

**Town of North Elba/Village of Lake Placid Highway Department-**

**Right of Way Permit Form**

<input type="checkbox"/> Applicant	<input type="checkbox"/> Prop. Owner	Town of North Elba/Village of Lake Placid Permit to Install or Repair:			
Name:		<input type="checkbox"/> Driveway <input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Water Line <input type="checkbox"/> Tel/Elec/Cable <input type="checkbox"/> Other: Roadway		
Company:		Location:	Road Name:		
Address:		Description:			
Town:					
Phone #:					
<b>Contractor</b>					
Name:					
Company:					
Address:		Project Begin Date:			
Town:				Project End Date:	
Phone #:					
Cell #:					

**Conditions:**

Under Section 136 of the New York State Highway Law, any entity, whether public or private, desiring to work in the Town of North Elba/Village of Lake Placid right of way including but not limited to, Highway Streets, Roads, and sidewalks must secure a permit. This permit shall be issued based upon the approval of the Superintendent of Highways prior to the commencing of the project. Conditions for this approval will be the following:

1. General Conditions

- a) All work in the Town of North Elba/Village of Lake Placid right of way shall be performed in a manner that is satisfactory to the town of North Elba/Village of Lake Placid Superintendent of Highways.
- b) The location of the new or replaced installation is to be approved by the superintendent prior to construction. Its placement shall be located to minimize its impact on the traveling public and not be a hazard to them.

- c) The applicant is to contact Dig Safe at 811, before commencing work, as mandated by New York State Law, Code Rule 753. Advanced notice of two full working days is required for this service.
2. Hold Harmless Clause: The applicant is to keep in good repair all pipes, hydrants and all other appurtenances which may be placed within the bounds of the Right of Way under terms of this permit. He shall also indemnify and hold harmless the Village of Lake Placid from all damages that may accrue due to their installation and location in the Right of Way. Upon notice of the superintendent of Highways, Applicant agrees to make any repairs required for the protection and preservation of the Right of Way and further consents that upon failure of the applicant to make such repairs, they may be made by the Town of North Elba /Village of Lake Placid Superintendent of Highways at the expense of the applicant. Such expenses shall be a prior lien upon land benefited by the Right of Way for such pipes, hydrants, or appurtenances.
  3. Traffic: While working in the Town of North Elba/Village of Lake Placid right of way , at least one lane of traffic is to remain open at all times, unless the Superintendent of Highways ahead of time makes an exception. Proper use of flagmen, cones, barricades and construction zone signs, etc., must be maintained at all times while working in the right of way.
  4. Driveway Entrances: The Town of North Elba/Village of Lake Placid Highway Superintendent prior to commencing work for adequate sizing, proper grade and location and drainage will evaluate the installation of new driveway entrances. If it is determined that a culvert is not warranted, the applicant is to backfill the driveway with a minimum of 6” of suitable compacted Item #4 gravel. Paving of the driveway apron may be necessary as conditions dictate. The Highway Superintendent will determine if this is necessary. If a new culvert is required, the property owner shall be responsible for its installation. The Highway Superintendent will specify the diameter, length, and type of pipe to be used. The standard residential driveway entrance will consist of one (1) 20-foot long pipe. In exceptional cases, longer pipes may be allowed. Suitable compacted backfill will be required over the culvert. If conditions are favorable, a larger diameter pipe than what was recommended may be used, provided that there would be enough cover material over the culvert. After installation by the applicant, maintenance of the pipe shall be the owner’s responsibility.
  5. Installation by Boring: When feasible, the applicant shall install the new facility by the use of a boring machine and pushing the structure under the roadway.
  6. Installation by Trenching: When boring is not possible and with the approval of the Superintendent of Highways, trenching in the Village of Lake Placid will be allowed in accordance with the specification set fourth in attached schedule. Proper patching of this trench will be the applicant’s responsibility.
  7. Depth of Installation: Proper depth of installation of new wires, pipes, etc., is critical for future highway work. Unless specified elsewhere in this permit, the following minimum depths are to be achieved: Telephone and Electric Cables - 24”; Sewer Pipes and Services- 36”; Water Pipes and Services -60”.
  8. Site Restoration: Upon completion of the installation, the work area is to be left in at least the same condition as prior to the work being done. If the Village of Lake Placid has to repair the site, the property owner shall be charged for all costs associated with the restoration work.
  9. Insurance: The applicant is to carry a general liability insurance policy in the event that an injury or damage to property results from the installation covered by this permit. Contractors hired to do the work shall have a minimum of \$1,000,000 coverage per occurrence, \$2,000,000 aggregate. In the event that an individual is doing the work himself, he is to secure a construction rider to his existing homeowner’s insurance policy containing a minimum of \$250,000 for general liability insurance. If such policy does not currently exist, coverage for the construction must be secured. The Town of North Elba/Village of Lake Placid must be named on any and all insurance policies as an additional insured. In either case, one should check with his insurance agent on this matter. Proof of insurance must be submitted to the Town of North Elba/Village of Lake Placid Clerk with this application.

10. Violations and Penalties: Any violations of the terms of this permit and/or Highway Law 136, the applicant shall be liable for a fine of not less than \$25,00, nor more than \$1,000 for each day of the violation. Such penalties shall be recovered by the Town of North Elba/Village of Lake Placid Superintendent of Highways and paid to the Village of Lake Placid Treasurer to the Credit of the Town of North Elba/Village of Lake Placid.
11. Additional Comments/Conditions:
- a) All right of way surfaces disturbed must be returned to their original condition within \_\_\_\_\_ days of completing the work.
  - b) Deposits will be released upon approval of Superintendent of Highways.

PROJECT SKETCH

\_\_\_\_\_  
APPLICANT'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SUPERINTENDENT OF HIGHWAYS SIGNATURE

\_\_\_\_\_  
DATE

**FOR OFFICE USE ONLY**

Type of Operation:                      Fee Schedule:                      Amount Due: \_\_\_\_\_

Non-Refundable

<input type="checkbox"/> Boring	\$50.00	Check #: _____
<input type="checkbox"/> Open Cut	\$500.00	Deposit #: _____
<input type="checkbox"/> Sidewalk Open Cut	\$250.00	

Refundable:

<input type="checkbox"/> Roadway	\$2,500.00	Sketch/Specs Received: _____
<input type="checkbox"/> Sidewalk	\$1,500.00	Proof of Insurance Received: _____