

addresses. These can be traced from maps in the town Assessor's office.

3. The forms above are considered a written statement of approval and are then submitted to the town clerk and the TP&Z Commission. The TP&Z must hold a public hearing on the application within 65 days of the filing and must approve or disapprove the application. Failure of the Commission to act within 65 days shall be considered as an approval.

*Note: There are other provisions including appeals and TP&Z future action covered in Chapter 88 of the Code of The Town of Fairfield that applicants should read. Copies are available from GHVIS and in the Town Clerk's office*

### **Responsibilities of the Residents of a Scenic Road**

The designation is only the first step in preserving the character of scenic roads. It is the responsibility of the residents to require that the trees, stone walls and road are protected by being alert to any actions by contractors or the town.

Scenic Road designation only places certain limitations on changes, including tree removal on the town right-of-way, and does not put any restrictions on the property of the residents.

In particular, the town or the Town Plan and Zoning Commission may regulate future alterations and improvements on such designated scenic roads, including but not limited to widening of the right-of-way or of the traveled portion of the road, paving changes of grade, straightening, removal of stone walls and removal of mature trees.

As with other TP&Z actions, public notice of such changes must be published and residents have the opportunity to appear at public hearings to challenge any such changes.

If residents see preparations to cut trees that have not been properly posted or to remove stone walls, calls should be immediately placed to the town Tree Warden at 256-3177 or to Town Plan and Zoning at 256-3030.

### **Scenic Road Designation is an Opportunity But Not a Guarantee**

Changes can be made in Scenic Roads but only after public hearings and actions by the town or the TP&Z. Removal of mature trees requires a notice posted on the tree and the date by which a hearing at the tree must be requested.

Fairfield has established the procedure for the designation of Scenic Roads and has shown its interest in helping residents protect the heritage of their environment. It is up to the residents to take advantage of this opportunity and to actively use any and all methods available.

**The Greenfield Hill Village Improvement Society has prepared this Brochure**

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*Scenic Roads in  
Fairfield*

## Scenic Roads in Fairfield

### Their Designation and Advantages

In May of 1989 the Representative Town Meeting adopted Chapter 88 of the Code of the Town of Fairfield that provided the regulations and requirements for the designation of roads as Scenic Roads in the town. Since then, neighbors have worked together and have had all or part of a substantial number of the qualifying roads designated as scenic roads. Because of the requirements for designation as Scenic Roads, most will be in rural areas or areas of low population density such as the Greenfield Hill area or other parts of the northern area of Fairfield.

These rural areas of Fairfield reflect many things. It may be the village green dominated by a lovely white steepled church and surrounded by colonial homes and the famous pink and white dogwoods that crown the spring. It may be the meandering roads that pass old farmlands, fields and wooded lots. The twisting, narrow roads with old stone walls, mature trees, little brooks and borders of briar and bittersweet, fern and alder are not an accident of nature, though nature surely helped. Generations of residents have watched over, worked, and cared for this environment. They initiated the planting of the dogwoods and bulbs that are the essence of spring and they have protected the lands and roads that contribute to the special quality of life in Fairfield.

While Fairfield is no longer a farm based community, and we don't live in an agrarian

economy, we do live in one of the uniquely attractive areas in the country with many rural characteristics. Be a guardian of it for the future when there will be even fewer such areas in which to live.

Next to open space, scenic roads can be one of our important challenges. There will be additional building as long as land is available for division. With development comes the tendency to cut the mature trees for construction convenience, and to widen and straighten some of our country lanes, reducing them to urban motorways. This is happening all over the country and residents of what were once beautiful and rural areas are realizing that, once gone, there is no restoration.

The designation of a road as a Scenic Road will safeguard against town or developer plans to widen the road or to remove trees in the right-of-way without first holding a public hearing.

### Steps to Scenic Road Designation

There are six possible criteria for the designation of a road, highway or portion of a highway as a scenic road by the Town Planning and Zoning Commission. For application as a Scenic Road only **ONE** of these must be met. All criteria applicable to a particular road should be included to increase the potential for the approval of that application. The six criteria are:

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.

**Exclusions:** There are several exclusions to designation as a scenic road.

1. No state highway or portion thereof may be designated
2. No town road or portion may be designated if:
  - A. It contains any condition posing unreasonable risk to the safety of travelers
  - B. It contains any condition that unreasonably burdens the capacity of fire, police, or other emergency vehicles to respond or carry out town duties.
  - C. It contains any condition which unreasonably burdens the capacity of police officers to enforce the law.

**Procedure:** To submit an application for Scenic Road designation the applicants must:

1. Have petition forms, approved by TP&Z, signed by owners of a majority of lot frontage abutting the proposed road. It is suggested that both spouses or all owners sign and that for corner lots signatures be obtained even if the address is on a cross street. Copies of petition forms and a list of residents are available from GHVIS. These petitions, once completed, should be notarized.
2. Include a map showing the application road with owners, lot frontage and