

# Memorandum:

**To:** Planning Commission  
**From:** Steve Masalin, Public Works Director *sm*  
**Date:** January 31, 2012  
**Re:** Rose Hill Road Planned Maintenance  
**cc:** Mayor

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In accordance with the Road Surface Management Plan which was the basis for the \$3.5M bond measure approved resoundingly by the residents, Rose Hill Road is on the list for renovation. Inasmuch as this is a designated Scenic Road, the Planning Commission must approve the specifics of the proposed scope of work.

The road was last resurfaced in 1998. It was shimmed in a few spots and then chip-sealed. We are way past the 5-year typical life span of a chip-seal surface, which is evident in the present condition of much of the road; in 2010 it was rated 33 on a scale of 1 to 100 (the 4<sup>th</sup> worst out of 232 roads, and the worst main road). The road has a few spots of lateral (crown) profile problems, most notably in a low area near the Matthewson Mill Road end. There is also evidence of poor subgrade condition exacerbated by seasonal groundwater intrusion.

The plan is to completely reclaim Rose Hill Road to establish a better overall subgrade condition and conduct selective reshaping relative to crown problems and lateral misalignment. The road would then receive two courses of asphalt to bring it to 3-1/2" thickness according to the requirements of the Road Ordinance for a collector road. In accordance with the Scenic Road Ordinance (attached), the intention is to maintain the present width of road.

In addition to the structural issues discussed above, there are a number of trees that I recommend be removed due to proximity to the edge of pavement, hazardous conditions, or health reasons. In at least one case, heaving of the road is evident adjacent to a tree because of the progressive impact of root and trunk growth. Tree removal on scenic roads is also under the jurisdiction of the Planning Commission according to the ordinance.

I look forward to discussing this project with you and recommend a site walk to examine the overall and specific issues described above. I hope to commence work in early April at the start of the construction season, since it will be a busy one as far as roads go, and this project is relatively straightforward from a construction standpoint.

ORDINANCE: 29

AN ORDINANCE CONCERNING THE DESIGNATION OF SCENIC ROADS

Be it ordained by the Town Council of the Town of Ledyard

Section 1.

Pursuant to the Provisions of Section 7-149a 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 meet at least one of the following criteria:

1. it is unpaved
2. it is bordered by mature trees or stone walls
3. the traveled portion is no more than twenty feet in width
4. it offers scenic views
5. it blends naturally into the surrounding terrain, or
6. it parallels or crosses over brooks, streams, lakes or ponds.

Section 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 shall be in accordance with the provisions of Sections 8-26d and 8-26e of the Connecticut General Statutes. The Planning Commission shall notify the Town Council, the Public Works Director and owners of lot frontage abutting the highway or portion of a highway of the proposed designation and scheduled public hearing.
- 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 the highway or portion of the highway agree to the designation by filing a written statement of approval with the Town Clerk of the Town of Ledyard. The designation shall become effective upon such date as the Planning Commission shall establish.

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

#### Section 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 traveled portion of the highway, paving, changes of grade, straightening, removal of stone walls and removal of mature trees, except for good cause determined by the Planning Commission. The Planning Commission shall state the reasons for such future alterations and improvements in its minutes.
- 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 in passable condition. Nothing in this section shall be deemed to prohibit a person owning or occupying land abutting a scenic road from 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, of the scenic road.

Adopted: May 9, 1984.

Effective: July 5, 1984.