

## **2020 Amendments to the East Greenwich Land Development & Subdivision Review Regulations**

### **§ A263-25 General provisions: construction and/or improvement guarantees.**

#### **A. Definition and purpose.**

**(1)** The purpose of this section is to provide a guarantee to the Town that the required improvements will be constructed.

**(2)** An improvement guarantee is a security instrument in a form that is acceptable to the Town to ensure that all improvements, facilities or work required as a condition of approval of a subdivision plan will be completed in conformity with the approved plans and specifications.

**(3)** Improvement guarantees shall be provided to ensure the proper installation and maintenance of required street, utility and other physical improvements and to ensure compliance with other conditions of final plat approval.

**B. General procedures.** Before any land development or subdivision plan is endorsed by the Permitting Authority, and before the recording of any subdivision plat, the Permitting Authority shall review and approve agreements for the completion of all required improvements. Such agreements shall, at the option of the subdivider, take the form of: 1) completion of actual construction of all improvements; 2) improvement guarantees; or 3) a combination thereof. At the preliminary plat review stage, the subdivider shall submit either of the following: 1) a letter to the Permitting Authority indicating his/her intent to complete the required improvements prior to the Permitting Authority's endorsement of the final plat; or 2) a letter requesting that security sufficient to cover the cost of required improvements be established by the Board.

**(1)** If improvements are to be constructed without a financial guarantee, all work shall be completed prior to endorsement and recording. Inspections shall be made by the Public Works Department at all required stages of construction as specified in § **A263-24** above. Written inspection reports shall be prepared by the inspector(s) and maintained by the Department of Public

Works. All inspection reports shall be submitted to the Administrative Officer. An inspection fee equal to 2% of the estimated cost of construction for all public improvements as determined by Public Works Director shall be paid to the Finance Director prior to construction. **Where improvements shall not be public, construction inspections by the Department of Public Works are still required for sidewalks, curbing, easement demarcations, and storm-water systems. An inspection fee equal to 2% of the estimated cost of construction of these improvements, as determined by the Public Works Director, shall be paid to the Finance Director prior to construction. (Revised 8-19-2020)**

All construction shall be inspected and approved by the Public Works Director under the direction of the Administrative Officer and according to the procedures in § **A263-24**. Upon completion of all required improvements, the Public Works Director shall notify, in writing to the Administrative Officer, of such completion, and a copy shall be provided to the subdivider upon request. The final plat shall be endorsed by the appropriate Permitting Authority member or Administrative Officer, and the plat shall be recorded as provided in § **A263-40**, at which time the lots within the subdivision may be transferred or sold. The applicant shall be required to post a bond in the amount of 10% of the construction estimate prior to acceptance of all required improvements by the Town. Such bond shall be held by the Town Finance Director for a period of one year to be released upon written request of the applicant following final inspection by Public Works and acceptance of the required improvements by the Town Council with the approval of the Planning Board. **(2)** If improvements are to be guaranteed, the below-listed procedures shall apply.

#### § A263-35 **Administration: administrative fees.**

**A.** The Planning Board shall set reasonable fees, in an amount not to exceed actual costs incurred, to be paid by the applicant for the review and hearing of applications, issuance of permits and recording of decisions. These fees, payable to the Town of East Greenwich, shall be due and payable at the stages established in these regulations and shall pertain to all subdivisions of land and development projects, as follows:

1. For Subdivisions of Land: Fees listed at each stage below shall be computed to include the land covered by the subdivision proposal, including all streets, easements, and common areas but excluding land to be conveyed to the Town as permanent open space or recreation land.

**(a)** Preapplication conference review fee: \$300 plus \$15 for each acre or fraction thereof.

**(b)** Master plan review fee: \$400, plus \$20 for each acre or fraction thereof. The applicant shall also bear the costs associated with abutter notification and advertising for the master plan public informational meeting.

**(c)** Preliminary plan review fee: \$500, plus \$25 for each acre or fraction thereof. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

**(d)** Final plan review fee: \$300, plus \$15 for each acre or fraction thereof.

**(e)** Combined Master and Preliminary plan review fee, if approved by the Permitting Authority at the Pre-application stage: \$900, plus \$45 per acre or fraction thereof. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

**(f)** Combined Preliminary and Final plan review fee: \$800, plus \$40 per acre or fraction thereof. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

**(g)** Administrative subdivision fee: \$125.

2. For Land Development Projects: Fees listed at each stage below shall be computed on the basis of either new dwelling units being created or

square feet of new commercial, industrial, institutional or educational space. Mixed-use project fees shall be aggregated.

**(a)** Preapplication conference review fee: \$300 plus \$15 per dwelling unit or per 1,000 square feet of non-residential space.

**(b)** Master plan review fee: \$400, plus \$20 per dwelling unit or per 1,000 square feet of non-residential space. The applicant shall also bear the costs associated with abutter notification and advertising for the master plan public informational meeting.

**(c)** Preliminary plan review fee: \$500, plus \$25 per dwelling unit or per 1,000 square feet of non-residential space. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

**(d)** Final plan review fee: \$300, plus \$15 per dwelling unit or per 1,000 square feet of non-residential space.

**(e)** Combined Master and Preliminary plan review fee, if approved by the Permitting Authority at the Pre-application stage: \$900, plus \$45 per dwelling unit or per 1,000 square feet of non-residential space. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

**(f)** Combined Preliminary and Final plan review fee: \$800, plus \$40 per dwelling unit or per 1,000 square feet of non-residential space. The applicant shall also bear the costs associated with abutter notification and advertising for the preliminary plan public hearing.

**3.** For any request for an extension, *minor* amendment or reinstatement of an approved plan: \$100.

**4.** For any *major* amendment to an approved plan, the project reverts, per Section 41 of these regulations, to the Preliminary level of review and all relevant fees apply.

**5.** All fees shall be submitted in the form of a check payable to the Town of East Greenwich at the time application is made.

**6.** Peer review. To protect the public health, safety and welfare, the Planning Board may require peer review of expert witness reports and testimony on behalf of applicants. A list of peers and their fees shall be maintained by the Town for selection by the Town, and the cost of peer review shall be borne by the applicant. All costs associated with peer review shall be paid in full before Planning Board approvals are recorded in the land evidence records. The Town reserves the right to place a lien on the subject property for any fees not paid in full.