



**TOWN OF PORTSMOUTH  
PLANNING BOARD**

2200 East Main Road  
Portsmouth, RI 02871  
401-683-3717

Date: \_\_\_\_\_

\_\_\_\_\_  
Planning Board Administrative Officer  
401-683 3717 Fax 401-683-6804

**CHECKLIST FOR PUBLIC IMPROVEMENTS AND ROAD CONSTRUCTION  
REQUIRING FINANCIAL GUARANTEES**

RE: Land Development and Subdivision Regulations: Article X, Section O,P,Q & R

APPLICANT INFORMATION

OWNER INFORMATION

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Fax: \_\_\_\_\_

PROPERTY INFORMATION

Plat (s), Lot (s) : \_\_\_\_\_ Street Name(s): \_\_\_\_\_

Project Name(s): \_\_\_\_\_

Acres: \_\_\_\_\_ Proposed No. of Lots: \_\_\_\_\_

Description of Public Improvements to be performed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A. Definition and Purpose

An improvement guarantee (road bond) is a security instrument accepted by the Town of Portsmouth to ensure that all public improvements, facilities or work required by the regulations or as a condition of approval of a subdivision plan by the Planning Board will be completed in compliance with the approved plans and specifications (Article X, section O).

The amount of the financial guarantee set by the Planning Board shall be in an amount sufficient to cover all costs and conditions to secure for the Town the actual construction and complete installation of all the required improvements and the satisfactory completion of all the conditions of final approval within the time periods required (Article X, section O,3).

These procedures are to be administrated by the Planning Board Administrative Officer.

B. Amount of Financial Guarantee and Inspection Fee

Planning Board sets the amount and the type of the Financial Guarantee during the Final Plan hearing which is not to exceed 120% of the estimated cost

Amount \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_ Notify Finance Director of the type and amount

\_\_\_ Inspection Fee (2% of Financial Guarantee) received: \_\_\_\_\_

Note: Amount does not include bonds required by the Water Department.

C. Form of Financial Instrument (Improvement Guarantee)

- \_\_\_ 1. Security Bond
- \_\_\_ 2. Letter of Credit
- \_\_\_ 3. Escrow Account
- \_\_\_ 4. Other \_\_\_\_\_

Name and Address of Surety Holder: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_ Attach copy of Surety Instrument(s) Surety No. \_\_\_\_\_

D. Time Period

All Improvement Guarantees shall contain construction starting and ending dates and no improvement guarantee shall automatically expire before construction is complete.

**All construction shall be completed within 24 months unless prior approval is obtained from the Planning Board.**

Starting Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

E. Approvals

- 1. Finance Director to review and approve of the form of the Improvement Guarantee.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

- 2. Town Solicitor to review and approve the Improvement Guarantee and Performance Covenant.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

- 3. Record approved Improvement Guarantee  
Book \_\_\_\_\_, Page \_\_\_\_\_

F. Record Performance Covenant (Article X, O, 3, d)

Performance Covenant (Road Bond) prepared by Applicant and approved by Town Solicitor.

Recorded: Book \_\_\_\_\_ Page \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_ Attach copy of Performance Covenant (Road Bond)

G. Record Final Subdivision Plans

Final Subdivision Plans approved by the Planning Board for recording.

Index No. \_\_\_\_\_ Date: \_\_\_\_\_

H. Record Checklist for Release of Lots (Article XIII, C)

Release of Lots Form to be prepared by Administrative Officer and approved by the Planning Board. The following must have been received by the Planning Board prior to approval:

1. \_\_\_ Copy of recorded Final Plans filed per the requirements of Article XIII, Section F;
2. \_\_\_ Copy of recorded Performance Covenant;
3. \_\_\_ Copy of form signed by Administrative Officer that any special conditions of approval have been met;
4. \_\_\_ Copies of all approved required State and Federal permits;
5. \_\_\_ Construction of roads and required improvements have either been completed or the construction is secured by the Financial Guarantee approved by the Planning Board, Finance Director and Town Solicitor.

Applicant shall record "Checklist for Release of Lots" prior to the Sale of any lots or the issuance of a building permit.

Lot No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_ Date: \_\_\_\_\_

I. Building Permits (Article XIII, C, 3)

Building Inspector shall not issue a building permit until all drainage, underground utilities and a road binder course for the entire frontage of the lot have been installed to the satisfaction of the Director of Public Works per the provisions of Article X..

J. Inspection Authority

Each phase or step in the construction of required improvements shall be inspected and approved in writing by the Director of Public Works or his representative.

- \_\_\_\_\_ Applicant (Contractor) to read and sign "List of Road Construction Requirements".
- \_\_\_\_\_ Pre-Construction Meeting (Checklist of Construction Requirements for Roads)
- \_\_\_\_\_ Drainage installation inspection
- \_\_\_\_\_ Utilities installation inspection
- \_\_\_\_\_ Inspection of sub-base, backfilling, curbing and base course
- \_\_\_\_\_ Final inspection of surface course, monuments, signs and street lighting
- \_\_\_\_\_ Final Inspection Report

Note: Director of Public Works shall have the authority to issue a "cease and desist order" if he finds that work is not being done in a satisfactory manner or according to approved plans.

K. Expiration of Construction Approval Period

If all the required improvements are not completed before the approved completion date, the Planning Board shall review the status and may recommend the following:

1. Extend the duration of the construction period along with the entire financial guarantee;
2. Reduce the amount of the improvement guarantee to cover the estimated costs of the remaining improvements;
3. Authorize the Administrative Officer to take the steps necessary to ensure completion of the remaining work by using improvement guarantee funds.

L. Default (Article X, O, 6)

- \_\_\_\_\_ Conditions of Default (attach copy)
- \_\_\_\_\_ Certificate of Default issued by Director of Public Works (Estimate to Complete)
- \_\_\_\_\_ Execution of Guarantee by Planning Board (Notify Surety)  
(attach copy of Planning Board vote to execute guarantee)
- \_\_\_\_\_ Town Solicitor to obtain Payment by Surety to the Town to complete improvements

M. Liability Insurance (Article X, section P)

Insurance Policy: \_\_\_\_\_

Amount: \_\_\_\_\_

N. Release of Financial Guarantee (Road Bond)

\_\_\_\_ Applicant requests inspection of Completed construction and installation by Director of Public Works or his representative per Article X, section N

\_\_\_\_ Applicant shall submit certification of completion to Administrative Officer per Article X, sec. O,

\_\_\_\_ Written Recommendation of inspection by Director of Public Works to the Planning Board.

\_\_\_\_ As built drawings submitted to Planning Board (2 sets).

\_\_\_\_ Applicant shall convey all public improvements to the Town as required.

\_\_\_\_ Applicant shall maintain a Maintenance Guarantee Bond approved by the Town Solicitor of 5% of the total surety amount for a period of one year to insure the proper working of all public improvements.

\_\_\_\_ Attach copy of Maintenance Guarantee

\_\_\_\_ Upon satisfactory completion of above, Planning Board will make recommendation to Town Council to release all improvement guarantees

\_\_\_\_ If approved, the Town Council, shall authorize Finance Director to release all improvement Guarantees.

M. Partial Release

A partial release of up to 50% may be requested from the Planning Board if the improvements (drainage, utilities, binder coat, etc. have been installed to the satisfaction of the Director of Public Works.

\_\_\_\_\_  
Administrative Officer

\_\_\_\_\_  
Date

Comments/Action

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4/25/2016