



## Town of Middletown PLANNING DEPARTMENT

350 East Main Rd., Middletown RI 02842 (401) 849-4027

### MEMORANDUM

To: Hon. Paul M. Rodrigues, President  
Town Council Members

From: Paul A. Croce, Chairman  
Middletown Planning Board

Date: July 16, 2021

Re: Recommendation to the Town Council regarding acceptance of Lewis Drive, Lewis Drive Subdivision, Tax Assessor's Plat 125, Lots 947, 948, 949, 950 for town maintenance in accordance with Section 703.5 of the Middletown Rule and Regulation Regarding the Subdivision and Development of Land.

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During its meeting of July 14, 2021 the Planning Board, based on the certification of completion provided by the Town Engineer, voted in favor of a request to release the performance security held by the Town to ensure completion of the road and other required improvements for the above referenced subdivision. Prior to taking action to release the security, the Planning Board notified the property owners within and abutting the subdivision, as well as appropriate town staff and the Middletown Roads & Utilities Advisory Committee, as required by Section 703.5 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land (Regulations).

In accordance with Section 703.6 of the Regulations, prior to release of the performance security, the developer must post the required maintenance security equal to 10% of the original performance security amount, or \$21,123.44. This maintenance security has been provided to the Finance Director and must be held by the town for a period of one year from the date of the acceptance of the road and improvements by the Town Council. In the event of the failure of any component of the public improvements within that timeframe, and if the developer fails to complete the necessary repairs, the town would have the ability to complete the repairs and recover the cost of such work from the maintenance security.

Furthermore, in accordance with Section 703.5 of the Regulations, the Planning Board voted to recommend to the Town Council that the subject roadway, Lewis Drive, and associated public improvements be accepted by the Town for maintenance. A draft resolution in this regard is attached for your consideration.

Please contact me with any questions.

  
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Paul A. Croce, Chairman  
Middletown Planning Board

Cc: Town Administrator  
Town Engineer  
DPW Director



## Town of Middletown

### Planning Department

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### RESOLUTION OF THE TOWN COUNCIL

**WHEREAS:** The Town Engineer has certified completion of all required public improvements associated with the Lewis Drive Subdivision, including the subdivision road and associated utilities and storm water drainage control, and

**WHEREAS:** The Planning Board has received said certification, and has voted to release the subdivision performance security and recommend Town Council acceptance of the subdivision road and public improvements for town maintenance, and

**WHEREAS:** The town will retain maintenance security in the amount of \$21,123.44 for a period of one year to ensure the repair of any defects in the road and public improvements that are documented within that timeframe,

**NOW THEREFORE BE IT RESOLVED:** That the Town Council accepts Lewis Drive and associated public improvements for purposes of town maintenance.