

# SPECIFICATIONS FOR REGULATING CONSTRUCTION WITHIN PUBLIC WAYS

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## **SECTION I: GENERAL REQUIREMENTS**

### **A. Preface**

1. Any public utility company, private contractor, builder, or any person(s) who intends to break any street or sidewalk surface, or excavate any shoulder within the limits of a town way in the Town of Sudbury for any reason must first obtain a permit from the Highway Department.
2. This permit will be granted if the proposed work is in the best interests of the Town and its inhabitants, is appurtenant to a building permit duly issued by the Building Inspector, or is in conjunction with construction of a road shown on an approved subdivision plan. The permit is conditional upon the permittee's willingness to abide by these specifications.
3. Application forms for a permit hereunder are available from the Town of Sudbury at the Highway Department. The permit fee is \$50.00.
4. Plans showing the proposed work require the approval by the DPW Director or his agent.
5. The DPW Director or his agent will be solely responsible for the interpretation of these specifications and all work hereunder must be done to his satisfaction.

### **B. Public Safety**

1. The permittee, from the time the work commences until the work has been approved in writing by the DPW Director or his agent, shall care for the safety of the public.
2. All highways shall be passable at all times, unless special permission has been granted by the DPW Director or his agent, the Police Department, and the Fire Department.
3. When required by the nature of the work, lights and barricades erected at the expense of the permittee shall be located as directed by the DPW Director or his agent.
4. If the DPW Director or his agent deems it necessary for public safety, the permittee shall pay the expenses of a police officer.
5. Massachusetts Law (Chapter 82, Section 40) requires that contractors notify public utility companies in writing at least forty-eight (48) hours before any excavation in a public way. Contractors are required to call "Dig Safe" at 888-DIG-SAFE in order to have work areas marked by utilities.

## SECTION II: EXCAVATIONS

### A. General

1. All excavations and other work within the limits of a Town way will be conducted in a manner which will not damage or disturb such features as stone walls, trees, fences, guardrails, etc.
2. If the work requires disturbing a road bound or property bound, the bound will be reset in its original location to the new grade of the shoulder or driveway, and its new location certified in writing by a registered land surveyor.
3. The Tree Warden must be notified if the proposed work requires the removal of a tree, any part of which is within the public way.
4. The cutting of road surfaces less than three (3) years old will not be permitted, (except that necessitated by utility companies for fuel conversion and for emergency water installation).
5. No road surface may be cut between November 1 and April 1.

### B. Materials

1. All materials used on construction within public ways shall be subject to approval by the Director of Public Works or his agent. 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 material, etc. Cold patch as a patching material may be used on a temporary basis, only when Type I-1 Hot Top cannot be purchased from a supplier.

### C. Trenches

1. After excavation is commenced, the bituminous or concrete street or sidewalk surface shall be cut vertically in a line parallel to the centerline of the construction and approximately one foot wider on all sides than the excavation, using an approved hand or power tool to allow for trench excavation without further disturbing the road or sidewalk surface on either side of the trench.
2. Utility cuts of one foot or less shall be repaired in the following manner: The Director of Public Works or his agent shall inspect the material excavated from the trench prior to any backfilling. Soil Cement shall be used to backfill all trenches. (One bag of Portland Cement to 1,000 lbs. sand, not to exceed 5% moisture content.) The entire trench shall be compacted by tamping with mechanical rammers. The backfill shall be within four (4) inches of the existing street surface. The trench shall then be filled with 1" fractured stone and penetrated with AC-5 at a minimum temperature of 365°F. Immediately after maximum penetration, the entire trench shall be covered with 3/8" fractured stone. **At least three (3) months after the permanent patch, and after the expiration of one winter season, the trench shall be Infra-red treated by a contractor approved by the Director of Pubic Works or his Agent.**

3. The backfill will consist of the excavated material if it is declared suitable by the Director of Public Works or his agent. Backfill will be placed in successive layers of not more than six (6) inches of compacted depth. If in the opinion of the Director of Public Works or his agent the excavated material is unsuitable, the entire rejected material shall be disposed of by the applicant in a location as directed by the Director of Public Works or his agent at no cost to the Town. In its place, the applicant shall bring in suitable fill material consisting of approved gravel or borrow, as directed. After the thorough tamping around and beneath the utility, the six (6) inch layers of backfill will be thoroughly compacted as follows: If dry, it shall be moistened and then compacted by tamping with mechanical rammers, or by hand tampers having a tamping face not exceeding 25 square inches in area. The final 12 inches of backfill will, in all cases, consist of crushed gravel thoroughly tamped and made even with the surrounding surface
4. After backfill is in place and satisfactorily completed, the applicant shall apply at once 2" temporary patch course over the entire excavated area (Bituminous Concrete Type I-1 Hot Top) to be left in place for at least 45 days and no more than 90 days, unless directed otherwise by the Director of Public Works or his agent. At that time the applicant shall remove the temporary patch course. A permanent patch shall then be installed. The pavement shall be cut in a neat, true line one (1) foot outside all limits of the excavation within the roadway surface. The permanent patch must be four (4) inch Bituminous Concrete (Type I-1) laid in two (2) courses, a 2½ inch binder course and a 1½ inch top course. If existing pavement is of greater depth, the patch should be of the same depth. At no time should Bituminous Concrete be laid in layers greater than 2½ inches. When the patch has been completed, the joints should be painted with an RS-2 and sealed with sand. Three (3) to six (6) months after the permanent patch is completed, an evaluation will be made by the Director of Public Works or his agent to determine if the patched area should be infra-red treated by an approved contractor.
5. No trench shall remain open overnight and all trenches must be closed over weekends and holidays.
6. All driveways to homes and places of business shall be open to travel.

**D. Shoulders**

1. All road shoulders will be carefully returned to their original condition.
2. Lawn will be rebuilt with a minimum of six inches of loam, fertilized, rolled and seeded

**SECTION III: BONDS**

1. All permits issued hereunder shall require cash or a check in an amount to be determined by the Director of Public Works or his agent, to be posted with the Town Treasurer as a guarantee to fulfill this agreement
2. Street cuts over twelve (12) feet in length or significantly larger in scope than usual shall be bonded by a larger amount determined by the Director of Public Works or his agent. However, the minimum bond shall be five hundred (\$500) dollars. The guarantee and

bond requirements stated herein are for each opening, cut or excavation. However, for projects involving multiple openings, cuts or excavations, the Director of Public Works or his agent may permit a single bond to be posted for the entire project in such amount as he shall deem reasonable to protect the interests of the Town.

3. When permanent patching, regrading, seeding, and all work required by the permit issued hereunder has been completed and approved in writing by the Director of Public Works or his agent, the Town will refund to the applicant the amount of the bond posted. The Director of Public Works or his agent in his judgment may extend any time limit in these specifications if weather or other similar conditions have hindered the proper completion of the work. Limit of responsibility shall be twelve (12) months from the completion date and final inspection or work.

#### **SECTION IV: VIOLATIONS**

1. If after six (6) months from the date of the permit, the repair to the Town way is not completed according to these specifications and to the satisfaction of the Director of Public Works or his agent, the permittee will be notified in writing by the Director of Public Works or his agent that the permit has expired. The Town of Sudbury will then complete the necessary work in any manner they may deem appropriate and deduct from the amount of the bond all costs of completing the work.
2. If any time during the life of the permit the permittee allows the construction to exist in a way dangerous to users or the road, then the Director of Public works or his agent may, upon 24 hours written notice to the permittee, make the necessary arrangements to correct the unsatisfactory condition. The cost of such work will then be deducted from the bond at the time the bond is refunded.
3. Failure to obtain a permit prior to the start of any construction within a public way shall be subject to a fine of not more than fifty (\$50) dollars per day.