

ARTICLE IV. SCENIC ROADS*

***Editor's note** Inclusion of a nonamendatory ordinance adopted November 14, 1988, §§ 1__5, as Art. IV, §§ 4-66__4-70, was at the editor's discretion.

Sec. 4-66. Designation of scenic roads.

- (a) There are three (3) ways in which to initiate the designation of a scenic road:
 - (1) Recommendation of the planning commission to the selectmen. The planning commission will consider requests to evaluate and consider a road or portion thereof for scenic designation on its own initiative, or upon the request from three (3) or more registered voters. The planning commission will have a subcommittee called the scenic road committee which shall evaluate roads based on the "Criteria for the Designation of Scenic Roads" and propose roads for planning commission recommendation to the selectmen.
 - (2) Initiative of the selectmen.
 - (3) Petition by registered voters to the selectmen pursuant to the provisions of 24 V.S.A. § 1973.
- (b) The board of selectmen may, after one (1) public hearing warned for that purpose, designate or discontinue any town highway or portion of a town highway as a scenic road. The selectmen will make their decision within thirty (30) days of the public hearing. The purpose of the hearing will be to receive comment from all sectors on the proposed action regarding scenic roads.
- (c) The public hearing will be noticed as regular selectmen's meetings are noticed except that a notice shall appear in the paper prior to the hearing giving the time of the hearing and the hearing's purpose. Land owners adjacent to the road which is the subject of the hearing will be given written notice by first class mail at the address their tax bills are sent to. The entity or party recommending, initiating or petitioning for the hearing will supply the selectmen with a list of the adjacent land owners with their addresses so that notices may be sent prior to the

hearing.

- (d) The criteria to be used by the selectmen in designating scenic roads shall be those contained in Appendix F of the publication entitled "Designating Scenic Roads: A Vermont Fieldguide" (Vermont Scenery Preservation Council/Vermont Transportation Board, June 1979), which publication shall also serve as the official guide for the use of the designated criteria.

(Ord. of 11-14-88, § 1)

Sec. 4-67. Identification of town scenic roads.

- (a) Selectmen shall identify designated scenic roads on the Annual Certificate of Highway Mileage (HD-301) filed pursuant to 19 V.S.A. § 305(b). At the time a road is designated as a scenic road, the criteria responsible for this designation shall be clearly identified and recorded in the land records.
- (b) Selectmen shall include proposed expenditures on scenic roads, if any, in the Town Highways Annual Plan (HD-52 rev.) filed pursuant to 19 V.S.A. § 306(e). If an annual plan includes such proposed expenditures, a copy of the plan shall be submitted to the planning commission.

(Ord. of 11-14-88, § 2)

Sec. 4-68. Maintenance, reconstruction and modification of town scenic roads.

- (a) *Maintenance.*

- (1) Scenic roads will be maintained as nearly as possible in the condition which existed at the time of designation; that is, (i) the essential components such as width, alignment and grade of surface will not be changed materially; (ii) elevations and locations of ditch lines shall remain constant except for minimal adjustment required by normal cleaning operations; and (iii) the roadway surface shall not be changed except for graveling or retreatment.
- (2) Permitted roadside maintenance shall be detailed at the time of designation. Normally this would be restricted to the removal of dead trees and brush

cutting to protect established views. For example, if scenic or panoramic views are the reason for the designation, underbrush and small trees shall be removed as necessary to protect the view. If the designation was created because of stone walls or similar unique roadside features, these factors should be noted and maintenance activities adjusted to protect and enhance them.

- (3) The book titled "The Vermont Back Road/Erosion Control Handbook" (Ottawaquechee Regional Planning and Development Commission, 1979) is adopted as the official guide for maintenance. Nothing contained in these rules and regulations shall relieve the town of its responsibilities as defined in 19 V.S.A. § 310.

(b) *Reconstruction.*

- (1) When modification of a scenic road is required by change in the function or use of the road, or as the result of a natural disaster, the legislative body and planning commission shall investigate the impact of such modification on the criteria responsible for the scenic designation.
- (2) Scenic roads determined to require reconstruction shall be designed and constructed in accordance with Agency of Transportation Standard A-65 and in accordance with the techniques and recommendations contained in the booklet, "The Vermont Back Road/Erosion Control Handbook" (Ottawaquechee Regional Planning and Development Commission, 1979).
- (3) The legislative body may grant a variance from these standards if considered necessary for the preservation of specific scenic features.

(c) *Modification.*

- (1) Before modifications are made to a scenic road, the legislative body shall conduct a hearing, following the public notice procedure outlined in section 4-66(c), to discuss the effects of the proposed modification and the possible removal of the road from the scenic classification.
- (2) A detailed plan of the proposed modification,

including measures to minimize adverse effects, shall be presented at the public hearing. The road commissioner and planning commission shall be consulted prior to the public hearing for the purpose of receiving opinion on the effect of the proposed improvement relative to the road's scenic designation. At the hearing, the legislative body shall describe the effect of the proposed modification on the criteria responsible for designation and shall receive testimony from the public.

- (d) *Action by legislative body.* After considering all available information and testimony, the legislative body shall determine if the need for the proposed modification is sufficient to justify any reduction in the scenic quality of the road, and shall publicize its decision.

If it is determined that the proposed modification will result in the elimination of the scenic quality of the road so that it will no longer meet selection criteria, the legislative body may proceed to discontinue the road's scenic designation in accordance with 19 V.S.A. § 2502.

(Ord. of 11-14-88, § 3)

Sec. 4-69. Emergency repairs.

In the case of a natural disaster where the road becomes impassable or unsafe for public travel and access must be provided, maintenance and/or reconstruction standards may be suspended with the approval of the legislative body for the purpose of emergency repairs. Notice of this action shall be submitted in writing within three (3) days to the local planning commission. A detailed report of the reports and the effect on the scenic criteria shall be submitted to the planning commission within thirty (30) days following completion of repairs.

Emergency repair operations should be conducted in a manner which will avoid or reduce adverse effects on the criteria responsible for designation. In emergency situations, the concern for the public good and safety will be given precedence over scenic considerations.

(Ord. of 11-14-88, § 4)

Sec. 4-70. Signing of scenic roads.

Signs as required for purposes of traffic safety shall be in accordance with "The Manual on Uniform Traffic Devices for Streets and Highways" (Federal Highway Administration).

(Ord. of 11-14-88, § 5)

Secs. 4-71__4-80. Reserved.

ARTICLE V. PROPERTY NUMBERING AND STREET NAMING SYSTEM*

***Editor's note**__An ordinance adopted July 9, 1990, §§ 1__3, pertaining to property numbering and street naming, did not specify manner of codification; hence, such provisions have been included by the editor as Art. V, §§ 4-81__4-83.

Cross reference(s)__Municipal plan for town and village, App. C; zoning, App. D; subdivision regulations, App. E.

Sec. 4-81. Numbering of buildings.

Buildings will be assigned a number based on a mileage system converted to decimals. This system converts the mileage of a building from the beginning of a road (whole mileage and decimal portion of a mile) into a four-digit whole number. The beginning of a road is the end which is closest ("as the crow flies") to the intersection of Routes 100/108. Dead-end roads may be an exception with the numbering starting at the road's entrance. A property must have frontage along a given road in order for the property to be numbered as part of that road. New buildings will be assigned numbers by the Town of Stowe planning department when building permits are issued. The "Stowe Address and Street Name Reference Map" will be maintained by the planning commission. The board of selectmen shall recommend that the public affix or inscribe numbers that are visible from the road on all buildings assigned a street address. For buildings that are not visible from the road, a vertical number post should be placed at the driveway entrance. Building numbers shall be affixed to all mailboxes.

(Ord. of 7-9-90, § 1)

Sec. 4-82. Naming of roads.

All public and private roads will be named based on a

historical/political/geographical context. Names for new public streets/roads will be approved by the board of selectmen in consultation with the Stowe Planning Commission and the Stowe Historical Society. The naming of all private roads will be based on the same principle of utilizing a historical/political/geographical context. Names will be approved at the time of final site plan or subdivision approval. Private road signs shall be erected by the developer or owners association. The planning commission will maintain an official listing and map of roads.

(Ord. of 7-9-90, § 2)

Sec. 4-83. Coordination with town services.

Building numbering and road naming information will be developed in coordination with the Stowe Post Office, the Stowe Fire, Police, and Highway Departments, the Stowe Rescue Squad, the town and village clerks offices, the village trustees, the board of selectmen, and other town/village departments. Regular updates of new buildings and roads will be provided to each group.

(Ord. of 7-9-90, § 3)

Scenic Road Designation

Road Name: Covered Bridge Road (Town Highway #52)

Description of Designated Road Section

Entire length, 0.85 miles, extending from the northwest intersection of State Aid Highway #3 and TH #52 to the southeast intersection of SAH #3 and TH #52, at the Covered Bridge.

Rationale

Covered Bridge Road is a highly scenic road distinguished by an overhanging tree canopy for much of its length, views of the Worcester Range, including Stowe Pinnacle, a pond and wetland 3/10 of a mile in from Stowe Hollow Road, an old apple orchard and stonewall complex 4/10 of a mile in, and the historic covered bridge known as Emily's Bridge.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead trees and limbs
2. Normal brush removal, including maintaining the views to the Worcester Range
3. Grading and re-gravelling as needed
4. Maintenance of Emily's Bridge
5. Extra brush removal around Emily's Bridge
6. Maintenance of a turn-out area just northwest of the bridge.
7. Maintenance of ditches to ensure good drainage
8. Routine maintenance of the utility line ROW

Date of Designation: September 25, 1989.

Scenic Road Designation

Road Name: Edson Hill Road (Town Highway #23)

Description of Designated Road Section

Length: 0.6 miles. Starting at the driveway leading to the Stowehof Hotel and continuing on to the intersection with Sanborn Road.

Rationale

This portion of Edson Hill Road provides one of the most beautiful and arresting views in the entire Town of Stowe.

Driving north, the views to the west and north are spectacular. These include a very close view of the complete ridge of Mount Mansfield and an excellent view of the Ranch Valley.

Driving south, the views to the west and south are also spectacular. These include a vista towards the Barrows Road valley with the mountains visible on both sides.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Routine maintenance and repaving of the road as needed
2. The clearing of trees within the highway ROW to maintain the scenic view
3. Normal roadside brush cutting
4. Maintenance of ditches to ensure good drainage
5. Routine maintenance of the utility line ROW

Date of Designation: August 13, 1990

Scenic Road Designation

Road Name: Luce Hill Road (Town Highway #41)

Description of Designated Road Section

From the intersection of TH 42, Trapp Hill Road and TH #41 for a distance of 0.52 miles northwest to the end of the Class 3 portion of TH #41

Rationale

This short, unpaved section of Luce Hill Road (0.52 miles) is lined by stone walls is bordered by a brook, includes two old cemeteries, has a canopy of overhanging trees, and enjoys panoramic views to the northeast. A mixture of open fields, old apple trees, and forests line the road.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead trees and limbs
2. Grading and re-graveling as needed
3. The clearing of trees within the highway ROW to maintain the scenic views
4. Normal roadside brush cutting
5. Maintenance of ditches to ensure good drainage
6. Routine maintenance of the utility line ROW

Date of Designation: September 5, 1989.

Scenic Road Designation

Road Name: Maple Run Lane – (Town Highway #7)

Description of Designated Road Section

Entire length from the intersection of West Hill Road (TH #8) to the intersection with “Billings Rd.” (approximately 1.6 miles.) The remaining 1.3 miles was reclassified as a legal town trail in 2006.

Rationale

Maple Run Lane is a very quiet, narrow country lane. Vegetation is beautiful with rows of old trees and leaf tunnel effects. A grove of grand old oaks lines the entrance. The road passes by remnants of old stone walls, various brooks, and several wetlands. While the road has few truly outstanding features, the general character of the road is well worth preserving.

The first .6 miles of the road is maintained by the Town. The road is privately maintained to the last driveway on the left (1501 Maple Run Lane).

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead trees and limbs
2. Grading and re-graveling as needed Normal roadside brush cutting, as well as additional brush cutting as needed to expose stone walls
3. Maintenance of ditches to ensure good drainage
4. Routine maintenance of the utility line ROW

Date of Designation: December 19, 1994.

Scenic Road Designation

Road Name: Nebraska Valley Road (Town Highway #43)

Description of Designated Road Section

From the Mt. Mansfield State Forest sign [Michigan Bridge] to Lake Mansfield)

Rationale

This 0.95 mile stretch of Nebraska Valley Road has a unique, "unspoiled" flavor. Except for the limited activity of the Lake Mansfield Trout Club, there are no other signs of development. A thick overhanging tree canopy envelopes much of the road. Miller Pond Buttermilk Falls and view of the valley headwall can be seen through the trees lining the road. Near the end of the road are large rock outcroppings. An old (1925) water trough is located here as well. At the end is the picturesque Lake Mansfield and Trout Club building.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead trees and limbs
2. Normal roadside brush cutting
3. Grading and re-gravelling as needed
4. Extra clearing occasionally to keep views of the valley headwall and Buttermilk Falls
5. Maintenance of ditches to ensure good drainage
6. Routine maintenance of the utility line ROW

Date of Designation: September 25, 1989.

Scenic Road Designation

Road Name: Sanborn Road (Town Highway #21)

Description of Designated Road Section

Length: 0.5miles, extending from Edson HillRoad to the beginning of the Robinson Springs Road.

Rationale

The road is more than 140 years old. It runs between The Red House, which was built by Eli Edson in 1840, and The Red Barn, which in itself is a most unusual example of old Vermont architecture. Lining some parts of the road are the original Vermont stone walls belonging to the farmland. Part of the road is also lined with a canopy of birch and pine trees. One of the main brooks running from Edson Hill to the valley crosses under the road.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead trees and limbs
2. Grading and re-gravelling as needed
3. Normal roadside brush cutting, as well as additional brush cutting as needed to expose stone walls
4. Maintenance of ditches to insure good drainage
5. Routine maintenance of the utility line ROW.

Date of Designation: February 12, 1990

Scenic Road Designation

Road Name: Shaw Hill Road (Town Highway #49)

Description of Designated Road Section

Length: 0.9 miles, extending from River Road to the end of the road.

Rationale

The road is lined with fields and woods and has views of the valley and surrounding mountains.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead trees and limbs
2. Grading and re-gravelling as needed
3. Normal roadside brush cutting
4. Maintenance of ditches to ensure good drainage
5. The clearing of trees within the highway ROW to maintain the scenic views of the mountains
6. Routine maintenance of the utility line ROW

Date of Designation: May 14, 1990

Scenic Road Designation

Road Name: Sterling Valley Road (Town Highway #6)

Description of Designated Road Section

Length: 1.5 miles, extending from Sterling Cemetery to the end of the road.

Rationale

The road has several good qualities and great potential. It has views of the valley and surrounding mountains. It is lined with woods and passes some marshes and wetlands. It also passes Sterling Cemetery. The road was reclassified from Class 4 to Class 3 in 1996.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead trees and limbs
2. Grading and re-gravelling as needed
3. Normal roadside brush cutting
4. The clearing of trees within the highway ROW to maintain the scenic views of the mountains
5. Maintenance of ditches to ensure good drainage
6. Routine maintenance of the utility line ROW

Date of Designation: July 26, 1996

Scenic Road Designation

Road Name: Taber Hill Road (Town Highway #33)

Description of Designated Road Section

Length: 1.1 miles, extending from 0.5 miles after the junction with Stowe Hollow Road to the driveway leading to 778 Taber Hill Rd. (0.3 miles before the junction with Cross Road).

Rationale

This section of Taber Hill Rd. has panoramic views of the mountains and the valley that are quite spectacular. It also passes picturesque farmsteads as well as orchards, fields and woods.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Normal roadside brush cutting
2. The clearing of trees within the highway ROW to maintain the scenic views
3. General road maintenance, including repaving as needed
4. Routine maintenance of the utility line ROW

Date of Designation: May, 14 1990.

Scenic Road Designation

Road Name Tamarack Road (Town Highway #9)

Description of Designated Road Section

Length: 0.9 miles, extending from Weeks Hill Road to the dead end.

Rationale

Lining some parts of the road are old stone walls and wooden fences belonging to the farmlands of the past. Most of the road is lined with a canopy of trees. The road also passes a picturesque old farmstead.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead trees and limbs
2. Grading and re-gravelling as needed
3. Normal roadside brush cutting, as well as additional brush cutting as needed to expose stone walls
4. Maintenance of ditches to ensure good drainage
5. Routine maintenance of the utility line ROW

Date of Designation: February 12, 1990.

Scenic Road Designation

Road Name: Tansy Hill Road (Town Highway #12)

Description of Designated Road Section

Length: 0.5 miles, extending from Stagecoach Road to the end of the road.

Rationale

The road has views of the Route 100 valley and the Worcester Range. It is a quiet country road lined with fields and woods. The upper end provides the spectacular view of the mountains to the east.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead limbs/trees
2. Normal roadside brush cutting
3. The clearing of trees within the highway ROW to maintain the scenic views
4. Grading and re-gravelling as needed
5. Maintenance of ditches to ensure good drainage
6. Routine maintenance of the utility line ROW

Date of Designation: May 14, 1990.

Scenic Road Designation

Road Name: Trapp Hill Road (Town Highway #42)

Description of Designated Road Section

Length: 1.70 miles, extending from the end of the pavement after Trapp Family Lodge to the junction with Nebraska Valley Road.

Rationale

Lining the road are rows of trees, beautiful forests, open fields, farmlands and leaf tunnel effects. The upper section of the road offers spectacular panoramic views of the Green Mountains, Worcester Range and Nebraska Notch.

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead trees and limbs
2. Normal roadside brush cutting
3. The clearing of trees within the highway ROW on the upper section of the road to maintain the scenic views
4. Grading and re-gravelling as needed
5. Maintenance of ditches to ensure good drainage
6. Routine maintenance of the utility line ROW
7. Installation of Corten steel guardrails if the Stowe Selectboard determines that they are needed to ensure public safety

Date of Designation: May 14, 1990.

Scenic Road Designation

Road Name: Upper Hollow Road (Town Highway 153)

Description of Designated Road Section

Length: 1.0 miles, extending from Pinnacle Road to Stowe Hollow Road (Grand View Farm).

Rationale

Old farmhouses, trees, streams, stone walls, meadows and open hillsides line the road. The scenes and views from the road are among the more spectacular of Stowe.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Removal of dead trees and limbs
2. Normal roadside brush cutting, as well as additional brush cutting as needed to expose stone walls
3. The clearing of trees within the highway ROW to maintain the scenic views
4. Grading and re-gravelling as needed
5. The clearing of trees within the highway ROW to maintain the scenic views
6. Maintenance of ditches to ensure good drainage
7. Routine maintenance of the utility line ROW

Date of designation: February 12, 1990

Scenic Road Designation

Road Name: Weeks Hill Road (Town Highway #23)

Description of Designated Road Section

Length: 2.8 miles, extending from Edson Hill Road to Percy Hill Rd.

Rationale

The road is one of the most scenic roads in Stowe. The vegetation is beautiful with significant stands of trees, rows of old trees, and leaf tunnel effects. The views of Stowe Village and the surrounding mountains are spectacular. There are old stone walls lining parts of the road. It also passes marshes, wetlands and old farmsteads.

Maintenance

Permitted road maintenance may include, but shall not substantially alter the significant characteristics listed in the Rationale:

1. Maintenance of ditches to ensure good drainage
2. Removal of dead trees and limbs
3. Routine roadside brush cutting, as well as additional brush cutting as needed to expose stone walls
4. The clearing of trees within the highway ROW to maintain the scenic views
5. General road maintenance, including repaving as needed
6. Routine maintenance of the utility line ROW

Date of designation: February 12, 1990.