

## CHAPTER 15 – PRIVATE ROADS

### 15.1 PRIVATE ROADS

These Roadway Design and construction standards represent the minimum acceptable criteria for public and private roadway facilities. Any deviation from these standards would require a waiver to be approved by the Town Engineer. It would be the responsibility of the applicant to demonstrate that their alternative design meets or exceeds the minimum acceptable criteria.

The street or road width, sidewalks, tree lawn, and other features shall be the same as the requirements for the equivalent public street. Parking lot driveways or internal circulation driveways with perpendicular parking for multi-family, commercial, or industrial sites shall not be required to conform to standards of private streets.

### 15.2 PAVEMENT DESIGN / ROADWAY CONSTRUCTION

All roadways constructed in the Town shall be high quality, minimum maintenance roads which will meet or exceed Town of Bennett specifications with respect to pavement thickness, composition and base (as set forth in Chapter 5).

### 15.3 COST ESTIMATE AND IMPROVEMENT AGREEMENT

Any applicant for Final Plat approval (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 statute) associated with the subdivision. Cost estimates are to establish the amount of collateral provided by the applicant to secure the SIA. An amount equal to fifteen (15) percent of the total Cost Estimate shall be added to the total cost to cover construction contingencies.

The developer shall guarantee all public improvements, including those to be constructed by an Improvement District unless an Intergovernmental Agreement (IGA) has been executed between the Town and the District guaranteeing the construction of those public improvements committed to by the District.

After the review and acceptance of the public improvements cost estimate by the Town Engineer. The estimate shall be incorporated into a SIA of a standard format or format suitable to the Town Attorney. As a natural course of business, the SIA should be executed by the subdivider/developer prior to Town Board hearing scheduled for Final Plat approval. Collateral must be provided by the applicant in the form and amount defined by the SIA. If the SIA conditions cannot be resolved at a staff level, the developer may request a hearing before Town Board to further discuss and resolve any outstanding issues.

#### 15.4 ALTERNATES TO STANDARDS

Alternates to road standards based on sound engineering practices may be proposed for private development. These alternate standards must be certified as to their adequacy and safety by a Colorado Registered Professional Engineer. The standards must contain a list of all deviations from Town criteria as well as references to all sources which support the adequacy of the proposed deviations. Said standards shall be subject to acceptance by the Director of Public Works and Town Engineer prior to the public hearing before the Town Board for their adoption.

The Town reviews all subdivision of property to ensure that the designs meet all sound engineering and planning requirements as contained in the Towns Subdivision Regulations. The Town is further charged to guarantee that the public improvements of the subdivision are constructed and that said construction is in substantial conformance with the plans and specifications.

It should be noted that in private subdivisions where sufficient guarantee can be given in the form of test reports, field reports, and as-built drawings certified by a Colorado Registered Professional Engineer, the requirements for the Town of Bennett field inspection of some or all of the improvements may not be required. In the areas where Town inspection of the improvements is not required, fees will not be charged. Where utilities are installed to serve private developments and are located in easement or private street ROW, those utilities will not require a permit or associated fees from the Town. Responsibility for inspection will rest with the utility company and/or developer.