



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Swansgate Stormwater Easement Consideration**

Board Meeting Date: **June 24, 2025**

Prepared By: **Rebecca Brehmer, CFM, CZO – Town Planner**

Overview: Tidewater Engineering, on behalf of A. Sydes Construction Inc., is requesting a stormwater easement to be granted to the HOA of Swansgate Subdivision for the town owned public open space that was dedicated during the creation of the Swansgate Subdivision..

Swansgate Subdivision located near the intersection of Main Street Extension and Swansboro Loop Road was plated in 2019 as an R-20SF cluster development. As required by ordinance, during the creation of a cluster subdivision, open space is required to be dedicated to either be owned and maintained by an HOA or dedicated as public space to be owned and maintained by the town. In this scenario, the open space was dedicated and deeded to the public, therefore owned by the town.

Recently, A. Sydes has hired Tidewater Engineering to help with the street and sidewalk dedication to the town for Swansgate Subdivision. Part of that application process is showing record of a compliant stormwater permit from DEQ and a plan for it to continue to be properly maintained. During the transfer of the stormwater permit from the developer (A. Sydes) to the HOA of Swansgate, DEQ raised a flag because the stormwater system for this subdivision includes the open space dedicated to the town. In order for the successful transfer of the stormwater permit and ultimately the request for the town to take on streets and sidewalks, DEQ is requesting a stormwater easement be granted from the town to the HOA. This easement will give the HOA responsibility to operate and maintain the stormwater system for the entire subdivision, including the dedicated public open space.

Background Attachment(s):

1. Draft easement agreement for Swansgate stormwater drainage facilities
2. Swansgate Subdivision Plat
3. Location map

Recommended Action: Motion to approve or deny execution of the easement.

Action: _____
