

# TOWN OF CALEDONIA

3109 Main Street, Caledonia, NY 14423  
(p) (585) 538-4927 | (f) (585) 538-6348

## DRIVEWAY REGULATIONS & CONDITIONS

### AUTHORITY.

The Superintendent of Highways is empowered by the Highway Law of New York State, Article VII, Section 149, to prescribe regulations and conditions under which a driveway shall be located and constructed to a Town road.

### PERMIT REQUIRED.

Any party desiring to construct a new (or extend an existing) driveway connecting to any Town Road must first obtain a driveway permit from the Superintendent of Highways. A blank application is provided on the back side of this sheet, and the fee is indicated on the application. The applicant is required to mark the desired driveway location by stakes driven in the ditch line. The Highway Superintendent or his representative will investigate the marked location, determine the acceptability of the driveway location (including sufficient sight distance), and determine the size of the driveway pipe necessary to accommodate proper drainage.

Driveway construction shall not commence until an approved permit is received by applicant. The superintendent shall be notified 24 hours in advance of construction to allow for inspection of the work.

Any driveway construction in violation of the conditions of the permit is subject to removal by the Town at the expense of the applicant.

### SPECIFICATIONS

- a. The driveway pipe shall be a material acceptable to the Superintendent. If the pipe is to be composed more than one piece, they shall be substantially joined together by welding or other acceptable means. In most cases, the minimum diameter will be 12 inches, and the minimum length will be 20 feet with flared ends.
- b. The driveway pipe shall be set so that the inlet end is not so high as to block water flow in the ditch. The outlet end shall not be lower than the ditch beyond the driveway. The Town will determine the need for the ditch work prior to installation.
- c. The driveway shall not be constructed within the shoulder (between pavement and ditch) higher than the shoulder. If the driveway must rise above the road, there shall be a low point in the driveway at the ditch one.
- d. Applicant/Owner is responsible for maintaining proper draining along the driveway to prevent water from running onto the Town's shoulder or roadway.
- e. Applicant/Owner is responsible for keeping both ends of the pipe free of obstructions and blockages.

### CONSTRUCTION BY TOWN FORCES

The applicant must purchase the driveway pipe. It cannot be purchased from the Town. Under present policy, the Town will set the pipe at no charge. This policy is subject to change. Any necessary cleaning or modification of the road ditch will be done at this time.

If the applicant elects to have the Town do this work, it will be scheduled as soon as the workload allows. The Town **may not** be able to meet all construction schedules of applicants.

**APPLICATION FOR PERMIT ISSUED UNDER SECTION 149 OF THE HIGHWAY LAW**

\_\_\_\_ Driveway Permit \$20.00      \_\_\_\_\_ Blanket Driveway Permit \$250.00      \_\_\_\_\_ ROW Permit \$30.00  
\_\_\_\_ ROW Blanket Permit \$2500.00      \_\_\_\_\_ Easement Permit \$10.00      \_\_\_\_\_ Culvert Permit \$30.00  
\_\_\_\_ Road Cut Permit/Boring \$30.00 plus \$1500 returnable deposit Cash/Certified Check (no Bonds)  
\_\_\_\_ Communications Cables \$500.00

**Check made payable to: Caledonia Town Clerk**  
**Please drop off or mail application to: Caledonia Highway Department – 3109 Main Street – Caledonia, NY 14423**

The undersigned, the Town Superintendent of Highways, of the Town of Caledonia, County of Livingston, upon the written application

of: \_\_\_\_\_ whose address is \_\_\_\_\_

this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and filed with him, as provided by Section 149 of the Highway Law hereby grants permission to

said applicant to: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

on the highway described as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This permit is granted subject to the following conditions:**

1. The work authorized by this permit shall be performed in a manner satisfactory to the Town Superintendent.
2. The applicant is to keep in good repair all pipes, hydrants, or appurtenances which may be placed within the bounds of the highway under terms of this permit and is to save the town harmless from all damages which may accrue by reason of their location in the highway, and upon notice by the Town Superintendent, applicant agrees to make any repairs required for the protection and preservation of the highway; and further agrees that upon the failure of the applicant to make such repairs that such repairs may be made by the Town Superintendent at the expense of the applicant and such expenses shall be prior lien upon the land benefited by the use of the highway for such pipes, hydrants, and appurtenances.
3. If the drainage, sewer or water pipes or appurtenances, or other underground utilities which are laid under this permit are placed in a town road, they shall be so placed as not to interrupt or interfere with public travel upon the highway; and the earth removed must be replaced, and the highway left in all respects in as good condition as before the work performed.
4. If the work performed is on a road which has been improved by State aid, such drainage, sewer or water pipes must be placed at least four (4) feet below and in such a manner as in no way to interfere with macadam, shoulders, or drainage ditches of the highway and that portion of the trench which passes under the macadam shall be left in as good a condition as before the work was performed and to the satisfaction of the Town Superintendent. Care must be taken not to interfere with drainage ditches or structures.

- a) Applicant will correct broken gutters caused as a result of their work performed.
- b) Applicant must keep roadway clear of mud and debris.
- c) Installation must comply with the specifications of the approved subdivision plan.
- d) Any disturbed areas of the right-of-way must be restored (graded and seeded).
- e) Any pavement cut from December 1<sup>st</sup> to April 1<sup>st</sup> will require a 5-inch-thick concrete patch (no cold patch) steel plated and coned for minimum of 24 hours, then plate promptly removed.

5. It is agreed by the applicant that any injury or disturbances of the macadam portion of the highway, its shoulders, or drainage ditches which may occur hereafter by reason of the laying of said drainage, sewer or water pipes and their appurtenances shall be repaired by and at the expense of the applicant to the satisfaction of the county superintendent.
6. The said Town Superintendent may, upon the failure of the applicant to comply with any of the conditions herein, revoke this permit and remove any pipes, or hydrants, or other appurtenances which may have been placed in the highway under this permit.
7. If the road upon which this permit is issued is, at any time of issuance, a town highway and should it be thereafter improved by State aid as a State or county highway, it is agreed that the applicant shall, before its improvement at the applicant's own expense remove drainage, sewer or water pipes or appurtenances which may be placed under this permit and will relay the same in conformity with the directions of the engineer in charge of such improvement and in accordance with the rules and regulations prescribed by the State Commission of Highways.

I hereby agree to conform to the conditions contained in the foregoing permit.

Dated: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
**Applicant Signature**

Dated: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Highway Superintendent

The issuance of this permit and the consent of the Town Board thereto was duly authorized by resolution of the Town Board of the Town of Caledonia adopted at the organizational meeting of the said Town duly conducted in the year in which this permit is issued.

Dated: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Town Clerk