

**Town of Brunswick  
Public Works Department**

**Utility Location Permit Requirements  
Instructions for Preparation of Application**

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**DEFINITIONS:**

Application: A written statement, requesting a location permit from the licensing authority, describing the work and location proposed by the applicant.

General Location (or permit area): That portion of the highway right-of-way to be occupied or crossed by the proposed installation.

Specific Location Plan: A plan showing the location within the highway or the principal units of the proposed installation.

**APPLICATION:**

The application is designed for publication without plans. The statement in the application must provide:

Description of the general location.

Description of the proposed installation.

Minimum depth below ground or height above ground.

Four (4) copies of each application shall be submitted to the **Town of Brunswick, Public Works Dept, 9 Industry Road, Brunswick, Maine 04011**. Any number of general locations and proposed installations may be included in one application. However, each general location and the applicable proposed installation shall be stated separately.

**PLANS:**

Unless otherwise noted, general location maps, four (4) copies showing each or all general locations and specific location plans, four (4) copies for each specific location, shall be submitted with the application.

**GENERAL LOCATION:**

The purpose of the general location (or permit area) description is to fix the location along the highway, to identify the highway system and to determine the licensing authority. The location shall be established by reference to a town line, readily identified intersection, major stream crossing, railroad crossing, or bridge number.

A general location map is required and shall be tied to the highway system. The map may be a photo copy of a portion of an accurate area map or sketch traced from such a map.

**PROPOSED INSTALLATION:**

Describe the immediate proposed installation and the ultimate reasonable replacement or addition that may be anticipated without seeking a new permit. Indicate the size, type and purpose of pipes, kind of poles, voltage and phase of electrical line, number of cables or strands, etc. Mention hydrants, services, protective and supporting equipment and associated appurtenances.

In urban or congested areas the proposed installation should be in compliance with the "Guideline of Good Practice for Utility Location in Urban Public Ways", if not, the application should be accompanied with a statement indicating reasons for noncompliance.

#### **SPECIFIC LOCATION PLAN:**

The specific location plan or sketch shall show the location of the principle units of the installation. Longitudinal distances between control points, bends, manholes, poles, etc., shall be given. Offset distances from the highway centerline, edge of pavement, curb or other well defined applicable reference shall be given. Offsets shall be to the centerline of underground installations. Offsets shall be in feet and inches to the near side of poles, hydrants, etc., which are less than 10 feet from the face of curb or outer edge of shoulder. The safety minimum offset for the location is acceptable for all poles which will be at or beyond that offset. Edge of traveled way or assumed right of way lines and other pertinent highway features shall be indicated.

A separate specific location plan shall be submitted for each proposed installation.

#### **\*\*\*\*\*ADDITIONAL REQUIREMENTS\*\*\*\*\***

#### **SUPPORTING DATA:**

The application should contain or be accompanied by a statement indicating:

- The newspaper in which the application will be published.
- Any proposed joint use or ownership of the facility.
- Any existing facility or permit of the applicant at this location.
- Any existing facility of others with which the proposed installations may conflict.
- Person available to review proposed locations at the site. NAME, ADDRESS, and TELEPHONE NUMBER.

#### **PUBLICATION:**

The applicant shall give public notice by publishing the text of the application once in a newspaper circulated in the municipality or municipalities encompassing the limits of the proposed location. The publication shall include a statement equivalent to the following: "Any person, firm, or corporation claiming to be adversely affected by this proposed location, shall file a written objection with the Town of Brunswick, Public Works Dept, stating the cause of said objection within fourteen (14) days after the publication of this notice." Evidence of publication shall be submitted to the Town of Brunswick Public Works Dept before a permit can be issued.

#### **NON PUBLICATION:**

If the applicant elects to not publish any public notice, the applicant is advised that, pursuant to 35-A M.R.S.A §2503 (3) (B), objections may be filed in certain cases up to 90 days after installation that may require the applicant to move the facility at its expense.

#### **APPLICATION TO OCCUPY POLES:**

This is a special rule to be used by a utility in making an application for a Utility Location Permit when the applicant proposes only to occupy the poles of another utility.

The application shall be in the same form and substance as any application for a Location Permit with these exceptions and additions:

1. The general location description may be in one of the following forms:
  - a.) As required for any application.
  - b.) The description used by the utility which owns the poles and reference to its work order number or plan number or application number with date.
  - c.) A specific location plan is not required.
2. The application shall be signed as approved by the Utility which owns the poles or a copy of a lease or agreement giving permission to occupy.

#### **HIGHWAY CONSTRUCTION:**

In order that an adequate permit may be issued for the location of utility plan relocated because of highway construction or retained within the limits of highway construction, the utility shall submit a statement in substantially the same form and substance as an application for a Location Permit with these exceptions or additions.

Reference shall be made to the highway construction project.

The specific location plan shall show highway stations, except for project for which highway construction plans are not available.

If the highway construction is a federal aid project, the specific location plan shall show the normal edge of pavement, the curb or outside edge of shoulder, right of way line, and other pertinent highway features.

If highway construction is in an urban or congested area, the Maine Department of Transportation "Guideline of Good Practice for Utility Location in Urban Public Ways" shall be followed with exceptions, only if an undue hardship may be created.

#### **\*\*\*\*\*INFORMATION\*\*\*\*\***

#### **APPLICATION:**

The application should be in sufficient detail to permit review without the need of viewing the site. The permit issued will only be as good as the information received. This will be true in all cases including construction projects.

The Town of Brunswick objects to each application for a Utility Location Permit pending review by a representative of the Town of Brunswick. Issuance of the permit shall be evidence that the objection has been withdrawn.

#### **PERMITS:**

As far as practicable, the utility's description and specific location plan will be made a part of the permit.

#### **HIGHWAY CONSTRUCTION:**

Title 35 A M.S.R.A. Section 2503 Article 9 requires the licensing authority to issue a Location Permit for facilities relocated because of highway construction. It apparently does not require an application.

Highway construction changes the relationship between existing utility plant and the new highway without any utility relocation. The licensing authority should issue a Location Permit to

confirm that any utility plant which has not been relocated does not impair improvement or interfere with the free and safe flow of traffic.

When right of way is taken from a utility right of way and the utility must, or chooses to, leave its plant in the public way, the licensing authority should issue a Location Permit as evidence of the legality of the location.

Federal regulations require the equivalent of the above where utility plant is to be retained, relocated or constructed within the limits of federal aid highway project.

A formal application and notice is required under the above outlined conditions only when the utility proposes to construct plant which is not basically relocated or retained. However, the permit issued is only as good as the information received.

### **SERVICES:**

If the application and permit are properly worded a new location permit is not required for:

- a.) Replacements, repairs or reconstruction in place.\*
- b.) Additions provided for in the original permit.
- c.) Improvements provided for in the original permit.
- d.) Services.
- e.) Hydrants, transformer, street lights, valves, switches, etc. and associated equipment.
- f.) The applicant is advised to read the law for conditions under which a Location Permit is not required.

(\*However, if the existing installation appears to impair the highway improvement or to interfere with the free and safe flow of traffic and if anything more than a minor replacement or reconstruction is planned, the utility should move its plant to a location which is in compliance with the current standards.)