

County of Marin  
OFFICE OF ROAD COMMISSIONER  
**ENCROACHMENT PERMIT**

TO: Carlyle Thorup  
15 Blanca Drive  
Novato, CA 94947

Issue Date January 13, 2015

In compliance with your request of January 6, 2015, and subject to all the terms, conditions and restriction written or printed as General Provisions and Special Conditions on any part of this form and referenced attachments, **PERMISSION IS HEREBY GRANTED TO:**

Re-construct a Standard Asphalt Concrete driveway approach.

At: 55 Loring Avenue - Mill Valley

All work shall be done in accordance with attached condition(s): (General Provisions, 135)

and the following Special Condition(s):

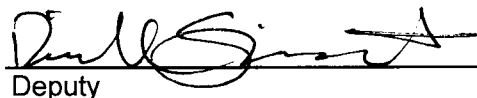
1. Material shall not be placed within nine feet of the center of the pavement, or left in the right-of-way overnight. Leave no open trenches after working hours.
2. During working hours one traffic lane, under adequate flagger control, shall be maintained in all directions. At all other times all traffic lanes shall be kept open. All traffic control shall be per the Manual on Uniform Traffic Control Devices (MUTCD) standards.
3. Contractor shall call Underground Service Alert (800) 642-2444 at least 72 hours prior to any trenching work to have underground utilities marked. This permit is not valid unless applicant has been provided an initial inquiry identification number pursuant to GC Section 4216.2.
4. The use of "cut-back" asphalt will not be permitted as temporary trench paving. It is required to utilize trench plates or hot mix AC.
5. Contact John Semerad at (415) 473-2830 for final inspection.
6. Note, Loring Avenue is currently under a road moratorium any construction damage, as determined by DPW, will require repair to pre-existing or better conditions. MCC 24.04.016 - If construction activity, equipment, vehicles and/or material delivery and storage cause damage to any existing facility (e.g., pavement, curb, gutter, sidewalk, landscaping) beyond normal wear and tear, as determined by the agency, then the permittee shall be responsible for the repair of same. In order to ensure repair, the agency may require cash deposits prior to issuance of permits or may place holds on interim or final inspections.

This permit shall be considered void unless the work herein contemplated shall have been completed before March 1, 2015.

A.P.# 048-211-44

B.P.# \_\_\_\_\_

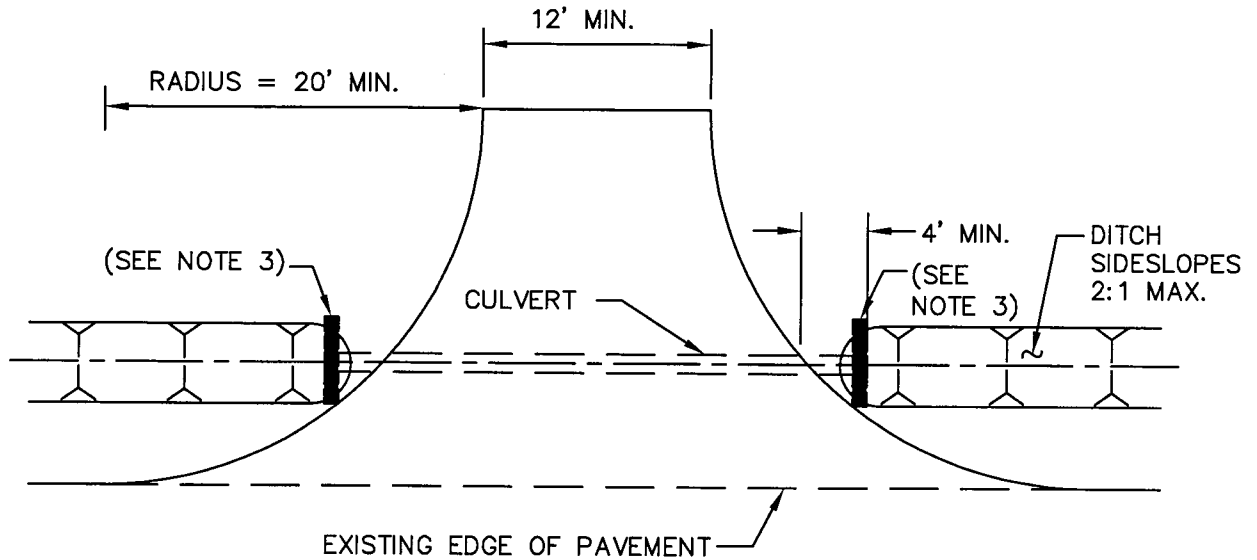
RAUL M. ROJAS  
MARIN COUNTY ROAD COMMISSIONER

  
Deputy

County of Marin  
Department of Public Works  
OFFICE OF THE ROAD COMMISSIONER  
**ENCROACHMENT PERMIT - GENERAL PROVISIONS**

1. **PERMIT TO BE KEPT AT WORK SITE.** This permit shall be kept at the site of the work and must be shown to any representative of the Public Works Department (DPW) or any law enforcement officer on demand.
2. **NOTICE PRIOR TO STARTING WORK.** Before starting work, on which an inspector is required or whenever stated on the face of this permit, the permittee shall notify DPW. Such notice shall be given at least 24 hours in advance of the date work is to begin.
3. **PROTECTION OF TRAFFIC.** Adequate provision shall be made for the protection of the traveling public. Wherever necessary, barricades shall be placed with red lights or flares at night, flag persons employed, and any other necessary measures as may be required by the particular work in progress.  
  
The accessible pedestrian path of travel and related accessibility features must be maintained at all times or an alternate accessible temporary pedestrian path of travel must be provided around work zones. Accessible features must also be maintained during road closures.
4. **MINIMUM INTERFERENCE WITH TRAFFIC.** All work shall be planned and carried out so that there will be the least possible inconvenience to the traveling public. All traffic controls shall be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) standards. Traffic delays shall not exceed 3 minutes. At a minimum, one traffic lane under adequate flagger control shall be maintained during working hours. If construction operations create significant traffic congestion as determined by DPW, the hours of operation or traffic control requirements may be modified by DPW.
5. **STORAGE OF MATERIAL.** No material shall be stored within eight (8) feet of the edge of pavement or traveled way or within the shoulder line where the shoulders are wider than eight (8) feet. Any storage of equipment or machinery within the public road right of way will require prior consent of DPW.
6. **CARE OF DRAINAGE.** If the work herein contemplated shall interfere with the established drainage, ample provision shall be made by the permittee to provide for it as may be directed by DPW.
7. **CLEAN UP OF RIGHT-OF-WAY.** Upon completion of work, all brush, timber, scraps and other leftover construction materials and refuse shall be entirely removed and the right-of-way restored to a condition at least as presentable as that existing prior to the start of work.
8. **DAMAGE TO RIGHT-OF-WAY IMPROVEMENTS.** Any damage to the existing roadway, structures or survey monuments due to construction operations under this permit shall be restored to original condition by the permittee. Shoulder areas shall be redressed, drainage ditches shall be restored to original grades, and all dirt and debris resulting from permittee's operations shall be removed from the construction area. Any trees damaged as a result of construction operations shall be removed or restorative measures taken at permittee's expense as directed by DPW.
9. **SURVEY MONUMENTS.** The permittee shall take all measures necessary to identify, mark and preserve survey monuments. In the event that a monument is disturbed, permittee shall immediately notify DPW and perform any necessary repairs.
10. **SUBMIT LOCATION PLAN.** Upon completion of underground or surface work of consequence, the permittee shall furnish an as-built plan if requested by DPW.
11. **STANDARDS OF CONSTRUCTION.** All work shall conform to recognized standards of construction. Permittee shall comply with all "Uniform Construction Standards" drawings adopted May 2008, and "Standard Specifications Cities & County of Marin adopted June 1992. Copies of referenced documents can be found at - <http://www.marincounty.org/depts/pw/divisions/land-use>
12. **SUPERVISION OF AGENCY.** All work shall be done subject to the supervision of and to the satisfaction of DPW.
13. **DEFINITION.** This permit is issued under Code Section 13.12 of the County of Marin. The term encroachment is used in this permit as defined in Section 660, Sub. B of the Streets & Highways Code of the State of California. This permit does not authorize, and it shall not be construed as authorizing, any infringement upon the highway referred to herein or as affecting property rights of others thereto.
14. **ACCEPTANCE OF PROVISIONS.** It is understood and agreed by the permittee that the performance of any work under this permit shall constitute an acceptance of the provisions.

15. **NO PRECEDENT ESTABLISHED.** This permit is granted with the understanding that this action is not to be considered as establishing any precedent on the question of the expediency of permitting any certain kind of encroachment to be erected within the right-of-way of County roads.
16. **FUTURE MOVING ON INSTALLATION.** It is understood by the permittee that whenever construction, reconstruction or maintenance work on the highway may require, the installation provided for herein shall, upon request of DPW, be removed within a reasonable period of time as approved by DPW and at the sole expense of the permittee.
17. **PERMITS FROM OTHER AGENCIES.** The party or parties to whom this permit is issued shall, whenever required by law, secure the written order or consent to any work hereunder from the State of California Public Utilities Commission or any other public board having jurisdiction. This permit shall be suspended in operation unless and until such order or consent is obtained.
18. **LIABILITIES FOR DAMAGES.** The permittee is responsible for all liability imposed by law for personal injury or property damage which may arise out of work herein permitted, or which may arise out of failure on the permittee's part to perform his obligations under this permit in respect to maintenance. In the event any such liability is made against the County of Marin or any department, officer or employee thereof, permittee shall defend, indemnify and hold them and each of them harmless from such claim. Nothing herein is intended to impose on permittee any different or higher standard of care than that required by law. This permit shall not be effective for any purpose unless and until the above named permittee files with DPW a safety bond in the form and amount required by said department if stated on the face hereof. The requirement that a bond be filed does not apply in the event the permittee is a governmental board, which derives its revenue by taxation, or any public agency or public utility having lawful authority to occupy the highway.
19. **MAKING REPAIRS.** If DPW shall so select, repairs to paving or other improvements or facilities, which have been disturbed, shall be made by employees of DPW and the expenses therefore shall be borne by the permittee. All payment to laborers, inspectors, etc., employed by DPW for or on account of the work herein contemplated shall be made by said permittee forthwith on receipt of written orders, payrolls or vouchers approved by DPW. Alternatively, DPW may elect to require a deposit before starting repairs in an amount sufficient to cover the estimated cost thereof.
- DPW will give reasonable notice of its election to make such repairs. If DPW does not so elect, the permittee shall make such repairs promptly. In every case the permittee shall be responsible for restoring any portion of the highway which has been excavated or otherwise disturbed to its former condition as nearly as may be possible except where DPW elects to make repairs to paving as above provided in this paragraph and except where provisions to the contrary are made elsewhere in the permit.
20. **MAINTENANCE.** The permittee or his assignee of interest agrees by the acceptance of this permit to exercise reasonable care to maintain properly any encroachment placed by it in the highway and to exercise reasonable care in inspecting for and immediately repairing and making good any injury to any portion of the highway which occurs as a result of the maintenance of the encroachment in the highway or as a result of the work done under this permit, including any and all injuries to the highway which would not have occurred had such work not been done or such encroachment not placed therein.
21. **INTEGRATED PEST MANAGEMENT:** The contractor shall be required to strictly adhere to the guidelines established in the County of Marin's Integrated Pest Management (IPM) Ordinance 3521 and Policy, approved by the Board of Supervisors on July 21, 2009. Additional information regarding IPM policy, ordinance 3521, program, resources and requirements is available at the following website.  
<http://www.co.marin.ca.us/depts/AG/Main/IPM/ipmprogramhome.cfm> and Marin County Code Section 23.19.
- The contractor and applicant shall note that all pesticide applications, regardless of material used, must be approved by the IPM Coordinator prior to use at any facility covered by the contract. Material for weed eradication and pest control shall be only those listed in the County of Marin's approved list and categories III and IV herbicides, non-corrosive, non-staining, and shall not leave a flammable residue. Pesticides shall be EPA and California Department of Agriculture approved and used in strict accordance with manufacturer's label, recommendations, Federal, State, and local laws. Chemical application must use least toxic methods and be used as the last resort and only with written approval. Failure to comply with the Marin County IPM Ordinance & Policy may result in penalties as described in the ordinance.
22. **CONFLICTING ENCROACHMENTS:** Permittee shall yield start of work to ongoing, prior authorized, work adjacent to or within the limits of the project site. When existing encroachments conflict with new work, the permittee shall bear all cost for rearrangements, (e.g. relocation, alteration, removal, etc.)



**NOTES:**

1. SUBJECT TO APPROVAL OF AGENCY ENGINEER, INDICATED DRIVEWAY CONFIGURATION MAY BE MODIFIED TO BETTER ACCOMMODATE TOPOGRAPHIC CONSTRAINTS.
2. CULVERT SHALL BE A MINIMUM 15 INCH DIAMETER AND BE PLACED IN LINE WITH ROADSIDE DITCH.
3. FOR CMP\* OR HDPE\* CULVERTS, A HEADWALL IS REQUIRED AT EACH END. FOR RCP\* CULVERTS, HEADWALLS ARE RECOMMENDED BUT NOT REQUIRED.
4. MINIMUM 1 FOOT COVER IS REQUIRED FOR CMP\*, HDPE\* OR CLASS III RCP CULVERT. MINIMUM 6 INCH COVER IS REQUIRED FOR CLASS IV RCP CULVERT.
5. RADIUS MAY BE SMALLER THAN 20' IF REQUIRED TO MEET FIELD CONDITIONS AND APPROVED BY AGENCY ENGINEER.

\*CMP – CORRUGATED METAL PIPE  
 \*HDPE – HIGH DENSITY POLYETHYLENE PIPE  
 \*RCP – REINFORCED CONCRETE PIPE

UNIFORM STANDARDS  
 ALL CITIES AND  
 COUNTY OF MARIN

DRIVEWAY  
 APPROACH  
 NO CURB & GUTTER

			MAY 2008
			DWG. NO.
			135
REV.	DATE	BY	

- ☐ City of Belvedere  
☐ City of Larkspur  
☒ City of Mill Valley  
☐ City of Novato  
☐ City of San Rafael \*  
☐ City of Sausalito

- ☐ Town of Ross  
☐ Town of Fairfax  
☐ Town of Corte Madera  
☐ Town of San Anselmo  
☐ Town of Tiburon  
☐ County of Marin

EP No: 15-004  
RECEIVED

JAN 06 2015

MARIN COUNTY PUBLIC WORKS

## UNIFIED APPLICATION FOR ENCROACHMENT PERMIT

APPLICATION DATE: 1-6-15 APN: 248-211-414  
 LOCATION OF WORK OR ENCROACHMENT: 55 Loring Avenue Mill Valley  
No. Street City/Township  
 CROSS STREET: California Avenue ESTIMATED COST: \$ 8100  
 STARTING DATE: 1-19-15 COMPLETION DATE: 1-22-15  
 PROPERTY OWNER'S NAME AND ADDRESS (If Different from Applicant):

THE UNDERSIGNED HEREBY APPLIES FOR PERMISSION TO PERFORM THE FOLLOWING DESCRIBED WORK AND/OR OTHERWISE ENCROACH ON A LOCAL AGENCY RIGHT-OF-WAY (ROW):

### DESCRIPTION OF WORK OR ENCROACHMENT (Include plans or sketch):

Check all that apply to the project and provide a written description:

- ☐ Driveway Approach ☐ Sidewalk ☐ Accessible Ramp ☐ Debris Box  
☐ Curb & Gutter ☐ Water Service ☐ New Utilities ☐ Special Event  
☐ Sewer Improvement ☐ Excavation ☐ Landscaping ☒ Other (Describe)

Describe: Driveway replacement

Road Surface Type: ☒ Asphalt ☐ Concrete ☐ Other:  
 Trenching Work: ☐ Yes ☒ No Linear Feet: Surface Thickness:  
 Traffic Control Plan: ☐ Yes ☒ No

Applicant agrees that all work will be performed in accordance with the rules, regulations and standards of the Local Agency Department of Public Works and any Local Municipal Code. All work shall be subject to inspection and approval by the Department of Public Works. Applicant shall indemnify, defend and hold the Local Agency, its officers, agents and employees harmless from any and all claims, suits or liability, including, but not limited to, litigation costs and attorney's fees which the Local Agency may incur as the result of any and all claims and suits for personal injury, property damage or inverse condemnation by reason of applicants placement of/or maintenance of encroachments authorized by this permit. No work shall commence until permit is issued.

APPLICANT'S NAME / COMPANY (PLEASE PRINT): Carlyle Thorne  
 CONTRACTOR'S NAME: Rodney Holland, Civil Engineer Contractor License No: C 38243  
 APPLICANT'S MAILING ADDRESS: 15 Blanca Dr Novato CA 94947  
 AGENCY:

CONTACT NUMBERS: 415-302-6676 brynaholland@hotmail.com  
Daytime Phone Fax Email  
 APPLICANT'S SIGNATURE: Carlyle Thorne

For Agency Use Only				Fees:
Accepted By:				Application:
Insurance on file?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Final Insp. Cleared:	<input type="checkbox"/>
Road Moratorium?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Receipt #:	Plan Review & Inspection:
				Total:

\* Contact City of San Rafael Public Works for Specific Encroachment Permit Application

Revised May 2005