

SUBSECTION 13.4 TOWN ACCEPTANCE OF A COMPLETED ROAD

13.4A PROCEDURE

1. Whenever a completed road is intended to be offered for acceptance by the Town, a written request for acceptance must first be submitted to the Commission for review, along with all required supporting information specified in this section and supplemental information as may be requested. Such written request and supporting/supplemental information shall be submitted to the Director of Planning and Development, who shall forward such information to the Director of Public Works, and Town Engineer for review. The Director of Planning and Development shall notify the person(s) making the request, of any revisions required, to the supporting/supplemental information. Upon receipt and confirmation that all required revisions have been made, the Director of Planning and Development shall forward the written request and supporting/supplemental information, along with recommendations from the Director of Public Works and Town Engineer to the Planning & Zoning Commission. The Planning & Zoning Commission, after review of all information, shall make a recommendation to the Board of Selectmen regarding the request for acceptance as a town road. The procedure for formal acceptance shall be as required by state law and the Charter and Ordinance of the Town.

13.4B SUPPORTING AND SUPPLEMENTAL INFORMATION

1. General

A written request for Town acceptance of a completed road shall include six (6) copies of all required supporting information and supplemental information as may be requested.

2. Supporting Information

Supporting information shall include the following items:

- a) Record Plan-Profile Drawings, prepared at the scale and, showing the information specified in Section 5.5C on an "As-Built" basis.
- b) Record Detail Drawings, where any previously approved details have been modified, showing all information on an as "As-Built" basis.
- c) A copy of a completed Work Permit or letter, issued by the State Department of Transportation, confirming the satisfactory

completion of all work conducted within a State Highway Right-of-Way.

- d) Certification from a licensed land surveyor indicating that all pins and monuments are shown on the approved subdivision plans have been installed.

3. Supplemental Information

Whenever the Commission shall deem it reasonably necessary or appropriate to a proper disposition of any written request for acceptance of a completed road, it may require submission of any other information in such form as it may prescribe. Until such supplemental information has been received by the Commission, it shall decline to make any recommendation to the Board of Selectmen regarding acceptance.

13.4C ACCEPTANCE

1. Conformance

Prior to considering acceptance of a road, the Commission shall determine whether or not the road and its associated improvements conform to the approved location, layout, design and construction plans and to the criteria and standards hereinafter specified or prescribed for such road and all associated improvements in or pursuant to these Regulations. It is the policy of the Town not to accept roads until a substantial portion of the construction associated with lots accessing said roads has been completed. Any damage to the surface pavement course or curbing, or other public improvements, including surface defects, are the responsibility of the developer to correct prior to acceptance.

2. Release of Performance Bond

The obligation of the performance bond prescribed in Section 7 shall not expire, be released or otherwise terminate with respect to any road and associated improvements prior to the effective date of final acceptance by the Board of Selectmen and posting of a maintenance bond.

3. Maintenance Bond

It shall be a condition precedent to the effectiveness of any road acceptance hereunder that the applicant shall post with the Town a maintenance bond or bonds, in an amount and with surety and conditions satisfactory to the Town Attorney indemnifying the Town for a one year period against costs and expenses of labor and materials necessary or appropriate to correct or replace improper or defective materials or faulty

workmanship, including any damage to any property of the Town resulting therefrom, or to complete construction in conformity with the standards, criteria and specifications prescribed in these Regulations. Such maintenance bond shall be in an amount equal to not less than ten percent (10%) of the total value of the performance bond specified in Section 7 of these Regulations, or as otherwise approved by the Commission. The maintenance bond shall be delivered to the Director of Planning and Development.

4. Recording of Documents

Upon acceptance of a completed road by the Board of Selectmen, and approval of the required maintenance bond by the Town Attorney, it shall become the sole responsibility of the owner to file in the Town Land Records, all deeds, easement documents and fixed line mylars of record drawings. Final acceptance of a completed road shall not be deemed effective until all required documents have been filed in the Town Land Records.