

**TOWN OF LITTLETON - BOARD OF SELECTMEN  
NOTICE  
AMENDMENTS TO LITTLETON HIGHWAY DEPARTMENT  
STREET OPENING REGULATIONS**

The Littleton Board of Selectmen held a public hearing on Monday, January 10, 2011 at 7:30 PM at the Littleton Town Offices, Room 103, 37 Shattuck Street, Littleton, MA 01460 and then and there amended its regulations and fees for the Town of Littleton Highway Department Application for Permit to Open, Occupy, or Obstruct a Street or Sidewalk, to read as follows:

**Town of Littleton Highway Department  
Application for Permit to Open, Occupy or Obstruct a Street or Sidewalk**

**Purpose and Intent**

The purpose of the Street Opening Permit (SOP) is to convey the Policy of the Town of Littleton for said purposes.

The Town public right of ways have been established and are maintained primarily for the purposes of transportation movement of vehicles and pedestrians. It is also desirable to grant individuals and utility company's access to utilize Town right of ways for purposes other than transportation.

This policy has been created and approved by the Board of Selectmen to help regulate the use of the Town right of ways in the interest of public safety, convenience and the operation and protection of public works infrastructure. Excavation and restoration permits (SOP) are required to preserve the integrity, operational safety, and functions of the public right of ways. Therefore, to prevent recurring and dangerous interruptions to traffic and pedestrians, and to avoid conflicts with future road construction and construction methods, it is necessary that uniform standards of construction for work within public right of ways be followed.

**Street opening permit policy instructions and requirements**

Anytime an excavation, occupancy or obstruction in the Town right of way (ROW) (Street, sidewalk or shoulder grass/tree line) is planned an APPROVED Street opening permit (SOP) is required before any such work can be performed.

**Application submittal instructions and checklist**

In preparing the SOP form, the applicant should carefully review and use the following guidelines to ensure timely processing of the application request. Applications following these guidelines are normally processed within two (2) business days after receipt.

**A. Completed Application**

- Valid Dig Safe number
- Excavating Contractor information, to include 24 hour emergency contact information
- Type of work
- Location of work
- Size of opening; square footage and or length
- Notes indicating street restoration schedule

**B. Detail Drawing**

- Driveway work limits, size and note to identify either like for like replacement or modification of existing
- Utility infrastructure layout and size; pipes, conduits, utility poles and cables
- Plans for dealing with drainage from property

**C. Permit work coverage**

The standard work period coverage of SOP is 30 days from the date of issuance. For large projects (installations spanning hundreds of feet or requiring special schedule sequencing) provisions can be made to accommodate these cases based on work period coverage granted in increments of 45, 60, 75, etc. days. For these special provisions Type 6 fee category will be applied and determined on a case specific basis.

**D. Emergency repair work for existing Street Opening Permit**

If emergency repairs are needed to on an existing SOP, the contact person will be notified of the problem.

The contact person shall give an estimated time it will take to resolve the emergency repair.

In no instance shall length of time be more than 1 ½ hours before arriving at the SOP.

If the length of time to arrive onsite is unacceptable the town. The Town will dispatch a work crew to the site to make emergency repairs at the expense of the permittee.

**E. Fee Table**

Street opening fees are non-refundable

Type 1; New residential driveway installation; \$30.00 (No berm, curbing or sidewalk involved)

Type 2 New residential driveway installation; \$40.00 (Which involves existing berm, granite curbing, sidewalk and etc.)

Type 3; New Commercial driveway installation; \$40.00 (No berm, curbing or sidewalk involved)

Type 4; New Commercial driveway installation; \$40.00 (Which involves existing berm, granite curbing or sidewalk)

Type 5; Surface cuts up to 50 square feet; \$50.00

Type 6; Surface cuts over 50 square feet; \$50.00 + \$0.05 per square foot

Type 7; Permit renewals \$20.00

**F. Required bonds**

Bonds required will depend on the type of SOP; 1, 2, 3 and etc. and the total time required to perform the work.

Performance/Surety bonds, if used, shall be issued in such as manner as to be in force for a minimum of eighteen (18) months. The insurance bond company shall notify the Town at least sixty (60) days prior to the expiration or cancellation of said bond.

Type 1; \$500.00 minimum to \$1,500.00 maximum; depending on the amount of infrastructure that will be disturbed.

Type 2; \$1000.00 minimum to \$5,000.00 maximum; depending on the amount of infrastructure that will be disturbed; sidewalk, granite curb or berm.

Type 3; \$1,000.00 minimum to \$5,000.00 maximum; depending on the age and condition of the existing pavement and the amount of infrastructure that will be disturbed.

Type 4; \$1,000.00 minimum to \$5,000.00 maximum; depending on the age and condition of the existing pavement and the amount of infrastructure that will be disturbed; sidewalk, granite curb or berm.

Type 5 & 6; \$1,000.00 minimum for the first 50 square feet and then increasing by a minimum of \$3.50 per each square foot of excavation; depending on the age and condition of the existing pavement and the amount of infrastructure that will be disturbed; sidewalk, granite curb or berm.

**G. Insurance requirements**

The applicant with the SOP application submittal and the acceptance of the SOP permit assumes and accepts the full insurance terms and responsibilities specified under the Town of Littleton SOP policy. To that end the, the applicant has agreed to indemnify and hold harmless the Town of Littleton and all its offices and employees from any and all liabilities arising for work performed or related to an obtained SOP.

The permit holder assumes full responsibility and an obligation with acceptance of the SOP **to be properly insured** by a major insurance carrier licensed to operate in the Commonwealth of Massachusetts and have active insurance coverage in place, at a minimum to include;

General/Public liability

Umbrella

The insurance shall list the Town of Littleton as the certificate holder

All policies shall be written so that the Town will be notified of cancellation or restrictive amendment at least thirty (30) days prior to the effective date of such cancellation or change.

Failure to provide and continue in force such insurance as aforesaid shall be deemed a material breach of the SOP and shall result in immediate termination thereof.

**Street Opening Permit**

**Commencing Work and Restoration Guidelines**

1. Cutting of road surfaces five (5) years old or newer will not be allowed. (exception: emergency repairs to utilities)
2. No road surface shall be cut between November 15 and April 15 (exception: emergency repairs to utilities with an imminent threat to health and public safety)
3. The contractor is responsible to notify the Town when work is to commence.
4. All excavations within the public way must be filled, level, to the surface daily.
5. All excavated material unsuitable for backfill shall be removed from the site and disposed at no cost to the Town.
6. All materials used on construction within the public way shall be subject to approval by Highway Management. This will include but not be limited to; the size, type, and quality of pipe; the type of gravel backfill, the quality of the patching materials.
7. Backfilling will consist of excavated materials if declared suitable by Highway Management. Backfill will be placed in successive layers of not more than six (6) inches of mechanically compacted soils. The final twelve (12) inches of backfill will, in all cases, consist of crushed gravel thoroughly compacted
8. No more than one hundred (100) feet of trench will be allowed to open at any given time.
9. Emergency road excavations done after November 15<sup>th</sup> and before April 15<sup>th</sup> of any year are required to hot asphalt patch the street opening before the end of that business day.
10. Road plates can not be used after November 15<sup>th</sup> and before April 15<sup>th</sup> of any given year.
11. Any road bounds disturbed by the excavation shall be reset by a registered land surveyor.
12. After the backfill has been completed, the applicant shall apply a one and one half (1-½) inch temporary hot mix asphalt patch. This patch shall be left in place for a minimum of one (1) month and a maximum of three (3) months until no more settling can be reasonably assured.

13. When the permanent patch is to be installed the applicant will remove the temporary patch, excavate the gravel to a minimum depth of three (3) inches or to the depth of the existing pavement depth (whichever is greater).
14. The applicant will saw cut the edges six (6) inches wider than the excavation.
15. The applicant will apply asphalt emulsion tack coat to all vertical surfaces.
16. The applicant will install hot mix asphalt in no more than two (2) inch lifts and thoroughly compact each lift.
17. When the hot mix asphalt patch has been completed the applicant shall paint the joints with an RC-2 emulsion and sealed with sand.
18. After one winters freeze thaw cycle, should any settlement of greater than one half (1/2) inch or visible perimeter/patch cracks wider than one half (1/2) inch and three (3) inches in length occur the applicant will be responsible to restore the full depth of the existing patch repair.
19. All trench excavations must go through one (1) full winter freeze thaw cycle prior to permanent repair acceptance and the return of any bonds being held by the Town.
20. The applicant understands that these restoration standards are binding and are part of the SOP terms and conditions and that the applicant accepts and is responsible to comply with these terms upon issuance of the SOP and upon commencement of the permitted work.
21. Street openings from the same utility within a distance of 10 feet or less from a previous opening shall be determined to be permanently restored as one contiguous surface covering the limits of all the openings. (see example illustrations and final contiguous paving sheet)

#### **Driveway installations**

1. Any driveway installed will have a paved surface, to at the very least, the property line.
2. Only two (2) types of driveway surface materials are allowed; cement concrete or bituminous asphalt pavement.
3. If a driveway apron crosses a sidewalk the surface material must match the existing case, otherwise, for areas having no sidewalk the material must be bituminous asphalt pavement.
4. A detailed sketch plan showing the location of the driveway in relation to the property lines shall be provided. The plan shall include the distance to utility poles, mailboxes, other driveways and other immovable objects.
5. If severe topographic conditions exist, an engineered plan showing the driveway layout, profile and storm water management plan may be necessary to show that the edge of the roadway is protected during and after construction to prevent sediment and debris from entering upon the public way.
6. You will only be allowed to access your property through the driveway access opening. You will not be allowed to access the property through your full linear frontage. Fencing or other suitable barriers may be required to be erected to minimize damage to the public roadside edge and keep access limited to the one location.
7. A stone vehicle tracking pad is required to be installed on the driveway entrance to minimize dirt tracking onto the public way. The applicant is required to keep the public way clean at all times.
8. If any public shade trees are requested to be removed, a public shade tree removal hearing must be held according to MGL *Chapter 87 section 3-C*.

9. If any public shade trees are requested to be removed and the road is designated as a scenic roadway under the Town of Littleton bylaw *Chapter 143* a combined public hearing with the tree warden and Planning Board must be held according to MGL *Chapter 40 section 15-C*.

LITTLETON BOARD OF SELECTMEN  
Janet Wilkinson, Chair

Posted: January 11, 2011