



State of Vermont
Policy, Planning & Intermodal Development Division
Policy, Planning and Research Bureau
Development Review & Permitting Services Section
One National Life Drive
Montpelier, VT 05633-5001
vtrans.vermont.gov

[phone] 802-636-0037

[ttd] 800-253-0191

Agency of Transportation

November 20, 2018

Vermont Electric Power Company, Inc.
Scott Massie
366 Pinnacle Ridge Road
Rutland, VT 05701

Subject: Hartford, I-91, L.S. 3875+52 LT & RT

Dear Mr. Massie,

Your application for a permit to work within the State Highway right-of-way to replace an existing structure, at the location indicated, has been processed by this office and is enclosed.

Please contact the District Transportation Office #4 prior to starting work in the state highway right-of-way. The telephone number in White River Junction is (802) 295-8888.

Sincerely,

A handwritten signature in blue ink that reads "Brian R. McAvoy".

Brian R. McAvoy
Permit Coordinator
Permitting Services

Enclosures

cc: District Transportation Office #4
FHWA

PERMIT ID# 42763

FOR AGENCY USE ONLY
Town: Hartford
Route: I-91
Mile Marker: 73.40
Log Station: 3875+52 LT & RT

VERMONT AGENCY OF TRANSPORTATION
State Highway Access and Work Permit

Owner's/Applicant's Name, Address, E-mail & Phone No. Vermont Electric Power Company (VELCO)
366 Pinnacle Ridge Rd, Rutland, VT 05701 Ph# (802) 770-6460
Co-Applicant's Name, Address, E-mail & Phone No. (if different from above) _____

The location of work (town, highway route, distance to nearest mile marker or intersection & which side)
Hartford, VT Interstate Highway I-91 - Mile Marker 73.4

Description of work to be performed in the highway right-of-way (attach plan) _____
Replacement of a 115kv structure on the western side of the south bound lane of
I-91. ALL work is outside of the VTRANS ROW. See attached detailed work
description.

Property Deed Reference Book: _____ Page: _____ (only required for Permit Application for access)
Fee \$ 100 (fees do not apply for residential or agricultural purposes)

Is a Zoning Permit required? Yes ☐ No ☒ - If Yes, # _____

Is a 30 VSA § 248 permit required? Yes ☐ No ☒ - If Yes, # _____

Is an Act 250 permit required? Yes ☐ No ☒ - If Yes, # _____

Other permit(s) required? Yes ☐ No ☒ - If Yes, name and # of each _____

Date applicant expects work to begin November 20 18

Owner/Applicant: Scott Massie Position Title: Construction Manager
(Print name above)

Sign in Shaded area: _____ Date: _____

Co-Applicant: _____ Position Title: _____
(Print name above)

Sign in Shaded area: _____ Date: _____

INSTRUCTIONS:

-Contact the Development Review and Permitting Services Section (802.828.2853) or your local area Transportation Maintenance District Office to determine your issuing authority. The issuing authority will determine what plans, fee and other documents are required to be submitted with your Vermont Statutes Annotated, Title 19, Section 1111, permit application request.

- **Original signatures are required on an original Form.** The Owner/Applicant and Co-Applicant (if applicable) declares under the pains and penalty of perjury that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

FEE:

-See Fee Schedule for applicable administrative processing and application review fee.

PERMIT APPROVAL

This covers only the work described below: Permission is granted to work within the state highway right-of-way to replace an existing structure, in accordance with the attached plans and permit special conditions.

The work is subject to the restrictions and conditions on the reverse page, plus the Special Conditions stated on the attached page(s).

Date work is to be completed December 1, 2019

Date work accepted: _____

By [Signature]
Authorized Representative for
Secretary of Transportation

Issued Date November 20, 2018 By: _____
DTA or Designee

NOTICE: This permit covers only the Vermont Agency of Transportation's jurisdiction over this highway under Vermont Statutes Annotated, Title 19, Section 1111. It does not release the petitioner from the requirements of any other statutes, ordinances, rules or regulations. This permit addresses only access to, work within, and drainage affecting the state highway. It does not address other possible transportation issues, such as access to town highways, use of private roads, and use of railroad crossings. If relevant to the proposed development, such issues must be addressed separately.

No work shall be done under this permit until the owner/applicant has contacted the District Transportation Office at:

District #4, 221 Beswick Drive, White River Jct., VT 05001 (802) 295-8888

July 1, 2016 (All previously dated editions are not valid)

Applicant to Complete

RESTRICTIONS AND CONDITIONS



DEFINITIONS:

- "Agency" means the Vermont Agency of Transportation (a/k/a VTTrans).
- "Engineer" means the authorized agent of the Secretary of Transportation.
- "Owner/Applicant" means the party(s) to whom the permit is to be issued.
- "Co-Applicant" means the party who performs the work, if other than Owner/Applicant or a secondary Owner/Applicant under a joint permit application.
- "Permit Holder" means the party who currently owns the lands abutting the highway that are the subject of the permit.

GENERAL:

By accepting this permit, or doing any work hereunder, the Owner/Applicant agrees to comply with all of the restrictions and conditions and any imposed special conditions. If the Owner/Applicant is aggrieved by the restrictions and conditions or special conditions of the permit, they shall submit a written request for consideration to the Engineer within 30-days of permit issuance and prior to starting any work. No work will be authorized by the Agency, or performed under the permit, until the dispute is fully resolved.

Vermont Statutes Annotated, Title 30, Chapter 86 ("Dig Safe") requires notice to Dig Safe before starting excavation activities. The Permit Holder or his/her contractor must telephone Dig Safe at 811 at least 48 hours (excluding Saturdays, Sundays and legal holidays) before, but not more than 30 days before, starting excavation activities at any location. In addition, please note that the Agency and many municipalities are not members of Dig Safe and will need to have their utility facilities investigated with due diligence prior to starting excavation activities in or on the State Highway right-of-way.

The Permit Holder is to have a supervisory representative present any time work is being done in or on the State Highway right-of-way. A copy of this permit and Special Conditions must be in the possession of the individual performing this work for the Permit Holder.

Except with the specific, written permission of the District Transportation Administrator, all work in the State Highway right-of-way shall be performed during normal daylight hours and shall cease on Sunday, on all holidays (which shall include the day before and the day following), during or after severe storms, and between December 1 and April 15. These limitations will not apply for the purposes of maintenance, emergency repairs, or proper protections of the work which includes, but not limited to, the curing of concrete and the repairing and servicing of equipment.

The Owner/Applicant shall be responsible for all damages to persons or property resulting from any work done under this permit, even if the Applicant's Contractor performs the work. All references to the Owner/Applicant also pertain to the Co-Applicant.

The Owner/Applicant must comply with all federal and state statutes or regulations and all local ordinances controlling occupancy of public highways. In the event of a conflict, the more restrictive provision shall apply.

The Owner/Applicant must, in every case where there is a possibility of injury to persons or property from blasting, use a pre-approved Blasting Plan. All existing utility facilities shall be protected from damage or injury.

The Owner/Applicant shall erect and maintain barriers needed to protect the traveling public. The barriers shall be properly lighted at night and must be MUTCD (Manual on Uniform Traffic Control Devices) compliant.

All temporary and permanent traffic control measures and devices shall be MUTCD compliant.

The Owner/Applicant shall not do any work or place any structures or obstacles within the State Highway right-of-way, except as authorized by this permit.

The Owner/Applicant may pay the entire cost of the salary, subsistence and traveling expenses of any inspector appointed by the Engineer to supervise such work.

The Engineer may modify or revoke the permit at any time for safety-related reasons, without rendering the Agency or the State of Vermont liable in any way.

In addition to any other enforcement powers that may be provided for by the law, the Engineer may suspend this permit until compliance is obtained. If there is continued use or activity after suspension, the Engineer may physically close the work area and take corrective action to protect the safety of the highway users.

The Permit Holder shall be responsible to rebuild, repair, restore and make good all injuries or damage to any portion of the highway right-of-way that has been brought about by the execution of the permitted work, for a minimum period of eighteen (18) months after final inspection by the District.

Any approved variance from the permitted plans is to be recorded on "as-builts" with copies provided to both the Chief of Permitting Services and the District Transportation Administrator.

ACCESS:

This permit (if for access) does not become effective until the owner/applicant records in the office of the appropriate municipal clerk, the attached "Notice of Permit Action"

As development occurs on land abutting the highways, the Agency may revoke a permit for access and require the construction of other access improvements such as the combination of access points by adjoining owners.

Under Vermont Statutes Annotated, Title 19, Section 1111, no deed purporting to subdivide land abutting a state highway can be recorded unless all the abutting lots so created are in accordance with the standards of Section 1111.

The Permit Holder acknowledges and agrees that neither this permit nor any prior pattern of use creates an ownership interest or other form of right in a particular configuration or number of accesses to or through the highway right-of-way, and that the right of access consists merely of a right to reasonable access the general system of streets, and is not a right to the most convenient access or any specific configuration of access.

DRAINAGE:

The Owner/Applicant shall install catch basins and outlets as may be necessary, in the opinion of the Engineer, to preclude interference with the drainage of the state highway. Direct connections shall not be allowed without written approval.

UTILITY WORK; CUTTING AND TRIMMING TREES:

The Owner/Applicant shall obtain the written consent of the adjoining owners or occupants or, in the alternative, an order from the State Transportation Board in accordance with, Vermont Statutes Annotated, Title 30, Section 2506, regarding cutting of or injury to trees.

In general, all utilities shall be located adjacent to the State Highway right-of-way boundary line and shall be installed without damaging the highway or the highway right-of-way. No pole, push-brace, guy wire or other aboveground facilities shall be placed closer than 10 feet to the edge of traveled-way. If the proposed utility facilities are in conflict with the above, each location is subject to the approval of the Engineer.

Poles and appurtenances shall be located out of conflict with intersection sight distance, guardrail, ditches, signs, culverts, etc.

Where the cutting or trimming of trees is authorized by permit, all debris resulting from such cutting and trimming shall be removed from the State Highway right-of-way.

Open cut excavation for highway crossings is NOT the option of the Applicant, and may be utilized only where attempted jacking, drilling, or tunneling methods fail or are impractical. The Owner/Applicant shall obtain an appropriate modification of the highway permit from the Engineer before making an open cut.

JOINT PERMITS:

A joint permit application is required when more than one party will be involved with the construction, maintenance, and/or operation of the facility being constructed under this permit. Examples include, but are not limited to, joint ownership or occupancy of a utility pole line and construction of a municipal utility line by a contractor. Both utility companies, and in the second case, the municipality and the contractor, must be joint applicants.

SPECIAL CONDITIONS

This permit is granted subject to the restrictions and conditions on the back of the permit, with particular attention given to the Special Conditions listed below. This permit pertains only to the authority exercised by the Vermont Agency of Transportation (Agency) under Vermont Statutes Annotated, Title 19, Section 1111, and does not relieve the Permit Holder from the requirements of otherwise applicable statutes, rules, regulations or ordinances (e.g., Act 250, zoning, etc.). The Permit Holder shall observe and comply with all Federal and State laws and local bylaws, ordinances, and regulations in any manner affecting the conduct of the work and the action or operation of those engaged in the work, including all orders or decrees as exist at present and those which may be enacted later by bodies or tribunals having jurisdiction or authority over the work, and the Permit Holder shall defend, indemnify, and save harmless the State and all its officers, agents, and employees against any claim or liability arising from or based on the violation of any such law, bylaws, ordinances, regulations, order, or decree, whether by the Permit Holder in person, by an employee of the Permit Holder, by a person or entity hired by the Permit Holder, or by a Subcontractor or supplier.

The Permit Holder shall accomplish all work under this permit in accordance with the attached plans received September 21, 2018.

A preconstruction meeting to discuss work to be completed must be held prior to the Permit Holder's employees or contractor beginning work. The Permit Holder is required to notify the District Transportation Administrator five (5) working days in advance of such meeting.

Please note that the Vermont Agency of Transportation is not a member of Dig Safe. The Permit Holder shall also contact Dan Ertel, State Signal Supervisor, at (802) 343-2188. Mr. Ertel will need to locate and mark all existing buried utility facilities owned by the Agency near the location of the proposed work.

Roadway shoulder areas must be maintained free of unnecessary obstructions, including parked vehicles, at all times while work is being performed under this permit.

Two-way traffic shall be maintained at all times unless permission is granted from the District Transportation Administrator. Whenever two-way, one-lane controlled traffic is authorized to be maintained by the Applicant's Contractor, **the traveling public shall not be delayed more than 10 minutes.**

All grading within the State Highway right-of-way associated with the proposed construction shall be subject to inspection and approval by the District Transportation Administrator or his or her staff. The Permit Holder shall be responsible for ensuring that all grading work in or on the State Highway right-of-way complies with applicable statutes, rules, regulations or ordinances.

In areas to be grass covered, the Permit Holder shall restore turf by preparing the area and applying the necessary topsoil, limestone, fertilizer, seed, and mulch, all to the satisfaction of the District Transportation Administrator. The Permit Holder shall be responsible for ensuring that all turf restoration work in or on the State Highway right-of-way is in compliance with applicable statutes, rules, regulations or ordinances.

Upon completion of the work, the Permit Holder shall be responsible to schedule and hold a final inspection. The Permit Holder is required to notify the District Transportation Administrator five (5) working days in advance of such inspection.

Should any portion of the utility facility installed within the State Highway right-of-way require relocation due to future highway improvements, the Permit Holder shall bear all expenses, and all necessary adjustments shall be completed in a timely manner.

The Permit Holder shall at a minimum install and maintain erosion prevention and sediment control measures in accordance with the Low Risk Site Handbook for Erosion Prevention and Sediment Control published by the Vermont Department of Environmental Conservation for the purposes of preventing sediment transport into the Agency's State Highway right of way and stormwater management systems or surface waters of the State. All disturbed earth areas having erosion potential must be temporarily or permanently stabilized, as soon as practicable or within seven (7) days of disturbance or, if precipitation is forecast sooner. Ditches or slopes steeper than 1:3 shall make use of appropriate biodegradable erosion matting composed of planar woven natural fiber. Stabilization measures constructed in the State Highway right-of-way shall be in compliance with the current version of the Vermont Agency of Transportation Standard Specifications for Construction.

All required trimming/cutting is approved in accordance with the Permit Holder's trimming standards and as agreed to by the abutting property owner, where necessary.

All trees, brush, and old utility plant, removed under this permit, shall be cut flush with the ground, or as close as practical, and removed from the State Highway right-of-way.

All wood chips from a chipping operation shall be blown into a suitable vehicle and removed from the State Highway right-of-way.

The Permit Holder must comply with all additional requirements under Vermont Statutes Annotated, Title 30, Section 2505 (Location near residence) and Section 2506 (Trees not to be injured; exception; penalty).

The Permit Holder shall remove all of the old utility plant being replaced from the State Highway right-of-way by the work completion date.

The Permit Holder shall notify the District Transportation Administrator and the appropriate unit of the State Police a minimum of 72 hours, prior to commencing work on I-91.

The Permit Holder's construction methods must not impede the flow of traffic on I-91.

No vehicles shall be parked on the traveled way or shoulders of I-91.

On-call emergency response vehicles i.e., fire trucks, ambulances, etc., must be allowed unrestricted passage through the work zone.

The Permit Holder will provide at least four (2) state troopers or deputy Sheriffs to stop traffic during the I-91 closure.

The Permit Holder shall verify the appropriate safety measures needed, prior to construction, so proper devices and/or personnel are available when and as needed. Traffic control devices, shall be in conformance with the MUTCD (Manual on Uniform Traffic Control Devices), Agency standards and any additional traffic control deemed necessary by the District Transportation Administrator. The Permit Holder's failure to utilize proper measures shall be considered sufficient grounds for the District Transportation Administrator to order cessation of the work immediately.

The Permit Holder will perform construction in such a way as to minimize conflicts with normal highway traffic. When two-way traffic cannot be maintained, the Permit Holder shall provide a sign package that conforms to the MUTCD (Manual on Uniform Traffic Control Devices) or Agency standards, as well as trained Flaggers. The District Transportation Administrator may require a similar sign package with trained Flaggers whenever it is deemed necessary for the protection of the traveling public. In addition, the District Transportation Administrator may require the presence of Uniform Traffic Officers (UTOs); moreover, the presence of UTOs shall not excuse the Permit Holder from its obligation to provide the sign package and Flaggers.

The Permit Holder shall ensure that all workers exposed to the risks of moving highway traffic and/or construction equipment wear high-visibility safety apparel meeting the requirements of ISEA (International Safety Equipment Association) "American National Standards for High-Visibility Safety Apparel," and labeled as ANSI (American National Standards Institute) 107-2004, or latest revisions, for Performance Class 2 or 3 requirements. A competent person - one designated by the Permit Holder's Contractor to be responsible for worker safety within the activity area of the State highway right-of-way - shall select the appropriate class of garment. The Engineer may suspend this permit until compliance is obtained.

Independence; Liability: The Permit Holder will act in an independent capacity and not as officers or employees of the State.

The Permit Holder shall defend the State and its officers and employees against all claims or suits arising in whole or in part from any act or omission of the Permit Holder or of any agent of the Permit Holder. The State shall notify the Permit Holder in the event of any such claim or suit, and the Permit Holder shall immediately retain counsel and otherwise provide a complete defense against the entire claim or suit.

After a final judgment or settlement, the Permit Holder may request recoupment of specific defense costs and may file suit in the Washington Superior Court requesting recoupment. The Permit Holder shall be entitled to recoup costs only upon a showing that such costs were entirely unrelated to the defense of any claim arising from an act or omission of the Permit Holder.

The Permit Holder shall indemnify the State and its officers and employees in the event that the State, its officers or employees become legally obligated to pay any damages or losses arising from any act or omission of the Permit Holder.

Insurance: Before beginning any work under this Permit the Permit Holder must provide certificates of insurance to show that the following minimum coverages are in effect. It is the responsibility of the Permit Holder to maintain current certificates of insurance on file with the State for the duration of work under the Permit. No warranty is made that the coverages and limits listed herein are adequate to cover and protect the interests of the Permit Holder for the Permit Holder's operations. These are solely minimums that have been established to protect the interests of the State.

Workers' Compensation: With respect to all operations performed under the Permit, the Permit Holder shall carry workers' compensation insurance in accordance with the laws of the State of Vermont.

General Liability and Property Damage: With respect to all operations performed under the Permit, the Permit Holder shall carry general liability insurance having all major divisions of coverage including, but not limited to:

Premises - Operations
Products and Completed Operations
Personal Injury Liability
Contractual Liability

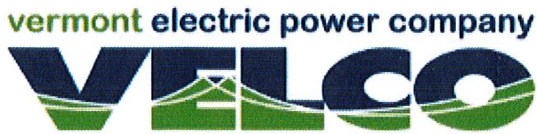
The policy shall be on an occurrence form and limits shall not be less than:

\$2,000,000 Per Occurrence
\$2,000,000 General Aggregate
\$2,000,000 Products/Completed Operations Aggregate
\$ 50,000 Fire/Legal Liability

Permit Holder shall name the State of Vermont and its officers and employees as additional insureds for liability arising out of this Permit.

Automotive Liability: The Permit Holder shall carry automotive liability insurance covering all motor vehicles, including hired and non-owned coverage, used in connection with the Permit. Limits of coverage shall not be less than: \$1,000,000 combined single limit.

Permit Holder shall name the State of Vermont and its officers and employees as additional insureds for liability arising out of this Permit.



366 Pinnacle Ridge Road
Rutland, Vermont 05701
802.770.9161
velco.com

Scott Massie
Construction Manager
smassie@velco.com
802.770.6460v 802.770.6440f

September 7, 2018

Vermont Agency of Transportation
Brian McAvoy
Permit Coordinator
National Life Building
One National Life Drive
Montpelier, VT 05633-5001



Re: VELCO Structure Replacement K50 Highway Permit Application

Dear Brian:

Enclosed please find a permit application to allow Vermont Electric Power Company (VELCO) to perform work outside the VTRANS ROW that is under State of Vermont Agency of Transportation (AOT) jurisdiction. VELCO is planning a structure replacement where the conductors span over Interstate 91 (I91) North and South at mile marker 73.4 in Hartford, VT.

Scope of Work

VELCO access construction contractor(s) and line crews will be utilizing private access to this location off from Route 5 (Christian St.) in Hartford. No access from the Interstate by crews will be utilized. All equipment and materials will be brought down the ROW to the structure location. The only work that would be in the highway would be the staging of traffic control workers during the wire transfer. More about this in the traffic control plan.

All Access Roads and Pad Construction takes place approximately 50' outside of the VTRANS ROW and the structure is actually planned to be relocated further from the ROW at its completion. Sean Fallon, a TRC Contractor working for VELCO is overseeing the work regarding the access / pad construction work.

The week of December 3rd a VELCO line contractor (JCR Construction) will mobilize in and replace the structure and transfer the wires over the highway. We'll implement our traffic control plan for this work.

The first part of January 2019 our access contractor will return to the work site and perform final clean-up and restoration.

Work Procedures:

For work in the ROW VELCO follows our standard best management practices for road and pad construction as well as erosion prevention measures.

During the line transfer JCR Construction will perform a “Clamp before Unclamp” procedure when transferring wires. The wires will always be clamped into a structure during the transfer process. In this case the new poles and cross arms will be installed and prepared for the wire. The wire will be clamped into the new structure while still being clamped on the old structure. Only after all wires are clamped to the new structure will they be unclamped from the existing structure. This procedure ensures that NO wires will be free from a structure without first being properly secured.

Schedule

VELCO is planning to have our civil crews begin work in November. The line outage for the transfer work is currently planned for December 3rd. We anticipate all the work and cleanup activities to conclude by January of 2019.

Traffic Control Plan (2-lane highways)

At all times VELCO workers and contractor(s) will be utilizing off ROW access and all tools and equipment will be well clear of Interstate 91.

We feel very confident in the work practices and procedures for this work, for a contingency, in the event there is an issue; VELCO will be doing the following items as it relates to traffic control:

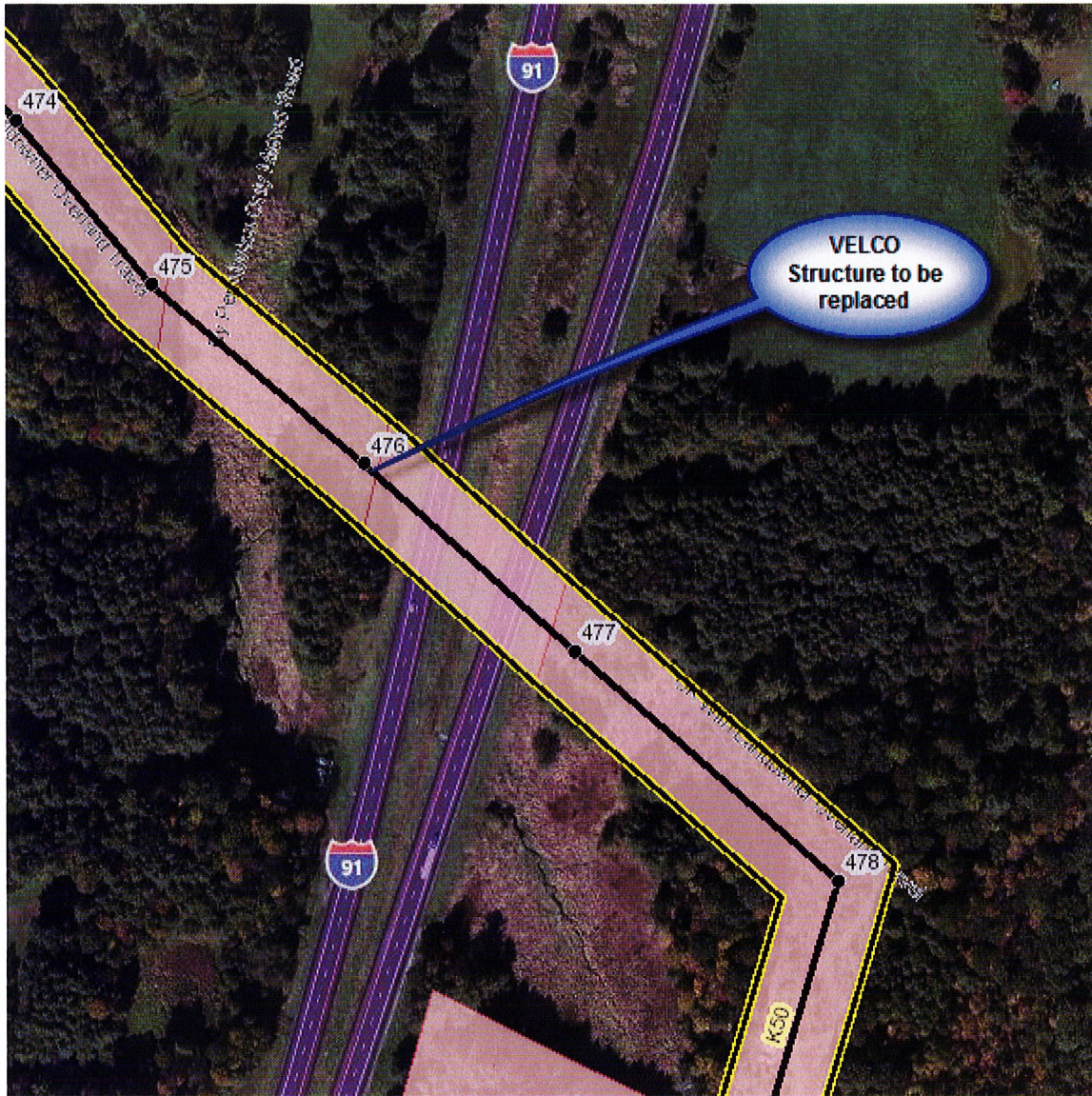
1. Installing “Utility Work Ahead” signs approximately ¼ mile either side of the work zone in both the North and South lanes of Interstate 91
2. Station two “blue light” Sheriff’s – One in the North and another in the South for the duration of the work.
3. These blue lights will be for a contingency ONLY.

A detailed traffic control plan will be provided in advance of this work and will include locations of signs, flaggers, and blue lights

If you have any questions regarding this letter and the enclosed permit application, please contact me at smassie@velco.com

Sincerely,

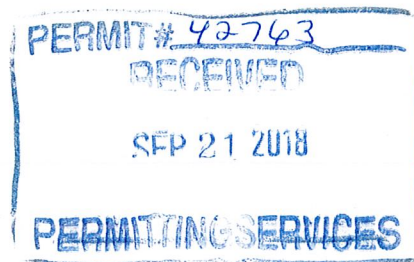
Scott Massie
Construction Manager
Vermont Electric Power Company (VELCO)
366 Pinnacle Ridge Rd
Rutland, VT 05701
802-770-6460 – Office
802-353-7291 – Cell
smassie@velco.com

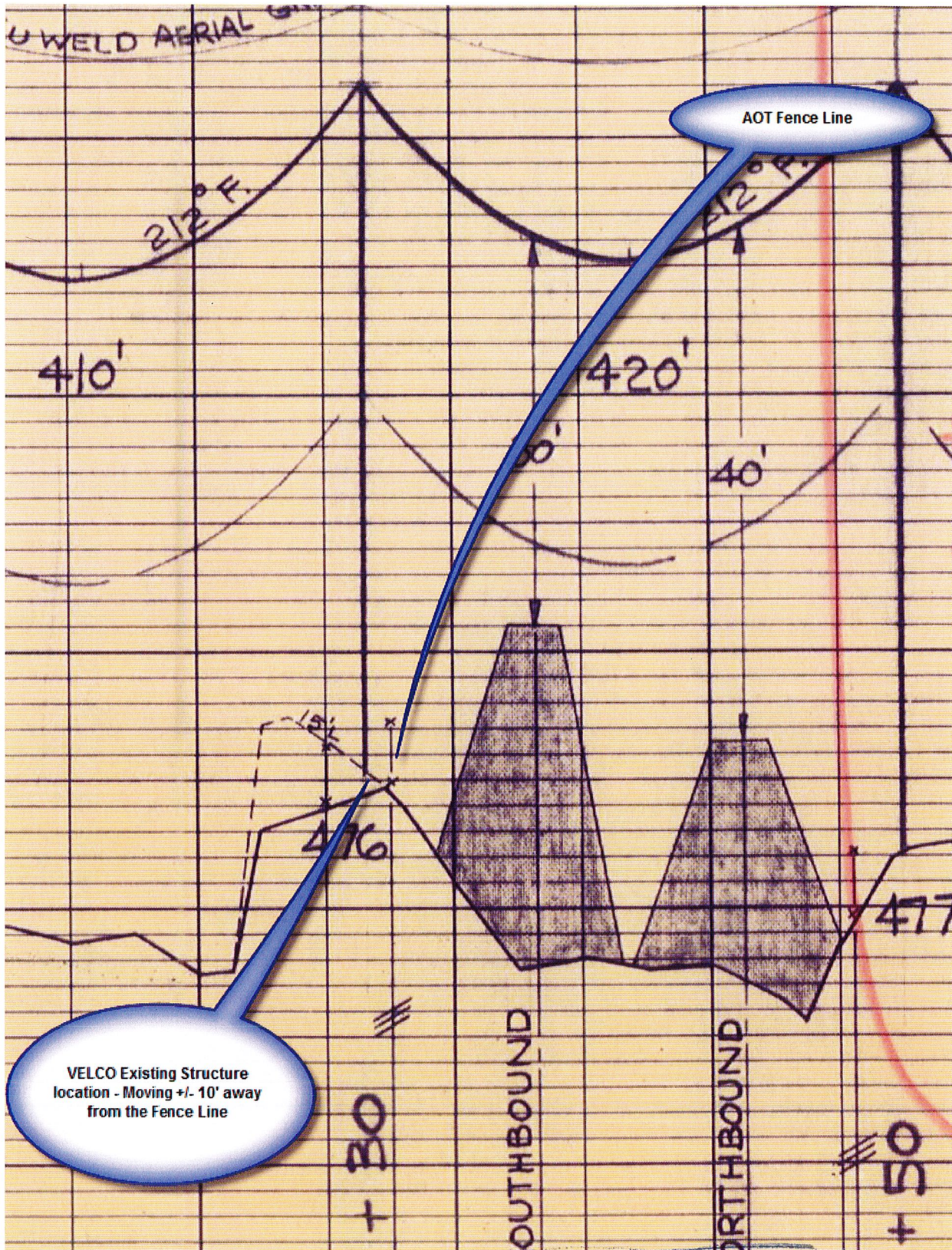


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RECEIVED
SEP 21 2018
PERMITTING SERVICES

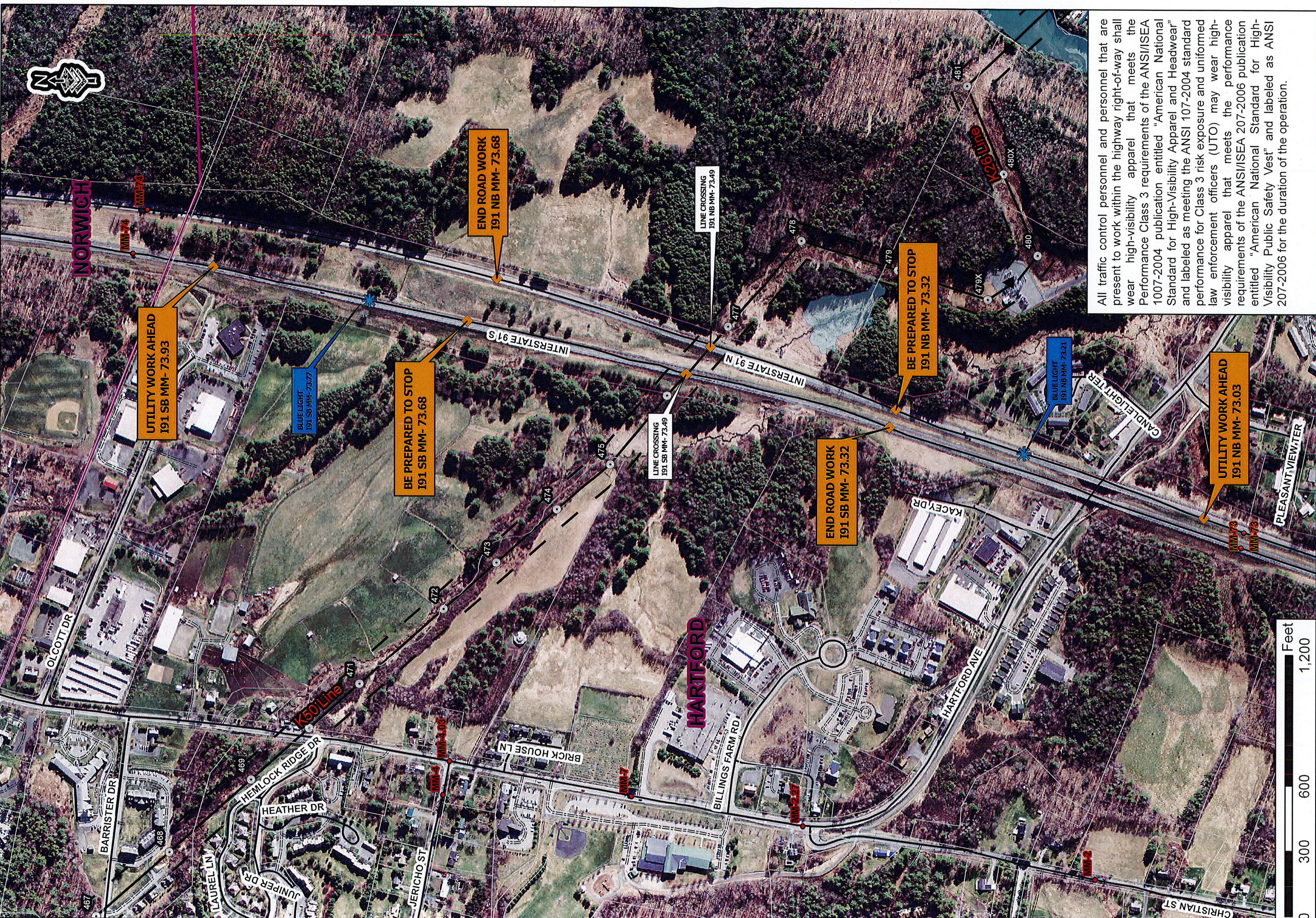


South Mile Marker:





PERMIT # 92763
RECEIVED
SEP 21 2018
PERMITTING SERVICES



All traffic control personnel and personnel that are present to work within the highway right-of-way shall wear high-visibility apparel that meets the Performance Class 3 requirements of the ANSI/ISEA 1007-2004 publication entitled "American National Standard for High-Visibility Apparel and Headwear" and labeled as meeting the ANSI 107-2004 standard performance for Class 3 risk exposure and uniformed law enforcement officers (UTO) may wear high-visibility apparel that meets the performance requirements of the ANSI/ISEA 207-2006 publication entitled "American National Standard for High-Visibility Public Safety Vest" and labeled as ANSI 207-2006 for the duration of the operation.



Site Location Map Interstate Crossing Structure Replacements November, 2018

- Legend**
- Transmission Line Structure
 - Road
 - Driveway
 - Town Boundaries
 - Structure Replacements
 - Sign Location
 - Blue Light
 - Mile Marker
 - Edge of ROW