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Town of Thornton • 16 Merrill Access Road • Thornton NH, 03285 • 603.726.8168

A Resolution

Pursuant to the provisions of RSA 231:163 and RSA 43:2, the Board of Selectmen held a Public Hearing on Wednesday, November 6, 2013 to determine if it would be in the best interests of the public good to amend all of the existing pole licenses issued by the Town of Thornton through November 6, 2013 to include language regarding taxation pursuant to RSA 72:23.

As a result of the public Hearing, the Board of Selectmen have found it is in the best interests of the public good to amend these existing pole licenses to include the following language:

In accordance with the requirements of RSA 72:23, I(b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

In accordance with the requirements of RSA 72:23, I(b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I(b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.

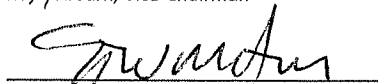
In addition, the Board of Selectmen for the Town of Thornton has found it to be in the best interests of the public good to adopt a revised Pole License form to be used by the Town of Thornton effective November 7, 2013 that included the same language noted above for all future pole licenses to be issued in the Town of Thornton.

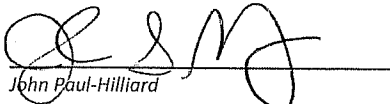
Board of Selectmen, TOWN OF THORNTON, NH


Brad Benton, Chairman


Roy Sabour, Vice-Chairman


Marianne Peabody


Steve Morton


John Paul-Hilliard

November 6, 2013
Date



Town of Thornton • 16 Merrill Access Road • Thornton, NH 03285 • 603.726.8168

Petition - Permit for License of Utility Poles/Underground Conduit

DATE: _____

PETITIONER(S):

BUSINESS NAME: _____

CONTACT PERSON: _____

ADDRESS: _____

PHONE: _____ FAX: _____ EMAIL: _____

BUSINESS NAME: _____

CONTACT PERSON: _____

ADDRESS: _____

PHONE: _____ FAX: _____ EMAIL: _____

Attached hereto:

- Two signed copies of this "Petition for License"
- Location Plan, Land Survey, or Plan showing proposed location of utility pole(s) or underground conduit.
- Designation and definition for the following must be submitted (*may be by reference to a map or plan filed with or attached to the petition or license*):
 - the maximum and minimum length of poles,
 - the maximum and minimum height of structures,
 - the approximate location of such poles and structures
 - the minimum distance of wires above and of conduits and cables below the surface of the highway,
 - the approximate distance of poles from the edge of the traveled roadway or of the sidewalk,
 - and may include reasonable requirements concerning the placement of reflectors thereon
- Check for \$10.00 made payable to the Town of Thornton.(filing fee)

To the Board of Selectmen, Thornton, New Hampshire:

Pursuant to NH RSA 231:161, I/we are requesting that a license to erect, install, and thereafter maintain the following described poles, structures, and/or conduits together with wires, cables, and associated sustaining, strengthening and protecting fixtures, be granted across and/or under the following public right(s)-of-way in the Town of Thornton: _____

EQUIPMENT DESCRIPTION: (check box & provide necessary information)

POLE

Being numbered _____, or set of Poles, being numbered _____ and as shown on plan titled _____ dated _____ attached hereto and made a part hereof.

UNDERGROUND CONDUIT

Being described as _____ and as shown on plan titled _____ dated _____ attached hereto and made a part hereof.

In accordance with the requirement of RSA 72:23, I(b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.

In accordance with the requirements of RSA 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.

The above-described pole(s) or conduit shall support the equipment of the following named providers:

1. _____
2. _____
3. _____
4. _____

The Licensee is required to provide the town in writing the names and contact information for any additional provider(s) authorized now or in the future to place equipment at these location(s).

LOCATION DESCRIPTION:

1. GPS Coordinates and location, with reference to the NH Plane Coordinate System: _____; **AND**
2. Further described on the attached location plan or land survey for _____
(Name of Project/ Plan)
drawn by _____ dated _____ with a last revision date of _____.

NEAREST LICENSED STRUCTURES:

The above-described equipment installation will commence at an existing licensed utility structure described by the following location and license information: _____, and will terminate at an existing licensed utility structure described by the following location and license information: _____

PETITIONER:

Business Name: _____	Business Name: _____
By: _____ <i>Signature of Duly Authorized Representative</i>	By: _____ <i>Signature of Duly Authorized Representative</i>
Date: _____	Date: _____

TOWN REVIEW AND AUTHORIZATION:

Reviewed and Recommended by the Thornton Road Agent: _____ <i>Signature</i> <i>Date</i>
Comments, Concerns and Recommendations: _____ _____ _____

BOARD OF SELECTMEN:

_____ APPROVED	_____ DENIED
Conditions of Approval: _____	
Reasons for Denial: _____	
_____ <i>Brad Benton, Chairman</i>	_____ <i>Roy Sabourn, Vice Chairman</i>
_____ <i>Marianne Peabody</i>	_____ <i>Steve Morton</i>
_____ <i>John Paul-Hilliard</i>	_____ <i>Date</i>

TOWN CLERK:

Received and entered into the records of the Town of Thornton, New Hampshire.

Date: _____ Signature: _____
Town Clerk

If approved the applicant(s) are hereby granted a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures, in the public ways covered by said petition. All of said wires, except such as are vertically attached to poles and structures, shall be placed in accordance with the National Safety code in effect at the time of petition and/or license is granted.