

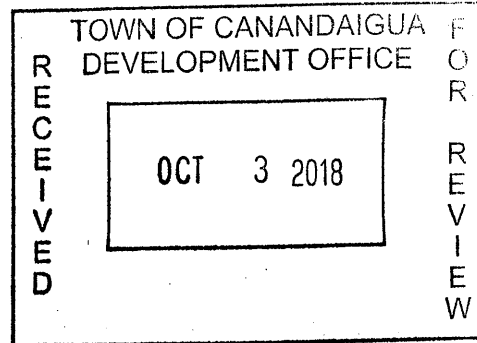
THORNTON

ENGINEERING LLP

August 9, 2018

Mr. Gregory Trost
New York State Department of Transportation
125 Parrish Street
Canandaigua, New York 14424

Re: Frontenac Boat Sales Driveway
2121 NYS Route 332, Town of Canandaigua
NYSDOT Tracking No. 70773



Dear Mr. Trost:

Per the attached instructions from Regional Traffic and Safety, we have enclosed one set of plans (Drawings DOT-1 and DOT-2) and a completed PERM33-COM for the proposed driveway construction, tree removal, and utility service installation for a boat sales facility to be constructed at 2121 NYS Route 332 in the Town of Canandaigua.

Please feel free to contact me at 585-624-4810 if you have any comments or need additional information.

Sincerely,

THORNTON ENGINEERING LLP

Glenn F. Thornton, P.E.
Partner

cc: Kevin Degraw, Frontenac Holding

Stage 1: Initial Proposal Review

In the Initial Proposal Review, an applicant should provide the following basic information about the proposed project concept and scope. A face-to-face meeting with the applicant is typically held during this review, and a representative of the impacted municipality is invited to attend. Your NYSDOT Regional Permit Coordinator can provide answers to any questions concerning the driveway design and the permit review process.

Complete questions 1.1 through 1.7 and submit this application/checklist, along with plans to the Regional Permit Coordinator. The Department will review the submission and respond with comments and recommendations that need to be addressed before continuing to Stages 2 (Design Review) and 3 (Final Submission).

1.1 Contact Information

| | | | | |
|-----------|--|--|---|-----------------------|
| A. | Name of Applicant | Kevin Degraw, Frontenac Holding | | |
| | Number and Street (mailing address) | 21 Basin Street | | |
| | City | Union Springs, NY | Zip Code | 13160 |
| | Daytime phone | (636) 236-7607 | E-mail address | kdegrow@att.net |
| B. | Name of Property Owner (if different) | <input type="checkbox"/> Same as Applicant | | |
| | Number and Street (mailing address) | | | |
| | City | | Zip Code | |
| | Daytime phone | | E-mail address | |
| C. | Firm Name of Consultant (if applicable) | Thornton Engineering | <input checked="" type="checkbox"/> Agent for Applicant | |
| | Contact Name | Glenn F. Thornton | | |
| | Number and Street (mailing address) | 30 Assembly Drive, Suite 106 | | |
| | City | Mendon, NY | Zip Code | 14506 |
| | Daytime phone | (585) 624-4810 | E-mail address | glenn@thorntoneng.com |

1.2 Property Location Information

| | |
|---|--------------------------------|
| Number and Street (include State Route Number) | 2121 State Route 332T |
| City/Town/Village | Town of Canandaigua |
| Zip Code | 14424 |
| Nearest Cross Street with Distance and Direction: | 500 ft. south of Yerkes Road |
| Between State Highway Reference Markers: | 332 4401 2019 to 332 4401 2020 |
| <u>NYSDOT Reference Marker Manual</u> | |
| Approximate Latitude and Longitude of Proposed Driveway: | 42N 55° 42' 77W 18° 45' |
| <u>Find Latitude and Longitude</u> | |

Comment:

| |
|--|
| |
|--|

| 1.6 Traffic Impacts | | |
|---------------------|---|------------------------|
| A. | <p>Briefly describe the type of development that will be served by the driveway(s):</p> <p>Boat sales showroom and display yard</p> | <p>Comment:</p> |
| B. | <p>Average Annual Daily Traffic (AADT) for the highway: 22,247</p> <p>AADT is available online through the NYSDOT Traffic Data Viewer.</p> | <p>Comment:</p> |
| C. | <p>Posted speed on state highway where entrance will be placed:</p> <p>55 mph</p> | <p>Comment:</p> |
| D. | <p>Number of one-way vehicular trips for the proposed driveway:</p> <p>AM Peak Hour: 8 : 00 a.m. to 9 : 00 a.m.</p> <p>AM Peak Volume: 10</p> <p>PM Peak Hour: 4 : 00 p.m. to 5 : 00 p.m.</p> <p>PM Peak Volume: 15</p> <p>If the proposed access is for retail use, please provide:</p> <p>Saturday Peak Hour: 10 : 00 a.m. to 11 : 00 p.m.</p> <p>Saturday Peak Volume: 10</p> <p><i>Trips generated should not be reduced by pass-by or other credits.</i></p> | <p>Comment:</p> |
| E. | <p>How was the number of vehicular trips determined?</p> <p><input checked="" type="checkbox"/> Similar development history</p> <p><input type="checkbox"/> ITE Trip Generation Manual</p> <p><input type="checkbox"/> Estimate from a NYS Licensed Professional Engineer</p> | <p>Comment:</p> |
| F. | <p>Is a Traffic Impact Study (TIS) required?</p> <p><input checked="" type="checkbox"/> A TIS is not required</p> <p><input type="checkbox"/> A TIS is required, and is in progress</p> <p><input type="checkbox"/> A TIS is required, and is attached</p> <p><input type="checkbox"/> Not sure if a TIS is required, need more information</p> <p><i>Guidance on how to determine if a Traffic Impact Study is needed, and what elements should be included, can be found at https://www.dot.ny.gov/CommercialHWP/traffic-impact.</i></p> | <p>Comment:</p> |

Stage 2: Design Review and Plan Requirements

After satisfactorily addressing all comments received in the Initial Proposal Review, continue to develop your application by submitting plans for Stage 2, Design Review. Please be sure to include all elements listed in this checklist and outlined in the Plan Requirements.

2.1 Number and Spacing

Does the proposed number of driveways, spacing of driveways and spacing to intersections meet the criteria of Figure 5A-3 – Driveway Location Standards?

☒ Yes ☐ No

Highway Design Manual (HDM) Section 5A.4.1 - Spacing

Comment:

2.2 Sight Distance

A. From the proposed driveway, at a point 14-18 ft. from the edge of the travel lane, identify the sight distance (42 in. eye and object height) to the

Right: 1,500 ft. Left: 1,500 ft.

B. Using a 2 ft. object height, identify the stopping sight distance (SSD) to the

Right: ft. Left: 1,000 ft.

C. Do the minimum stopping sight distances conform to Highway Design Manual Appendix 5B - Vertical Highway Alignment Sight Distance Charts and Highway Design Manual Exhibit 7-7 - Minimum Stopping Sight Distance (SSD)?

☒ Yes ☐ No

D. Do the intersection sight distances conform to Highway Design Manual (HDM) Section 5.9.5 – Intersection Sight Distances and Highway Design Manual (HDM) Appendix 5C - Intersection Sight Distance Charts?

☒ Yes ☐ No

Highway Design Manual (HDM) Section 5A.4.2 – Sight Distances

Comment:

2.6 Maximum Grade

Maximum grade of proposed driveway, within 30 ft. of the edge of the travel lane :

7%

In urban areas, the maximum grade is 6%. In rural areas, the maximum grade is 10%.

Maximum Slope table (NYSDOT 608-03 Standard Sheets, Sheet 2 of 7, Table 2)

Comment:

2.7 Underground Utilities

Any existing underground utilities within the right-of-way should be identified and located during design of the proposed driveway and shown on the proposed driveway plan(s).

Identify all methods/resources used to locate utilities:

- ☐ Existing records and drawings
- ☒ Ground survey of utility facilities
- ☒ Information obtained from utility company(ies)
- ☐ Subsurface Utility Engineering (SUE)
 - ☐ 2D mapping
 - ☐ 3D mapping
- ☐ None

Comment:

2.8 Drainage

A. Is the proposed drainage ☐ closed or ☒ open?

B. If the drainage is open, and the driveway will cross a ditch, a culvert with a tapered/flared end section is needed.

Culverts shall be designed using the Rational Method ($Q=CiA$) and shall be no less than 15 in. in diameter.

Inside diameter of proposed culvert: Select One

Culvert pipe material: Select One

C. If over 2,000 sq. ft. of impervious area on the site will drain to the state right-of-way, refer to Highway Design Manual (HDM) 5A.6.3 – Drainage Study to determine if a drainage study is required. If so, use the standardized Drainage Report shell to develop the study.

Is a drainage study required?

- ☒ No
- ☐ Yes. A drainage study is required and is attached.

D. ☒ Applicable NYSDOT 603 Standard Sheet details are shown on the plans

☐ Details other than those shown on the NYSDOT 603 Standard Sheets are being used (Please identify in "Comment" area to the right)

Highway Design Manual (HDM) Section 5A.4.5 – Drainage

Comment:

2.11 Driveway Materials

A.

Refer to Driveway Materials and Thickness table (NYSDOT 608-03 Standard Sheets, Sheet 2 of 7, Table 3)

Select the proposed driveway material within the first 10 feet from traveled way:

☐ Concrete

Thickness of concrete:

Thickness of sub-base:

☒ Asphalt

Thickness of top course:

Thickness of binder course:

Thickness of base course:

Thickness of sub-base course:

B.

Select the proposed driveway material from 10 feet to 30 feet from traveled way:

☐ Concrete

Thickness of concrete:

Thickness of sub-base:

☒ Asphalt

Thickness of top course:

Thickness of binder course:

Thickness of base course:

Thickness of sub-base course:

☐ Precast Pavers

Thickness of pavers:

Thickness of bedding course:

Thickness of base course:

Thickness of sub-base course:

☐ Stone

Thickness of stone course:

C.

Is shoulder reconstruction needed?

☐ Yes [Use NYSDOT Standard Sheet 608-03, Sheet 5 of 7]

☒ No

Comment:

2.14 Plan Requirements

A digital file (.pdf format) must be submitted. Contact your Regional Permit Coordinator (RPC) to determine if hard copies are required. The plans should be in US Customary units, at a scale of at least 1"=50' or larger, on 11"x 17" paper. A scale of 1"=20' should be used for closed drainage work.

Refer to Highway Design Manual (HDM) Chapter 20 (CADD Standards and Procedures) and Highway Design Manual (HDM) Chapter 21 (Contract Plans, Specifications and Estimate) for minimum text size, font and other drafting standards.

A. Plans shall include:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Name and contact information of applicant | <input checked="" type="checkbox"/> Tax map number of subject property |
| <input checked="" type="checkbox"/> State route number and adjacent highway reference markers | <input checked="" type="checkbox"/> North directional arrow |
| <input checked="" type="checkbox"/> Names of reputed owners of subject property and adjacent properties | <input checked="" type="checkbox"/> Scale |
| | <input checked="" type="checkbox"/> Note referencing <u>NYS DOT 608-03 Standard Sheets</u> |

Comment:

B. Location and dimensions of existing features (as applicable):

Included Not Present

Included Not Present

- | | |
|---|---|
| <input checked="" type="checkbox"/> — Highway travel lanes (label edge of lanes) | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Bus stops |
| <input checked="" type="checkbox"/> — Road shoulder (label edge of shoulder) | <input checked="" type="checkbox"/> — All utilities and DOT cable (both public and private, overhead and/or underground) |
| <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Curbs (identify material) | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Traffic signs (include sign text) |
| <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Guide rail (include type) | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Traffic signals, poles and highway lighting |
| <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Medians | <input checked="" type="checkbox"/> — Pavement markings within entire roadway section |
| <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Sidewalk and curb ramps | <input checked="" type="checkbox"/> — Right-of-way, property lines and easements |
| <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Stairways | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Existing buildings or structures (bridges, retaining walls, etc.) |
| <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Bike paths | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Existing landscape features |
| <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Bike lanes | |
| <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Shared driveways or cross-access (include agreement signed by all parties involved) | |

Comment:

F. Traffic Signal Plan(s), if required, must show:

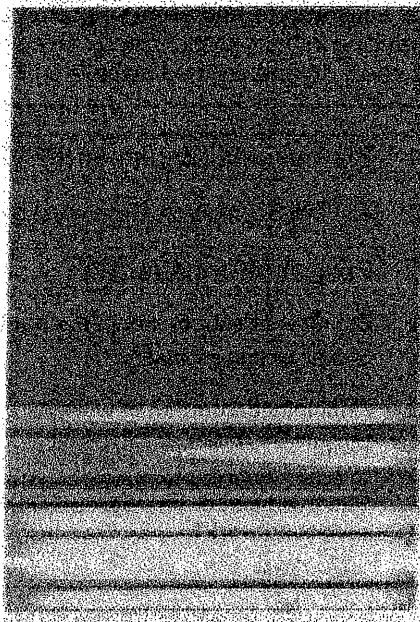
Traffic signal plans must be on a separate sheet or sheets. Refer to NYSDOT 680 Standard Sheets.

Not
Included Present

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Existing features, such as drainage and overhead or underground utilities, which may conflict with the proposed signal |
| <input type="checkbox"/> | <input type="checkbox"/> | Poles, power supply, pull boxes, conduit, controller, head layout (including face numbering), detection, output from a span wire analysis |
| <input type="checkbox"/> | <input type="checkbox"/> | Right-of-way lines |
| <input type="checkbox"/> | <input type="checkbox"/> | Signs (include sign text) |
| <input type="checkbox"/> | <input type="checkbox"/> | Pavement markings and turn lanes |
| <input type="checkbox"/> | <input type="checkbox"/> | Buildings and driveways |
| <input type="checkbox"/> | <input type="checkbox"/> | Sidewalks, curb ramps and crosswalks, pedestrian pushbuttons, countdown timers |
| <input type="checkbox"/> | <input type="checkbox"/> | Tables of operations, clearances, switch packs, input wiring, and loop wiring |
| <input type="checkbox"/> | <input type="checkbox"/> | Phasing diagram |
| <input type="checkbox"/> | <input type="checkbox"/> | Estimate of quantities |

Traffic Signal Permit Information:

Comment:



ACKNOWLEDGMENT: I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND WARRANT COMPLIANCE THEREWITH.

APPLICANT SIGNATURE

DATE

PRINTED APPLICANT NAME

Kevin DeGraw

MANAGING MEMBER, FRONTIER

8/6/18

HARRING



STOP HERE for a Design Review Stage Submission

Print this application/checklist, sign above and submit along with plans to the Regional Permit Coordinator. Save this document on your computer to update for future stage submissions.

3.5 24-Hour Emergency Contact

Name

Phone

E-mail address

Comment:

3.6 Return Address

Permit should be returned to:

☐ Permittee identified in Part 1

☐ Other, address below:

Name

Number and Street

City

Zip Code

Daytime phone

E-mail address

Comment:

3.7 Insurance

A. Check one form of insurance to be provided:

General Liability Insurance

A completed Certificate of Liability Insurance is required, evidencing required types and limits of insurance coverage, with the New York State Dept. of Transportation named as Additional Insured on the policy.

☐ ACORD 25 Certificate of Liability Insurance with ACORD 855 (New York Construction Addendum) attached

Undertaking (Municipalities, Public Utilities, Authorities, Railroads)

☐ Undertaking Agreement attached

Comment:

B. Workers' Compensation Insurance & Disability Benefits Coverage

New York State Workers' Compensation Law requires that ALL permit applicants provide proof of Workers' Compensation Insurance and Disability Benefits Coverage on one of the following forms. If exempt from coverage, the applicant must provide Form CE-200 Proof of Exemption, which can be obtained on the Workers' Compensation Board website: [NYS Workers' Compensation Board Insurance Exemption Form](http://www.wcb.ny.gov)

Certificate of Workers' Compensation Insurance

- ☐ Form C-105.2
- ☐ Form U-26.3
- ☐ Form SI-12
- ☐ Form CE-200 Exemption

Certificate of Disability Benefits Coverage

- ☐ Form DB-120.1
- ☐ Form DB-155
- ☐ Form CE-200 Exemption

For further information on Insurance Requirements for Highway Work Permits, go to: www.dot.ny.gov/permits-insurance

NOTE: PERMIT IS ISSUED CONTINGENT UPON ALL LOCAL REQUIREMENTS BEING SATISFIED.

ACKNOWLEDGMENT: I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND WARRANT COMPLIANCE THEREWITH.

Applicant signature

Date

Printed applicant name

Additional applicant signature

Date

Printed additional applicant name

Additional applicant signature

Date

Printed additional applicant name

Additional applicant signature

Date

Printed additional applicant name

TO BE COMPLETED BY NYSDOT ISSUING OFFICE:

Approval recommended by Resident Engineer: _____

Residency Number _____ Date: _____

Approval recommended by Regional Traffic Engineer: _____

Region Number: _____ Date: _____

Subject: Frontenac Boat Sales Driveway Concept Review (2121 Route 332 Canandaigua)
From: "Starke, Zachary J. (DOT)" <Zachary.Starke@dot.ny.gov>
Date: 6/18/2018 9:31 AM
To: "Glenn@thorntoneng.com" <Glenn@thorntoneng.com>
CC: "Frank, Jeffrey P (DOT)" <Jeffrey.Frank@dot.ny.gov>, "Trost, Gregory J (DOT)" <Gregory.Trost@dot.ny.gov>

Glenn,

I received your concept review for the subject project and have the following comments.

We agree with your proposal to install a new right in/right out only driveway at this location. Due to the median along 332 this driveway is limited to right turns in and out only. The driveway should include one 12 foot lane entering and one 12 foot lane exiting with radii based on the design vehicle. Please show the proposed driveway slope on future plans.

Please submit a completed PERM33-COM along with plans to Greg Trost at 125 Parrish St, Canandaigua, NY 14424. Please include tracking number 70773 along with any future submissions.

Let me know if you have any questions,

Zack

Zachary J. Starke
Region 4 Traffic & Safety
New York State Department of Transportation
1530 Jefferson Rd. Rochester, NY 14623
(585) 272-3472 | Zachary.Starke@dot.ny.gov



Department of
Transportation

June 7, 2018

Ms. Barb Marsh
New York State Department of Transportation
1530 Jefferson Road
Rochester, New York 14623

Re: Frontenac Boat Sales Driveway
2121 NYS Route 332, Town of Canandaigua

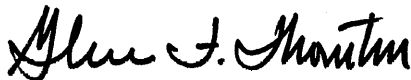
Dear Ms. Marsh:

Thornton Engineering LLP has been retained by Frontenac Holdings for the design of site improvements to accommodate the construction of a new boat sales showroom and display yard in the Town of Canandaigua, NY. A minor commercial driveway to serve the commercial project is proposed as depicted on the enclosed drawings (S-1 Site Plan, DOT-1 Driveway Permit Plan and Profile, and DOT-2 Driveway Construction Notes and Details). In addition to the three drawings, we have also enclosed the tax map for the area, a property survey map, an aerial map, and the Initial Proposal Review section.

Please feel free to contact me at 585-624-4810 with any questions regarding this submittal.

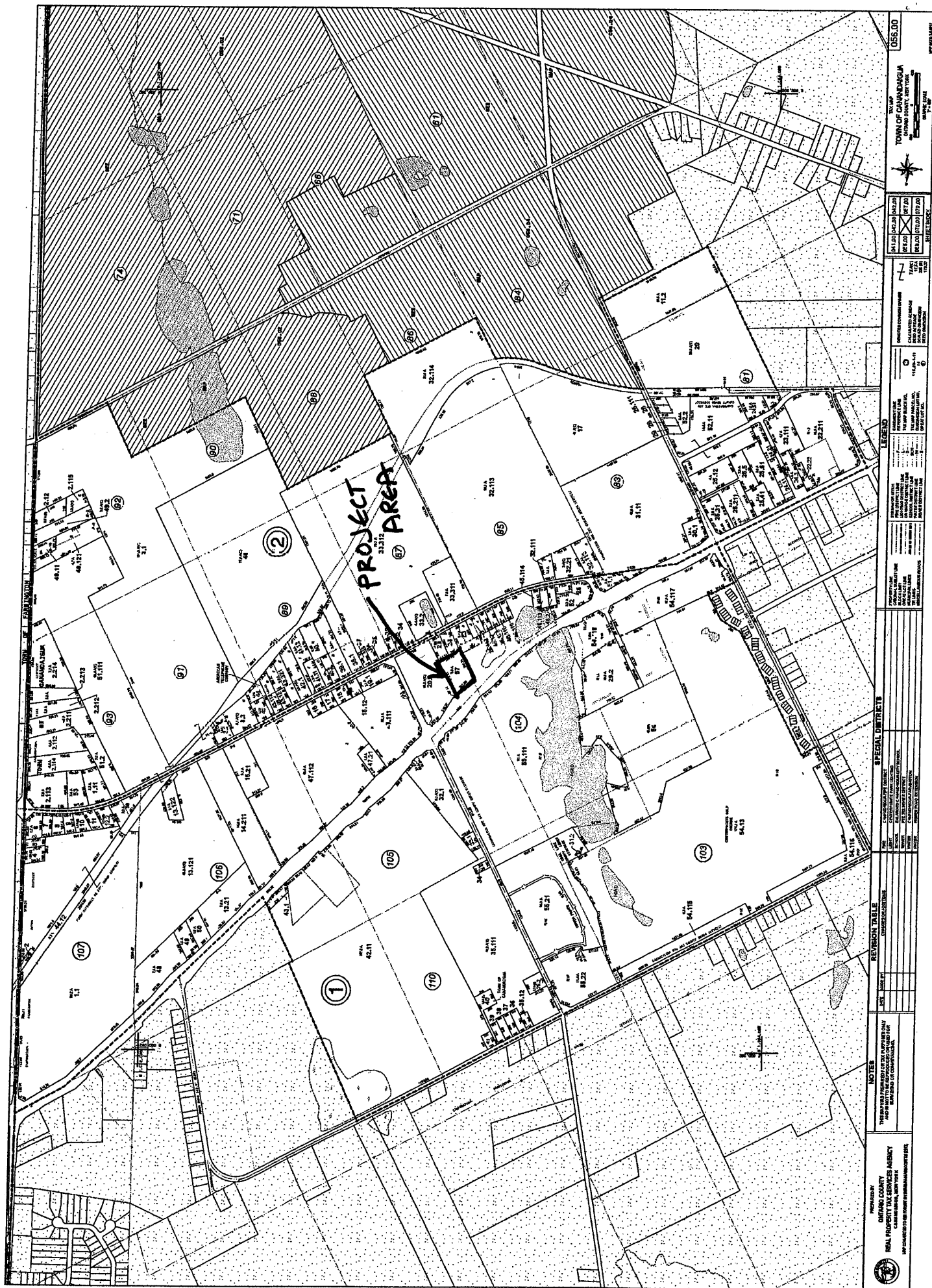
Sincerely,

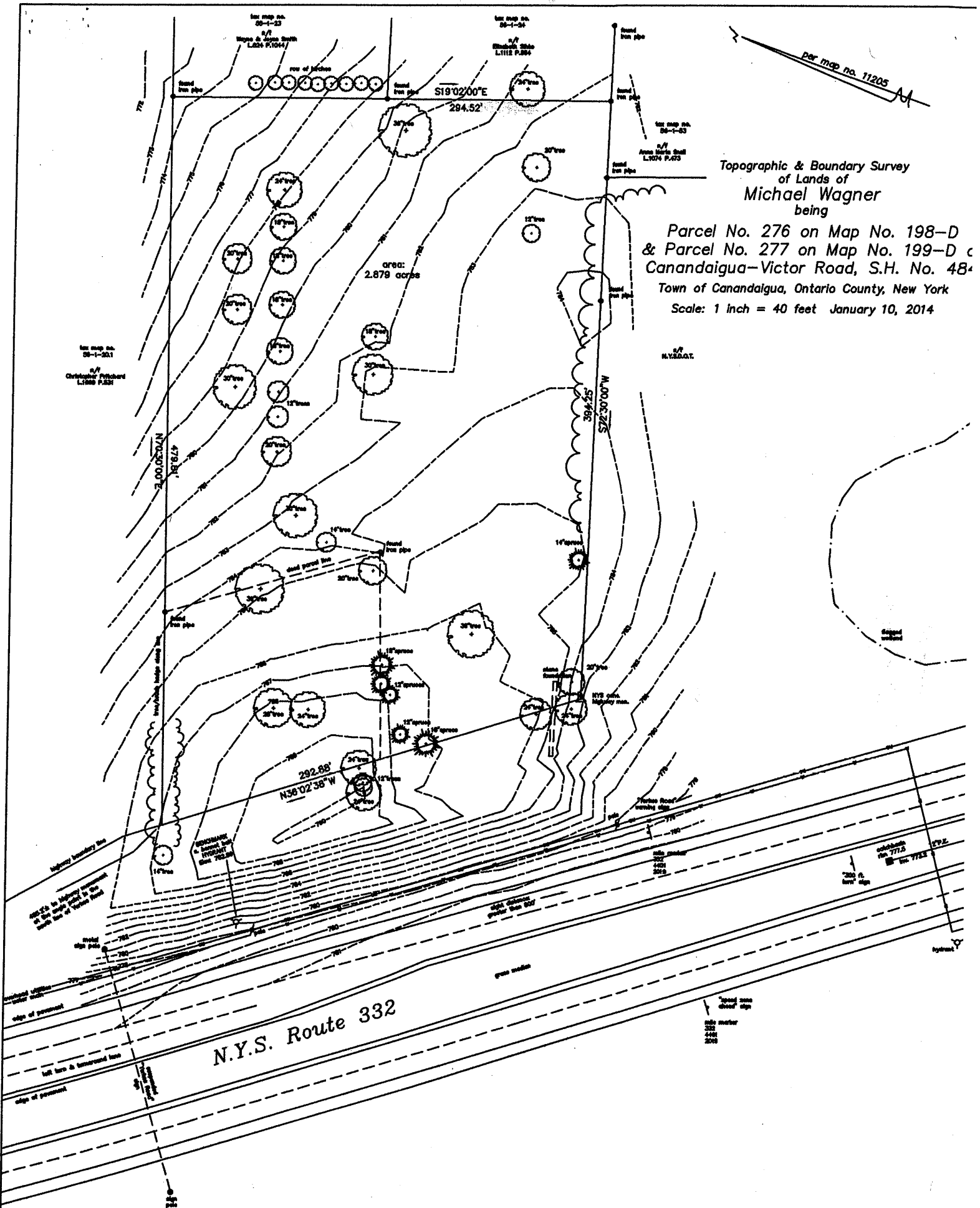
THORNTON ENGINEERING LLP



Glenn F. Thornton, P.E.
Partner

cc: Kevin Degraw (w/ enclosures)



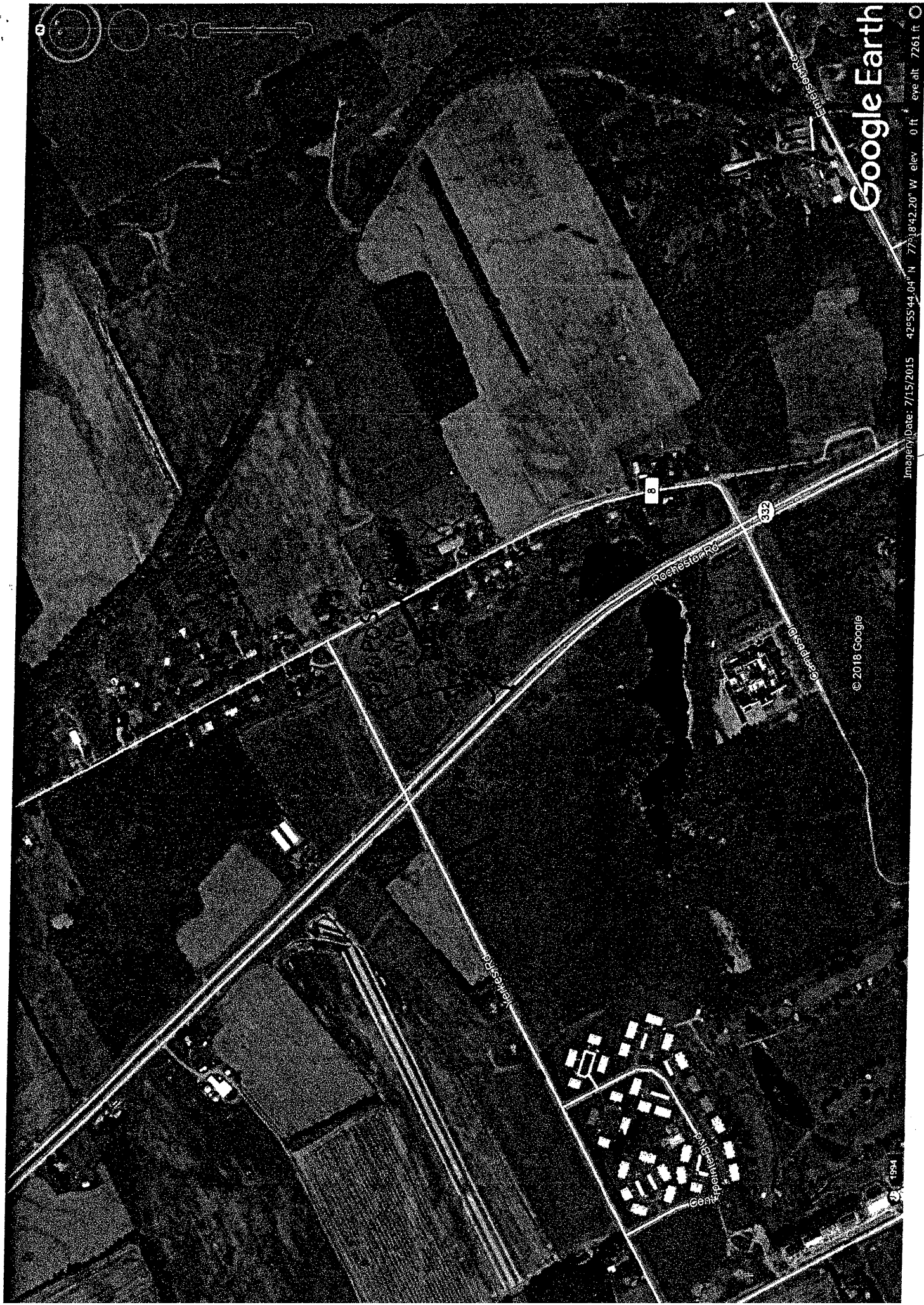


I certify that this plan was prepared January 10, 2014 from notes of an instrument survey completed December 23, 2013 and from materials referenced herein.

Notes & References

1. Deeds: L.1020 P.602, L.1020 P.658
2. Filed Map Nos.: 11205, 26674, 27481
3. This plan is subject to any easements or encumbrances that an updated search of title may reveal
4. The appropriate utility companies should be contacted for stakout prior to excavation





Google Earth

Imagery Date: 7/15/2015 42°55'44.04" N 77°18'42.20" W elev 0 ft eye alt 7261 ft

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New York State Department of Transportation

Commercial Access Highway Work Permit Application and Checklist

INSTRUCTIONS FOR USE

The PERM 33-COM Application and Checklist is used to apply for a Commercial Access Highway Work Permit. It is designed to provide applicants with step-by-step design guidance and other information needed to generate a complete and accurate plan submission at each stage of the permit review process. A complete and accurate plan submission will allow NYSDOT to review and approve the permit more quickly.

Applicants should complete the required section(s) of this application/checklist at each of the three stages of the review process, and it should be submitted along with plans to the appropriate Regional Permit Coordinator (RPC). The RPC will review the plan submission and notify the applicant when the submission is complete and ready to move into the next stage of review, or may respond with comments and recommendations that the applicant must address before resubmitting.

Contact information for Regional Permit Coordinators can be found at [Regional Permit Coordinators](#).

Any exceptions to the standards or requirements identified here must be noted in the comments section, with any justification attached. The checklist must be printed and signed, and submitted with plans. It is recommended that applicants save the document on their computer to be updated with each submission.

| | | |
|----------------------------------|-----------------------|-------------|
| Stage 1: Initial Proposal Review | Questions 1.1 to 1.7 | Pages 3-6 |
| Stage 2: Design Review | Questions 2.1 to 2.14 | Pages 7-15 |
| Stage 3: Final Submission Review | Questions 3.1 to 3.10 | Pages 16-19 |

EXPEDITED REVIEW FOR A COMMERCIAL ACCESS HIGHWAY WORK PERMIT

If your proposed commercial access project meets certain criteria, an Expedited Review of the application may be available. Go to www.dot.ny.gov/permits-expeditedreview to find out if your project meets the criteria necessary to be processed as an Expedited Review. If your project meets these criteria, contact the [Regional Permit Coordinator](#) for further guidance on developing your submission.

| Review Stage <i>Applicant to check one</i> | Date Submitted <i>Applicant to identify date</i> | Date Received <i>NYSDOT to identify date</i> |
|---|---|---|
| <input checked="" type="checkbox"/> Initial Proposal Review | 06/05/18 | |
| <input type="checkbox"/> Design Review | | |
| <input type="checkbox"/> Final Submission | | |

- OR -

| | | |
|---|--|--|
| <input type="checkbox"/> Expedited Review | | |
|---|--|--|

RESPONSIBILITIES OF PERMITTEE PURSUANT TO HIGHWAY WORK PERMIT

NOTE: FAILURE TO OBTAIN A PERMIT OR FAILURE TO COMPLY WITH THE TERMS OF A PERMIT MAY RESULT IN THE DEPARTMENT HALTING THE ACTIVITY FOR WHICH A PERMIT IS REQUIRED UNTIL A PERMIT HAS BEEN OBTAINED, OR UNTIL ADEQUATE CORRECTIONS HAVE BEEN MADE.

- 1. LIMITATIONS ON USE:** The specific site identified in this Highway Work Permit, and only that site identified, will be available for use by Permittee only for the purpose stated in this Permit and only on the date(s) and for the duration designated in this permit. This Permit does not authorize any infringement of federal, state or local laws or regulations, is limited to the extent of the authority of NYSDOT and is transferable and assignable only with the written consent of the Commissioner of Transportation. The Commissioner reserves the right to modify fees and to revoke or annul the Permit at any time, at his/her discretion without a hearing or the necessity of showing cause.
- 2. CONDITIONS OF USE:** NYSDOT makes no affirmation that the state-owned site used for the work has been designed, constructed, or maintained for the purpose of the conduct of the work. The Permittee assumes full responsibility for planning and conducting a safe and orderly project that does not expose workers or the public to any unreasonable hazards and that involves a minimal disruption of the normal uses of the state and local highway systems. It shall be the sole obligation of the Permittee to determine whether the site is suitable for the purpose of safely conducting the work. The Permittee assumes all responsibility for assuring that the use of the highway property conforms to applicable requirements of law, including, but not limited to those set forth herein. Permittee agrees to assure compliance with New York State Labor Law, industrial regulations and OSHA regulations and to assure the safety of all workers who will be engaged to do the permitted work.
- 3. INSURANCE COVERAGE:** Permittee must have the insurance that is required for the type and extent of the work being performed. To comply with this requirement, an applicant must furnish the Department with one of the following (For further information, see Section 3.17, or go to www.dot.ny.gov/permits-insurance):
 - A completed **Certificate of Insurance** evidencing the required types and limits of insurance coverage, with the New York State Department of Transportation named as an additional insured on the commercial general liability policy. An industry standard ACORD 25 form (with ACORD 855 New York Construction Certificate of Liability Insurance Addendum) is acceptable evidence of the required coverage. Certificate Holder should be indicated as New York State Department of Transportation, with the address of the issuing regional office.
 - Municipalities, Public Utilities, Transportation Corporations, Public Service Corporations and Railroads may provide a fully executed **Undertaking Agreement** as an alternative to providing the insurance certificate.
- 4. COMPENSATION AND DISABILITY INSURANCE COVERAGE:** Permittee is required to have compensation insurance and disability coverage as noted in the provisions of the Worker's Compensation Law and Acts amendatory thereof for the entire period of the permit, or the permit will be invalid. Applicant must provide proof of coverage (Form C-105.2, U-26.3 or SI-12 for Worker's Compensation, and DB-120.1 or DB-155 for Disability Benefits), or provide proof of exemption from this requirement (Form CE-200).
- 5. INDEMNIFICATION:** Permittee agrees that, in addition to any protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations; whether undertaken by Permittee's own forces or by contractor or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT and their agents from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of any claim, including but not limited to claims for personal injuries, property damage or wrongful death and/or environmental claims, in any way associated with the Permittee's activities or operations, no matter how caused.
- 6. NOTIFICATION:** The following should be notified at the appropriate time as shown below:
 - Commissioner of Transportation, through the NYSDOT regional office, one week prior to commencing work.
 - Area gas distributors, 72 hours prior to any blasting.
 - Utility companies with facilities in work areas, before starting work (in accordance with Industrial Code 53).
 - Permission from utility company must be obtained before commencing work affecting the utilities' facilities.
 - NYSDOT regional signal maintenance shop, 3 days prior to starting work (traffic signal work).
 - NYSDOT regional office, at conclusion of work, and return original copy of permit to Resident Engineer.
- 7. SITE CARE AND RESTORATION:** A bond, deposit (bank cashier's check), or a Letter of Credit, in an amount designated by the Department of Transportation, may be required before a permit is issued, in order to guarantee restoration of the site to its original condition. A fully executed Undertaking Agreement may be accepted as an alternative security, where applicable.

If the Department is obliged to restore the site to its original condition, the costs to the Department will be deducted from the amount of the Permittee's deposit at the conclusion of the work. Costs in excess of the bond/deposit on file will be billed directly to the Permittee. If Permittee posts a Letter of Credit, the Department may elect to have a contractor restore the site, and issue a draft drawn against the Letter of Credit as payment.

Anyone working within state highway right-of-way will wear high visibility apparel and hard hat meeting ANSI Class 2 requirements.

No unnecessary obstruction is to be left on the pavement or the state highway right-of-way, or in such a position as to block warning signs during non-working hours.

No work shall be done to obstruct drainage or divert creeks, water courses or sluices onto the state highway right-of-way.

All false work must be removed, and all excavations must be filled in and restored to the satisfaction of the Resident Engineer or his designee.
- 8. COSTS INCURRED BY ISSUANCE OF THIS PERMIT:** All costs beyond the limits of any liability insurance, surety deposits, etc. are the responsibility of the Permittee. The State shall be held free of any costs incurred by the issuance of this permit, direct or indirect.
- 9. SUBMITTING WORK PLANS:** The applicant will submit work plans and/or a map as required by the Department. This shall include such details as measurements of driveways with relation to nearest property corner, positions of guys supporting poles and a schedule of the number of poles and feet of excavation necessary for completion of the work on the State right-of-way. A description of the proposed method of construction will be included.

Plan work with future adjustments in mind, as any relocation, replacement or removal of the installation authorized by this permit and made necessary by future highway maintenance, reconstruction or new construction, will be the responsibility of the Permittee.

Driveway plans should be prepared in accordance with NYSDOT POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.

The Permittee must coordinate the work with any State construction being conducted.
- 10. TRAFFIC MAINTENANCE:** A plan detailing how the Permittee intends to maintain and protect traffic shall be submitted with work plans. Traffic shall be maintained on the highway in a safe manner during working and non-working hours until construction is completed. The Permittee is responsible for traffic protection and maintenance, including adequate use of signs, barriers, and flag persons during working and non-working hours until construction is completed. All sketches will be stamped with "MAINTENANCE OF TRAFFIC SHALL BE IN CONFORMANCE WITH THE NATIONAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."
- 11. COST OF INSPECTION AND SUPERVISION:** Prior to issuance of the Highway Work Permit, the Permittee may be required to sign an INSPECTION PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS (FORM PERM 50) agreeing to the payment of construction inspection charges, based on the number of work days involved. In certain cases, the Permittee may also be required to sign a PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS DESIGN REVIEW (FORM PERM 51) agreeing to design review charges, based on the number of work hours in which Department employees were engaged in design review activity.
- 12. SCOPE:**
 - a) **Areas Covered:** Permits issued are for highways, bridges and culverts over which the New York State Department of Transportation has jurisdiction. (Local governments issue permits for highways under their jurisdiction.) Work locations must be approved by the Department.
 - b) **Maintenance:** Property owners having access to a state highway shall be fully responsible for the maintenance of their driveway in accordance with POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.
 - c) **Work Commencement:** The Permittee shall have a copy of the permit available at the site during the construction period. Work should start within 30 days from validation date of permit or said permit may be revoked.
- 13. REPORTING ACCIDENTS:** Permittee is required to report any accidents that occur during the course of the permit work to their insurance company, and to provide the Department with a copy of any such report.
- 14. COMPLETION OF PROJECT:** Upon completion of the work within the State highway right-of-way authorized by the work permit, the person and his or its successors in interest shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the Terms and Conditions of the Highway Work Permit.

Stage 1: Initial Proposal Review

In the Initial Proposal Review, an applicant should provide the following basic information about the proposed project concept and scope. A face-to-face meeting with the applicant is typically held during this review, and a representative of the impacted municipality is invited to attend. Your NYSDOT Regional Permit Coordinator can provide answers to any questions concerning the driveway design and the permit review process.

Complete questions 1.1 through 1.7 and submit this application/checklist, along with plans to the Regional Permit Coordinator. The Department will review the submission and respond with comments and recommendations that need to be addressed before continuing to Stages 2 (Design Review) and 3 (Final Submission).

1.1 Contact Information

- A. Name of Applicant** Kevin Degraw, Frontenac Holdings
Number and Street (mailing address) 21 Basin Street
City Union Springs, NY Zip Code 13160
Daytime phone (636) 236-7607 E-mail address k.degraw@att.net
- B. Name of Property Owner (if different)** Michael Wagner ☐ Same as Applicant
Number and Street (mailing address) 36 Dryer Road
City Victor, NY Zip Code 14564
Daytime phone E-mail address
- C. Firm Name of Consultant (if applicable)** Thornton Engineering ☒ Agent for Applicant
Contact Name Glenn F. Thornton
Number and Street (mailing address) 30 Assembly Drive, Suite 106
City Mendon, NY Zip Code 14506
Daytime phone (585) 624-4810 E-mail address glenn@thorntoneng.com

1.2 Property Location Information

Number and Street (include State Route Number)

2121 State Route 332T

City/Town/Village

Town of Canandaigua

Zip Code

14424

Nearest Cross Street with Distance and Direction:

500 ft. south of Yerkes Road

Between State Highway Reference Markers:

332 4401 2019 to 332 4401 2020

NYSDOT Reference Marker Manual

Approximate Latitude and Longitude of Proposed Driveway:

42N 55° 42' 77W 18° 45'

Find Latitude and Longitude

Comment:

1.3 Project Name and Brief Description of Proposed Work

Project or Development Name Frontenac Boat Sales

State Highway Number 332

Municipality Town of Canandaigua

Brief Description of Proposed Work

Minor Commercial driveway to serve a new boat sales showroom and display yard. Work within the R.O.W. will include a driveway, cut slope grading and tree removals

1.4 Anticipated Permit Type and Fees

Permit fees are payable at Final Submission (except 5a4).

MINOR COMMERCIAL: Less than 100 vehicles/hour entering volume and no anticipated mitigation on state highway:

☒ 5a2 Minor Commercial - Permit Fee \$550

☐ 5a2a Minor Commercial (Home Business) - Permit Fee \$100

MAJOR COMMERCIAL: 100 + vehicles/hour entering volume and/or anticipated mitigation on state highway:

☐ 5a3 Major Commercial (<100K sq. ft. GBA) - Permit Fee \$1,400

☐ 5a4 Major Commercial (100K sq. ft. + GBA) - Permit Fee \$2,000
\$2,000 fee due at time of application, with balance of actual design review costs payable when billed.

SUBDIVISION STREET:

☐ 5a5 Permit Fee \$900

Comment:

1.5 Maps and Plans

The following maps and plan information should be submitted. Check all that are included with the Initial Proposal Review Submission:

☒ Location map with subject property identified (Google or Bing mapping is suitable)

☒ Tax map showing the subject parcel and all parcels immediately adjacent to it

☐ Survey of property (a plat is acceptable)

☐ Right-of-way acquisition or donation is anticipated

☐ Available record plans

☐ Limits and legal description of any easements on the property, as well as on any adjacent parcels, must be clearly depicted on the submitted plans.

☒ Initial Proposal Plan (sketch)

It is recommended that this be shown on an aerial photo. The sketch should show the following, with labels:

- proposed driveways
- type of driveway (one-way or two-way)
- existing and proposed parking areas
- existing and proposed buildings
- dimensions for building offsets from property lines
- distances from proposed driveway(s) to any intersection within 1000 ft. (300 m)
- distances to any other driveways within 500 ft. (150 m)
- streets, roads and properties opposite the subject property

Comment:

| 1.6 Traffic Impacts | | |
|---------------------|--|----------|
| A. | Briefly describe the type of development that will be served by the driveway(s): Boat sales showroom and display yard | Comment: |
| B. | Average Annual Daily Traffic (AADT) for the highway: 22,247 AADT is available online through the <u>NYS DOT Traffic Data Viewer</u> . | Comment: |
| C. | Posted speed on state highway where entrance will be placed: 55 mph | Comment: |
| D. | <p>Number of one-way vehicular trips for the proposed driveway:</p> <p>AM Peak Hour: 8 : 00 a.m. to 9 : 00 a.m. AM Peak Volume: 10</p> <p>PM Peak Hour: 4 : 00 p.m. to 5 : 00 p.m. PM Peak Volume: 15</p> <p>If the proposed access is for retail use, please provide:</p> <p>Saturday Peak Hour: 10 : 00 a.m. to 11 : 00 p.m. Saturday Peak Volume: 10</p> <p><i>Trips generated should not be reduced by pass-by or other credits.</i></p> | Comment: |
| E. | <p>How was the number of vehicular trips determined?</p> <p><input checked="" type="checkbox"/> Similar development history <input type="checkbox"/> ITE Trip Generation Manual <input type="checkbox"/> Estimate from a NYS Licensed Professional Engineer</p> | Comment: |
| F. | <p>Is a Traffic Impact Study (TIS) required?</p> <p><input checked="" type="checkbox"/> A TIS is not required <input type="checkbox"/> A TIS is required, and is in progress <input type="checkbox"/> A TIS is required, and is attached <input type="checkbox"/> Not sure if a TIS is required, need more information</p> <p><i>Guidance on how to determine if a Traffic Impact Study is needed, and what elements should be included, can be found at https://www.dot.ny.gov/CommercialHWP/traffic-impact.</i></p> | Comment: |

1.7 Environmental Impact

A. State Environmental Quality Review (SEQR) Lead Agency:

Town of Canandaigua Planning Board

Comment:

B. SEQR Type Select one:

- ☐ Type I
☐ Type II
☒ Unlisted

Comment:

C. SEQR Status:

SEQR (State Environmental Quality Review) documentation must be complete before a permit will be issued.

- ☒ The lead agency has not yet been notified of the action
☐ The lead agency has been notified of the action and the SEQR process is underway
☐ The SEQR process is complete and the lead agency has made a declaration (Attach a copy of the determination, if available)

Comment:

Highway Design Manual (HDM) Section 5A.2.1.3 -- SEQRA Coordination

ACKNOWLEDGMENT: I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND WARRANT COMPLIANCE THEREWITH.

APPLICANT SIGNATURE

DATE

6/2/18

PRINTED APPLICANT NAME



STOP HERE for an Initial Proposal Review Stage Submission

Print this application/checklist, sign above and submit along with plans to the Regional Permit Coordinator. Save this document on your computer to update for future stage submissions.

