

TOWN OF JOHNSBURG  
HIGHWAY SUPERINTENDENT  
88 Ski Bowl Road, PO Box 7,  
North Creek, NY, 12853  
518-251-2113

**DRIVEWAY PERMIT APPLICATION**  
**(STEPS 1 & 2 MUST BE COMPLETED PRIOR TO CONSTRUCTION!!)**

Applicant: \_\_\_\_\_ Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

Phone # \_\_\_\_\_ Phone #: \_\_\_\_\_

TAX MAP # \_\_\_\_\_

DESCRIPTION OF PROPERTY (Street, location, etc): \_\_\_\_\_

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**STEP 1: Owner/Occupant is to meet with Superintendent to be advised of duties and requirements.**

Owner/Occupant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Superintendent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**STEP 2: Contractor to meet with Superintendent on site to discuss specifications and conditions of permit.**

Contractor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Superintendent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CONDITIONS AND SPECIFICATIONS:** \_\_\_\_\_

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**STEP 3: Final Inspection**

Superintendent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

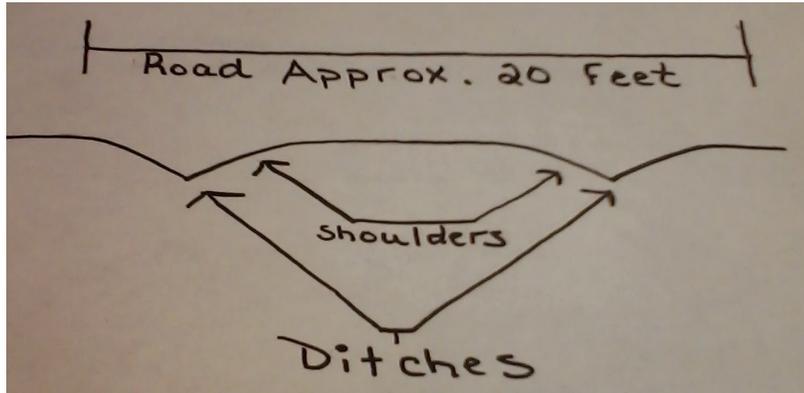
*Driveways and approaches are to be maintained by owner/occupant as Superintendent directs. Construction and repairs are the duties of owner/occupant according to New York State Department Of Transportation Law.*

**NOTE: DRIVEWAYS MUST BE ACCESSIBLE FOR EMERGENCY VEHICLE**

## ***DRIVEWAY PERMIT***

**LAW § 213:** The owners or occupants of lands shall construct and keep in repair all approaches or driveways from the town highway, under the direction of the town superintendent, and it shall be unlawful for such owner or occupant of lands to fill up any ditch or place any material of any kind or character in any ditch so as to in any manner obstruct or interfere with the purposes for which it was made. The town superintendent may, when directed by the town board, construct and keep in repair such approaches and the expense thereof shall be a town charge.

Town Roads in the Town of Johnsbury fall under “Right of Way” by use. This simply means the only “Right of Way” the Highway Department has, is the necessary width needed to maintain town roads. In most cases this would be from the top of the ditch line.



This “Right of Way” is different compared to state and county roads. It gives the Town permission to cut brush, mow, and plow snow.

It is very important that driveways and property adjacent to town roads maintain enough distance or width.

1. No driveway or culvert can extend into driving lanes.
2. The contour of driveways and shoulders cannot change. This also applies to snow removal.
3. Boulders, Stone Walls, ETC. CANNOT be placed in such “Right of Way” where they will cause considerable damage to the wings on plow trucks.

**LAW § 319: 2.** It shall be the duty of each owner or occupant of lands situate along the highway, to remove all obstructions within the bounds of the highway, which have been placed there, either by themselves or by their consent. It shall be the duty of all telephone, telegraph, electric railway and other electrical companies, to remove and reset telephone, telegraph, trolley and other poles and the wires connected herewith, when the same constitute obstructions to the use of the highway by the traveling public. If temporary obstructions such as trees, lumber, wood, logs, machinery, vehicles and similar obstructions are not removed within forty-eight hours after the service of a notice, personally or by mail, upon such owner or occupant, requesting the same to be done, the town superintendent shall remove such obstruction. And if permanent obstructions, including, among others, telegraph, telephone, trolley and other poles and wires connected therewith, are not moved and reset within thirty days, the town superintendent shall move and reset such poles and wires. The expense thereby incurred shall be paid in the first instance out of moneys levied and collected and available therefor, and the amount thereof shall be charged against such owner, occupant or company, and levied and collected, as provided in section one hundred and fifty-seven.

**LAW § 157:** The town superintendent shall assess the cost of,

1. Removing obstructions and moving and resetting poles and wires, pursuant to section three hundred and nineteen.
2. Such town superintendent shall serve personally or by mail upon such owner, occupant or company, a written notice, stating that at a time and place specified therein, he will assess such cost against the owner, occupant or company neglecting to perform such duty. Such notice shall be served at least eight days previous to the time specified therein. If directed against a company, it may be served upon it at its principal place of business, or upon an agent of the company within the town. At the time and place so specified, he shall hear the parties interested, and shall thereupon complete the assessment, stating therein, the name of each owner, occupant or company, and the amount assessed against him or it, and shall return such assessment to the town clerk who shall present the same to the town board of his town. Such town board shall certify such assessment to the board of supervisors who shall cause the amount stated therein to be levied against such owner, occupant or company and any uncollected tax shall be a lien upon the land affected. The amount so levied shall be collected in the same manner as other taxes levied by such board, and shall be paid to the supervisor of the town, to be applied in reimbursing the fund from which such cost was defrayed.