

[Exhibit B]

RESOLUTION

Class VI/Private Road Policy

WHEREAS, Per RSA 674:41 no building can be erected on any lot within any part of the Town, nor can a building permit be issued for the erection of a building unless the street giving access to the lot upon which such building is to be placed (i) has the legal status of a Class V or better roadway, (ii) has received certain approvals by the Planning Board, or (iii) is a Class VI highway or private road, provided that, in the latter case:

1. The Board of Selectmen after review and comment by the Planning Board has voted to authorize the issuance of building permits for the erection of buildings on said Class VI highway, or private road, or a specific portion of it; and
2. The Town neither assumes responsibility for maintenance of said Class VI highway, or private road, nor liability for any damages resulting from the use of it; and
3. Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of the Town's responsibility and liability has been recorded in the Registry of Deeds.

WHEREAS, The State Supreme Court has said that the purpose of 674:41, 1(c) is to prevent scattered and premature development; the decision whether to allow building on Class VI roadways or private roads is a major policy decision; unrestricted building can have a major impact on the Town's budget if the Town is forced to subsequently upgrade substandard/unmaintained roads.

THEREFORE, The _____ Board of Selectmen will evaluate applications for building permits upon Class VI roadways or private roads, in consultation with the _____ Planning Board, vis-à-vis the following criteria:

- Conditions of the road - does the road have adequate width, drainage, and grade to handle increased development?
- Conditions of connecting roads - are the roads leading to the Class VI or private road adequate to handle increased traffic?

- Effects on municipal services - will the contemplated development result in a need for increased police, fire, water, sewer and electric services?
- Is issuance of the permit likely to result in an “occasion” to lay out the road as a Class V road?
- How will the proposed development affect neighboring properties and how well does the proposed development “fit” in to the general growth/development patterns in the Town?
- Will the issuance of said building permit tend to distort the Town’s street map or Master Plan?

RESOLVED, that building permits will not be issued upon Class VI or private roads with the approval of the Board of Selectmen only when it is demonstrated by an applicant, and determined by the Board of Selectmen, using the above criteria, that issuance of said permit will not have a negative impact upon the Town, i.e. the planned development is not deemed “scattered and premature.”

BOARD OF SELECTMEN

Chair

Vice Chair

Member

Member

Member

Date Signed