



TOWN OF PORTER

3265 Creek Road ♦ Youngstown, New York 14174 ♦ (716) 745-3730, ext. 7 ♦ (716) 745-9022 ♦

Code Enforcement office ♦ porterbuildinginspector@roadrunner.com ♦

PUBLIC IMPROVEMENT PERMIT (PIP) APPLICATION

To the Honorable Town of Porter Board, Niagara County, New York:

This Application is for permission to construct the following Public Improvement in compliance with the Code of the Town of Porter Chapter 165, Article II, Section 13 & 16, and as amended by Local Law from time to time

Name of Applicant: _____

Date of Submittal _____, 20____

Date of Planning Board Approval _____, 20____

Application is hereby made for Permission to construct the following specific Public Improvement:

Type of Improvement:

- ☐ Road Construction
- ☐ Water Line
- ☐ Storm Water Management/Drainage
- ☐ Sanitary Sewer
- ☐ Sidewalks
- ☐ Street Lighting
- ☐ Curb Upright/Gutter
- ☐ Other _____

Estimated Cost:

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

Total Estimated Cost of Public Improvements: \$ _____

Subdivision or Project Name:

Project Location (Street Address): _____

Tax I.D. number (SBL) parent parcel: _____

Project Description: _____

Applicant Information:

Address: _____
Phone: _____ Email: _____
Owner/Developer (if different from above): _____
Address: _____
Phone: _____ Email: _____

Developer's Engineering Company (name):

Contact Person: _____
Address: _____
Phone: _____ Email: _____

General/Prime Contractor (name):

Contact Person: _____
Address: _____
Phone: _____ Email: _____
Contractor's Insurance Company: _____
☐ Insurance Certificate received on _____, 20__

The following must be submitted with this Application:

- | | |
|---|--|
| ☐ 2 copies of Detailed Engineer's (Developer) Estimate/Contractor's Bid. | ☐ 2 copies of Permits and Approvals (State & County agencies, Municipalities, etc.). |
| ☐ 2 copies of Detailed Project Completion Schedule. | ☐ 2 copies of PIP Retainer Documentation/Information (Surety Bond or other approved) per §165-13. |
| ☐ 2 copies of Contractor & Sub-contractor Insurance Certificates(s); Workers Compensation, NYS Disability Insurance, & General Liability Certificates. | ☐ 2 copies of Hold Harmless/Indemnity Agreement. |
| ☐ Town Engineer's Construction Inspection Fee Estimate - (per §165-16, D.). | ☐ PIP Application Fee. |
| ☐ 5 sets of Construction Documents including Specifications – (wet stamped by Licensed Professional). | ☐ 2 copies of Pre-Development Agreement with Town of Porter (§165-16, D.). |

Description of each proposed Public Improvement:

Type of PIP: _____
Location: _____
Total Lineal footage: _____
Dimensions: _____
Type of Material: _____
Itemized Quantities: _____
Depth of Improvement (below finish Grade): _____
Height of Improvement (above finish Grade): _____

Attach additional page(s) "Description of each proposed public Improvement" as necessary.
(See Attachment A)

Company Supplying Surety Bond: _____

Amount of Surety Bond: \$ _____

Address: _____

Phone: _____ Email: _____

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?

☐ Yes ☐ No ☐ Not Applicable

☐ *Submit copies of recorded documents and regulations.*

Fees:

Town Engineer's Construction Inspection Fee (construction oversight inspection): to be paid when approved plans are released: it is agreed the applicant is responsible for all additional construction inspection fees in excess of the initial deposit amount incurred by Town of Porter up through town acceptance/dedication of the work.

Town Engineer's Construction Inspection fee will be established based on the construction duration in accordance with the Code of the Town of Porter, Chapter 165, Article II, Section 165-16, Sub-section B. and delineated in the "Pre-Development Agreement" (Chapter 165, Article II, Section 165-16, Sub-section D).

Deposit Amount \$ _____ Date paid: _____

MS4 SWPPP Compliance Inspection Fee: to be paid when approved plans are released.

Storm water Fees:

Single-Phase Residential & Commercial development projects (scheme A)

2-5 acres = \$500.00

5-10 acres = \$850.00

10 plus acres = \$850.00 (plus \$350.00 for each additional 5 acres)

Amount \$ _____ Date paid: _____

PIP Permit Application Fee: to be paid when Construction Documents and this Application is submitted for review:

PIP Permit Application Fee = \$ 100.00

Amount \$ _____ Date paid: _____

Permit Conditions:

- ☐ The approved Applicant/Developer or General/Prime Contractor shall provide a Surety Bond (Performance Bond) in the amount of 100% of the approved Construction Estimate, as per §165-13 – Code of the Town of Porter.
- ☐ The approved General/Prime Contractor shall provide a two (2) year Maintenance Bond in the Amount of 50% of the approved Construction Estimate, as per §165-13, sub-section C, item (3) – Code of the Town of Porter.
- ☐ Upon satisfactory completion of all work, including final punch list item, receipt of record construction documents including plans, laboratory test data/report(s), agency approval(s), certification of release of all liens, and payment of all fees, the Town will issue the certificate of acceptance, thus starting the maintenance period. Contractor shall submit two (2) copies, One (1) digital (PDF file), and one (1) hard copy, of record documents.
- ☐ Approved Construction Documents (Plans & Specifications); any deviation of the approved Construction Documents must be reviewed and approved by the Town Engineer prior to incorporation into completed work.
- ☐ All materials to be incorporated into the work must be reviewed and approved (as Shop Drawing Submittals) by the Town engineer. A minimum of five (5) copies of each Shop Drawing material submittal must be provided.
- ☐ The approved General/Prime Contractor shall submit a detailed construction schedule for review and approval. The approved schedule shall be part of the approved PIP Permit. Work shall start within sixty (60) days of the date of the permit and shall be completed in accordance with the approved schedule. Any request for modification of the Schedule must be submitted to and approved by the Town Code Enforcement Officer and the Town Engineer.

Applicant/Certification Statement:

In consideration of the granting of the PIP Permit hereby petitioned for, the Applicant hereby agrees that if such permit is granted, the Applicant and all Agents will comply with the terms thereof, the Laws of the State of New York, the Code of the Town of Porter and regulations of the various departments of the Town and the State of New York, and that applicant and all agents shall notify the Town Engineer forty-eight (48) hours in advance of commencing any work under this permit.

Applicant's Signature

Print Name

Date

Permit Approval;

Town Engineer's Signature

Print Name

Date of PIP Permit

Town Clerk's Signature

Print Name

Date of PIP Permit

State of New York}
County of Niagara} SS:
On _____, 20____
Before me, the undersigned, personally appeared

_____,
personally known to me or proved to me on the basis of satisfactory
evidence to be the individual whose name is subscribed to the within
instrument and acknowledged to me that he/she executed the same in
his/her capacity and that by his/her signature on the instrument, the
individual or the person upon behalf of which the individual acted,
executed the instrument.

Notary Public

Attachment A - additional page(s) "Description of **each** proposed public Improvement"

Description of each proposed public Improvement:

Type of PIP: _____

Location: _____

Total Lineal footage: _____

Dimensions: _____

Type of Material: _____

Itemized Quantities; _____

Depth of Improvement (below finish Grade): _____

Height of Improvement (above finish Grade): _____

*Attach additional page(s) "Description of **each** proposed public Improvement" as necessary.*

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Location: _____

Total Lineal footage: _____

Dimensions: _____

Type of Material: _____

Itemized Quantities; _____

Depth of Improvement (below finish Grade): _____

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Location: _____

Total Lineal footage: _____

Dimensions: _____

Type of Material: _____

Itemized Quantities; _____

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Location: _____

Total Lineal footage: _____

Dimensions: _____

Type of Material: _____

Itemized Quantities; _____

Depth of Improvement (below finish Grade): _____

Height of Improvement (above finish Grade): _____

*Attach additional page(s) "Description of **each** proposed public Improvement" as necessary.*

Attachment A (continued)- additional page(s) "Description of each proposed public Improvement"

Description of each proposed public Improvement:

Type of PIP: _____

Location: _____

Total Linear footage: _____

Dimensions: _____

Type of Material: _____

Itemized Quantities; _____

Depth of Improvement (below finish Grade): _____

Height of Improvement (above finish Grade): _____

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Location: _____

Total Linear footage: _____

Dimensions: _____

Type of Material: _____

Itemized Quantities; _____

Depth of Improvement (below finish Grade): _____

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Type of PIP: _____

Location: _____

Total Linear footage: _____

Dimensions: _____

Type of Material: _____

Itemized Quantities; _____

Depth of Improvement (below finish Grade): _____

Height of Improvement (above finish Grade): _____

Attach additional page(s) "Description of each proposed public Improvement" as necessary.

Attachment B

Town of Porter, New York - Hold Harmless Agreement:

Project Title: _____

To the fullest extent of the law, _____

Hereinafter referred to as General/Prime Contractor, shall defend, indemnify and hold harmless the Town of Porter from and against all claims or actions based upon or arising out of the damage or injury to persons or property caused by or sustained in connection with performance of the work by the General/Prime Contractor except for losses, claims, or actions resulting from the sole negligence of the Town.

The General/Prime Contractor shall assume all responsibilities for the work, and bear all losses and damages directly or indirectly resulting to the General/Prime Contractor, the Town, or to others on account of the character or performance of the work, unforeseen difficulties, accidents, or any other causes whatsoever. The General/Prime Contractor shall assume defense of, indemnify and save harmless the Town, its officials, agents, and employees from all claims, liability, loss, damage, and injury of every kind, nature and description, directly or indirectly resulting from activities in the performance of the work, the ownership, maintenance or use of motor vehicles in connection therewith, or acts, omissions, operations, or conduct of the General/Prime Contractor or any Subcontractor in the performance of the work, or any way arising out of the work, irrespective of whether an act, omission or conduct of Town connected with the work is a condition or contributory cause of the claim, liability loss, damage or injury and irrespective of whether act, omission, or conduct of the General/Prime Contractor or Subcontractor is merely a condition rather than a cause of a claim, liability, loss damage or injury. The General/Prime Contractor shall not be liable for, nor be required to defend or indemnify, the Town relative to claims for damage or damages resulting solely from acts or omission of the Town, its officials, agents, or employees. The absence of or inadequacy of the liability insurance required with the Town of Porter shall not negate the General/Prime Contractor's obligation in this agreement.

Name of General/Prime Contractor (please print)

Name of Authorized Representative (please print)

Signature of Authorized Representative

Title (please print)

Date

Address (please print)

Office Phone:

Mobile Phone:

Email:

State of New York}

County of Niagara} SS:

On _____, 20____

Before me, the undersigned, personally appeared _____,

personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public