

STATEMENT OF POLICY

Access of Private Property

Purpose:

To ensure that the privacy of citizens is respected during the course of Town Officials and Committees conducting site review and functions associated with applicable laws, and ordinances.

Scope:

This policy addresses the entering and access of private property, especially the curtilage of private property. Many government functions require access to private property, such as, but not limited to, surveyors, police in their community caretaker status, health officers, assessors, perambulators, and the official who would be granting driveway permits. This policy is not intended to place restraints on the aforementioned positions and activities, but is directed towards the site review of property by the so-called land use committees, i.e. Conservation Commission, Zoning Board of Adjustment, and the Planning Board.

It should be noted that the Board of Selectmen does not possess the statutory authority to instruct the functions of the above-mentioned boards. Accordingly, these procedures are set as "guidelines" in an attempt to achieve a balance between individual privacy rights and the ability of boards / committees to carry out their statutory functions.

Policy Guidelines:

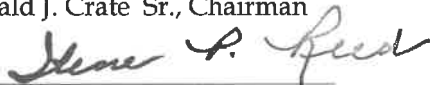
When so called Land Use boards and committees have a valid need for site review, the listed procedures shall be followed:

1. The Committee / Board shall discuss the need for site review, and take a vote for said review (majority vote required) and ensure recording of the vote in the ensuing minutes.
2. Every effort shall be made to contact the property owner or designee to arrange for a mutually convenient time for a site visit.
3. If the property owner is not present, buildings should not be entered under any circumstances.

Approved:



Donald J. Crate Sr., Chairman



Ilene P. Reed



Keith Oppenheer

Date of Approval: January 6, 2003