PERMIT ID# 39049	FOR AGENCY USE ONLY
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VERMONT AGENCY OF TRANSPORTATION 19 V.S.A. § 1111 PERMIT APPLICATION	
Owner's/Applicant's Name, Address & Phone No. ANTHONY * JEANETTE	LOPEZ G31/G89-5523
Co-Applicant's Name, Address & Phone No. (if different from above)	11733
The location of work (town, highway route, distance to nearest mile marker or intersection & which side) WILMINGTON, VT. ROUTE 9, SOUTH SIDE @ "WHITE HOUSE HILL"	
Description of work to be performed in the highway right-of-way (attach sketch)	
JACK BORE UNDER YT, ROUTE 9 FOR SEWER	LINE CONNECTION @
NORTH SIDE OF ROAD	
JACK BORE UNDER VT. ROUTE 9 FOR SEWER NORTH SIDE OF ROAD	
Property Deed Reference Book: 311 Page: 207 (only require	ed for Permit Application for access)
	,
S a Zoning Permit required? Yes	
Is a 30 VSA § 248 permit required? Yes 🔲 No 🔲 - If Yes, #	
Is an Act 250 permit required? Yes \(\sum \) No \(\otimes \) - If Yes, #	
Other permit(s) required? Yes No 2- If Yes, name and # of e Date applicant expects work to begin 2014	acn
	OWNER
(Print name above)	
Sign in Shaded area: Dat	9: 7/4///
	1/12/19
Co-Applicant: <u>JEANETTE LOPEZ</u> Position Title: <u>OWNER</u> (Print name above)	
Sign in Shaded area: 10 annext Topas Dat	= 7/11/14
INSTRUCTIONS: -Contact the Agency of Transportation, Utilities and Permits Unit (802.828.2653), One National Life Drive, Montpelier, VT 05633, or your local area Agency Transportation Maintenance District to determine your	
issuing authority.	
-Contact the issuing authority to determine what plans and other documents are required to be submitted	
with your, under Vermont Statutes Annotated, Title 19, Section 1111, permit applicationComplete this TA 210 Form (some information may not apply to you) and attach all necessary documents	
and submit it to the issuing authority. We require this application to be signed by the property owner or their	
legally authorized representative. <u>Original signatures</u> are required on an original TA 210 FormThe Owner/Applicant and Co-Applicant (if applicable) declares under the pains and penalty of	
perjury that all information provided on this form and su	omitted attachments are to the best of their
knowledge true and complete.	
-If you have any questions contact the issuing authority.	
PERMIT APPROVAL	
This covers only the work described below: Permission is granted to wor install a sewer manhole and 8" sewer service in a 16" sleeve. All work	k within the state highway right-of-way to
plans, standards and permit special conditions.	shall be in accordance with the attached
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 November 30, 2015	Date work accepted:
1 (1 00	
By Mu Sully Issued Date October 5, 2014	By: DTA or Designee
Authorized Representative for Secretary of Transportation	

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.

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

District #1, 359 Bowen Road, Bennington, VT 05201, (802) 447-2790

RESTRICTIONS AND CONDITIONS

DEFINITIONS:

"Agency" means the Vermont Agency of Transportation.

"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 Utilities and 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 conditions and restrictions 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 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, before excavation and/or pavement grinding in or on the state highway right-of-way, the Permit Holder's Contractor must contact the Agency's District Transportation Administrator to obtain/verify the location of Agency's underground utility facilities or to confirm the absence of such facilities.

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 ofway 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 blasting mats and bags of sand, if necessary, to prevent the stone from scattering. 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.

The Owner/Applicant shall not do any work or place any 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 variance from approved plans is to be recorded on "as-builts" with copies provided to both the Chief of Utilities and Permits 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

In general, all utilities shall be located adjacent to the 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 ditches and culverts.

Where the cutting or trimming of trees is authorized by permit, all debris resulting from such cutting and trimming shall be removed from the 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 nunicipality and the contractor, must be joint applicants.

Permit # Received JUL 1 6 2014 Anthony and Jeanette Lopez Wilmington, VT9, L.S. 199+58 LT & RT October 5, 2014 Page 1 of 3

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 <u>detail A</u> and the profile and notes of standard drawing D-20 (copy attached) and the attached plan dated August 12, 2014 and last revised September 16, 2014.

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 Russell Velander at his office phone (802) 828-2680. Mr. Velander 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.

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 may bear all expenses, and all necessary adjustments shall be completed in a timely manner.

Anthony and Jeanette Lopez Wilmington, VT9, L.S. 199+58 LT & RT October 5, 2014 Page 2 of 3

The highway crossing shall be installed by jacking or boring in accordance with the attached standard D-20.

The Permit Holder must backfill all open trenches or pits at the end of each day. With permission from the District Transportation Administrator, trenches or pits may be left open for short periods of time if properly protected. In no case shall trenches or pits be left open over a weekend. The Permit Holder shall be responsible for ensuring that all trench or pit work in or on the State Highway right-of-way is in compliance with applicable statutes, rules, regulations or ordinances.

The Permit Holder must install temporary pavement prior to weekend shutdown after completion of backfilling where an open cut excavation has been made through a roadway subject to vehicular traffic or where construction for any roadway widening for turn lanes has been brought to grade. The temporary pavement shall consist of, at least, 2 inches of compacted bituminous concrete. Temporary pavement shall be properly maintained and shall be replaced with permanent pavement prior to completion of the project or suspension of work for the winter season. (This is a contingency condition in the event the "open cut method" is approved during construction.)

Where a trench is excavated within the roadbed, all backfill material within 24 inches of the bottom of pavement shall be new material from a source approved by the District Transportation Administrator. The Permit Holder shall place all backfill material in six inch layers and compacted to not less than 95% of the material's maximum dry density as determined by AASHTO (American Association of State Highway and Transportation Officials) Standard Method of Test, T-99, Method C, using air or mechanical tampers. (This is a contingency condition in the event the "open cut method" is approved during construction.)

Any excavation within 5 feet from the edge of the paved shoulder and more than 5 feet deep must be sheeted to prevent undermining of the highway pavement. Any variance of this shall require the written approval of the Vermont Agency of Transportation's District Administrator. (This is a contingency condition should the contractor need to deviate from project design.)

The Permit Holder shall promptly and unconditionally pay for full repair and restoration of any and all damages to existing underground utility facilities (meaning any underground pipe, conduit, wire or cable, including appurtenances) that have been brought about by the execution of the permitted work. The Permit Holder also is required to pay for any costs to repair the highway following and resulting from any repairs to existing utilities occurring as a result of the work covered by this permit. Except with the specific, written permission of the Engineer, the Permit Holder or his or her contractor shall expose all underground facilities to verify their location and depth, at each location where the authorized boring or drilling work crosses a facility; and at reasonable intervals when closely paralleling a facility. Whenever possible, existing facilities should be crossed at a perpendicular angle. The Permit Holder shall be responsible for obtaining the modification of this permit, if necessary, for any additional survey work before initiating boring or drilling operations under the permit. The Agency will treat the Permit Holder's failure to fully, promptly, and conscientiously comply with all of conditions of this paragraph, including but not limited to the obligation to pay for repairs, as grounds for the Agency to refuse to grant any further requests by the Permit Holder for any other permits for subsurface work unless the Permit Holder furnishes irrevocable financial security, in a type and an amount deemed sufficient by the Agency in its sole discretion, prior to such future subsurface work.

The Permit Holder shall install Agency approved Delineator Posts at the designated locations to clearly and quickly identify manholes, pipelines, valves, underground utilities, etc.

Anthony and Jeanette Lopez Wilmington, VT9, L.S. 199+58 LT & RT October 5, 2014 Page 3 of 3

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.

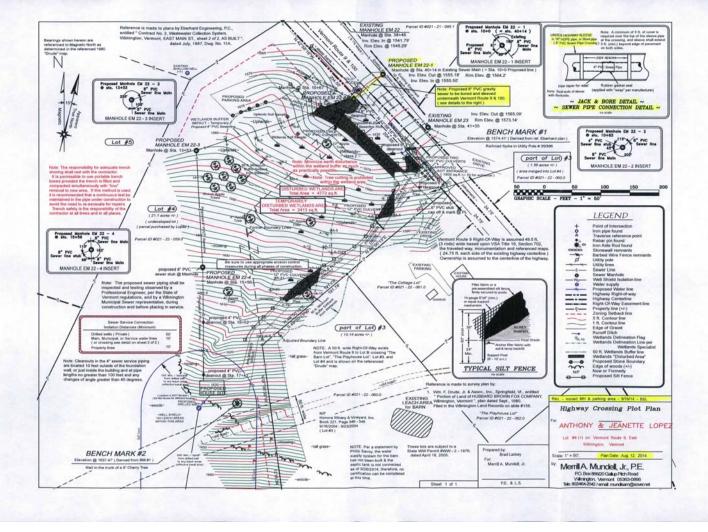
The Permit Holder will perform construction in such a way as to minimize conflicts with normal highway traffic. When two-way traffic cannot be maintained, the Permit Holder shall provide a sign package that conforms to the MUTCD (Manual on Uniform Traffic Control Devices) or Agency standards, as well 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.

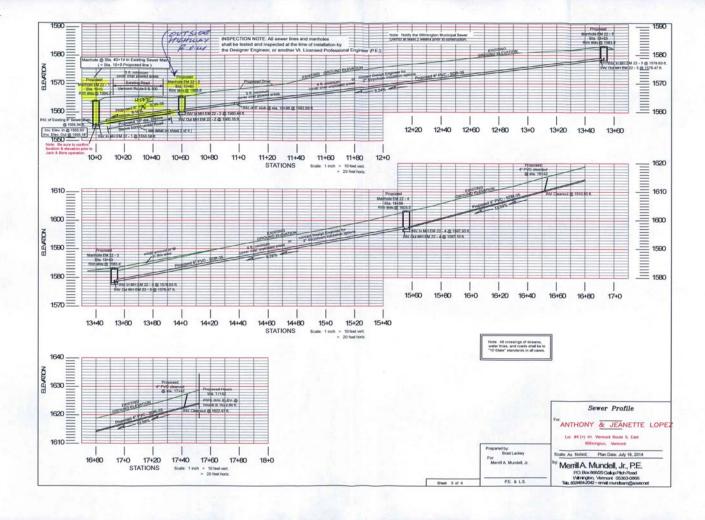
When traffic control becomes so complex that the traffic control cannot be accomplished using Agency standards, the Permit Holder must submit a traffic control plan to the Agency's Utilities and Permits Unit for Agency approval prior to beginning work.

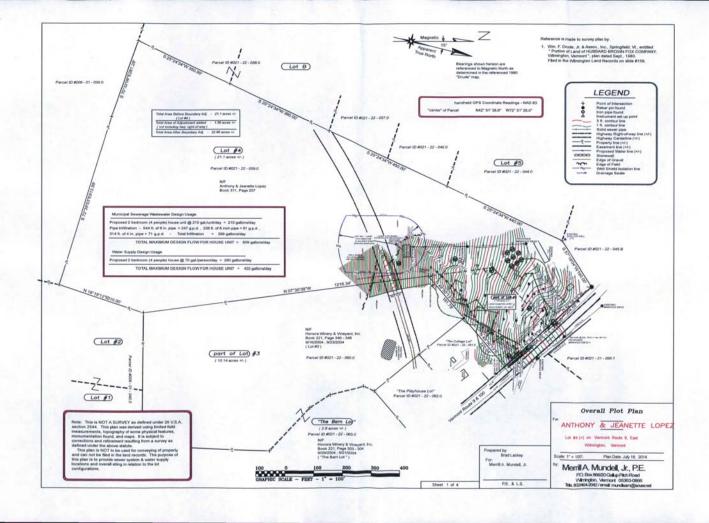
The Permit Holder shall ensure that all workers exposed to the risks of moving highway traffic and/or construction equipment wear high-visibility safety apparel meeting the requirements of ISEA (International Safety Equipment Association) "American National Standards for High-Visibility Safety Apparel," 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.

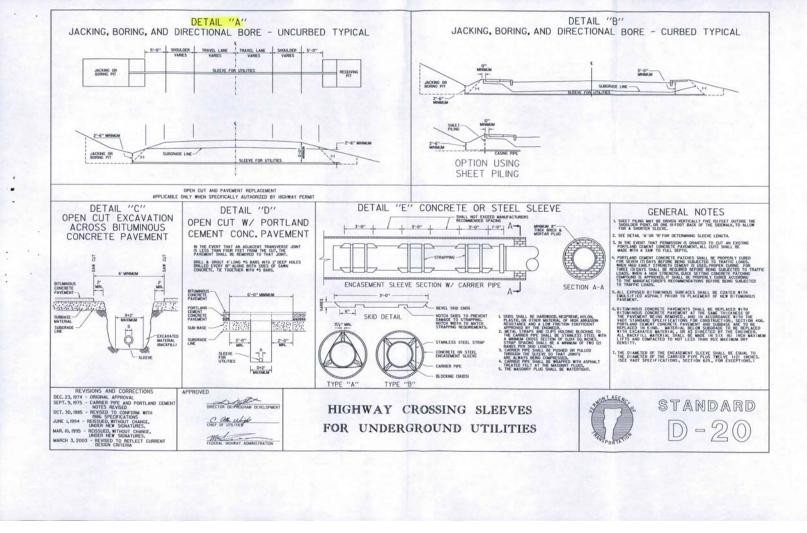
As the utility operation moves, flagger signs shall be moved accordingly. At no time should the flagger symbol sign be more than 1,000 feet from the flagger station. Flagger signs shall be covered or turned away from traffic when flagging operations cease for longer than 15 minutes.

The Permit Holder shall be responsible for all damages to persons and/or property due to or resulting from any work allowed under this permit. The Permit Holder shall defend, indemnify and save harmless the State, the Agency, and all of their officers, agents, and employees from all suits, actions, or claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons or property, including all costs or expenses to defend against such suits, actions or claims.











State of Vermont
Highway Division
Project Delivery Bureau
Right of Way & Utilities & Survey
One National Life Drive
Montpelier, VT 05633-5001
vtrans.vermont.gov

Agency of Transportation

[phone] 802-828-2653 [fax] 802-828-2456 [ttd] 800-253-0191

November 25, 2014

Anthony and Jeanette Lopez 10 Old Coach Road East Setauket, NY 11733

Subject: Wilmington, VT9, L.S. 199+58 LT & RT
19 V.S.A. §1111 Permit Revision Letter #1

Dear Mr. & Mrs. Lopez:

Your request to revise the permit issued on October 5, 2014, to allow the new 8" sewer service to be installed within a 12" HDPE sleeve via the directional drill method has been reviewed and is approved. This letter becomes part of the originally issued permit and should be attached to your copy.

The work must be completed under the same conditions as set forth in the original permit #39049.

Please feel free to contact Theresa Gilman at (802) 828-2473 if you have questions or comments

Sincerely, Lung Shillin

Craig S. Keller, P.E.

Chief of Utilities & Permits Unit





State of Vermont Utilities & Permits Unit One National Life Drive Montpelier, VT 05633-5001 www.aot.state.vt.us

Agency of Transportation

[phone] 802-828-2653 [fax] 802-828-5742 [ttd] 800-253-0191

October 5, 2014

Anthony and Jeanette Lopez 10 Old Coach Road East Setauket, NY 11733

Subject: Wilmington, VT9, L.S. 199+58 LT & RT

Dear Mr. & Mrs. Lopez:

. Your application for a permit to work within the State highway right-of-way to install a sewer manhole and 8" sewer service in a 16" sleeve, at the location referenced above, has been processed by this office and is enclosed.

Please contact the District Transportation Office #1 prior to starting work in the state highway right-of-way. The telephone number in Bennington is (802) 447-2790.

Singerely,

Theresa Gilman

Utilities & Permits Supervisor

Utilities & Permits Unit

Enclosures

cc: District Transportation Office #1
Merrill A. Mundell, Jr., PE