



OFFICE OF  
SELECTMEN

# TOWN OF BRADFORD

NEW HAMPSHIRE 03221



TELEPHONE  
603 938-5900

## TOWN OF BRADFORD CLASS VI AND PRIVATE ROAD BUILDING POLICY

ADOPTED BY THE BRADFORD SELECT BOARD  
July 28, 2025

In accordance with RSA 674:41, the Select Board has the discretion to authorize the issuance of building permits for lots in Bradford to be accessed by Class VI public highway or private roads, after review and comment by the Planning Board, all upon such conditions as the Select Board may impose as permitted by law.

The Select Board has adopted this Class VI and Private Roads Building Policy to help guide the decision-making process with such building permits. The Select Board will consider any factor relevant to the authorization of a building permit on an individual case basis, without limitation to those specifically contained in this Policy.

1. Statement of Purpose. It is the purpose of this policy to minimize development along Class VI and private roads in Bradford which might tend to drain existing Town services and force increased costs on the Town to provide additional services. It is also the purpose of this policy to ensure that any structures built on Class VI or private roads are accessible to emergency vehicles so that 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 and third parties, or their vehicles and equipment, be unreasonably endangered. Finally, in adopting this policy, the Select Board intends to guard against scattered and premature development and to ensure consistency with the Town's Master Plan.
2. Application. Applications to the Select Board requesting the issuance of a building permit on a Class VI or private road shall be made in writing and accompanied by a plan drawn to scale and prepared by a professional engineer or surveyor licensed in New Hampshire showing:

- a. The location and size of the lot and its relation by distance and function to the Class VI or private road to which the application pertains and the Class V or better road giving access to the same;
  - b. The specific location of all proposed structures to be constructed on the subject property;
  - c. The location and length of the driveway giving access to the structures from the Class VI or private road;
  - d. Any proposed improvements for the Class VI or private road, including cross sections;
  - e. Wetlands on or adjacent to the subject property or abutting the access road that could be impacted by construction or proposed improvements to the road, and evidence of a related State Wetlands Permit application;
  - f. A list of all abutters to the subject property and to the Class VI or private access road;
  - g. Any other information which the Select Board may reasonably require;
  - h. Certified mail costs for each abutter and public hearing notice advertising costs; and,
  - i. A fee of \$100.00.
3. Distance to Class V Road & Access Road Conditions. It is the policy of the Select Board that in the usual case, no building permit will be authorized if the driveway access to the proposed principal structure begins more than five hundred (500) feet from the Class V or better road which gives access to the Class VI or private road. Applications that meet the five hundred (500) foot distance will not be automatically approved, however. In addition to any other relevant factors, the Select Board will consider the following even where the five hundred (500) foot distance is met:
- a. If access can be reasonably obtained directly from frontage along a Class V or better roadway;
  - b. If granting the permit could lead to unplanned, scattered and premature development of the Class VI or private road or lots thereon;
  - c. The nature, condition and grade of the Class VI or private road;
  - d. The nature, condition and length of the driveway from the Class VI or private road to the proposed structure(s);
  - e. Road surface and condition: depth and quality of gravels; steepness of the grade on the portion of the road being considered; the presence of large rocks or ledge in the roadbed; the existence of areas which flood during seasonal rainy periods; the adequacy of drainage along the road; the presence of wetlands; the presence of bridges and culverts; the condition of curves and switchbacks; vertical and horizontal alignment; proximity of trees to the travel way; feasibility of improving and maintaining the road for access by emergency responders; and any other conditions of the road which would affect its suitability for development or travel.

4. Improvements to Access Road. As a condition for the issuance of a building permit, the Select Board may require the applicant to maintain the Class VI or private access road according to the following standards.
- a. Before beginning any work within the limits of the Class VI public highway right-of-way, the applicant must receive a written permit from the Select Board 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. It is the responsibility of the applicant to secure any necessary permission for work within the limits of a private road from the road owner(s).
  - b. Improvements must be made only within the right-of-way. It is the responsibility of the applicant to work with the Road Agent to identify the boundaries of the right-of-way, including, if necessary, hiring a surveyor, paid for at the applicant's expense;
  - c. If required improvements, including but not limited to drainage, travel way, or tree cutting cannot be located wholly within the right-of-way, the applicant must seek an easement or other agreement with the property owner impacted;
  - d. The access road shall be improved to satisfy the requirements of a fire apparatus access roads as defined in the State Fire Code as may be amended, or the applicant shall secure a variance from those requirements issued by the State Fire Marshal upon demonstration of a degree of safety substantially equivalent to that provided under the State Fire Code. The Select Board may, as a condition of issuing the permit, require the applicant to bring the Class VI or private road up to this standard, or to Class V standard, at the applicant's sole expense.
  - e. The Select Board shall review each application on an individual case by case basis. In general terms the following minimum standard will apply:
    - i. Sixteen feet (16') unobstructed width with two-foot shoulders on both sides, and thirteen feet, six inches (13', 6") of vertical clearance;
    - ii. Twelve inches (12") minimum of crushed gravel;
    - iii. No grades exceeding 10%;
    - iv. Pull off areas every 500' to allow larger vehicles to safely pass one another;
    - v. Hammerhead turnaround at the end of the roadway to accommodate emergency vehicular turnaround;
    - vi. Stop sign and street name at the intersection with Class V Road;
    - vii. Address all drainage issues; and,
    - viii. Pavement may be required depending on conditions.
  - f. Beyond the physical standards of the Class VI or private road, the Select Board may:
    - i. Require a written road maintenance agreement between all property owners who will use the road to access buildings on their respective properties, or require the applicant who will be the sole owner of a building(s) accessed by the road to agree in writing to assume 100% of the


road maintenance costs for the portion of the Class VI or private road affected.


- g. The Select Board will require that the proper completion of the improvements to the Class VI or private road be secured to the Town of Bradford by providing financial security in the form and amount to be determined by the Select Board.
- 5. Public Hearing.
  - a. Prior to the issuance of its decision on the application, the Select Board shall hold a public hearing with at least 7 days prior notice sent certified mail, return receipt requested, to the applicant and to each legal abutter to the Class VI or private road in question. The notice shall also be posted in at least two (2) public places within the Town. The applicant shall pay the costs of such notice, in advance. The Select Board will also ensure that notice of the public hearing is given to the Chairpersons of the Planning Board, Zoning Board of Adjustment, Conservation Commission, the Road Agent, Chief of Police, Fire Chief and Building Inspector. Applications under this policy will first be forwarded to the Planning Board for its review and comment to the Select Board before the public hearing.
  - b. The Road Agent and Fire Chief (or their designees) shall provide written comments to the Select Board before acting on the application. Further, the Road Agent may seek review assistance from the Town's Engineer about the adequacy of the improvements. Any required reviews made by the Town's Engineer shall be paid for in full by the applicant.
- 6. Agreement/Notice to be Recorded. Prior to the actual issuance of any building permit authorized by the Select Board, the applicant shall sign and provide the Town of Bradford with an executed agreement/release/notice of limits of municipal responsibility and liability, in recordable form, to be recorded at the Merrimack County Registry of Deeds at the applicant's expense and providing that the Town of Bradford 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, I (c)(3), and indemnification from and against the claims of third parties. The form shall be substantially similar to the form attached to this policy.
- 7. Time Limitations.
  - a. Required road improvements associated with the Select Board's approval of applications under these guidelines must commence within six (6) months unless extended by the Select Board; and,
  - b. Applicants receiving approval from the Select Board under these guidelines must apply for and be issued a building permit within the first six (6) months of the Select Board's Conditional Approval, and construction must begin within six (6) months from the date of issuance of the building permit. Otherwise, the approved application to build on a Class VI or private road will be void.

8. Certificate of Occupancy. A Certificate of Occupancy will be required before a building is occupied. No Certificate of Occupancy will be issued by the Town of Bradford Building Inspector/Code Enforcement Officer until the road improvements have been met and approved by the Select Board of their designee.
9. Duration of Required Maintenance of Class VI Road. The property owner or their successors-in-title, as the case may be, shall maintain the portion of the road in question in perpetuity, and in accordance with any road maintenance agreement under Section 4(g) hereof, or until the road's designation is changed to Class V or better.
10. Driveway Permit. If the Select Board grants the approval, the applicant shall obtain a driveway permit from the Road Agent in the ordinary course.
11. Other Permits. Should the Select Board 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 Select Board approval does not supersede any other requirements by other entities. Nothing in this policy shall be construed to require the town to undertake maintenance of a Class VI public highway or accept a private road as a public highway, nor to require the Town to maintain the same to any degree.
12. Repeal. The adoption of this Policy shall operate as a repeal of any other similar statement of policy adopted by previous Select Boards.

IN WITNESS WHEREOF, the undersigned members of the Bradford Select Board have set their hands this 28th day of July, 2025.

**BRADFORD SELECT BOARD**

  
Marlene Freyler, Chair

  
Charles F. Meany, III

  
Beth Downs