



TOWN OF NORTHWOOD, NEW HAMPSHIRE

818 First New Hampshire Turnpike, Northwood NH 03261
(603)942-5586 ext 2003 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 complete the checklist included with this application.

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

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:

HOW TO SEARCH ONLINE FOR RECORDED PLANS

Access the Rockingham County Registry of Deeds website:

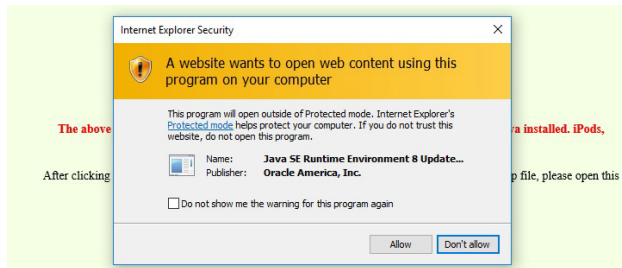
<http://www.nhdeeds.com/rockingham/RoIndex.html>

In the center of the page **click on link**

[Click Here To Launch The Search Application](#)

You may be requested to update your software-follow the instructions to download or update the software. There is no charge for the software.

You will then see this screen-**click allow**



When you get to the main screen, on the left side use arrow to access the pull down menus and select:

Plans and Maps on Select Index
Northwood on Select Town

Enter the surname and first name of the person who owned the property when it was subdivided in the boxes. Click “Click Here to Begin Index Selection”. If it is a business or development name, such as Happy Valley enter it in the surname box. Note: you will be brought just beyond the selection in alphabetical order-it is sometimes necessary to select “previous page” at the bottom of the page to go to the previous page for selections. When you locate a potential match, click on the selection and it will highlight in blue. Click on View Document. You may need to increase the percentage or rotate to view the plan.

You will need to check that there is the signature and date of approval for the subdivision plan by either the planning board or board of selectmen. (A survey plat of a single lot does not qualify for this purpose.) The plan number should be indicated on the plan, generally will start with a D such as D-32122.

If you are unable to locate a plan, you should check your deed to see if a plan number is listed in it-you will go through the same process except change the Select Index to Verified Grantee and select your name. You will need to read to see if a plan number is referenced on your deed-then view the plan to determine if it is a signed subdivision plan.

**Town of Northwood
 Building Permit RSA 674:41 Class VI and Private Roads
 Checklist for Completeness**

	Provided?		Comments
	Yes	No	
All applications shall submit a signed "Agreement and Release" document with fee for recording			
Is an existing street 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# _____			
Corresponds in its location and lines with: A street on a subdivision plat approved by the planning board. Plan# _____			
If the property does not meet either of the two above, please complete the following:			
Signed form from the building inspector that the application falls under his authority to grant the permit following review and comment from the planning board as it meets the following: Accessory residential, uninhabited structures including but not limited to sheds, garages, decks, pools; OR the reconstruction or maintenance of residential structures on the existing, lawfully permitted structure footprint that does not increase the size or dimension of the structure in any direction.			
<ul style="list-style-type: none"> the specific location of all proposed structures as required by the building permit application; and 			
A copy of the tax map or stamped survey, provided by the applicant, drawn to scale showing: <ul style="list-style-type: none"> 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 			
If the property does not meet any of the above, please complete the following:			
A copy of the tax map or surveyed plan, provided by the applicant, drawn to scale showing:			

	Yes?	No?	Comments
<ul style="list-style-type: none"> 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 			
<ul style="list-style-type: none"> the specific location of all proposed structures as required by the building permit application; and 			
<ul style="list-style-type: none"> the location and length of the driveway giving access to the structures from the Class VI or private road; and 			
<ul style="list-style-type: none"> 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. 			
A road plan that includes the private or Class VI road(s) that provide access to the approved driveway on the property. The plan shall include the stamp of a NH licensed engineer with confirmation that the road(s) indicated on the plan meet or exceeds the emergency lane criteria noted in these guidelines			
A written road maintenance agreement if there is more than one party who will be residing on the road in question 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			

FOR INTERNAL USE ONLY- IF APPLICATION APPROVED

	Received	Date	Comments
Copy of recorded Agreement & Release			
Written permit for road work from BOS			
Security received and escrow account created			
Time limitations:			
Building Permit (6 months)			
Construction Commence (12 months)			
Road improvements Commence (6 months)			
Issuance of Certificate of Occupancy			



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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, NH, (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 _____ located in the Town of Northwood, NH at _____ as stated in a Deed recorded in Book _____ Page _____ at the Rockingham County Registry of Deeds:

Whereas the relevant portion of said _____ located in the Town of Northwood NH upon which the OWNER’S real property fronts a Class VI Highway or Private Road in the Town of Northwood, NH as classified by the New Hampshire Revised Statutes Annotated 229:5.

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 _____ pursuant to a building permit issued by the TOWN on the OWNER’S property on _____
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

Print Name

Co-Owner

Print Name

TOWN of NORTHWOOD, NH
By: (It's duly Authorized Representative)

Witness

Date _____

STATE of NEW HAMPSHIRE
COUNTY of ROCKINGHAM

**APPLICATION FOR BUILDING PERMIT WHEN ACCESS IS FROM
A CLASS VI, PRIVATE ROAD OR PRIVATE ROW RSA 674:41
FLOW CHART-Top to Bottom**

Name: _____
Address: _____
Map & Lot: _____ Date: _____

EXEMPT	▼	▼
<p style="text-align: center;">1.</p> <p>Corresponds in its location and lines with a street on a subdivision plat approved by the planning board (signature required) OR is an existing street and is shown on a subdivision plat that was approved by the local governing body-selectmen (signature required).</p> <p>Plan# must be provided _____</p>	<p style="text-align: center;">2.</p> <p>Accessory uninhabited residential structures including but not limited to: sheds, garages, decks, pools; OR the reconstruction or maintenance of residential structures on the existing, lawfully permitted structure footprint that does not increase the size or dimension of the structure in any direction and does not increase the number of bedrooms or sleeping quarters of the residence.</p>	<p style="text-align: center;">3.</p> <p>Application for a building addition that will increase the dimension of an existing structure; increase number of bedrooms or sleeping quarters of a residence; or a new residential unit or structure; or a non-residential structure; or conversion from seasonal use to year-round use.</p>
Agreement & release is signed by Town Administrator	Review and comment by the Planning Board	Complete packet provided to Planning Board from building inspector including items on application checklist.
Building Inspector may issue permit after agreement & release is recorded.	Agreement & release is signed by Town Administrator	Review and comment by the Planning Board. Land Use Administrator will provide all documents to Town Administrator
	Building Inspector may issue permit after agreement & release is recorded.	Emergency lane information sent to Town Engineer for review and comment.
		Complete packet provided to BOS with Planning Board and Engineer review comments. BOS determine approval, conditional approval, or denial of permit application. Notice of BOS Decision provided to Applicant, Land Use and Building Department by Town Administrator. Agreement & release is signed by Board of Selectmen and recorded.
		If approved or conditionally approved, escrow account set up by Town Administrator
		Town Administrator will notify Building Inspector when a permit may be issued following completion of escrow and/or all conditions being met.

**TOWN OF NORTHWOOD
NEW HAMPSHIRE
GUIDELINES OF THE BOARD OF SELECTMEN
REGARDING THE ISSUANCE OF BUILDING PERMITS ON CLASS VI AND
PRIVATE ROADS
PURSUANT TO RSA 674:41**

Under RSA 674:41, the Board of Selectmen has the discretion to authorize the issuance of building permits on Class VI town roads and private roads, after review and comment by the Planning Board.

The Board of Selectmen has adopted these guidelines to help guide the decision-making process when it is presented with a building permit application. It is emphasized that the Board of Selectmen will consider any factor relevant to the authorization of a building permit in a particular case. Therefore, this statement of guidelines is not intended to describe an exhaustive list of considerations, but to be a guide for both the Board of Selectmen and applicants for such building permits.

Statement of Purpose: It is the purpose of these guidelines to ensure that any structures built on Class VI town roads or private roads are reasonably accessible to emergency vehicles twelve months each year. In that way, the safety and property of people occupying or using these structures will not be unreasonably placed at risk, nor will the safety of emergency response personnel or their vehicles and equipment be unreasonably endangered.

Application: When an application is made for a building permit and it is determined the location is on a Class VI or private road, the applicant will be required to provide:

- a PLAT (an approved subdivision plat), which has been signed by the Northwood Planning Board and recorded in the Rockingham County Registry of Deeds, or
- A subdivision plat that was approved by the local governing body or the zoning board of adjustment 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. The Building Inspector will need to visit the lot in question and determine if there are dwellings already placed on the class VI or private road due to RSA 674:41, I (e).

If the building permit application is for a lot that has a lawfully existing occupied residential dwelling, the building inspector, with authority granted by the board of selectmen, may issue building permits for the following structures, following review and comment by the planning board:

Accessory residential, uninhabited structures including but not limited to sheds, garages, decks, pools; OR the reconstruction or maintenance of residential structures on the existing, lawfully permitted structure footprint that does not increase the size or dimension of the structure in any direction.

If the building permit requires selectmen approval, the Building Inspector will provide a form packet “Application to Build on a Class VI or Private Road”. The applicant will provide the following information:

1. a signed “Agreement and Release” document, with fee for recording
2. a copy of the tax map, provided by the applicant, drawn to scale showing:
 - a. 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
 - b. the specific location of all proposed structures as required by the building application;

- c. the location and length of the driveway giving access to the structures from the Class VI or private road; and
 - d. 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
3. A road plan that includes the private or Class VI road(s) that provide access to the approved driveway on the property. The plan shall include the stamp of a NH licensed engineer with confirmation that the road(s) indicated on the plan meet or exceeds the emergency lane criteria noted in these guidelines; and
 4. A written road maintenance agreement if there is more than one party who will be residing on the road in question 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; and
 5. All above referenced must be submitted as a complete packet to the Planning Board Administrator no later than the first of the month to be on the Planning Board agenda for that month. The planning department will provide notification of the application to the fire chief, police chief and road agent. Following the planning board review, the complete packet with written comments and recommendations shall be forwarded to the Board of Selectmen.

Improvements to Class VI or Private Roads: Before beginning any work within the limits of the Class VI or private road, the applicant must receive a written permit from the Board of Selectmen pursuant to RSA 236:9-11, and shall be subject to the penalties provided by RSA 236:14 for failure to secure or comply with the terms of said permit.

For a single lot and/or single dwelling unit, the Board of Selectmen at a minimum shall adhere to emergency travel lane standards. Each application and case is looked at on a case-by-case basis, with the specific conditions of the road in question and its ability to support the passage of emergency vehicles being the primary consideration. In general terms, the “Emergency Lane” includes the following:

1. Sixteen-foot (16’) travel surface
2. Two-foot (2’) shoulders on each side
3. Four-inches (4”) crushed gravel surface
4. Installation of drainage culverts as may be required after NHDES Wetlands permit approval
5. Potential of pavement, depending on conditions or steepness of slope
6. Easement for drainage and maintenance

The Board of Selectmen will require that the proper completion of the improvements to the Class VI or private road be secured to the Town in a form of a surety bond or cash equivalent in an amount to be reviewed and determined by the town engineer for the Board.

Notice to be Recorded: Prior to the actual issuance of any building permit authorized by the Board of Selectmen following the decision, an executed notice of the Agreement & Release Form to the effect that the Town of Northwood neither assumes responsibility for maintenance of the Class VI or private road nor liability for damages resulting from the use thereof, pursuant to RSA 674:41, 1(c) (3). will be recorded at the Rockingham County Registry of Deeds. Such notice shall be recorded by the Town at the expense of the applicant.

Time Limitations:

1. Applicants receiving approval from the Board of Selectmen under these guidelines must apply for and be issued a building permit within the first six (6) months of the Board of Selectmen's Condition of Approval, and structure construction must begin within twelve (12) months from the date of issuance of the building permit or the approval Application to Build on a Class VI or private road will be void.
2. Required road improvements associated with the board of Selectmen's approval of applications under these guidelines must commence within six (6) months of the issuance of the building permit, and shall be made according to an approved, signed plan from the Board of Selectmen, with regular inspections made by the Board of Selectmen or their designee.

Occupancy Certificate: No Certificate of Occupancy will be issued by the Town of Northwood Building Inspector/Code Enforcement Officer until the requirements of said road improvements have been met and signed off by the Board of Selectmen or their designee. If the building is occupied without a Certificate of Occupancy, the occupants will be found in violation of local ordinance and state statute and will be subject to penalty as set forth in RSA 676:17.

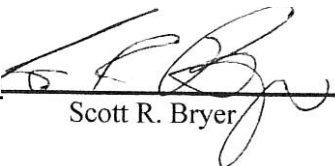
Other Permits: Should the Board of Selectmen grant approval for applications under these guidelines, applicants are still required to secure any other permits required under local, state or federal law or regulations. The Board of Selectmen's approval does not supersede any other requirements by other entities.

Repeal: The adoption of these guidelines shall operate as a repeal of any other statement of policy relative to this subject matter adopted by previous Boards of Selectmen.

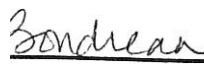
Approved by the Northwood Board of Selectmen on March 27, 2018



Donald Hodgdon, Chairman



Scott R. Bryer


◆ _____
Beth Boudreau