

CITY COUNCIL MEETING

AGENDA ITEM IX



CITY OF FRANKLIN
COUNCIL AGENDA REPORT

September 10, 2012 City Council Meeting

From: Brian Sullivan, Director, Municipal Services Department

Subject: City Council to consider acceptance of Finch Drive

Recommended Motion: Based on the review and recommendation of the Franklin Planning Board, I recommend that the City Council accept the roadway with the following motion:

"I move that the Franklin City Council vote to accept the completed section of Finch Drive, from the intersection of Finch Drive and Lake Avenue to the dead-end that currently exists adjacent to 25 Finch Drive, and to accept the roadway with the conditions recommended by the Planning Board at their meeting of August 22, 2012."

Discussion: Finch Drive is associated with a subdivision approved by the Planning Board in April of 2004. One of the conditions of approval was that the developer prepare and submit As-Built plans following the end of construction. The roadway was constructed in 2004. No As-Built plans have been prepared. The fact that the roadway has not yet been accepted has created a concern for a lender working on a recent proposed sale. To resolve the issue, the developer, R.D. Edmunds, has requested that the City accept the road.

The current Finch Drive will be extended in the future as a result of a 26-lot subdivision approved in 2008. This new project was permitted by a subsidiary of R.D. Edmunds.

I inspected the road with Dick Lewis and we discussed the issues. We both recognize that the existing Finch Drive will need to be protected against damage associated with the construction of the roadway extension for the new subdivision; this protection could come in the form of bonding for both the existing road and the proposed road, or some other measure. The roadway is standing-up well and there are no recognized problems with drainage.

In order to provide full City services to the tax payers on Finch Drive, and to facilitate the potential future sale of any of the existing 6 homes of Finch Drive, it was our recommendation to the Planning Board that they vote to send a positive recommendation to the City Council for action at this 9/10/12 meeting. At the Planning Board meeting of August 22, 2012, the Board voted 8-0-0 on the following motion:

"I move that the Franklin Planning Board send a positive recommendation to the Franklin City Council supporting the acceptance of Finch Drive as a public street. The motion by the Council

to accept the street should, in the opinion of the Planning Board, incorporate the following conditions:

1. The preparation and submission of the As-Builts for the existing Finch Drive shall be completed when the As-Builts for the extension of Finch Drive are prepared.
2. Any significant deviation highlighted in the As-Builts from the construction plans for the current Finch Drive shall be addressed as part of the final punch list work for the acceptance of the overall Finch Drive.
3. The bond posted for the construction of the new extension of Finch Drive shall include language and measures, as determined by staff, to ensure the protection of the existing section of Finch Drive. Items to be addressed include the integrity and functioning of the pavement, drainage, and all associated utilities.

Significant Fiscal Impacts: No significant impacts are foreseen. The City will incorporate the maintenance of the roadway into regular roadway program. The City is already picking up household trash from the occupied houses.

Workload Impacts: None; see Fiscal Impacts comments above.

Concurrences: This recommended motion is supported by the Planning Board and the Planning and Zoning Administrator.

Alternatives: The only alternatives are to either vote to not accept the roadway or take no action on the request. The developer would then be required to maintain the roadway.

Attachments/Exhibits: Request for Acceptance from Richard Edmunds

R & F LAND DEVELOPMENT, LLC.
225 FRANKLIN STREET
FRANKLIN, NH 03235

August 17, 2012

City of Franklin
Planning and Zoning Department
316 Central Street
Franklin, New Hampshire 03235

REQUEST TO ACCEPT FINCH DRIVE

On or about April 9, 2004 R. D. Edmunds & Sons, Inc of 221 Franklin Street, Franklin, N. H. as Principal entered into an agreement with The House That Jack Built to construct Dolbeare Drive, Franklin, N. H. (currently known as Finch Drive)

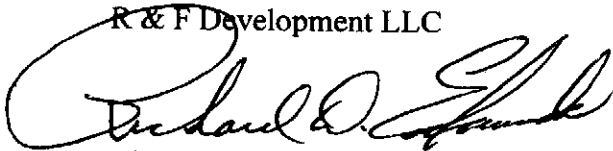
Said Principal agreed to construct said Drive as per plans and specifications prepared by Lepene Engineering & Surveying, Tilton, NH dated March 23, 2004.

This is notification that said Drive was completed according to the above plans by R. D. Edmunds & Sons, Inc. as per plans and not as-built and we would like the City of Franklin to now accept this as a City Street.

If you have any questions regarding the above, please do not hesitate to contact me.

Sincerely

R & F Development LLC

A handwritten signature in black ink, appearing to read "Richard D. Edmunds". The signature is written in a cursive style with a large initial "R".

Richard D. Edmunds
Member

R. D. Edmunds & Sons, Inc.
221 Franklin Street
Franklin, New Hampshire 03235

(603) 934-4929
Fax (603) 934-2683

August 17, 2012

City of Franklin
Planning and Zoning Department
316 Central Street
Franklin, New Hampshire 03235

RE: 25 Finch Drive

CONTRACTOR'S CERTIFICATION

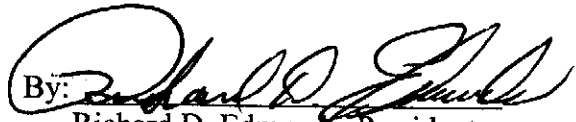
R. D. Edmunds & Sons, Inc. entered into an agreement with The House That Jack Built to construct Dolbeare Drive, Franklin, NH as per plans and specifications prepared by Lepene Engineerig & Surveying, Tilton, NH dated March 24, 2004 and to post a Bond for the construction of said drive now known as Finch Drive.

IN WITNESS WHEREOF, I, Richard D. Edmunds, President of R. D. Edmunds & Sons, Inc. hereby certify that Finch Drive was completed according to the plans submitted and approved by the Planning Board of the City of Franklin.

Witness

By: 

R. D. EDMUNDS & SONS, INC.

By: 
Richard D. Edmunds, President

Sand, Gravel & Loam
Backhoe Work
Trucking

Septic Systems
Excavating
Snow Plowing

Loader Work
Snow Removal
Bulldozing

Equipment Moving
Site Work
Drainage Work