

# Policy Statement

2016-01-25B

## License Agreement - Permitted Improvements within the Public Way - Guidelines and Procedures

These procedures are established by the Board of Selectmen as Commissioners of the Public Way.

A license shall be required for any improvement that encroaches within the public way.

The intent of a License Agreement is to protect the integrity of the public way and prevent unauthorized encroachments so as to ensure adequate public safety and access for both vehicles and pedestrians within the public right-of-way.

### Evaluation Criteria:

- The Selectmen shall review license requests to ensure that the location of any improvement is suitably located so as to preserve public safety and convenience.
- Where feasible, any improvement should be considered in relation to existing on-street traffic patterns for vehicles, bikes and pedestrians
- Where feasible, any improvement should ensure sufficient sight lines for backup into traffic and pedestrian ways.
- Where feasible, any improvement should preserve public parking within the public way.
- Where feasible, any improvement should be designed to adequately mitigate stormwater flow into or within the public way.

Improvements shall be reviewed on a case by case basis and shall not be considered precedent setting.

Improvements that serve a project requiring site plan review shall meet the minimum standard as set forth by the Planning Board and approved by the Public Works Director or Fire Chief as applicable.

A public hearing may be required at the discretion of the Board of Selectmen.

**Fee:** A License request shall be accompanied by a fee of \$100.00. The fee is based on the cost of staff to review and evaluate the requests and the cost associated with the administering the license.

### Application Procedure:

**Step 1:** Application is filed with the Community Development Department and must be accompanied by:

1. Certified to-scale plot plan indicating both the existing or proposed conditions identifying the actual location of the proposed improvement and abutting areas (including all structures, trees, landscaping, fences, power poles, utility equipment, Title V septic system, propane or oil tanks).
2. Any supporting documentation provided by the applicant

- Step 2:** Once the application is deemed complete, the Permit Coordinator will schedule a meeting with the Selectmen's Secretary.
- Step 3:** Prior to the meeting, the Permit Coordinator will distribute individual copies of the application and plans to the Assistant Town Manager, Chief of Police, DPW Director, Fire Chief, Building Commissioner and Town Planner for their review and comments.
- Step 4.** The applicant or his/her representative must be present at the meeting.
- Step 5.** The Selectmen reserve the right to alter the proposed layout or place conditions on the approval of any improvement request at the meeting. The Permit Coordinator will forward the approved license with conditions confirming the motion and vote of the Board of Selectmen to the applicant.
- Step 6.** Once the improvements are installed, the applicant shall schedule a final inspection with Local Building Inspector.

*Adopted January 25, 2016*

*In favor: Donegan, Andrews, Richter and Anthony*

*Opposed: none.*

# Improvement within the Public Way Requiring a License Agreement Application

Location: _____
Applicant: _____
Applicants Mailing Address: _____
Applicant's Phone number: _____ email: _____

Pursuant to General Bylaw Section 11-6, I hereby request permission of the Board of Selectmen to install improvements within the public way.

Please attach certified to-scale plot plan showing existing conditions in the immediate area as well as the proposed improvements, including any adjacent public parking spaces or curb cuts, all structures, trees, landscaping, fences, power poles, utility equipment, Title 5 septic systems, propane or oil tanks, etc... Also Include any photos of the existing conditions taken from various vantage points, other supporting documentation if necessary, and a written project narrative if warranted.

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Date

**For Office use Only**

Public Safety Official	Approve	Disapprove	Date
DPW Director			
Fire Chief			
Police Chief			
Building Commissioner			
Town Planner			
Assistant Town Manager			
Emergency Coordinator			

Comments: \_\_\_\_\_

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