



Town of Falmouth Community Development Department
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Memorandum

Date: January 8, 2009
To: Nathan Poore, Town Manager
From: Amanda L. Stearns, Community Development Director
Cc: Parks and Public Works; Fire and Police
Re: Staff Report on Street Acceptance Ordinance, Chapter 14, Article II, Division 2, Code of Ordinances.

Included in the Council packet is the most recent draft of the new ordinance. It is shown side by side with the current ordinance for your comparison. Here is a general summary of the changes we have made.

- The entire ordinance has been rewritten to modernize language, organize the sections and incorporate new section.
- A procedural section has been added (14-53) to guide both the applicant and the town in the process of submitting, reviewing and considering applications.
- We are suggesting a fee schedule to accompany the ordinance and include:
 - Filing Fee - \$250.00
 - Review and Testing Escrow – yet to be determined, perhaps by linear foot
 - Recording Fee – to cover final plan and document recording, suggest an escrow amount of \$150.00
- 14-51: slight wording change to clarify that the list maintained is comprehensive.
- 14-52: added language to summarize the purpose of the ordinance
- 14-53: added language to address the specific process by which the application moves through the submittal, review and consideration by the Council, specifically assigns the PPW as the administrator of the ordinance.
- 14-54: wording changes to broaden the spectrum of standards and objectives for street acceptance
- 14-55: section has been substantially reworked to add important plan details and documentation, requirement for defect guarantee has been moved to this section to emphasize that it must be submitted with the application, title opinion required for the way, information on improvements within the way that will not be presented for acceptance, and addressing of any state or federal permits that need to be transferred or reviewed.

- Defect Guarantee – cost has been increased, passbook has been deleted as an acceptable method,
- 14-56 – review by town staff now includes Fire and Police
- 14-57 – thresholds have been increased from 20% to 75% for residential development, commercial threshold no longer based on relationship of floor area to linear feet of street
- 14-58 – modified to require all final documentation after acceptance to be submitted within thirty days.
- 14-59 – no change