

## **Building on a Private Road or Class VI Road**

### **Process to obtain approval to build:**

There are two (2) items needed for approval to build on a Private road or Class VI road:

1. A Private/Class VI Road Agreement- This agreement is approved by the Selectmen. Firstly, the Planning Board will review the requested agreement. Secondly, the Planning Board will give a recommendation to the Selectmen. Thirdly, the Selectmen will vote to approve or deny the agreement and may impose road improvements. Lastly, if approved, the agreement would be recorded at the Belknap County Registry of Deeds. (recording costs to be paid by property owner)
2. A Variance- The Zoning Board of Adjustment will need to approve a variance to allow building on a Class VI or Private Road. A lot is considered non-conforming if it does not meet the lot requirements of Article IV, Table 2 of the Zoning Ordinance. See RSA 674:41 and Zoning Ordinances below.

### **Pursuant:**

*RSA 674:41: no building shall be erected on any lot within any part of the municipality nor shall a building permit be issued for the erection of a building unless the street giving access to the lot upon which such building is proposed to be placed:*

*(a) Shall have been accepted or opened as, or shall otherwise have received the legal status of, a class V or better highway prior to that time*

Zoning Ordinance:

*Article VII:C-1a: A non-conforming lot may be used to build a new structure for residential purposes if the lot has frontage on a Class V or better road*

Article IV, Table 2

	Village	Rural	Conservation	Lt. Bus.	Bus.	Res.Lake
<b>Acreage</b>						
1. Conventional	1 Acre	2 Acres	10 Acres	1 Acre	1 Acre	1 Acre
2. Open Space Subdivision*	1 Acre	1 Acre	1 Acre	1 Acre	1 Acre	1 Acre
<b>Frontage</b>						
1. Conventional	125'	200'	400'	200'	200'	125'
2. Open Space Subdivision	75'	75'	75'	75'	75'	75'

Please see the Town of Gilmanton Zoning Ordinances for a complete version of all Articles.