



# APPLICATION FOR ROAD EXCAVATION PERMIT

Permit No. \_\_\_\_\_

Fee Paid: \$125.00 \_\_\_\_\_

Application is to be filled out completely and return with sketch to:  
Building and Land Use Office  
158 Main Street  
Thomaston CT 06787

Location of work: \_\_\_\_\_

Road Excavation \$5,000.00

*An acceptable form of a bond is cash, a bank check or a money order. Bonds will be released upon final inspections.*

Bond Company: \_\_\_\_\_

Application is hereby made for a permit to excavate in town road/right-of-way in accordance with the construction specifications of the Town of Thomaston, Connecticut.

CONTRACTOR: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

LICENSE NUMBER: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

CELL PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

PROPOSED START DATE: \_\_\_\_\_

PROPOSED BACKFILL DATE: \_\_\_\_\_

PERMIT ISSUED TO: \_\_\_\_\_

AREA OF EXCAVATION IN SQUARE YARDS: \_\_\_\_\_

I agree to reimburse the Town of Thomaston for any expenses caused by the execution of the work, and to perform the work in accordance with the plan as submitted.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ Phone: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Please give Call Before You Dig Permit number: \_\_\_\_\_

Give accurately and include the above information, which depicts the proposed work, and drawings with measurements on the back of this application. If another sheet is necessary please attach to this sheet.

**FOR OFFICE USE ONLY**

**Approved By:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Inspected By:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Bond Released By:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**SUPERINTENDENT** — The Superintendent of Highways or his/her duly authorized designee for the Town of Thomaston.

**TEMPORARY COVER** — Cold patch acceptable, 24 hours maximum, unless hot mix asphalt plants are not open (this rule shall be under the discretion of the Superintendent of Highways or his/her designee).

**TRENCH** — Excavation usually made for installing, repairing or replacing a utility device, conduit, pipe structure or appurtenance.

**WARRANTY** — All work within a Town of Thomaston right-of-way will be guaranteed by the contractor for a period of one year against surface deficiencies, settlements or any structural failure.

**WORK** — Any surface treatment, surfacing, resurfacing, excavation or modification of a paved or graveled surface within the right-of-way.

#### **§ 315-4. Permit requirements and obligations.**

##### **A. Permit process.**

- (1) Permit applications are available between the hours of 8:00 a.m. and 4:00 p.m. on Monday, Tuesday and Wednesday, 8:30 a.m. to 6:00 p.m. on Thursday, and 8:30 a.m. to noon on Friday in the Building and Land Use Office at the Thomaston Town Hall, 158 Main Street, Thomaston. **[Amended 2-4-2016]**
- (2) Permits are required for work in any public rights-of-way, including sidewalks and driveway construction or repair within the right-of-way.
- (3) The permit fee shall cover the cost of processing the permit application, recordkeeping associated with the issuance of the permit, research of the road and its condition, inspection of the work area, inspection of the work while the work is in progress and inspection of the required restoration of the work area. The fee consists of \$25 for administration and \$100 for all inspection up to 200 square yards. Should the excavation exceed 200 square yards an additional fee of \$50 will be charged for each additional 100 square yards.
- (4) Completed applications for permits will be approved or denied within five business days of receiving all required bonds, insurance certificates, fees and "Call Before You Dig" information. Should the Superintendent or his designee not act on the permit within five days, the permit shall be considered to be approved and valid until such time as the permit is revoked or expires or upon the completion of the work. The contractor shall also be responsible for notifying all nonparticipating utilities not covered by "Call Before You Dig." The contractor may pick up the approved permit at the Building and Land Use Office between the hours of 8:00 a.m. and 4:00 p.m. on Monday, Tuesday and Wednesday, 8:30 a.m. to 6:00 p.m. on Thursday, and 8:30 a.m. to noon on Friday or, at the contractor's request, the permit will be mailed to the contractor for an additional fee of \$5. The contractor shall make adequate provisions and allow sufficient time for the approval process. **[Amended 2-4-2016]**

- (5) The contractor shall not render any road impassable without the written permission of the Thomaston Police Department. It is the responsibility of the contractor to notify the Thomaston Police Department to determine if a police detail is necessary. Any Town of Thomaston agency performing work in the right-of-way may use departmental flaggers in substitution for a police detail. Evidence of said determination by the Thomaston Police Department must be provided at the time of application. Failure to notify emergency services of an impassible road shall be grounds for the revocation of the permit.
- (6) The cost of all police details shall be the responsibility of the contractor. Prior to any road being rendered impassable, the contractor shall notify police dispatch at 860-283-4344 to report road closures. The contractor shall sufficiently address the concerns of emergency personnel such that public safety is not compromised by the contractor's actions.
- (7) The contractor may commence work when he/she has the approved permit in hand and after receiving approval of the Thomaston Police Department. The approved permit shall be at the site of the work at all times. The Highway Department and the emergency services should be kept informed daily of the progress of the work.
- (8) The Highway Department or the WPCA shall provide inspection(s) as it deems necessary.

B. Subsurface utilities.

- (1) Any utility company with facilities within the Town of Thomaston's right-of-way shall be obligated for the proper maintenance, repair and replacement of said facility. If the failure of any utility located within or outside the Town right-of-way causes damage to public or private property, the owner of said utility shall be responsible for the repair/restoration of any damage caused.
- (2) If the contractor damages or suspects an existing utility has been damaged directly or indirectly by the contractor's actions, the contractor shall notify the Highway Department and the owner of the damaged utility. The contractor shall not continue work until authorized by the Superintendent of Highways or his/her designee.
- (3) The method of repair to a damaged utility must meet with the approval of the Superintendent of Highways and the owner of the utility. The method of repair will be decided on a case-by-case basis at the time of damage; in no case shall the method of repair compromise the structural integrity, capacity or longevity of the utility without the expressed written consent of Superintendent of Highways or his/her designee.

C. Backfill of excavation.

- (1) The contractor shall backfill all excavations with the native material if suitable. If, in the opinion of the Superintendent of Highways, the native material is unsuitable, the contractor will bring in suitable fill at the cost of the contractor. All backfill

material shall be compacted to not less than 92% and gravel shall be compacted to not less than 95% of the maximum dry density.

- (2) The Superintendent of Highways may require soil testing to determine gradation, compaction and other parameters relevant to the proper construction of the roadway. Should the Town require said testing, the expense shall be borne entirely by the contractor.
- (3) The approved road opening permit will be valid for a period of 30 days unless otherwise stipulated.

**§ 315-5. Winter moratorium.**

- A. No work will be allowed in the area of pavement between November 15 and April 1, except in case of emergency. Emergency work necessary for the protection of life or property may be conducted with the written approval of the Board of Selectmen or its designee. A waiver for extenuating circumstances may be approved by the Board of Selectmen only after consultation with the Superintendent of Highways.
- B. See emergency work § 315-10.

**§ 315-6. New surface moratorium.**

- A. Excavation will not be allowed in rights-of-way that have been newly surfaced or resurfaced for a period of five years, except for emergency work (see § 315-10). Extenuating circumstances may be approved by the Board of Selectmen only after consultation with the Superintendent of Highways. **[Amended 2-4-2016]**
- B. In the event an excavation is allowed during the five-year moratorium, the contractor shall conduct his work as directed by the Superintendent of Highways. The completed work shall provide a life expectancy comparable to the surrounding work. Possible special provisions to allow for proper stabilization and surfacing include, but are not limited to, the use of infrared technology on joints within the excavation. **[Amended 2-4-2016]**
- C. Applicable procedures and testing results may be required by the Superintendent of Highways. Said testing shall be conducted by a testing agent or engineer approved by the Superintendent of Highways.
- D. All work allowed must be bonded, guaranteed and maintained for a period of not less than one year after excavation of the road.

**§ 315-7. Bonding.**

- A. The contractor shall provide a bond to be held by the Town for the duration of the warranty period. The bond shall be issued in such manner as it may not be cancelled without the written approval of the Superintendent of Highways.
- B. The amount of the bond shall be as defined in the following table:

<b>Square Yards</b>	<b>Amount</b>
0 to 499	\$5,000
500 to 999	\$10,000
1,000 to 2,000	\$20,000
Over 2,000	\$20,000 plus \$5 per square yard over 2,000, or as approved by the Board of Selectmen

**§ 315-8. Insurance. [Amended 2-4-2016]**

- A. The contractor and contractor's subcontractors shall provide a commercial general liability insurance policy that includes products, operations and completed operations. Limits should be at least: bodily injury and property damage with an occurrence limit of \$1,000,000; personal and advertising injury limit of \$1,000,000 per occurrence; general aggregate limit of \$2,000,000 (other than products and completed operations); products and completed operations aggregate limit of \$2,000,000. Such policy shall name the Town of Thomaston as an additional insured and be primary and noncontributory to any insurance carried by the Town of Thomaston.
- B. The contractor and contractor's subcontractors shall provide worker's compensation and employer's liability insurance that complies with the regulations of the State of Connecticut with limits no less than \$100,000 for each accident by bodily injury, \$100,000 for each accident by disease and a policy limit of \$500,000.
- C. The contractor and contractor's subcontractors shall provide commercial automobile insurance for any owned autos (Symbol 1 or equivalent) in the amount of \$1,000,000 for each accident covering bodily injury and property damage on a combined single limit basis. Such coverage shall also include hired and non-owned automobile coverage.
- D. Prior to commencement of the work, the contractor shall furnish the Town of Thomaston with satisfactory evidence of insurance as set forth above. Said policies shall not be cancelled or permitted to lapse until 30 days after the Town of Thomaston has received notice of such cancellation or lapse in coverage.

**§ 315-9. Warranty of work.**

To allow the most reasonable method to insure the quality of work, the contractor has two options available to adjust the duration of the warranty period and the responsibility of the contractor during the warranty period. The options are as follows:

- A. Standard construction methods.
  - (1) Prior to execution of the work, the contractor shall saw cut the pavement over the area of proposed excavation. Should the Superintendent of Highways reject the material, the contractor shall remove the material from the site at the contractor's expense. At no time shall bituminous material be returned to the trench.

- (2) After excavation, the contractor shall backfill using the material removed from the trench if approved by the Superintendent of Highways. All material shall be compacted in six inches lifts with mechanical compaction equipment and/or the use of jetting (with the approval of the Superintendent of Highways). The method used to compact this material shall produce a rate of compaction of 92% of the maximum dry density of the material. This material should be placed to within 22 inches of the surrounding finished surface. Eighteen inches of gravel shall be placed in six-inch lifts and compacted to 95% of the maximum dry density of the material; this shall be followed by two lifts of Class 2 asphalt first 2.5 inches and then 1.5 inches. Both courses shall comply with the Connecticut Department of Transportation (ConnDOT) Standard Specifications for Highways and Bridges. In the event hot mix asphalt cannot be used in the repair, the contractor shall place 16 inches of gravel in six-inch lifts and six inches of cold temporary patch, which will

be removed as soon as weather conditions allow, at which time the contractor shall complete the work in conformance with the above. The contractor shall maintain the trench patch and maintain the required bond for one year after completion of the work.

B. Payment of a repair and maintenance fee.

- (1) To reduce the warranty period defined in § 315-3, a contractor may choose to pay a repair and maintenance fee.
- (2) Within 12 months of receiving the repair and maintenance fee, a Highway Department crew will re-excavate the contractor's work and restore the work as directed by the Superintendent of Highways. After the restoration by the Highway Department, the contractor will be released further warranty.
- (3) During the construction, the contractor shall comply with the construction techniques described in Subsection A of this section and elsewhere in this regulation and shall maintain the work for a period of not more than 12 months, or until such time as the contractor's work is replaced by the Highway Department.
- (4) The cost of the repair and maintenance fee shall be based on the current Town bid prices for reclamation, preparation and paving of the area of the work plus 50% for depths of excavation up to five feet. Excavations over five feet in depth will require that the cost of the repair and maintenance fee be based on Town bid prices for reclamation, preparation and paving of 200% of the area of the excavation. In lieu of bid prices, the Town may publish a standard rate schedule to be maintained on an annual basis by the Superintendent of Highways.

**§ 315-10. Emergencies.**

Work completed under the classification of emergency, because of threat of personal injury or property damage, shall be allowed to commence prior to attaining the permit, provided that notification of "Call Before You Dig" and the public safety dispatch has been achieved. The contractor shall contact the Superintendent of Highways or his/her designee within 24 hours to apply for permit. Should the Superintendent of Highways find that the situation surrounding the work does not constitute an emergency, the contractor shall be assessed a fine of \$200 per day until such time as the work is complete and the permit fee paid.

**§ 315-11. Exemptions.**

The Town of Thomaston Highway Department is exempt from the application process. Fees and bonds may be reduced or waived for other public agencies at the discretion of the Board of Selectmen; however, the application process and all construction specifications and warranty periods shall apply.

**§ 315-12. Backfill requirements.**

- A. With the exception of an in-place reclamation project, or the use of processed gravel or recycled asphalt pavement, no excavated bituminous material shall be returned to the trench.
- B. Unless the gravel base material has been removed per § 315-9A, the contractor will stockpile (off the road) gravel found in the roadbed and place it in six-inch compacted lifts at the top of the trench as a base material whenever possible.

**§ 315-13. Curb cut.**

Driveway openings shall be constructed in conformance with the Town of Thomaston's driveway permit regulations.<sup>2</sup>

**§ 315-14. Additional specifications.**

- A. All pavements to be removed, including curbing and sidewalks, shall be saw cut prior to excavation.
- B. Unless otherwise directed by the Superintendent of Highways, all excavated material shall be loaded directly into trucks, not stacked on the pavement or shoulder, so as to minimize damage to the remaining pavement and existing shoulder, minimize dust, and facilitate the safe flow of traffic during construction.
- C. Any water encountered during excavation shall be discharged into an approved sediment control system prior to release to the existing gutter, swale, or other drainage structure. It is the contractor's responsibility to get approval from the Inland Wetlands and Watercourses Commission and any other governmental body that may have jurisdiction.
- D. Excavated material shall be used as backfill to minimize differential frost action in the road subgrade. Exceptions to this will be made when the excavated material is too wet to be used as backfill or contains excessive unstable organic material. Application of this subsection shall be at the discretion of the Superintendent of Highways.
- E. All backfill shall be compacted with equipment that is specifically designed for that purpose. Lifts of fill compacted with hand-directed or -operated equipment shall not exceed six inches in thickness. Lifts compacted with self-propelled heavy equipment shall not exceed 12 inches in thickness.
- F. Gravel subgrade shall match the thickness of the gravel existing adjacent to the excavation, but in no case shall it be less than 18 inches in thickness.
- G. All gravel used for road base material shall comply with standards set forth in the ConnDOT Standard Specifications for Highways and Bridges.

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2. Editor's Note: See Ch. 142, Driveways.

- H. The placement of temporary pavement is required immediately after completion of backfill and compaction. Cold patch is not a suitable long-term temporary pavement and must be replaced within 24 hours with Class 2 asphalt.
- I. The existing pavement shall be cut back one foot prior to the placement of permanent pavement. The pavement shall be mechanically cut in lines perpendicular or parallel to the direction of travel of the street.
- J. The edges of the existing pavement cut to receive permanent pavement shall have asphalt emulsion applied to the vertical surfaces prior to paving.
- K. All permanent pavements shall conform to the ConnDOT Standard Specifications for Highways and Bridges, specifications for Class 2 hot mix asphalt base and top as specified previously.
- L. All temporary and permanent repairs to the rights-of-way shall be constructed to match existing grades and graded to drain in the same manner as the original pavement or as directed by the Superintendent of Highways.
- M. All work performed is subject to inspection by the Superintendent of Highways at all times. The schedule of inspection shall be at the discretion of the Superintendent of Highways. Excavations shall not be backfilled without prior notification of the Superintendent of Highways.
- N. All work with the right-of-way shall comply with current federal and state Americans with Disabilities Act regulations (42 U.S.C. § 1201 et seq.).
- O. Excavations shall not be left unattended. At the end of every day the excavation shall be backfilled or covered with a suitable h-20 plate. Machinery shall not be left in the road without the consent of the Superintendent of Highways.
- P. The contractor shall be responsible to observe all applicable OSHA regulations.

**§ 315-15. Revocation of permit.**

- A. The Superintendent may revoke the permit at any time for failure to comply with these regulations.
- B. If a permit is revoked, the work will cease and the road shall be repaired as called for in these regulations. No work will continue until the Superintendent of Highways is certain the situation that caused the revocation has been rectified.
- C. If while the work is suspended the work is left in or becomes an unsafe condition, there shall be a fine of \$200 per day levied against the contractor, and the Highway Department will make the work safe. The Town may pull the contractor's bond, if the Superintendent believes that to be in the Town's best interest.
- D. A reinstatement fee of \$200 shall be required before the contractor can continue work.