



OFFICE OF THE TOWN CLERK

Town of West Brookfield

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(508) 867 – 1421 ext. 2 • vitals@wbrookfield.com

Heather E. Gough
Town Clerk

List of Scenic Roads

<u>ROAD</u>	<u>LENGTH (mi)</u>
1 Beaman Road	0.3
2 Coy Hill Road	1.45
3 Davis Road	0.83
4 Devil's Elbow	0.05
5 Foster Hill Road	1.56
6 Holmes Road	0.21
7 John Gilbert Road	1.11
8 Kennedy Road	1.64
9 Lyons Road	0.75
10 New Braintree Road	3.3
11 Pierce Road	1.67
12 Ragged Hill Road	2.37
13 Richardson Road	0.58
14 Tucker Road	1.98
15 Wickaboag Valley Road	
16 Wigwam Road	2.96

I hereby certify that this is a true copy of the complete list of Scenic Roads of the Town of West Brookfield, as of July 15, 2024.

Anne Garwood-Hampp

Anne Garwood-Hampp, Assistant Town Clerk

What is the Scenic Roads Act?

Massachusetts General Laws, Chapter 40, Section 15C authorizes municipalities the ability to designate certain roads as "Scenic Roads". Any local road, other than a state numbered route, is eligible for such designation. Scenic roads preserve and enhance the historic character of the town, improve ecological function by preventing erosion and capturing rainwater, and provide a natural buffer between the road and property.

The purpose of the statute is to provide for Planning Board review of the cutting or removal of trees or the alteration of stonewalls incidental to work on a Scenic Road. After a road receives a "Scenic" designation, the Planning Board is delegated certain limited powers by the statute.

Any repair, maintenance, reconstruction or paving work done with respect to a Scenic Road shall not involve or include cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with prior written consent of the planning board after a mandatory public hearing. Any violation of this paragraph shall be punished by a fine not to exceed three hundred dollars per violation.

The hearing provides an opportunity for objection and consideration of alternative plans. Strict notice requirements must be met, with fines, if not adhered to.

While many of West Brookfield's roadways would qualify as being "scenic" in the broad sense of the term, the Town has formally designated 16 roads to be preserved as scenic at this time.



West Brookfield

Scenic Roads



West Brookfield Historical Commission
3 Main Street, Town Hall
P.O. Box 372
West Brookfield, Ma. 01585
email: info@westbrookfield.org
<http://westbrookfield.org/>

*A road is itself a kind of sentence, a story,
A real place, it's also a metaphor for time,
For future becoming present, then past,
for passage.*

Rebecca Solnit

Where Are the Scenic Roads?

These roads were considered by the Historical Commission to be of historical significance and were approved and designated Scenic Roads in 1973. John Gilbert Rd was added in 1989 and Wickaboag Valley Rd. in 2022.

BEAMAN RD. - A Mid-19th century Road off of Coy Hill Rd.

COY HILL RD. - Named for Richard Coy, one of the first settlers in the Quaboag Plantation 1660. Lucy Stone's birthplace. 1818-1893, Abolitionist, feminist, first woman from Massachusetts to graduate from College (Oberlin). Included in West Brookfield Wildlife Management Area.

DAVIS RD. - Retains many of the characteristics of the of settlement lanes, lined with sugar maple trees; Showing stone wall property delineation.

DEVIL'S ELBOW RD. - Early military road, teamster road, leads to early settlement homes. Road discontinued: trail on the Brookfield and W. Brookfield line off of George Allen Rd.

FOSTER HILL RD. - Site of original settlement of Quaboag Plantation (originally called Pritchard Hill 1660); site of the siege of Brookfield (1675) during King Phillip's War, Hon. Jedediah Foster homesite and law office, who helped in framing the original Massachusetts Constitution.



HOLMES RD. Site of first grist mill in Central Massachusetts, John Pynchon's Mill. Old stone foundation of Lemuel Gilbert. East Quabbin Land Trust.

JOHN GILBERT RD. - Many shade trees and stone walls. Scenic views from road at the Orchard.

KENNEDY RD. - Scenic quality of views West to Mt. Tom. LYONS RD. - Site of old Methodist Burial Ground (1812).

NEW BRAINTREE RD. - Tree lined, affording many scenic views across fields, valleys and through woodlands.

PIERCE RD. - Stone walls, open fields, site of old schoolhouse at jnt. Ragged Hill and Pierce.

RAGGED HILL RD. - Retains stone walls, second growth maples, and vistas both to the East and to the West.

RICHARDSON RD. - Once the site of Senator Richardson's home. Intersects with Long Hill Rd.,

TUCKER RD. - Once settled by John Tucker, blacksmith. Early 19th c.

WICKABOAG VALLEY RD. - Area of earliest grist and saw mills in the Quaboag Plantation. Working open agricultural fields.

WIGWAM RD. - Many rocky outcroppings, mature maples and oaks, stonewalls.



WEST BROOKFIELD HISTORICAL COMMISSION
P.O. BOX 372 WEST BROOKFIELD, MASSACHUSETTS 01585

Congratulations! Your home is on a designated Scenic Road. Currently there are 16 roads in West Brookfield that have been designated Scenic Roads by the Town of West Brookfield. Many of West Brookfield's roads date back to the 18th and 19th century when inroads into the interior of the state were seeing early village life becoming established. In fact, one of the roads dates to 1673.

Scenic Road Bylaws (MGL Ch 40, Sec. 15C- Scenic Road Act)

Most towns in Massachusetts use the Scenic Roads Bylaw to protect the unique character and historic value of select roadways by means of limiting the cutting of healthy trees, avoiding the destruction of stone walls, and guiding road and driveway construction.

After a road receives a "Scenic" designation, the Planning Board is delegated certain limited powers by the statute. Any repair, maintenance, reconstruction, or paving work done with respect to a Scenic Road that entails cutting or removal of trees, or alteration of stone walls is subject to Planning Board review and mandatory public hearing. The hearing provides an opportunity for objection and consideration of alternative plans. Strict notice requirements must be met, with fines not to exceed \$300.00 if not adhered to.

While many of West Brookfield's roadways would qualify as being "scenic" in the broad sense of the term, the Town has formally designated 16 roads as scenic at this time.

Beaman Road	Lyon Road
Coy Hill Road	New Braintree Road
Davis Road	Pierce Road
Devil's Elbow (discontinued road)	Ragged Hill Road
Foster Hill Road	Richardson Road
Holmes Road (discontinued road)	Tucker Road
John Gilbert Road	Wickaboag Valley Road
Kennedy Road	Wigwam Road

References: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section15c>
<https://www.mass.gov/doc/terra-firma-3-identifying-and-protecting-historic-roads/download>

Please see the Scenic Road map on our website: https://westbrookfield.org/?page_id=61
We hope you find this information helpful in guiding any work you may be planning for your property on our towns Scenic Road.

Sincerely,
The West Brookfield Historical Commission

What criteria are used to determine if a road should be designated a scenic road?

- Overall scenic beauty (and view from the roadside)
- Contributions of trees to scenic beauty
- Contributions of stone walls to scenic beauty
- Prevalence of historic stone walls along the right-of-way
- Age and historic significance of road, trees, and stone walls

What kind of work requires a permit from the Planning Board?

Any work on the public right-of-way of a scenic road that involves:

- Cutting or removing a healthy living tree that has a diameter of 4" or more at 4.5' from the ground.
- Cutting or removing a healthy living branch that has a diameter of 3" or more 12" from where it joins the tree.
- Any permanent destruction or tearing down of a stone wall, which is defined as any assemblage of stone that has one cubic foot of stone or more per linear foot and that is more than 5' long. You must notify the Planning Board that the wall is being restored and complete the work within 90 days.
- For the purposes of the bylaw, and this is true for trees subject to the Public Shade Tree law, if there is any question about whether a tree or stone wall is on the public right-of-way, it is considered to be in the public right-of-way until the contrary is shown.

Work on private property does not require a permit.

How do I know if a tree or stone wall is in the public right-of-way?

You can check with the Highway Department.

What kind of work does not require a permit from the Planning Board?

No permit is required to:

- Cut or remove trees or branches that the Tree Warden certifies in writing as diseased, dying, or dead
- Renovate a stone wall so long as it is renovated using the *same type of materials*, it is in the same location, and it has the *same general character* as the original wall.
- Conduct emergency work. If a stone wall is destroyed during an emergency, it must be repaired as soon as practicable.

How does the Scenic Road Bylaw work?

The Scenic Road Bylaw determines how the town administers the state's Scenic Road law (MGL Chapter 40, Section 15C). Here are the relevant sections of the law:

- Upon recommendation or request of the Planning Board, Conservation Commission or Historical Commission, the town can designate any road, other than a numbered route or state highway, as a scenic road.
- After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done on the scenic road shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, after a public hearing.
- The public hearing must be advertised twice in a paper of general circulation, the last publication to occur at least seven days prior to the hearing.
- If a public hearing must be held under both the Scenic Road law and the Public Shade Tree law, then the hearings will be consolidated.
- The town can make a bylaw establishing fines not to exceed \$300.00 for violations. The proposed Scenic Road Bylaw establishes the process and criteria for designating roads as scenic roads, what work on trees and stone walls will require hearings, the process for conducting hearings, the criteria for approving proposed work, and how the bylaw will be enforced.

ARTICLE 5. To see if the Town will vote to transfer from available funds in the treasury an amount of money to purchase a copying machine for the Town Hall and service contract for the copier, or take any action relative thereto.

~~ARTICLE 5. To see if the Town will vote to transfer from available funds in the treasury an amount of money to purchase a copying machine for the Town Hall and service contract for the copier, or take any action relative thereto.~~

ARTICLE 6. To see if the Town will vote to transfer \$3,915.86 from Revenue Sharing Funds to pay for repair work on Ford and Maxim fire trucks, or take any action relative thereto.

ARTICLE 7. To see if the Town will vote to transfer \$3500 from the Road Machinery to the Road Machinery Account, or take any action relative thereto.

ARTICLE 8. To see if the Town will vote to accept, under Chapter 40, Section 150, the recommendation of the West Brookfield Historical Commission the designation of the following names of roads in the Town of West Brookfield as "Scenic Roads" and regulate the improvement thereof, or take any action relative thereto.

- 1. Coy Hill Road
- 2. Devil's Elbow Road
- 3. Holmes Road
- 4. Foster Hill Road
- 5. Tucker Road
- 6. Fierce Road
- 7. Lyons Road
- 8. Kennedy Road
- 9. Davis Road
- 10. Richardson Road
- 11. Wigwam Road
- 12. Ragged Hill Road
- 13. Beaman Road
- 14. New Brookfield Road

ARTICLE 9. To see if the Town will vote to amend Zoning By-Law, Chapter I, Section 1, added June 26, 1962, and as further amended on March 12, 1973, by inserting at the end of said Chapter I, Section 1, the following:
Brookhaven Lake Estates, as shown on map overlay of West Brookfield, Mass., is to have an exception to the Section with the provision that a camping trailer, camper or motorhome with a maximum length of 27' as measured from the hitch to the rear bumper, with the further provision that one camping trailer, camper or motorhome may be parked on a lot only from the period May 1 to September 30 in any year. These vehicles shall not be permanently placed on any lot, and be capable of being removed within ten minutes, or take any action relative thereto.

DEFINITIONS: Camper: A camping unit that is mounted on the body of a motor vehicle.
Motorhome: A single, self contained motor vehicle with camping or living facilities.

Camping Trailer: A trailer used for temporary overnight camping.

ARTICLE 10. To see if the Town will vote to amend Article V, Section 3 of the Town of West Brookfield's traffic laws to include mention of the location of Public Works approved stop sign locations. These are as follows:

- Westbound drivers on Foster Hill at Route 9
- Southbound drivers on Ridge Road at Route 9 (2 sites)
- Northbound drivers on Pierce Road at Ragged Hill
- Southbound drivers on Shay Road at Wickaboag Valley Road

or take any action relative thereto.

ARTICLE 11. To see if the Town will vote to accept the following By-Law, Chapter XII, Section 4: No person shall use any property within the Town of West Brookfield for the purpose of a sanitary landfill, a refuse transfer station, a refuse incinerator, a dumping ground for refuse or any other works for treating or disposing of refuse unless such property has been assigned by the Board of Health as a facility in accordance with General Laws Chapter 111, Section 150A as amended.

Any person using property that has not been assigned or property that is assigned to another and not opened to the public or property that is assigned to another and opened to the public but not opened at the time of use shall be fined the sum of fifty dollars (\$50.00) for each offence. Each separate use shall constitute a separate offence, or take any action relative thereto.

And you are directed to serve this Warrant, by posting up an attested copy thereof at the Bulletin Board on front of Town Hall in said Town, seven (7) days at least before the time of holding said meeting, and by printing on a Board in front of Town Hall the date and time of holding said meeting.

Hereof fail not, and make due return of this Warrant, with your doings thereon to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this 28th day of July in the year of our Lord one thousand nine hundred and 73

Peter C. Magnante
Leon S. Parker
Selectmen of West Brookfield
July 30, 1973 9:45 p. m.

FRONT

ARTICLE 2. VOTED, unanimously, to authorize the Police Chief to fill in as patrolman for short periods in the absence of regular personnel, and to be paid the prevailing rate for such work, for the period from June 1, 1973 to June 30, 1974, in excess of his salary as Chief.

ARTICLE 3. VOTED, unanimously, to authorize the Police Chief to fill in as patrolman for short periods in the absence of regular personnel, and to be paid the prevailing rate for such work, for the period from June 1, 1973 to June 30, 1974, in excess of his salary as Chief.

ARTICLE 4. As this required a two-thirds vote, voting lists and ballots were used. Number of ballots cast Eighty-Five (85), necessary for two-thirds Fifty-Seven (57).

VOTED, Seventy (70) in favor to Fifteen (15) opposed, to accept the Floodplain Zoning By-Law as proposed by the Conservation Commission, a copy of which is on file with the Town Clerk along with the map, and another copy which has been posted on the Town Hall. (Recorded as Chapter XII, Section 4)

ARTICLE 5. VOTED, to transfer from available funds in the treasury \$680.80 to purchase a copying machine for the Town Hall and a service contract for the copier.

ARTICLE 6. VOTED, unanimously, to transfer \$3,915.86 from Revenue Sharing Funds to pay for repair work on Ford and Maxim Fire Trucks.

ARTICLE 7. VOTED, unanimously, to transfer \$3,500.00 from the Road Machinery Fund to the Road Machinery Account.

ARTICLE 8. VOTED, unanimously, to accept, under Chapter 40, Section 15C, upon recommendation of the West Brookfield Historical Commission the designation of the following named roads in the town of West Brookfield as "Scenic Roads" and regulating the improvement thereof:

- 1. Coy Hill Road
- 2. Devil's Elbow Road
- 3. Holmes Road
- 4. Foster Hill Road
- 5. Tucker Road
- 6. Pierce Road
- 7. Lyons Road
- 8. Kennedy Road
- 9. Davis Road
- 10. Richardson Road
- 11. Wigwam Road.
- 12. Ragged Hill Road
- 13. Beaman Road
- 14. New Braintree Road

ARTICLE 9. As this required a two-thirds vote, voting lists and ballots were used. Number of ballots cast Seventy-Seven (77), necessary for two-thirds Fifty-Two (52).

VOTED, Fifty-Eight (58) in favor to Nineteen (19) opposed, to table the motion made under Article 9 until after a meeting between the Brookhaven Association, the Advisory Committee and other interested town boards, and legal counsel can be held to consider the matter further.

ARTICLE 10. VOTED, to delete "Southbound drivers on Shay Road at Wickaboug Valley Road." VOTED, unanimously, to amend Article V, Section 3 of the town of West Brookfield's traffic laws to include mention of the location of public works approved stop sign locations. These are as follows:

- Westbound drivers on Foster Hill at Route 9
- Southbound drivers on Ridge Road at Route 9(2 sites)
- Northbound drivers on Pierce Road at Ragged Hill

ARTICLE 11. VOTED, unanimously, to adopt the following By-Law, Chapter XII, Section 4: No person shall use any property within the town of West Brookfield for the purpose of a sanitary landfill, a refuse transfer station, a refuse incendiary with a grate area in excess of ten (10) square feet, a refuse composting plant, a dumping ground for refuse or any other works for treating or disposing of refuse unless such property has been assigned by the Board of Health as a facility in accordance with General Laws Chapter 111, Section 10A as amended.

Any person using property that has not been assigned or property that is assigned to another and not opened to the public or property that is assigned to another and opened to the public but not opened at the time of use shall be fined the sum of Fifty Dollars (\$50.00) for each offence. Each separate use shall constitute a separate offence.

VOTED, to adjourn at 10:25 p. m.

H. Ray Chason
Town Clerk

AUGUST 13, 1973.
Town Clerk
West Brookfield, Mass.
Dear Sir;

32 Pleasant St.
West Brookfield, Mass.
August 12, 1973

I would like to take this opportunity to express my deep regard to all the various town boards and the people who have contributed their time and knowledge so that we may live and work in a town such as West Brookfield.

I am starting a new job and will be unable to put forth the time and effort that is necessary in the task the planning board is now undertaking, I feel I resign at this time to make way for a new member who I hope will receive the satisfaction I have of helping to plan the Town's future.

Once again may I express my gratitude to the people of West Brookfield for the fine work being done for the Town.

Chason
Clerk

Part I	ADMINISTRATION OF THE GOVERNMENT
Title VII	CITIES, TOWNS AND DISTRICTS
Chapter 40	POWERS AND DUTIES OF CITIES AND TOWNS
Section 15C	SCENIC ROAD DESIGNATIONS; IMPROVEMENTS; FINES

Section 15C. Upon recommendation or request of the planning board, conservation commission or historical commission of any city or town, such city or town may designate any road in said city or town, other than a numbered route or state highway as a scenic road; provided, however, that a numbered route may be designated by a city or town as a scenic road if its entire length is contained within the boundaries of said city or town, and no part of said route is owned or maintained by the commonwealth.

After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing; provided, however, that when a

public hearing must be held under the provisions of this section and under section three of chapter eighty-seven prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, and notice of such consolidated public hearing shall be given by the tree warden or his deputy as provided in said section three of chapter eighty-seven. Any city or town making said scenic road designation may make an ordinance or by-law establishing that a violation of this paragraph shall be punished by a fine not to exceed three hundred dollars.

Designation of a road as a scenic road shall not affect the eligibility of a city or town to receive construction or reconstruction aid for such road pursuant to the provisions of chapter ninety.

