



Connecticut DOT

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Office of Engineering

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ENGINEERING AND CONSTRUCTION DIRECTIVE

Bureau Chief

Procedures for Identifying and Removing Encroachments within Project Limits

Encroachments within the right of way should be addressed during the PE phase of a project to allow property owners sufficient time to relocate or remove the items. In order to address encroachments early in the project schedule, the following procedures are to be utilized:

- A. During the design phase, the Project Manager will compile a list of all encroachments within the project limits. The list should identify the type of encroachment (including signs, parking, known sprinkler systems and all other encroachments with exception of landscaping) and location in relation to the baseline and/or property address.
- B. The list of encroachments should be given to Rights of Way during the Design/Right of Way meeting and the encroachments should be identified on the plan sheet presented at the meeting.
 1. If there is no Right of Way phase for the project and no Design/Right of Way meeting is necessary, the list should be sent to the Supervising Property Agent in the Right of Way Administration Section.
- C. The Right of Way Project Coordinator assigned to the project will check if there is a current lease in place with the Property Management Section and cc design in this correspondence.
 1. If the owner has a lease with the Department, the Rights of Way Property Management Section will notify the owner that the lease will be cancelled by sending an official letter.
 2. If the owner does not have a lease with the Department, the Right of Way Project Coordinator will send notice to each owner, within 8 weeks of the Design/Right of Way meeting, via registered or certified mail identifying the encroachment and allowing the property owner until 1 month prior to Design Completion Date to remove the encroachment.

Procedures for Identifying and Removing Encroachments within a Project Corridor

- D. At the Design Completion Date, the Right of Way Project Coordinator assigned to the project will follow up to see if the encroachment has been relocated.
 - 1. If the encroachment has not been relocated or removed a follow up letter will be sent via registered or certified mail to the owner in accordance with Connecticut General Statutes Sec. 13a-247, giving the owner 30 days to move the encroachment. Copies of the letters will be given to the District Construction Office during the project Pre-Con meeting.

- E. If the encroachment has not been moved prior to construction, in accordance with Connecticut General Statutes Sec. 13a-247, construction can remove any such obstruction identified in the letters mailed to the owner. The District Construction Office will notify the contractor that the encroachment can be removed and the contractor will take down the item and place it on the owner's property. The contractor can submit for payment of any encroachment removal as an extra work item.