

## **EXHIBIT 2**

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MANUAL 500-2

SECTION 02.5

OCCUPANCY PERMITS

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BUREAU OF MANAGEMENT ANALYSIS AND PROJECTS

## 1. Purpose

The purpose of this procedure is to ensure consistency in the review and issuance of occupancy permits on property under the jurisdiction of the New York State Thruway Authority (Authority).

## 2. Applicable Law and/or Guidance

New York State Public Authorities Law, Article 2, Title 9, New York State Thruway Authority, Article 9, Title 5-A

Thruway Real Property Management Policy (25-6-02)

TAP-401 - Occupancy and Work Permit Policy

TAP-412 - Utility Accommodation Policy

TAP-424 - New York State Thruway Authority Occupancy And Work Permit Information Packet

Fee Policy for Thruway Occupancy Permits

## 3. Introduction

The Authority is responsible for the financing, construction, reconstruction, improvement, development, maintenance and operation of the highway system known as the Thruway. In accordance with the provisions of the Authority Law, the Authority has the power to acquire and hold real property necessary for corporate purposes, and to dispose of real property not necessary for its corporate purposes or whenever the Authority Board shall determine that it is in the interest of the Authority and thus, the interest of the State. Real property transactions (transactions) include, but are not limited to, acquisitions, sales, leases, grants of easement and the issuance of permits.

Occupancy permits, which are revocable on demand, provide the Authority with the greatest flexibility for managing property under its jurisdiction. Therefore, in most cases, occupancy permits are the appropriate transaction to use when the real property is needed for Authority purposes, or may be needed for Authority purposes in the future. Permits are not considered disposals under the Public Authorities Accountability Act of 2005 as there is not a transfer of an interest in the real property.

Annual fees for occupancy permits shall be based on the estimated fair market value of the property. Where a fee rate schedule has not been established for an occupancy permit, annual fees shall be based upon, at a minimum, the property's fair market value as estimated by an appraisal, except in limited circumstances where the fair market value may be estimated by other means as determined by the Office of Real Property Management.

Where a disposal is contemplated, unless otherwise authorized by the Executive Director, no occupancy permits will be issued in advance of completion of a disposal. In addition, work permits shall not be issued in advance of a contemplated occupancy permit, unless approved by the Executive Director, except in situations described in Exhibit 2 of SOP – TRANSACTION ANALYSIS PROCESS (500-2-02.1). See SOP-WORK PERMITS (500-2-02.6) for the work permit procedure.

#### **4. Procedure for Processing and Issuing an Occupancy Permit**

- 4.1. Upon receipt of an inquiry for an occupancy permit for use of real property under the jurisdiction of the Authority, the Division Permit Coordinator (DPC) follows SOP-TRANSACTION ANALYSIS PROCESS (500-2-02.1) to record the inquiry. The DPC works with the inquirer to determine if an occupancy permit is appropriate based on the proposed use and if so, sends out the OCCUPANCY PERMIT APPLICATION (TA-41337) and the NEW YORK STATE THRUWAY AUTHORITY OCCUPANCY AND WORK PERMIT INFORMATION PACKET (TAP-424)<sup>1</sup>, and as applicable, the OCCUPANCY AND WORK PERMIT POLICY (TAP-401) and/or the UTILITY ACCOMODATION POLICY (TAP-412).
- 4.2. Upon receipt of the completed application package (including applicable insurance certificate, performance bond, security deposit, municipal resolution authorizing municipal official to sign on behalf of a municipality, administrative fee, and other required supporting documents), the DPC enters the information and amounts into PERMITS Plus which will then assign the occupancy permit number. This number will also be the Transaction Reference Number.  
  
**Note:** If a fee waiver is requested, the DPC will refer to the Fee Policy for Thruway Occupancy Permits for the review and approval process to follow for the waiver request.
- 4.3. The DPC sends the administrative fee, security deposit, and performance bond to the Credit and Collections Unit. The Credit and Collections Unit deposits the funds and notes receipt of funds in PERMITS Plus.
- 4.4. The DPC verifies that the application package is complete. If the application is incomplete, the DPC either calls the applicant or sends a MISSING DOCUMENTS LETTER<sup>2</sup> to the applicant requesting missing information.

1 Exhibit 1

2 Exhibit 2

- 4.4.1 The DPC ensures the insurance certificate is current and provides adequate coverage. Places certificate in Division file.
- 4.4.2 The DPC obtains and makes copies of key maps and aerial photographs and reviews them in conjunction with maps and/or plan submitted by the applicant to identify any issues.
- 4.5 Once the application package is complete, the DPC indicates this in PERMITS Plus.
- 4.6 The DPC completes the THRUWAY TRANSACTION ANALYSIS/RECOMMENDATION (TTAR) form (TA-N5116) and the review and approval process will be done in accordance with SOP-TRANSACTION ANALYSIS PROCESS (500-2-02.1). Send TTAR to DD for review and approval.
- 4.7 If the DD approves the recommended transaction, the DD then signs and dates Section IV of the TTAR and forwards it, along with the application and all supporting documentation (collectively the "TTAR" Package") to the HQPC for review and approval.

If the DD disapproves the transaction, the DD checks the appropriate box, signs and dates Section IV of the TTAR, then sends a REJECTION LETTER<sup>+</sup> notifying the applicant. Copy of the letter, and the original TTAR package, is sent to the HQPC for the Transaction Record. Copy of the letter and the TTAR are sent to the DPC for the Division file. The procedure stops here.

- 4.8 The HQPC will either approve or disapprove the issuance of the permit and sign/date Section V of the TTAR. If approved, HQPC will place the original TTAR Package in the Transaction Record, return a copy of the TTAR to the DD and forward a copy of the TTAR to Finance and the Contracting Officer (for informational purposes only). Contracting Officer approval is not required for permits. Upon receipt of the approved TTAR, DD will send it to the DPC who will progress the transaction.

If disapproved, the HQPC will send a letter notifying the applicant and place a copy of the letter and the original TTAR Package in the Transaction Record. HQPC will send a copy of the letter and TTAR to the DD for the Division file.

- 4.9. Upon receipt of TTAR from DD, the DPC uses the fee-rate schedule to determine the annual occupancy permit fee (annual fee). If, due to the unique nature of the proposed use, the fee rate schedule does not apply, Division real estate specialist conducts an appraisal to determine the fee following SOP-APPRAISALS AND SURVEYS (500-2-02.2).
- 4.10. Once the annual fee is determined, the DPC sends an ANNUAL FEE REQUEST LETTER<sup>1</sup> notifying the applicant of the annual fee and requesting that it be submitted within 30 days. If the fee is not received within 30 days, the DPC sends a SECOND NOTICE FOR OCCUPANCY PERMITS<sup>2</sup>. If the fee is still not received within 30 days from the second notice, the DPC sends a PERMIT CLOSURE NOTICE<sup>3</sup> notifying the applicant that the permit application is closed and places a copy of that PERMIT CLOSURE NOTICE in the Division file. The DPC sends a copy of the letters and notices to the HQPC for the Transaction Record. The DPC updates PERMITS Plus to indicate that the occupancy permit process has ceased.
- 4.11. Upon receipt of the annual fee, the DPC sends the applicant a COVER LETTER<sup>4</sup> with the issued permit and a receipt for the payments and fees. The DPC updates PERMITS Plus with the permit information.
- 4.12. The DPC sends the annual fee to the Credit and Collections Unit where the payment will be posted to PERMITS Plus.
- 4.13. The Credit and Collections Unit adds the permittee to the billing record and sets up the account for annual billing.

## **5. Contesting and Appealing the Occupancy Permit Fee**

Any appeals of the permit fee will be promptly sent to the DD for handling in accordance with current regulations and procedures.

## **6. Responsibilities**

The Credit and Collections Unit will post fee payments, set up the account for annual billing, and note on PERMITS Plus when fees are received.

1 Exhibit 4

2 Exhibit 5

3 Exhibit 6

4 Exhibit 7

## OCCUPANCY PERMITS

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500-2-02.5

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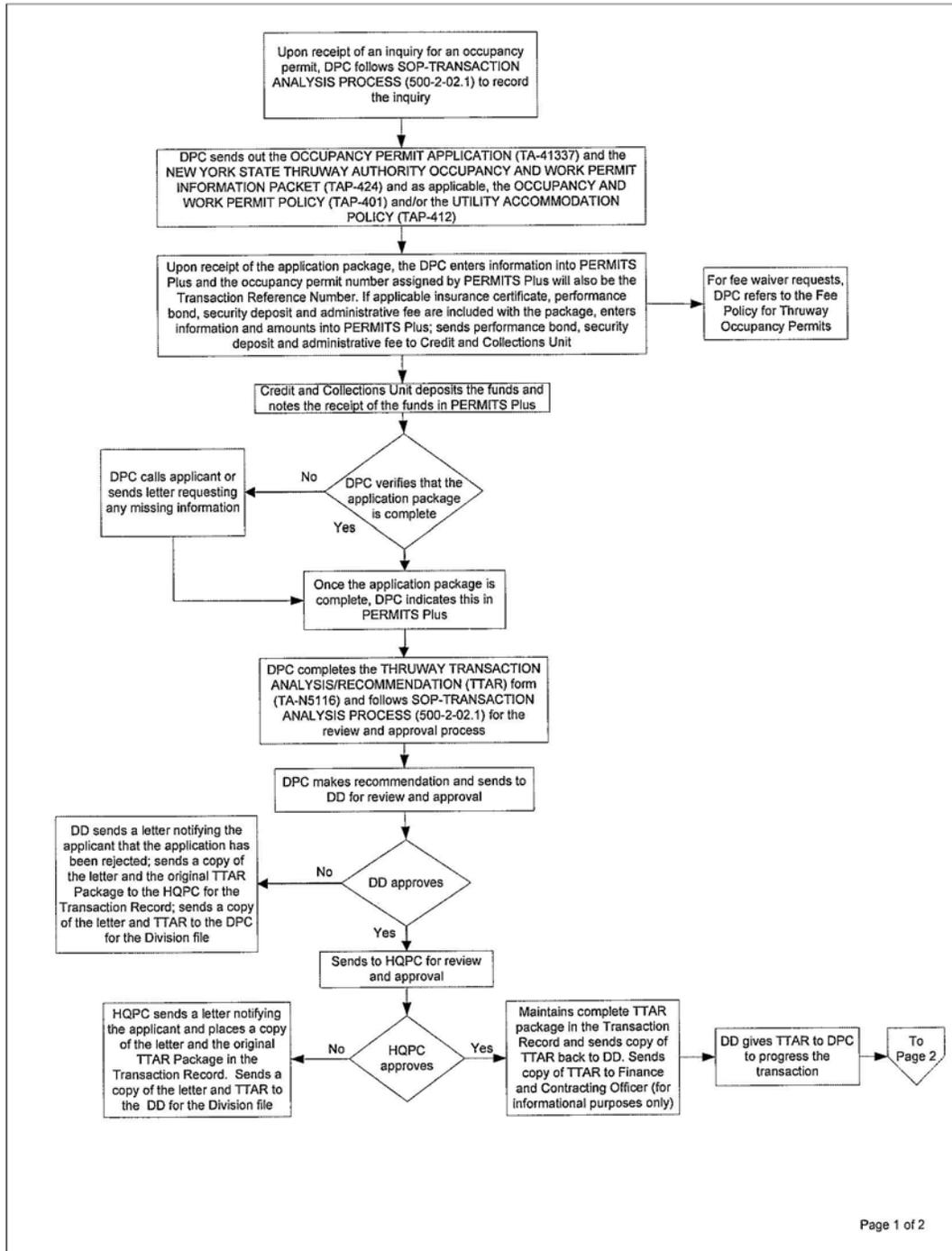
The DD will approve the TTAR recommendation and notify the applicant if the occupancy permit application is rejected by the DD. The DD will coordinate any appeals of permit fees.

The DPC will coordinate the review and processing of an occupancy permit application and is responsible for indicating in PERMITS Plus when proof of insurance is received, forwarding all deposits and fees to the Credit and Collections Unit, and issuing the occupancy permit. The DPC will complete the TTAR and recommend an action to the DD.

The Division real estate personnel will coordinate the appraisal process to determine occupancy permit fees, if required, in accordance with SOP-APPRAISALS AND SURVEYS (500-2-02.2).

The HQPC will review the Division's permit determination following SOP-TRANSACTION ANALYSIS PROCESS (500-2-02.1) and approve or reject the determination and notify the applicant if the occupancy permit application is rejected by the HQPC. The HQPC will maintain the Transaction Record.

8. Flowchart



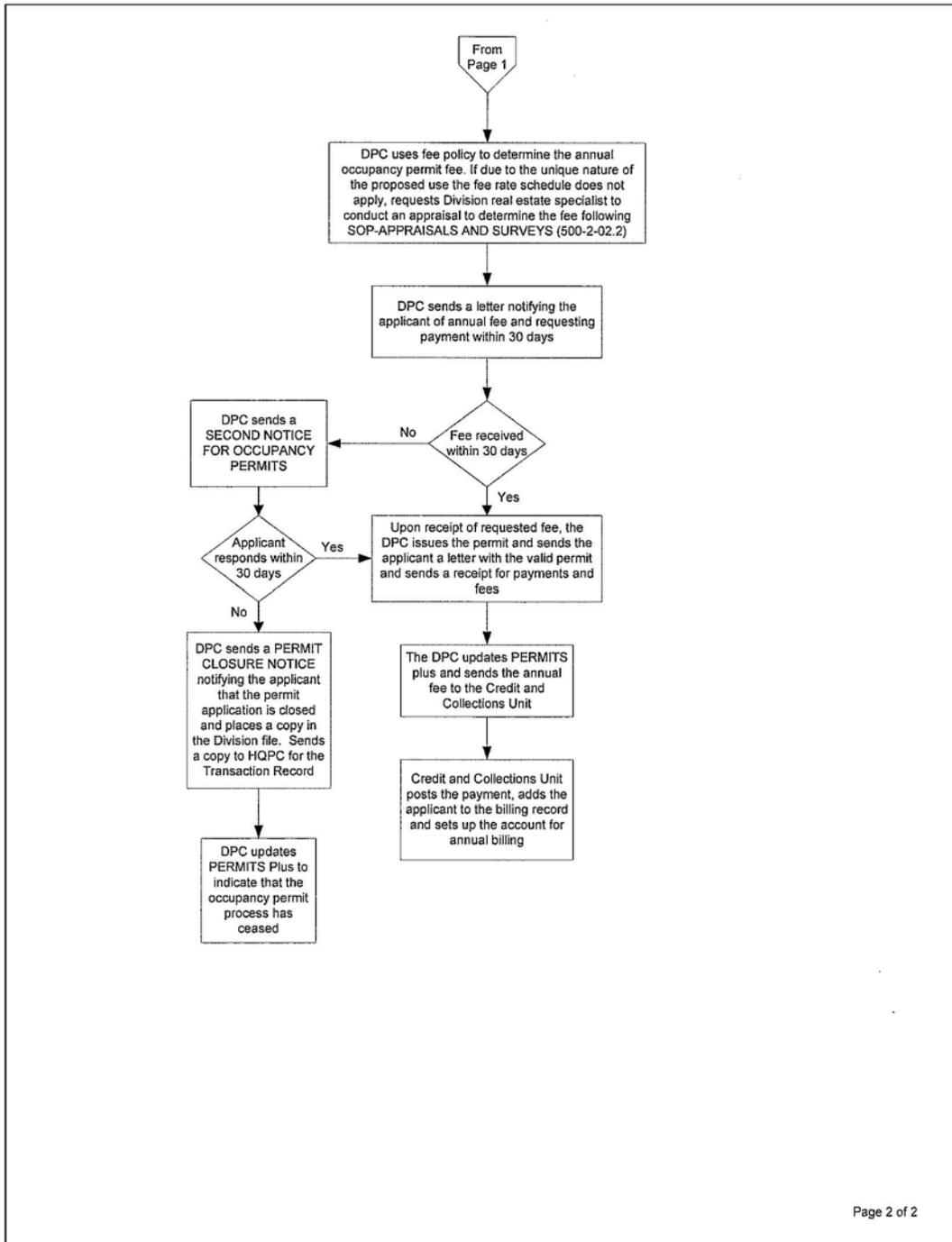


EXHIBIT 1  
NEW YORK STATE THRUWAY AUTHORITY OCCUPANCY/WORK PERMIT  
INFORMATION PACKET

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The information packet will be sent to the applicant with the application.

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New York State Thruway Authority  
Occupancy And Work Permit  
Information Packet

The following information is a brief explanation of:

- A) Occupancy and Work Permits..... (Pg. 2)
- B) Occupancy Permit Processing ..... (Pg. 3)
- C) Work Permit Processing ..... (Pg. 3 & 4)
- D) Administrative Fee Requirements..... (Pg. 5)
- E) Annual Fee Requirements..... (Pg. 6)
- F) NYS Thruway Authority Occupancy & Work Permit Accommodation Policy ... (Pg. 6)
- G) Checklist For Permit Applicant..... (Pg. 6)
- H) Sample Plans..... (Pg. 6 - 9)
- I) Use Of Authority ROW By Utilities Consistent With AASHTO, DOT  
& NYSTA Policies..... (Pg. 10 & 11)
- J) Standard Operating Requirements..... (Pg. 11 & 12)

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INFORMATION PACKET

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**A) OCCUPANCY AND WORK PERMITS:**

"Permit," when used in this document, means a consent granted by the New York State Thruway Authority (Authority) to work on or occupy Authority property.

Authority lands are held in the name of the people of the State of New York for the benefit of the people of the State of New York. Permits are revocable unilaterally by the Authority and their duration is at the Authority's discretion.

**Occupancy Permit :** Occupancy Permits are issued to individuals, companies or governmental bodies that want to occupy or use real property located on the Thruway Right-of-Way. The uses of Authority property for which Occupancy Permits are issued include, but are not limited to, utility facilities, fiber optic cables, parking lots, bike paths, landscaping, gardening, signage, storage, and access. Once issued an Occupancy Permit, the permit holder (Permittee) is responsible for the cost to install, maintain and repair their facility, to restore Authority property after the original construction and upon termination and keep Authority property in an acceptable condition throughout the term of the occupancy. Upon termination of an Occupancy Permit, the Permittee must contact the Authority for termination requirements prior to abandoning the facilities. Any cost to the Authority for the removal of abandoned facilities will be back charged to the Permittee.

**NOTE:** Where the sale, lease, grant of easement, or exchange of real property is contemplated, an Occupancy Permit will not be issued in advance of completion of the sale, lease, grant of easement, or exchange unless approved by the Authority's Executive Director.

**Work Permit:** Work Permits are issued to individuals, companies or governmental bodies that want to perform construction, maintenance, inspection, survey or other types of work on real property located within the Thruway Right-of-Way. Work Permits are required for all work conducted on Authority property, including work conducted on property under an Occupancy Permit, or work on property where interests have been conveyed via a lease, grant of easement or conveyance of real property.

**NOTE:** Where the sale, lease, grant of easement, or exchange of real property is contemplated, a Work Permit will not be issued in advance of completion of the sale, lease, grant of easement, or exchange unless approved by the Authority's Executive Director.

The Authority may require a separate Work Permit each time Authority property is entered for the purpose of maintaining facilities authorized under an Occupancy Permit, lease or grant of easement. Sub-contractors are also required to obtain Work Permits when entering Authority Property. Annual Work Permits may be issued where an occupant of Authority Property has an on-going requirement to maintain facilities authorized under an Occupancy Permit, lease or grant of easement (for example, snow removal, waste disposal, tree trimming, etc.).

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INFORMATION PACKET

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The Permittee will notify the appropriate Division Permit Coordinator prior to beginning work. Work will start within 30 days from the date of the Work Permit.

**B) OCCUPANCY PERMIT PROCESSING:**

In order to be fair, permit processing is on a first come, first serve basis. The nature of an application, the size of the project and any problems that may be encountered could conceivably affect the length of time it takes to process a permit application.

Every effort is made by the Authority to identify current and future transportation related projects in the area that may impact the proposed occupancy. In the event that there is a conflict, the processing of the application will be put on hold until a course of action is determined.

When the Division Permit Coordinator receives an application for an Occupancy Permit, the application will be reviewed along with all required supporting documents. In the event of a problem, the Permit Coordinator will contact and work with the applicant to correct the problem. If the application submitted is not signed or the package is found otherwise unacceptable, the Division Permit Coordinator will return the entire package for signature and/or correction. Resubmission must be within thirty business days or a second, full administrative fee will be imposed.

Once a copy of the approved Occupancy Permit is received by the Permittee, the Division Permit Coordinator should be contacted to arrange for the start of construction or to begin using Authority property as approved by the permit. Requests for changes to a facility or to what is approved by the permit must be submitted in writing to the Division Permit Coordinator and receive prior approval and an amended permit before any changes can be implemented. Don't hesitate to contact the Division Permit Coordinator with any questions or concerns

The permit may be subject to revocation by the Authority if the facility is not properly maintained, if changes are made without first obtaining approval from the Authority or if the property is needed for transportation related purposes. The Authority may, at any time, direct the Permittee to remove or relocate the permitted installations. The removal or relocation shall be at the sole cost and expense of the Permittee.

**NOTE:** For the Cross-Westchester Expressway (I-287), the New York State Department of Transportation shall issue Occupancy Permits and the New York State Thruway Authority shall issue Work Permits.

**C) WORK PERMIT PROCESSING:**

The work permit review process generally takes up to ten (10) business days. In order to be fair, permit processing is on a first come, first serve basis. The nature of an application, the size of the project and any problems that may be encountered could conceivably affect the length of time it takes to process the permit application.

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Every effort is made to identify current and future transportation related projects in the area that may impact the proposed work. In the event that there is a conflict, the processing of the application will be put on hold until a course of action is determined. Attendance at a pre-construction or safety meeting may be necessary before commencement of work.

When the Division Permit Coordinator receives an application for a Work Permit, the application will be reviewed along with all required supporting documents. In the event of a problem, the Permit Coordinator will contact and work with the applicant to correct the problem. If the application submitted is not signed or the package is found otherwise unacceptable, the Division Permit Coordinator will return the entire package for signature and/or correction. Resubmission must be within thirty business days or a second, full administrative fee will be imposed.

Once a copy of the approved Work Permit is received, it is absolutely required that the Permittee notify the appropriate Division Director and/or designee at least twenty-four hours before work is started and again upon completion. Requests for changes to what is approved by the permit must be submitted in writing to the Division Permit Coordinator and receive prior approval and an amended permit before any changes can be implemented. Don't hesitate to contact the Division Permit Coordinator with any questions or concerns. Work Permits, like Occupancy Permits, are subject to immediate revocation at the discretion of the Authority.

**D) ADMINISTRATIVE FEE REQUIREMENTS:**

**OCCUPANCY PERMIT –**

The following is a table of minimum, nonrefundable administrative fees:

- For each Occupancy Permit application, for the use of the property at one location, a one time administrative fee ..... \$750
- *This includes longitudinal utility, non-utility, transverse, underground suspension from a bridge, or suspension from overhead (if approved)*
- To amend an Occupancy Permit (per-permit)
  - Name or address changes ..... \$25
  - Routine engineering review ..... \$250
  - Extensive engineering ..... \$500

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**WORK PERMIT -**

The following is a table of minimum, nonrefundable administrative fees:

- For each Work Permit application, a one time, each site administrative fee..... \$250
  - *This includes construction, maintenance, survey, accident investigation, inspection, etc.*
- To amend a Work Permit (per-permit) ..... \$250
- An Annual Work Permit ..... \$1,000

**E) ANNUAL FEE REQUIREMENTS:**

Permits issued to utility companies for longitudinal use, suspension from a bridge, or suspension from overhead (if approved) require an annual fee. The Division Permit Coordinator develops the fee by using a schedule provided by the Authority's Department of Finance and Accounts. In order to determine an annual fee, the length of Authority right-of-way being used by the utility must be accurately determined. In some instances, a survey paid for by the applicant must be submitted to the Authority. The Division Permit Coordinator will provide the applicant with the survey requirements. Once the total use of Authority right-of-way is determined, the annual fee can be calculated. When an annual fee is required, it is due before the permit may be issued. Subsequent annual fee payments will be required each year on the anniversary of the permit.

Permits issued for general property use, for example, a parking lot, or building require an appraisal of the affected Authority Property. Please contact the Thruway Division Permit Coordinator for details.

**F) NEW YORK STATE THRUWAY AUTHORITY OCCUPANCY AND WORK PERMIT ACCOMMODATION POLICY:**

*The "New York State Thruway Authority Occupancy and Work Permit Accommodation Policy (TAP-401)" details the Authority's requirements for the use and occupancy of Authority Property. The Permittee is bound under penalty of permit revocation to comply with this policy, as well as any rules, regulations and laws that affect the permit and/or any additional conditions imposed upon a permit issued by the Authority. Please contact the Division Permit Coordinator for a free copy of TAP-401.*

**G) NEW YORK STATE THRUWAY AUTHORITY OCCUPANCY AND WORK PERMIT CHECKLIST FOR APPLICANTS:**

Before submitting a formal Occupancy or Work Permit application, the appropriate Division Permit Coordinator should be contacted. The Permit Coordinator will determine if

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INFORMATION PACKET

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your request is reasonable and if appropriate, will send you an application package. This package typically contains a "New York State Thruway Authority Work/Occupancy Permit Checklist for Applicants." This checklist identifies the materials sent to the applicant and what is expected to be returned to the Division Permit Coordinator in order to be formally considered a request. Two copies of the Permit applications will be sent; both originals should be completed, signed and returned. The items requested should be returned in one package and must be complete and legible.

**H) SAMPLE PLANS:**

The sample plans provided on the next two pages, identifies the type of plan acceptable to the Authority. Plans submitted with an application should:

- show all relative features within the scope of the plan area on Authority Property:
  - Bridge with piers and footings
  - RR tracks
  - Drainage and/or culverts
  - Utilities
  - NYSTA Fiber Optic line
  - Fencing
  - Building
  - Etc.
- show Authority right-of-way lines
- be to scale
- show plan and typical section view
- show depth of bury, minimum clearances (whichever is greater):
  - 4' below sub-grade or,
  - 6' below pavement surface or,
  - 3' below design depth of culvert or,
  - 3' clearance from the NYSTA Fiber Optic Line
- include a Professional Engineer stamp for most Occupancy Permits. For additional details, please contact the Division Permit Coordinator.

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**PLAN VIEW**  
 SCALE: 1"=100'  
 OR SCALE AS APPROPRIATE

— UC — EXISTING UNDERGROUND UTILITIES (GAS, ELECTRIC, CABLE, TELEPHONE, FIBER OPTIC)  
 — UC — PROPOSED CASED UNDERGROUND UTILITIES (GAS, ELECTRIC, CABLE, TELEPHONE, FIBER OPTIC)

YOUR COMPANY LOGO HERE	<b>YOUR COMPANY NAME GOES HERE</b> Your company address and phone numbers	<b>PROJECT TITLE AND DESCRIPTION</b> Project location	<b>AUTHORITY SPECIFICATION</b> EXAMPLE DIAGRAM - ITEMS TO BE INCLUDED ON PLAN VIEWS AS APPROPRIATE
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BROCHURE/PLAN VIEW

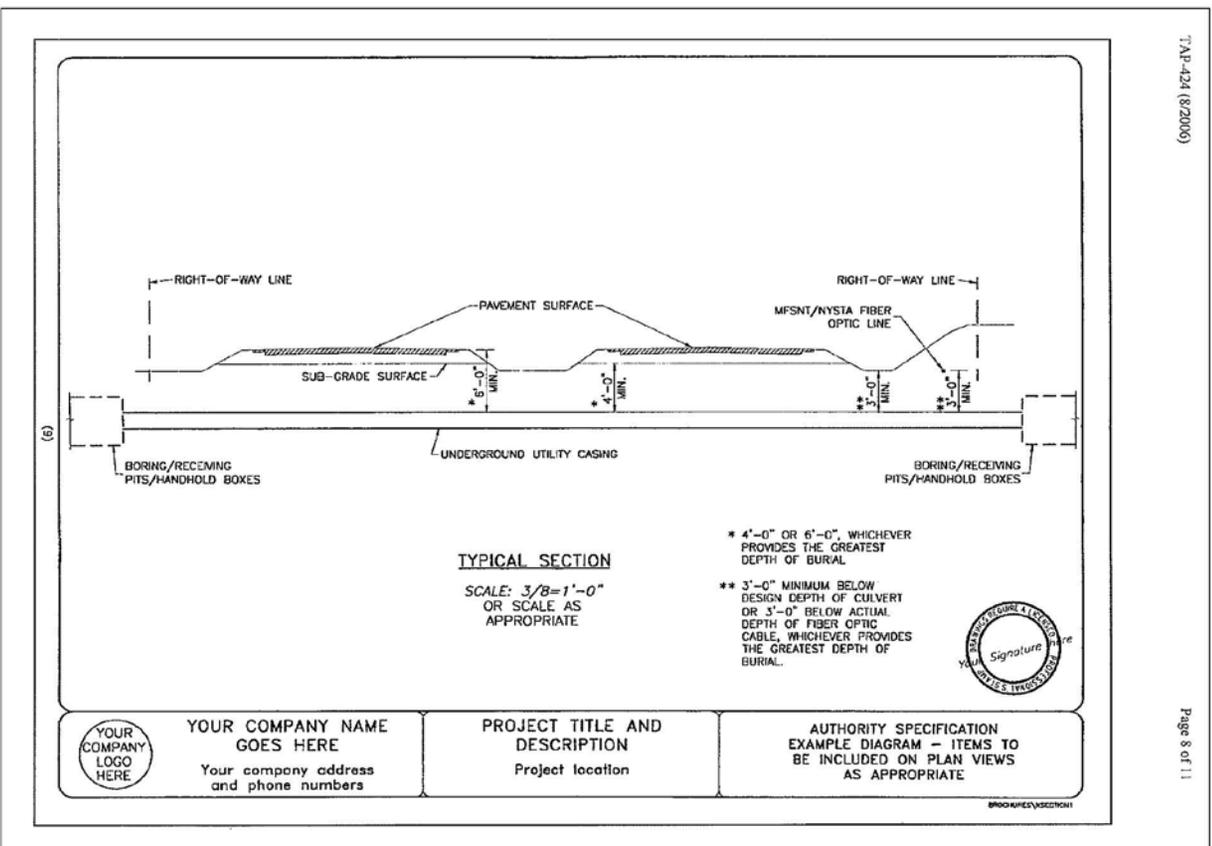
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**D) USE OF AUTHORITY RIGHT-OF-WAY BY UTILITIES CONSISTENT WITH  
AASHTO, NYSDOT AND NYSTA POLICY:**

**1) NEW UTILITIES -**

New utility installations and adjustment or relocations of existing utilities may be permitted to cross under the Thruway mainline and ramps. The utility operator must first secure a NYSTA Occupancy Permit for the use of the right-of-way before construction. To construct the utility, the utility owner's contractor must obtain a Work Permit.

Utilities should be installed underground and spaced in a manner that minimizes the number of Thruway crossings.

**2) UTILITIES WITHIN CROSSROADS AND STREETS ROW -**

Where a utility follows a crossroad or street which is carried over or under the Thruway mainline and ramps, the utility should be serviceable without access onto the Thruway right-of-way. All utilities following a crossroad or street should cross the Thruway on a line generally parallel to the crossroad/street alignment, be placed under the Thruway and be at least fifty(50) feet away from the embankment that carries the bridge over or under the Thruway mainline.

**3) UTILITIES NOT WITHIN CROSSROADS AND STREETS ROW -**

Where utilities cross the Thruway mainline and are not within the right-of-way corridor of a crossroad or street, the installation should be at right angle (90°) to the mainline.

For large bores such as tunneling, jacking, driving or auger boring, the boring and receiving pits should be placed no closer than thirty feet from the edge of the highway pavement. Directional drilling should be accomplished from off the Thruway right-of-way. Handhold boxes and manholes should be placed outside the Thruway right-of-way. All installation methods should be serviceable from outside the Thruway right-of-way and should not impact clear zones as designated in the current edition of the *AASHTO* publication "*Roadside Design Guide*."

Where a utility traverses the Thruway mainline or ramps and is not proposed to cross at a right angle, but is instead proposed to cross between 80 and 0 degrees, an annual fee will be imposed.

**4) LONGITUDINAL UTILITY OCCUPANCIES -**

Longitudinal use of the Thruway right-of-way is generally prohibited. However, in special cases such installations may be permitted under strictly controlled conditions. Utilities are not allowed longitudinally within the median area. Service connections to

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adjacent properties are not permitted from longitudinal utility installations located within the access control lines of the Thruway.

**5) FEDERAL REVIEW OF LONGITUDINAL APPLICATIONS –**

Where the utility crosses the Thruway's mainline at or between 45 and 0 degrees, a Federal review is required. The Thruway will coordinate the review. Permit applications being considered for a 45 to 0 degree crossing of the Thruway system must include, but not be limited to a full set of detailed plans, Engineering designed materials and specifications. All plans, materials and specifications shall be prepared, signed and stamped by a Professional Engineer and/or licensed Land Surveyor (where applicable) licensed by the New York State Education Dept. to practice in New York State. In addition, the following must either be included in the design plans or in separate documents:

- (a) Timetables for beginning and end of construction.
- (b) Traffic control plans, if traffic will be impacted.
- (c) Restoration measures planned for removal of trees, vegetation and shrubs.  
**NOTE:** NYSDOT specs for tree, vegetation and shrub replacement is required.
- (d) The frequency of access needed for inspection and maintenance.
- (e) For all alternate locations, correspondence documenting refusal by all potentially impacted landowners to permit placement of the utility on their property.
- (f) A letter requesting longitudinal use of Authority right-of-way, citing reasons supporting the hardship of constructing off Thruway ROW, provide actual cost estimates for all alternatives.
- (g) Demonstrate that the accommodation will not adversely affect highway and traffic safety.
- (h) Demonstrate that the accommodation will not adversely affect the design, construction, operation, maintenance, or stability of the highway; and that it will not interfere with or impair the present use or future expansion of the highway.

**J) STANDARD OPERATING REQUIREMENTS:**

Authority Property is devoted to Transportation purposes. When a permit is granted to construct a facility on Authority Property, safety during construction and maintenance is of paramount concern. The Authority offers a highway system that delivers a high level of safety and service. Permittees are conduct themselves according to Authority policies, rules and regulations.

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**NOTE:** If a proposal is to install a utility onto or within equipment not owned by the applicant, a copy of the *Joint User Agreement* or a letter from the owner approving the attachment is required.

If you have any questions, concerns, or need assistance completing an application, please contact the Division Permit Coordinator.

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EXHIBIT 2  
MISSING DOCUMENTS LETTER

This letter will be sent to an applicant when information is missing from the application.

<p>Date</p>	
<p>Name Address City, State, Zip</p>	<p>Re: &lt;Location and description of property&gt; Transaction Reference Number:</p>
<p>Dear &lt;insert name &gt;:</p>	
<p>Thank you for your interest in the property at the above referenced location. Your application cannot be progressed until we receive the following missing documents:</p>	
<p>&lt;Insert appropriate text based on the documents that are missing&gt;</p>	
<p>Please send documents to:</p>	
<p>Name Title Address</p>	
<p>Failure to send these required documents will result in your application being rejected.</p>	
<p>Should you have any questions, I can be reached at &lt;insert phone number&gt;.</p>	
<p>Sincerely,</p>	
<p>Name Title</p>	

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EXHIBIT 3  
REJECTION LETTER

This letter will be sent to the applicant if the application is rejected.

<p>Date</p>	
<p>Name Address City, State, Zip</p>	<p>Re: &lt;Location and description of property&gt; Transaction Reference Number:</p>
<p>Dear &lt;insert name&gt;:</p>	
<p>Thank you for your interest in the property at the above referenced location. I regret to inform you that your request has been denied at this time, because &lt;insert appropriate text based on <u>one</u> of the choices below&gt;.</p>	
<p>Should you have any questions, I can be reached at &lt;insert phone number&gt;.</p>	
<p>Sincerely,</p>	
<p>Name Title Department</p>	
<p>Option 1: the property is needed for future Thruway Authority purposes.</p>	
<p>Option 2: the proposed use of the property is not consistent with the Thruway Authority goals.</p>	
<p>Option 3: the Thruway Authority is not the owner of the property or the property is not under the jurisdiction of the Thruway Authority.</p>	
<p>Option 4: If none of the above applies, insert specific details to explain the reason for the rejection.</p>	

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EXHIBIT 4  
ANNUAL FEE REQUEST LETTER

This letter will be sent to the applicant requesting the first year's annual fee.

< insert date >

Name  
Address  
City, State, Zip

Re: Annual Fee for Occupancy Permit #  
Location: < inset milepost # >  
Transaction Reference Number:

Dear <insert name>:

The annual fee for the occupancy permit referenced above is < insert amount >.  
Please send a check payable to the NYS Thruway Authority to the following address:

< insert Division name and address >

Upon receipt of your payment, you will be sent a copy of your valid permit for  
your files.

If you have any questions, you may reach me at < insert phone number >.

Sincerely,

Name  
Title  
Department

September 2006

500-2-02.5

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EXHIBIT 5  
SECOND NOTICE FOR OCCUPANCY PERMITS

This letter will be sent to an applicant that has failed to respond to the ANNUAL FEE REQUEST in Exhibit 4.

< insert date >

Name  
Address  
City, State, Zip

Re: Annual Fee for Occupancy Permit #  
Location: < inset milepost # >  
Transaction Reference Number:

Dear <insert name>:

Our letter dated < insert date > (copy attached), requested that you submit the annual fee for your occupancy permit. Please send a check payable to the NYS Thruway Authority to the following address:

< insert Division name and address >

Unless we receive the annual fee by < insert date >, we will assume that you are no longer interested in obtaining this permit. Should you decide to again pursue occupancy of this parcel in the future, you will be required to file for a new permit and pay any applicable fees.

If you have any questions, you may reach me at < insert phone number >.

Sincerely,

Name  
Title  
Department

September 2006

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EXHIBIT 6  
PERMIT CLOSURE NOTICE

This letter would be sent to an applicant who failed to respond to a second notice regarding closure of the pending permit application.

< insert date >

Name  
Address  
City, State, Zip

Re: Annual Fee for Occupancy Permit #  
Location: < inset milepost # >  
Transaction Reference Number:

Dear <insert name>:

Our letter dated < insert date > and a second letter dated < insert date > requested that you submit the annual fee for your occupancy permit.

Since we have not received payment from you, this letter is to advise you that we consider your application closed.

Should you decide to again pursue occupancy of this parcel in the future, you will be required to file for a new permit and pay any applicable fees.

If you have any questions, you may reach me at < insert phone number >.

Sincerely,

Name  
Title  
Department

September 2006

500-2-02.5

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EXHIBIT 7  
COVER LETTER

This is the cover letter sent to the applicant for the executed permit and utility tag.

Date

Name  
Address  
City, State, Zip

Re: Occupancy Permit Number:  
Location:  
Transaction Reference Number:

Dear <insert name>:

The New York State Thruway Authority has completed its processing of your Occupancy Permit application, which acknowledges your request to: < insert description >. A fully executed copy of the permit is enclosed for your files.

It will be necessary for you to submit insurance renewals to:

The New York State Thruway Authority  
Insurance Compliance Unit  
200 Southern Blvd.  
Albany, NY 12209.

Should you have any questions, I can be reached at <insert phone number>.

Sincerely,

Name  
Title  
Department