



TOWN OF  
BROOKLINE, NEW HAMPSHIRE  
P.O. BOX 360 – 1 Main Street  
BROOKLINE, NH 03033-0360  
Telephone (603) 673-8855

## Road Acceptance Policy

All roads proposed for acceptance by the Town of Brookline, a New Hampshire municipality, must be proposed in one of three processes:

1. Dedication as a public right-of-way through a formal Planning Board subdivision process pursuant to the Town of Brookline Subdivision Regulations, and with a majority vote of acceptance by the Selectboard pursuant to the authority granted by vote of the 1993 Town Meeting (Article 14).
2. The layout of an existing Class VI or private road by the Selectboard in a manner prescribed under RSA 231.
3. By an affirmative Town Meeting vote by the legislative body pursuant to RSA 674:40 to accept a road, or portion of a road, as a public way.

The Selectboard will only consider applications for road acceptance between April 1<sup>st</sup> and November 1<sup>st</sup>. Acceptance of a road is intended to establish legal highway status of the road or right-of-way before ongoing acts of maintenance or repair by the municipality may occur. The intent of this policy and the governing statutes is to have a clear procedure to follow for individuals, businesses, or other entities who seek to have the Town accept the road as a public way.

For a road to be accepted by the Selectboard, all required construction improvements must be completed. All items required below must be documented and reviewed by the Planning Board, Town Engineer, and Public Works Director for compliance with Road Construction Specifications as outlined in the Town of Brookline Subdivision Regulations whether or not it is part of an approved subdivision.

The Selectboard will not consider a road or roads for approval that is not deemed in compliance by the Planning Board, Town Engineer, and Public Works Director. The following must also be completed:

1. The deed for the right-of-way must be provided to the Town and reviewed and approved by Town Counsel.
2. All associated and required easements, and all other documents required, as determined by the Town must be provided to the Town, reviewed and approved by Town Counsel.
3. The construction of the road and all associated infrastructure must be complete.

4. A complete set of “as-built” drawings must be submitted prior to any Public Hearing scheduled by the Selectboard to accept the road(s).
5. A site walk must be completed with representative(s) for the applicant, members of the Planning Board, Selectboard, Town Engineer, and Public Works Director, or their designee, without any snow cover, so that the roadway can be verified as complete and in compliance with the Town’s Road Construction Specifications.
6. Prior to acceptance, the applicant must provide the required 2-year maintenance surety. The amount of the surety will be determined by the Planning Board and Town Engineer, but in no case will be less than \$10,000.
7. The Selectboard will not consider a road for acceptance if it has not received a written recommendation from the Planning Board, Town Engineer, and Public Works Director prior to the Public Hearing to accept.

### **Dedication of Road/Right-of-Way by Planning Board**

When a road or right-of-way for use by the public has been dedicated through a formal action of Subdivision or Site Plan Review by the Planning Board, the applicant/developer is provided with a specific set of criteria to meet in order for the road or right-of-way to be determined a Town road. During construction the applicant/developer will be monitored by the Planning Board and Town Engineer to ensure compliance with requirements imposed by the Planning Board.

The applicant/developer will request a final road review by the Planning Board, Town Engineer, and Public Works Director. Based on that review, it will be determined if the road is complete or if there are outstanding work that needs to be done and a punch list developed accordingly.

The applicant/developer will provide the Town with the deed of ownership of the road/right-of-way including maintenance easement documents for recording. The documents will be reviewed by Town Counsel for acceptance.

Once the road/right-of-way receives a recommendation from the Planning board, Town Engineer, and Public Works Director, the final vote of acceptance shall be by the Selectboard in accordance with RSA 674-40-a. Upon approval by the Selectboard, an approval letter/document will be submitted to the Town Clerk for formal recording and the inclusion of the road/right-of-way on the list of accepted roads by the Town.

### **Layout of Class V Highway**

When the Selectboard is presented with a petition to layout an existing Class VI Road as a Class V highway, the Board shall follow the process prescribed in RSA 231 inclusive of the Public Hearing process and ultimate determinations to be reached that there is a public benefit to the proposed layout of a Class V highway.

Similar to the construction of a new road through a Subdivision or Site Plan Review process, the party petitioning the Selectboard for the layout of a Class V highway will be provided with conditions of improvement to the existing roadway/right-of-way that would have to be accomplished before the Town would change the status of the road and accept it as a Town maintained road.

During the construction, the work will be monitored by the Town Engineer to ensure compliance with any requirements imposed by the Selectboard and/or Road Construction Specifications as

outlined in the Town of Brookline Subdivision Regulations whether or not it is part of an approved subdivision.

Once the road is complete, the applicant shall request a final review by Town Engineer and Public Works Director. Once that review is completed, it will be determined if there is outstanding work that needs to be done and a punch list developed accordingly.

The punch list developed by the Town engineer and Public Works Director must be completed and the appropriate deed and/or easement documents must be approved by Town counsel prior to the final acceptance and formal approval of the road by the Selectboard.

The applicant will provide the Town with the deed of ownership of the road/right-of-way including maintenance easement documents for recording. The documents will be reviewed by Town Counsel for acceptance.

Once the road/right-of-way receives a recommendation from the Town Engineer and Public Works Director, the final vote of acceptance shall be by the Selectboard in accordance with RSA 674-40-a. Upon approval by the Selectboard, an approval letter/document will be submitted to the Town Clerk for formal recording and the inclusion of the road/right-of-way on the list of accepted roads by the Town.

**Affirmative Vote of Town Meeting**


Any road that has not received prior Planning Board approval, or has not been laid out as a Class V highway by the Selectboard, shall require an affirmative Town Meeting vote to accept the road as a Town road pursuant to the provisions of RSA 674:40, III. In the event an individual(s) seek to have a road accepted by the Town through the Town Meeting form of acceptance, it is the intention of the Selectboard to recommend the same standard of conditions and requirements for acceptance be approved by the Town Meeting as would be implemented through the other two processes outlined above.

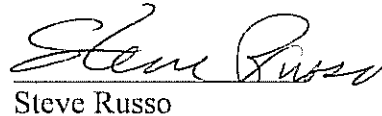
**Effective Date:**

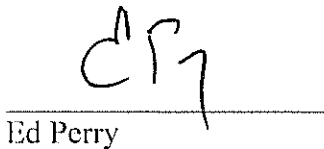
This policy shall take effect on July 1, 2023.

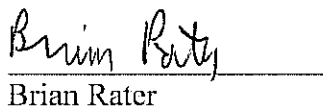
**BROOKLINE SELECTBOARD**

  
Eddie Arnold

  
Brendan Denehy

  
Steve Russo

  
Ed Perry

  
Brian Rater