



WESTMINSTER DEPARTMENT OF PUBLIC WORKS
P.O. BOX 376 WESTMINSTER, MA 01473 - Tel. (978) 874-5572

Commissioners
Lorraine J. Emerson, Chairman
Vance A. Butterfield
Ross W. Barber

Joshua W. Hall, P.E.
Director of Public Works

STREET OPENING PERMIT POLICY

This policy establishes requirements for performing work within road rights-of-way within the Town of Westminister.

Activities Requiring a Street Opening Permit

No person shall excavate any roadway in the Town of Westminister for the purposes of installing or repairing sewer, water, drainage, gas, telephone, cable television or other utilities without first obtaining a Street Opening Permit from the Department of Public Works.

Permit Application Submission Requirements

Applications for Street Opening Permits must include the following information:

- A current valid Dig Safe number;
- A satisfactory Certificate of Insurance naming the Town of Westminister as an additional insured;
- A satisfactory Street Opening Bond in the amount of Five Thousand Dollars (\$5,000.00) minimum executed to the benefit of the Town of Westminister; and
- A sketch of the location and nature of the work to be done.

Permit Issuance

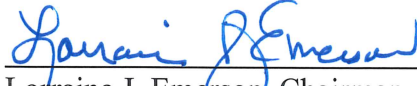
Permits will be routinely issued between April 15 and November 15. Between November 15 and April 15, a permit may be issued at the discretion of the Director of Public Works.

The applicant must comply with the Street Opening Requirements as established by the Department of Public Works.

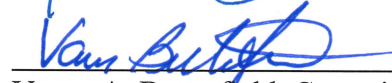
Permit Fees

A fee of \$50.00 will be charged for Street Opening Permits.

Approved by: TOWN OF WESTMINSTER
PUBLIC WORKS COMMISSION



Lorraine J. Emerson, Chairman



Vance A. Butterfield, Commissioner



Ross W. Barber, Commissioner

Dated: August 30, 2021
April 8, 2019



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STREET OPENING PERMIT APPLICATION

APPLICATION DATE: _____

APPLICANT INFORMATION:

APPLICANT: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

TELEPHONE: _____ EMERGENCY PHONE: _____

PROJECT LOCATION:

LOCATION: _____

PROJECT DESCRIPTION: _____

DIG SAFE # _____ DIG SAFE START DATE: _____

I, _____ being the _____
PRINT NAME TITLE

of _____
COMPANY NAME

am applying for this Permit. I have read, understand, and agree to comply with, the Westminster Street Opening Specifications, along with any special conditions, and safety requirements attached to this permit.

Signed: _____ Date: _____

For Town use -- Do not write in this section

PERMIT APPROVED – PERMIT NUMBER: _____

BY: _____ DATE: _____

02/20/2009



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STREET OPENING PERMIT

APPLICANT'S INDEMNITY FORM

INDEMNITY: Damage by APPLICANT to Town of Westminster Right-of-Way or Public travel way.

The APPLICANT shall compensate the Town of Westminster for all damages of any nature to a Town of Westminster Right of Way or Public Travel way arising out of the APPLICANT's work.

INDEMNITY: Legal Liability

The APPLICANT shall indemnify, defend and save harmless the Town of Westminster, (and its elected and appointed officials, employees, and agents) for any and all suits, actions, legal or administrative proceeding, claims, demands, liabilities, interest, attorneys fees, costs and expenses of whatsoever kind or nature, whether arising before or after final acceptance and in any manner directly or indirectly caused, occasioned or contributed to in whole or in part by reason of any act, error or omission, fault or negligence whether active or passive by the APPLICANT, or any one acting under the APPLICANT's direction, control or on the APPLICANT's behalf in connection with or incident to the APPLICANT's work or performance thereof.

INDEMNITY: Workers Compensation

The APPLICANT agrees to comply with the MA Workers' Compensation Act. The APPLICANT shall indemnify, defend and save harmless the Town of Westminster, (and its elected and appointed officials, employees, and agents) for any and all suits, actions, legal or administrative proceeding, claims, demands, liabilities, interest, attorneys fees, costs and expenses of whatsoever kind or nature, arising out of bodily injury and/or death and/or injury to the APPLICANT (if an individual) or to any person acting under the APPLICANT's direction, control or on the APPLICANT's behalf in connection with or incident to the work or performance thereof.

ACCEPTED BY THE APPLICANT

Signature

Date

APPLICANT's NAME & ADDRESS

02/20/2009



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STREET OPENING REQUIREMENTS

No person, including employees of the Town, except the Highway Department or the Water/Sewer Department, may make an excavation, break or dig up the ground, dig a trench, lay a pipe, or in any way disturb the earth or materials thereon, in or along or under any sidewalk, street, public way of the Town without a permit, except in case of emergency.

The request for said permit shall be filed with the Public Works Department on a form prepared for the purpose and in triplicate.

The request shall specify the place of the proposed excavation, the time when the excavation will be made, the length of time necessary to make the excavation, and the barriers and lighting necessary for the protection of the public during the period of excavation. The conditions of the permit shall include dates for beginning and expiration of actual work and a terminal date for expiration of the maintenance.

Any request for such a permit shall include an agreement in writing to restore the place of excavation to its original condition, at the expense of the applicant. The Public Works Department may require a bond or other security for the performance of such agreement.

Any person who secures a permit to excavate in a Town way shall execute a written agreement to save harmless the Town against all damage, costs, or claims or by reason of any process, obstruction, and shall conform to all requirements imposed by the Public Works Department.

GENERAL CONDITIONS

All work shall be performed in accordance with the Massachusetts Highway Department (MHD) *Standard Specifications for Highways and Bridges* dated 1988 and the English *Supplemental Specifications* dated June 6, 2006.

Necessary signs, lights and barriers shall be installed by the Applicant in accordance with the latest edition of the Manual on Uniform Control Devices. Except for emergencies, no equipment truck, etc. shall occupy any part of the traveled way except between the hours of 7:00 a.m. and 3:30 p.m., Monday through Friday. Saturday and Sunday work is not permitted under the terms of this permit. Also, no work shall be allowed on holidays or the day before or the day after a long weekend which involves a holiday without the permission of the Public Works Director except during emergencies as previously described.

All required signs and traffic warning devices shall be furnished by the Applicant. Cones or non-reflectorized warning devices shall not be left in operating position on the highway when the daytime operations have ceased.

If it becomes necessary for the Department of Public Works to remove any construction warning devices or their appurtenances from the project due to negligence by the applicant, all costs of such removals shall be borne by the Applicant.

All vehicles, except passenger cars, which are assigned to the permitted project and which operate on the site at speeds of 25 MPH or less shall have an official **SLOW MOVING VEHICLE** emblem displayed and subject further to Chapter 90 Section 7 of the Massachusetts General Laws.

All personnel who are working on the traveled way or breakdown lanes shall wear the proper personal protective safety equipment.

No work, other than of an emergency nature, shall be authorized during snow, sleet or ice storms and subsequent removal operations. When work is required the Grantee shall notify the Public Works Department the next business day.

If it becomes necessary, the Public Works Department shall place an inspector on any project and the inspector will be paid for under a reimbursable by the Applicant.

No detours or blasting is allowed under the terms of this permit and two-way traffic shall be maintained at all times except during extreme emergencies.

This permit may be modified or revoked at any time by the Public Works Department without rendering the Town of Westminster liable in any way.

The Grantee shall indemnify and save harmless the Town of Westminster and the Public Works Department against all suits, claims or liability of every name and nature arising out of or in consequence of the acts of the Grantee in the performance of work covered by this permit and/or failure to comply with the terms and conditions of this permit whether by itself or its employees or sub-contractors.

Uniformed police shall be in attendance to direct traffic and for the safety of the public and workers unless directed otherwise by the Police Chief.

The shoulder, grass and sidewalk shall be restored, full width, to a condition similar or equivalent to that which existed prior to the work.

All operations shall be conducted so as not to interfere with, interrupt, or endanger the general public or the flow of traffic.

Any disturbed area shall be replace in kind, e.g. loamed, fertilized, limed and seeded, bituminous concrete, gravel, etc.

NO TRACKED VEHICLES WILL BE ALLOWED ON THE HIGHWAY SURFACE WITHOUT A PROTECTIVE MAT.

Adequate lights, signs and barriers shall be provided by the Applicant.

No work shall be done under this permit until the Applicant shall have communicated with and received instructions from the Town of Westminster, Public Works Department, 2 Oakmont Ave., P.O. Box 376, Westminster, MA 01473.

Cutting and Removal of Pavement

The contractor shall saw-cut all bituminous concrete road surfaces prior to excavation. Pavement saws shall be used where pavement thickness is two and one half (2-1/2) inches or more. Paving spades or wheel cutters may be used for cutting driveways, aprons, sidewalks, or paved surfaces less than 2-1/2 inches in thickness. The cut lines are to be laid out to a proper width, i.e., sufficient width to accommodate the excavation equipment, to prevent breaking back the exposed edges during excavation. The lines are to be kept as straight as practical to minimize widths upon re-cutting prior to final resurfacing.

All bituminous concrete surfacing shall be stripped and removed from the job site. It shall not be cast into or mixed in any way with material excavated from the trench and used as refill material. This section of the specifications will be strictly enforced.

Traffic Control

Obtain necessary local Police Detail (at least 24 hour notice) for traffic management during roadway operations.

Detours and Road Closures

The contractor shall be responsible for making the arrangements with the Chief of Police for the establishment of detours and road closures, and for keeping all emergency Departments abreast of the daily status of roadways.

Signs

The contractor shall furnish all the adequate construction signs for soft shoulders, detours, blasting, etc.

Trenching Machinery

Excavating equipment used shall be of such type and used in such a manner and only in such locations so as not to cause damage to road surfaces and structures. Hydraulic excavating equipment equipped with stabilizers shall have suitable pads or blocking to prevent marring road and sidewalk surfacing.

Pneumatic tired machinery for backfilling is required in all paved public ways.

The contractor shall be held wholly responsible for all damages to public or private property and all repairs will be made at his own expense.

Refilling and Compaction of Trenches

The greatest care is to be taken in refilling, only suitable materials taken from the excavation are to be used. Fill may be placed by hand or machine in layers not exceeding one (1) foot in thickness before tamping. Each layer of fill shall be thoroughly compacted by means of approved mechanical tampers or other equipment. Only suitable material taken from the excavation or approved common borrow and/or gravel hauled in shall be used for refilling. No mud, frozen earth, stones larger than six (6) inches, or other objectionable material is to be used for refilling. All trenches shall be compacted throughout their depth so that the relative compaction in the backfill shall be at least 95% of the original ground as measured by standard American Association of State Highway and Transportation Officials (AASHTO) test procedures. At the end of each working day, the contractor shall completely backfill the trenches. The top one foot four inches (1'- 4") of fill must be approved gravel with stones no greater than three (3) inches, thoroughly compacted.

***At the discretion of the Director of Public Works, controlled density fill (CDF) may be required as backfill.**

Final Repair Surface

Bituminous paving shall not be placed when the ambient temperature is 40 degrees F or less, or when there is frost in the base, or any other time when weather conditions are unsuitable for type of material being placed.

Bituminous paving shall not be applied until the Town inspects and approves the finished gravel base.

Final trench repair may not be started until 30 days following refilling of the trench. During this 30 day period, a two (2) inch layer of temporary patch must be in place, maintenance of which is the responsibility of the contractor.

Meeting Existing Pavements/Saw-cut

1. The trench shall be saw-cut or milled one (1) foot beyond either side of the original trench. Where new pavements are to meet existing pavements, saw-cut the existing pavements so that there will be a vertical butting surface between the old and new pavements. Saw-cuts shall be along neat, straight and even lines, and shall be done in such a manner so as not to damage the adjacent pavement which is to remain.
2. Saw-cut for the full depth of the pavement prior to placement of any new pavement. The existing bituminous surface shall be trimmed/milled to a neat true line with straight vertical edges free from irregularities for a minimum depth of 1-1/2 inches, and the trimmed edged shall be treated with a coating of asphaltic emulsion immediately prior to the installation of the new abutting bituminous concrete surface course to provide a bond between the old and new pavement. Finish the new pavement surface flush with adjacent pavement.

Vertical Surfaces in Contact with Bituminous Mixtures

Paint all vertical surfaces of curbs, structures, gutters and existing pavement in contact with new bituminous mixtures with a uniform coating of an approved bituminous emulsion of priming material. Exercise extreme care in the application of this material to prevent splattering or staining of surfaces that are to be exposed after the work is completed. Repair or replace surfaces that are stained.

The final trench repair shall consist of a minimum of four (4) inches of bituminous concrete placed in two distinct operations. The first layer shall be 2-1/2" of Type I binder and the second 1-1/2" of Type I Top. If the existing pavement thickness is greater than four (4) inches, the trench repair thickness shall match the existing pavement thickness. This shall be accomplished by additional layers of Type I binder of a thickness no greater than 2-1/2".

The trench will be maintained by the Applicant for ONE YEAR after conditional acceptance by the Town.

Additional Provisions

No bounds are to be disturbed.

Pavement markings are to be restored following pavement repair.

Applicant is responsible for maintenance of the trench for one year after date of permit issue.

If inclement weather is forecast, the applicant will suspend work and secure the project site.

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