

CHAPTER 14 – PUBLIC IMPROVEMENTS COST ESTIMATE

14.1 GENERAL

Any applicant for final plat approval or relevant land development application (the land subdivider) must provide the Town Engineer and Director of Public Works with an itemized cost estimate of all public improvements (as defined by State statutes) associated with the subdivision; these cost estimates are to establish the amount of collateral provided by the applicant to secure the SIA. Additionally, an amount equal to fifteen (15) percent of the total collateral amount shall be added to the total cost in order to cover construction contingencies. Maintenance costs are not normally an issue in these agreements.

The applicant shall guarantee all Public Improvements, including those to be constructed by a special district.

After review and acceptance of the cost estimate by the Director of Public Works, the estimate is submitted to the Planning Department and the Final Plat is scheduled for the Town Board hearing. The Planning Department reviews the SIA and incorporates the approved public improvements cost estimate. This agreement must be signed by the subdivider prior to the Town Board hearing scheduled for the Final Plat approval. Collateral must be provided by the applicant in the amount shown on the itemized cost estimate.

14.2 PUBLIC IMPROVEMENTS

The scope of public improvements normally provided in subdividing land is discussed in this section.

14.2.1 Roadway

All sidewalk, curb and gutter for public ROW within and adjacent to the subdivision shall be designed and constructed by the applicant. All new public, local and collector roadways within and adjacent to the subdivision shall be designed and constructed by the applicant. Participation in design and construction of new arterials and in improvements to existing arterials in the subdivision vicinity shall be determined by Town staff based on the impacts identified by Town Staff or in the Traffic Impact Study submitted with the land use change actions pertaining to the subdivision.

14.2.2 Drainage

Drainage public improvements required are defined in the Bennett Storm Drainage Criteria Manual. To summarize, the minor storm (10 year) system (streets and sewer) for the onsite platted area shall be designed and constructed by the applicant.

The connection of the on-site local system to the major drainageway, which may or may not be on site, shall be designed and constructed by the applicant. If the connection to the major drainageway is off site, it may be advantageous for several property owners to jointly design and construct the connection to the major drainage way. Note that the erosion-control facilities for on-site retention of storm water, may be applicable.

The applicant shall participate in the design and construction of the major drainageway within or serving the development as defined by the applicable Drainage Master Plan or as required by the Town of Bennett in the absence of a Master Plan.

14.2.2.1 Detention or Infiltration Ponds

Detention and/or infiltration ponds (ten (10) year and one hundred (100) year) for controlling stormwater runoff from the development, whether publicly or privately maintained, are considered public improvements because protection they afford to the adjacent or downstream property owners. As such, the cost of constructing these ponds shall be estimated and included in the public improvement cost estimate.

Note: The Town of Bennett has the responsibility to ensure that the land development provides necessary storm drainage improvements, whether or not the Town will maintain these improvements (e.g., on-site storm water detention ponds).

14.3 UTILITIES

The cost estimates for public improvements shall account for all water and sanitary sewer facilities including - but not limited to trunk lines, metering stations, pump stations, lift stations, reservoirs, distribution mains and laterals within the public ROW that are necessitated by the subdivision development. The cost estimate need not include the service taps and meters for individual utility users that are located off public ROW, however major service lines for nonresidential users, located off Town ROW, shall also be included in the cost estimate.

14.4 TRAFFIC SIGNS AND SIGNALS

14.4.1 Traffic Signals

If the subdivision Traffic Impact Study identifies the need for traffic signals as a consequence of the subdivision approval, whether that need is immediate or in the future, the applicant shall be required to participate in the design and installation of the traffic signals. The extent of participation shall be determined by the Town Engineer or the Public Works Department; the Town typically applies the 'Quadrant Rule', in which the cost of participation is a direct reflection of land ownership adjacent to the intersection in question. The estimated cost of participation shall be included in the public improvements cost estimate and shall become part of the SIA.

14.4.2 Traffic Signs

The cost of traffic signs for the subdivision shall be included in the subdivision improvements agreement. The subdivision streets shall not be opened for public use until the traffic signs are installed. If required by the Town, a signing and striping plan must also be submitted so the Town Engineer or the Public Works Department can validate the applicant's estimated sign costs.

14.5 COLLATERAL

Collateral for the public improvements included in SIA shall be in the form of an irrevocable letter of credit for the total amount (including contingencies).