.

(b) The proposed scenic road shall have a minimum length of 1 mile.

(c) The proposed scenic road shall have development which is compatible with its surroundings and must not detract from the scenic, natural character and visual quality of the highway area.

(Effective May 1, 1989)