

Town of Wakefield Department of Public Works



Right-Of-Way & Utility Systems Permit

Guidelines to Applicant

April 1, 2022

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I. PERMITTING AUTHORITY AND ITS MISSION

In order to protect the integrity of all public rights-of-way, assure the protection of all structures within and adjacent to these rights-of-way, and provide optimum safety and convenience for the public; permission in accordance with the guidelines herein described must be obtained from the Wakefield Department of Public Works (DPW) and/or its duly authorized designee DPW-Engineering Division (DPW-ED) hereinafter referred to as the "Permitting Authority", before the following:

1. excavation or in any way disturbing public rights-of-way
2. extending/connecting to a town-owned utility
3. any drainage that connects to the town's system or water body
4. any water service installed (up to the water meter)
5. any sewer service installed (up to 10 feet from any foundation)

II. APPLICATION FOR R.O.W. AND UTILITY SYSTEMS PERMIT

1. The Application for a "R.O.W. & Utility Systems Permit" can be found online at the following locations:
 - a) Wakefield Department of Public Works website:
<http://www.wakefield.ma.us/public-works/pages/forms-licenses-applications-permits>
 - b) A link is also provided on the computer available to the public and located at the DPW-Engineering Division (DPW-ED) counter at Town Hall, 1 Lafayette Street.
2. After the Applicant has filled out the Application form, checked the box (Send me a copy of my responses) at the end of the form, and clicked "Submit", the Applicant will receive an automatic email notification that the DPW has successfully received the Application. However, your Application is not complete at this point and requires that you hand-deliver additional information; Plan Requirements (Section V of this document) and Permit Fees (Section VIII of this document). Please read the application thoroughly and confirm you have submitted all that is required.

Notes:

- a) *The DPW-ED will not review incomplete applications.*
- b) *The turn-around time for all completed permits, excluding emergencies, shall be a minimum of five (5) business days.*
- c) *The DPW-ED will only review applications submitted online.*

III. PERMIT CLASSIFICATIONS

All permits must be obtained by a Contractor licensed in the Town of Wakefield, with the exception of Class 1 Permits (Application for Contractor License is available on [Wakefield Department of Public Works website](#)).

Class 1 Permit (TEMPORARY OCCUPANCY) includes short-term access and/or disturbance within the ROW. This applies to temporary access across any portion of the R.O.W. which does not have an existing curb cut or driveway or placement of an object such as a dumpster or storage/moving cell, traffic management devices and/or signs, etc.

Class 2 Permit (GENERAL CONSTRUCTION) includes, but is not limited to, any underground work performed in the right-of-way and work that may or may not require excavation. This work typically requires equipment and occupies area within the R.O.W. Examples of this work include, but are not limited to, curbing, driveway paving/widening, placement of equipment or materials on or adjacent to the road.

Note: Driveway Details can be found in Appendix A of this document.

Class 3 Permit (UTILITY SERVICE) includes, but is not limited to, the installation and/or connection of new utility services, cut & cap, and the transfer of residential overhead utility (phone, cable, electric, etc.) to under-ground utility services.

Class 4 Permit (UTILITY MAIN), includes, but is not limited to, the installation, relocation, replacement or extension of utility mains, and to relocate overhead mains underground.

Class 5 Permit (I/I), includes projects that increase sewer flows to the Town's sewer system, but **DO NOT** require modification to the Town's sewer services or mains. Infiltration & Inflow (I/I) fee is calculated based on [310 CMR Title VI of the State Environmental Code, Subpart C, Section 15.203 "System Sewage Flow Design Criteria"](#). See related fees in Section VIII chart below.

Note: Extending private utilities to the public R.O.W. requires a "Pole and/or Conduit Petition". It is the responsibility of the Applicant to ensure compliance with Town Council approval in regards to a "Pole and/or Conduit Petition" pursuant to [MGL Chapter 166§22](#).

IV. MORATORIUM POLICY

The Town of Wakefield road moratorium includes all roads that have received full width pavement treatment (reclaim, mill, overlay, etc). The road moratorium term is five (5) full years beginning the year of construction and prohibits street-cutting except in cases of emergencies.

A full [list of moratorium roads](#) can be found in the "Helpful Links" section of the Application for a R.O.W. & Utility Systems Permit.

V. PLAN REQUIREMENTS

Before any permit is issued, a complete plan may be required with the Application in accordance with section 1.2.1 of the booklet entitled "WAKEFIELD DEPARTMENT OF PUBLIC WORKS, DESIGN & CONSTRUCTION STANDARDS & DETAILS" as revised and is available upon request.

VI. ADDITIONAL APPROVALS

1. With the exception of a permit for Cut & Cap, it is the responsibility of the Applicant to obtain all other approvals required to perform the work prior to the issuing of a Right-of-Way & Utility Systems Permit.
2. Approval of proposed work by any other Town Departments does not automatically imply approval of a Right of Way & Utility Systems Permit Application.
3. For any construction activity that involves land disturbance greater than 15,000 sf, the Applicant is responsible for the requirements listed in the Town of Wakefield's Code "Stormwater Management and Land Disturbance" [Chapter 170](#).
4. Connection to a sewer service pipe installed under a Right-of-Way & Utility Systems Permit (10 feet from the foundation or less) must be performed by a MA licensed plumber, and a Plumbing Permit must be attached to the Application for work (less than 10 feet from the foundation).

VII. WATER METERS & OCCUPANCY PERMIT SIGN-OFF

1. Prior to Occupancy Permit approval, Applicant must open a water account through the DPW Administration Division at Town Hall. The Applicant is required to submit a copy of the Meter Tag & MXU Tag and Installer's Name in order to open an account.
2. Once the account is opened, the DPW-ED will review the Occupancy Permit and confirm the new water meter is functional and in good working order.
3. The DPW-ED will then sign the Occupancy Permit and return to the Inspectional Services Department (Building Inspector).

Note - E.J. Prescott is the area distributor for Sensus Meters. To purchase a New Meter and/or Outside Reading Device (MXU2), the Applicant may contact them at (978)777-7738. Meters must be installed in accordance with the Town of Wakefield's specifications and detail.

VIII. PERMIT FEES

TOWN OF WAKEFIELD ~ RIGHT-OF-WAY PERMIT FEES:				
Type	Application Fee	Inspection Fee *	Bond	Insurance
Temporary Occupancy	\$25	N/A	N/A	required
General Construction	\$25	\$50/each	\$5,000/each	required
Utility Service / Cut & Cap	\$25	\$50/each	\$5,000/each	required
Utility Main	\$25	\$50/each	determined at time of application, based on town's construction cost	required
Trench Fee	\$100	N/A	N/A	N/A
OTHER:				
* Inspections:		\$50/each		
ROADWAY IMPACT FEE:				
Life Cycle Maintenance Cost (LCMC) – Any work which involves the disturbance, including but not limited to the cut, puncture, or excavation of a paved roadway, a (LCMC) will be appropriately administered. The cost is a function of the area being disturbed and the condition of the paved surface.				
<div>LCMC = ((SFTI x UC) + MF) x RSR:</div> <div>SFTI = Applicant's Trench Impact to Road (sqft) UC = Unit Cost of Trench (\$8/sqft) MF = Mobilization Fee (\$575) RSR = Roadway Surface Rating from the Town's Pavement Management Software (Expressed as a percentage 0% to 100%)</div> <div>Approved Town Meeting 11/5/2018, Article 14</div>				
SANITARY SEWER FEES:				
Connection Fee	\$500 (New Connections only)			
I/I Fee	Applicant shall submit an I/I removal fee to compensate removal of flow from the sewer system. This fee is calculated as \$450 per 110 GPD (or 1 bedroom) of additional flow.			
WATER TAPPING FEES:				
Potable Service Tapping Fees (New Connections Only)			Fire Protection Tapping Fee	
- 1" Service or less	\$500		- 4" Fire Service	\$350
- 1 1/4" Service	\$650		- 6" Fire Service	\$650
- 1 1/2" Service	\$750		- 8" and Larger Fire Service	\$1,000
- 1 3/4" Service	\$850			
- 2" Service	\$1,000			
- Up to 4" Service	\$5,000			

IX. TERMS & CONDITIONS

DPW – Wakefield Department of Public Works

DPW-ED – Wakefield Department of Public Works, Engineering Division

Licensed Contractor – Contractors who complete the Town of Wakefield's Licensed Contractor Application annually and have been approved by the DPW to do work in town for that corresponding construction season is a Licensed Contractor.

Permitting Authority – Will be considered both DPW & DPW-ED

Public Right-Of-Way (R.O.W.) – Any municipal street that is open to the public and is controlled and maintained by the Town of Wakefield or body having similar powers is a 'public way'.

Road Moratorium - A road moratorium includes all roads that have received full width pavement treatment (reclaim, mill, overlay, etc). The road moratorium term is five (5) full years after the year of construction.

Town-Owned Utility – Any utility contained within the Town of Wakefield's infrastructure, including but not limited to, water, sanitary sewer and stormwater.

Town Infrastructure – The fundamental facilities and systems serving the Town of Wakefield including, but not limited to, vehicular and pedestrian transportation features and utilities.

Town Council - In accordance with Wakefield's Charter, our Town Council is composed of seven members elected, at large, for terms of three years each. The executive authority of the Town is vested in the Town Council, which is deemed to be the chief executive office and chief policy-making agency in the Town. Read more about the official duties of our Town Council [here](#).

Trench- a trench is defined as "an excavation which is narrow in relation to its length, made below the surface ground in excess of three feet below grade and the depth of which is, in general, greater than the width, but the width of the trench, as measured at the bottom, is not greater than 15 feet. See [sample trench detail](#) found in the "Helpful Links" section of the Application for a R.O.W. & Utility Systems Permit.

GENERAL CONDITIONS:

By signing the Application for a R.O.W. & Utility Systems Permit the Applicant agrees to the following terms and conditions:

1. **All work performed and materials used shall conform to current town standards and specifications as shown and described in the booklet entitled "WAKEFIELD DEPARTMENT OF PUBLIC WORKS, DESIGN & CONSTRUCTION STANDARDS & DETAILS" as revised and is available upon request.**
2. All persons are subject to the ["Code of the Town of Wakefield", Article II Obstruction and Excavations, §175-4 Permit Required, and as revised in Article 14, Town Meeting, November 5, 2018](#). Except in the event of a situation posing an immediate threat to public safety, said permit shall be obtained prior to any work being performed.
3. This permit may be revoked at any time.

4. The Applicant is solely responsible for obtaining all other permits or permission required to perform the work as established by Town bylaw or state or federal regulations prior to commencement of the work.
5. The Applicant shall be responsible for obtaining all permits required for his equipment, work force, or particular operations (such as blasting) in the performance of the work.
6. The Applicant shall conform to all the requirements of the laws of the Commonwealth and the Bylaws and regulations of the Town of Wakefield now and hereafter in force.
7. The Applicant will conform to [MGL Chapter 82 §40-40E](#), also known as the Digsafe Law.
8. The Applicant will present the R.O.W. & Utility Systems Permit to the Town Engineer or his/her duly authorized agent at any time upon demand on or before the expiration of the time fixed in this permit or any extension thereof for completing the work.
9. All work must comply with all current [ADA \(Americans with Disabilities Act\)](#) and the [MA Architectural Access Board \(MAAB\)](#) Requirements.
10. All work shall be consistent with the proposed plan submitted with the Permit. Any plan discrepancies or field changes required shall be brought to the attention of the DPW-ED immediately.
11. Except in the event of a situation posing an immediate threat to public safety or in the case of severe hardship, all work involving open cutting and/or construction within a public way shall be performed within the period from **April 15 to November 15** of any year. Except in emergencies, no work shall be allowed on Saturdays, Sundays and legal holidays. In addition, no new work shall commence on Fridays. Any exceptions to this term may be approved at the discretion of the Director of Public Works.
12. **No** R.O.W. & Utility Systems Permit shall be issued between **November 15 and April 15 (winter season)**, except in case of emergency, as determined by the Director of Public Works.
13. Except in emergencies or with prior approval from the Director of Public Works, work shall be limited to the hours of 7:00 AM to 5:00 PM. On major roads, work shall be limited to the hours of 9:00 AM to 3:30 PM unless approved by the Permitting Authority.
14. The Applicant will notify the DPW-ED office at (781) 246-6309 twenty four (24) hours prior to the commencement of any work associated with the permit or requiring an inspection from the DPW-ED. Inspections are conducted Mon-Thur 7:30 AM-3:00 PM and Fridays 7:30 AM – 11:00 AM Any inspection conducted outside of these hours will result with the Applicant paying a minimum inspection fee of \$200.00.
15. All R.O.W. & Utility Systems Permits shall expire at the end of the construction period specified above in #11, unless otherwise authorized in writing by the Town Engineer or his/her duly authorized agent. Permits shall become void upon the expiration date specified on the Application. For permits that require an extension, the Applicant shall request it in writing to the Town Engineer. Approval shall be at the sole discretion of the Town Engineer. Following the approval of the extension, the decision will be made to require a new application and fee(s) to be filed.
16. Should it be determined by the Permitting Authority that work of an emergency nature must be accomplished by DPW personnel, the total cost of labor and materials shall be charged to the Applicant.
17. Only work deemed an emergency, as defined by the Director of Public Works, shall be authorized during snow and ice storms and subsequent snow removal operations.
18. The bond will be released one (1) year after final inspection by the DPW-ED.
19. The Town of Wakefield restricts installation of landscape plantings, trees, walls, curbs, cobbles, bricks, pavers, utilities, conduits, forcemains, etc. within the rights-of-way.
20. All existing drainage facilities including, channels, ditches, culverts, catch basins, and piping, shall be adequately safeguarded so as not to impede drainage or to cause siltation of downstream areas. If the Applicant damages or impairs through

circumstances beyond his control, any of the aforesaid drainage facilities, he shall repair the same within the same day.

21. Access to private driveways and fire hydrants must be maintained during construction operations at all times.
22. If the Applicant is unable to meet any requirements of the Permit, the Applicant may request a waiver from that requirement or permit decision in writing to the Director of Public Works. Where such action is in the public interest and not inconsistent with the intent and purpose of the Right-of-Way & Utility Systems Permit, the Director of Public Works may at his/her sole discretion, waive strict compliance with its rules and regulations. The Director of Public Works shall provide a written response granting or denying the requested waiver.
23. In granting any permit, the Permitting Authority may attach such other conditions thereto as may be reasonably necessary to prevent damage to public or private property or to prevent operation from being conducted in a manner hazardous to life or property or in a manner likely to create a nuisance. Such conditions may include but shall not be limited to:
 - limitations on the time of the year in which the work may be performed;
 - restrictions to the size and type of equipment which work within the right of way;
 - routes upon which materials and equipment may be transported;
 - location and manner of disposal of excavated materials;
 - requirements for dust control, street cleaning, noise prevention, or other activities that may be considered a nuisance; and
 - regulation as to the use of streets during the course of the work.
25. The Applicant has been authorized by the Owner to apply for the permit undertake such work on the property of the Owner, and also, for the duration of construction, authorizes persons duly appointed by the municipality to enter upon the property to monitor and inspect the work for conformity with the conditions attached hereto and the laws and regulations governing such work.
26. The Applicant agrees to reimburse the Town of Wakefield for any and all costs and expenses incurred by the town in connection with this permit and the work conducted thereunder, including but not limited to, enforcing the requirements of state law and conditions of this permit, inspections made to assure compliance therewith, and measures taken by the Town to protect the public where the Applicant has failed to comply therewith including police details and other remedial measures deemed necessary by the Town.
27. The Applicant agrees to defend, indemnify, and hold harmless the municipality and all of its agents and employees from any and all liability, causes or action, costs, and expenses resulting from or arising out of any injury, death, loss, or damage to any person or property during the work conducted under this permit.

EXCAVATION AND TRENCH SAFETY CONDITIONS:

By signing the Application for a R.O.W. & Utility Systems Permit the Applicant agrees to the following conditions regarding Trench Safety and Conditions and Requirements pursuant to [MGL Chapter 82A §1-5, 520 CMR 14.00](#) Excavation & trench safety (Jackie's Law) (as amended):

1. No trench may be excavated unless the requirements of sections [MGL Chapter 82 §40-40D](#), and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit

- including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in [MGL Chapter 164 §76D](#) (DIG SAFE);
2. Trenches may pose a significant health and safety hazard. Pursuant to [MGL Chapter 82 §1](#), an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended.
 3. Excavators should consult regulations promulgated by the [Department of Public Safety](#) in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.
 4. Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the [Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et.seq. entitled Subpart P "Excavations"](#).
 5. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to [MGL Chapter 146 §53A](#) shall only employ individuals licensed to operate said equipment by the [Department of Public Safety](#) pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;
 6. By applying for, accepting and signing this permit, the Applicant hereby attests to the following: (1) that they have read and understands the regulations promulgated by the [Department of Public Safety](#) with regard to construction related excavations and trench safety; (2) that he has read and understands the federal safety standards promulgated by the [Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et.seq. entitled Subpart P "Excavations"](#) as well as any other excavation requirements established by this municipality; and (3) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a town public way that forms the basis of the permit application, complied with the requirements of [MGL Chapter 82 §40-40D](#).
 7. In the event the Permitting Authority is notified of an unattended trench during a time when the permit holder is unavailable, and the Permitting Authority determines that a police detail is required to make the trench safe for the protection of the general public, the permit holder shall be assessed and be responsible to the Town for the cost of providing the police detail.
 8. In the event that the Permitting Authority determines that a trench is unattended and unsafe, the Permitting Authority may take such action to backfill, barricade or cover the trench and the permit holder shall be assessed the costs associated with the action, including any overtime costs for the Town of Wakefield employees or Town-authorized Applicants.
 9. Whenever a permit holder is making multiple trenches related to the specific utility for which the original permit was issued over the course of a single project, the Permitting Authority may choose to issue a blanket permit allowing the permit holder to add to the list of trench locations as the permit holder becomes aware that a trench is required. The permit holder shall advise the Permitting Authority of the addition of each new trench.
 10. **The approved permit shall be posted in plain view on the site of the trench.**
 11. The Applicant acknowledges and certifies that they are familiar with, or, before commencement of the work, will become familiar with, all laws and regulations applicable to work proposed, including [OSHA regulations, MGL Chapter 82A §1-5, 520 CMR 14.00](#), and any applicable municipal ordinances, by-laws and regulations and they covenant and agree that all work done under the permit issued for such work will comply therewith in all respects and with the conditions set forth below.

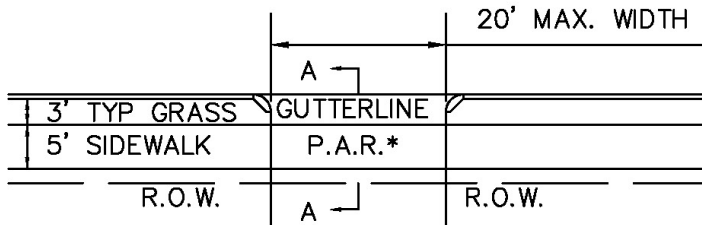
X. AS-BUILTS & FINAL APPROVAL

Water & Sewer Tie Cards will be generated by the DPW-ED at the end of the project to verify that the work matches the proposed conditions submitted through the Permit Application. If the work is determined by the DPW-ED to be significant enough, an As-Built plan, certified by a licensed Professional Engineer (P.E.) or Professional Land Surveyor (P.L.S.) may be required at the Applicant's expense.

Failure to schedule all required inspections and obtain the signature of the town's inspector approving completeness may result in the suspension of your Contractor's License to perform future work in the Town of Wakefield. Multiple offenses may result in your Contractor's License being revoked indefinitely.

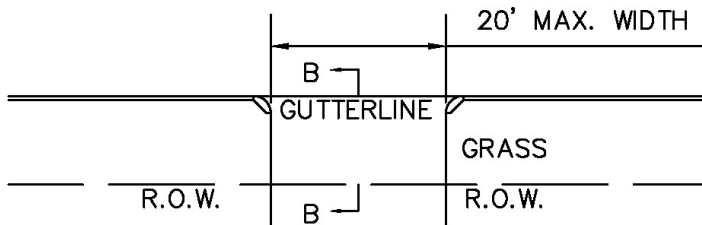
APPENDIX A

RESIDENTIAL DRIVEWAYS WITH CURB/BERM AND SIDEWALK

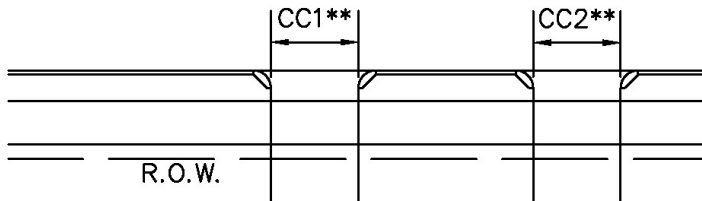


* PEDESTRIAN
ACCESS ROUTE

RESIDENTIAL DRIVEWAYS WITH CURB/BERM AND NO SIDEWALK

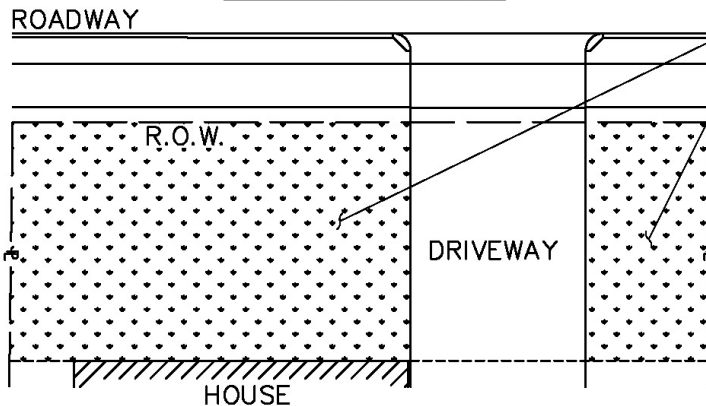


RESIDENTIAL DRIVEWAYS WITH MULTIPLE CURB CUTS



** CC1 + CC2 SHALL
NOT EXCEED 20'

RESIDENTIAL DRIVEWAYS FRONT YARD OPEN SPACE REQUIREMENT



MIN. 60% OF FRONT YARD
MAINTAIN AS OPEN AREA
WITHOUT PARKING

NOTES:

1. DRIVEWAY DIMENSIONS PER
TOWN OF WAKEFIELD
ZONING BYLAWS §190-31 &
190-37
2. A DRIVEWAY IN ANY
RESIDENTIAL DISTRICT
SHALL NOT SERVE MORE
THAN ONE LOT.



TOWN OF WAKEFIELD PUBLIC WORKS
DESIGN & CONSTRUCTION STANDARDS

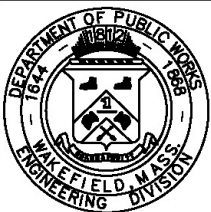
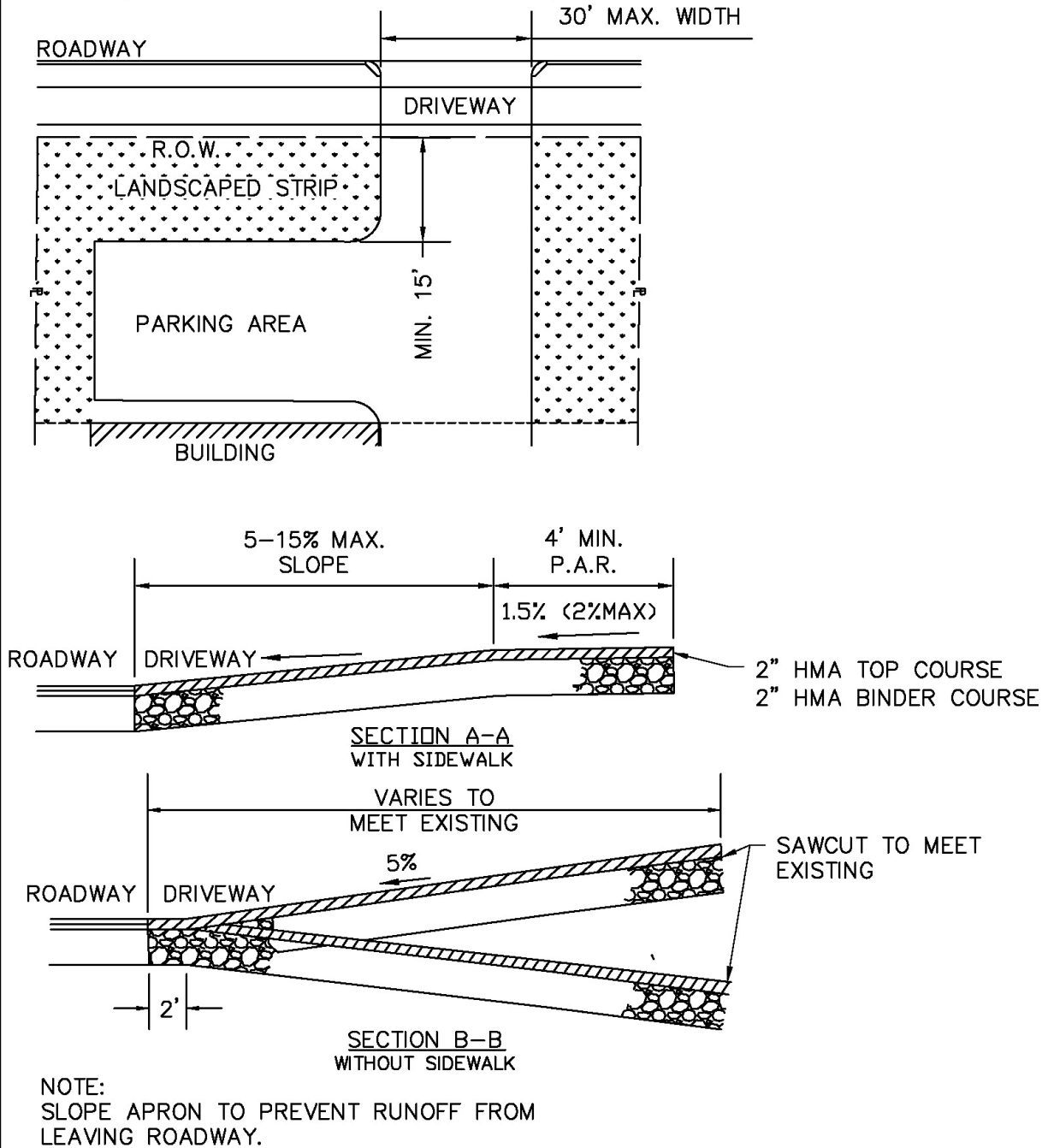
TYPICAL DRIVEWAY DETAIL

SCALE: NTS DATE : 12/27/2018

REVISED: -

DETAIL NUMBER:
RS-17A

**BUSINESS AND INDUSTRIAL DISTRICT DRIVEWAYS
FRONT YARD PARKING REQUIREMENT**



**TOWN OF WAKEFIELD PUBLIC WORKS
DESIGN & CONSTRUCTION STANDARDS**

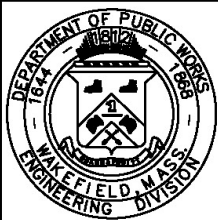
TYPICAL DRIVEWAY DETAIL

SCALE: NTS	DATE: 12/27/2018
REVISED: -	
DETAIL NUMBER: RS-17B	

ALL DRIVEWAYS MUST MEET THE SIGHT LINE REQUIREMENTS LISTED FOR THE SPEED LIMIT OF THE STREET THE DRIVEWAY ENTERS.

Minimum Required Sight Distance	
Design Speed (MPH)	Sight Distance for passenger cars (ft)
25	280
30	335
35	390
40	445
45	500

Note: It is the applicants' responsibility to review the conditions at the location of the proposed driveway, and ensure that additional sight distance is not required.
 *Reference A.A.S.H.T.O. A Policy on Geometric Design of Highways and Streets, Table 9-6, Design Intersection Sight Distance- Left Turn from Stop, 2011 version.



TOWN OF WAKEFIELD PUBLIC WORKS DESIGN & CONSTRUCTION STANDARDS

TYPICAL DRIVEWAY DETAIL

SCALE: NTS	DATE : 12/27/2018
REVISED: -	
DETAIL NUMBER: RS-17C	

