Town of Essex
29 West Avenue
Essex, Connecticut 06426
Rev.5/29/13

STREET CUT/RIGHT-OF-WAY PERMIT APPLICATION INSTRUCTIONS

1. **Prior to the start of any subsurface work, the applicant is required to contact "Call Before You Dig" at 1-800-922-4455 and obtain an excavation ticket number.** This number must be provided to the Town prior to the start of work and shall be placed on the Permit.

2. A copy of the Permit must be on the job site at all times for inspection by the Town agencies, police, and fire departments and any other interested parties.

3. All work will be performed in accordance with the requirements of the Town road specifications (Appendix A attached) as applicable and per State of Connecticut, Department of Transportation, Standard Specifications for Roads, Bridges and Incidental Construction, Form 814.1988 as amended.

4. **A Pledge/Bond Account** shall be posted by the applicant to insure completion of the work in the amount of **$5,000.00.** Accounts should be structured as follows: The Town of Essex (Robert Dixon, Treasurer) must be the sole owner on the account. Statements should be mailed to the Town of Essex, Treasure's Office, 29 West Avenue, Essex, CT 06426. The bond will be callable if any work is not completed as required within the time limit set forth in paragraph 7, in which event the work would be completed by the Town as required by the specifications. The posted bond will be held until the work has been completed to the satisfaction of the Town.

   Should extraordinary conditions exist including but not limited to extensive site work or grading to maintain an adequate sight distance, then the bond amount shown above may be adjusted higher. On major utility projects, such as, but not limited to, new sewer and water main installations, the cash bond amount will be established during the plan review stage of the project. Any permit granted by the Board of Selectmen or Public Works Department shall be conditioned upon the receipt by the Town of Essex of a cash bond in a form and amount and with surety and conditions satisfactory to it to ensure the completion of work. After completion of the work and approval of the Town Agent, the bond will be released.

5. Utility companies shall post a bond in the amount of $5,000 each calendar year to cover all street work performed by the utility company and/or their agent(s) and also shall submit a certificate of general liability insurance in the amount of $1,000,000 for the utility company and each of their agents.

6. A certificate of general liability Insurance **in the amount of $1,000,000** must accompany the permit application.

7. **At least five working days prior to the anticipated start of construction, a completed application must be received by: the Essex Zoning Enforcement Agent; at the Town Hall. Questions: 767-4340 Ext 115.**

8. **The amount of a nonrefundable fee, payable to the Town of Essex to be charged for the permit shall be: $200.00**

9. **Permits must be approved/initialed by the Public Works Superintendent prior to any start of construction. Questions: (860) 767-0715 (David Caroline)**

10. At least **two business days prior** to the start of work, complete the Notification of Proposed Work form and submit it to the Zoning Enforcement Agent at the Town Hall. The ZEA will notify the Public Works Superintendent of the project.

Town of Essex
29 West Avenue
Essex, Connecticut 06426

STREET CUT/RIGHT-OF-WAY PERMIT APPLICATION FORM
Including any excavation or drainage work within the street right-of-way
Rev. 5/29/13

SEE ATTACHED APPLICATION INSTRUCTIONS AND REQUIRED SPECIFICATIONS

Applicant:_____
Address:_____Telephone No:_____

Person contracting work and/or Property Owner (if not applicant):_____
Address: _____Telephone No:_____

Street Location of Work: _____ Nearest pole No: _____

Description of Work:_____
_____
_____
_____
Using a street map, please sketch accurately and include the above information that depicts the proposed work. Give measurements to nearest intersection or landmark. Please attach to this sheet.

I agree to reimburse the Town of Essex for any expenses caused by the execution of the work, and to perform the work in accordance with the plan submitted and as approved by the Public Works Superintendent, or his representative, for the Town of Essex. The owner and the owner's contractor shall hold the Town of Essex, the Board of Selectmen and their agents and employees harmless against any action for personal injury or property damage sustained by reason of the exercise of this permit.

Signed:_____

CALL BEFORE YOU DIG NO:_____
Planned Start Date:_____

Permit Fee $200.00 Paid: ____/____/_____ (circle one) Cash/Check# _____

FOR OFFICIAL USE: Permit No.: _____Permit approval date:_____ Approved By: _____

Bond: Date posted: _____Amount: _____ Date Released: _____
(Separate form. See Street Cut/Right –of-Way Permit Bond form. Amount to be posted $5,000.00)

Final (work) approval date:_____Approved by: _____

Notes:_____
_____
_____
_____

BOND to the TOWN OF ESSEX, CT
(revised 10/17/08)

KNOW ALL MEN BY THESE PRESENT:

WHEREAS, the undersigned Assignor is obligated to the Town of Essex, or an agency thereof, with respect t to the following:

NAME OF AGENCY: Town of Essex – Public Works Department

PROJECT IDENTIFICATION:_____MAP____LOT___

OBLIGATION SECURED: **Street Cut/Right-of-Way Permit**

WHEREAS, said agency has required a Bond in the amount of $_____
To secure and guarantee completion of said obligation.

NOW THEREFORE, the undersigned Assignor hereby deposits with and irrevocably assigns to the Town of Essex and the Agency referred to above, this Bond in the form of **a) check; b) in the form of a passbook, or c) Certificate of Deposit No.** _____ as determined by the Agency and (hereinafter referred to as the "Account"), representing funds on deposit with
(name of CT lending institution)_____
(address)_____.

In the case of a passbook of Certificate of Deposit, the undersigned Assignor hereby directs said lending institution to hold all funds in the Account including accrued interest and to permit no withdrawal from said Account by any person, firm or corporation, other than the Town of Essex acting by its First Selectman or its Treasurer, until a written release of this Assignment is furnished by the Agency referred to above.

The Town of Essex, or its agents, has the permission to enter my property at _____. And perform the above mentioned work if it is not completed by date:_____. The Town of Essex will give the owner notice by certified mail that it will complete the work at least 14 consecutive days prior to beginning said work. The Bond money will be utilized to complete the work, with any balance released to the assignor.

The undersigned Assignor further requests that you execute the Acknowledgement of Assignment and Agreement set forth below and return one duplicate original of this document to the Agency.

Date:_____**ASSIGNOR**:_____
Signature/Print Name

The undersigned lending institution hereby acknowledges receipt of the Assignment of the Account set forth above and agrees to hold any funds on deposit in the Account for the sole benefit of the Town of Essex until receipt of the release of this Assignment or until the withdrawal of the funds by the Town of Essex and set forth above. The lending institution hereby waives as to the Town of Essex any lien or right of setoff which it may have against the Account. We confirm that the account is presently held in the names of the person(s) who have signed the Assignment portion of this form, that the account is insured by the F.D.I.C. and that the signature(s) appear to conform with the signature(s) on file with us for the Account. The balance in the Account as of this date is $_____.

Town of Essex
29 West Avenue
Essex, Connecticut 06426
Rev. 1/24/06

To: Zoning Enforcement Agent, Essex Town Hall

NOTIFICATION OF PROPOSED WORK

Must be filed at least two working days prior to the start of work.

Date:_____
Notice is hereby given that the work proposed for_____
_____
will commence on _____and will end on_____

Applicable fees and bonds have been posted as required. **I understand that the bond posted to insure the proper completion of the work will be held until the work has been completed to the satisfaction of the Town.**

Applicant signature:_____
Company Name and Address:_____
_____

Call before you Dig Number:_____

C: Public Works Department
Resident State Trooper
Board of Selectmen
Building Department

FOR STREET CUT/RIGHT-OF-WAY SPECIFICATIONS

Rev. 6/7/13

1. A driveway, access road or street cut serving private property and intersecting with an existing Town highway or future Town roadway will be constructed in such a manner that it does not interfere with the existing drainage, the movement of traffic or the removal of snow from the abutting highway. The owner or contractor will maintain and protect the vehicular and pedestrian traffic while the work is under construction for the full length of the project and will provide a sufficient number of travel lanes and pedestrian passways to move traffic. The owner or contractor will maintain construction signs, construction barricades and traffic cones that forewarn traffic of the construction. The owner or contractor will erect, maintain and remove these signs.

2. The street cut or driveway will be constructed in such a manner that it does not permit runoff of water from the abutting Town highway to enter into the property of the owner or adjacent properties thereby creating a nuisance to the Town and a property owner, unless an easement is granted by such owner to the Town of Essex for such runoff in a form satisfactory to the Town Attorney and approved by the Board of Selectmen.

3. Construction, repair and maintenance work done by a permittee will be of the highest grade, and the materials that are used will be of the best quality for each class of work performed. All work will conform to the specification of the Board of Selectmen or the Public Works Department and to recognized standards of construction, repair and maintenance, and must be acceptable to the Board of Selectmen or the Public Works Department. If at any time a permittee refuses or neglects to conduct the work or furnish the material as directed, the Board of Selectmen or the Public Works Department shall stop the work immediately. If the permitee refuses to comply with the instructions in a timely fashion as determined by the authorized Town agent, the Board of Selectmen or the Public Works Department may revoke the permit and use the bond to restore the Town highway right-of-way and charge the permittee for all costs of this work in access of the bond amount.

4. The sidewalk and any other paved area between the curb and street line will rise from the outer edge (curb side) to inner edge at a minimum rate of 3/8 inches to the foot and at a maximum of ¾ inches to the foot. This requirement may be varied to meet special conditions only on order of the Board of Selectmen or the Public Works Department. All sidewalks will be 4000 PSI concrete.

5. Restoration of curbing will match existing curbing.

6. All earth slopes within the Town highway right-of-way will not be steeper than one (1) unit vertical to two (2) units horizontal, will be covered with a minimum of four (4) inches of topsoil and will be suitably seeded with a permanent grass type seed mixture or planted with other acceptable vegetative ground cover to prevent erosion. A sedimentation/erosion control plan will be submitted for approval prior to issuance of the permit. Field adjustment to said sedimentation/erosion control plan may be required by the Board of Selectmen or the Public Works Department.

7. Where culverts are required by the Board of Selectmen or the Public Works Department within the Town highway right-of-way, such culverts will be constructed of ADS or equivalent pipe, corrugated aluminum pipe, or reinforced concrete pipe and will be of such size (not less than fifteen (15) inches in diameter) as to adequately convey all surface runoff which may be reasonably expected, must be able to withstand AASHTO H-20 loadings, and must have a minimum cover over the top of the culvert of one (1) foot, unless otherwise approved by the Board of Selectmen or the Public Works Department. Inlet or Outlet ends of culverts will have rubble stone or concrete endwalls or flared end sections.

8. The work will be completed as promptly as possible after the first cut is made to prevent road edge pavement from breaking up. All construction work covered by the permit will be subject to the inspection and approval of the Board of Selectmen or the Public Works Department and will be completed within thirty (30) calendar days after issuance of the street cut permit. An extension of time is granted by the Board of Selectmen or the Public Works Department upon written request by the owner showing good cause. Said extension shall not be reasonably withheld.

9. No dirt, gravel or other material shall be allowed to wash into or be deposited on the Town roadway during construction. Should any dirt, gravel or other materials wash into or be deposited on the Town roadway and/or drainage systems, said materials will be removed promptly by the owner. The Town of Essex will charge the owner the full cost of said removal and repair. **A standard anti tracking pad will be required for any driveway under construction and/or all construction vehicle access way(s) to a property across the Town's right-of-way. In addition, other erosion and sedimentation control measures may be necessary to prevent material from washing onto the street.**

10. In the event that the Zoning Regulations or Subdivision Regulations applicable to the Town of Essex provide different specifications than the specification herein provided for, then the more stringent requirements shall govern.

11. Final inspection of work performed under the permit will be made by the Board of Selectmen or the Public Works Department. The purpose of such inspection is to ascertain whether the work has been performed according to the terms of the permit and in a manner satisfactory to the Board of Selectmen or the Public Works Department. Before the work will be accepted and the bond released, the traveled way, shoulders, roadside, ditches and other parts of the Town highway must be placed in as good a condition as before the work started. Certification from the applicant's engineer may be necessary if there is disagreement as to the satisfactory condition of the roadway.