

HILLSIDE SAFETY IMPROVEMENT DECISION TREE

5-16-18

Applicant Submits
HBC Concept Review Materials
And staff reviews

- Town Engineer reviews plans against “checklist” for Safety Improvement Plan and sits down with Applicant to review and hear any challenges.
- Town Engineer informs Applicant that a \$5 million aggregate, \$2 million per occurrence insurance policy will be required during construction and that the Town shall be named as an “additionally insured” on the policy.
- Safety Improvement Plan review on parallel track with overall HBC review.

HBC Concept
Plan Meeting

- Notice to neighbors within 1,500’ by mail by the applicant. Notice to all those on “Notify Me” by staff.
- Neighbors can see the concept plan and express concerns about and safety elements
- Town Engineer announces if applicant needs to provide a Safety Improvement Plan and what is being required in those Plans. Town Engineer may add or delete requirements based upon discussion at the HBC (including neighbor comments) but the Final Checklist/Plan requirements remain the Town Engineer’s discretion.

Applicant Submits HBC
Formal Safety Plan Review

- Applicant turns in 2 copies and a digital version of engineer sealed reports required by the Safety Improvement Plan
- Applicant sends a notice of plan availability to neighbors within 1,500’ on HBC notification list with affidavit of mailing. Digital copy available at Town Hall. Notice to include date (45 days later) comments by a registered engineer or technical registrant due to Town Hall.
- Town sends copy to hired third-party engineer (could be multiple engineers with different specialties) for review and specifies date due.
- At 45 days, Town Engineer aggregates comments from neighbors’ engineers and Town hired engineer(s) and directs applicant to address the comments and return newly sealed plans.
- When newly sealed plans are returned, the Town Engineer in consultation with the third party engineer hired by the Town and any technical advisors hired by the Town, review and determine if the new plans adequately address all concerns they feel are relevant.
- If concerns not addressed, Town returns the plans to Applicant. This process can continue indefinitely until the Technical Advisory Board is satisfied.
 - If applicant feels requirements are unreasonable, they can protest in a court of law
- When Town Engineer and advisors are satisfied, the Plans, are forwarded to the HBC as part of HBC Formal Review packet. The plans remain those of the applicant and have the seal of the Applicant’s engineer who is taking liability for any failure of the plan.

Formal Plan
Review

- Safety Improvement Plan reports will be in HBC Formal Plan Review packets and online.
- Applicant, Applicant’s Engineer, Town Engineer or 3rd Party hired engineer can answer questions from HBC members and the public.

- Neighbors and their engineers can argue that the findings or plans associated with the Safety Improvement Plan documents are not adequate.
 - ⊖ Town Engineer, in his sole discretion, may choose to require the applicant to address additional concerns, delete elements or maintain the plan in the presented form.
 - ⊖ Town Engineer also reserves right to add or delete during the building permit stage based upon new information made available during that process.
 - If neighbors feel safety plan is unsatisfactory, they can protest in a court of law or maybe there is a private cause of action against the applicant.
 - All lawsuits against the Town will likely be tendered to the Applicant and/or Applicant's engineer.

Building Permit Process

- Town Engineer and Building Official to review elements of construction staging checklist with applicant and establish requirements to be met as a condition of issuing and maintaining the building permit.
- Normal Building Permit Process is to be followed

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