

**Title 7 - LICENSING AND REGULATION**  
**Chapter 17 - ROAD BONDS**

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**7.17.1 Road Damage Costs.**

**7.17.1.01 Deposit**

The Developer shall provide to the Town of Grafton a cash deposit or letter of credit to provide security for compensation to the Town for wear and tear and accelerated deterioration of Town roads as a result of infrastructure improvement associated with the hauling of aggregate and asphalt attributable to the approved development.

**7.17.1.02 Amount**

Prior to commencement of any construction activity, the Developer shall establish with the Town a letter of credit, for road damage, in the amount equal provided in the town's Annual Fee Schedule.

**7.17.1.03 Procedure**

- (A) Prior to the commencement of any construction activity, the Developer shall meet with Town Engineering staff to identify and agree to a specific "haul" route for all construction equipment and material supplies associated with the development. The agreed upon "haul" route shall be identified on the approved construction plan set. The Developer shall agree to confine the movement of his construction equipment to the approved route unless approved otherwise by the Town Engineer or Town Board.
  - (1) The Town of Grafton has development occurring along Village of Grafton roads; and the Village of Grafton has no contract with the Developer that is using its roads; and the Town of Grafton can enter into an agreement with the Developer to recover repair costs for any damage done to the road, the Town of Grafton will include within the Developer's Agreement a clause that will require the Developer to reimburse the Village of Grafton for any loss of service life to its roads.
  - (2) This cost will be determined by Section E: Road Damage Costs of the Town of Grafton's Standard Subdivision Development Agreement, based on the road rating system.
- (B) Prior to commencement of construction, the Town shall videotape and perform a road evaluation of the agreed to haul route. This evaluation, known as a service condition rating, or SCR, shall be used as the base line for establishing the level of damage that occurs as a result of the development.
- (C) At the conclusion of the construction activity and prior to the recording of the certified survey map or final plat, the Town will again videotape and perform a post development SCR of the Developer's "haul" route.
- (D) Based upon the post SCR as compared to the predevelopment SCR, a loss of road service life as a result of the Developer's increase in traffic loading, can be evaluated. The amount of service life loss will be determined in accordance with the following table:

<b>Table I</b>	
<b>Loss in SCR</b>	<b>Loss of Service Life (Years)</b>
0.5	1
1.0	3
1.5	4
2.0	6
2.5	7
3.0	9
3.5	10
4.0	12
4.5	13
5.0	15

(E) Payment.

- (1) The Developer will then be responsible for reimbursement to the Town from the letter of credit for the loss of service life to its roads in accordance with the following equations.
- (2) Any shortfall or overage in the letter of credit shall be paid to the Town or refunded to the Developer in accordance with the formula below:

$$\left( \left( \frac{x}{y} \right)^z \right) * L = \$$$

Where:  
 x= Loss of road service life in years from Table I  
 y= Average road life = 20 years  
 z= Cost of road reconstruction per mile based upon current Town annual paving program  
 L= Length of road as a fraction of a mile  
 \$= Dollar amount owed to Town by Developer for accelerated deterioration of Town roads as a result of the development

- (3) Prior to the recording of the certified survey map or final plat, the Developer will pay to the Town the difference between the pre-development escrowed amount or letter of credit amount and that calculated pursuant to Sec. 7.17.1.03(E)(2) above. Should there be excess funds in the road escrow account, those funds shall be promptly returned to the Developer.
- (4) The value of “z” shall be calculated each year as a part of the Pavement Maintenance Program. The most current value of “z” shall be applied toward the calculation of the amount owed to the Town for the accelerated deterioration of Town roads as a result of the development. The value of “z” is defined as the cost to reconstruct an arterial road, as outlined in the Pavement Maintenance Program

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