



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
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Agenda item # 3

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 15, 2021

MOTION

Made By: Mr. Miller **Seconded By:** Mr. Stinson

Action: Motion carried, unanimously

**Title: Discontinuance – Secondary System of State Highways
Route 679 in Nelson County**

WHEREAS, a segment of Route 679, located in Nelson County, measuring approximately 0.24 of a mile, is no longer necessary for the uses of the Secondary state highway system, and therefore no longer provides a public convenience that warrants maintenance at public expense, rendering it eligible for discontinuance; and

WHEREAS, the Nelson County Board of Supervisors has approved a resolution, attached hereto as Exhibit A, supporting the discontinuance described as the 0.24 mile segment of Route 679, as seen in the map attached hereto as Exhibit B; and

WHEREAS, pursuant to § 33.2-908 of the *Code of Virginia*, a section of highway may be discontinued from the Secondary state highway system by the Commissioner of Highways, with the approval of the Commonwealth Transportation Board, if the highway is deemed to be no longer necessary for the uses of the Secondary state highway system when a part of the highway no longer provides a public convenience that warrants maintenance at public expense; and

Resolution of the Commonwealth Transportation Board
Discontinuance – Secondary System of State Highways – Route 679 in Nelson County
September 15, 2021
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NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board approves the discontinuance of the roadway segment identified below and as depicted on Exhibit B attached hereto, as part of the Secondary system of state highways, pursuant to §33.2-908, *Code of Virginia*, as the roadway is no longer necessary for the uses of the Secondary state highway system and is no longer providing sufficient public convenience to warrant maintenance at public expense.

Secondary System of State Highways

Discontinuance

Lynchburg District

Nelson County

- Route 679

0.24 Mi.

Total Mileage Discontinued from the Secondary System:

0.24 Mi.

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CTB Decision Brief

Discontinuance - Secondary System of State Highways: Route 679 in Nelson County

Issue: The Nelson County Board of Supervisors approved a resolution which supports the discontinuance of a portion of Route 679 in Nelson County, that is 0.24 of a mile in length. Pursuant to §33.2-908 of the *Code of Virginia*, said discontinuance must be approved by the Commonwealth Transportation Board (Board).

Facts: Upon review of the area, VDOT staff determined that the 0.24 mile portion of Route 679 should be discontinued as a part of the Secondary System of State Highways, pursuant to § 33.2-908 of the *Code of Virginia*, as it no longer provides a public convenience that warrants maintenance at public expense.

The Nelson County Board of Supervisors supported, by resolution on August 10, 2021 (Exhibit A, attached), the discontinuance of the 0.24 mile portion of Route 679 (road noted in “Blue” on Exhibit B, attached).

In accordance with §33.2-908, notice of the discontinuance was published in *The News & Advance* newspaper on June 28, 2021 (Exhibit C, attached). Nelson County Board of Supervisors and property owners with land abutting the section of roadway considered for discontinuance received notice via registered mail.

Recommendation: VDOT recommends the Board approve the discontinuance of the portion of Route 679 referenced above.

Action Required by CTB: The *Code of Virginia* requires a majority of the Board’s members to approve the proposed discontinuance. A resolution describing the proposed road to be discontinued is provided for the Board’s consideration.

Result if Approved: If approved, VDOT will suspend all of its maintenance activity on the roadway segment.

Options: Approve, Deny or Defer

Public Comments/Reaction: There were no public comments made at the Nelson County Board of Supervisors meeting regarding this proposed discontinuance, and there were no requests for a public hearing.

Exhibit A
Nelson County Resolution



BOARD OF
SUPERVISORS

THOMAS D. HARVEY
North District

ERNE O. REED
Central District

JESSE N. RUTHERFORD
East District

ROBERT G. BARTON, JR.
South District

J. DAVID PARR
West District

STEPHEN A. CARTER
County Administrator

GRACE MAWYER
Administrative Assistant/
Deputy Clerk

CANDICE W. MCGARRY
Director of Finance and
Human Resources

RESOLUTION R2021-44
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION OF SUPPORT FOR DISCONTINUANCE
OF VDOT SECONDARY ROUTE 679 (CASTLE CREEK LANE)

WHEREAS, the Virginia Department of Transportation has notified the Nelson County Board of Supervisors of its intent to discontinue Route 679 (Castle Creek Lane) from 0.46 Mile south of Route 666 (Dickie Road) to 0.70 Miles south of Route 666, a distance of 0.24 miles, and

WHEREAS, the sketch, attached and incorporated herein as a part of this resolution, defines the adjustment required in the secondary system of state highways as a result of the discontinuance of Route 679, and

NOW, THEREFORE, BE IT RESOLVED, this Board hereby concurs with and supports the Commonwealth Transportation Board's changes to the secondary system of state highways as identified on the attached sketch, pursuant to §33.2-908 B. of the Code of Virginia, and

BE IT FINALLY RESOLVED, that a certified copy of this resolution be forwarded to the Residency Engineer of the Virginia Department of Transportation Appomattox Residency.

Approved: August 10, 2021

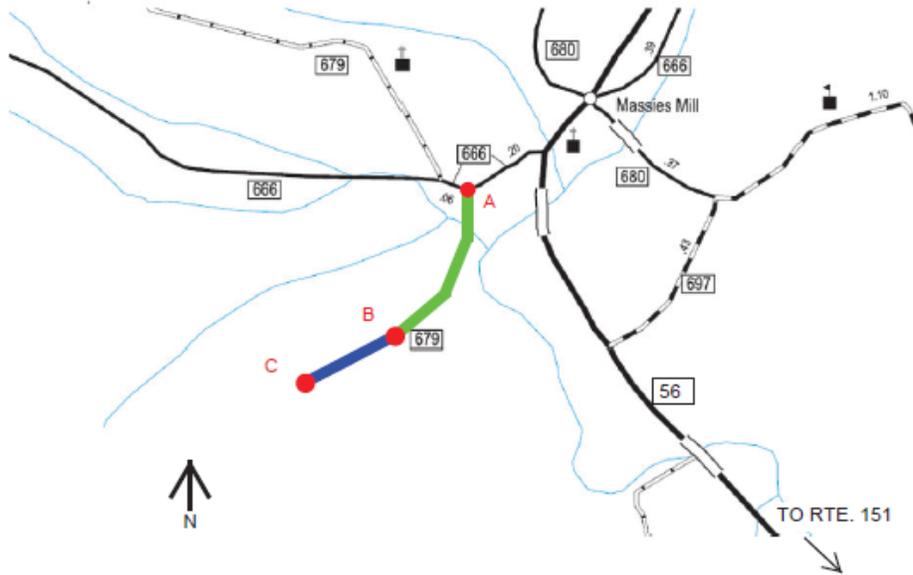
Attest: Stephen A. Carter, Clerk
Nelson County Board of Supervisors

Exhibit B Sketch of Proposed Road to be Discontinued

ROUTE 679 (CASTLE CREEK LANE) DISCONTINUANCE

NELSON COUNTY – APPOMATTOX RESIDENCY

June 7, 2021



NOT TO SCALE

Route	Action	Segment	Station	Length
679	Data Correction	A - B	Fr: Rte. 666 To: 0.46 MS Rte. 666	0.46 Mi.
679	Discontinuance	B - C	Fr: 0.46 MS Rte. 666 To: 0.70 MS Rte. 666	0.24 Mi.

Legend

NELSON COUNTY

Appomattox Residency/Lynchburg District

Changes to Secondary System

Non-Project Related §33.2-908.B

- Segment of Secondary Road Location to be Discontinued
- Data Correction - Adjustment to Correct VDOT's RIMS Records.

Exhibit C

Public Notice of Discontinuance Published in *The News & Advance* on June 28, 2021

Legal Notice

VDOT Virginia Department
of Transportation

**Route 679 (Castle Creek Lane)
Nelson County**

Willingness to Hold Public Hearing
Notice of Intent to Discontinue Maintenance on
Public Road Segment

Pursuant to the provisions of §33.2-908 of the Code of Virginia, the Virginia Department of Transportation (VDOT) will consider discontinuance of an end segment of Route 679 (Castle Creek Lane) in Nelson County. The total length of the discontinuance is a 0.24 mile segment.

This matter is being considered by VDOT because the road segment does not provide sufficient public service to warrant maintenance at public expense.

VDOT is willing to hold a public hearing prior to considering the discontinuance if the county or one or more landowners whose property is impacted by the discontinuance makes a request. A public hearing may be requested in writing to Mr. Jeffery B. Kessler, PE, Area Land Use Engineer, VDOT Lynchburg District Office, 4219 Campbell Ave., Lynchburg, VA 24501 or by email to JefferyB.Kessler@VDOT.Virginia.Gov on or prior to **July 28, 2021**.

Additional information about the proposed discontinuance is available at VDOT's Lynchburg District Office Land Use Section at the address above. Please call ahead at 434-856-8293, 1-800-367-7623 or TDD/TYY 711 to make an appointment with the appropriate personnel.

VDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. If you need more information or special assistance for persons with disabilities or limited English proficiency, contact the project manager listed above or TDD/TTY 711.