

# **TOWN OF HOLLISTON**

## **REGULATIONS FOR TRENCHES**

TOWN OF HOLLISTON  
HIGHWAY DEPARTMENT  
63 ARCH STREET  
HOLLISTON, MA 01746  
508-429-0615  
[www.townofholliston.us](http://www.townofholliston.us)

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## **DEFINITIONS**

1. "Street" shall mean any accepted street (Public Way) under the jurisdiction of the Town of Holliston.
2. "Trench" is defined as a subsurface excavation greater than 3' in depth, and is 15' or less between soil walls as measured from the bottom.
3. "Permit" shall be the written permission for the permitting authority, the Highway Department, as appointed by the Board of Selectmen.

## **PERMIT PROCEDURES**

1. No person or organization shall make any excavation which can be classified as a trench in any street or on private property without first obtaining a permit, except as otherwise provided by these regulations. Permits can be obtained from the Highway Department, Monday through Friday, between the hours of 8:30 a.m. and 3:30 p.m. Permits must be obtained at least 48 hours before beginning the work.
2. At the time of application, \$.50 per linear foot with a minimum fee of \$50.00 must be paid to cover the costs of inspection services that will be conducted by the Town. The fee will cover excavation in one location.
3. Permits will be valid for one year after issuance. All trench excavations shall be initiated within six months and permanent repairs shall be completed in full and approved by the Trench Permitting Authority within 60 days after the start of construction. The applicant or his agent shall be fully responsible for all necessary repairs prior to full acceptance. A performance bond is required for any part of the excavation that occurs within the Town right of way.

## **PERFORMANCE BOND**

1. At the time of application for a street opening permit, the applicant shall submit to the Town a performance bond to assure that permanent repairs are properly completed.
2. The form of bond shall be either a personal or certified check, payable to the Town of Holliston, or a bond of a surety company authorized to do business in the Commonwealth of Massachusetts. It shall be conditioned that the applicant shall guarantee the satisfactory performance of the work in all respects, and shall replace or restore any portion of the street in which the applicant or his agent performs excavations.
3. The bond shall allow the Town of Holliston to perform work deemed necessary by the Highway Superintendent or his representative to correct any deficiencies, and all costs incurred by the Town to complete the repair or correct deficiencies may be applied against the bond.

4. Upon satisfactory completion of permanent repairs, final acceptance in writing by the Highway Department, the balance of the bond will be returned in full to the applicant.
5. The amount of the bond shall be calculated at a rate of \$90.00 per square yard or area disturbed within the public right of way. It shall be assumed that the disturbed area will extend four feet beyond each edge of the proposed trench.

### **EXEMPTIONS FROM PERMITS AND BONDS**

1. The Town of Holliston departments will not be required to pay a fee or post a bond, but they will be required to obtain a permit.
2. No permit or bond will be required for incidental grading and landscaping work performed by property owners on unpaved frontage areas within the public right of way. This clause shall in no way diminish the Town authority over said areas.
3. Bonds from public utility companies that are self-insured will be acceptable if the terms and conditions are similar to those outlined herein.
4. Public utility companies may be allowed to pay fees on an annual or periodic basis at the discretion of the Board of Selectmen.

### **FINES AND PENALTIES**

Failure to obtain a permit as required in these regulations before commencing work or, having obtained a permit, failure to comply with these regulations, shall be subject to a fine not to exceed \$100.00 for each offense, pursuant to the Town Bylaws. Each day in which violation continues shall constitute a separate offense. For purposes of these regulations, the Highway Superintendent shall be the enforcement officer.

No further work will be allowed by the contractor in the Town of Holliston until all alleged improprieties have been resolved to the satisfaction of the Highway Superintendent.

Any person accused of violating these rules or regulations shall be notified of the alleged violation, in writing, via certified mail, return receipt requested, which shall set forth a date and time at which a hearing will be held before the Highway Superintendent or his designee in order to afford the person an opportunity to be heard in regard to the alleged violation, with or without counsel, as the person shall choose.

### **SPECIAL REQUIREMENTS**

1. No public way shall be opened prior to April 15<sup>th</sup> or after November 15<sup>th</sup>.
2. No public way shall be blocked overnight, and daytime blockage shall be kept to a minimum. If police traffic control is required, costs shall be paid by the applicant, in addition to the fees specified herein.
3. The applicant or his agent shall be fully responsible for the work, including traffic control and public safety, at all times.
4. All repairs shall be completed in full, and approved within the specified duration.
5. Not excavations shall remain open overnight.

### **EMERGENCY ACTIONS**

1. Nothing in these regulations shall prevent the making of such exaction as may be necessary for the preservation of life or property, or for the location of trouble, or repairing conduit, cable or pipe.
2. A permit shall be applied for the first working day after emergency work is commenced.

### **MORATORIUM**

1. No permits will be issued for the excavation of paved surfaces on streets that have been reconstructed, or resurfaced, or are newly constructed and accepted by the Town, within five years following the installation of new street surfaces, except in the case of extreme emergency or hardship, as approved by the Board of Selectmen.
2. Special permits, on an individual case basis, may be issued for extreme emergency or hardship as approved by the Board of Selectmen. Jacking or tunneling without disturbing the road pavement may be required. "After the Fact" restoration resulting from extreme emergency work will be performed to standards established for each case to assure that the patch will have a life expectancy equal to surrounding pavement.

## **SPECIFICATIONS FOR TRENCH CONSTRUCTION**

Below you will find a list of construction requirements for a road opening permit within the Town right of way. For a permit to be granted, the Highway Department will require that the following methods be followed. These are required for all utility cuts.

1. The roadway opening must be saw cut to eighteen inches beyond each side of the excavation to ensure a true edge for trench repair.
2. There must be six inches of sand compacted over a new water service. This is to extend a minimum of three feet beyond the gutter edge of the asphalt or as the Holliston Highway Superintendent deems necessary.
3. The trench must then be filled to within five inches of finish grade with flowable fill and plated, pinned and ramped for twenty-four hours for curing. This must also extend a minimum of three feet beyond the gutter edge of the asphalt or as the Holliston Highway Superintendent deems necessary. The trench must then receive three and one half inches of three quarter inch bituminous concrete binder followed by one and one half inches of Type "I" bituminous concrete top. If existing asphalt conditions are greater than five inches, then that measurement must be duplicated.
4. It may be necessary for the completed trench to receive an infrared repair for proper sealing so that there will be not water infiltration. This will be under the discretion of the Highway Superintendent.
5. Any exposed joints in the pavement are to be sealed with emulsion and sand.
6. The recipient of the permit will be responsible for traffic control including proper warning signage and police detail(s), notification to Fire Department, School Bus Coordinator and any other agency that may be affected.
7. The recipient of this permit will be responsible for any loss, accident or injury resulting from the construction until it is accepted and released by the Town.
8. The recipient will also agree to pay in full for any emergency repair cost the Town may incur.

This agreement is binding by the signature of the applicant on the street opening permit. In the event that the work does not take place within the paved surface, but along the shoulder area instead, all methods will apply except for the bituminous installation (#4). This will be substituted with loam and seed.

Any questions regarding these procedures should be directed to the Highway Department office.

## **PATCH REQUIREMENTS FOR MORATORIUM ROADS**

(Street Name)\_\_\_\_\_is a new (residential or industrial) road surface within the last five years, and is on the restricted list for openings. This permit is issued under the hardship provision in our Street Regulations for Excavations and, in addition to the requirements for restoration, infrared treatment at the time of the permanent patch must be performed to blend the patch with the new road surface.

### **GUIDELINES FOR:**

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(Street Name)

1. Flowable fill is required for all trenches.
2. If Residential: Minimum two and a half inches of binder and one and a half inches of top or to match existing, if that sum is greater.
3. If Industrial: Minimum three and a half inches of binder and one and a half inches of top or to match existing, if that sum is greater.
4. Infrared treatment is required to blend patch with new road surface, as noted above.

15c. **DESIGNATION OF SCENIC ROADS:** **MAINTENANCE, ETC.**

Upon recommendation or request of the Planning Board, Conservation Commission, or Historical Commission of any City or Town, such City or Town may designate any road in said City or Town, other than a numbered route or State Highway, as a scenic road.

After a road has been designated as a scenic road, any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the Planning Board, or if there is no Planning Board, the Selectmen of a Town, or the City Council of a City, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to the time, date, place and purpose, the last publication to occur at least seven days prior to such hearing; provided, however, that when a public hearing must be held under the provision of this section and under section three of chapter eighty-seven prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the Tree Warden and Planning Board, or if there is no Planning Board, the Selectmen of a Town, or the City Council of a City, and notice of such consolidated public hearing shall be given by the Tree Warden or his deputy as provided in said section three of chapter eighty-seven.\*

Designation of a road as a scenic road shall not affect the eligibility of a City or Town to receive construction or reconstruction aid for such road pursuant to the provision of chapter ninety. (1973, 67: 1979, 552)

Editorial Note:

The 1979 amendment affected the second paragraph, adding a provision for consolidated hearings where public shade trees are involved.

\* In the event that trees or stone walls will not be cut or disturbed, the applicant shall submit a notarized letter stating the project will not involve cutting or removing trees nor tearing down or disturbing stone walls, or portions thereof.



## **TOWN OF HOLLISTON**

### **SCENIC ROADS**

Designated & Approved – May 15, 1975 – (Article 15)

Adams Street  
Bullard Street  
Courtland Street  
Hanlon Road  
Hill Street  
Jennings Road  
Marshall Street  
Prentice Street

Designated & Approved – May 13, 1976 – (Article 26)

Bullard Lane  
Central Street  
Fisher Street  
Fiske Street  
Gorwin Drive  
Granite Street  
Highland Street  
Linden Street  
Mellen Street  
Mill Street  
Norfolk Street  
Rockland Street  
Underwood Street  
Wilson Road  
Winter Street

Designated & Approved – May 8, 1991 – (Article 27)

Brook Street  
High Street  
Locust Street  
Oak Street

## **NOTIFICATION SCHEDULE**

In the event a Town roadway is to be partially or completely closed to traffic for any period of time, please complete the following procedure:

Permission to close must be received from the Police Department: 508-429-0612.

Notify the Fire Department: 508-429-4631.

During weekdays – School Department Bus Coordinators:

School Dispatch – 508-429-0654

Holmes Transportation – 508-528-4550

Should blasting work be needed, permit must be obtained from the Fire Department.

After notifying the above departments, an Applicant must notify the Highway Department of compliance to Notification Schedule of partial or complete closure.

