

TOWN OF SALISBURY

STANDARD OPERATING POLICY

S.O.P. #05-001

February 2005

TITLE: Requests for Agreement & Notice of Limits of Municipal Responsibility and Liability. (ANLMRL)

PURPOSE: *The purpose of the policy is to establish a procedure for applicants to request an Agreement and Notice of Limits of Municipal Responsibility and Liability, which may enable them to build on Class VI and private roads. The Board is mindful that development along a Class VI road may well lead to the receipt of a petition to lay out the road as a Class V, town-maintained road, or a petitioned warrant article requesting the Town Meeting to reclassify the Class VI road as Class V. It is therefore the purpose of this policy to minimize development and to prevent scattered and premature development along Class VI town roads which might tend to drain existing town services and force increased costs on the town to provide additional services. Further, it is also the purpose of this policy to ensure that any structures built on Class VI town roads are reasonably accessible to emergency vehicles twelve months each year. In that way, the safety and property of people occupying or using those structures will not be unreasonably placed at risk, nor will the safety of emergency response personnel or their vehicles and equipment be unreasonably endangered.*

PROCEDURES:

Step #1: **Request to Selectmen**

- Applicant will complete and submit Application for ANLMRL with all required documentation. (see application instructions for documentation needed)
- Selectmen review application and documentation.
- Selectmen to do preliminary Site Visit conditions permitting (snow, mud, etc.) - with applicant, road agent, fire/rescue, planning board and conservation commission. (have statement re: general public can go on site visit of Class VI road – but would need property owner’s permission to go on to the property)
 - Publicly post date and time of site visit (one site visit for all)
 - To include Photographs and Minutes of the site visit

Step #2: **Planning Board Review**

- Application with documentation submitted to Planning Board for recommendation. (to be presented by Applicant at a regular PB Meeting)

Step # 3:

Selectmen Approval / Denial

- Public Hearing
 - Notification to Abutters of property in question and those directly affected along class VI and private road within a ½ mile radius. (Applicant pays fees as set by Planning Board regulations – town to send notices) Town to publicly post date and time of public hearing in Concord Monitor and on local bulletin boards
 - A final site visit conditions permitting (snow, mud, etc.) may be necessary if public hearing brings up new information and for viewing improvements / maintenance made on road.
 - Ensure all of above steps of the application process and documentation submitted are complete.
 - Approval / Denial

EFFECTIVE DATE: February 14, 2005

Kenneth Ross-Raymond, Chairman

Joseph Schmidl

Pete Ballou

Board of Selectmen