

Street Opening Permit Application

Inspectional Services Department

12 Kent Way, Byfield, MA

01922 Phone: 978-465-0862

Fax: 978-572-1228

Date: _____

Dig-Safe # _____

Permit # _____

Contractor (licensee) Name:

Contractor Address: _____

Contractor Phone: _____ Cell: _____

Contractor E-mail: _____

Street opening address:

Property owner's name: _____

Start Date: _____ Expected Completion Date: _____

Name of Insurer: _____ Policy Expiration: _____

Name of Surety: _____ Surety Expiration: _____ Bond Amount: _____

Proposed Work (describe and/or sketch below):

Public Safety:

- No trenches shall be left open overnight.
- Sidewalks and roadways shall be kept passable at all times.
- No work is to be performed during snow emergencies and existing trenches should be secured for plowing 24 hours in advance of any snow prediction.
- Uniformed traffic officers shall be furnished as required at the Contractor’s expense unless under emergency conditions approved by an appropriate Town Official.
- Dig-safe shall be properly notified before work proceeds.
- Properly lit barricades shall be used while work is being performed in the street

Protection of Property:

- No tree roots or limbs shall be removed without further approval from the DPW Director/Tree Warden.
- Property markers such as bounds or iron pipes shall not be disturbed.
- No material or equipment is to be left on public property or within the right-of-way unless authorized.

Trench Restoration:

- All work shall conform to the standards set forth in the Town of Newbury’s Street Opening Requirements.
- All street cuts shall be saw cut in straight lines.
- Any bituminous curbing disturbed is to be cut out 5’ on both sides of the disturbance and replaced with new bituminous curbing by machine and connected to existing curbing. New berm shall of the same style as berm installed adjacent to disturbed area.
- No bituminous paving will be permitted during actual or anticipated extreme cold and/or wet conditions.
- Any sidewalk disturbed by construction operations shall be restored over its entire width.
- All driveway aprons disturbed by longitudinal trenches shall be removed and replaced from the gutter line to the furthest limit of the excavation.
- Temporary pavement shall be placed daily and shall be brought flush with adjacent existing pavement.
- Trenches shall be permanently restored by : cutting or grinding a straight clean edge 1’ outside the limit of disturbance;
grinding or removing the temporary pavement, scarring, or other damage that occurred during construction;
and overlaying with emulsion and sand at the joints.
- Any roadway markings or street signs damaged during construction shall be restored.
- Roadway in the vicinity of the work area shall be swept daily by the contractor.

The DPW Director has the right to refuse this and any other permit to a contractor who fails to comply with the conditions associated with the Town’s Street Opening Regulations.

The licensee holder hereby agrees to conform to the statutes, bylaws and/or other specifications and rules and regulations of the Town of Newbury relative to restoring the street to a satisfactory condition and to protecting the public by adequate lights and safeguards. The licensee further agrees to indemnify and save harmless the Town of Newbury from any and all loss, damage and expense sustained by reason of any act or omission by the license hereunder.

Applicant’s Signature _____ Date: _____

DPW Signature: _____ Date: _____

The Town of Newbury requires a copy of this permit with the operator or foreman to be on site at all times.

Permit expires 30 days after approval unless otherwise noted.

TOWN OF NEWBURY, MASSACHUSETTS

INSPECTIONAL SERVICES DEPARTMENT
25 HIGH ROAD
NEWBURY, MA 01951

TOWN OF NEWBURY STREET OPENING REQUIREMENTS

A Street Opening Permit must be obtained from the Inspectional Services Department (ISD) for any excavation within the layout of a Town street, including sidewalk or shoulder areas.

Permit Requirements:

The petitioner must complete the following items before a permit will be issued:

A. Premark the work area as required by the “Dig Safe Law”, Massachusetts General Laws Chapter 82, Section 40.

B. Contact Dig Safe and obtain a Dig Safe # at least 72 hours in advance of the excavation start date, exclusive of Saturdays, Sundays and legal holidays. Also contact the Newbury DPW Office (978-465-0112), Newburyport Water Dept. (978-465-4420), Newburyport Sewer Dept. (978-465-4414) and/or the Byfield Water Department (978-462-3023) as needed, at least 72 hours in advance of the excavation start date, exclusive of Saturdays, Sundays and legal holidays to request a mark-out of water, sewer and drain lines in the area.

C. A performance bond for a minimum of \$ 5,000.00 must be submitted or a current bond must be on file with the ISD. On larger jobs such as main line installations or extensions, the Director of Public Works or his agent will establish the amount of said bond.

D. A Certificate of Insurance must be submitted with the following coverage requirements:

1. Comprehensive General Liability:

Bodily Injury Minimum coverage

Each Person \$ 500,000

Each Accident \$ 500,000

Property Damage

Each Accident \$ 100,000

Aggregate \$ 300,000

2. Workers Compensation Insurance as required by Law.

3. The Town of Newbury as additionally insured must be included on the policy.

E. A fee of \$110.00 is required for all Street Opening Permits, including emergency excavations. This fee must be paid at the time the permit is issued.

F. Obtain a separate **Trench Permit** for any proposed trench excavation in excess of three feet in depth, pursuant to Massachusetts General Law, Chapter 82A, Section 1 and 520 CMR 7.00 et seq. (as amended). A fee of \$50 is required for a Trench Permit.

The original Bond and original Certificate of Insurance must be submitted to the ISD before a permit can be issued. No permit will be issued before the bond or insurance is in effect. The Bond must remain in effect for a period of at least one year. Copies of the permit shall be given to the Fire Department and Police Department of the Town of Newbury. If the Police Department decides that a police officer or officers are needed to insure the safety of the public during construction, the cost shall be borne by the permit holder. Two names, addresses and phone numbers shall be provided to the Director of Public Works or his agent and the Police Department for use in the event of an emergency. The Director of Public Works or his agent shall be notified 24 hours before the actual start of any project and 24 hrs. before resuming work after a break in the project. Permits for any non-emergency excavations are prohibited on any road that has been resurfaced within the past 5 years. Also, permits will not be issued for any non-emergency work during the winter period from November 15 to April 1 of the following year.

Excavation and Restoration:

General:

All work and materials shall be in conformance with the current edition of the "Massachusetts Department of Public Works Standard Specifications for Highways and Bridges" and any supplemental specifications, as they pertain to street utility excavations and repairs unless modified herein. In locations where allowed by the Director of Public Works, a trenchless utility installation method may be used rather than an open cut method, and in some instances this method may be a strict requirement instead of an open cut method.

Signs and Safety:

Provisions shall be made for the safety and protection of vehicles and pedestrians at all times during the construction period. All signs and warning devices shall be according to the 2003 edition of the Manual on Uniform Traffic Control Devices (MUTDC).

Cutting by Mechanical Means:

All road surfaces shall be cut by an approved mechanical means before any excavation is started to insure against unnecessary damage to the pavement.

Excavation:

Excavation shall be done in a safe manner so as to create a minimum amount of obstruction to pedestrian or vehicular traffic.

Backfilling Trenches:

Suitable material of a stable nature shall be used and placed in six-inch layers and thoroughly compacted to 95% of the maximum dry density by mechanical means. In roadway areas, the top of the trench shall be backfilled with twelve inches of approved gravel, placed in two layers and compacted by mechanical means to 95%.

Temporary Trench Patch:

All trenches shall be resurfaced with a temporary patch at the end of each working day with a minimum thickness of 3" of hot-mix bituminous concrete. This should be allowed to remain for a period of one year and be maintained by the permit holder. Any settlement or unsatisfactory areas shall be immediately repaired

when notified. No permanent resurfacing shall be done without permission from the Director of Public Works or his agent. He shall be the sole agent to determine whether the trench is ready for permanent resurfacing. The contractor shall be required to thoroughly clean all road surfaces at the end of each day.

Permanent Trench Resurfacing:

A. All trenches shall be cut back 1' on each side from original cut by an approved mechanical means and remove pavement, including temporary patch.

B. Four inches of bituminous concrete placed in two layers of 2 ½" binder and 1 ½" top and rolled with a powered roller having a weight of five tons or more. Existing pavements thicker than 4" shall be replaced to an equal thickness using materials as similar as possible to the existing (concrete or cobblestone with concrete, crushed stone with bituminous concrete etc.).

C. Before placing bituminous concrete, all joints shall be satisfactorily emulsified and again after placing top course of bituminous concrete, all joints shall be emulsified and sanded using screened sand.

D. The contractor shall maintain pavement during the guarantee period of one year from the date of permanent resurfacing.

Sidewalks and Driveways:

Any sidewalk that is disturbed shall be removed and replaced to its entire width. Sidewalks being replaced or extended shall have a minimum width of 5'. All structures shall be raised at the permit holder's expense. The Town shall specify the grade at which the new sidewalk or driveway is to be replaced, and the cost of raising or lowering the grade shall be borne by the permit holder. The limit of any driveway apron replacement shall be reviewed with the Town's agent and shall generally be from the edge of the traveled way to the rear edge of the sidewalk or the layout line. Sidewalk cross slopes shall be 1.5%. Curbs shall be restored completely to match existing curbing

A. **Bituminous concrete sidewalks and driveway aprons:** 3" of bituminous concrete placed in two layers of 2" binder and 1" top on 8" of well-compacted gravel. Roller to be five tons or more. All joints in sidewalks and driveways are to be emulsified and sanded.

B. **Cement concrete sidewalks and driveway aprons:** Cement concrete shall be a 4" thick monolithic pour, 4000 lbs., with ¾" stone, 6 x 6 10/10 wire mesh, air entrained with an expansion joint every 30 feet using approved expansion joint material on 8" of well-compacted gravel. Driveway aprons shall be the same as sidewalks except thickness of concrete must be 6" inches. All sidewalks and drives shall be sprayed with an approved curing compound and protected against drying too rapidly.

Trenchless Utility Installation Requirements:

In locations where trenchless utility installations are to be used instead of an open cut across a road or driveway, a directional drilling method, which includes a drilling and tracking system, as approved by the Director of Public Works, shall be employed. Pneumatic boring or "punching" method is prohibited, unless otherwise approved by the Director of Public Works.

Special Requirements:

Backfilling and Paving:

Special backfilling and paving may be required in addition to the above specifications where ordered by the Director of Public Works. Special requirements may include, but are not limited to the following:

A. CDF Backfilling: Trenches shall be backfilled to within four inches of the existing pavement surface with Controlled Density Fill (CDF), Type 2E, Flowable (Excavatable) conforming to Subsection M4.08.0 of the MDPW Standard Specifications for Highways and Bridges referenced above. Steel plates may be necessary to cover the CDF until it has reached suitable strength to support traffic, at which time the plates shall be removed and Permanent Resurfacing of 4 inches of bituminous concrete (2.5" binder & 1.5" top) shall be placed and compacted as specified above.

B. Infra-red Surface Treatment: After the Permanent Trench Resurfacing has been completed as specified above, the entire trench surface shall be finished using an approved infra-red heater to soften the pavement to depth of two or more inches. The area to be treated shall extend one foot outside each side of the trench to blend with the existing pavement.

C. Full width overlay: After the Permanent Trench Resurfacing has been completed as specified above, a 1 ¼" thick, curb to curb, bituminous concrete overlay may be required on main line utility extensions or main replacement projects as determined by the Director of Public Works. Adjustment of all valve boxes and road castings shall be included. Cold milling shall be completed as needed to maintain the curb reveal and to match the elevation of adjoining roadways and driveways.

As-Built Plans:

Upon completion of any water, drain or sewer main extension or replacement, an as-built plan, prepared by a Professional Engineer, meeting the satisfaction of the ISD and Director of Public Works, shall be submitted within 30 days of completion of the main installation.

Fines

As provided in MGL c. 40. §21D (non-criminal disposition), any person or Contractor of any kind, including utility companies who perform nonemergency excavation work without a valid permit shall be fined \$200.00 each day per occurrence per site until a permit or permit extension has been applied for and approved.

Any person or Contractor who performs emergency work and fails to apply for a permit within two (2) working days following the commencement of work shall be fined \$200.00 each day until a permit extension has been applied for and approved.

Any person or Contractor who performs work without a permit on the basis that it is an emergency and it is subsequently determined by the Permitting Authority that the work was not a bonafide emergency, shall be fined \$200.00 each day until a permit extension has been applied for and approved.

Chapter 89

STREET OPENING REQUIREMENTS

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1. Comprehensive General Liability:

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Each Person \$ 500,000

Each Accident \$ 500,000

Property Damage

Each Accident \$ 100,000

Aggregate \$ 300,000

2. Workers Compensation Insurance as required by Law.

3. The Town of Newbury as additionally insured must be included on the policy.

E. A fee of \$100.00 is required for all Street Opening Permits, including emergency excavations. This fee must be paid at the time the permit is issued.

F. Obtain a separate **Trench Permit** for any proposed trench excavation in excess of three feet in depth, pursuant to Massachusetts General Law, Chapter 82A, Section 1 and 520 CMR 7.00 et seq. (as amended). A fee of \$50 is required for a Trench Permit.

G. The original Bond and original Certificate of Insurance must be submitted to the ISD before a permit can be issued. No permit will be issued before the bond or insurance is in effect. The Bond must remain in effect for a period of at least one year. Copies of the permit shall be given to the Fire Department and Police Department of the Town of Newbury. If the Police Department decides that a police officer or officers are needed to insure the safety of the public during construction, the cost shall be borne by the permit holder. Two names, addresses and phone numbers shall be provided to the Director of Public Works or his agent and the Police Department for use in the event of an emergency. The Director of Public Works or his agent shall be notified 24 hours before the actual start of any project and 24 hrs. before resuming work after a break in the project. Permits for any non-emergency excavations are prohibited on any road that has been resurfaced within the past 5 years. Also, permits will not be issued for any non-emergency work during the winter period from November 15 to April 1 of the following year.

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