

IMPORTANT NOTICE: This is not a permit in lieu of any applicable municipal building permits. Carefully read and comply with the conditions stated in this permit. No work of any kind by the permittee is authorized within any Town Road or drainage right-of-way by this permit, as such work shall be covered by a separate Department of Transportation permit if required.

TOWN OF MARCELLUS

Department of Transportation

Marcellus, New York

Reference:
Permit No. _____

APPLICATION FOR PERMIT

For the Construction or Modification of Buildings, Driveways, and Miscellaneous means of access, related to any proposed or existing Town Road or Drainage System.

Pursuant to Section 239-K of the General Municipal Law and Section 136 of the Highway Law.

TO: SUPERINTENDENT OF HIGHWAYS
of the Town of Marcellus

Application is hereby made by the undersigned, _____

whose principal place of residence or business is at _____

residence phone _____ business phone _____

to: (choose one) Construct Modify
(choose one) Farm Access Residential Driveway Commercial Driveway

Location of proposed work: _____

Description of proposed work: _____

having frontage on, access to, or be otherwise directly related to any existing or proposed town road or drainage system known as _____ (common name or official name) situated in the Town of Marcellus, in accordance with the map and plan hereto attached, and pursuant to the conditions and regulations, whether general or special, which are hereinafter set forth; all forming a part hereof. This applicant will obtain any and all other consents and permits that may be necessary to accomplish the purposes set forth herein, as it is understood that in granting such permit, this Department, merely expresses its assent insofar as it is authorized.

PERMIT

For the Construction or Modification of Buildings, Driveways and Miscellaneous means of access, related to any proposed or existing Town Road or Drainage System.

PERMISSION IS HEREBY GRANTED

To the above applicant (hereinafter referred to as "Permitee"), to proceed as set forth and represented in the attached and pursuant to the conditions, whether general or special which are hereinafter set forth; all forming a part hereof, to-wit:

REGULATIONS

DEFINITIONS – SECTION 1

1. Superintendent – The Superintendent of Highways of the Town of Marcellus or his duly authorized representative.
2. Town Road – Any highway so designated to the latest "Road Map of the Town of Marcellus" issued by the Superintendent as well as all other Town Highways not so indicated, both existing and proposed.
3. Drainage System – Any natural or unnatural waterway, including creeks, highway ditches, culverts, and storm drains.
4. Applicant – The person, persons, or firm requesting a permit, or his/their duly authorized representative.
5. Owner – The person, persons, or firm holding legal title to the property for which a permit is requested.
6. Zoning Enforcement Officer – The building inspector or other authorized official of the particular Town or Village within which the permit property is located.
7. Permitee – The applicant, if and when the application is approved or approved subject to specific conditions by the Superintendent.
8. Application – A completely filled out and signed application form specified by the Superintendent, as well as other necessary and required supplemental information, such as maps and plans, attached thereto.
9. Building – The structure or structures such as single or multi-family dwellings or commercial and industrial structures on the property specified on the application.
10. Driveway – A means of access for motor vehicles onto the property specified on the application.
11. Modification – An addition or alteration to an existing building or driveway.
12. Return Radius – the radius of the curve between the driveway edge and the pavement edge.

PROCEDURE – SECTION II

1. Application for Town approval for the construction or modification of buildings, driveways, and miscellaneous means of access related to any proposed or existing Town Road or Drainage System, shall be available form Zoning Enforcement Officer or Superintendent of Highways.
2. Three applications shall be submitted to the Zoning Enforcement Officer who shall then forward the applications to the Superintendent of Highways.
3. Within ten (10) days after receipt of the applications, the Superintendent of Highways shall cause the applications to be reviewed for recommendations by the appropriate Zoning Enforcement Officer, the Planning Board and the Superintendent of Highways.
4. After such review and within the same ten (10) day period the Superintendent of Highways shall then approve, approve subject to specifications, or disapprove the application, and shall note such on the three applications.
5. Two copies of the application shall then be returned to the Zoning Enforcement Officer. The Superintendent of Highways shall retain the third copy of the application.
6. The Zoning Enforcement Officer shall retain one copy of the applications so returned and shall release the other to the applicant or permittee at such time that the town acts on the municipal building permit, if any.
7. If no municipal building permit is required for the proposed construction indicated on the application, the applicant shall make application directly to the Superintendent.

GENERAL REGULATIONS – SECTION III

1. No work of any kind by the permittee shall be authorized within any Town Road or Drainage Right-of-Way by the issuance of this permit, as such work shall be covered by a separate Department of Transportation Permit
2. The map and plans submitted as a part of the application shall indicate the following information:
 - a. the location and boundaries of the subject property for which a permit is requested.
 - b. the location size and type of all existing and proposed driveways and buildings, underground utilities, service facilities, parking layouts and drainage facilities.
3. Insufficient information shall constitute grounds for disapproval by the Superintendent.
4. A copy of this permit must be present at the permit property site at all times during construction.
5. The construction materials used and the form of construction shall be in accordance with local municipal laws and regulations, except as specified in Section VI.
6. The privilege granted by this permit does not authorize any infringement of federal, state, or local laws or regulations, and is limited to the extent of the authority of the Superintendent of Highways.

7. The issuance of this permit by the Superintendent shall not be assigned or transferred.
8. The permittee shall not deviate from approved maps and plans, etc., without the written consent of the Superintendent, the Zoning Enforcement Officer, and all other interested governmental agencies.
9. If it is found necessary by the Superintendent of Highways to add to or otherwise modify this permit, such additions or modifications shall form a part of this permit and shall be complied with immediately by the permittee, upon notice by the Superintendent.
10. The Superintendent shall reserve the rite to revoke or annul this permit at any time without the necessity of a hearing or showing cause, except as provided under Section 239-K.
11. The owner and/or the permittee shall be responsible for all damages resulting in bodily injury, including death, and/or property damage liability due to the installation, maintenance, use or existence of any facility of the permittee, or which arises out of activities of the Permittee, its contractors, subcontractors of either or both, agents or employees, in connection with any act or omission hereunder; and the said permittee shall indemnify and save harmless the Town of Marcellus and/or Division of Highways of the Town of Marcellus and/or the Superintendent of highways of the Town of Marcellus, and his representatives and employees, from any claims, suits, actions, damages and costs of every name and nature and description, arising out of or resulting from any act or omission hereunder or by either the said Permittee or the Town of Marcellus, and its agents, servants and employees.

DRIVEWAY DESIGN REGULATIONS – SECTION IV

PART A- Residential Driveways (for 1 and 2 family dwellings)

1. The maximum number of driveway entrances onto a Town Road shall be one per building lot having 150 feet of frontage, or less. Where frontages greater than 150 feet encountered, the Superintendent may allow more than one driveway entrance.
2. No driveway shall be constructed within 80 feet of a road intersection measured from the nearest intersection of the Right-of-way lines.
3. The angle of all driveways with Town roads shall be as close as 90 degrees as practicable.
4. The maximum width of driveways shall be 20 feet. The minimum driveway width shall be 10 feet.
5. The minimum return radius at the intersection of driveways and the road surface shall be 10 feet and in no case shall the radius extend beyond the intersection of the pavement edge and the side property line as projected.
6. Driveways shall slope down from the road surface to the drainage line at grades of $\frac{3}{4}$ inch per foot or existing shoulder pitch - whichever is greater.
7. The sizes and slopes of driveway storm drains and culverts within the Town Road Right-of-Way shall be as specified by the Superintendent. The owner shall bear all costs for pipe, grating, paving, etc., required within such Right-of-Way.
8. Driveway storm drains and culverts may be installed by the Department of Transportation, at its convenience, unless the permittee requests under separate permit to install such drains and culverts within the Town Road or is directed to do so by the Superintendent.
9. No driveway shall be constructed where sight distance is less than ten (10 x) times the posted speed limit. The applicant shall also brush and maintain his property in such a manner as to maintain optimal sight distance.

Part B – Intense-Use Driveways (for multiple dwellings, and for commercial, industrial and other use properties).

1. The maximum number of driveway entrances onto a town Road shall be two per building lot having 250 feet of frontage, or less. Where frontages greater than 250 feet are encountered, the Superintendent may allow more than two driveway entrances.
2. In a rural area, no driveway will be constructed closer than 75 feet from a road intersection as measured from the nearest edge of proposed driveway to the intersection of the right-of-way lines. In urban areas, this minimum distance may be reduced to 60 feet.
3. Driveways in the parking areas shall be designed so that no parking, loading, or servicing of vehicles will take place within the Town Road Right-of-Way and so no vehicles will be required to back onto the Town Road to gain ingress and egress to the abutting property.
4. The minimum angle of all driveways with Town Roads shall be 45 degrees.
5. The minimum width of driveways shall be 40 feet. The minimum driveway width shall be 20 feet.
6. The minimum return radius at the intersection of driveways and the road surface shall be 50 feet, the minimum return radius shall be 20 feet, and in no case shall the radius extend beyond the intersection of the pavement edge and the side property line as projected.
7. Island areas shall be required to define the location of driveways and to create a median strip between the Town Road surface and facilities on adjacent properties. The island area shall have a minimum length of 20 feet and shall extend from the curb to the Right-of-way line. Where no curbing exists, the island areas shall extend from a line parallel to and a minimum of 10 feet from the pavement edge to the Right-of-way line or beyond.
8. All island areas shall be defined by 6 inch curbing, guard rails or other suitable materials, and shall have grass or blacktop surfaces.

9. Driveways shall slope down from the road surface to the drainage line at grades of ¾ inch per foot or existing should pitch, whichever is greater.
10. The sizes of slopes of driveway storm drains and culverts within the town road right-of-way shall be as specified by the Superintendent. The owner shall bear all costs for pipe, grating, paving, etc., required within such right-of-way. The construction of all such improvements within the town right-of-way shall be undertaken by the owner under separate Department of Transportation permit.
11. There shall be a minimum distance of 15 feet between the Town right-of-way and any service facilities such as pump islands and building entrances.
12. No driveway shall be constructed where the sight distance is less than ten (10) times the posted speed limit. The applicant shall also trim brush & maintain his property in such a manner as to maintain optimal sight distance.

DRAINAGE REGULATIONS – SECTION V

1. All existing and proposed drainage conditions shall be indicated on the plans submitted by the applicant.
2. Facilities to carry water thru and/or off the owner’s property shall be designed and constructed so that no damage will occur to existing and proposed buildings, driveways, adjacent properties, drainage facilities, and public improvements.
3. In no case shall a driveway be constructed so as to convey water onto the road surface.

DRIVEWAY CONSTRUCTION STANDARDS AND REGULATIONS – SECTION VI

PART A – Excavation for Drainage Structures

1. Roadside ditches shall be excavated to the width and depts. Specified by the Superintendent.

PART B – Accepted materials for Drainage Structures

1. Driveway pipe shall be either reinforced concrete – Class IV, corrugated steel pipe – 16 gage, or corrugated polyethylene storm drain pipe meeting NYSDOT material specification 706-14.
2. Backfill around driveway pipes shall consist of gravel or crushed stone containing no stone greater than 4 inches in diameter and shall extend 12 inches above driveway pipe. The backfill shall be thoroughly compacted, with particular attention given to the proper placing and compaction of the backfill under the pipe haunches.
3. If the slope of the backfill is steeper than a 1 on 1.5 slope at the end sections of the driveway pipe, concrete, grouted stone or dry-wall headwalls shall be required. In such cases, the top of the headwalls shall be below the grade of the adjacent road shoulder.
4. Catch basins, if required, shall conform to Department of Transportation specifications.

PART C – Sub-base and Surface Materials

1. The driveway sub-base shall consist of 12 inches of gravel.
2. The driveway surface shall be consolidated in such a manner so to prevent loose material from being scattered onto the town road surface.

SPECIFIC CONDITIONS

NOTE: Driveway permit will not be issued until applicable municipal board action is completed.

This land use is consistent with the zoning ordinance and requires no board action.

Zoning Enforcement Officer	Date	Planning Board Chairman	Date
----------------------------	------	-------------------------	------

SPECIAL CONDITIONS

If it is found necessary by the Superintendent of Highways the Town of Marcellus to add to or otherwise modify this permit, it is to be understood such changes shall form a part of this permit and be complied with immediately upon notice.

Dated Marcellus, New York, this _____ day of _____, 20_____

Superintendent of Highways

In consideration of the granting of the within permit, the undersigned hereby accepts the same subject to the regulations, specified conditions and special conditions therein described.

Dated at Marcellus, New York, this _____ day of _____, 20_____

Signature of Applicant

By _____
Title, if signed by representative.