Town of Fairhaven

Board of Public Works

Rules and Regulations

for

Driveways

Sidewalks

Curbing

Revised 9-13-10

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Board of Public Works

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CURB CUTS

Residential properties less than 65' of frontage	-	maximum 14'
Residential properties 66' – 85' of frontage	-	maximum 16'
Residential properties 86' or larger of frontage	-	maximum 26'

Business Properties – allowed up to 2 openings on any street that abuts the business property:

1 opening – not to exceed 30'
2 openings – not to exceed 15' each

DRIVEWAYS

Driveway openings shall coincide with the curb cut widths. Aprons shall be consistent with the neighboring sidewalk material. Approved materials: asphalt, concrete and stamped concrete.

SIDEWALKS

All sidewalk material shall be consistent with neighboring sidewalks. If no paved sidewalk exists, the material to be used to pave the sidewalk shall be whatever the majority of the sidewalks are paved with on the street. Approved materials: asphalt, concrete and stamped concrete.

NEW CURBING AND CURBING REPLACEMENT

The type of material is to be consistent with the majority of the block. Approved materials: asphalt, concrete, granite, and cobblestone.

COMPLETION OF WORK

All work must be completed within thirty (30) working days of Contractor's signature date on the permit application form for curb cuts. You may file a request for an extension of time not to exceed fifteen (15) working days. If the work is not completed, you may file another application.

NOTIFICATION

The Highway Superintendent shall be notified twenty-four (24) hours prior to any construction in the public way. Telephone: 508-979-4031.

WAIVERS

Waivers may be allowed for more or wider openings or for different material used. The Board of Public Works will schedule a meeting to discuss the request.

FEE $10.00

The material and construction procedures shall conform to the 1973 edition of the Commonwealth of Massachusetts, Department of Public Works Standard Specifications for Highways and Bridges.

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Sections M-3, 460, 470, 472 and 501 for Class I Bituminous Concrete Pavement Type I-1, Class I Bituminous Concrete Type S.T., Class I Bituminous Concrete Bas Course and other related work. In case of conflict between the "Standard Specifications" and the following specifications, the following specifications shall govern:

Description

Bituminous Concrete Pavement

Bituminous concrete mixtures of 50 tons or more to be supplied to the Town of Fairhaven, the contractor will be required to supply a job mix formula to the Board of Public Works for approval before any asphalt is delivered to Town. Job mix formulas shall state the percentage of reprocessed asphalt products to be incorporation in the mixture where permitted and in the amounts permitted.

Bituminous concrete pavements shall conform to Massachusetts Highway Department specifications in all respects except for the percentage of reprocessed asphalt products (RAP) allowed to be used in the pavement. All base and binder courses shall have no more than 20 percent RAP and all top courses shall be made of up to 7% RAP, (no rubber, no glass), where permitted. RAP where permitted shall consist of reprocessed pavement made with angular (broken) stone and not rounded or field stone. Oils and chemicals of an appropriate nature will be added to rejuvenate the existing liquid asphalt. No foreign substances will be permitted to be added to the pavement.

Machine laid Bituminous Concrete Cape Cod Berm complete in place shall be constructed as specified under Section 501 of the Standard Specifications.

Tack Coat shall be cut-back asphalt of grade RD-1 or RC-2 and shall be applied by machine or other method of distribution approved by the Superintendent of Public Works or his representative. The tack coat must cover the entire area to be surfaced at a rate of from 0.10 to 0.25 gallons per square yard. The drying or curing period must be such that the material reaches a tacky condition satisfactory to the Superintendent of Public Works or his representative before the surface course of bituminous concrete is laid. Tack coat material will not be permitted on exposed face of curb and structures above pavement grade.

Bituminous Concrete Patch Overly complete in place shall consist of one or more courses as directed by the engineer of Class I Bituminous Concrete. Type I-1, complete in place laid over the existing surface. Included in this item is the application of bituminous emulsion tack coat prior to overlaying the existing pavement.

Adjusting structures to line and grade (manhole and catch basin frames, grates, covers, wash stone, etc.) shall be performed in conjunction with the resurfacing projects where required and as directed by the engineer. Structures must be adjusted to proper line and grade and firmly fixed in place with Portland cement mortar and brick.

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Bituminous Concrete Patch in Place – shall include excavation and removal of unsuitable materials, the cutting of joints, tack coat as specified, prime coat as directed by the engineer, the construction of a 6" (minimum) processed gravel or processed stone base with all stones passing a 1 ½" screen, compacted to at least 95% of maximum density at optimum moisture content, satisfactory cleanup of the area, and all equipment, material and labor required to construct the 3" bituminous concrete patch in two 1 ½" courses of Class I Bituminous Concrete Pavement, Type I-1 compete in place at any location (street, sidewalk, parking lot, etc.) in the Town of Fairhaven. Patch seams to be covered with sand. All excavated materials to be discarded of by the contractor. The Town of Fairhaven will not accept excavated material.

New Bituminous Concrete Driveway Aprons and Sidewalks – shall include the excavation and removal of all material, cutting of joints, if any, the construction of a 6" (minimum) processed gravel or processed stone base with all stones passing a 1 ½" screen, compacted to at least 95% of maximum density at optimum moisture content, satisfactory cleanup of the area and all equipment, material and labor required to construct the 3" bituminous concrete pavement in two 1 ½" courses of Class I Bituminous Concrete Pavement, Type I-1 complete in place at any location in Fairhaven. All excavated materials to be discarded of by the contractor. The Town of Fairhaven will not accept excavated material.

Granolithic (Cement) Sidewalks – shall include excavation and removal of all materials, the saw cutting of joints, the construction of a 6" (minimum) processed gravel or processed stone base with all stones passing a 1 ½" screen, compacted to at least 95% of maximum density at optimum moisture content, satisfactory cleanup of area, all equipment, material, labor, forms, job enclosures and lights required to construct a 4" thick, broom finished sidewalk in any location in Fairhaven. All excavated materials to be discarded by the Contractor. The Town of Fairhaven will not accept excavated material.

Mixture to consist of a 4,000 lb. ready mix concrete, four (4) inches thick with expansion joints where necessary.

Placing of sidewalks will be accomplished proportionally in the spring months of April, May and June and the fall months of September, October and November. They will not be constructed during excessively warm periods, during which proper curing cannot be controlled.

All good practices of the trades involved in this work, including proper curing of the cement will be strictly adhered to.

Granolithic (Cement) Driveway and Wheelchair Ramps – shall include: excavation and removal of all materials, the saw cutting of joints, the construction of a 6" (minimum) processed gravel or processed stone base with all stones passing a 1 ½" screen, compacted to at least 95% of maximum density at optimum moisture content, satisfactory cleanup of area, all equipment, material, labor, forms, job enclosures and lights required to construct a 6" thick, broom finished driveway apron or wheelchair ramp

at any location in Fairhaven. All excavated materials to be discarded by the Contractor. The Town of Fairhaven will not accept excavated material.

Mixture to consist of a 4,000 lb. ready mix concrete, six (6) inches thick with expansion joints where necessary.

Placing of driveway aprons or wheelchair ramps will be accomplished proportionally in the spring months of April, May and June and the fall months of September, October and November. They will not be constructed during excessively warm periods, during which proper curing cannot be controlled.

All good practices of the trades involved in this work, including proper curing of the cement will be strictly adhered to.

All work to be satisfactory to the Superintendent of Highways.

Concrete Curbing – to be sixteen (16) inches high and six (6) inch gravel base, firmly tamped and the gravel furnished by the Contractor. All excavated materials to be discarded of by the Contractor. The Town of Fairhaven will not accept excavated material.

All work to be protected against damage and protected at night. Contractor to patch road along curbing.

Bituminous Concrete Curbing - Machine laid bituminous concrete curb Type 3 complete in place shall be constructed as specified under Section 501 of the Standard Specifications. The contractor shall be responsible for removal of unsuitable materials, the cutting of joints and tack coat. The Contractor is responsible for protecting the work site.

Granite Curbing – Installation of either new or used curbing. Work includes all labor, six (6) inch gravel base and asphalt patch against curbing or match existing road surface. Materials in place and approved on any location in the Town of Fairhaven shall include all cutting of joints, tack coat, satisfactory cleanup, and all equipment, material and labor required to lay complete in place, the thickness and type of bituminous concrete pavement ordered by the Superintendent of Public Works.

All Granite Curbing and Cobblestones removed will be returned to the BPW Yard.

Gravel Borrow - shall meet Mass. State Spec for gravel borrow Type "B" 3" stone size maximum.

Tree Stump Removal – Pulling out stump for installing sidewalk (concrete or asphalt). Work includes excavation and disposal of stump, installing and compacting gravel.

Stamped Concrete Specifications

In lieu of asphalt, applicants may use stamped concrete, with the approval of the Highway Superintendent. A Non-Standard Pavement (Right of Way) Agreement must be executed.

Stamped Concrete Driveway Specifications:

In place shall include the cost of: excavation and removal of all materials, the saw cutting of joints, the construction of a 6" (minimum) processed gravel meeting the Mass State Spec for gravel borrow (Type "b") compacted to at least 95% of maximum density at optimum moisture content, satisfactory cleanup of area, all equipment, material, labor, forms, job enclosures and lights required to construct a 6" Stamped Concrete driveway apron at any location in Fairhaven. All excavated materials to be discarded by the Contractor. The Town of Fairhaven will not accept excavated material. Mixture to consist of a 4,000 lb. ready mix concrete, six (6) inches thick with expansion joints where necessary. 6" x 6" welded wire mesh reinforcement shall be used for all driveway aprons. The Portland Cement, aggregates, and reinforcement shall conform to Mass. State Specifications. The water content shall be the minimum practicable and the slump shall not exceed 5". Only commercially pure mineral pigments shall be used to produce the desired color. Concrete shall have a minimum 28 day compressive strength of 4000 psi. The Contractor will have at the job site, during construction of stamped concrete, a foreman who has a minimum of 5 years experience in the construction of stamped concrete. The Contractor shall supply the Town of Fairhaven, Board of Public Works, three references of satisfactory work completed in other Towns / Cities. Placing of driveway aprons will be accomplished proportionally in the spring months of April, May and June and the fall months of September, October and November. They will not be constructed during excessively warm periods, during which proper curing cannot be controlled. All good practices of the trades involved in this work, including proper curing of the cement will be strictly adhered to. All work to be satisfactory to the Highway Superintendent. Any defects in the stamped concrete shall be corrected by the contractor at his own expense.

Stamped Concrete Walkway/ Sidewalk Specifications:

Where a stamped concrete walkway extends to Town roadway and there are no sidewalks through the section, the walkway shall meet the following specification. Where there is an existing Town sidewalk, the walkway will end at the sidewalk. NOTE: replacement of Town sidewalks with stamped concrete is not permitted In place shall include the cost of: excavation and removal of all materials, the saw cutting of joints, the construction of a 6" (minimum) processed gravel meeting the Mass State Spec for gravel borrow (Type "b") compacted to at least 95% of maximum density at optimum moisture content, satisfactory cleanup of area, all equipment, material, labor, forms, job enclosures and lights required to construct a 4" Stamped Concrete sidewalk at any location in Fairhaven. All excavated materials to be discarded by the Contractor. The Town of Fairhaven will not accept excavated material. Mixture to consist of a 4,000 lb. ready mix concrete, four (4) inches thick with expansion joints where necessary. The

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Portland Cement, and aggregates, shall conform to Mass. State Specifications. The water content shall be the minimum practicable and the slump shall not exceed 5". Only commercially pure mineral pigments shall be used to produce the desired color. Concrete shall have a minimum 28 day compressive strength of 4000 psi. The Contractor will have at the job site, during construction of stamped concrete, a foreman who has a minimum of 5 years experience in the construction of stamped concrete. The Contractor shall supply the Town of Fairhaven, Board of Public Works, three references of satisfactory work completed in other Towns / Cities. Placing of sidewalks will be accomplished proportionally in the spring months of April, May and June and the fall months of September, October and November. They will not be constructed during excessively warm periods, during which proper curing cannot be controlled. All good practices of the trades involved in this work, including proper curing of the cement will be strictly adhered to. All work to be satisfactory to the Highway Superintendent. Any defects in the stamped concrete shall be corrected by the contractor at his own expense.

The Owner is responsible for ensuring the design and installation meets Americans with Disabilities Act (ADA) Compliance.

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NON-STANDARD PAVEMENT (RIGHT-OF-WAY)
PERMIT AGREEMENT

THIS AGREEMENT executed this _____day of _____, _____, by and between the TOWN OF FAIRHAVEN, a Massachusetts municipal corporation, acting through the Fairhaven Board of Public Works, (BOARD)

and

_____of
(Name)

_____, Fairhaven, MA
(OWNERS ADDRESS);

W I T N E S S E T H:

WHEREAS, OWNERS are all of the record owners of a parcel of real estate commonly referred to as_____, Fairhaven, MA ("OWNERS'S PROPERTY"); and

WHEREAS, the OWNER'S PROPERTY abuts a public right-of-way (ROW) held in trust by the BOARD ("TOWN PROPERTY"); and

WHEREAS, OWNERS request that the BOARD, grant a permit to construct, install, maintain and use Non-Standard Pavement in the TOWN PROPERTY; and

WHEREAS, Non-Standard Pavement is defined as Stamped Concrete or Colored Concrete, Cobblestones, Bricks; and

WHEREAS, the BOARD finds that the encroachment of the Non-Standard Pavement in the TOWN PROPERTY is minor and as such will not impede the public use of the TOWN PROPERTY; and

WHEREAS, the BOARD is willing to enter into a permit agreement (the "Permit Agreement") to permit the installation, construction, existence and use of Non-Standard Pavement in the TOWN PROPERTY under certain conditions and restrictions as stated below; and

WHEREAS, the Superintendent, Board of Public Works is authorized to execute the Permit Agreement on behalf of the BOARD; and

WHEREAS, OWNERS agree to abide by those conditions and restrictions in exchange for the BOARD entering into the Permit Agreement;

NOW, THEREFORE, in consideration of a one-time licensing fee of *TEN and no/100 DOLLARS* ($10.00), the receipt and sufficiency of which is acknowledged by the BOARD, and the mutual covenants contained herein, the BOARD and OWNERS agree as follows:

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1. OWNERS represent, warrant and covenant that they are all of the record owners of the OWNER'S PROPERTY.

2. The BOARD grants to OWNERS, and OWNERS do hereby accept, a permit to construct, install, maintain, and use the above-described Non-Standard Pavement subject to all the terms and conditions of this Permit Agreement.

3. The Non-Standard Pavement shall be constructed and installed by OWNERS, at their expense, in strict accordance with descriptions contained in ***Exhibit "B"*** attached hereto and made a part hereof, and said shall encroach into the TOWN PROPERTY no more than is described in Exhibit "B". All plans and specifications for construction and installation of the Non-Standard Pavement shall be submitted and approved by the BOARD prior to the commencement of any construction and/or installation whatsoever. All construction, installation, maintenance and use shall be done pursuant to all the laws, ordinances, resolutions, rules and regulations of the BOARD, and the Commonwealth of Massachusetts or any other governmental unit or agency applicable thereto as amended from time to time.

4. Upon construction and installation or removal of said Non-Standard Pavement, OWNERS shall restore the surrounding area to its original condition immediately prior to construction and installation, or removal. In the event OWNERS do not restore the surrounding area, the BOARD may restore the surrounding area and charge the costs thereof to OWNERS. Any such expense incurred by the BOARD in connection with this Paragraph shall create a lien against the OWNER'S PROPERTY.

5. The Non-Standard Pavement shall at all times remain the property of the OWNERS and the BOARD shall not be responsible for the continued maintenance of the Non-Standard Pavement; provided, however, the BOARD may at its option, maintain the Non-Standard Pavement and charge OWNERS the costs and expenses incurred therein. Any such expense incurred by the BOARD in connection with this Paragraph shall create a lien against the OWNER'S PROPERTY.

6. THE OWNER understands, acknowledges and accepts any and all responsibility for repair, restoration and any and all other work necessary to restore Non-Standard Pavement as a result of BOARD damage during use or access of public ROW shall be OWNER'S responsibility. The BOARD shall have no responsibility under any condition for repair or restoration of Non-Standard Pavement.

7. This Agreement shall not give rise to any right of ownership in the TOWN PROPERTY to OWNERS; the TOWN PROPERTY shall continue to be a public property held by the BOARD in trust for the general public.

8. The Non-Standard Pavement shall be constructed, installed, maintained and used so as to not interfere with either the public use of the TOWN PROPERTY or the rights of abutting and adjoining landowners. The construction, installation, maintenance or use of the Non-Standard Pavement shall not at any time interfere with the public use of the TOWN PROPERTY.

9. This Permit Agreement is subject to the BOARD'S unilateral amendment, modification or rescission, and the privileges and authority granted herein may be revoked by the BOARD at any time without cause, at which time OWNERS, at their expense, shall remove the Non-Standard Pavement, however, the BOARD may at its option, remove the

Non-Standard Pavement and charge OWNERS the costs and expenses incurred therein. Any such expense incurred by the BOARD in connection with this Paragraph shall create a lien against the OWNER'S PROPERTY.

10. The OWNERS agree to indemnify and hold the BOARD, its officers, officials, employees and agents harmless from (a) any causes of action or claims for damages to the Non-Standard Pavement caused by work by the BOARD or its agents, within the TOWN PROPERTY, and/or (b) any and all claims and causes of action (including, but not limited to, those brought, asserted or alleged by third parties), and liabilities or expenses, including judgments, costs and damages, and including any and all attorney's fees and costs incurred by the BOARD, alleged to have occurred from the installation, construction, repair, maintenance, continued existence, or removal of the Non-Standard Pavement.

11. OWNERS understand and agree that the BOARD, public utilities and/or cable television companies, and their successors and assigns, may also have certain rights in, over, under, upon or across the TOWN PROPERTY and that this Permit Agreement does not affect or diminish the rights of those parties and that the construction, installation, repair, maintenance and/or use of the Non-Standard Pavement will not affect or diminish those parties rights referred to above.

12. This Permit Agreement shall be binding upon and inure to the benefit of the respective heirs, successors and assigns of the parties hereto.

By: _____
SUPERINTENDENT, BOARD OF PUBLIC WORKS

DATE: _____

By: _____

_____
Owners Signature

DATE: _____