



CHAD M. COOKE, P.E.  
Commissioner

## SARATOGA COUNTY DEPARTMENT OF PUBLIC WORKS

### SARATOGA COUNTY PUBLIC WORKS FACILITY

3654 GALWAY ROAD  
BALLSTON SPA, NEW YORK 12020-2517  
OFFICE (518) 885-2235  
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GREGORY N. BALL  
Deputy Commissioner

## PERMIT FOR CONSTRUCTION OF UTILITIES

(Rev. 03/17/2023)

Utility Permit ID Number \_\_\_\_\_  
(For Office Use Only)

### APPLICATION

TO: Commissioner of Public Works  
Saratoga County Department of Public Works  
3654 Galway Road  
Ballston Spa, NY 12020

### APPLICANT:

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

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

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

Date of Application: \_\_\_\_\_

Permission is hereby requested to construct the following utilities within the right of way of town of \_\_\_\_\_, County road number \_\_\_\_\_, road name \_\_\_\_\_ pursuant to Section 136 of the Highway Law.

Description of proposed work and location; (attach plan sketch if necessary)

This work must be started, continued in an expeditious manner, and be completed within 60 days from date of permit. The County Commissioner of Public Works, or his representative, shall be promptly notified when the work is complete.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

## PERMIT

Permission for this work is granted subject to the following requirements:

### CONDITIONS AND RESTRICTIONS

- (1) This permit shall not be assigned or transferred without the written consent of the County Commissioner of Public Works.
- (2) The work authorized by this permit shall be performed under the supervision and to the satisfaction of the County Commissioner of Public Works or his representative. All locations shall be approved by a representative of the County Commissioner of Public Works.
- (3) This work must be started, continued in an expeditious manner, and be completed within 60 days from date of permit. The County Commissioner of Public Works shall be promptly notified when the work is complete.
- (4) The said applicant agrees to hold Saratoga County harmless on account of damages of any kind which may arise during the progress and at all times thereafter as a result of the work authorized by this permit or by reason thereof.
- (5) Before granting this permit, the County Commissioner of Public Works will require the submission of a certificate of insurance covering this work in the following amounts:

BODILY INJURY LIABILITY: \$1,000,000 each person, \$1,000,000 each accident

PROPERTY DAMAGE LIABILITY: \$1,000,000 each accident, \$1,000,000 aggregate

The Saratoga County Commissioner of Public Works shall be named as additionally insured on permittee's policy. The organization requesting this permit agrees to hold the County HARMLESS from all liability.

Should any of the policies be canceled before the expiration date thereof, the issuing company will mail 45 days written notice to Saratoga County Public Department of Public Works by certified mail.

- (6) The applicant agrees to pay all necessary expense incident to supervision and inspection by reason of the granting of such permit, such payment to be made within ten (10) days from the rendering of the certified account.
- (7) This permit is subject to such other consents as are required by law.
- (8) Original or copy of this permit must be furnished on demand by field representative in charge of work.
- (9) Traffic shall be maintained on this section of this highway while the work is in progress and until its final completion.
- (10) The said County Commissioner of Public Works reserves the right to revoke or annul this permit at any time should the said applicant fail to comply with the conditions upon which it is granted.

METHOD OF PERFORMING WORK

- (1) All pipes or mains crossing highway pavements shall, wherever possible, be driven beneath the roadway without disturbance to the pavement.
- (2) Such crossover pipes shall, whenever possible, be enclosed in sleeves or larger pipes so that repairs or replacements may be made without further disturbance of the roadway pavement.

If the method of open cut is agreed upon, the following restrictions shall govern replacement of the pavement:

- (a) On concrete pavements, as specified by the County Commissioner of Public Works, slabs partly undermined, or broken, shall be completely replaced with 1-2-3-1/2 concrete except that if slabs are more than forty (40) feet long, not over half the block shall be required to be replaced for transverse disturbances.
  - (b) On block pavements, a reinforced 1-2 1/2-5 concrete foundation and new block shall be placed over the trench and 18" beyond each side of it where the trench is less than two (2) feet deep, and 24" on each side where the trench is of greater depth.
  - (c) On macadam pavements, acceptable bituminous top course with adequate foundation shall be furnished and properly placed.
  - (d) On longitudinal pavement openings, repairs to concrete and block pavements shall extend at least 18" beyond each side of the trench.
  - (e) On all pavements where cutting is across the line of traffic or where longitudinal cutting is in path of traffic, temporary repairs with cold patch or other acceptable type of bituminous patching must be placed as soon as the backfill is made, and repaired and maintained even with the surface of the pavement until such time as the backfill has settled sufficiently to permit permanent restoration of the pavement surface.
  - (f) On longitudinal trench excavation outside of pavement area, edge of trench shall not be closer than four (4) feet to edge of pavement except under written authorization of the County Commissioner of Public Works.
- (3) Backfill material shall be well graded, drainable gravel, placed in 6-inch layers and thoroughly compacted. All excavated material and rubbish shall be cleaned up and removed from the highway upon completion of the work, and highway left in a neat and orderly condition.
  - (4) Permittee shall be responsible for repairing any deficiencies created by or arising from the work for which this permit is issued, for a period of 12 months after completion of the work.
  - (5) 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 yellow lights at night. The work shall be carried on in such a manner that all excavations shall be backfilled at end of each day's work unless otherwise approved by the County Commissioner of Public Works, or his representative.
  - (6) Manhole frames and covers shall be of an approved weight and set in a workmanlike manner with the top of frame set at 1/4" below finish grade of road.

SUPPLEMENTAL CONDITIONS

- (1) Approval of this permit is contingent on the approval of other agencies involved with this project.
- (2) This permit is approved for a specific proposal as submitted to the Saratoga County Department of Public Works. Any changes or additions affecting placement offsets, depths and locations, as originally approved; shall VOID this permit unless such changes have been approved by the County Commissioner of Public Works, or his representative.
- (3) The County Commissioner of Public Works, or his representative, shall be notified 24 hours prior to commencement of proposed work, as shown on this permit, and may require a field inspection with the applicant, before and after completion of proposed work.
- (4) No open cuts or pavement disturbance will be allowed unless specifically approved by the County Commissioner of Public Works, or his representative, and shown on the proposal.
- (5) When allowed, shoulder and highway pavements shall be saw cut or wheel cut through the full depth.
- (6) Any part of applicant's equipment that has contact with the highway pavement shall have suitable rubber pads. (ie: outriggers, buckets, etc.) Any and all damage to the highway pavement resulting from the applicant's operations shall be repaired to the satisfaction of the County Commissioner of Public Works.
- (7) All drainage ways, including ditches, ditch slopes, culverts, driveway pipes, drop inlets and storm sewers, must be kept clean. Original grade must be restored. Proper drainage must be maintained during construction.
- (8) No underground drain pipes or other highway appurtenances shall be disturbed or removed. When these facilities are encountered, the County Commissioner of Public Works, or his representative, shall be notified. If disturbance or removal is approved, the facility shall be replaced in kind, and at the proper location to perform as originally intended.
- (9) No Guide Rail shall be removed. When removal is allowed, a sketch for replacement, conforming to New York State Department of Transportation standards, shall be submitted and approved before removal will be allowed.
- (10) No signs or other appurtenances shall be removed or disturbed without special approval by the County Commissioner of Public Works, or his representative. In the event approval is granted, a log shall be kept showing type of sign or other appurtenance, exact locations, time removed, and time reset. Resetting shall be in exact, original locations. A copy of the log shall be submitted to the Saratoga County Department of Public Works for their records.
- (11) When highway shoulders are disturbed, for any reason, because of contractor's operations, restoration will be required. Typical sections, details, materials to be used and scheduling must be approved by the County Commissioner of Public Works, or his representative.
- (12) The County Commissioner of Public Works, or his representative, shall approve all backfill material. If excavated material is unacceptable, it shall be removed from the site.
- (13) All disturbed areas outside of the shoulder edge shall be raked smooth and re-seeded as specified in New York State Department of Transportation item 610-2.03.

- (14) The highway shall not be obstructed, in any part, greater than 1/2 (one-half) the pavement with so that traffic can be maintained on the pavement. Traffic shall be maintained with a minimum of delay and directed by flagmen. Dust control must be maintained, and the highway swept clean at the end of each day's work.
- (15) No material stockpiles will be allowed within the highway boundaries unless approved by the County Commissioner of Public Works, or his representative.
- (16) Mail delivery access must be maintained at all times.
- (17) Access to private drives must be maintained with minimal delay, and restored to original condition or better.
- (18) Saratoga County may require acceptable photographs of the proposed work area prior to permit approval. These photographs shall remain the property of Saratoga County.
- (19) CRITERIA FOR CONSTRUCTING SIDEWALKS WITHIN COUNTY R.O.W.:
  - (A) The responsibility for funding and constructing sidewalks lies with the local municipality.
  - (B) The local municipality shall assume all liability and hold the County harmless against all claims.
  - (C) The County has no responsibility with regard to snow removal, including snow deposited as a result of plowing the roadway.
  - (D) All sidewalk installations must be designed by a Professional Engineer which plans must be approved by the Commissioner of Public Works.
  - (E) GENERAL DESIGN CRITERIA
    - 1) Sidewalks must be placed on the back side of ditches or minimum of 8 feet from edge of shoulder.
    - 2) Sidewalks must be constructed so as not to interfere with drainage.
- (20) Permittee shall be responsible for repairing any future deficiencies created by or arising from the work for which this permit is issued.
- (21) Construction activities that disturb one acre or more of land must be covered under a SPDES permit. For more information visit the New York State Department of Environmental Conservation website.  
  

<http://www.dec.state.ny.us/website/dow/PhaseII.html>
- (22) Contractors are required to follow current and acceptable practices related to storm water runoff pollution prevention, highway right-of-way and drainage ditches including but not limited to the following:
  - a. Use fertilizers sparingly and sweep up roads, sidewalks and driveways.
  - b. Never dump anything down storm drains or in drainage ditches.
  - c. Re-vegetate any bare and/or disturbed areas in your area of work.
  - d. Avoid the use of pesticides and herbicides. Learn about Integrated Pest Management (IPM)
  - e. Practice the use of acceptable erosion and sediment techniques for proper site preparation, runoff control, soil stabilization and sediment control.
  - f. No structures are to be constructed within a highway right-of-way or a drainage ditch including but not limited to; buildings, fences and sheds.

- g. Vehicles, equipment or machinery are not to be parked or placed within a county highway right-of-way or roadside drainage ditch.
- h. Drainage ditches are not to be filled or obstructed with any materials including but not limited to; plantings, earth, grass clippings, leaves, brush, branches, lumber, wood, logs, stones, waste or other debris.
- i. Pumps are not to be discharged into a drainage ditch.
- j. Culvert pipes that convey storm water in a drainage ditch are to remain open and unobstructed.
- k. Driveways or the construction of other drainage ditch crossings allowing access across a county right-of-way to a county highway, whether temporary or permanent require a permit. This is in part to insure that any such construction is performed in such a manner that maintains the integrity and functionality of the right-of-way and drainage ditch.
- l. For additional information related to storm water runoff pollution prevention please visit the following internet websites:

New York State Department of Transportation

<http://www.dec.state.ny.us/website/dow/mainpage.htm>

United States Environmental Protection Agency

[www.EPA.gov/npdes.stormwater](http://www.EPA.gov/npdes.stormwater) or [www.epa.gov/nps](http://www.epa.gov/nps)

(23) ATTACHMENTS AND REMARKS:

The applicant agrees, in consideration of this permit, that any present or future injury to or disturbance of the Highway, its slopes or gutters, caused by this work, shall be repaired by the applicant at his own expense and in accordance with instructions of the County Commissioner of Public Works.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**This Permit expires in 60 days.**

\_\_\_\_\_  
**Chad M. Cooke, P.E.**  
**Saratoga County Commissioner of Public Works**

In consideration of the granting of the within permit, the undersigned hereby accepts the same subject to the restrictions and conditions therein described.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant**