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Division of Highways
JUL 12 2010
Preconstruction
Project Development and
Environmental Analysis Branch

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

July 7, 2010

MEMORANDUM TO: Division Engineers
Virgil Pridemore, Right-of-Way Manager
Debbie Barbour, PE, Director of Preconstruction

FROM: J. G. Nance, PE
Chief Engineer – Operations

SUBJECT: Guidelines for Control of Access Fence

Issues related to the fencing of control of access limits are becoming a growing cause for concern for the Department of Transportation. Our Division and District offices, in particular, have to deal with a myriad of questions and complaints related to legal property access, requests for breaks in control of access, fencing, type of fencing, lack of fencing, etc. In an effort to address some of these concerns and to promote standards of practice across the state, I am formally establishing the following guidance for placement of fencing on controlled access facilities.

First, it needs to be established that when the Department acquires control of access, of any type, that control of access shall be fenced. An exception to this requirement should only be allowed in areas of partial control where driveway spacing would necessitate that continuous runs of fence be approximately 100 feet, or less, in length. In locations where gaps would fall within these constraints and fencing is not proposed, appropriate treatment will be discussed and agreed upon by the Division Construction Engineer, the Roadway Design Project Engineer and the Division Right of Way Agent. The Division Construction Engineer is expected to confer with, and represent the interests of, the Division Engineer and appropriate District Engineer in these discussions. Further note that in any instances where the fence is omitted, appropriate monumentation will need to be provided in lieu of the fence. (A standard drawing for a control of access monument is being established separately.) Facilities with noise walls will contain appropriate transitions between fencing and walls along the right of way limits.

The Department of Transportation utilizes two standard fence types for control of access delineation - woven wire fence and galvanized chain link fence. In urban areas, where pedestrians are likely to be in close proximity to the fence, chain link fence is usually preferred. Unless specifically required by General Statutes, project commitments, or a permitting agency, fence types other than those described above shall be considered a betterment to the roadway. However, within municipal boundaries, as a matter of course, the Department will agree to a betterment upgrade to black vinyl coated chain link fence, if the municipal agreement specifies

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that the town will cover the cost differential between our proposed standard fence and the vinyl coated chain link alternative. The agreement shall also specify that the municipality is responsible for the future maintenance of the vinyl coated chain link fence.

Specific property owners or business owners may also petition the Department to install an alternate, specialty fence type along the control of access limits by encroachment. Any proposed fence alternative must meet NCDOT minimum standards for fence height (48") and maximum opening size (4"). Any approved encroachment agreement shall specify that installation and maintenance of the specialty fence will be the owner's responsibility, and entirely at his expense. If, at any time, the encroaching party fails to properly maintain the fence, the Department reserves the right to remove and/or replace the specialty fence with NCDOT standard fence materials. On existing control of access facilities, a change in fence type, associated with an encroachment, shall be approved, or denied, at the Division level and will not require consideration by the Right of Way Disposal and Control of Access Committee.

This guidance for the placement of control of access fence becomes effective immediately. Any specific questions about fence placement, or fence types, should be directed to Director of Field Support Ricky Greene, Jr., PE, or State Highway Design Engineer Art McMillan, PE.

JGN/gwm

cc: Ricky Greene, Jr., PE, Director of Field Support
Art McMillan, PE, State Highway Design Engineer
Jay A. Bennett. PE, State Roadway Design Engineer
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John Sullivan, PE, Division Administrator, Federal Highway Administration
District Engineers
Resident Engineers