

**TOWN OF MANSFIELD**  
**DEPARTMENT OF PUBLIC WORKS**  
**REGULATIONS GOVERNING**  
**EXCAVATION/CONSTRUCTION**  
**WITHIN PUBLIC WAYS**  
**EFFECTIVE APRIL 15, 2009**

All applications must be submitted with the following:

- Application to Excavate in Town Public Way
- Permit Fee
- 2 Year Bond as Outlined in Regulations
- Certificate of Insurance as Outlined in Regulations
- Sketch/Drawing of Job
- Trench Permit as Required by G.L.C.82A AND 520 CMR 7.00 et seq. (as amended)

# **TABLE OF CONTENTS**

## **BOARD OF SELECTMEN LETTER OF REGULATION ADOPTION**

### **SECTION I – DEFINITIONS**

### **SECTION II – GENERAL REQUIREMENTS**

- A. PERMITS
- B. POSTED SECURITIES
- C. INSURANCE ENDORSEMENT

### **SECTION III – WORK SAFEGUARDS**

- A. GENERAL REQUIREMENTS
- B. PROTECTION OF PUBLIC
- C. PROTECTION OF PROPERTY
- D. VIOLATIONS

### **SECTION IV – EXCAVATION AND RECONSTRUCTION**

- A. GENERAL REQUIREMENTS
- B. STREET CUT GUIDELINE
- C. BELL HOLE STREET CUT
- D. TRENCH STREET CUT
- E. EMERGENCY STREET CUT
- F. RESTORATION OF PAVEMENT MARKINGS
- G. RESTORATION OF LAWN SURFACES AND PLANTINGS
- H. SHOULDERS
- I. SIDEWALKS
- J. CURBS AND BERMS
- K. DRIVEWAY OPENINGS
- L. CURB CUT
- M. WHEELCHAIR RAMPS
- N. EROSION CONTROL

### **SECTION V – FINES**

### **APPENDIX A – FEE SCHEDULE**

### **APPENDIX B – PERMIT APPLICATION**

**TOWN OF MANSFIELD  
REGULATIONS GOVERNING EXCAVATION/CONSTRUCTION  
WITHIN PUBLIC WAYS**

**SECTION I – DEFINITIONS**

- A. “**Grantee**” shall mean any person, firm, partnership, association, corporation or organization of any kind including utility companies authorized to undertake excavation or in any way make a change to existing conditions in a public way or installing sewers, drains, and/or water mains as defined in the “**Drainlayers’ Regulations**” in the Town of Mansfield.
- B. “**Director**” shall mean Director of the Department of Public Works of the Town of Mansfield. He may, from time to time, delegate certain duties described in these regulations to designees who shall act in the Town’s behalf.
- C. “**Department of Public Works**” shall mean the Town of Mansfield Department of Public Works consisting of the Director and/or his designee.
- D. “**Public Ways**” shall mean any accepted roads, including such appurtenances as berm, curbs, drains, sewers, water mains, sidewalks and shoulders within the layout, for which the public has access and the Town is responsible for maintaining. Roadway hardened surface shall mean any form of pre-existing asphalt based pavement including bituminous concrete, chip seal, slurry seal, etc...
- E. “**Public Right of Way**” – shall mean the area that has been laid out for public travel purposes.
- F. “**Working Day**” shall mean Monday through Friday, holidays excluded, between the hours of **7:00 a.m.** and **3:00 p.m.**
- G. “**Drainlayers’ Regulations**” shall mean regulations adopted by the Mansfield Board of Selectmen to specify the installations of sewer, drain and water mains and the requirement to be a Licensed Drainlayer in the Town of Mansfield. Please see the Drainlayers’ Regulations for information regarding how to become a Licensed Drainlayer.
- H. **Controlled Density Fill (CDF)** - where required, shall be a mixture of Portland cement, fly ash, aggregates, water and admixtures proportioned to provide a non-segregating, self consolidating, free-flowing and excavatable material that will result in a hardened, dense, non-settling fill. CDF is approved as an alternative to “Gravel for Trench Backfill.”

The use of CDF is required for backfill material associated with any construction in paved roadways, or at the discretion of the Mansfield Department of Public Works.

- A. Placement  
CDF is a heavy material and during placement will exert a high fluid pressure against any pipe, manhole, or other material it contacts. The resultant pressure will tend to cause pipe and manholes to float or shift. CDF shall be placed in such a manner as to prevent flotation or shifting of pipe and manholes. CDF shall not be placed on frozen ground or during a time when the air temperature is 38 °F or less and falling.
- B. No CDF shall be placed under water.
- C. Curing  
Contractor shall provide steel plates to span trenches or otherwise prevent traffic or construction equipment coming in contact with CDF until the CDF has hardened sufficiently to prevent rutting. Contractor shall provide cold patch on all edges of steel plates used for vehicular transition in any affected area.
- D. Flowability  
Flowability of the CDF as measured by a slump test shall be 6 to 10 inches.

## SECTION II – GENERAL REQUIREMENTS

### A. Permit

- 1. Applicability – Any person, firm, partnership, association, corporation, or organization of any kind including utility companies who intend to breach or in any way disturb or change any road, berm, curb, sidewalk or should within the limits of a public way or install sewers, drains, water mains as specified in the Drainlayers’ Regulations, shall obtain a permit from the Town which is signed by the Director or his authorized designee for the Department of Public Works.
- 2. Issuance
  - a. Except in the case of an emergency or otherwise authorized by the Director or the Department of Public Works, a permit shall not be issued for major work in critical areas of high traffic volume during the periods **December 1 and April 1**. Major work being described as any excavation that will adversely affect vehicles or foot traffic or create unsightly conditions.
  - b. Application forms for permits shall be obtained from the Department of Public Works, 6 Park Row, Mansfield, MA telephone (508) 261-7335.
  - c. Completed applications shall be submitted to the Department of Public Works no later than five (5) full working days prior to the start of any work. Each application shall be accompanied by plans showing the exact location of the excavation by using house

numbers, pole numbers, etc. and specifications which are commensurate with the size and complexity of the proposed work.

- d. Permits shall be issued within three (3) working days following the receipt of the completed application including fees and securities.
  - e. Permits shall be issued for the period not exceeding six (6) months. They may, with written permission of the Director of Department of Public Works, be extended for an additional period of six (6) months. After one (1) year, a new permit shall be required.
  - f. In the case of an emergency repair, such as a break in a public utility pipe, a permit shall be applied for within one (1) working day following the start of work and shall contain a written statement of the conditions, which necessitated the work. Notwithstanding the foregoing, the person or company engaged in the emergency action shall notify the Police, the Department of Public Works and Fire Departments prior to the start of work. If the emergency occurs outside of business hours, the person or company engaged in the emergency action shall request the Police to notify the Department of Public Works.
3. Notifications – The Grantee shall notify the Department of Public Works at least two (2) working days prior to:
- a. Commencing actual work, providing the Town with the start date and scheduling an appointment for an inspection of work site related to traffic control devices at least 24 hours prior to starting work, where applicable. Traffic control devices must meet the Federal D.O.T. M.U.T.C.D. Manual.
  - b. Must obtain prior approval if using steel plates or if trench is to be left unpaved.
  - c. Installing a temporary or permanent patch.
- The work must be inspected by the Department of Public Works by appointment with 24 hours notice prior to request for the following:
- a. Backfill inspection prior to pavement patching.
  - b. Controlled Density Fill (CDF) inspection.
  - c. Temporary pavement inspection. (If using compaction, also must supply Town with compaction testing results.)

- d. Prior to permanent patch.
- e. After patch has been completed.

The Grantee shall also notify the Department of Public Works within two (2) working days following the completion of all work.

- 4. Notice of Completion – Upon completion of work, including installation of the permanent patch and other restoration work, the Grantee shall notify the Department of Public Works indicating compliance with standards set forth in these regulations.
- 5. Fees – At the time of application, a minimum base charge shall be paid as indicated in the attached fee schedule. The charge is in addition to charges assessed by the Town for a sewer or water connection or utility extension, which require separate applications.

The initial base application fee shall cover all excavations up to and including one hundred (100) square feet. The size of excavation shall be determined by the Department of Public Works at the time of the initial application (see attached). The charge for excavation or pavement patch after the initial one hundred (100) square feet shall be indicated in the attached fee schedule.

Unless otherwise specified, fees may be paid by check made payable to the “Town of Mansfield”.

- 6. Permits at Work Site – A copy of the permit along with any special written instructions issued by the Director shall be posted at the work site so that it is visible to passing vehicles at all times and shall be made available, at any time, to any official of the Town of Mansfield including employees of the Department of Public Works and the Police and Fire Departments.
- 7. Revocation of Permits – Permits shall be cancelled or suspended at any time by the Director of Public Works due to the Grantee’s failure to comply with these regulations. Permits are automatically cancelled when either the insurance endorsement or posed security are cancelled and upon expiration of time indicated on the permit.
- 8. Permit Refusal – If a Grantee fails to perform work in accordance with these regulations, the Director may refuse to issue subsequent permits to the Grantee until such time as all prior work performed by the Grantee and Department of Public Works is completed to the satisfaction of the Department of Public works and it is shown that the Grantee will comply with these regulations in the future.

## **B. Posted Securities**

### 1. Requirements

- a. Before a permit is issued, the Grantee shall post a certified check made payable to the “Town of Mansfield” or surety bond which guarantees the faithful, satisfactory, timely and safe performance and completion of the work and for the repair of any damage to existing utilities including sewer, drains or water mains in accordance with these regulations. In the case of a utility company which performs its own work, a satisfactory bond of security will be acceptable if the terms guarantee the performance of the work in accordance with these regulations.
- b. All posted securities shall be written so as to allow the Town of Mansfield, without further recourse, to perform work deemed necessary by the Director to correct any deficiency and all costs incurred by the Town shall be applied against the security if they are not recovered within thirty (30) days following the date of the bill sent to the Grantee. Additionally, it shall provide that the security cannot be released without approval of the Director.
- c. The certified check, if used for surety, must be filed with the Town Treasurer. The surety bond must be filed with the Department of Public Works. Whichever method of security is used, a copy must be attached to the permit application.

### 2. Security Amounts

- a. The security amounts are indicated in the attached schedule.
- b. The Director may require larger amounts of security if the size and complexity of the work so indicates.

### 3. Guarantee and Release of Security

- a. The guarantee period, during which the Grantee shall be responsible for restoration, repair and maintenance, is two (2) years commencing from the date of completion of the work.

- b. The posted security shall be released by the Director at the end of the guarantee period provided no repair work is pending at that time. If repair work is pending, the posted security shall be retained until such time as the repair is completed to the satisfaction of the Director or his designee.
- 4. Annual Security – At the discretion of the Director an acceptable annual security may be posted in lieu of individual security for each permit issued.

**C. Insurance Requirements**

- 1. Requirement – Before a permit is issued, the Grantee shall file with the Department of Public Works, an insurance certificate as described in the Drainlayers’ Regulations and reprinted below:

All contractors shall file an insurance certificate(s) listing the Town as the additionally insured and stating that the Town shall be notified 30 days prior to cancellation annually with the Town of Mansfield for the appropriate insurance coverage show below:

- a. Worker’s Compensation Insurance for the protection of all employees in accordance with applicable state law.
- b. Contractor’s liability with limits of \$1,000,000.00.
- c. Automotive liability on and off public highways, owned vehicles, hired vehicles, and non-ownership liability with a limit of \$1,000,000.00.

Liability insurance shall cover property damage insurance, blasting and explosion, underground damage to utilities, and collapse.

**SECTION III – WORK SAFEGUARDS**

**A. General Requirements**

The Grantee shall be responsible for the safety of the public property from the time work is started to the end of his guarantee period.

**B. Protection of Public**

1. OSHA Requirements – Contractors must submit certified statement of 10 hour OSHA training. Must adhere to OSHA rules and regulations for safety and confined space entry.
2. Passable Roads – roads shall be kept passable at all times unless special written permission of the Police Department, Fire Department and the Department of Public Works has been obtained.
3. Traffic Protection – The Grantee shall maintain safe crossings for two (2) lanes of vehicle traffic at all public intersections as well as safe crossings for pedestrians at intervals of not more than three hundred (300) feet. If an excavation is made across a public way, it shall be made in sections to assure maximum safe crossings for vehicles and pedestrians. If the way is not wide enough to hold excavated material for temporary storage, the material shall be immediately revoked from the location.
4. Traffic Control Devices – The Grantee shall furnish and install necessary traffic control devices to ensure the safe and expeditious movement of vehicular and pedestrian traffic through the construction area. An approved plan must be submitted with the application. For work running lengthwise, an inspection of these devices must be scheduled prior to the start of the project. Traffic control devices include among others, signs, lighting devices, cones, barricades and hand signaling devices. All such devices shall be in accordance with the provisions of Massachusetts Manual on Uniform Traffic Control Devices.” Additional devices may be required by the Director and/or Chief of Police.
5. Police – Prior to commencing work, the Grantee shall confer with the Chief of Police to determine whether a police officer(s) is required to maintain traffic control and public safety at the work site. All costs for police officers shall be the responsibility of the Grantee.
6. Noise – The Grantee shall conduct and perform excavation work in such a manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. Except in the case of an emergency, no work shall be performed between the hours of 7:00 p.m. and 7:00 a.m.

**C. Protection of Property**

1. Vital Structures – The excavation work shall be performed and conducted so as not to interfere with access to fire hydrants, fire stations, police stations, fire escapes, catch basins or any other vital public necessity as designated by the Director.

2. Adjoining Property – The Grantee shall at all times and at his own expense preserve and protect from injury and adjoining property by providing proper foundations and by taking such other precautions as may be necessary for the purpose. The Grantee shall, at his own expense, shore up and protect buildings, trees, walls, fences or other property likely to damage during the progress of the excavation work and shall be responsible for all damages to public or private property or roads resulting from its failure to properly protect and carry out said work.
3. Dust and Cleanup – During the course of and upon completion of work, all public ways shall be thoroughly cleaned at the Grantee's expense, of all rubbish, excess earth, rock and other debris. The Grantee shall take necessary precautions to prevent and avoid dust and to keep gutters free and unobstructed for the full depth of the adjacent curb.
4. Catch Basins – The Grantee shall keep all catch basins clear and serviceable.
5. Utilities, Sewers and Drains – The Grantee shall in accordance with Massachusetts General Laws currently in effect, give proper and timely notice to public utilities before making any excavation in a public way. A DIG SAFE NUMBER, as well as utility permit numbers (water and/or sewer) is required prior to the issuing of any excavation permit. Also, before the Grantee starts any excavations, he must confer with all divisions within the Department of Public Works to obtain information regarding location of water, sewer and drainage systems and any other special conditions, which must be taken into consideration when performing work. The Grantee shall not interfere with any existing facility without the written consent of the owner of the facility. If it becomes necessary to relocate any existing utility, this shall be done by its owner and the cost of such work borne by the Grantee. The Grantee shall inform itself as to the existence and location of all underground facilities and protect the same against damage.

Grantee shall adequately support and protect by timbers, sheeting, etc., all pipes, conduits, poles, wires, cables or other appurtenances which may be in the way affected by the excavation work, and do everything necessary to support, sustain and protect them under, over, along and across such work area. In the event any of said pipes, conduits, poles, wires, cables or appurtenances are damaged, and for this purpose pipe coatings or outer encasements or similar type protective devices are to be considered as part of a substructure, such damage shall be repaired by the agency or the persons owning them and the expense of such repairs borne by the Grantee. The Grantee shall be responsible for any water, sewer, drain, or gas pipes, wires, conduits or other such similar type appurtenance.

6. Monuments – The Grantee shall engage a Registered Land Surveyor to reset any survey boundary monuments disturbed during the course of work.
7. Trees – The Grantee shall not remove, even temporarily, any trees or shrubs, which exist within the public right of way without first obtaining permission from the Town Tree Warden. In the event that a tree or shrub is damaged, destroyed or is authorized for removal, the Grantee shall replace the tree or shrub at his own expense. The species, size and place of relocation shall be determined by the Tree Warden.
8. Scenic Ways – On roads which have been designated as “Scenic Roads,” the tearing down, painting or destruction of stone walls, cutting or removal of trees, and the repair, maintenance and reconstruction or paving work done within the right of way, including the construction of new driveways or alteration of those existing, insofar as they affect stone walls or trees within the right of way shall require the written approval of the Planning Board in accordance with State and Town Regulations.

#### **D. Violations**

Any condition at the work site which, in the opinion of the Director or designees, Police Department, Fire Department, or Building Inspector adversely affects the safety of the public or property shall be immediately corrected by the Grantee. If the Grantee fails to take corrective actions, the Department of Public Works will take whatever action is deemed necessary to correct the problem and the Grantee shall be charged for the cost of the work. Repeated violations shall result in the revocation of the permit.

### **SECTION IV – EXCAVATION AND RECONSTRUCTION**

#### **A. General Requirements**

Excavation and reconstruction within the public way (roadway, hardened surface, curbing, sidewalks, wheelchair ramps, shoulders) shall be in accordance with the standards set forth in these regulations.

- All work and materials used must conform to the 1988 edition of the “Commonwealth of Massachusetts Department of Public Works Standard Specifications for Highways and Bridges” as amended. All construction shall conform to the 1977 edition of the “Commonwealth of Massachusetts Department of Public Works Construction Standard” as amended.

- Materials used for backfilling trench shall be approved by the DPW Director or his designee. Material shall not be placed in lifts greater than 12-inches and be mechanically tamped to within 95% of maximum dry density as determined by the modified Proctor Test in accordance with ASTM 1557 Method D. The contractor must retain a geo technical consultant to perform these tests in backfill lifts during compaction. The results of these tests will be submitted to the Town and contractor on a timely basis so that the contractor can take action if required to remedy any deficiencies. **(Amended 11/22/95 by BOS)**
- Perpendicular trenches and trenches less than 30 ft shall be required to use controlled density fill (CDF).
- All trenches and excavations shall be braced and sheathed when necessary as required by OSHA specifications.
- Prior to obtaining a permit, the Grantee must contact the “Dig Safe” center at 1-888-344-7233 and the Mansfield Department of Public Works for water and sewer mark outs at 508-261-7330 for the necessary mark-out of all existing utilities and obtain a “Dig Safe” number.
- Before starting work please notify the Mansfield Department of Public Works at 508-261-7335.
- A Police Officer may be required on site as determined by the Police Department.
- Care must be taken so as to not interfere with existing underground utilities and structures.
- No roadway or property bounds may be disturbed.
- All debris and litter remaining from the proposed construction shall be removed by the Grantee and the area shall be left clean.
- The Grantee shall indemnify and hold harmless the Town of Mansfield and its Department of Public Works against all suits, claims and liability of every name and nature arising at any time out of or in consequence of the acts of the Grantee in the performance of the work covered by this permit whether by themselves or their employees or subcontractors.
- Signs and traffic control devices are required within the work area. All required signs and devices shall be supplied by the Grantee. All signs and devices shall conform with the “Manual on Uniform Traffic Control Devices”. The Director holds the right to request additional items as deemed necessary for the work and safety of the traveling public. All devices shall be subject to removal, replacement and repositioning by the Grantee at the direction of the Director and the Mansfield Police Department.
- All personnel who are working within the traveled way or breakdown lanes shall wear approved safety vests and hard-hats.
- All said work shall be done as directed by and to the satisfaction of the Director.
- A copy of the permit must be on the job site at all times for inspection. Failure to have the permit available at such site will result in suspension of the rights granted by the permit.

- No water required for compaction shall be consumed from any Mansfield Water Department fire hydrants by the Grantee.

**B. Street Cut Guidelines**

Under no terms but an emergency situation shall the Director grant a street cut permit on a roadway which has been reconditioned within the past five (5) years of the date of reconditioning exercise. Under an emergency condition, the Grantee shall comply with the “Emergency Street Cut” specifications as delineated within Section E.

**C. Bell Hole Street Cut**

A “Bell Hole” is defined as an excavation made within the hardened surface of the roadway, no greater than 3 ft. x 5 ft. in area.

When the existing pavement is to be disturbed it shall be sawcut in neat, true lines along the area of the bell hole. The bell hole shall then be excavated and the utility installed or repaired. The backfill for conduit or pipes shall be gravel or suitable excavated material free from large lumps, clods or rock placed between the pipe and the walls of the bell hole in layers not to exceed 6-inches in depth and thoroughly compacted. Each layer, if dry, shall be moistened and then compacted by rolling or tamping with mechanical rammers. Special care must be taken to thoroughly compact the fill under the haunches of the pipe and conduit. This method of filling and compacting shall be continued until the material with the top of the pipe or conduit. The remainder of the fill shall consist of suitable material excavated from the bell hole placed in successive layers not more than 6-inches in depth. Each layer shall be thoroughly compacted as specified above to a compacted depth of 3-inches below the existing roadway surface. The bell hole shall then be patched temporarily with 3-inches of bituminous concrete binder course Type I-1, placed in one course.

Permanent patching will not begin for 90 days, or until the Director’s judgment final compaction and settlement of the bell hole area has taken place. The temporary patch and underlying material shall then be excavated to a depth of 6-inches below the existing surface. If additional cutting of the existing pavement is required, it shall be done in neat, straight lines.

All abutting edges of the existing pavement shall be painted with RS-1 emulsion immediately prior to the placement of the permanent patch.

Bell Hole areas shall receive 6-inches of bituminous concrete as follows:

- 3-inch bituminous concrete base Type I-1
- 1-1/2 inch bituminous concrete binder Type I-1
- 1-1/2 inch bituminous concrete top Type I-1

The infra-red method must be performed in conjunction with the permanent patch to create a smooth driving surface consistent with the existing roadway.

All edges shall be “sand sealed” with materials approved by the DPW.

All Bell Hole areas shall be maintained at all times for inception until the resurfacing of this particular portion of the roadway.

All traffic safety lines if disturbed shall be replaced in kind.

#### **D. Trench Street Cut**

The hardened surface of the roadway may be opened for the proposed excavation, however only one-half may be opened at one time. The flow of traffic must be maintained at all times.

Unless a shorter length is specified by the DPW, the length of open trench permissible at any one time shall be limited to not more than three hundred (300) feet.

When the existing pavement is to be disturbed it shall be sawcut in neat, true lines. The area shall then be excavated and the utility installed or repaired. The backfill for conduit or pipes shall be as per the Town of Mansfield Drainlayer’s Regulations. The remainder of the fill shall consist of suitable material excavated from the bell hole placed in successive layers not more than 6-inches in depth. Each layer shall be thoroughly compacted as specified above to a compacted dept of 3-inches below the existing roadway surface. The trench shall then be patched temporarily with 3-inches of bituminous concrete binder course Type I-1, placed in one course.

Permanent patching will not begin for 90 days, or until the Director’s judgment final compaction and settlement of the trench street cut area has taken place. The temporary patch and underlying material shall then be excavated to a depth of 7-inches below the existing surface. If additional cutting of the existing pavement is required, it shall be done in neat, straight lines.

All abutting edges of the existing pavement shall be painted with RS-1 emulsion immediately prior to the placement of the permanent patch.

The permanent patch area shall receive minimum to the depth of the existing pavement or 5 inches, but no less than 5 inches of bituminous concrete as follows:

- 3-inch bituminous concrete base Type I-1
- 2 courses of 2 inch bituminous concrete top Type I-1

The infra-red method must be performed in conjunction with the permanent patch to create a smooth driving surface consistent with the existing roadway.

All edges shall be “sand sealed” with materials approved by the DPW.

All permanent patch areas shall be maintained at all times from inception until the resurfacing of this particular portion of the roadway.

All traffic safety lines if disturbed shall be replaced in kind.

**E. Emergency Street Cut**

The hardened surface of the roadway may be opened for the proposed excavation, however only one-half may be opened at one time. The flow of traffic must be maintained at all times.

When the existing pavement is to be disturbed it shall be sawcut in neat, true lines. The trench shall then be excavated and the utility installed or repaired and controlled density fill placed to a depth of 7-inches below the existing surface. The trench shall then be plated securely and ramped with bituminous concrete overnight to allow the controlled density fill to cure.

The permanent patch area shall receive minimum to the depth of the existing pavement or 5 inches, but no less than 5 inches of bituminous concrete as follows:

- 3-inch bituminous concrete base Type I-1
- 2 courses of 2 inch bituminous concrete top Type I-1

The infra-red method must be performed in conjunction with the permanent patch to create a smooth driving surface consistent with the existing roadway.

All edges shall be “sand sealed” with materials approved by the DPW.

All trench areas shall be maintained at all times from inception until the resurfacing of this particular portion of the roadway.

All traffic safety lines if disturbed shall be replaced in kind at the expense of the Grantee.

**F. Restoration of Pavement Markings**

All permanent pavement markings (crosswalks, center lines, fog lines), which are damaged during construction, shall be restored in kind by and at the expense of the Grantee.

**G. Lawn Surfaces and Plantings**

All lawn surfaced which are disturbed during construction shall be replaced with sod or 6-inches of screened loam, lime, fertilized and re-seeded with good quality lawn seed. Likewise, any areas containing plantings shall be restored to their original condition with same or similar plantings. Special care shall be taken to insure that the areas are re-landscaped to meet the conditions, which existed before the excavation.

## **H. Shoulders**

The backfill for conduit or pipes shall be gravel or suitable excavated material free from large lumps, clods or rock placed between the pipe and the walls of the bell hole in layers not to exceed 6-inches in depth and thoroughly compacted. Each layer, if dry, shall be moistened and then compacted by rolling or tamping with mechanical rammers. Special care must be taken to thoroughly compact the fill under the haunches of the pipe and conduit. This method of filling and compacting shall be continued until the material with the top of the pipe or conduit. The remainder of the fill shall consist of suitable material excavated from the bell hole placed in successive layers not more than 6-inches in depth. Each layer shall be thoroughly compacted as specified above.

Shoulders shall be reconstructed to their existing condition, shall be either loamed with 6-inches of loam, lime, fertilized, and seeded with roadside grass mix or covered with 4-inches of wood chips as directed by the DPW.

## **I. Sidewalks**

The backfill for conduit or pipe shall be gravel or suitable excavated material free from large lumps, clods or rock placed between the pipe and the walls of the excavation in layers not to exceed 6-inches in depth and thoroughly compacted. Each layer, if dry, shall be moistened and then compacted by rolling or tamping with mechanical rammers. Special care must be taken to thoroughly compact the fill under the haunches of the pipe and conduit. This method of filling and compacting shall be continued until the material with the top of the pipe or conduit. The remainder of the fill shall consist of suitable material excavated from the area hole placed in successive layers not more than 6-inches in depth. Each layer shall be thoroughly compacted as specified above.

All sidewalk areas and wheelchair ramps will be installed by the Grantee in conformance with the Architectural Access Board Regulations.

**Bituminous concrete sidewalks** shall be repaired using the specifications required for a "Trench Street Cut" back the thickness of the bituminous concrete will be 2-inches thick, compacted, laid in two 1-inch courses (binder and top).

**Concrete sidewalks** shall be repaired as per the 1988 edition of the “Common of Massachusetts Department of Public Works Construction Standard” as amended. Pre-formed expansion joints will be installed against buildings, walls, steps, foundations, or existing concrete block.

**J. Curb and Berm**

Any curbing or berm, which is damaged or removed as part of the Grantees application for excavation, shall be properly replaced, in kind, by the Grantee unless otherwise approved by the Director. All installations shall conform to the 1988 edition of the “Commonwealth of Massachusetts Department of Public Works Standard Specifications for Highways and Bridges” as amended. All construction shall conform to the 1977 edition of the “Commonwealth of Massachusetts Department of Public Works Construction Standard” as amended.

**Poured concrete curb** – The use of cast-in-place concrete curbing is prohibited without specific approval of the Director.

**Disposition of existing granite curbing** – All salvageable granite curb removed from the public way is the property of the Town of Mansfield and shall be delivered to the Highway Garage, 500 East Street, Mansfield, MA.

**K. Driveway Openings**

Driveway entrances into public ways shall be constructed or reconstructed according to the conditions existing in the immediate area. The driveway material must butt into and not overlap the edge of the existing roadway hardened surface. The driveway must be constructed on a minus grade from the edge of the hardened surface to the Town right-of-way. All installations shall conform to the 1988 edition of the “Commonwealth of Massachusetts Department of Public Works Standard Specifications for Highways and Bridges” as amended. All construction shall conform to the 1977 edition of the “Commonwealth of Massachusetts Department of Public Works Construction Standard” as amended. The driveway must be graded in such a manner that no ponding of water occurs within the Town right-of-way. If ponding results, the Grantee shall be responsible for its correction.

**Bituminous concrete** – The driveway must have a 6-inch foundation of compacted gravel and paved with 3-inches of bituminous concrete, 1-1/2-inches binder and 1-1/2 inches top laid in two (2) courses.

**Concrete** – The driveway must have a 6-inch foundation of compacted gravel, 8-inches of Portland cement concrete with 6-inch x 6-inch number eight (8) reinforcing wire.

Driveways shall not be located on small radius curves and shall be positioned as to provide maximum sight distance and safety.

Abandoned driveway entrances shall be reconstructed to match the existing surrounding area.

**L. Curb Cuts (Amended 11/5/03 by BOS)**

Any curb cut within an accepted or Town maintained right-of-way will require a “Permit to Excavate in the Public Way”. The maximum curb cut dimensions shall conform to Section 4.4.4.9 of the Town of Mansfield Zoning By-Laws:

**“4.4.4.9 Entrance/Exit Drive Widths and Location**

A. The minimum distance between an entrance or exit drive at the street (right-of- way) line and the curb line of an intersection street shall be fifty (50) feet in all directions.

B. The maximum width of an entrance or exit drive at the street (right-of-way) line shall be twenty-four (24) feet in a Residential district and forty (40) feet in any other district. If the driveway is divided to separate entrance and exit movements, the combined width may be increased to sixty (60) feet.

C. The Planning Board may authorize departures from the above standards as follows:

1. In Industrial, Business and Planned Business districts, the Board may authorize more than two access driveways if it determines that such additional driveways are necessary to provide adequate area for safe vehicular turning movements and circulation. In any case, there shall be no more than one additional access driveway for each one hundred (100) feet of frontage, and all two-way access driveways on a single lot shall be at least one hundred (100) feet apart measured from the centerline of each access driveway.
2. In Industrial, Business and Planned Business districts, the Board may authorize a driveway with a greater width than provided for herein when the Planning Board finds that such width would facilitate traffic flow and safety.

No increase in the number or widths of driveways shall be granted unless the Planning Board specifically finds that the proposed design would provide greater traffic safety than a design conforming to the design standards set forth herein.”

Subdivisions that require curb cut access onto Public Right-of-Ways shall conform to Mansfield's "Subdivision Regulations" with approval from the Planning Board.

**M. Wheelchair Ramps**

Existing wheelchair ramps, which are damaged or removed, shall be reconstructed in kind in accordance with the 1988 edition of the "Commonwealth of Massachusetts Department of Public Works Standard Specifications for Highways and Bridges" as amended. All construction shall conform to the 1977 edition of the "Commonwealth of Massachusetts Department of Public Works Construction Standard" as amended.

All sidewalk areas and wheelchair ramps will be installed by the Grantee in conformance with the Architectural Access Board Regulations.

**N. Erosion Control**

The Grantee shall be responsible for all erosion control within the Grantee's work area and will be responsible for obtaining any necessary permits from the Conservation Commission if required. The Grantee shall protect drainage structures from siltation by whatever means required, including but not limited to the installation of hay bales and/or repair the structure at no cost to the Town of Mansfield.

**SECTION V – FINES**

- A. Any person, firm, partnership, association, corporation or organization of any kind including utility companies who perform non-emergency excavation work without a permit or continues to perform excavation work of any kind after a permit has expired shall be fined two hundred dollars (\$200) a day until a permit has been applied for.
- B. Anyone who performs emergency work without contacting the DPW prior to the start of work and fails to apply for a permit within one (1) working day following the start of the work shall be fined two hundred dollars (\$200) a day until a permit has been applied for.
- C. Anyone who performs work without a permit on the basis that it is an emergency and subsequent documentation, as required by these regulations, fails to justify the emergency shall be fined two hundred dollars (\$200) a day until a permit has been applied for.

## APPENDIX A

### FEE SCHEDULE

#### Application Fee – Non-Refundable

- **Base charge** \$50.00 per application, covers one excavation up to one hundred (100) square feet.
- **Additional Charge** \$0.20 per square foot of trench area in Town Right-of-Way.

**Security** – Refundable upon successful completion at the end of two (2) year warrantee period.

- **Base charge** \$5000.00 per application, covers one excavation up to one hundred (100) square feet.
- **Additional charge for surface area** \$10.00 per square foot.
- **Additional charge for the connection to Town owned utilities**  
Cost of work as estimated using “Means Construction Cost Estimating” data for the current year.