



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

February 15, 2023

County of Burke  
P.O. Box 219  
Morganton, NC 28680

Location: Burke County (US70)

Subject: Driveway Permit Approval

Subject: **DRIVEWAY PERMIT APPROVAL- D131-012-22-00052**  
**(Eastern Burke County Convenience Center) – US 70**

The Department is furnishing an approved Driveway Permit for the subject drive. If the business is enlarged or reconfigured another review will be required. The agreement is approved subject to the attached provisions.

- **On all new Commercial Driveways, the first 50' must be paved to NC Department of Transportation standards. The developer shall construct the driveway to ensure that it falls away from the existing edge of pavement back to the existing ditch or shoulder drop off.**
- **All necessary traffic control devices as required by the Manual of Uniform Traffic Control Devices (MUTCD) must be implemented during the project. All lane closures shall be performed by a certified Traffic Control contractor.**
- **The developer shall be required to ensure adequate sight distance on approaches to the driveway meets minimum MUTCD requirements for stopping sight distance and sight distance requirements set forth in the NCDOT Policy on Street and Driveway Access to North Carolina Highways.**
- **Clear recovery zones shall be preserved long the highway travel way.**
- **Driveway pipes shall be installed to NC Department of Transportation Standards and Specifications. Improvements shall be constructed, inspected, and approved prior to opening of the business.**
- **Passing zone to be eliminated and double yellow striping in place prior to opening of business as shown on plans.**
- **Gates or other entry control devices used shall have adequate length of vehicle storage so that entering vehicles do not queue back on the adjacent highway right-of-way.**

*Mailing Address:*  
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3931 NC 226 SOUTH  
MARION, NC 28752

*Website:* [ncdot.gov](http://ncdot.gov)

If we can be of further assistance at any time, please do not hesitate to let us know. Please advise this office upon completion of the subject drive. You may contact Dustin Riddle [dkriddle@ncdot.gov](mailto:dkriddle@ncdot.gov) in the Marion District Office by email or by phone at (828) 803-6100.

Cordially,

DocuSigned by:  
*Scott Killough*  
10152252561F414...

Scott Killough  
Assistant Division Maintenance Engineer - Division 13

SHK/dkr

Attachments

cc: Mr. Josh Mashburn, Burke County Maintenance Engineer





# STANDARD SPECIAL PROVISIONS FOR DRIVEWAYS

## Rev. September 2020

The following provisions are considered part of the approved Street and Driveway Access Permit and are considered to be conditions of approval:

1. All driveways requiring a driveway pipe shall be graded with a low point that is located directly over the driveway pipe to prevent water from being shed on to the NCDOT maintained roadway.
  - A. The driveway pipe shall be placed in line with the ditch that existed prior to construction.
  - B. The driveway pipe shall have a minimum 12.0" of cover and be made of a material that is in compliance with NCDOT standards.
2. Driveways not requiring a driveway pipe shall be graded in a manner that does not shed water on to the NCDOT maintained roadway.
3. Any work requiring equipment or personnel closer than 5.0' from the outside edge of the travel lane shall require a lane closure in accordance with the latest edition of the MUTCD. No lane closures will be allowed before 8:30 AM or after 4:30 PM or on weekends or State observed holidays or as directed by the District Engineer.
4. Absolutely no materials or equipment storage will be allowed on NCDOT right of way.
5. Any changes to the permit drawing must be submitted in writing to the Engineer for review and comment. Failure to request changes may result in cancellation of the permit and removal of the driveway connection at the property owner's expense.
6. Failure to construct the driveway in accordance with the Street and Driveway Access Permit drawings and the current Policy on Street and Driveway Access to NC Highways manual may result in cancellation of the permit and removal of the driveway connection at the property owner's expense.
7. All disturbed right of way monuments shall be reset by a NC licensed Surveyor in accordance with NCDOT Roadway Standard Drawings and Standard Specifications for Roads and Structures manuals.
8. Permit expirations:
  - A. Regular Commercial and Residential/Subdivision Permits expire one year from the approval date.
  - B. Special Commercial Permits expire one year from the approval date.
9. Traffic control shall be coordinated with the District Engineer and the Division Traffic Engineer, at telephone (828)250-3000, prior to construction.

### 10. WORK ZONE TRAFFIC CONTROL QUALIFICATIONS AND TRAINING PROGRAM

All personnel performing any activity inside the highway right of way are required to be familiar with the NCDOT Maintenance / Utility Traffic Control Guidelines (MUTCG). No specific training course or test is required for qualification in the Maintenance /Utility Traffic Control Guidelines (MUTCG). All flagging, spotting, or operating Automated Flagger Assist Devices (AFAD) inside the highway right of way requires qualified and trained Work Zone Flaggers. Training for this certification is provided by NCDOT approved training resources and by private entities that have been pre-approved to train themselves. All personnel involved with the installation of Work Zone Traffic Control devices inside the highway right of way are required to be qualified and trained Work Zone Installers. Training for this certification is provided by NCDOT approved training resources and by private entities that have been pre-approved to train themselves. All personnel in charge of overseeing work zone Temporary Traffic Control operations and installations inside the highway right of way are required to be qualified and trained Work Zone Supervisors. Training for this certification is provided by NCDOT approved training resources and by private entities that have been pre-approved to train themselves. For questions and/or additional information regarding this training program please refer to <https://connect.ncdot.gov/projects/WZTC/Pages/Training.aspx> or call the NCDOT Work Zone Traffic Control Section (919) 814-5000.

12. The Applicant shall employ traffic control measures that are in accordance with the prevailing federal, state, local, and NCDOT policies, standards, and procedures. These policies, standards, and procedures include, but are not limited to the following:



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- a. Manual on Uniform Traffic Control Devices (MUTCD) – North Carolina has adopted the MUTCD to provide basic principles and guidelines for traffic control device design, application, installation, and maintenance. North Carolina uses the MUTCD as a minimum requirement where higher supplemental standards specific to North Carolina are not established. Use fundamental principles and best practices of MUTCD (Part 6, Temporary Traffic Control).
- b. NCDOT Maintenance / Utility Traffic Control Guidelines – This document enhances the fundamental principles and best practices established in MUTCD Part 6, Temporary Traffic Control, incorporating NCDOT-specific standards and details. It also covers important safety knowledge for a wide range of work zone job responsibilities.

## PROJECT SPECIAL PROVISIONS

1. No signs or other obstructions shall be erected or maintained on existing or proposed NCDOT right of way.
2. Notify NCDOT prior to beginning any work.
3. The developer shall be required to ensure adequate sight distance of both approaches to the driveway meets minimum MUTCD requirements for stopping distances.
4. The developer shall provide and install all signs and pavement markings within this project.
5. All signs and pavement markings provided and installed by the developer on State maintained roadways, within State maintained intersections, and on any private driveway approach to a State maintained roadway shall be manufactured and installed in accordance to the Department's standard specifications. This includes the Manual on Uniform Traffic Control Devices, traffic signal plans, roadway plans, and approved developer plans.
6. The developer's pavement marking contractor shall be pre-approved to perform work for the Department and must submit a copy of their certification card to the District office.
7. The developer's signing contractor shall be pre-approved to perform work for the Department.
8. The developer's traffic signal designer and contractor shall be pre-approved to perform work for the Department.
9. Traffic Impact Analyses (TIA) shall be performed by private engineering firms pre-approved to perform work for the Department. TIAs shall be performed in accordance with NCDOT guidelines found on the NCDOT website.
10. The developer will be responsible for all costs associated with required traffic signal upgrades and will be required to enter into a reimbursable agreement with the Department to accomplish the necessary work. The reimbursable agreement will also allow NCDOT to review the design and inspect the work.
11. Please contact the Division Traffic Engineer at 250-3000 to facilitate this agreement.
12. All auxiliary-turning lanes required shall have tapers designed and built in accordance with the MUTCD and NCDOT standards.
13. The driveway pipe shall be graded with a low point that is located directly over the driveway pipe to prevent water from being shed on to the NCDOT maintained roadway if required.
14. Road shall be resurfaced full width of roadway after completion of turn lanes and any other construction which the Engineer deems necessary.
15. Any damages to the roadway during construction shall be the responsibility of the owner/developer. Repairs shall be performed to the satisfactory of the Department of Transportation. The Engineer will decide all questions which may arise as to the quality and acceptability of work performed and as to the rate of progress of the work; all questions which may arise as to the interpretation of the permit; and all questions as to the acceptable fulfillment of the permit on the part of the developer.
16. The relocation of any overhead or underground fiber optic components within NCDOT's fiber optic system will be the responsibility of the developer when they are impacted by the development. This relocation shall be completed by a contractor that is qualified with the NCDOT to complete this work. Materials for this work must be approved by NCDOT prior to installation. When fiber splicing occurs, any splicing would need to be completed the same day to ensure that NCDOT retains communication with the traffic signal system, traffic cameras, overhead message signs, and dynamic trailblazing signs. At no time can the fiber be disconnected/cut and left. Once any cut has been made, the re-splicing should occur immediately. When splicing is necessary, fusion splices will be required and the OTDR report will need to be provided to the Department. No mechanical splices will be permitted. Where extra fiber is required, it will be the responsibility of the Developer to provide the extra fiber. NCDOT's current splice enclosures/cans must be maintained and cannot be impacted by the Development. If they are impacted, they must be moved and replaced. Any costs associated with NCDOT's fiber relocation will be the responsibility of the development. The Developer shall contact the Deputy Division Traffic Engineer at (828)298-0094 to coordinate any fiber optic relocations prior to construction.