

..TITLE

Vote on a request to approve by Nicolas Robinson, on behalf of NNP-Briar Chapel, LLC, to approve adequate financial guarantee assurance as to maintenance of engineered stormwater controls pursuant to requirements in the Compact Communities Ordinance.

..ABSTRACT**Action Requested:**

Request by Nicolas Robinson, on behalf of NNP-Briar Chapel, LLC, to approve adequate financial guarantee assurance as to maintenance of engineered stormwater controls pursuant to requirements in the Compact Communities Ordinance.

Introduction & Background:

NNP-Briar Chapel is requesting approval of their proposed financial assurance for the maintenance of the stormwater devices within Briar Chapel. Provisions for stormwater controls are covered under Section 8, Stormwater, of the Compact Communities Ordinance (CCO). Newland Communities is prepared to convert the first series of erosion control devices to the final stormwater control devices and the CCO requires that the Commissioners approve the financial assurance structure.

Discussion & Analysis:

The Chatham County CCO contains the following provision:

Section 8.5 Posting of Financial Guarantee

All engineered stormwater controls shall be conditioned upon adequate financial assurance in favor of the compact community's property owner's association for the purpose of maintenance, repairs or reconstruction necessary for adequate performance of the control structures for not less than ten (10) years after completion that shall be satisfactory to the County Attorney and approved by the Board of Commissioners.

To fulfill this requirement Newland Communities has proposed an amendment to the Declaration of Covenants and Restrictions for Briar Chapel to provide for the on-going maintenance of the stormwater devices (see attached request). The County Attorney has reviewed the proposed assurance and finds that it meets the CCO requirement. Newland Communities is requesting Commissioner approval of the proposed financial assurance.

Recommendation:

Discuss the request for approval of the proposed financial assurance for maintenance of engineered stormwater controls and vote.