



TOWN OF NORTHWOOD, NEW HAMPSHIRE

818 First New Hampshire Turnpike, Northwood NH 03261
(603)942-5586 X 203 Facsimile: (603)942-9107



**RSA 674:41 Application to Build on
A Class VI Highway or A Private Road**

Property Owner _____ Date: _____

Property Owner Signature(s) _____

Mailing Address _____

Phone# _____ E-Mail _____

Location: Map _____, Lot _____, Sub _____

Road Name _____

ALL APPLICATIONS must include a signed Agreement & Release form (attached) with current fee.

The street giving access to the lot upon which building is proposed to be placed:

Corresponds in its location and lines with: A street on a subdivision plat approved by the planning board. Plan# _____

Is an existing street constructed prior to the effective date of this subparagraph and is shown on a subdivision plat that was approved by the local governing body before the municipality authorized the planning board to approve or disapprove subdivision plats in accordance with RSA 674:35, if one or more buildings have been erected on other lots on the same street.
Plan# _____

All applications that do not have a plan number noted above must include the following information with this application:

- The location and size of the lot and its relation to the Class VI or private road and the Class V or better road, which gives access to the Class VI or private road; and
- The specific location of all proposed structures as required by the building application
- The location and length of the driveway giving access to the structures from the Class VI or private road; and
- If wetlands exist: wetlands delineation, by a certified wetlands scientist, on the subject property, or adjacent property that could be impacted, and indication whether a State Wetlands Permit application has been submitted; and
- A written road maintenance agreement if there is more than one party residing on the road, or the applicant agrees in writing to assume 100% of the road maintenance costs for the portion of Class VI or private road affected. Applicant shall address the need for a potential turnaround for emergency vehicles in order to avoid or eliminate a dead end road.

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Is a class VI highway, provided that:

- (1) The selectmen, after review and comment by the planning board, has voted to authorize the issuance of the building permit for the erection of building(s) on said class VI highway or a portion thereof per their adopted procedures; and
- (2) The municipality neither assumes responsibility for maintenance of said class VI highway nor liability for any damages resulting from the use thereof; and
- (3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds.

Is a private road, provided that:

- (1) The selectmen, after review and comment by the planning board, has voted to authorize the issuance of the building permit for the erection of building(s) on said private road or a portion thereof per their adopted procedures; and
- (2) The municipality neither assumes responsibility for maintenance of said class VI highway nor liability for any damages resulting from the use thereof; and
- (3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds.

Is a private road-referred to the Zoning Board.

Whenever the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case **do not require the building, structure or part thereof to be related to existing or proposed streets**, the applicant for such permit may appeal to the Northwood Zoning Board of Adjustment.

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Name: _____

Map & Lot# _____

Building Inspector:

Signature _____

Date _____

Comments:

Planning Board

Chairman Signature _____

Date _____

Comments:

Board of Selectmen

Signatures:

Date _____

Date _____

Date _____

Comments or Conditions Set on Approval:



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Agreement and Release Regarding Building Permits for Class VI and Private Roads

Now Comes _____, (hereinafter referred to as "Owner") of County of Rockingham, State of New Hampshire, and the Town of Northwood, New Hampshire, (hereinafter referred to as "TOWN") a municipality existing under the laws of the State of New Hampshire, agree and stipulate as follows:

Whereas Owner is the owner of certain real property, Tax Map _____, Lot _____, situated at _____ Road, as stated in a Deed recorded in Book _____, Page _____, at the Rockingham County Registry of Deeds:

Whereas the relevant portion of said _____ Road upon which the OWNER'S real property fronts a Class VI Highway or Private Road as classified by the New Hampshire Revised Statutes Annotated 229:5/ a private way not currently a municipal highway.

THEREFORE, the TOWN and OWNER on behalf of themselves, their heirs, legal representatives, successors and Assigns, covenant and agree as follows:

1. The TOWN shall allow OWNER to construct a residence pursuant to a building permit issued by the TOWN on the OWNER'S property on _____ Road.
2. The Town neither assumes responsibility for maintenance, including snow removal nor liability for any damages resulting from use of said Road.
3. OWNER, individually or through a neighborhood association, shall be responsible for maintaining access to the subject property and does hereby forever release and discharge the TOWN, it's officers, agents, and employees from the obligation of maintaining the aforementioned ROAD, and from any claim of any nature, whether in tort or otherwise, which the OWNER might have against the TOWN for any loss, damage or personal injury, including those incurred through failure to provide municipal services, including police, fire and ambulance services, arising out to the condition of the roadway from the point wherein the aforementioned road is deemed as class VI or private road;
4. OWNER assumes responsibility for the transporting of any children to the nearest regular bus stop;
5. OWNER assumes responsibility for the maintenance and repair of said road, and agrees that at their expense or at the expense of themselves and other owners of property similarly located property on said road, to a suitable width for travel, and to repair and maintain the traveled portion of said road, in good and passable condition.

Witness

Owner

Co-Owner

TOWN of NORTHWOOD, NH

By: (It's duly Authorized Representative)

Witness

STATE of NEW HAMPSHIRE
COUNTY of ROCKINGHAM

Date _____