

Section 6 – Traffic Study

36. Documentation as required by N.C. G.S. 130A-295.5. is to be satisfied by the following. It has been determined by DOT that it is not necessary for a Traffic Study to be conducted for this site. Instead it has been the recommendation and requirement of DOT, based upon an analysis of DOT and taking into consideration all line items in N.C. G.S. 130A-295.5. Subsection (a), that Organic Recycling Center, LLC is to construct a turn lane at the driveway of the facility located on Hwy US 1 South (Capital Blvd). The turn lane has to be completed in order to satisfy the traffic impact requirements determined by DOT of an active C&D transfer station. Engineered drawings, permit fees, and all other required documentation have been sent to and approved by DOT for the proposed Turn Lane that is to be constructed. **Attachment J** is a copy of the Driveway permit issued by DOT which allows the construction of the approved turn lane that will satisfy the traffic impact requirements determined by DOT.

Attachment J

DOT Driveway Permit

Will Barker

From: Winstead, Stephen D [stevewinstead@ncdot.gov]
Sent: Monday, May 11, 2009 10:01 AM
To: Will Barker
Cc: Newton, Anthony R; Vanzandt, John F; Smith, Gregory L
Subject: Traffic impacts associated with transfer station implementation at Organic Recycling on Southbound US 1, located approx. 2400' north of intersection of US 1 and SR 1133 (Bert Winston Rd.) in Franklin County

Will, got your fax with the information that I requested the other day. I have reviewed this information and as discussed in the field with yourself along with Mark Altman & James Adams. I have come to the conclusion that the additional truck traffic the site will generate when it becomes a transfer station will impact the "Strategic Corridor" of US 1. What the NCDOT will require to as a result of the transfer station implementation will be the following.

1. Install a right decel lane to the approach of the driveway location on US 1. Please refer to NCDOT's Policy on Street and Driveway Access to North Carolina Highways for details. Design speed 60 mph, D=500', T=200' Storage Length=100'.
2. Right decel at a minimum should consist of 12' wide lane with 5" of B25.0B asphalt base course, 3" of I19.0B asphalt intermediate course, then 2-1.5" S9.5C asphalt surface layers. In locations where the base width is wider than 6' in lieu of the 5" of B25.0B base course, 10" of ABC can be substituted in its place. A 1' lap joint shall be milled prior to placement of the final pavement layer to stagger the vertical asphalt joint.
3. All thermoplastic pavement markings/ raised pavement markers shall be done to NCDOT specifications.
4. Drive shall be paved for a minimum of 100' inward from the existing edge of travel lane of US 1.
5. Shoulder, ditch section, and slopes adjacent to the right decel lane shall be to current Design Standards.
6. Radii for driveway 50', if larger one is requested, please provide turn templates for my office to review.
7. Profile of driveway shall allow sag at/near relocated ditchline of US 1.

These improvements can be handled under a driveway permit since the site will have a new/change of use (transfer station). There will be other standard/special provisions outlined within the permit that have not been mentioned above. These will include safety related items such as traffic control during the construction of the decel lane, bond requirement, etc.

If the right decel lane improvements are made to US 1 prior to opening of the transfer station, this will satisfy the NCDOT's requirements and no Traffic Study would be needed or asked for to approve the driveway permit.

My office would need 5 sets of plans and one original driveway permit with 4 copies of the driveway permit. Plans shall include typical sections, drainage information, pavement design, striping details, and appropriate VCER-1 certifications. Driveway permit shall be signed off by the "Local Governmental Authority" (Franklin Co. Planning) prior to submittal to my office. There is a \$50.00 construction inspection fee for the driveway permit. Check made payable to NCDOT.

If you need any other information, please feel free to contact me.

Stephen D. Winstead, PE
District Engineer

Division 5 District 3
Franklin, Vance & Warren Counties
Office 252-492-0111
Fax 252-492-0123

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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

DIVISION OF HIGHWAYS
Division Five

EUGENE A. CONTI, JR.
SECRETARY

321 Gillburg Road
Henderson, North Carolina 27537
Telephone (252) 492-0111
Fax (252) 492-0123
6/26/2009

DRIVEWAY PERMIT: D53-35-09-012

COUNTY: Franklin

Joe Lyles
818 South White Street
Wake Forest, NC 27587

SUBJECT: Driveway Permit Onto US1 SBL

Attached for your file is a copy of the Driveway Permit which you requested.

This permit is approved with the understanding the owner/agent is responsible for the proper construction of the above drive and subject to the attached Special Provisions.

Please refer to Permit D53-35-09-012 in all future correspondence with this office concerning this drive. Should you have any questions, please contact this office at (252) 492-0111.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen D. Winstead".

Stephen D. Winstead, P.E.
District Engineer

cc: J. W. Bowman, P. E., Division Engineer
County Maintenance Engineer

D53-35-09-012

Driveway Permit Special Provisions

- 1 Owner/Agent shall have site inspected and approved by the County Maintenance Engineer/ District Office prior to seeding the entrances. Failure to do so will jeopardize the acceptance of this project.
- 2 Lane closures shall be restricted to between 9:00 am and 4:00 p.m. NCDOT reserves the right to further limit, restrict, or suspend operations within the right of way if, in the opinion of NCDOT, safety or traffic conditions warrant such action. All traffic control shall be in accordance with the current MUTCD guidelines. No work shall be performed during holidays, special events, or any other time that traffic on US1 is unusually heavy.
- 3 Pavement placement shall be within the guidelines of Section 610-4 in the NC Standard Specifications for Roads and Structures. No grading work can begin where this requirement cannot be satisfied.
- 4 The minimum Roadway Pavement Design (for widening, turn lane and/or driveway) in the NCDOT Right of Way shall be as follows: 10" of ABC stone or 5" B25.0B Asphalt Concrete Base Coarse, 3" I 19.0B Asphalt Concrete Intermediate Course, and 3" S9.5C Asphalt Concrete Surface Coarse in two 1.5" lifts and the final layer shall be keyed into existing pavement as shown in the approved plans. Option of ABC stone or B25.0 should be as outlined in plans.
- 5 The driveways entrances shall be located in the field as indicated on the plans, no additional driveways shall be constructed under this permit. At no time shall any vehicles be parked within the NCDOT Right of Way.
- 6 A \$75,000.00 Performance and Indemnity Bond shall be executed and posted with the Division of Highways. The Division of Highways reserves the right to retain this bond until one calendar year after the satisfactory completion of work. A copy of this bond will be present at the construction site at all times during construction. The Division of Highways reserves the right to stop all work unless evidence of approval can be shown.
- 7 Widening and turn lane shall be installed along with pavement markings as shown on the approved plans with reflectorized pavement markers per NCDOT specifications (Standard Roadway Drawings July 2006 section 1205.05). All permanent pavement markings shall be Thermoplastic.
- 8 If encroacher is within 5' of the travel lane(s) of an undivided highway and within 10' of a divided highway with any part of his operation including but not limited to vehicles, equipment, etc., encroacher shall install a lane closure for each lane in accordance with the latest Manual on Uniform Traffic Control Devices (MUTCD).

- 9 Sight distance shall be free and clear of any debris, foliage, vegetation, buildings, structures, fence(s), obstructions and or earth material for a minimal sight distance of 550 feet of the proposed entrance(s) at all times on US1. There will be no signage allowed on the NCDOT Right of Way unless approved by NCDOT.
- 10 One Way Sign shall be installed in the median of US1 opposite of the proposed entrance as shown in red in the approved plans.
- 11 Developer is responsible for relocation of any utilities that may be in conflict with proposed widening and turn lane installation. It was noted in the field review that there were utilities located inside of the proposed grade lines outlined in the typical sections for pavement widening submitted with approved plans. Grade lines shall be as shown in typical sections with no deviation on widths or depths of ditch or shoulder.
- 12 All erosion control devices and measures shall be constructed, installed, maintained, and removed by the Encroacher in accordance with all applicable Federal, State, and Local laws, regulations, ordinances, and policies. All earth areas shall be regraded and seeded in accordance with NCDOT Standards and Specifications.
- 13 Site Storm Water Drainage that flows to the pre-established BMP's shall not over burden the BMP facilities. Applicant shall be responsible for any upgrades needed to keep the existing BMP facilities to predevelopment conditions.
- 14 It is the responsibility of the owner/developer to provide verification certifying the pavement structure meets the approved design (Superpave Mix Design). A certified report signed by a professional engineer registered in North Carolina with expertise in asphalt testing and placement procedures or a NCDOT certified QMS Level II Plant Technician is required. This certification shall include core locations, pavement density and pavement thickness by type material. Subgrade and base densities signed by a professional engineer registered in North Carolina shall be submitted also. Please refer to the "2006 Standard Specifications for Roads and Structures" for base and subgrade density requirements (test frequency and minimum passing requirements). Enclosed you will find a summary sheet for subgrade and base densities which provides as seal location for the professional engineers certification. Attached to this review letter is the "Quality Management System for Asphalt Pavements, Maintenance Version- 2005 Specifications", these requirements shall be adhered to and all required documentation shall be submitted to the District Engineer. Upon satisfactory completion of all construction and upon request a letter will be written to you stating the streets have been constructed to the North Carolina Department of Transportation standards.

Driveway Permit Standard Provisions

- 1 A copy of the permit and an approved plan(s) stamped by NCDOT will be on the site and available for inspection by DOT personnel while construction is in progress.
- 2 The Department of Transportation does not guarantee the right of way on this road, nor will it be responsible for any claim for damages brought by any property owner by reason of the installation.
- 3 If there are any existing traffic signals, signal equipment, or NCDOT signs in the area of proposed work, you shall contact Steve Johnson at (919) 220-4600, in Durham, prior to beginning any work on State right of way. Cost to repair, relocate, or any damage to NCDOT signs, signals, or associated equipment shall be the responsibility of the Encroacher.
- 4 The traveling public will be warned of the construction with signing that is in accordance with the latest manual on Uniform Traffic Control Devices. Further, for construction involving lane closures, either Part VI of the MUTCD or an approved traffic control plan must accompany this agreement.
- 5 All materials and construction shall meet NCDOT Standards and Specifications.
- 6 At the end of each working day, equipment shall be parked a minimum of 30 feet from the edge of any travel lane.
- 7 All erosion control devices and measures shall be constructed, installed, maintained, and removed by the Encroacher in accordance with all applicable Federal, State, and Local laws, regulations, ordinances, and policies. All earth areas shall be regraded and seeded in accordance with NCDOT Standards and Specifications.
- 8 When surface area in excess of one acre will be disturbed, the Encroacher shall submit a Sediment and Erosion Control Plan which has been approved by the appropriate regulatory agency or authority prior to beginning any work on the right of way. Failure to provide this information shall be grounds for suspension of operations.
- 9 All earth areas disturbed shall be regraded and reseeded in accordance with Division of Highways Standards and Specifications as follows (per acre); Year Round Mixture: 50# Pensacola Bahia Grass, 50# KY 31 Tall Fescue, 5# Centipede, 500# 10-20-20 Fertilizer, 4,000# Limestone; 2:1 Slopes Standard Mix: use year round mixture (delete centipede) add 25# Sericea Lespedeza; Crown Vetch on 2:1 Slope (Sept.- May) use year round mixture, add Crown Vetch @ 15 lb. Per acre (delete Centipede and Bahia).

- 10 Tony Newton, 321 Gillburg Road, Henderson, NC 27537, (252) 492-0111 shall be notified in writing or by phone 48 hours prior to beginning work. Verification of the posted bond will be required with this letter in order to begin construction.
- 11 The finished surface of the paved drive shall be in accordance with figure 6 (attached).
- 12 Excavated areas adjacent to pavement having more than a 2" drop shall be safed up at a 6:1 or flatter slope and designated by appropriate delineation during periods of inactivity, including, but not limited to, night and weekend hours.
- 13 Excavated material shall not be placed on the roadway at anytime.
- 14 Please note that approval of the driveway permit does not constitute review or approval of utilities or sidewalk by NCDOT. Plans and a completed encroachment agreement shall be submitted to the District Engineer's office for review and approval.
- 15 It is the responsibility of the owner/agent to secure any construction easements (temporary or permanent) from property owners affected by the construction limits.
- 16 All property owners within the project limits shall be notified in writing prior to construction.
- 17 All right of way and easements necessary for construction and maintenance shall be dedicated to NCDOT with proof of dedication furnished to the District Engineer prior to beginning work.
- 18 The Applicant is responsible for identifying project impacts to waters of the United States (wetland, intermittent streams, perennial streams and ponds) located within the NCDOT right-of-way. The discharge of dredged or fill material into waters of the United States requires authorization from the United States Army Corps of Engineers (USACE) and certification from the North Carolina Division of Water Quality (NCDWQ). The Applicant is required to obtain pertinent permits or certification from these regulatory agencies if construction of the project impacts waters of the United States within the NCDOT right-of-way. Additional information can be obtained by contacting the USACE or NCDWQ.
- 19 The Applicant is responsible for avoiding impacts to federally protected species during project construction. Bald Eagle, Michaux's Sumac, smooth coneflower, dwarf wedgemussel, harperella, red-cockaded woodpecker and tar spiny mussel are federally funded species that have been identified within NCDOT right-of-way in Durham, Person, Granville, Wake, Franklin, Vance and Warren Counties. Additional information can be obtained by contacting the North Carolina Natural Heritage Program or the United States Fish and Wildlife Service.

- 20 The Applicant is responsible for complying with the Neuse and Tar-Pamlico Riparian Buffer Rule as regulated by the NCDWQ. The rule regulates activity within a 50-foot buffer along perennial streams, intermittent streams and ponds. Additional information can be obtained by contacting the NCDWQ.
- 21 It is the responsibility of the Owner/Developer to comply with all applicable federal, state and local environmental regulations, and shall obtain all necessary federal, state and local environmental permits, including but not limited to, those related to sediment control, stormwater, wetland, streams, endangered species, and historical sites.
- 22 The party of the second part (developer and /or contractor) shall provide traffic control devices, lane closures, road closures, positive protection and/or any other warning or positive protection devices necessary for the safety of the motorist and workers during construction and any subsequent maintenance. This shall be performed in conformance with the latest NCDOT Roadway Standard Drawings and Standard Specifications for Roads and Structures and Amendments or Supplements thereto. When there is no guidance provided in the Roadway Standard Drawings or Specifications, comply with the Manual on Uniform Traffic Control Devices for Streets and Highways and Amendment or Supplement thereto. Information as to the above rules and regulations may be obtained from the Division Engineer of the party of the first part (NCDOT).
- 23 The North Carolina Department of Transportation is in the process of developing a Work Zone Traffic Control Qualification & Training program that will begin its implementation in 2009. This program will require qualified and trained Work Zone Flaggers in every flagging operation (July 2009), qualified and trained Work Zone Traffic Control Installers on every traffic control installation (January 2010) and qualified and trained Work Zone Traffic Control Supervisors on Significant Projects (July 2010). It is intended for the program to include anyone working within NCDOT Right of Way including work associated with NCDOT construction and encroachment agreements as well as all NCDOT operations.
- 24 Training for this certification will be provided by NCDOT approved training sources and/or private entities that have been pre-approved to train themselves. Additional information will be provided as this program progresses. If you have questions, contact our web site at www.ncdot.org/-wzte , or contact Meredith McDiarmid, P.E. with NCDOT Work Zone Traffic Control Unit at (919) 250-4159 or email mmediarmid@ncdot.gov

APPLICATION IDENTIFICATION

Driveway Permit No. _____ Date of Application 6-9-09
 County: FRANKLIN
 Development Name: Organic Recycling Center

NO. _____
 DATE _____
 RECEIVED
 JUN 10 2009

LOCATION OF PROPERTY

Route/Road: US #1 North DIVISION OF HIGHWAYS
 DIV 5-DIST 3
 Exact Distance 0.36 Miles Feet N S E W
 From the Intersection of Route No. US #1 and Route No. MATERIALS DR Toward Bent Winston Rd SR # 1133

Property Will Be Used For: Residential /Subdivision Commercial Educational Facilities TND Emergency Services Other
 Property: Organic Recycling is is not within FRANKLINTON City Zoning Area.

AGREEMENT

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- **I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.**

SIGNATURE APPLICANT

PROPERTY OWNER (APPLICANT)

COMPANY Orgonic Partners, LLC
SIGNATURE [Signature]
ADDRESS 818 S. White St Wake Forest NC
27587 Phone No. 556-5418

WITNESS

NAME Joe Lyle
SIGNATURE [Signature]
ADDRESS 818 S. White St.
Wake Forest NC 27587

AUTHORIZED AGENT

COMPANY Millridge Companies
SIGNATURE Joe Lyle, Ops. Manager
ADDRESS 818 South White Street
Wake Forest 27587 Phone No. 556-5418

WITNESS

NAME Will Barker
SIGNATURE [Signature]
ADDRESS 818 South White St
Wake Forest, NC 27587

APPROVALS

APPLICATION APPROVED BY DISTRICT ENGINEER

[Signature] ARN

6/10/09
DATE

SIGNATURE

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

Dana Wood
SIGNATURE

Senior Planner
TITLE

6-10-09
DATE

APPLICATION APPROVED BY DISTRICT ENGINEER

[Signature]

6-29-2009

SIGNATURE

DATE

INSPECTION BY NCDOT

SIGNATURE

TITLE

DATE

COMMENTS: