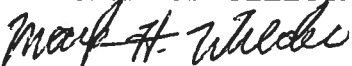


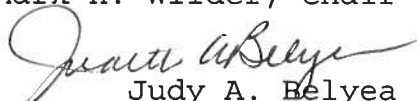
CLASS VI ROAD UPGRADE POLICY

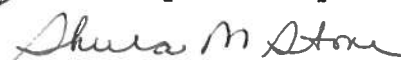
It is the policy of the Board of Selectmen that for class VI road upgrades made pursuant to RSA 231:28 the following shall apply with respect to design and construction criteria:

1. The Board of Selectmen may for any road upgrade require, at the applicant's expense, stamped engineered drawings and independent monitoring of construction.
2. As a general rule, applicants for projects involving a road upgrade of less than 400' with slopes less than 6% will not be required to hire the services of an engineer for design or construction monitoring.
3. As a general rule, applicants for projects involving road upgrades of more than 400' or projects with slopes in excess of 6% will be required to hire the services of an engineer for design or construction monitoring.
4. In cases that involve a class VI road that continues in length beyond the upgraded section, a "transition area" will be constructed as part of the project with a finished slope not to exceed 20%. This transition area will be considered part of the class VI portion of the roadway.
5. At the time the road upgrade is found to be complete, applicants may either agree to plow the new roadway through a winter/spring cycle or post with the town security in the amount of 20% of the construction costs. Posting funds with the town will result in the road being accepted immediately toward compliance with RSA 674:41. Applicant maintenance of the roadway will not result in acceptance until after a final inspection is completed the following spring. Security funds will be released to the applicant once the road has passed a final inspection by either the town's Road Agent or a designated engineer.

BOARD OF SELECTMEN


Mark H. Wilder, Chair


Judy A. Belyea


Sheila M. Stone

signed 10/28/98, amended 12/2/98, transition slope 5 to 1

Ordinance 1993-01

Whereas, RSA 674:41 restricts the issuance of building permits in cases where the street giving access is not a Class V or better highway;

Whereas, the Town of Plainfield Master Plan recommends that the "Town should attempt to discourage development among Class VI roads," [V1-6] and further that "Class VI roads subject to gates and bars should be kept available for future recreation use, but not upgraded..." [X1-10];

Whereas, the lack of maintenance to Class VI roads may inhibit the delivery of emergency services to persons or property on such roads;

Whereas, the Town may have liability to parties who might occupy properties along such roads;

Whereas, the Board of Selectmen is given the authority under RSA 47:17 to make Bylaws and Ordinances;

Whereas, it has been the policy of the Town of Plainfield to restrict the issuance of building permits on Class VI roads since August 1, 1987;

Whereas, an applicant, having been denied a building permit, may appeal from the decision to the Zoning Board of Adjustment, as allowed in RSA 674:41;

Whereas, the Zoning Board of Adjustment has the power to authorize or issue a permit, subject to such conditions as it may impose and as permitted by law;

Now Therefore, after review and comment by the Planning Board, the Board of Selectmen has enacted the following ordinance:

Ordinance 1993-01

Issuance of Building Permits on Class VI Highways

1. No building permits shall be issued for new buildings where the street giving access to the lot upon which the building is proposed is a Class VI road.

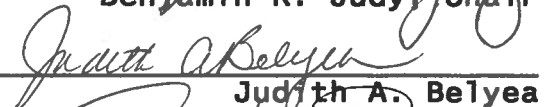
2. No building permit shall be issued for any addition to an existing building where the street giving access to the lot is a Class VI road, if any increase in the need for municipal services or increased impact on the Class VI road results.

This ordinance was adopted by an affirmative vote of the Board of Selectmen on November 10, 1993.

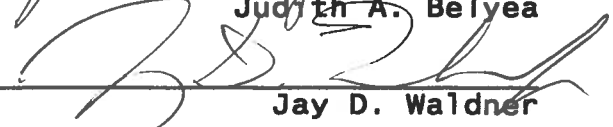
PLAINFIELD BOARD OF SELECTMEN



Benjamin R. Judy, Chair



Judith A. Belyea



Jay D. Waldner

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603-448-4782

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603-448-3683

*Admitted in N.H. and Vt.
**Admitted in N.H. and Mass.

July 26, 1993

Stephen Halleran
Administrative Assistant
Town of Plainfield
HC #64, Box 16A
Meriden, NH 03770

Class VI Road Ordinance

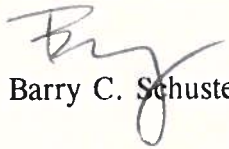
Dear Steve:

Enclosed is a revised version of the Class VI road ordinance. I have divided it into two sections, one for buildings and one for additions. From my reading, I thought that there was an intent to cover those two different situations; is that correct?

Also enclosed is a model notice of municipal liability for building of a Class VI road which is to be signed by a landowner in the event that a permit is granted. The notice gets recorded, at the cost of the applicant, in the Registry of Deeds at the time the building permit is issued.

Any questions or comments, just call.

Very truly yours,


Barry C. Schuster

BCS/sf

Draft Ordinance 1993-01

Whereas, RSA 674:41 restricts the issuance of building permits in cases where the street giving access is not a Class V or better highway;

Whereas, the Town of Plainfield Master Plan recommends that the "Town should attempt to discourage development along Class VI roads,"[VI-6] and further that "Class VI roads subject to gates and bars should be kept available for future recreation use, but not upgraded..."[XI-10];

Whereas, the lack of maintenance to Class VI roads may inhibit the delivery of emergency services to persons or property on such roads;

Whereas, the courts have found that the offer of immunity is not sufficient to protect the Town from liabilities to third parties who might occupy the properties at some time;

Whereas, the Board of Selectmen is given the authority under RSA 47:17 to make Bylaws and Ordinances;

Whereas, it has been the policy of the Town of Plainfield to restrict the issuance of building permits on Class VI roads since August 1, 1987;

Whereas, an applicant, having been denied a building permit, may appeal from the decision to the Zoning Board of Adjustment ;

Whereas, the Zoning Board of Adjustment shall have the power to authorize or issue a permit, subject to such conditions as it may impose, if the issuance of the permit will not cause hardship to future purchasers or undue financial impact on the municipality;

Now Therefore, after review and comment by the Planning Board, the Board of Selectmen has enacted the following ordinance:

Ordinance 1993 - 01
Issuance of Building Permits on Class VI Highways

In the case where the street giving access to the lot upon which such building is proposed to be placed is a Class VI highway, no building permit will be issued for any new building, or for any addition to an existing building which might increase the need for services or increase the impact of that existing building on said Class VI road.

This language opens door for allowing new house

"IMPACT"

Draft Ordinance 1993-01

Whereas, RSA 674:41 restricts the issuance of building permits in cases where the street giving access is not a Class V or better highway;

Whereas, the *Town of Plainfield Master Plan* recommends that the "Town should attempt to discourage development among Class VI roads," [V1-6] and further that "Class VI roads subject to gates and bars should be kept available for future recreation use, but not upgraded..." [X1-10];

Whereas, the lack of maintenance to Class VI roads may inhibit the delivery of emergency services to persons or property on such roads;

Whereas, the Town may have liability to parties who might occupy properties along such roads;

Whereas, the Board of Selectmen is given the authority under

RSA 47:17 to make Bylaws and Ordinances;

Whereas, it has been the policy of the Town of Plainfield to restrict the issuance of building permits on Class VI roads since August 1, 1987;

Whereas, an applicant, having been denied a building permit, may appeal from the decision to the Zoning Board of Adjustment, as allowed in RSA 674:41;

Whereas, the Zoning Board of Adjustment has the power to authorize or issue a permit, subject to such conditions as it may impose and as permitted by law;

Now Therefore, after review and comment by the Planning Board, the Board of Selectmen has enacted the following ordinance:

Ordinance 1993-01

Issuance of Building Permits on Class VI Highways

1. No building permits shall be issued in cases where a building permit is sought for a building where the street giving access to the lot upon which the building is proposed is a Class VI road.

2. No building permit shall be issued for any addition to an existing building where the street giving access to the lot upon which the addition is proposed is a Class VI road if there would result any increase in the need for municipal services or increase on the impact of said Class VI road.

TOWN OF PLAINFIELD

Notice of Limits of Municipal Responsibility and Liability
Pursuant to RSA 674:41

The undersigned acknowledges that notice of the limits of municipal responsibility and liability has been received from the Town of Plainfield in connection with the undersigned's application for the issuance of a building permit for the erection of building(s) on a Class VI highway. The Class VI highway is:

_____.

The undersigned acknowledges, agrees, and accepts that the Town of Plainfield does not assume any responsibility for the maintenance of said Class VI highway, nor liability for any damages resulting from the use of said highway.

A signed and acknowledged copy of this notice shall be recorded in the Sullivan County Registry of Deeds prior to the issuance of the building permit and shall be indexed under the name(s) of the undersigned as grantor(s).

Dated this _____ day of _____, 199__.

Landowner requesting permit for the erection of a building(s) on a Class VI highway

(print name):

(print name):

STATE OF NEW HAMPSHIRE
COUNTY OF SULLIVAN

_____, 199_

Personally appeared _____ known or satisfactorily proven to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged the same to be his/her/their voluntary act and deed. Before me,

Justice of the Peace/Notary Public

TOWN OF PLAINFIELD

ORDINANCE

PURSUANT TO RSA 674:41 AS OF AUGUST 1st, 1987 IN THE
TOWN OF PLAINFIELD, NO BUILDING PERMITS SHALL BE ISSUED
FOR CONSTRUCTION OF ANY BUILDINGS, THE ACCESS TO WHICH
IS A CLASS VI HIGHWAY.

Bruce W Baird
Bruce Baird, Chairman

Judith A Belyea
Judith Belyea

Peter W Haubrich
Peter Haubrich

BOARD OF SELECTMEN

ADOPTED June 3, 1987

REVISION NOTICE

The original Class VI Road Policy presented on the previous page has been revised by Boards of Plainfield Selectmen in the following ways:

This policy was amended on June 24, 1987 in the following manner:

- a) Permits are transferable with ownership
- b) Require proof that applicant has applied for septic approval if appropriate.
- c) Renovations to existing buildings will require permits before August 1st, 1987 -none after- can renew permits.

The Policy was further amended on January 6th, 1988:

- a) Present holders of Building Permits on Class VI roads will be allowed to transfer this permit only once.
- b) Building permits will be issued on Class VI roads for additions which do not include living area.