

TOWN OF WAYNE

ROAD USE AGREEMENT PROCESS

PURPOSE AND OBJECTIVE

Create a process to protect the investment of the Town of Wayne in its Highway Infrastructure. As the Town moves forward it recognizes the importance of development in the Town of Wayne. It also recognizes that the development that might be anticipated in the future may be such that it will cause damage to the Highway Infrastructure as that infrastructure was constructed to a lesser standard than may be required to sustain the future development.

PROCESS:

- A) A developer comes to the Zoning Office with an application to acquire a Building (Land Use) Permit
- B) The Zoning Office reviews the developer request to determine the what, who, when, where is involved with the proposed development, specifically as it relates to highway infrastructure access issues.
- C) The Zoning Officer advises the developer of the need for appropriate Highway Work Permits prior to the issuance of the Building (Land Use) permit. If the highway access is from a State Highway – NYSDOT, County Highway – Steuben County Highway, Town Highway – Town Highway Superintendent.
- D) Developer contacts Town Highway Superintendent for development along Town Highways. Developer and Town Highway Superintendent determine impact to town highway system. Highway Superintendent requests a Highway Work permit be submitted. The Highway Superintendent determines what the terms and conditions the developer will need to meet prior to, during, and upon completion of the work permit. The Town Highway Superintendent advises the Town Zoning Office of these requirements.
- E) If the Highway Superintendent determines the Highway Infrastructure can support the proposed development then the developer and Zoning Officer will be provided with the signed Highway Work Permit allowing the work to proceed noting any specific conditions to be met by the developer.
- F) If the Highway Superintendent determines that the development may cause damage to the Highway Infrastructure, notification will be made to the developer and the Zoning Officer of the need to negotiate a Road Use Agreement.
- G) If a Road Use Agreement is determined to be necessary, the Highway Superintendent, the Zoning Officer, and developer will negotiate the terms and conditions of the Road Use Agreement.
- H) Once a Highway Work Permit or Road Use Agreement is signed by the Highway Superintendent and the developer, the Zoning Officer can issue the Building (Land Use) Permit.
- I) The Highway Superintendent and Zoning Officer will work together to insure the Terms and Conditions of the Highway Work Permit and/or the Road Use Agreement are adhered to during the life of either agreement.

HIGHWAY (NON-UTILITY) WORK APPLICATION

PERMIT NO. _____

WHEREAS, a certain highway known as _____ has been improved and is on the Town of Wayne road system.

WHEREAS, (applicant) _____

Whose current mailing address is: _____

Location of work: _____

Requests permission to _____

As per sketch or map attached. Permit will be denied without sketch or map.

NOW, THEREFORE, permission is hereby granted to said

_____ to do work with the following conditions and/or restrictions:

This permit shall not be assigned or transferred without the written consent of the Town of Wayne Highway Superintendent. The work authorized by this permit shall be performed under the supervision and to the satisfaction of the Highway Superintendent or his representative. Particular attention is called to the necessity of thoroughly compacting the back fill, which is required by the Highway Superintendent.

The Highway Superintendent shall be given one week's notice by said applicant or of the date when they intend to begin the work authorized by this permit and prompt notice shall be given of the work's completion.

The applicant hereby agrees to hold the Town harmless on account of damages of any kind which may arise during the progress of the work authorized by this permit or by reason thereof.

Applicant certifies all persons concerned with actual work under this permit are duly covered by Worker's Compensation Insurance and the Town shall be held harmless on account thereof.

The Highway Superintendent reserves the right to, at any time, revoke or annul this permit, should the applicant fail to comply with the terms and conditions which are granted by this permit.

The applicant agrees to pay all necessary expenses incident to supervision and inspection by reason of granting of such permit as certified by the Highway Superintendent. Such payment to be made within ten (10) days from the rendering of the certified account.

Applicant shall submit a detailed plan with a description of the proposed construction.

The applicant shall erect and maintain suitable guard rails or barricades around all trenches while work is in progress for the protection of the public, and they shall be suitably lighted by amber lights at night.

The work shall be carried on in such a manner that not more than one hundred (100) feet of trench in earth remains open at the end of the day's work. Traffic will be maintained by the applicant of the section of the highway while the work is in progress until it's completion.

It is understood that should future changes in the highway construction or use make necessary changes in the proposed work covered by this application and permit, the applicant shall, on reasonable notice from the Highway Superintendent, make necessary changes at his or her own expense within the same time as specified in the notice.

SPECIAL CONDITIONS

This permit does not allow entry onto private property. The permittee is cautioned to first ascertain the limits of the Town's highway by use. Permission must be obtained from property owners to work beyond the limits of the highway by use.

In consideration of granting this permit the undersigned accepts it subject to the conditions described.

BY: _____
Applicant

Phone: _____

Date: _____

BY _____
Wayne Highway Superintendent

Date _____

HIGHWAY (UTILITY) WORK APPLICATION

PERMIT NO. _____

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WHEREAS, (applicant) _____

Whose current mailing address is: _____

Location of work: _____

Requests permission to _____

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BY: _____
Applicant

Phone: _____

Date: _____

BY _____
Wayne Highway Superintendent

Date _____

TOWN OF WAYNE

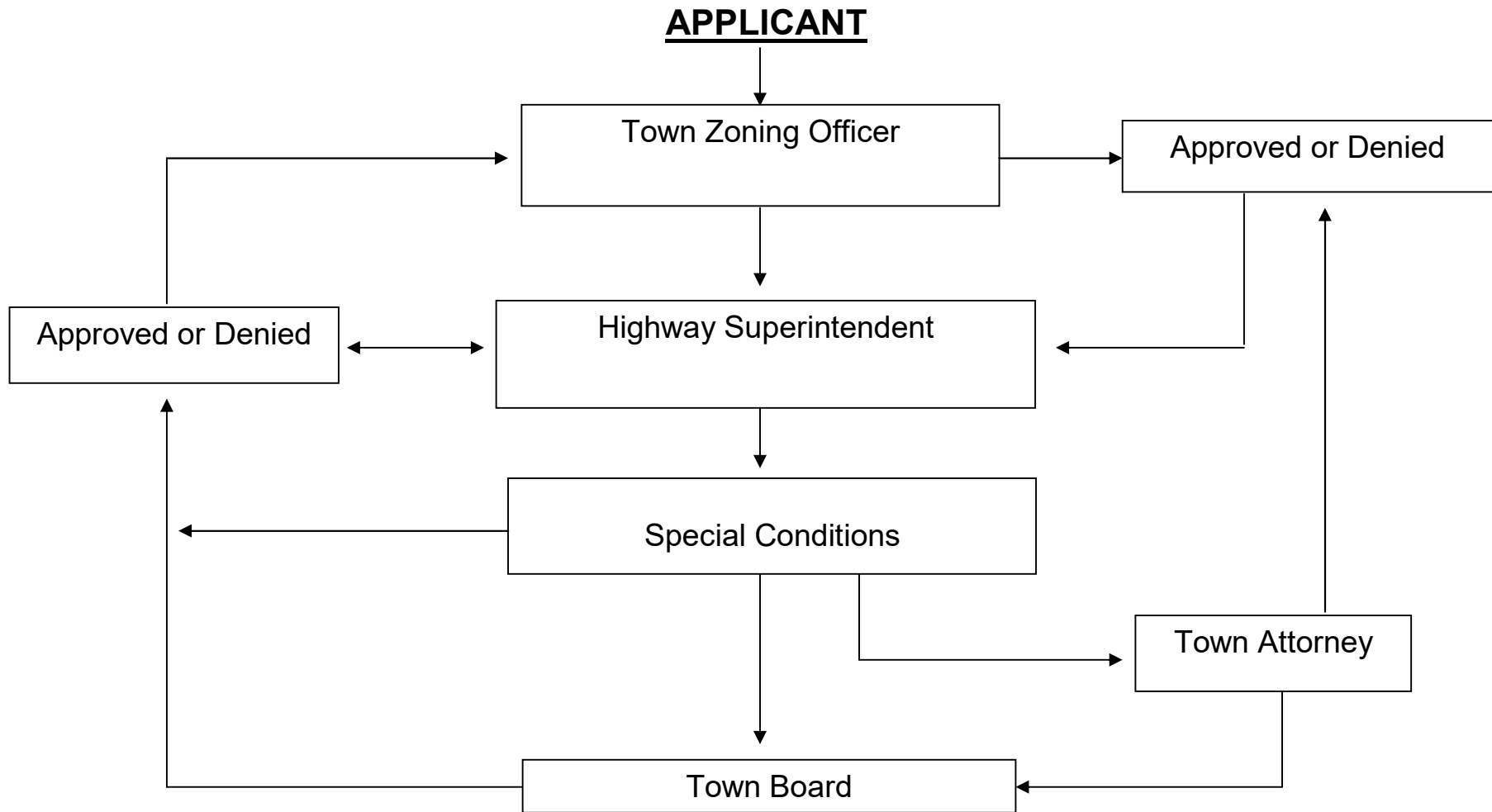
SPECIAL CONDITIONS FOR HIGHWAY WORK PERMIT

Permit # _____

1. All work must be done in accordance with plans approved by the Town Highway Superintendent.
2. All disturbed areas within the Right-of-Way shall be restored to their original condition.
3. The work authorized by this permit shall be performed under the supervision and to the satisfaction of the Town Highway Superintendent or representative.
4. A Performance Bond may be required dependent on the work being proposed.
5. A minimum 18 inch diameter corrugated metal pipe (CMP) or High Density Polyethylene (HDPE) pipe with end sections will be used for all driveways.
6. A sag vertical curve is required for all driveway apron installations.
7. The new construction will maintain existing and future drainage to be away from the roadway.
8. When an open cut is allowed in the roadway a minimum of 3 inches of compacted temporary pavement must be placed in all approved road cuts until permanent pavement can be installed. The temporary pavement must be maintained by the permittee until permanent pavement is placed. The permittee is to maintain the road cut until such time as the highway is reconstructed.
9. The highway must be kept clean of mud, dirt and other debris at all times during construction.
10. The proposed culvert invert elevations shall be on a grade line to the upstream and downstream ditch line to promote uniform drainage. The invert elevation will also consider existing adjacent and/or cross culvert elevations.
11. Two way traffic shall be maintained by the permittee on the section of highway while the work is in progress and until its final completion. All Maintenance and Protection of Traffic shall be performed as directed by the NYS Manual of Uniform Traffic Control Devices, latest revision. Prior to beginning any work within the Town right-of-way the permittee or their representative must schedule a meeting with the Town Highway Superintendent and the Code Enforcement Officer to develop and implement a Maintenance and Protection of Traffic plan. A formal M&PT plan may be required upon request. Should road closure be necessary then a detour plan approved by the Town Highway Superintendent shall be implemented prior to beginning any work. A traffic impact report may be required when a road closure is necessary for construction.
12. Permittee must notify the Town Highway Superintendent at least two business days prior to performing any work within the Town right-of-way.
13. A letter of notification of the start of construction must be sent to all affected residents at least two (2) weeks in advance of the start of construction by the permittee. The Town Highway Superintendent and the Code Enforcement Officer must be sent a copy of this letter.
14. Should the permit require mitigating measures (geometrics, structures, traffic signals, etc.) to be installed, the installation will be at the cost of the developer. Further mitigations associated with this development will also be at the cost of the developer.

15. If future improvements of the Town Highway necessitate the use of the right-of-way occupied by the encroaching facility, these facilities must be relocated at the owner's expense.
16. All sites should be seeded and stabilized with erosion control materials, such as straw, mulch, jute mesh, or excelsior within 5 days of final grading. If construction has been suspended or sections completed, these areas should be seeded immediately and stabilized with erosion control materials. Maintenance should be performed as necessary to ensure continued stabilization.
17. All materials installed within the Town right-of-way shall be in accordance with the NYS Department of Transportation Standard Specifications and Details in effect when installed.
18. An 'as built' drawing of the construction within the Town right-of-way will be required upon completion of the project.

FLOW CHART OF APPLICATION PROCESS



**SAMPLE CHECK LIST
FOR ROAD USE AGREEMENT**

To be completed by Town Zoning Officer

Permit No. _____

Applicant Contact Information

Name _____

Address _____

Phone Number _____

Date Received _____

Permit Fee _____

Date Paid _____

Forwarded To _____

Date _____

Response

1. Further Information Required Comments _____

2. Additional Permits Required Comment _____

3. Special Conditions Required Comment _____

Permit

_____ Approved

_____ Denied

_____ Date

Final Inspection _____

Date _____

Surety Release _____

Date _____