



Phoenix House c. 1820

# The Borough of Mendham

*"Preserving the Past - Building the Future"*

[mendhamnj.org](http://mendhamnj.org)

Department of Engineering

Paul Ferriero, Borough Engineer

## APPLICATION FOR ROAD OPENING, DRIVEWAY PERMIT, ETC.

Complete and submit the application with the application fee to  
Phoenix House, 2 West Main St., Mendham, NJ, C/O Lisa Smith  
Along with a copy in PDF format emailed to [planning@mendhamnj.org](mailto:planning@mendhamnj.org)

**Application Fee: \$100**

**You must call the Borough Engineer's Office at 908-879-6209  
at least seventy-two (72) hours prior to the start of work.**

Date: \_\_\_\_\_

Application is made by \_\_\_\_\_ Phone No. \_\_\_\_\_ Email: \_\_\_\_\_

Applicant's address: Street \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

For (Owner of Property) Name \_\_\_\_\_ Phone No. \_\_\_\_\_

Located At \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

For a permit to open: \_\_\_\_\_  
(ROAD NAME)

For Purposes of: \_\_\_\_\_  
(SPECIFY PROPOSED WORK)

From: \_\_\_\_\_ To: \_\_\_\_\_  
(Give approximate limits: show on diagram below)

Length of opening: \_\_\_\_\_ Width: \_\_\_\_\_ Depth: \_\_\_\_\_ Square Feet: \_\_\_\_\_

Size of pipe, main or ducts being installed: \_\_\_\_\_

Type of surface to be disturbed: \_\_\_\_\_

Work will be started on \_\_\_\_\_ Completed on \_\_\_\_\_

Remarks: \_\_\_\_\_

Please indicate "NORTH"  
by direction arrow.

LOCATE OPENING  
ON DIAGRAM BELOW

Show distance from nearest  
side street, telephone pole, etc.

_____	_____	_____	_____
_____	_____	_____	_____

Insurance Certificate: \_\_\_\_\_

Road Opening

Escrow: \_\_\_\_\_ (Amount)

Other : \_\_\_\_\_

Application Fee:

\_\_\_\_\_ (Amount)

The applicant agrees to comply with the rules and regulations, laws, ordinances, and resolutions of the Borough of Mendham relating to said work, and acceptance of the permit shall be deemed an agreement to abide by all its terms and conditions.

APPROVED:

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Borough Engineer

\_\_\_\_\_  
Applicant's Name Printed and Title



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§ 190-6. Street paving specifications. [Amended 12-16-1991 by Ord. No. 13-91] § 190-7. Curbs. Curbs shall be constructed of concrete and shall have joints every 10 feet cut entirely through and left open. Joints shall be 3/16 inch wide and shall be kept free from all excess mortar or other foreign material until paved with a bituminous filler and approved B. The purpose of this subsection is to prohibit the discharge of sump pump or other intentional discharge of any stormwater onto any Borough street or sidewalk when such a discharge would create an unsafe condition, such as icing or flooding. (1) There shall be no sump-pump discharge or mechanical discharge of any stormwater, leader drain discharge or other man-made diversions of stormwater directly or indirectly onto any Borough street or sidewalk if, in the opinion of the Borough Engineer, Zoning Officer, Public Works Director or their designees, that said discharge would create any unsafe conditions. If a discharge is determined to create an unsafe condition, the property owner shall mitigate the condition to the satisfaction of the Borough Engineer, Zoning Officer or Public Works Director. Groundwater and surface water discharges that are directed towards the street shall be connected to the storm drain system in the road. In the event that a storm drain inlet or pipe is not accessible along the property frontage, an appropriate means of controlling the discharge shall be required. Alternatives may include drywells, infiltration trenches, etc., as may be approved by the Borough Engineer. Road opening permits shall be required for all connections to the Borough stormwater system. Connections are not permitted to the sanitary sewer system. A. All road and street construction and materials shall be in accordance with the latest revision of New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction and as follows: (1) Subsurface preparation shall consist of providing a firm, noncompressible, well-compacted base. Unsuitable material shall be removed and replaced with well-compacted quarry-process stone. The Borough Engineer shall determine the suitability or unsuitability of material. Excessive water shall be removed so there is no noticeable pumping in the base material. (2) The subbase shall be a bituminous-stabilized base course with a minimum compacted thickness of five inches. (3) The surface course shall be a hot-mixed bituminous concrete (FABC) with a minimum compacted thickness of two inches. B. The above specifications are considered minimum. In areas where soil characteristics, topography, traffic volume or other factors indicate a need, the Engineer may require additional thicknesses and/or alternate types of construction

§ 190-38. Permit required. [Amended 6-7-1999 by Ord. No. 15-99]

It shall be unlawful for any person, firm, corporation or public body to make any excavation in or tear up the surface, for any purpose whatsoever, of any road, street or public parking area which is under the jurisdiction of the Borough of Mendham without a written permit first having been obtained from the Borough Council as herein provided. The applicant shall pay a fee to the borough as set forth in Chapter 102, Fees, plus a fee as set forth in Chapter 102, Fees, for each resubmission, provided that the application is not in connection with a subdivision.

§ 190-39. Application.

Application must be made on the forms provided by the borough by the firm, corporation, person or public body for a permit. The application shall state the purpose of the proposed excavation, the type and depth of the installation or work to be accomplished and the anticipated duration of the work proposed. The form must be filled out completely and signed by an authorized representative of the firm, corporation or public body.

§ 190-40. Guaranties.

A permit shall not be issued unless and until the applicant has delivered to the borough:

- A. A cash deposit in accordance with a schedule of fees established by the borough to defray and satisfy all expenses to the borough for inspection and other attendant costs.
- B. Unless covered by a utility agreement, a deposit of cash surety for each opening, the amount to be determined by the borough. Upon completion of satisfactory repairs, the deposit will be returned, provided that no maintenance bond is required. (See § 190-41.)
- C. A certificate of insurance evidencing that the applicant has obtained a comprehensive general liability insurance policy, a workmen's compensation and employer's liability policy and a comprehensive automobile insurance policy and guaranteeing notification to the borough in the event of cancellation thereof. The comprehensive general liability and automobile insurance policies shall have limits of at least \$1,000,000 for bodily injury to each person, \$2,000,000 in the aggregate for each accident, property liability of \$500,000 for each accident and \$1,000,000 aggregate property damage. Since the permittee's insurance certificates do not cover subcontract work, all subcontractors employed by the permittee must submit their own insurance certificates in the amounts required above. [Amended 6-7-1999 by Ord. No. 15-99]

§ 190-41. Duties and responsibilities of permittee.

- A. The permittee assumes responsibility for all injuries to or deaths of any persons, for damages to property, including property of the borough, and for all claims, losses or expenses resulting directly or indirectly from the performance of the work specified in the permit, whether caused by negligence or otherwise and whether caused by negligence of the borough. The permittee shall indemnify and save harmless from all claims, losses, expenses or suits, including costs and attorneys' fees, for such injuries, deaths or damages from all claims, losses, expenses or liens of any sort which may result directly or indirectly from the performance of the work. The permittee shall assume the defense of any suit filed against the borough for such injuries, deaths or damages.
- B. The permittee shall be responsible for arranging with adjacent property owners for the removal or relocation of shrubs, fences, structures, trees or embankments, etc., necessary for his or her construction, whether they are in the public right-of-way or on private property. The permittee shall make all arrangements with utility companies for the location, relocation and protection of their installations. The permittee shall save the borough harmless from any suits or claims by any person for damages to trees, shrubs, lawns, etc., caused by the applicant's equipment or workers or his or her operation.
- C. The surface of any road or street and any pavement or flagging taken up by the permittee in its construction work shall be restored by and at the expense of the permittee to at least as good condition as existed before commencement of the work thereon and shall thereafter be maintained at the expense of the permittee in said condition for a period of three years after the completion of the same. For refund of the cash deposit described in § 190-40B, the permittee shall post a three-year maintenance bond or, in lieu thereof, enter into an agreement with the borough to leave 20% of said cash deposit on deposit with the borough for three years.
- D. It shall be the duty of the permittee to properly guard any excavation or storage piles by the erection of suitable barriers by day and lights by night. Sufficient warning signs and watchmen (flagmen and special officers) shall be posted at each end of the work area to control traffic. Coordination of traffic control shall be made with the Borough Police Department.