



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

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Agenda item # 4

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 1216 in Amherst County**

WHEREAS, a segment of Route 1216, located in Amherst County, measuring approximately 0.13 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 Amherst County Board of Supervisors has approved a resolution, attached hereto as Exhibit A, supporting the discontinuance described as the 0.13 mile segment of Route 1216, 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

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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

Amherst County

- Route 1216

0.13 Mi.

Total Mileage Discontinued from the Secondary System:

0.13 Mi.

#####

CTB Decision Brief

Discontinuance - Secondary System of State Highways: Route 1216 in Amherst County

Issue: The Amherst County Board of Supervisors approved a resolution which supports the discontinuance of a portion of Route 1216 in Amherst County, that is 0.13 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 0.13 mile portion of Route 1216 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 Amherst County Board of Supervisors supported, by resolution on August 3, 2021 (Exhibit A, attached), the discontinuance of the 0.13 mile portion of Route 1216 (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). Amherst 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 1216 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 Amherst County Board of Supervisors meeting regarding this proposed discontinuance, and there were no requests for a public hearing.

Exhibit A
Amherst County Resolution



Amherst County Board of Supervisors
County Resolution No. 2021-0017-R

For consideration on August 3, 2021

A RESOLUTION, NO. 2021-0017-R

A resolution, supporting for the discontinuance, but not abandonment, of a portion of VDOT Secondary Route 1216, Daffodil Lane, Amherst County, Virginia.

Approved as to form and legality by the Amherst County Attorney

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

I. That the Amherst County Board of Supervisors supports the discontinuance, but not abandonment, of a portion of VDOT Secondary Route 1216, Daffodil Lane, Amherst County, Virginia, as follows:

WHEREAS, the Virginia Department of Transportation has notified the Amherst County Board of Supervisors of its intent to discontinue Route 1216 (Daffodil Lane) from 0.17 Mile east of Route 671 (Five Forks Road) to 0.30 Miles east of Route 671, a distance of 0.13 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 said portion of Route 1216; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF AMHERST COUNTY, VIRGINIA:

That the Amherst County Board of Supervisors 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 FURTHER RESOLVED:

That a certified copy of this resolution be forwarded to the Residency Engineer of the Virginia Department of Transportation Appomattox Residency.

II. That this resolution shall be in force and effect upon adoption.

Adopted this 3rd day of August 2021.



Jennifer R. Moore, Chair
Amherst County Board of Supervisors

| Member | Vote |
|-------------------------------------|---------------|
| Jennifer R. Moore, Chair..... | <u>AYE</u> |
| David W. Pugh, Jr., Vice-Chair..... | <u>ABSENT</u> |
| Tom Martin | <u>AYE</u> |
| L. J. "Jimmy" Ayers, III. | <u>AYE</u> |
| Claudia D. Tucker | <u>ABSENT</u> |

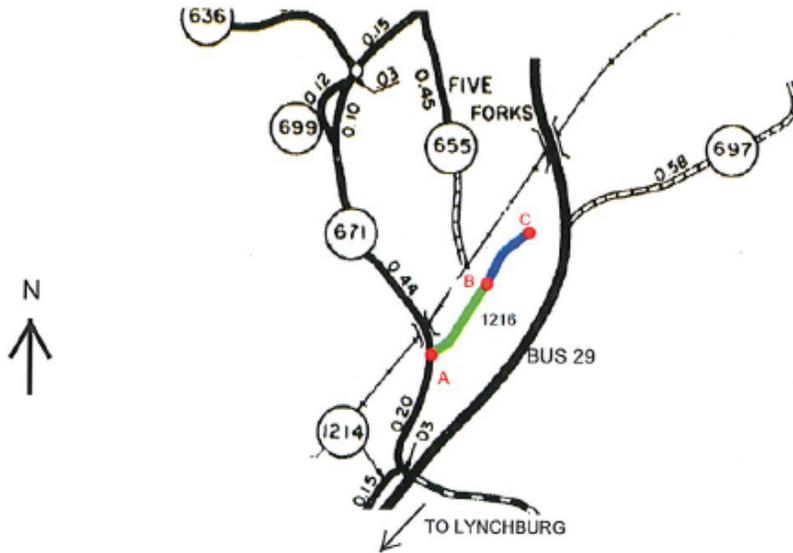
ATTEST:



Dean C. Rodgers, Clerk
Board of Supervisors of the County of Amherst, Virginia

Exhibit B
Sketch of Proposed Road to be Discontinued

**ROUTE 1216 DAFFODIL LANE
 AMHERST COUNTY**



NOT TO SCALE

| Route | Action | Segment | Station | Length |
|-------|-----------------|---------|--|----------|
| 1216 | Data Correction | A - B | Fr: Rte. 671 To: 0.17 ME Rte. 671 | 0.17 Mi. |
| 1216 | Discontinuance | B - C | Fr: 0.17 ME Rte. 671 To: 0.30 ME Rte. 671 | 0.13 Mi. |

Legend

AMHERST COUNTY
 Appomattox Residency/Lynchburg District
 Changes to Secondary System
 Non-Project Related §33.2-908.B
 June 14, 2021

 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



Route 1216 (Daffodil Lane) Amherst County

Willingness to Hold a 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 1216 (Daffodil Lane) in Amherst County. The total length of the discontinuance is a 0.13 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, P.E., Area Land Use Engineer, VDOT Lynchburg District Office, 4219 Campbell Avenue, Lynchburg, VA 24501 or by email to JeffreyB.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/TYY 711.