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Chapter 195
Driveways and Excavations

[HISTORY: Adopted by the Town of East Haddam 12-13-1990. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. **285**.

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§ 195-1 **Permit required for excavations.**
No firm, person or corporation shall excavate or cause any excavation in or under any Town roadway or public ground in the Town of East Haddam without an approved written permit obtained at least 48 hours prior to excavation from the Board of Selectmen or its duly authorized representative.

§ 195-2 **Draining water across rights-of-way prohibited.**
No firm, person or corporation shall lay, construct, open or maintain any drain or conductor pipe in such a manner that the water from the same is discharged upon any sidewalk, Town roadway or public ground in the Town of East Haddam or adjacent properties in a manner which may cause damage.

§ 195-3 **Permit required for driveway construction.**
No firm, person or corporation shall build, maintain, construct, relocate or otherwise use a driveway or other access to a Town roadway or public ground from private or public land without an approved written permit obtained at least 48 hours prior to excavation from the Board of Selectmen or its duly authorized representative.

§ 195-4 **Construction specifications; bond.**
The Board of Selectmen shall adopt and may amend, as required, specifications concerning the construction of driveways or excavations abutting Town roadways or public grounds. In adopting or amending specifications, the Board of Selectmen shall include, in its consideration, the location of the driveway or excavation with respect to its effect on roadway drainage, safety, the width and character of the roadway affected, the density of traffic thereon and the character of such traffic. No permit shall be issued unless the work to be done shall conform to the specifications. Such specifications shall include the requirement for a bond to ensure completion of all required work. Should any work not be completed as set forth in the specifications, then the bond shall be called by the Board of selectmen.

§ 195-5 **Scope.**
As used herein, "Town roadway" shall include any portion of the entire width of the right-of-way, including the travelled portion, the shoulders of any unimproved or undeveloped portion of the roadway.

§ 195-6 **Exception.**
This chapter shall not apply to work being done by or on behalf of the Town of East Haddam.

§ 195-7 **Penalties for offenses.**
[Amended 3-28-2018]

Any firm, person or corporation who or which shall violate this chapter shall be subject to fine not to exceed $250 for each day that the violation exists.

Attachments:

Attachment 1 - Specifications and Guidelines

195 Attachment 1

Town of East Haddam

SPECIFICATIONS

These Specifications have been duly adopted by the Board of Selectmen of the Town of East Haddam in accordance with the Chapter 195, Driveways and Excavation, § 195-4.

The items detailed in these specifications shall be complied with before a permit is issued.

The guidelines, which are part of these specifications, shall be considered an aid to achieve the intent of the chapter. Compliance with the guidelines shall be determined by the *Road Supervisor* Director of Public Works or Road Foreman, who may waive strict adherence with said guidelines.

In the event that planning and zoning regulations applicable to the Town of East Haddam shall provide different specifications than the specifications herein provided for, then the more stringent requirements shall govern.

Regulating Agency.

The ~~Road Supervisor~~ Director of Public Works or Road Foreman shall be designated as the Board of Selectmen's agent for determining compliance with Chapter 195. All work shall conform to the details and specifications prescribed by Chapter 195 and the Road Supervisor.

Insurance.

The applicant shall be responsible for maintaining insurance coverage in force for the life of the permit of the kinds and adequate amounts to secure all its obligations with an insurance company or companies licensed to write such insurance policies in the State of Connecticut. The insurer shall provide the Town with certificates of insurance describing the coverage and providing that the insurer shall give the Town written notice at least 15 days in advance of any termination, expiration or any and all changes in coverage. Such insurance or renewals or replacements thereof shall remain in force during the applicant's responsibility under this permit. The kinds and amounts of such insurance coverage shall not be less than the kinds and amounts designated by the Board of Selectmen, and the applicant agrees that the stipulation herein of the kinds and minimum amounts of insurance coverage, or the acceptance by the Town of East Haddam of certificates indicating the kinds and limits of coverage, shall in no way limit the liability of the applicant to any such kinds and amounts of insurance coverage. The applicant, at his own cost and expense, shall name the Town of East Haddam, its officers, agents, servants and employees as additional insured on all insurance policies furnished, except worker's compensation insurance and automobile insurance.

Indemnification.

The applicant shall indemnify and hold harmless the Town of East Haddam, its officers, agents, servants and employees (herein called the "Town") from and against all claims, damages, losses and expenses, including attorney's fees, arising out of or resulting from the performance or lack of performance of the work, provided that any such claim, damages, loss or expense: (a) is attributed

to property, including the loss of, resulting therefrom; and (b) is caused in whole or in part by the negligent act or omission of the applicant, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable; however, notwithstanding the foregoing, this indemnification and hold-harmless provision shall not apply for damage arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Town of East Haddam, its agents or employees.

Utilities.

The applicant shall protect active utility lines. If damaged as a result of work done under this permit, the applicant shall be responsible for immediate restoration of the utility at no cost to the Town. The applicant shall be responsible for contacting "Call Before You Dig" – 1-800-922-4455.

Protection Traffic Control.

The applicant shall provide adequate protection to the work area. Barricades shall be erected by open holes and ditches. Warning lights shall be posted for these areas. Warning signs shall be installed for proper traffic control. Traffic flow shall be maintained. If traffic needs to be interrupted, it is the applicant's responsibility to provide the proper flagmen. Use means necessary to prevent dust from becoming a nuisance to the public.

In the event it shall be deemed necessary by the ~~Road Supervisor~~ Director of Public Works or Road Foreman to close the entire roadway, the applicant must notify Troop K and KX Valley Shore Emergency Communications dispatch center before such action is taken.

Bonds.

The ~~Road Supervisor~~ Director of Public Works or Road Foreman must inspect the site of the proposed work before any permit can be issued. At the time of such inspection, the First Selectmen, as designated by the Board of Selectmen, shall establish the minimum amount of the required bond. Should extraordinary conditions exist, including but not limited to extensive site work or grading to maintain adequate sight distance, then the bond amounts described below may be adjusted higher; in no instance shall they be lower than:

General Excavation	~~$500~~ $1,200
Utility Cut	~~$500~~ $1,200
Driveway without culvert	~~$500~~ $1,200
Driveway with culvert	~~$500~~ $1,750
Driveway with Stone without culvert	~~$500~~ $1,200
Driveway with Stone with culvert	~~$500~~ $1,750

*Checks are cashed upon receipt and funds returned upon completion of satisfactory inspection by the Department of Public Works

The bond shall be in the form of a certified check, bank check, surety company check, or a bank book in the name of the Town. The bond may be posted by the builder, developer, owner or site contractor. Upon completion of the work, notification to the ~~Road Supervisor~~ Director of Public Works or Road Foreman, inspection by the ~~Road Supervisor~~ Director of Public Works or Road Foreman and acceptance by the ~~Road Supervisor~~ Director of Public Works or Road Foreman, the bond will be released.

Life of Permit.

Permits are valid for 180 days except as noted below. If no work has commenced on the site at the end of 180 days, the bond will be returned, and the permit will be void. If work has commenced on the site and the work is not satisfactorily completed at the end of 180 days, the performance bond will be called by the Town.

EXCEPTIONS

a. If building construction is proceeding satisfactorily, the permit may be extended beyond 180 days upon written request to the Board of Selectmen by the applicant. However, the permit may not be extended beyond the date of issuance of a certificate of occupancy (CO) by the Building Department.

b. If a CO is desired and weather or seasonal conditions prohibit the work to be done within the one-hundred-eighty-day period of time, then the permit may be extended if the ~~Road Supervisor~~ Director of Public Works or Road Foreman gives approval. The work shall be completed promptly when the weather or seasonal condition permits.

c. If an extension is needed for reasons other than those above, the permit may be renewed upon approval of the Board of Selectmen.

General Excavation.

Said permit shall prescribe the terms and conditions for the excavation and backfilling of such excavations in any Town roadway or public grounds, and for the replacement of pavements removed. All excavation, backfilling and replacement of removed materials shall be done to the satisfaction of the ~~Road Supervisor~~ Director of Public Works or Road Foreman as prescribed by Chapter 195 and the Board of Selectmen.

Driveway Construction.

The driveway or access road shall be constructed in such a manner that it does not interfere with the existing drainage, the movement of traffic or the removal of snow from the abutting roadway.

It shall be constructed in such a manner that it does not permit the runoff of water from the abutting Town roadway to enter into the property of the applicant or adjacent properties, thereby creating a nuisance to the Town or property owner, unless an easement, approved by the Board of Selectmen, is granted by such owner to the Town for such drainage.

The driveway shall be paved or stoned for a recommended distance in from the Town roadway to prevent erosion onto Town property and shall be designed in a manner to confine the surface water to the gutter areas and permit free flowage of the water in the waterways.

Where existing excavations or fill within the Town's right-of-way endangers the life of existing trees or other growth, or stones exist as obstacles to the access to or egress from the property, such obstacles, trees or growth shall be removed at the owner's expense.

Erosion Control.

Provide and maintain adequate erosion control measures for the entire scope of the project. Stabilize disturbed areas as promptly as progress of the work permits. Repair and reestablish areas within and adjacent to the work site. Seed and mulch the nontraveled portion of the roadway.

Restoration of Site.

All excavations made under this permit shall be restored to a condition as approved by the ~~Road Supervisor~~ Director of Public Works or Road Foreman. All materials removed as a result of the excavation shall be removed from the site by the applicant.

All work shall conform to the details and specifications of the ~~Road Supervisor~~ Director of Public Works or Road Foreman and shall be approved by that person.

Maintenance of Restored Pavement.

The applicant shall guarantee to maintain the repaired excavation for a period of one year after acceptance by the Town.

In the event that it is necessary to make any repairs to the excavation site or to the restored pavement during this one-year period, this guarantee shall be extended to include a period of one year from the date of the repair work.

Conditions Under Which the Town May Complete.

If the work to be done under this permit shall be abandoned, or the work or any part thereof is unnecessarily or unreasonably delayed, or the applicant has violated any of the provisions of the permit, the Town may notify the applicant, in writing, to discontinue all work or such part thereof as the Town may designate, and may restore or have restored, to a satisfactory condition, the site in accordance with Chapter 195. Said work shall be done at the expense of the applicant.

GUIDELINES

1. Driveways shall be graded for a distance of 20 feet into the private property from the right-of-way line of an abutting Town roadway so as to prevent erosion of earth materials onto Town property and shall be designed in such a manner so as to confine the surface water to the gutter areas and permit free flowage of the water in the drainageways of the Town roadway. Driveway grades within the street right-of-way shall not exceed 8%. Paved driveway aprons shall be provided at each intersection of a driveway with an abutting Town roadway. The driveway apron is that portion of the driveway extending from the traveled portion of the Town roadway to the right-of-way line of the Town roadway or to a distance of 10 feet in from the edge of the roadway pavement, whichever is greater. In case of uncertainty as to the true location of the right-of-way line in a particular instance, for the purposes of this specification, a reference right-of-way line shall be established by measuring 25 feet from the center line of the existing road pavement. However, this clause shall not be construed as establishing any rights in ownership of land, its purpose being merely to establish a reference line for driveway improvement process. However, this clause shall not be construed as establishing any rights in ownership of land, its purpose

being merely to establish a reference line for driveway improvement purposes. The minimum width of driveway pavement shall be 12 feet and the minimum corner radius at the intersection of a Town roadway and sides of a driveway and the maximum corner radii shall be as approved by the ~~Road Supervisor~~ Director of Public Works or Road Foreman. The driveway apron paving shall consist of a minimum of two inches, after compaction, of bituminous concrete over a minimum of eight inches of well-graded bank-run gravel. The ~~Road Supervisor~~ Director of Public Works or Road Foreman shall substitute the requirement for the paved apron to a stoned apron which shall conform to all other specifications outlined in cases where the driveway intersects an unpaved road.

2. Where culverts under driveways are required, such culverts shall be constructed of asphalt-coated corrugated metal, corrugated metal, corrugated plastic or reinforced concrete and shall be of such size, not less than 15 inches in diameter, as to adequately convey under the driveway all surface runoff which may be reasonably expected to reach the culvert inlet. All culverts shall be of such design to withstand AASHTO H-20 loadings and shall have a minimum cover over the top of the pipe of one foot, unless otherwise approved by the ~~Road Supervisor~~ Director of Public Works or Road Foreman. Inlet and outlet ends of the culvert shall have rubble stone or concrete end walls or metal sections.

3. The ~~Road Supervisor~~ Director of Public Works or Road Foreman may require the removal of sight obstructions, including but not limited to trees, bushes, shrubs, boulders, rocks and stonewalls, or adjustments of cut slopes adjacent to intersections of a private driveway with a Town roadway in order to ensure an adequate sight distance at the intersection, and to ensure a safe and efficient means of access for emergency vehicles. A minimum site distance of 150 feet shall be provided unless otherwise permitted by the ~~Road Supervisor~~ Director of Public Works or Road Foreman. The sight distance shall be measured from a point in the driveway six feet from the edge of pavement to a point on the center line of the near traffic lane of the Town roadway.

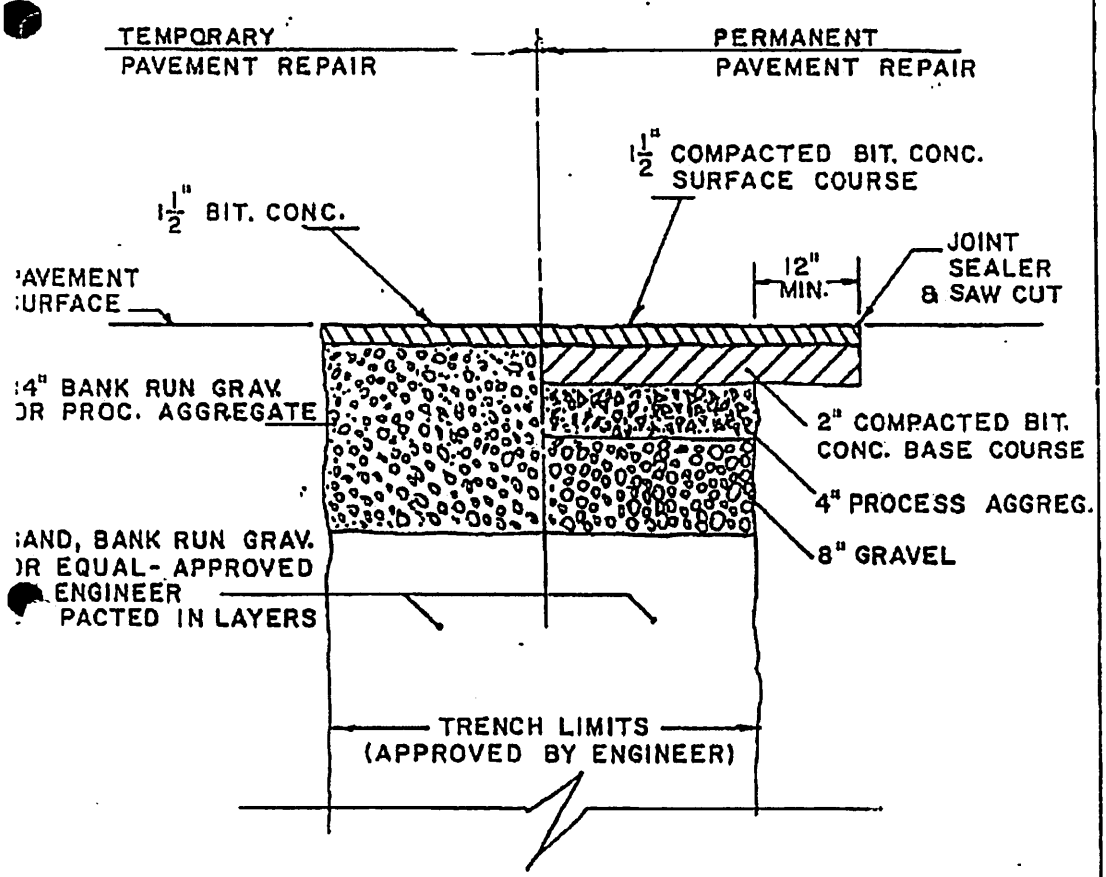
4. All earth slopes within the Town roadway right-of-way shall not be steeper than one unit vertical to two units horizontal, shall be covered with topsoil and shall be suitably mulched and seeded to prevent erosion.

5. During the progress of the construction work, the traveled way shall be kept clear of dirt and debris.

6. If conditions warrant, the ~~Road Supervisor~~ Director of Public Works or Road Foreman may require a driveway plan prepared by a professional engineer, detailing the location, grade, sight line, storm drainage, sediment and erosion controls pavement material and/or any other information regarding the driveway.

7. Pavement restoration – See sketch with Chapter 195. All work shall conform to the details and specifications prescribed by Chapter 195 and the ~~Road Supervisor~~ Director of Public Works or Road Foreman.

GUIDELINES



NOTE: PERMANENT PAVEMENT REPAIR THICKNESS OF BITUM. CONC. MUST MATCH EXISTING PAVEMENT THICKNESS IF GREATER THAN SHOWN ABOVE, OTHERWISE MUST CONFORM AS SHOWN.

ENGINEERING DIVISION	
SHOWING	
TEMPORARY & PERMANENT PAVEMENT REPAIR	
SCALE	MAP FILE NO.
DATED ___ BY	SHEET OF

Town of East Haddam

Excavation/Driveway Permit Application

All permit applications must be complete and submitted to the land use department Located at: Town of East Haddam, Municipal Office Complex, 1 Plains Road, Moodus, CT 06469 *BOND FEE: $1,200 - $1,750*
Bond is subject to forfeiture if apron is not properly installed within 180 days of date of this application.

Date:	Permit #:
Applicants Name:	Telephone:
Applicants Address:	
Applicants Email:	
Property Owners Name:	Telephone:
Address of Property:	
Map #:	Lot #:
Property Owners Email:	
Contractors Name:	Contractors Telephone:
Contractors Address:	
Contractors Email:	

Description of Work: (Sketch or attach)

By signing, applicant has reviewed the "Town of East Haddam Driveway and Excavations Specifications" and agrees to abide by all the Town's policies and conditions of construction.

Signature of applicant: _____ Printed Name: _____

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Approved:
Yes _____ No _____ Signature of Land Use Department: _____

Conditions: (If Any) _____

Installation Approved by: _____ Date: _____

Comments: _____

_____

Fee $1,200 - $1,750
Check #_____
Received on: _____

PLEASE CALL PUBLIC WORKS FOR INSPECTION WHEN WORK IS DONE (860-873-5023) Or Email publicworks@easthaddam.org to schedule inspection.