

**Town of Wilmington Department of Public Works**

115 Andover Street

Wilmington MA 01887

T: (978)658-4481 F: (978)694-2003

**STREET (RIGHT OF WAY) OPENING APPLICATION****APPLICANT INFORMATION**

Applicant Name: \_\_\_\_\_

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

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

**PERMIT INFORMATION**

Permit Address: \_\_\_\_\_

Start Date: \_\_\_\_\_ Expected Completion Date: \_\_\_\_\_ Dig Safe Number: \_\_\_\_\_

Reason for Opening: \_\_\_\_\_

**PLEASE ATTACH DRAWING SHOWING THE LOCATION AND EXTENT OF THE PROPOSED WORK**

- The Town of Wilmington requires a copy of this permit to be with the operator or foreman on site at all times.
- A moratorium is in place for all roads which have been paved within the last five years.
- When the terms of this conditional permit have been satisfactorily completed and approved by the Director of Public Works, the Town will, upon request, refund said applicant for the amount of the initial deposit **12** months from the date of completion of permanent patching.
- NO PERSONAL CHECKS ACCEPTED.
- **CONTACT THE ENGINEERING DIVISION (978-658-4499) WITH AT LEAST 24-HOUR NOTICE FOR INSPECTION PRIOR TO COMMENCEMENT OF CONSTRUCTION**

The applicant hereby agrees to conform to the statutes, bylaws and/or other specifications and rules and regulations of the Commonwealth of Massachusetts and the Town of Wilmington in particular as defined on the back of this application now and hereafter in force relative to restoring the right of way to a satisfactory condition and to protecting the public by adequate lights and safeguards. The licensee further agrees to indemnify and save harmless the Town of Wilmington from any and all loss, damage and expense sustained by reason of any act or omission by the permit hereunder.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**BELOW TO BE FILLED OUT BY TOWN**Permit #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ Surety Amount: \_\_\_\_\_ ☐ PaidSpecial Requirements: ☐ Flowable Fill ☐ Infrared☐ Other \_\_\_\_\_

A permit is hereby granted to open, occupy, use, obstruct and close the location described above, and subject to all conditions therein set forth.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Director of Public Works**Extended pursuant to said terms and conditions to \_\_\_\_\_  
Date Director of Public Works

Sufficient sureties in the amount of \$ \_\_\_\_\_ /check # \_\_\_\_\_ have this day been deposited at the Office of the Treasurer/Collector, Town Hall.

DATE \_\_\_\_\_

BY \_\_\_\_\_  
**Treasurer/Collector**

## TERMS & CONDITIONS

The applicant shall conform to all the requirements of the Laws of the Commonwealth and the By-Laws\* & regulations of the Town of Wilmington, now or hereafter in force, and subject to the right of the Town of Wilmington to revoke the same without hearing.

The applicant shall maintain from the beginning of twilight through the whole of every night, over or near the place so excavated, occupied, opened, obstructed or used and over or near any dirt, gravel or other materials taken therefrom or to be used by him, a light or lights sufficient to protect travelers from injury. He shall place and maintain a safe and convenient way for the use of foot travelers and vehicles to travel around or over such a place.

The applicant shall procure at his expense a sufficient police detail furnished by the Police Dept. as the granting authority may require in order to insure the reasonable unimpeded flow of pedestrian and vehicular traffic.

The applicant shall deliver up and surrender the conditional permit to the granting authority on or before the expiration time specified in the conditional permit for completion of the aforesaid restoration.

The applicant will ensure that all excavations made and obstructions erected be properly fenced during the whole time the street is opened, occupied or obstructed.

The applicant will restore that portion of the street which is opened, occupied or obstructed under this conditional permit, to a condition satisfactory to the Director of Public Works.

The applicant shall pay to the Town Treasurer whatever sum the Director of Public Works shall expend for labor, materials, equipment, time and other contractual services to restore the street to good and safe condition & full unobstructed use to the satisfaction of said Director, if the applicant fails to complete said restoration to the satisfaction of the Director within the time specified in said conditional permit.

The applicant will indemnify and save harmless the said Town of Wilmington from any and all loss, damage and expense which it may sustain by reason of any act of omission or commission suffered or done by the applicant hereunder.

\*See By-Laws of the Inhabitants of the Town of Wilmington, Chapter 5 Section 6.

Before placing any obstruction in the street or before performing any work authorized by this conditional permit, the applicant will execute and deliver to the said Town of Wilmington, care of Town Treasurer, a bond in such amount and in such form and with such surety or sureties as may be required by the Director of Public Works for the faithful performance and observance of the requirements, terms and conditions of this conditional permit.

No wires, pipes, conduits or structures now in or under the public ways referred to, shall be disturbed by the applicant without the consent of the board, department or officer of the Town or owner having charge of or supervision over the same and in any case such wires, pipes, conduits or structures are disturbed or injured by the applicant, they shall be replaced, and/or repaired at the expense of the applicant and in a manner satisfactory to such board, department or office of the Town or owner.

Cutting pavement – before commencing with trench excavation, the contractor shall pre-cut the pavement with abrasive saws, wheel cutters, or paving spades.

Temporary Trench Patching – after the foundation material has been spread, graded, compacted and approved by the Director of Public Works, the contractor shall place a 1 ½ inch thick course of Class 1 – I bituminous concrete (hot top).

Permanent Bituminous Concrete Trench Resurfacing – the permanent patching shall be deferred for a period of one year after completion of construction of work specified to be done under this permit. Patch must consist of 4-inches of bituminous concrete Type I – 1, laid in two courses, 2.5-inches of binder course and 1.5-inches top course. When patch has been completed, joints shall be painted with tack coat and sealed with sand.

Bituminous Concrete Overlay Gutter to Gutter – the 4-inch thick bituminous concrete overlay shall consist of one 2.5-inch binder course and 1.5-inch top course. The overlay shall be deferred for a period of 1 year after completion of the construction of work specified to be done under this permit.

Permanent patching will not be approved between November 15<sup>th</sup> and April 15<sup>th</sup>.

*By signing the application, the Applicant acknowledges the requirements set forth by the Town of Wilmington and agrees to comply with these requirements.*