



Permit #\_\_\_\_\_

## TOWN OF NEWSTEAD

5 Clarence Center Road, PO Box 227, Akron, NY 14001

(716) 542-4574

Fax (716) 542-3702

### **PUBLIC IMPROVEMENT CONSTRUCTION PERMIT APPLICATION**

This application is for permission to construct the following public improvement in compliance with Town of Newstead Code  
Chapter 234 - Improvements, Public

Applicant Name

Address

Phone

1. Date application submitted:\_\_\_\_\_
2. Date of final approval:\_\_\_\_\_
3. Type of improvement and estimated cost:\_\_\_\_\_

<u>Type of Improvement</u>	<u>Estimated Cost</u>
Road construction	\$_____
Water line	\$_____
Drainage/Storm water management	\$_____
Sanitary sewer	\$_____
Lighting	\$_____
Sidewalks	\$_____
Other:_____	\$_____
Total Estimated Costs	\$_____

4. Subdivision or project name:\_\_\_\_\_
5. Street name(s):\_\_\_\_\_

6. Brief description of each proposed public improvement, including:

Type:\_\_\_\_\_  
Location:\_\_\_\_\_  
Footage Total:\_\_\_\_\_  
Dimensions:\_\_\_\_\_  
Type of Material:\_\_\_\_\_  
Itemized Quantities:\_\_\_\_\_  
Depth of Improvement:\_\_\_\_\_  
Height of Improvement:\_\_\_\_\_

Type:\_\_\_\_\_  
Location:\_\_\_\_\_  
Footage Total:\_\_\_\_\_  
Dimensions:\_\_\_\_\_  
Type of Material:\_\_\_\_\_  
Itemized Quantities:\_\_\_\_\_  
Depth of Improvement:\_\_\_\_\_  
Height of Improvement:\_\_\_\_\_

Type: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Footage Total: \_\_\_\_\_  
 Dimensions: \_\_\_\_\_  
 Type of Material: \_\_\_\_\_  
 Itemized Quantities: \_\_\_\_\_  
 Depth of Improvement: \_\_\_\_\_  
 Height of Improvement: \_\_\_\_\_

Type: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Footage Total: \_\_\_\_\_  
 Dimensions: \_\_\_\_\_  
 Type of Material: \_\_\_\_\_  
 Itemized Quantities: \_\_\_\_\_  
 Depth of Improvement: \_\_\_\_\_  
 Height of Improvement: \_\_\_\_\_

(Attach additional sheets as necessary)

7. Contractor(s): \_\_\_\_\_  
 All contractors and subcontractors must be listed. Attach additional sheets if necessary.  
 Contractor address: \_\_\_\_\_  
 Contractor phone: \_\_\_\_\_  
 Workers Comp expiration: \_\_\_\_\_ Disability expiration: \_\_\_\_\_ Liability expiration: \_\_\_\_\_

8. Applicant's Engineer: \_\_\_\_\_  
 Engineer address: \_\_\_\_\_  
 Engineer phone: \_\_\_\_\_

9. Amount of surety bond: \_\_\_\_\_  
 Company supplying bond: \_\_\_\_\_  
 Company address: \_\_\_\_\_

10. Is the property subject to Homeowner's Association regulations or other private maintenance agreements?  
 Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, have the appropriate easements, dedications, right-of-way deed and agreements been recorded?  
 Submit copies of recorded documents and regulations.

**FOR OFFICE USE ONLY:**

WORK COMPLETION DATE \_\_\_\_\_  
 PUBLIC IMPROVEMENT ACCEPTANCE DATES: WATER \_\_\_\_\_  
 ROAD \_\_\_\_\_  
 DRAINAGE \_\_\_\_\_  
 PERFORMANCE BOND ISSUE DATE \_\_\_\_\_ \$ \_\_\_\_\_ BOND # \_\_\_\_\_  
 MAINTENANCE BOND ISSUE DATE \_\_\_\_\_ \$ \_\_\_\_\_ BOND # \_\_\_\_\_  
 INSURANCE CERTIFICATE DATE \_\_\_\_\_ CERTIFICATE # \_\_\_\_\_

DATE OF CODE ENFORCEMENT OFFICER REVIEW: \_\_\_\_\_  
 DATE OF TOWN ENGINEER REVIEW: \_\_\_\_\_  
 DATE OF HIGHWAY SUPERINTENDENT REVIEW: \_\_\_\_\_  
 DATE OF ZONING BOARD APPROVAL: \_\_\_\_\_  
 DATE OF PLANNING BOARD APPROVAL: \_\_\_\_\_  
 DATE OF TOWN BOARD APPROVAL: \_\_\_\_\_

By signing this application, the applicant represents he(she) is duly authorized to act on behalf of the applicant, and work under this permit shall be started within 60 days from date of approval and completed within one year from the date of approval. Any request for extension shall be addressed in writing to the Newstead Town Board.

In consideration of the granting of this permit, the undersigned hereby agrees that if such permit is granted, the applicant will comply with the terms thereof, the law and regulations of the State of New York and the law, regulations and/or ordinances of the Town of Newstead, conditions of which include but are not limited to:

- A) All work will be performed in accordance with approved plans and specifications and requirements of Federal, State and local laws;
- B) The owner/applicant will obtain and pay for all necessary permits;
- C) The owner/applicant will notify the Town Engineer 72 hours before commencing work under this permit;
- D) Inspection by the Town, its engineers or agents during construction is solely for the Town. The applicant, its contractors and agents are solely responsible for proper engineering, construction methods and materials, conformance with specifications and safety of workers and the public, and shall hold the Town of Newstead, its agents, engineers and consultants harmless from any and all liability arising from applicant's activities pursuant to the Public Improvements Construction Permit.
- E) Underground installations must be inspected prior to filling in trenches.
- F) As-built drawings will be submitted upon completion prior to issuance of Certificate of Approval.

The owner also warrants that he/she is cognizant of the fact that the Public Improvement fee is based on work being performed during normal working hours (7AM to 5PM) Monday through Friday, except for legal holidays and that deviations from such schedule or hours will require Town Supervisor approval and may also involve imposition of additional fees.

<u>Public Improvement Projects</u> - \$0-\$250,000-----	10%
- \$250,001-\$500,000-----	9.5%
- \$500,001-\$750,000-----	9%
- \$750,001-\$1,000,000-----	8.5%
- \$1,000,001 and up-----	8%

\*Under \$1,000,000 fees are to be paid to Town prior to start

\*Over \$1,000,000 – 50% of fee to be paid to Town prior to start and when 50% is down to 25%, balance is due

\*Additional inspections may be required by Town Engineer

\*Performance bond not to exceed 120% of cost of installation for improvements

\*Maintenance guarantee not to exceed 2 years 25% of cost

<u>Review &amp; Approval Fee Paid:</u>	<u>Inspection Fee Paid:</u>	<u>Additional Inspection required by Town Engineer:</u>
Down payment:\$ _____	\$ _____	\$ _____
Balance due: \$ _____		
Final payment: \$ _____		

\_\_\_\_\_  
Applicant's signature

Sworn to before me this \_\_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Applicant's name (Please Print)

**NOTARY PUBLIC**

<b>Town Board Approval:</b> _____	<b>Date:</b> _____
<b>Town Engineer Approval (where highways are involved):</b> _____	<b>Date:</b> _____
<b>Town Highway Superintendent (where highways are involved):</b> _____	<b>Date:</b> _____
<b>Certificate of Approval Date:</b> _____	

### **Prior to Construction:**

- Obtain application, instructions and copy of “Chapter 234 Improvements, Public” of the Town of Newstead Code.
- Upon application submission, applicant shall pay the fees according to the fee schedule.
- The Town shall review the PIP application, plans and specs, insurances and bonds, dedication and other agreements and advise applicant of any deficiencies.
- Application must be submitted in quadruplicate to the Building Department and must include:
  - 4 complete sets of drawings (prints)
  - 4 complete copies of shop drawings (submittals)
  - Descriptions to include locations, dimensions, type of material and detailed itemized quantities prepared and stamped by a professional engineer or architect licensed by the State of New York
  - Proof of insurance
  - Bonds
- Applications must be received by the Building Department a minimum of 30 days prior to a scheduled Town Board meeting for consideration at that meeting.
- Applicant shall provide insurance policies for general liability, public liability coverage, including contractor’s liability insurance and owner’s liability insurance in accordance with the Town’s insurance requirements as provided in the Town’s Standard Specifications. The Town of Newstead, its agents and employees shall be named as insured on such policies, and the policies shall provide that they may not be cancelled without prior notice. The applicant shall also provide proof of worker’s compensation coverage.
- Inspection fee must be paid after application is approved, based on estimated cost of improvement, according to the current Town of Newstead fee schedule.
- Upon approvals required and inspection fee paid, a PUBLIC IMPROVEMENT CONSTRUCTION PERMIT will be issued, which must be displayed at all work sites at all times.

### **After Construction is complete, but prior to Town Board Acceptance:**

- Owner shall furnish and pay for maintenance bond to guarantee maintenance and repair of all improvements for one year after improvements have been accepted by the Town. The bond shall be 25% of the estimated construction cost of the improvement and in a form acceptable by Town Attorney.
- Owner shall provide the following documents to the Town Engineer for review and approval
  - 2 complete sets of as-built drawings (drainage and sanitary sewer rims and inverts, detention pond topographic survey, etc.)
  - 1 complete set of as-built drawings in AutoCAD format
  - Legal descriptions of all proposed easements and roadway dedication (if applicable)
  - Maintenance Bond
- Upon satisfactory completion of all work included in the permit in a manner satisfactory to the Town Engineer and receipt and processing of all easements, dedications, bonds and agreements in a manner acceptable to the Town Attorney, the Town Board shall accept the improvements and the Code Enforcement Officer will issue a CERTIFICATE OF APPROVAL. See Town Code section 234-6 for items that must be completed.