



# Town of New Scotland, New York Highway Department

Superintendent: Mr. Kenneth Guyer

Highway and Parks Department  
2869 New Scotland Road  
Voorheesville, New York 12186


Phone: (518) 475-0385  
Fax: (518) 765-4009

## APPLICATION FOR PERMIT TO WORK WITHIN TOWN RIGHT-OF-WAY

This Application is for authorization to perform construction work within Town of New Scotland public roadways.

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In addition to obtaining authorization to work, the Permittee is required to contact the Underground Facilities Protection Organization (UFPO) at (1-800-962-7962). This organization coordinates the mark-out of nearby utilities such as water, sewer, gas, electric and telephone lines at no charge.

 <p><b>Dig Safely. New York</b> www.digsafelynewyork.com</p> <p><b>1-800-962-7962</b></p>	<p><b>These simple steps could be the most important for any project involving excavation.</b></p> <p><b>You Call Dig Safely New York 2 Full Working Days Before You Dig 1-800-962-7962.</b> Be prepared to provide Dig Safely New York with information about your project including location, address, contact information, two nearest cross streets as well as any special instructions that are important to your specific location request.</p> <p><b>Dig Safely New York Notifies Its Member Facility Operators.</b> Dig Safely New York will tell you which of the facility operating members will be notified of your pending excavation based on the location of their facilities in regards to the location of your proposed excavation.</p> <p><b>Facility Operators Mark Their Lines</b> Each facility operating member will provide you with a positive response. This is accomplished when each member facility operator contacts you, letting you know that either their underground facilities have been marked or that their underground facilities are unaffected by your proposed excavation site.</p> <p><b>Dig Safely</b> Provided you have received a positive response from each notified facility operating member, you can begin your excavation project. As with any excavation, please adhere to safe excavation practices.</p>
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## APPLICATION FOR PERMIT TO WORK WITHIN TOWN RIGHT-OF-WAY

The undersigned permittee agrees that all work performed thereunder will be made pursuant to law and in accordance with all of the attached conditions, regulations and insurance requirements required by the Town of New Scotland Superintendent of Highways.

<b>Permittee / Contractor Information</b>		Permit ID: _____
Name: _____	Address: _____	Application Date: ____/____/____
City, State, Zip: _____	Phone: (____) ____ - _____	<b>24 Hour Contact Person</b>
Signature of Applicant: _____	Name: _____	
	Phone: (____) ____ - _____	

<b>Location</b>	
The above named applicant hereby makes application for a permit to open street or pavement at the following location:	
Nearest Address: _____	Approximate Length of Opening: _____ Feet
Street Name: _____	Approximate Width of Opening: _____ Feet
For the purpose of: _____	

Requested Start Date of Opening: \_\_\_\_\_ Estimated Cost of Work to be Performed: \$ \_\_\_\_\_

Requested End Date of Opening: \_\_\_\_\_

*(To be completed by Town Staff)*

**Approved Start Date of Permit:** \_\_\_\_\_ Permit valid for 1 year from approval start date

Opening to be made between the Start Date and End Date approved above (Saturdays, Sundays and Holidays excepted), pursuant to the conditions and regulations set forth.

Additional Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\$ 150.00 Permit Fee Received by: \_\_\_\_\_ Building Dept. Date: \_\_\_\_\_

\$ \_\_\_\_\_ Deposit Received by: \_\_\_\_\_ Building Dept. Date: \_\_\_\_\_

Insurance Certificate Received by: \_\_\_\_\_ Building Dept. Date: \_\_\_\_\_

Permit Authorized by: \_\_\_\_\_ Date: \_\_\_\_\_  
Kenneth Guyer, Highway Superintendent

Restoration Confirmed By: \_\_\_\_\_ Date: \_\_\_\_\_

Deposit Check Number: _____	Deposit Check	Released / Sent
Deposit Check Released By: _____	Date Released: _____	

## **SUBMITTAL OF APPLICATION**

The Applicant should submit the following items to the Town Building Department for this application:

1. The Completed Application (Contractor to complete top half)
2. A non-refundable \$150.00 check made payable to the "Town of New Scotland Building Department" for the permit fee.
3. A security deposit check made payable to "Town of New Scotland", in the amount to be determined by the Highway Superintendent.
4. An Insurance Certificate naming the Town of New Scotland as additional insured, in the amounts specified in these instructions.

Jeremy Cramer, Building Inspector  
2029 New Scotland Road  
Slingerlands, New York 12159  
Phone: (518) 439-9153  
Fax: (518) 439-1215

Questions regarding this permit should be directed to Kenneth Guyer – Highway Superintendent.

The security deposit may be returned to the Permittee upon completion of work to the satisfaction of the Highway Superintendent. Failure to restore the work limits to the satisfaction of the Highway Superintendent may result in forfeiture of part or all of the deposit.

## **CONDITIONS AND REGULATIONS**

1. This permit, if granted, does not go into effect until the following conditions are met:
  - A) The \$ 150.00 permit fee is received by the Building Department,  
A security deposit check is deposited with the Town of New Scotland to ensure successful completion and restoration of the affected areas. Performance bonds are not acceptable forms of security deposit. The amount for the security deposit shall be determined by the Highway Superintendent and is generally described as proportionate to the scope of work and shall not exceed \$5000.00.
  - B) An insurance Certificate, naming the Town of New Scotland as additional insured, is received by the Building Department and approved by the Highway Superintendent,
  - C) This permit is approved and signed by the Superintendent of Highways.
2. Unless otherwise specified, this permit will be valid for a period of one year from the date of the issuance. An extension of the permit may be granted if necessary and will be at the discretion of the Highway Superintendent. This permit shall not be assigned or transferred without the written consent of the Superintendent of Highways. The work authorized by this permit shall be performed to the satisfaction of the Superintendent of Highways.
3. The Superintendent of Highways, or his representative, shall be given at least twenty-four (24) hours notice by said permittee of the date he intends to begin the work authorized by this permit. The permittee will be required to remove all clay or other unsuitable materials which, in the opinion of the Superintendent of Highways, or his representative, are unsuitable for backfilling. The Permittee shall refill all excavations with approved materials as set forth in the Highway Regulations. The Permittee shall restore to such a state and condition as before the opening was made, and to the satisfaction of the Superintendent of Highways.
4. Said permittee is responsible for the dewatering of the area to be excavated when deemed necessary by the Superintendent of Highways. Any dewatering of the area shall be completed prior to the start of excavation using the method prescribed by the Superintendent of Highways.
5. Said permittee is responsible for maintaining and patching cut area in road upon the request of the Superintendent of Highways, or his representative. No road cuts are to be made after November 1<sup>st</sup> or before April 15<sup>th</sup>. All permanent repairs to blacktop must be made within twenty-four (24) hours from the day of the pavement opening.

6. Permittee shall provide the name and telephone number of a contact person available for emergency calls in the event a hazardous condition arises, due to the street opening. If contact can not be made and the Highway personnel and equipment are used to correct the hazardous condition, the permittee shall be charged accordingly.
7. All work done under this permit is to be made when the weather and road conditions are favorable, and at all times in such manner as to give strict attention to safety and rights of the public. The permittee shall place barricades and lights on all openings and bridges when necessary or directed by the Town Superintendent of Highways, and shall take all precautions to prevent accidents to persons or damage to property.
8. Permittee shall make all reasonable efforts to give prior notification to homeowners or businesses that may be denied the ability to ingress and egress due to construction activities.
9. In cases where the work also extends into Albany County or New York State right-of-way, the Permittee shall obtain and submit a copy of the Highway Work Permit to the Town.

## **INSURANCE REQUIREMENTS**

1. Said Permittee shall be responsible for all damages resulting in bodily injury including death and/or property damage due to activities of the permittee, its contractors, subcontractors or either or both, agents or employees in connection with any act or omission hereunder; and does hereby expressly agree to indemnify and save harmless the Town of New Scotland and the Town Superintendent of Highways of said Town and his representatives and employees from claims, suites, actions, damages and costs or every name and description arising out of or resulting from any act or omission hereunder.
2. The Town Superintendent of Highways, before the permittee shall proceed with any work under this permit, will obtain on behalf of permittee a policy of protective liability insurance to and covering the liability of the Town of New Scotland and/or Kenneth Guyer as Superintendent of Highways of the Town of New Scotland, New York, with respect to all operations under this permit, by the permittee or by anyone acting by, through or for the permittee, including omissions and supervisory acts of the said Town Superintendent of Highways.

The limits of coverage in such protective liability insurance policy shall not be less than:

- \$1,000,000.00 for all damages arising out of bodily injury including death for each person in any one accident;
- \$1,000,000.00 for all damages arising out of bodily injury including death at any time resulting therefrom, sustained by two or more persons in any one accident;
- \$1,000,000.00 for all damages arising out of injury to or destruction of property in any one accident;

The Permittee is required to file with the Town Building Department a Certificate of Insurance as listed or shown in the above paragraph.

3. The enumeration in this permit of the kind and amount of insurance shall not abridge, diminish or affect the permittee's legal responsibility for the consequence of accidents arising out of or resulting from the operation of the permittee under this permit.
4. Upon request of the Town Superintendent, the permittee will furnish him with proof that permittee has secured compensation for the benefit of and will keep insurance during the performance of the above described work such employees as are required to be insured by the provisions of the Workman's Compensation Law. If permittee has work performed by an independent contractor, such contractor shall furnish proof that such contractor has secured such compensation.
5. In cases where the work also extends into Albany County or New York State right-of-way, the Permittee shall obtain the higher of the insurance dollar requirements. The Permittee shall also name Town of New Scotland, and Albany County or New York State as additionally insured.

## **CONDITIONS FOR CONSTRUCTION**

1. Before construction begins, it is the owner's responsibility to call Dig Safely New York and have the area flagged for underground utilities. Dig Safely New York 1-800-962-7962.
2. All newly installed curb cuts (driveways) shall meet the most current AASHTO standards for minimum sight distance requirements.
3. Normally only one driveway shall be permitted for each residential property. An additional driveway may be permitted by the Highway Department if both sufficient frontages exist and extenuating circumstances justify a second driveway.
4. The Highway Department will specify culvert pipe diameter with a 20' long minimum and must be constructed of corrugated metal, reinforced concrete or HDPE.
5. All driveways meeting Town Highways shall have a minimum of 12" of approved material within the Town's right-of-way.
6. The driveway shall be constructed to slope away from the edge of the paved roadway at a slope of 2% to 6% (.25 in/ft. to .75 in/ft.) to low point of the driveway. As close to the center of the ditch line as possible.
7. The maximum grade away from the driveway low point is 8% (1 inch per foot) in urban areas or 12% (1.5 inches per foot) in rural areas.
8. All driveways shall intersect the Town's roadway at a perpendicular angle to the center line of each.
9. Any construction carried out without a permit, or not in conformance with this policy is subject to removal at the owner's expense.
10. Homeowner agrees to maintain the driveway culvert in good and operating condition and will be charged if Town resources are required to do so.