

**Town of Middletown
Planning Department**

350 East Main Rd., Middletown RI 02842 (401) 849-4027

PLANNING BOARD MINUTES

Special Meeting – Bond Reduction Policy

August 10, 2005

Board members present:

Hedy Bennett, Chair Samantha Hogan, Assistant Planner

Jan Eckhart, Secretary Vern Gorton, Town Solicitor

Art Weber Tom O’Loughlin, Director Public Works

Richard Adams Art Benner, Chair Roads & Utilities

Colleen Aull

Audrey Rearick

David Lawrence

The meeting was called to order at 6:05 pm.

The Planning Board conducted a special meeting to discuss proposed amendments to Article 7 of the subdivision regulations relating to reduction/release of performance bonds.

Mr. Benner explained that the Roads and Utilities Committee were recommending three changes to Article 7 of the Subdivision

Amendments. These included adding a requirement for written sign-offs or acceptance of each utility company to Section 701, amending section 703.8 so that no bond release occurs until the binder course is in place, and clarification of the method of determining the amount of bond.

Mr. Benner stated that requiring a sign off from utility companies would ensure everything was installed correctly.

The Planning Board expressed support for this requirement.

Mr. Adams asked why the change to section 703 was being recommended, and if there was a problem with the existing procedure for bond reduction.

Mr. Benner stated that there have been problems in the past with subdivision improvements, and even the best contractors sometimes don't do a perfect job. The proposed amendments would ensure the town had sufficient funds to correct any deficiencies in improvements.

Mr. Weber provided several examples of subdivisions with improvements that did not meet town standards, and had to be redone.

Mr. O'Loughlin stated that the proposed amendments would ensure the majority of the improvements were correctly constructed before releasing any money, and help prevent situations where the town might have to expend its own money to fix problems.

The Planning Board expressed support for this change.

Mr. Benner stated that the method of calculating the amount of the bond should be clarified to include the addition of prevailing wage.

Discussion ensued about the process of determining the amount of surety required for subdivision improvements.

By consensus, the Planning Board requested proposed amendments be drafted to implement these suggestions.

The Planning Department and Town Solicitor will draft the subdivision amendments.

Meeting Adjourned at 6:28 pm.