



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Charleston Park Street Acceptance**

Board Meeting Date: **March 26, 2024**

Prepared By: **Jon Barlow – Interim Town Manager**

Overview: The Board of Commissioners will consider final acceptance of the streets in the Charleston Park Subdivision.

Background: In October 2009, the original developer H.M Wilson submitted construction plans to the Town which were deemed acceptable. A surety bond was obtained from the developer to ensure the proper installation of infrastructure including streets. Ultimately the streets and associated infrastructure was installed but did not meet minimum Town standards. In the meantime, the surety bond had expired without being called in by the Town. Thus, the streets were never accepted by the Town. In June 2011, the Town Board of Commissioners adopted Policy #15 which essentially provides that sub-standard streets shall not be accepted by the Town as public streets and shall remain private streets. In March 2024, the Town Board of Commissioners amended Policy #15 to allow exceptions under certain conditions. The exceptions to accept the streets in Charleston Park as Town streets are as follows:

1. Pending issues of tax equity for the owners and residents of the Subdivision and possible legal claims;
2. The history of the Town's development review, evaluation, approval and enforcement process with respect to the subdivision;
3. The substantial amount of time which has elapsed since the installation of the streets.

Background Attachment(s): Resolution 2024-R5

Recommended Action: A motion to accept Resolution 2024-R5 to formally accept certain streets in the Charleston Park subdivision as public streets in the Town of Swansboro.

Action: _____

