



CITY OF GREENFIELD

Permit issued by Department of Public Works

189 Wells Street
Greenfield, Massachusetts 01301
Phone (413) 772-1528
Fax (413) 773-9593

Date Submitted: _____

Permit Number: _____

Date Issued: _____

Expiration Date: _____

EXCAVATION/TRENCH PERMIT: Street-Opening

Pursuant to G.L. c. 82A and 520 CMR 14.00 et seq.(as amended)

The applicant is required to contact Dig Safe at phone number "811" or online at digsafe.com prior to application submission. Application must be completed fully. Please allow 72 business hours for processing and approval. The contractor shall notify the Engineering Department before backfilling etc. for inspection when needed, see attached Regulations.

Dig Safe #:			Construction Date:		
Location of Work (Street & House #):					
Two nearest cross streets:					
Project Description (include area of work; in street, side of street, street to building, tree belt, front, rear or side yard, etc.):					
Is trench within paved roadway? Yes [] No [] ...If Yes:			Trench Width:		Trench Length:
Name of Applicant			Home Phone:		
Street Address			Cell Phone:		
City/Town			Other:		
State		ZIP	Email:		
Name of Excavator (if different from applicant)			Home Phone:		
Street Address			Cell Phone:		
City/Town			Other:		
State		ZIP	Email:		
Name of Owner(s) of Property (if different from applicant)			Home Phone:		
Street Address			Cell Phone:		
City/Town			Other:		
State		ZIP	Email:		
Insurance Cert. #: <i>*Please provide a copy if we do not already have one on file*</i>			Policy Expiration Date:		
Name and Contact Information of Insurer:					

Sent via: Email USPS In Person Date: _____

By signing this form, the applicant, owner, and excavator all acknowledge and certify that they are familiar with, or, before commencement of the work, will become familiar with, all laws and regulations applicable to work proposed, including OSHA regulations, G.L. C. 82a, 520 CMR 14.00 et seq., and any applicable municipal ordinances, by-laws and regulations and they covenant and agree that all work done under the permit issued for such work will comply therewith in all respects and with the conditions set forth below.

The undersigned owner authorizes the applicant to apply for the permit and the excavator to undertake such work on the property of the owner, and also, for the duration of construction, authorizes persons duly appointed by the municipality to enter upon the property to monitor and inspect the work for conformity with the conditions attached hereto and the laws and regulations governing such work.

The undersigned applicant, owner and excavator agree jointly and severally to reimburse the municipality for any and all costs and expenses incurred by the municipality in connection with this permit and the work conducted thereunder, including but not limited to enforcing the requirements of state law and conditions of this permit, inspections made to assure compliance therewith, and measures taken by the municipality to protect the public where the applicant owner or excavator has failed to comply therewith including police details and other remedial measures deemed necessary by the municipality.

The undersigned applicant, owner and excavator agree jointly and severally to defend, indemnify, and hold harmless the municipality and all of its agents and employees from any and all liability, causes or action, costs, and expenses resulting from or arising out of any injury, death, loss, or damage to any person or property during the work conducted under this permit.

In accordance with M.G.L. ch. 166, the City of Greenfield reserves the right to require of cable operators (e.g. Comcast, Verizon, WMECO) as a condition of approval the placement of separate conduit for municipal use. The cost of this separate conduit shall be reimbursed by the City.

During the progress of the work, barriers and signage shall be erected and maintained as shall be necessary for the protection of the traveling public; that the same shall be properly lighted at night; that the highway shall be left in as good order and condition as the same now is. No advertising matter shall be posted on any barriers or signs.

Street closings: two-way traffic shall be maintained at all times. If this is not possible, the Greenfield department of public works must be notified at least 24 hours prior to road closings due to construction. The permittee is responsible for all signage necessary for road closure including detour signs.

No excavation/trench permits will be issued until all public utilities have been notified as required by the provisions of section 40 of chapter 82 of the general laws of Massachusetts as revised.

The Greenfield department of public works does not in any way warrant or guarantee accuracy of markings and the providing of such designation shall constitute prima facie evidence of reasonable precaution of the department.

YES	NO	
[]	[]	Emergency Describe: _____
[]	[]	Work in Public Right-of-Way
[]	[]	Work on Private Property
[]	[]	Work within State Layout (Attach State Permit)
[]	[]	Work within 100 feet of a wetland or within 200 ft of a stream or river? (If yes, attach Con Comm Permit)
[]	[]	Water/Sewer/Storm Connection (Attach Permit)
[]	[]	Driveway Access (Attach Permit)

Permit Fee of \$200* is due at time of Application submission

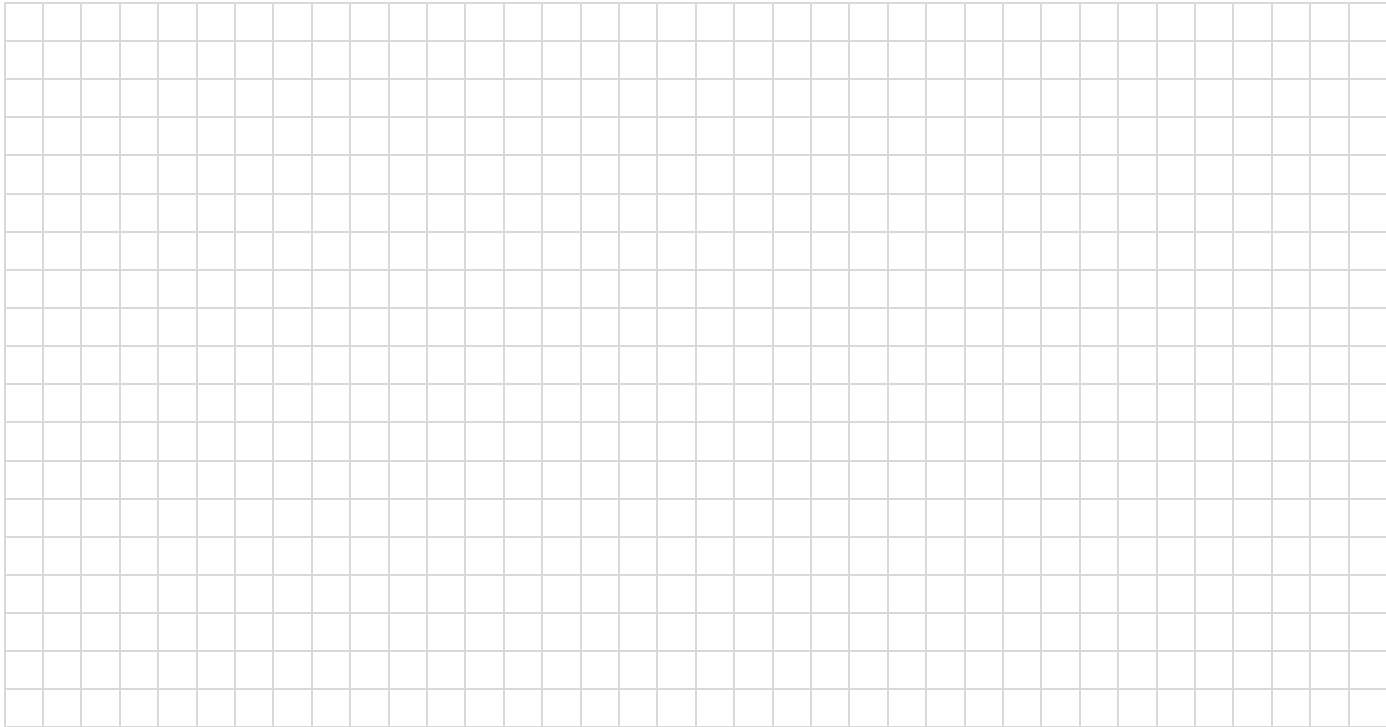
***If the trench is over 100 feet long within the paved roadway, an additional fee of \$1 per Lineal Foot of trench is added to the original fee of \$200. (For example if the trench is 136 feet long, the total fee would be \$200 +\$36)**

Fee Exemptions are for Residential properties of four units or less:

- | | |
|---|---------------------------------------|
| Landscaping, tree & shrub removal | House additions |
| Fence/wall installation | Deck and porch installation |
| Light post installation | Septic System Installation & upgrades |
| Pool installation | Well drilling |
| Telephone/utility pole replacement | Driveway paving |
| Other residential work as approved by the DPW | |

PLEASE PROVIDE SKETCH OR ATTACH A PLAN OF LOCATION

(Description, purpose and exact location of the proposed trench. Please label all parts and utilities)



-- DO NOT WRITE BELOW THIS LINE --

-- PERMIT VALID ONLY WHEN SIGNED BY D.P.W. REPRESENTATIVE --

- Insurance on File
- Water/Sewer/Storm Connection Permit Received
- Water/Sewer Disconnection Permit Received
- Type ____ Permanent Patch (A/B/C)

Year Last Paved: _____

Copies sent to:

- DPW File
- Applicant
- Owner

Date Marked: _____

Permit Approved by:	Date Approved:
Permitting Authority:	Date Fee Received:
Conditions of Approval:	Check #:

ARTICLE XV- Street Openings
[Adopted as amended 2-20-2019 by Order No. FY 19-2-090 (Ch. 662 of the 2002 Bylaws)]

§ 385-41. License required.

No person, except the Director of Public Works in the performance of usual duties, or, in cases of emergency, shall break or dig up or cause to be broken or dug up the pavement or ground in any public street, or any sidewalk or common in the Town, or erect or cause to be erected any building or any staging for building, or other structure thereof, or place or cause to be placed any materials, rubbish, goods, wares, or merchandise or other articles or substance thereon, without first obtaining from the Department of Public Works or Licensing Commission a written permit or license delineating the space in the street or other public place that may be occupied and the time allowed for such occupancy, and such other provisions as it may deem best, and filing with the Director of Public Works or Licensing Commission a written agreement to comply strictly with the terms of the permit or license and these regulations and to indemnify the Town from all loss, cost or expense that it may suffer by reason of such occupancy. Excavation/Trench permits, as well as ladder and staging permits, are reviewed and approved by the Department of Public Works. A license to occupy space in the street or other public space is reviewed and approved by the Licensing Commission. Where a written license, as aforesaid, is required in connection with the development of a priority development site (PDS), as defined by § 200-2.1 of the Zoning Ordinance, an application therefor shall be submitted simultaneously with any other permit application(s) required by this Code, including the Zoning Ordinance, relating to the use or development of land, buildings or structures and not otherwise exempted by MGL c. 43D, and a decision thereon shall be rendered no later than 180 days from said date of submission.

§ 385-42. Annual statement of proposed openings.

All department heads, persons or corporations owning structures, poles, wires, conduits, pipes, etc., within the limits of the public way within the Town shall, on or before the 15th day of March of each year, file a statement with the Director of Public Works showing the work proposed to be done by them requiring the opening of streets during the ensuing year.

§ 385-43 Safety fences.

Whenever any street, lane, alley or sidewalk or other public place in the Town shall, under any license granted, be dug up, obstructed, encumbered, or otherwise thereby be rendered unsafe or otherwise inconvenient for travel, the person licensed shall put up, and at all times keep up, a suitable and sufficient railing or fence around the section of the street, lane, alley or other public place so obstructed, so long as the same shall be or remain unsafe or inconvenient as aforesaid, and, if required by the Director, shall fit the safety fence with one or more portable lights/lanterns and have them lit every night from 1/2 hour after sunset to 1/2 hour before sunrise so long as such railing or fence shall be kept standing or the obstruction remains.

§ 385-44. Repairs after licensed work.

The contractor shall also, within such time as the Department of Public Works or Licensing Commission shall direct, repair such street, lane or alley, sidewalk or public place, to the acceptance of the Director of Public Works.

§ 385-45. Notice to public utilities.

MGL c. 82, § 40A states that contractors making excavations in public way are required to give notice thereof to public utility companies.

§ 385-46. Curb cuts.

- A.** Anyone requiring a curb cut in an existing berm shall be required to obtain an access permit from the Department of Public Works. Application will be made at the Engineering Office of the DPW for processing. Where an access permit is required in connection with the development of a priority development site (PDS), as defined by § 200-2.1 of the Zoning Ordinance, an application therefor shall be submitted simultaneously with any other permit application(s) required by this Code, including the Zoning Ordinance, relating to the use or development of land, buildings or structures and not otherwise exempted by MGL c. 43D, and a decision thereon shall be rendered no later than 180 days from said date of submission.
- B.** No curb cuts shall be allowed within 20 feet of an intersecting way, said 20 feet being from the street line layout to the beginning of the curb cut, and all curb cuts shall be constructed with a minimum radius of five feet. The cost of the work shall be borne by the applicant and any related work done by DPW shall be billed to the applicant, if applicable. If work is done by a contractor, all work shall be inspected by the DPW before completion. Notification to the DPW for inspection is the responsibility of the contractor/owner.

§ 385-47. Notice required prior to excavation.

No person, other than a direct employee of a public utility company, as defined in MGL c. 25, § 3, shall, except in an emergency, make an excavation in a public way unless at least 72 hours, exclusive of Saturdays, Sundays, and legal holidays, before the proposed excavation is to be made, he/she has filed an excavation/trench permit with the Department of Public Works and has given notice in writing of the proposed excavation to such public utility companies as supply gas, electricity, water or telephone service in the Town or city in which such way is located. Such notice shall set forth

the name of the street, or route number of the way, and a reasonably accurate description of the location in which the excavation is to be made.

- A. Notice requirements for emergency excavations. If such notice be given as aforesaid because of an emergency, it shall be given as soon as may be practicable.
- B. Filing of notices. Copies of such notices, together with a statement certifying that they have been mailed or delivered to such public utility companies as provided by the preceding provisions of this article, shall be filed with the officer or board having charge of any such public way before a permit to excavate may be approved or issued, except in case of an emergency.
- C. Excavations as part of government contracts. Where an excavation is to be made by a contractor as part of the work required by a contract with the commonwealth or with any political subdivision thereof or other public agency, for the construction, reconstruction, relocation or improvement of a public way or for the installation of a railway track, conduit, sewer or water main, such contractor shall be deemed to have complied with the requirements of this article by giving one such notice setting forth the location and the approximate time required to perform the work involved to the Department of Public Works and to each of said companies.

§ 385-48. Notice required prior to excavation.

Proper return notice shall be made by said companies designating the location, if any, of pipes or conduits in that portion of the public way in which the excavation is to be made.

§ 385-49. Prevention of damage to pipes and conduits.

Any such excavation shall be performed in such manner, and such reasonable precautions shall be taken, as to avoid damage to the pipes or conduits in use under the surface of said way.

§ 385-50. Effect on other provisions.

Nothing contained in this article shall be construed to affect or impair local ordinances requiring permits to be obtained before excavating in a public way, except that, notwithstanding any contrary provision of local ordinances, no permit to excavate in a public way shall be approved or issued by the officer or board having charge of any such way, except in an emergency, until such time as copies of notices to public utility companies are filed by the applicant for a permit as required by this article.

§ 385-51. Violations and penalties.

Whoever violates any provision of this article shall be punished by a fine of not more than \$200 for the first offense and not more than \$500 for any subsequent offense.

§ 385-52. Excavation beyond center line of street.

No opening or excavation in any street shall extend beyond the center line of the street before being backfilled and the surface of the street temporarily restored.

§ 385-53. Limit on size of opening.

No more than 250 feet measured longitudinally shall be opened in any street at any one time.

§ 385-54. Exposure of utility facilities.

All utility facilities shall be exposed sufficiently ahead of trench excavation work to avoid damage to those facilities and to permit their relocation if necessary.

§ 385-55. Disturbance of reference markers.

- A. Monuments of concrete, iron or other lasting material set for the purpose of locating or preserving the lines of any street or property subdivision, or a precise survey reference point or a permanent survey benchmark shall not be removed or disturbed unless permission is first obtained from the Director of Public Works.
- B. Permission shall be granted only upon condition that the permittee shall pay all expenses incident to the proper replacement of the monument by a professional land surveyor.

§ 385-56. Removal of excavated material from street.

- A. When any earth, gravel or other excavated material is caused to roll, flow or wash upon any street, the permittee shall cause the same to be removed from the street within eight hours after deposit.
- B. In the event the earth, gravel or other excavated material so deposited is not removed, the Director of Public Works shall cause such removal, and the cost incurred shall be paid by the permittee.

§ 385-57. Access to private driveways.

Access to private driveways shall be provided except during working hours when construction operations prohibit such access.

§ 385-58. Access to fire hydrants.

Free access must be provided at all times to fire hydrants.

§ 385-59. Permitted hours of operation. [1]

Work authorized by a permit shall be performed between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, unless the permittee obtains permission from the Director of Public Works to do the work at an earlier or later time. Such permission shall be granted only in case of emergency.

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 385-60. Conditions of permit.

- A. In granting any permit, the Director of Public Works may attach such other conditions as may be reasonably necessary to prevent damage to public or private property to prevent the operation from being conducted in a manner hazardous to life or property or in a manner likely to create a nuisance.
- B. Such conditions may include but shall not be limited to:
 - (1) Limitations on the period of the year in which the work may be performed.
 - (2) Restrictions as to the size and type of equipment.
 - (3) Designation of routes upon which materials may be transported.
 - (4) The place and manner of disposal of excavated materials.
 - (5) Requirements as to the laying of dust, the cleaning of the streets, the prevention of noise, and other results offensive or injurious to the neighborhood, the general public, or any portion thereof.
 - (6) Regulations as to the use of streets in the course of the work.

§ 385-61. Furnishing of equipment.

The contractor shall furnish all equipment necessary for opening, excavating, and backfilling.

§ 385-62. Furnishing of labor.

All labor and any material, exclusive of road patch, required shall be furnished by the contractor.

§ 385-63. Initial cut. [1]

The initial cutting of pavement shall be done in such a way that a straight, even cut is made.

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 385-64. Cutting by DPW; responsibility for costs.

If the Department of Public Works cuts the pavement, the contractor or owner will be billed for this work.

§ 385-65. Tearing or ripping of pavement prohibited.

Tearing or ripping of pavement will not be permitted.

§ 385-66. Shoring required.

Open excavations shall be shored or benched as required by the Occupational Safety and Health Administration of the U.S. Department of Labor for protection of workers.

§ 385-67. Use of original material for fill.

After an excavation is made in any roadway, the trenches or opening may be filled with the original material to within 24 inches of the road surface unless otherwise ordered by the Director of Public Works.

§ 385-68. Frozen material prohibited for backfill.

If the work is done in cold weather, no frozen material shall be used for backfilling.

§ 385-69. Use of graveled material.

Graveled material conforming to MDOT Specification Section M1.03.0 Type B shall be used to fill within one inch of the road surface.

§ 385-70. Compacting of backfill.

All backfill shall be thoroughly compacted in six-inch lifts by tamping, flooding, or vibratory means to reduce settling.

§ 385-71. Temporary patch.

- A. After completion of all utility work, all edges shall be saw cut, and the backfill shall be placed and mechanically compacted in six-inch layers to within four inches of finished road surface. All backfill material shall be acceptable to the DPW representative. If unsuitable material is encountered, it shall be replaced with a gravel meeting the approval of the DPW.
- B. Four inches of Class 1 dense binder per MDOT M3.11.03 shall be laid and compacted in layers not to exceed two inches in depth; the compaction equipment shall be of sufficient weight to obtain a density equal to the surrounding pavement.
- C. This shall be considered as a temporary patch.
- D. In case of cold weather or when hot bituminous surface mix is not available, a three-inch layer of cold patch may be applied and rolled.
- E. All openings with temporary patch shall be checked weekly, with additional temporary patch being added if settling should occur.

§ 385-72. Permanent patch.

- A. Permanent patch. The permanent patch shall not be applied until one winter season has passed since the completion of the temporary patch, and shall be then patched as follows:
 - (1) The area to be repaired shall be swept clean to remove all loose and foreign material.
 - (2) A binder course of 2 1/2 inches compacted depth shall be placed in accordance with MDOT M3.11.03.
 - (3) A top course of 1 1/2 inches compacted depth shall be placed and rolled to grade to match the surrounding surface and provide proper drainage of the roadway.
 - (4) The edges of rolled areas shall be sealed with suitable asphalt emulsion, and sand shall be spread over the entire newly patched area.
 - (5) The work area shall then be swept of all old and excess material and left in a neat condition.
 - (6) Permanent patches cannot be "T" or "L" shaped and must be rectangular. Where keyholes occur less than 20 feet apart, patches must be

continuously cut and patched as a trench. Trenches greater than 100 feet running parallel to the street line within the roadway must be patched the entire lane width from centerline to edge of pavement of a two lane road and the entire street width of a one way road. All areas to be patched beyond the limits of excavation shall be milled down 1 ½ inches and tack coated prior to placement of hot mix asphalt.

(7) Permanent patches must be guaranteed for a period of two (2) years with no mounding, sinking or joint gaps. The DPW will inspect the patch at the end of the 2 year period. If the permanent patch is not holding to specifications, it will be considered a “failed” patch. Failed patches are the responsibility of the contractor to be replaced within six (6) months of a notice of failure. The DPW shall have the right to deny future applications to any applicant who fails to repair a “failed” patch within the 6 month time frame.

B. It is recognized that asphalt manufacturing plants are not operating during winter months. Therefore, during this period conventional methods of temporary patching shall be used at the direction of the Director of Public Works.

§ 385-73. Concrete subsurface or stone base.

In cases where either brick or concrete subsurface or a stone base is encountered and removed, it shall be replaced in kind or with an equal amount of cement concrete topped with four inches of bituminous concrete which shall be rolled.

§ 385-74. Reinforcing rods.

Reinforcing rods may be required in certain instances as determined by the Director of Public Works.

§ 385-75. Openings when concrete is required.

When concrete is required, the edges of the opening shall be neatly cut back a minimum of six inches over undisturbed material.

§ 385-76. Information from DPW records; nonliability of Town.

- A. All information derived from Department of Public Works records relating to the subsurface and other conditions, natural phenomena, existing pipes, and other structures is from the best sources as presently available.
- B. All such information is furnished only for the information and convenience of contractors and is not guaranteed.
- C. It is agreed and understood that the Town of Greenfield does not warrant or guarantee that the subsurface or other conditions, natural phenomena, existing pipes or other structures encountered during construction will be indicated in the Department of Public Works records.
- D. It is agreed further and understood that a contractor shall not use or be entitled to use any of the information made available to him/her or obtained in any examination by him/her in any manner as a basis of or grounds for any claim or demand against the Town of Greenfield arising from or by reason of any variance which may exist between the information made available and the existing pipes or other structures actually encountered during the construction work.

§ 385-77. Prosecution of violators.

Violators of any of these regulations will be prosecuted.

APPLICANT SIGNATURE

_____ DATE: _____

APPLICANT SIGNATURE

_____ DATE: _____

EXCAVATOR SIGNATURE (IF DIFFERENT)

_____ DATE: _____

OWNER’S SIGNATURE (IF DIFFERENT)