

# Fulton County Highway Right of Way Work Permit Application

Instructions: Please complete information below and return to the Fulton County Department of Highways and Facilities with plans for review and approval. The department will then perform a site review and contact you regarding your application.

Fulton County Highway and Facilities Department  
PO BOX 127 / 2712 State Hwy 29  
Johnstown, NY 12095

Phone: 518-736-5700  
Fax: 518-736-1135  
Email: fchwy@fultoncountyny.gov

**Please check one:**

I am requesting to perform the work myself/or with a contractor

I am requesting Fulton County to perform the work

*If a culvert is required, the department will tell you the size needed and you will be responsible for purchasing the culvert regardless of who is performing the work.*

The person/s named below hereby requests permission to have work performed within the right-of-way on Fulton County Road, pursuant to the conditions and regulations previously set forth:

Name: \_\_\_\_\_

Representing: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Work to be done: \_\_\_\_\_

Pursuant to the conditions and regulations set forth in this application hereby makes application to Fulton County on, under and across the County Highway situate in the Town of \_\_\_\_\_

Fulton County, New York, know as County Highway No. \_\_\_\_\_, at or near station \_\_\_\_\_

Date work to be done \_\_\_\_\_

Return with engineering plans and required date to the Fulton County Highway Superintendent for review and appropriate action

Signed \_\_\_\_\_

Date \_\_\_\_\_

Approval of Fulton County Superintendent of Highways and Facilities

Signed \_\_\_\_\_

Date: \_\_\_\_\_

Mark E. Yost

## METHOD OF PERFORMING WORK WITHIN THE COUNTY HIGHWAY RIGHT OF WAY

### I. GENERAL CONDITIONS

These conditions and regulations apply to Highway Work Permits authorizing work within the County highway right-of-way for water mains, sewer lines and miscellaneous structures. General conditions apply to telephone installations as well as specific conditions on the setting and resetting of poles.

#### A. TIME

1. Work under the permit shall be commenced within thirty (30) days from the date of permit issuance unless a later starting date is approved by the County Highway Superintendent.

#### B. REQUIREMENTS

All the current requirements of the following shall apply: Occupational Safety and Health Administration, Federal Department of Labor, Safety and Health Standards (29 CFR 1926/1910); Part 131, Title 17, New York Code of Rules and Regulations, Accommodation of Utilities Within State Right-of-Way; New York State Department of Labor, Industrial Code Rule 23, Protection of Persons Employed in Construction and Demolition Work, Industrial Code Rule 53, Construction, Excavation and Demolition Operations At Or Near Underground Facilities.

Temporary soil erosion and water pollution controls shall be used as required. The final decision on the method of underground installation will be made by the County Highway Superintendent or his representative.

#### 1. Work Within Pavement and Shoulder Areas

- a. Installations that cross the pavement and shoulder area. Wherever practical, all underground installations shall be placed beneath the pavement and shoulder areas without disturbance to these paved surfaces.
  - 1) Boring, Jacking and Tunneling Methods  
DESIGN
    - a) The location of all excavations (jacking pits, etc.) shall be shown in plan and profile.
    - b) The soil profile and groundwater conditions shall be determined adequate subsurface exploration.
    - c) The location of all other existing utilities shall be shown.
    - d) The construction equipment and procedures to be used shall be described in the permit application.
    - e) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the County Highway Superintendent or his representative.
    - f) The underground installation shall be described in detail, i.e. size, length, depth, material, provisions for grouting, etc.
    - g) Pipes shall be generally enclosed in sleeves or larger pipes. Small diameter service (2 inch I.D. or smaller) may be placed without sleeving at the discretion of the County Highway Superintendent.
    - h) The limits of an open excavation shall not be closer than 10 feet to the edge of the pavement unless approved by the Department. Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.CONSTRUCTION
    - a) Grouting operations may be required if surface settlement, loss of soil or voids around the pipe develop. When grout is required, it shall consist of 1 part cement to 2 parts sand, by volume, and sufficient water to produce a consistency suitable for placing the grout.

- b) Backfill of open excavations shall be as required under 2 f) of Open Excavation Method.

2) Open Excavation Method

DESIGN

- a) The location of all pavement crossing by the open excavation method shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The location of all other existing utilities shall be shown.
- d) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- e) When requested, the construction equipment and procedures to be used shall be described in the permit application.
- f) Pipe installations shall be done according to the requirements of the appropriate New York State Department of Transportation's Standard Sheets. The required granular material shall meet the requirements for Select Granular Fill in the current New York State Department of Transportation's Standard Specifications including addenda. Exceptions will only be allowed if prior approval is granted by the County Highway Superintendent.
- g) Pavement shall be saw cut at termination points of pavement replacement.

CONSTRUCTION

- a) Pavement and shoulder removal shall be done in a manner that provides for proper restoration of the replacement section. Straight, vertical cuts of the pavement will be required. Pavement surfaces that become undermined shall be cut back and removed. Alternative repair methods may be used if prior approval is granted.
- b) The backfill material shall be placed and compacted according to the requirement for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.
- c) Generally, cuts shall be filled at the end of each working day. With prior approval, steel cover plates may be used. Recessing of these plates may be required.
- d) Temporary pavements and shoulders shall be placed as soon as a crossover installation is completed.

- b. Installations that are longitudinal to the pavement.

1) Open Excavation Method

DESIGN

- a) The location of all open excavations shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- d) The location of all other existing utilities shall be shown.
- e) Pipe installations shall be done according to the requirements of the appropriate New York State Department of Transportation's Standard Sheets. The required granular material shall meet the requirements for Select Granular Fill in the current New York State Department of Transportation's Standard Specifications including addenda. Exceptions will only be allowed if prior approval is granted by the County Highway Superintendent.

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proper restoration of the replacement section. Straight, vertical cuts of the pavement will be required. Pavement surfaces that become undermined shall be cut back and removed. Alternative repair methods may be used if prior approval is granted.

- b) The backfill material shall be placed and compacted according to the requirement for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.
- c) Generally, cuts shall be filled at the end of each working day. With prior approval, steel cover plates may be used. Recessing of these plates may be required.
- d) Permanent or temporary pavement shall be placed immediately as sections of the total installation are completed to subbase elevation. Gravel surfaces in shoulder areas may be used if prior approval is granted.

2) Boring, Jacking and Tunneling Methods

DESIGN

- a) All the requirements of B.1 a.1) DESIGN a) through g) shall apply.

CONSTRUCTION

- a) All the requirements of B.1 a.1) DESIGN a) through g) shall apply.
- b) Open excavations shall be protected with the required control for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.
- c) The requirements of B.1 b.1) CONSTRUCTION d) shall apply.

2. Work Outside the Pavement and Shoulder Areas

a. Open Excavation Method

DESIGN

- a) All the requirements of B.1 b.1 DESIGN shall apply.
- b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

CONSTRUCTION

- a) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.

b. Boring, Jacking and Tunneling Methods

- a) All the requirements of B.1 a.1) DESIGN a) through f) shall apply.
- b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

CONSTRUCTION

- a) All the requirements of B.1 a.1 CONSTRUCTION shall apply.

C. SUBBASE, PAVEMENT AND SHOULDER REQUIREMENTS (including manholes)

1. Subbase

- a. The subbase course shall be a minimum of 12 inches thick unless otherwise approved. The material shall meet the requirements of current Department of Transportation subbase course item as specified by the County Highway Superintendent.
- b. Under the permit, construction which adversely affects the subsurface drainage of the pavement structure shall be corrected by the addition of surface or subsurface drains, as required.

2. Pavement and Shoulders

a. Permanent

The replaced permanent shall be similar to the existing pavement in composition and texture. The selection of the material type and composition shall be subject to the approval of the County Highway Superintendent or his representative. The limit of pavement replacement shall be such that the replaced pavement is supported by thoroughly compacted subbase material and the pavement is restored to the proper grade, cross-slope and smoothness.

When bituminous concrete mixtures are required for the pavement replacement, the layers shall consist of one or a combination of mixture types contained in Table 401-1, Composition of Bituminous Plant Mixtures in Section 401 of the New York State Department of Transportation's Specification, including addenda. The mixture shall be placed at the proper temperature, without segregation, and compacted thoroughly.

When portland cement concrete mixtures are required for pavement replacement, the mixtures shall consist of either Class C or Class F as contained in Table 501-3, Concrete Mixtures in Section 501 of the New York State Department of Transportation's Specifications, including addenda. Class F is a high early strength mixture and should be used when early opening to traffic is desired.

The concrete mixture shall be placed without segregation, then consolidated, finished to the proper elevation, and textured. Curing the concrete pavement shall be in accordance with one of the methods permitted in Section 502 pertaining to curing.

Pavement shoulders, curbs, gutters, and other incidental features shall be replaced in kind unless otherwise approved by the County Highway Superintendent or his representative.

b. Temporary

Pavement that is replaced temporarily may be paved with either a hot bituminous concrete mixture mentioned above or a cold bituminous patching mixture. When a cold patching mixture is used it shall consist of aggregate and bituminous material proportioned and mixed in a bituminous mixing plant or rotating paddle shaft pugmill. Regardless which patching material is used it shall be laid on a prepared foundation and thoroughly compacted. Since cold bituminous patching mixtures are subject to distortion by traffic, the temporary patch shall be maintained to provide a smooth surface until the pavement is permanently replaced.

3. Manholes

Manhole frames and covers shall have sufficient structural adequacy to support the roadway traffic. The type of manhole frame and cover shall be approved by the County Highway Superintendent or his representative. The manhole frame shall be set flush with the surface of the roadway unless otherwise permitted by the County Highway Superintendent or his representative.

D. MAINTENANCE AND PROTECTION OF TRAFFIC

1. Traffic is to be maintained at all times during the progress of this work and adequate signs, barricades and lights shall be provided in accordance with the provision of Sub-chapter G of the New York State Department of Transportation's Manual of Uniform Traffic Control Devices. A maintenance and protection of traffic plan may be required. No lanes shall be closed without prior approval.
2. The applicant shall erect and maintain suitable barricades around all trenches while work is in progress for the protection of the public, and they shall be suitably lighted by yellow lights at night. The work shall be carried on in such manner that not more than 100 feet of trench in earth remains open at end of day's work.
3. No pavement cuts are to be left unfilled over night, except in emergencies, and in such cases, adequate precautions must be exercised to protect traffic. Prior approval must be obtained to use steel plating.
4. No construction materials or equipment shall be left on the shoulders or pavement after working hours, nor shall any construction equipment or material be placed in any manner or location that will obstruct highway or railroad warning signs.
5. All open trenches in the highway right-of-way shall be barricaded. There shall be conspicuously displayed bright red flags no less than 24"x24" attached to such barricades and illuminated at night with flashing yellow lights. If in the judgment of the County Highway Superintendent, flagmen are necessary they shall be employed by the permittee and on duty at all times during the progress of the work so as to direct traffic.
6. Soft shoulder signs of adequate size, not less than 24" square, shall be erected and maintained on all backfill trenches within the shoulder area until the backfill is thoroughly settled. These signs shall be located at the beginning of each section of work at intersections and at a distance not greater than 1000 feet apart.
7. During winter conditions highway shoulders shall be maintained free of obstructions, which would interfere with snow removal and ice control.
8. The permittee shall keep the traveled way free of foreign objects such as rocks, timber and other items that may fall from transporting vehicles. Spillage of material carried by or dropped from the under-carriage of any carrying vehicle resulting from the permittee's hauling operations along or across any public traveled way shall be

removed immediately and such traveled way, both within and outside of the work limits, shall be kept free of such spillage by the permittee.

E. COMPLETION OF WORK

1. All work is to be performed in a manner approved by the County Highway Superintendent or his representative.
2. All disturbed area shall be returned to their original condition in a manner satisfactory to the County Highway Superintendent or his representative.
3. The permittee shall be required to restore shoulders and ditches and clean up the highway as his work progresses. All driveways shall be restored with material in kind and to their original conditions.
4. All surplus earth and rubbish shall be cleaned up and removed from the highway right-of-way upon completion of the work, and the highway left in a neat and orderly condition.
5. As-built plans showing final grade of new installation and existing underground facilities encountered shall be provided to the Department if variation from approved design plans occurred during construction.

F. NECESSITATED FUTURE WORK

1. The applicant agrees, that any present or future injury to or disturbance of the highway, its slope or gutters, caused by placing mains and service pipe shall be repaired by the applicant at his own expense and in accordance with the requirements of the County Highway Department.
2. If necessity arises in the future because of the work on the County Highway system and/or its structures, requiring the removal, relocation or replacement of the installation authorized by the permit, said work shall be done as directed by the County Highway Superintendent or his representative, and all cost and expense so incurred shall be the obligation of the said permittee or his successor in interest.

II. TELEPHONE – TELEGRAPH INSTALLATIONS

A. SETTING OF POLES

1. All poles shall be set outside the ditch line so that the proper drainage of the highway will not be interfered with. In case it is impracticable to set poles so as not to interfere with the flow of water in the ditches, the shoulder, ditch and space around the poles shall be paved by the applicant to protect against wash.
2. There shall be no obstruction to private driveways, connecting highways or roads, paths or sidewalks.
3. In case it is found necessary to trim trees within the boundaries of the highway, the least possible amount shall be done, and in all cases the consent of the abutting property owner must be secured before the poles are set and trees trimmed.
4. Poles shall be of sufficient length to provide a clearance of not less than eighteen feet between the wire and the crown of the highway, under the worst conditions of temperature and loading. They shall be set in line and properly plumbed. They shall be well guyed. No guying to trees, unless by special permission of owner. Special precautions shall be taken on curves, and where lines cross from one side of highway to the other. Poles shall be straight, sound, and the fittings shall be sufficient to carry wires under the worst condition of loading (ice, wind, etc.).
5. Where telegraph and telephone wires cross high-tension power lines, electric light or trolley wires, special precaution shall be taken to maintain proper clearance under the worst condition of temperature and loading.

B. RESETTING POLES

1. If necessity arises in future, because of work on the highway, to relocate, replace or re-set poles, cables, or conduits, said work shall be done at the expense of the applicant.

III. SPECIAL CONDITIONS

- A. In addition to the aforementioned conditions, if it is found necessary by this Department to add to or otherwise modify the same, it is to be understood such changes shall form a part of the permit and be complied with immediately upon notice.

IV. ADDITIONAL SPECIAL CONDITIONS AND SKETCHES – See Attached Sheet.