



Agenda Item No. 11c.

Staff Report

Date: April 14, 2022

To: Mayor Robbins and Council Members

From: Eric Robbe, Senior Building Inspector

Subject: Consideration of approval to extend time limits of construction up to 90 days for construction at 3 Newell Road

Recommendation

It is recommended that the Town Council approve the requested extension of time limits of construction at 3 Newell Road by 90 days.

Background

Town staff has been working with the owners and representatives of the property at 3 Newell Road on a project that involves a new main house, garage, pool house, pool, and an accessory dwelling unit within the main house. This project will require the installation of a significant supplementary private water supply prior to framing. Specifically, Ross Valley Fire Department is requiring the installation of a supplementary private water supply of 52,800 gallons of fire water stored onsite along with a fire pump house, fire pump, and associated piping and connections to be serviceable prior to the start of framing. The fire water storage is planned to be buried below grade under the arrival court. Work needs to be done onsite to prepare, construct, and install the fire protection system prior to framing starting.

The Town of Ross has stipulated in its Municipal Code time limits for completion of construction in Chapter 15.50. The purpose is to ensure the completion of construction projects within a reasonable time period. Time limits are based on the valuation of a project as described under 15.50.050 of the Municipal Code. Without an extension, this project would be given 20 months for completion. However, 15.50.050(g)(1) does allow for consideration of extension as described below:

“At time of project design review approval or prior to the issuance of a building permit for the project, the Town Council may extend the established timeline for completion of construction by up to 90 days, if the Council finds that there are extraordinary circumstances involved with the construction of the project that require additional time for completion, such as exceptional off-

site street or other infrastructure requirements, unusual site topography, or other exceptional construction constraints caused by the construction site or construction requirements. The granting of the extension of time shall not be based on the size of the residence being constructed. In granting a time extension, the Council will consider adverse impacts on the neighborhood and benefits to the neighborhood in deciding whether to extend the time limit.”

Staff believes the extent of work associated with providing the supplementary private water supply is an extraordinary circumstance warranting the approval of an up to 90-day time limit extension.

Town staff has spoken with the contractor for this project and emphasized the importance of mitigating impacts to neighbors during the full construction period. The contractor shall only work during the hours of 8:00 to 5:00 Monday through Friday. No holiday construction will be allowed. The contractor will install rumble strips at the construction site boundary to reduce dust and dirt on nearby streets. Staff has encouraged and the contractor will seek to secure an appropriate offsite location for contractors to park their vehicles and carpool to the work site to reduce the number of construction vehicles on site and neighborhood. Contractor will provide a phone number to contact with questions or concerns on a placard by the entrance to the site. In addition, the Town of Ross will have a preconstruction meeting with pertinent Town staff department representatives (Building, Planning, Public Works, Fire, and Police) on site to address construction issues with the construction superintendent and the homeowners. During construction, Town staff will enforce requirements from the preconstruction meeting, the construction management plan, and other applicable Town codes and requirements.

Fiscal, resource and timeline impacts

Potentially a savings for the homeowner of 3 Newell Road in penalty fees from the time limits of construction.

Alternative actions

Do not approve the time limits extension request, whereby, the property owner would be required to complete the project in the standard 20-month time period for this project.

Environmental review (if applicable)

N/A