

# Town of Conway, NH

## Construction/Driveway Permit

Adopted by the Board of Selectmen, November 26, 1996  
Revised July 14, 2009, Revised May 3, 2011, Revised May 10, 2017, Revised June 27, 2019, Latest Revision February 27, 2020

**Applicability:** In accordance with NH RSA Chapter 236 and the legislative authority cited in §130-1, §130-66.C.8.(j), and §130-66.C.8.(k) of the Town of Conway Subdivision Regulations, this document is meant to guarantee the quality of work performed by contractors, developers, utilities or others doing work on town properties or town roads. This work includes, but is not limited to such activities as curbing cuts, installing driveways or drainage, providing sewer or water hookups, installing phone, power or cable television, building roads, trenching or paving.

**Purpose/intent:** This administrative policy and permit was developed to assure the quality of the work and the adherence to the adopted standards and specifications.

**Fees:** An application fee of one hundred dollars (\$100) shall be included with the application submission.

**Surety:** All work shall require either a continuing surety bond or a deposit on hand. In either case the amount of funding shall be equal to the cost of the work or two thousand dollars (\$2,000) whichever is greater. The surety will be returned upon completion of the project provided that the work and materials conform to the standards and specifications as determined by the Town or its agent. Any disputes over methods, materials or failure to perform work in the presence of an inspector will require a portion of the surety to be retained for one year from completion of the work as warranty. This warranty amount will be either 2% of the surety or \$2,000, whichever is greater. The applicant agrees to allow the Town to use the surety/warranty to finish/repair the work should the applicant fail to do so. The applicant agrees to assume any additional costs that the Town may incur to maintain finish or repair the work as necessary. The applicant also agrees to assume the cost of the inspection(s).

**Enforcement and penalties:** Failure to obtain a permit prior to construction or failure to comply with the conditions and specifications of a permit shall be subject to the penalties, fines and enforcement procedures authorized by NH RSA 236:14, NH RSA 676:17, NH RSA 676:17-a. and/or NH RSA 676:17-b.

**Notification:** The Town will require 48 hours notice in order to schedule inspection personnel and mark infrastructure. It is the applicant's responsibility to contact Dig Safe, Inc., and have the area marked prior to the start of construction. It shall be the responsibility of the applicant/ contractors to schedule the inspector after an interruption of work. Exceptions may be made for emergency repairs.

**Inspections:** The cost of inspection, including materials testing, shall be paid by the applicant. Testing will be as deemed necessary by the Town or its agent.

**Plans, Standards & Specifications:** All work shall conform to the approved plans and standards. The Town's Road Standards are Article X, Chapter 130 of the Conway Codes. The New Hampshire Standard Specifications for Road and Bridge Construction shall govern when the Town Road Standards are silent. In addition, the following procedures shall be used:

When the pavement is to be excavated, it shall be neatly and uniformly cut with square edges by machine. Should the pavement edge become undermined due to collapse of the trench walls, and then the pavement shall be re-cut two feet back from the undisturbed soil. To prevent differential frost heaving all suitable materials below sub-grade must be saved and used for backfill. The backfill must be thoroughly compacted in accordance with the specifications in lifts not exceeding 12". The base material shall be 1 1/2" crushed gravel conforming to NHDOT 304.3 at 6" to 12" deep. Prior to the placement of the final

patch, the pavement shall be saw cut with a two foot overlap on undisturbed ground. The pavement patches shall be governed by the surrounding pavement as determined by the Town Engineer.

In other areas, the existing surface shall be restored by placing similar material to a depth equal to that of the existing material prior to excavation. Any existing grass shall be loamed, graded and re-vegetated. Any asphalt or concrete sidewalks shall have a surface of equal depth, kind and quality placed.

Additionally, the work shall conform to instructions issued by the Town engineer or authorized representative.

**Construction Season/Weather:** Work will generally not be permitted during winter months. All work must be complete prior to the pavement plant shutdown in the fall and shall not commence until the plants are operational in the spring. In addition, work may be suspended at other times due to such weather conditions as freezing temperatures, ground frost, snow, sleet, freezing rain, rain, fog or other acts of God. Exceptions may be made for emergency repairs.

**Traffic/Access:** Traffic must be maintained at all times. Traffic shall be protected by suitable barricades and standard warning signs in accordance with the MUTCD. Flaggers will be used whenever two-way traffic cannot be maintained. All signs shall be kept in good repair at all times. Suitable unrestricted ingress and egress to abutting properties must be maintained at all times.

**Liability:** The applicant and its contractor agree to assume all liability associated with the construction. This liability is extended, but not limited to motorists, pedestrians, utility companies or abutters. The applicant or contractor agrees to maintain a minimum of one million dollars of liability insurance. Proof of liability insurance must be submitted to the Town prior to the start of construction. The applicant and the contractor further agree to hold harmless the Town of Conway from any and all claims arising from this construction.

**Driveways:** The driveway must be staked out, and a surety deposit equal to the estimated cost of the work or two-thousand dollars (\$2,000), whichever is greater, shall be posted by the applicant prior to the issuance of a permit. The monies shall be returned pending a satisfactory installation of driveway. Page 3 & 4 of the permit application are to be completed by Applicant, and page 5 will be completed by the Town Engineer. Once the permit is issued, a copy of page 5 should be given to the paving contractor. It is recommended that the Town conduct an inspection prior to final payment of the paving contractor to insure the correct construction of the driveway. Failure to comply with permit schematic will result in automatic forfeiture of surety deposit.

**Bond Posting for Overweight Travel:** The Town posts weight limits on certain roads or sections of roads that would suffer excessive damage by vehicles transporting weights over and above the posted limit. In the Spring time the Town announces the Annual Posting of Town Roads, in which vehicles with a GVWR (Gross Vehicle Weight Rating) of ten tons or more shall be prohibited from using any Town Road (Town Ordinance Chapter 152-1). All travel shall require a continuing surety bond or a deposit on hand. In either case, the amount of funding shall be five thousand dollars (\$5,000). After surety has been received for the overweight travel, the Contractor/Developer must schedule transport times with the Town. The Highway Foreman or Town Official will follow the overweight load over the Town Road(s). If no damage is caused to the road, the full surety amount will be returned.

**Violators of Spring Road Posting:** Violators of Chapter 152-1; Weight Limits and Through Trucking will be fined two hundred fifty dollars (\$250) for the first offense and five hundred dollars (\$500) for each subsequent offense.

Permit # \_\_\_\_\_ is issued on \_\_\_\_\_, 20\_\_\_\_ Approved by \_\_\_\_\_  
Town's Agent

This permit will expire on \_\_\_\_\_ 20\_\_\_\_

Any work remaining unfinished after the above expiration date shall be completed by the Town of Conway at the Applicant/Contractor's expense.

For the following project: \_\_\_\_\_

Property location: \_\_\_\_\_ Tax Map Lot \_\_\_\_\_

Residential Access       Commercial Access       Other (specify): \_\_\_\_\_

Is driveway staked out: Yes \_\_\_ No \_\_\_

**Additional Requirements for Construction Permits:**

1. Town Inspector shall be in attendance throughout the construction.
2. All work shall be in accordance with the schedule, plans, and specification or as approved by the Town Engineer.
3. Work Zone signage and traffic control shall be maintained throughout the construction.
4. No excavation shall be left unprotected.
5. Failure to adhere to items 1-4 shall result in revocation of the construction permit.
6. Insurance
7. Work Schedule
8. Additional Requirements: \_\_\_\_\_

I, \_\_\_\_\_ on behalf of \_\_\_\_\_ (Company Name), Inc. hereby agree to the above conditions and provisions set forth in this permit.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contractor's Signature

**Private Roads:** I/we the duly authorized agent(s) or the owner(s) of the private road hereby authorize the applicant to perform the work described in this application, hold the Town harmless and free of any liability relative to the administration of this permit and authorize the Town of Conway and its representatives to enter on the property to perform whatever inspections, testing and measurements necessary to administer compliance with the permit:

Authorized Agent of Private Road owner: \_\_\_\_\_

Road Owner: \_\_\_\_\_

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

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

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

**Agreement:** I/we agree with the conditions and provisions set forth in this permit and by signing this application I/we authorize the Town of Conway and its representatives to enter on the property to perform whatever inspections, testing and measurements necessary to administer compliance with the permit:

Applicant: \_\_\_\_\_ Phone #: \_\_\_\_\_

Property Owner/Authorized Agent \_\_\_\_\_

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

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

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Contractor: \_\_\_\_\_ Phone #: \_\_\_\_\_

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

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

I, \_\_\_\_\_ (Contractor) hereby acknowledge that the work for this project will be performed in accordance with OSHA standards.

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

Contractor's Signature

**FOR TOWN OFFICE USE ONLY**

**PLAN VIEW (NTS)**

Shows existing and proposed roads and drainage structures

**PROFILE (NTS)**

***CULVERT***

Length \_\_\_\_\_ Diameter \_\_\_\_\_  
 Flow calculations for culvert size required? Yes \_\_\_\_\_ No \_\_\_\_\_  
 NA \_\_\_\_\_ Other \_\_\_\_\_

***FINAL INSPECTION***

Site Inspection - post construction conducted by \_\_\_\_\_ Date \_\_\_\_\_  
 Installation approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Release deposit: \_\_\_\_\_ Y \_\_\_\_\_ N  
 Signed \_\_\_\_\_ Title \_\_\_\_\_