

July 11, 2022

#22-09 – Scenic Road Rescinding - Stochowiak

Location: North School Road

Intent: Rescind Scenic Road designation

Application Received: June 13, 2022

Application Acknowledged: June 13, 2022

Public Hearing to be Opened: July 11, 2022

Review: North School Road was designated as a scenic road in the early 1990's by Planning and Zoning Commission at the request of the residents, due to the limited development along its frontage, as well as the landscape and natural beauty along its frontage. When a road is designated as a scenic road, it limits the nature of physical improvements that can occur in the road right of way that may impact the qualities that reflect the designation. This includes drainage and road surface improvements. Please refer to the attached copy of the Scenic Road Ordinance which provides details on designating, rescinding and altering such roads.

Over the years, it has become increasingly difficult for the Town to maintain the Road at certain times of the year. Due to the nature of the subsurface of the road, the prevalence of frost thaw due to groundwater impacts, especially, during the late winter – early spring timeframes. This causes impairment of vehicle travel, including plows, school buses and emergency vehicles.

Properties on North School Road are subject to Section 4.04.03.b and c criteria of the Zoning Regulations. These regulations referred to as the 'density multiplier regulations' reduce the amount of development that can occur along its frontage by recognizing that additional vehicle trips on a road such as North School Road will only cause for further disrepair of the Road.

Recently, the Post Office has discontinued mail service to the residents on North School Road due to the challenges that the delivery vehicles have had in accessing it. This has caused for residents on North School Road to be further concerned with the situation.

One resident, who lives on North School Road, has facilitated the subject application. The application materials include the signatures of residents who represent the majority of land owner frontage on North School Road. Please refer to the attached copies.

Planning Staff has requested comments from the following staff: Town Manager, Chief of Police, and Director of Public Works. The Chief of Police has responded with email comments which are attached. The Director of Public Works is out of the office with an illness at the

moment and was not able to respond. His comments, as well as input from the Town Engineer, are important for the Commission's consideration.

Planning Staff met with the Town Manager to discuss the subject application which resulted in identifying a number of important points will need to be considered by the Commission as it evaluates the subject proposal.

North School Road has not been the subject of any long term plan to significantly improve and pave from a Capital Improvement Plan perspective, since it has a low traffic demand with low density development along its frontage. However, it has been a target of a great deal of costly, creative, and vigilant efforts by the Town Department of Public Works to address the accessibility issues over time. The Town has posted the Road to not allow truck vehicle traffic due to the impacts of those vehicles on the Road.

The cost to perform wholesale improvements to the road surface and subsurface, as well as drainage would be extremely high from a construction and design standpoint. Also, there is no guarantee that the community would support a referendum that targets a low traffic/density road for high cost improvements when there may be justification to focus the funding on other higher demand roads in Town. This situation may also have implications with other unimproved roads such as Hop River Road, which possesses more density and vehicle traffic

Rescinding the designation and pursuing significant improvements to North School Road can have a number of unforeseen impacts which may result in negative affects to the immediate neighborhood and surrounding road network. First, is such a change consistent with the Plan of Conservation and Development standpoint – specifically the Transportation section? Such improvements may cause for increased vehicle truck and passenger traffic between RTES 31, 32, 195 where Merrow/Broadway/North School Road would offer a more direct connection when compared to other roads in the local network. This could change the character of the neighborhoods and have public safety impacts.

The CT General Statutes allow Towns to apply a 'benefit assessment' to residents who possess frontage along a road that is targeted for improvement. This is a tool that would require residents to be responsible for financially contributing to the investment of the improvements since they would reap the benefits of added land value for existing and future development. This is an option that the Town could consider in order to help address the needs of the Road.

The Scenic Road Ordinance allows the Planning and Zoning Commission to authorize certain improvements to a designated road that will enhance the accessibility, safety, drainage but still maintain the scenic qualities that were reflected upon when the designation originally occurred. This may provide a viable option where the road could have expanded improvements

occur to help address the condition of the road and maintain the designation, without inviting the unforeseen impacts.

Planning Staff recognizes that the subject matter is a complicated one with many implications and potential future impacts that the Commission must carefully evaluate. Staff recommends that the Commission open the public hearing to receive testimony from the applicant as well as the public at large and continue the hearing to allow the opportunity for DPW and Engineering Staff to provide their comments. This will hopefully provide for a foundation to achieve a balanced solution that takes into account all of the factors involved.