



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Public Street and Sidewalk Acceptance Request- Shadow Creek Estates**

Board Meeting Date: **November 12, 2024**

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

Overview: Tidewater Associates, Inc, on behalf of One Harbor Church, Inc, is requesting acceptance of public streets and sidewalks for Shadow Creek Estates subdivision. This request includes all streets within the subdivision, Shadowcreek Drive, Big Pine Court, Diamond Ridge Court, Hibiscus Court, Marshview Court, and sidewalks.

After concerns from the Board at their May 28, 2024, regular meeting, Tidewater Associates, Inc is back with updates for acceptance of public streets and sidewalks for Shadow Creek Estates. As provided in the request for acceptance letter, the main concern of the Board was the condition of the stormwater system and asked for Tidewater to come back with an update on functionality and maintenance on that as well as certification of stormwater system. During the process of the stormwater system getting transferred to the HOA of Shadow Creek Estates, a field inspection and checklist was provided by NCDEQ in June of 2024. Tidewater completed all of the items on this checklist allowing them to certify the stormwater system as compliant with NCDEQ and the Public Works Director met onsite to review the updates as well.

As provided at the previous request for acceptance, in 2017, in a letter verified by Crystal Coast Engineering, the developer has completed the required improvements and repairs for the subdivision streets. In April of 2024, the Town’s consultant engineer, Ron Cullipher, reviewed the cost opinion for calculation of a warranty guarantee and verified that the numbers appear to adequately represent present day costs and that he would recommend approval, this cost opinion remains the same. Additionally, One Harbor Church has submitted a letter verifying a warranty guarantee in the amount of \$45,737.60, this is a 10% warranty as required by the Town Unified Development Ordinance and outlined in the attached cost opinion and will remain on file one year following the Board’s acceptance of the Public Street and Sidewalks.

Background Attachment(s):

1. Request for acceptance letter
2. Shadow Creek Estates recorded plat
3. Cost opinion for calculation of warranty
4. 2017 Shadow Creek Street Certification
5. Updated Shadow Creek Stormwater Certification
6. NCDEQ Field Inspection Expert and photos
7. Resolution 2024- R10

Recommended Action: Motion to approve or deny Resolution 2024-R10 to accept public streets and sidewalks in Shadow Creek Estates subdivision.

Action: _____

