TOWN OF SPENCER
SPENCER, MASSACHUSETTS 01562

PERMIT NO.: _____
(For Town use only)

Peter Boria, Superintendent
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3 Old Meadow Road
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OFFICE OF UTILITIES & FACILITIES

DRIVEWAY / STREET OCCUPANCY / TRENCH PERMIT REQUEST FORM (*Circle Permit Type Requested)*

Applicant Information			
Name of Permit Holder:			Customer No.: *(For Town use only)*
Street Address:	City/Town:	State:	Zip:
Phone No.:	Cell Phone No.:	24-Hr Emergency Phone No.:	

Excavator Information			
Name of Excavator: ***(If different from Applicant):***	Phone No.:		Cell Phone No.:
Street Address:	City/Town:	State:	Zip:
MA. Hoisting License No.:	License Restrictions:		Expiration Date:
Name of Competent Person *(As defined by 520 CMR 14.02-if different from Excavator):*	Phone No.:		Cell Phone No.:
Street Address:	City/Town:	State:	Zip:

Insurance Information/attach a Certificate of Liability *(Town named as insured)*		
Insurer Name:	Insurer Contact Information:	Policy Expiration Date *(Earliest Date)*:

Information for Proposed Trench

Specific Location of Trench ***(Please check all that apply)*:**

Street ☐ State Highway ☐ Side of Road ☐ Sidewalk ☐ Tree Lawn ☐ Driveway ☐ Private ☐ Other ☐

Trench Purpose/Description:

Label Trench Type *(Example: Water, Gas, etc.)*	*Type:*	*Type:*	*Type:*	*Type:*	*Type:*	*Type:*
Trench Dimensions *(Include all)* Depth						
Length						
Width						
Total Surface Area *(Length x Width)*						

Other Comments:	Grand Total Area of Surface Cut:	

Purpose of Permit *(Please check all that apply)*

Non-Excavation

☐ Obstruct Street or Sidewalk _____*(Days to remain)*
☐ Resurface Driveway Apron
☐ Other _____

Excavation

☐ Cable ☐ Electric ☐ Water
☐ Sewer ☐ Gas ☐ Reconstruct Driveway
☐ Telephone ☐ Other _____

Excavation Work On:

☐ Public ☐ Private ☐ Or Both

Draw or Attach Sketch of Proposed Excavation

Keep copy of permit for inspection signatures & return for early deposit release

Excavation Start Date:	**Excavation End Date:**	**1st Driveway Inspection/ Date** *(Town use)*	**2nd Drivway Inspection/Date** (*Town use)*
Dig Safe No.:		**Project Address:**	

Signatures *(Read all attachments before signing.) The following acknowledge by signature below that they have read, understand and assume full responsibility for all the conditions of this permit application including but not limited to ATTACHMENT 1 - Rules and Specifications for Excavation Activity within the Town of Spencer, MA.*

Applicant's Signature:	Date:	☐ Check if Applicant is Excavator
Excavator's Signature:	Date:	
Owner's Signature ***(If different) [For work on private property]:***	Date:	☐ Check if Applicant is Owner
Permit Approved By ***(For town use only - Do not write in this section):***	Date:	Permit Expiration Date:

Permit Fee Amount _____
(For Town use only)

BY SIGNING THIS FORM, THE APPLICANT, OWNER, AND EXCAVATOR ALL ACKNOWLEDGE AND CERTIFY THAT THEY ARE FAMILIAR WITH, OR, BEFORE COMMENCEMENT OF THE WORK, WILL BECOME FAMILIAR WITH, ALL LAWS AND REGULATIONS APPLICABLE TO WORK PROPOSED, INCLUDING OSHA REGULATIONS, G.L. c. 82A, 520 CMR 7.00 et seq., AND ANY APPLICABLE MUNICIPAL ORDINANCES, BY-LAWS AND REGULATIONS AND THEY COVENANT AND AGREE THAT ALL WORK DONE UNDER THE PERMIT ISSUED FOR SUCH WORK WILL COMPLY THEREWITH IN ALL RESPECTS AND WITH THE CONDITIONS SET FORTH BELOW.

THE UNDERSIGNED OWNER AUTHORIZES THE APPLICANT TO APPLY FOR THE PERMIT AND THE EXCAVATOR TO UNDERTAKE SUCH WORK ON THE PROPERTY OF THE OWNER, AND ALSO, FOR THE DURATION OF CONSTRUCTION, AUTHORIZES PERSONS DULY APPOINTED BY THE MUNICIPALITY TO ENTER UPON THE PROPERTY TO MONITOR AND INSPECT THE WORK FOR CONFORMITY WITH THE CONDITIONS ATTACHED HERETO AND THE LAWS AND REGULATIONS GOVERING SUCH WORK.

THE UNDERSIGNED APPLICANT, OWNER AND EXCAVATOR AGREE JOINTLY AND SEVERALLY TO REIMBURSE THE MUNICIPALITY FOR ANY AND ALL COSTS AND EXPENSES INCURRED BY THE MUNICIPALITY IN CONNECTION WITH THIS PERMIT AND THE WORK CONDUCTED THEREUNDER, INCLUDING BUT NOT LIMITED TO ENFORCING THE REQUIREMENTS OF STATE LAW AND CONDITIONS OF THIS PERMIT, INSPECTIONS MADE TO ASSURE COMPLIANCE THEREWITH, AND MEASURES TAKEN BY THE MUNICIPALITY TO PROTECT THE PUBLIC WHERE THE APPLICANT OWNER OR EXCAVATOR HAS FAILED TO COMPLY THEREWITH INCLUDING POLICE DETAILS AND OTHER REMEDIAL MEASURES DEEMED NECESSARY BY THE MUNICIPALITY.

THE UNDERSIGNED APPLICANT, OWNER AND EXCAVATOR AGREE JOINTLY AND SEVERALLY TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE MUNICIPALITY AND ALL OF ITS AGENTS AND EMPLOYEES FROM ANY AND ALL LIABILITY, CAUSES OR ACTION, COSTS, AND EXPENSES RESULTING FROM OR ARISING OUT OF ANY INJURY, DEATH, LOSS, OR DAMAGE TO ANY PERSON OR PROPERTY DURING THE WORK CONDUCTED UNDER THIS PERMIT.

CONDITIONS AND REQUIREMENTS PURSUANT TO G.L.C.82A AND 520 CMR 7.00 et seq. (as amended)

By signing the application, the applicant understands and agrees to comply with the following:

i. No trench may be excavated unless the requirements of sections 40 through 40D of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76D of chapter 164 (DIG SAFE);
ii. Trenches may pose a significant health and safety hazard. Pursuant to Section 1 of Chapter 82 of the General Laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the Department of Public Safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.
iii. Persons engaging in any in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et.seq., entitled Subpart P "Excavations".
iv. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the Department of Public Safety pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;
v. By applying for, accepting and signing this permit, the applicant hereby attests to the following: (1) that they have read and understands the regulations promulgated by the Department of Public Safety with regard to construction related excavations and trench safety; (2) that he has read and understands the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CMR 1926.650 et.seq., entitled Subpart P "Excavations" as well as any other excavation requirements established by this municipality; and (3) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of the permit application, complied with the requirements of sections 40-40D of chapter 82A.
vi. This permit shall be posted in plain view on the site of the trench.

For additional information please visit the Department of Public Safety's website at www.mass.gov/dps

Summary of Excavation and Trench Safety Regulation (520 CMR 14.00 et seq.)

This summary was prepared by the Massachusetts Department of Public Safety pursuant to G.L.c.82A and does not include all requirements of the 520 CMR 14.00. To view the full regulation and G.L.c.82A, go to www/mass.gov/dps
Pursuant to M.G.L. c. 82, § 1, the Department of Public Safety, jointly with the Division of Occupational Safety, drafted regulations relative to trench safety. The regulation is codified in section 14.00 of title 520 of the Code of Massachusetts Regulations. The regulation requires all excavators to obtain a permit prior to the excavation of a trench made for a construction-related purpose on public or private land or rights-of-way. All municipalities must establish a local permitting authority for the purpose of issuing permits for trenches within their municipality. Trenches on land owned or controlled by a public (state) agency requires a permit to be issued by that public agency unless otherwise designated.

In addition to the permitting requirements mandated by statute, the trench safety regulations require that all excavators, whether public or private, take specific precautions to protect the general public and prevent unauthorized access to unattended trenches. Accordingly, unattended trenches must be covered, barricaded or backfilled. Covers must be road plates at least ¾" thick or equivalent; barricades must be fences at least 6' high with no openings greater than 4" between vertical supports; backfilling must be sufficient to eliminate the trench. Alternatively, excavators may choose to attend trenches at all times, for instance by hiring a police detail, security guard or other attendant who will be present during times when the trench will be unattended by the excavator.

The regulations further provide that local permitting authorities, the Department of Public Safety, or the Division of Occupational Safety may order an immediate shutdown of a trench in the event of a death or serious injury; the failure to obtain a permit; or the failure to implement or effectively use adequate protections for the general public. The trench shall remain shutdown until re-inspected and authorized to re-open provided, however, that excavators shall have the right to appeal an immediate shutdown. Permitting authorities are further authorized to suspend or revoke a permit following a hearing. Excavators may also be subject to administrative fines issued by the Department of Public Safety for identified violations.

Summary of 1926 CFR Subpart P -OSHA Excavation Standard

This is a worker protection standard, and is designed to protect employees who are working inside a trench. This summary was prepared by the Massachusetts Division of Occupational Safety and not OSHA for informational purposes only and does not constitute an official interpretation by OSHA of their regulations, and may not include all aspects of the standard.
For further information or a full copy of the standard go to www.osha.gov.

- **Trench Definition per the OSHA standard:**
  - An excavation made below the surface of the ground, narrow in relation to its length.
  - In general, the depth is greater than the width, but the width of the trench is not greater than fifteen feet.
- **Protective Systems** to prevent soil wall collapse are always required in trenches deeper than 5', and are also required in trenches less than 5' deep when the competent person determines that a hazard exists. Protection options include:
  - Shoring. Shoring must be used in accordance with the OSHA Excavation standard appendices, the equipment manufacturer's tabulated data, or designed by a registered professional engineer.
  - Shielding (Trench Boxes). Trench boxes must be used in accordance with the equipment manufacturer's tabulated data, or a registered professional engineer.
  - Sloping or Benching. In Type C soils (what is most typically encountered) the excavation must extend horizontally 1 ½ feet for every foot of trench depth on both sides, 1 foot for Type B soils, and ¾ foot for Type A soils.
  - A registered professional engineer must design protective systems for all excavations greater than 20' in depth.
- **Ladders** must be used in trenches deeper than 4'.
  - Ladders must be inside the trench with workers at all times, and located within 25' of unobstructed lateral travel for every worker in the trench.
  - Ladders must extend 3' above the top of the trench so workers can safely get onto and off of the ladder.
- **Inspections** of every trench worksite are required:
  - Prior to the start of each shift, and again when there is a change in conditions such as a rainstorm.
  - Inspections must be conducted by the competent person (see below).
- **Competent Person(s) is:**
  - Capable (i.e., trained and knowledgeable) in identifying existing and predictable hazards in the trench, and other working conditions which may pose a hazard to workers, and
  - Authorized by management to take necessary corrective action to eliminate the hazards. Employees must be removed from hazardous areas until the hazard has been corrected.
- **Underground Utilities** must be:
  - Identified prior to opening the excavation (e.g., contact Digsafe).
  - Located by safe and acceptable means while excavating.
  - Protected, supported, or removed once exposed.
- **Spoils** must be kept back a minimum of 2' from the edge of the trench.
- **Surface Encumbrances** creating a hazard must be removed or supported to safeguard employees. Keep heavy equipment and heavy material as far back from the edge of the trench as possible.
- **Stability of Adjacent Structures:**
  - Where the stability of adjacent structures is endangered by creation of the trench, they must be underpinned, braced, or otherwise supported.
  - Sidewalks, pavements, etc. shall not be undermined unless a support system or other method of protection is provided.
- **Protection from water accumulation hazards:**
  - It is not allowable for employees to work in trenches with accumulated water. If water control such as pumping is used to prevent water accumulation, this must be monitored by the competent person.
  - If the trench interrupts natural drainage of surface water, ditches, dikes or other means must be used to prevent this water from entering the excavation.
- **Additional Requirements:**
  - For mobile equipment operated near the edge of the trench, a warning system such as barricades or stop logs must be used.
  - Employees are not permitted to work underneath loads. Operators may not remain in vehicles being loaded unless vehicles are equipped with adequate protection as per 1926.601(b)(6).
  - Employees must wear high-visibility clothing in traffic work zones.
  - Air monitoring must be conducted in trenches deeper than 4' if the potential for a hazardous atmosphere exists. If a hazardous atmosphere is found to exist (e.g., O_2 <19.5% or >23.5%, 20% LEL, specific chemical hazard), adequate protections shall be taken such as ventilation of the space.
  - Walkways are required where employees must cross over the trench. Walkways with guardrails must be provided for crossing over trenches > 6' deep.
  - Employees must be protected from loose rock or soil through protections such as scaling or protective barricades.

TOWN OF SPENCER, MASSACHUSETTS
Office of Utilities & Facilities

TEL: 508-885-7515
FAX: 508-885-9416

3 Old Meadow Road
Spencer, MA 01562

ATTACHMENT 2

SPENCER DRIVEWAY PERMIT NO. _____

TEMPORARY ROADWAY CURB-CUT / ACCESS PERMIT REQUIREMENTS

(FOR SHORT-TERM FORESTRY / LOGGING OPERATIONS ONLY)

Purpose

The _____ project and the property owner are requesting a temporary Roadway Curb-cut/Access Permit for Spencer Parcel ID No. _____ to be located on _____ as indicated on the attached plan(s) for forestry logging operations only. And that a permanent driveway curb cut is not being sought or requested at this time. Therefore, this permit is intended to authorize a temporary Roadway Curb-cut / Access Permit from the parcel contingent upon the following minimum conditions and requirements necessary for the short and long-term protection of the Town's roadway infrastructure assets.

Minimum Construction Requirements

- Owner or contractor shall coordinate with Highway Superintendent and/or Foreman and contractor prior to construction activities to verify specific driveway requirements for temporary driveway location. Owner or Contractor shall schedule a preconstruction meeting at the site with driveway contractor(s), excavator, site superintendent and Town U&F representatives prior to beginning work to confirm temporary driveway construction, drainage concerns and related requirements.
- Prior to beginning the work, photographs documenting existing site and edge of road conditions shall be obtained by or provided to this office
- Owner or contractor shall notify U&F office at least two days prior to constructing the landing/"Stabilized Construction Entrance/Exit" so that we can meet with the construction contractor at the site to agree on final grading and construction conditions and requirements (i.e., drainage swale or pipe, road protection, line of sight, warning signage, etc.).
- For lot clearing or development the Owner/Contractor shall install an anti-mud tracking stabilized construction entrance/exit. Construction shall consist of a "Stabilized Construction Entrance/Exit" as shown on the attached detail. The tracking of mud, dirt, and debris onto the public way is prohibited. Mud or dirt tracked out onto the road shall be swept and removed at the end of each workday. Failure to adhere to this requirement could lead to fines and enforcement as per Town Bylaws.
- The "Stabilized Construction Entrance/Exit" shall be a minimum of 10 feet wide by 50 feet deep and construction of large crushed aggregate stone (3" min. & 6" max.) with corner radius on both sides large enough to accommodate all construction vehicles turning movements.

- NO lip, stones, sudden change in grade or other obstruction near edge of road that could interfere with routine snow plow operations allowed.
- Temporary driveway shall be graded to NOT direct stormwater runoff toward roadway. In all cases the site shall not drain onto local roads at any time. All grading and drainage shall be as directed or required by the Town of Spencer. This may require construction of a swale or the installation of a pipe for drainage.
- If required by the Town the permittee shall install advance MUTCD compliant warning signage on the roadway approaches.

Restoration Requirements

Upon completion of the work:

- The temporary construction entrance/exit landing shall be completely removed within a minimum of 15 feet from the paved roadway edge and shall be regraded to match pre-construction conditions as closely as possible and shall be re-seeded with grass or other Town approved seed mix.
- Where required by the Town large stones 400 pounds or greater shall be placed across the construction landing and shall block any and all types of vehicular access to/from the site.
- Refer to photographs prior to installation of the construction entrance/exit landing so that existing conditions can be restored as closely as possible upon completion of the project.
- The existing road edge shall be reviewed with the Town for any damage that may have occurred and shall be repaired by the property owner to the standards of the Town including but not limited to saw cutting and removal of all damaged areas, backfill and compaction of MassDOT approved base materials, and full depth pavement patch matching the existing roadway pavement thickness.
- All disturbed areas or areas of erosion associated with the project shall be stabilized.
- In the event that the property owner wants to make the temporary driveway/curb cut/landing area access a permanent driveway curb cut/access a new separate Roadway Curb-cut / Access Permit must be obtained at that time and all Town of Spencer driveway permitting and construction requirements shall be met.

Contact the Spencer Utilities and Facities Office if any questions regarding the above or other requirements under this permit, etc.

I have read and understand the above temporary driveway/curb-cut/access requirements and all other Town requirements for driveways, driveway aprons and related work. All construction shall be in conformance with the above and all other applicable Town requirements.

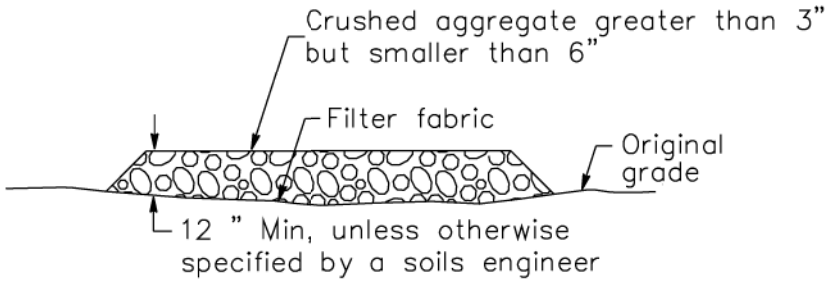
_____ _____

Property Owner Signature Date

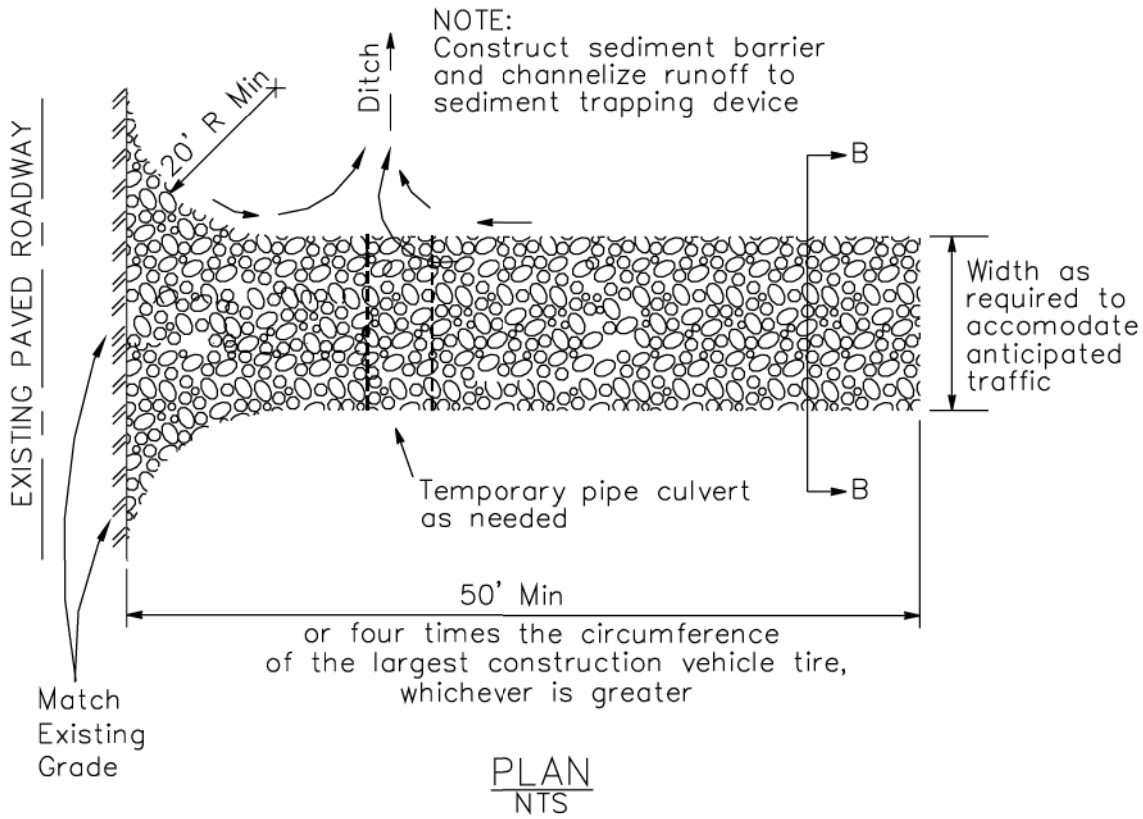
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Print Property Owner Name

Stabilized Construction Entrance/Exit



SECTION B–B
NTS



PLAN
NTS