



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item # 7-B

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

July 16, 2009

MOTION

**Made By: Mr. Koelemay, Seconded By: Ms. Pandak,
Motion Carried, Unanimously**

**Title: Limited Access Control Change(s) (LACC)
Route 7 (Leesburg By-Pass), Town of Leesburg, Loudoun County**

WHEREAS, Route 7 (Leesburg By-Pass), between 0.208 mile west of the intersection with Route 7 West, and 0.282 mile east of the intersection with Route 7 East, in the Town of Leesburg and/or Loudoun County, was designated as a Limited Access Highway by the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), on March 21, 1963; and

WHEREAS, in connection with various sections of Route 7 (Leesburg By-Pass), State Highway Projects 6007-053-111, RW-201, and 6007-053-111, RW-202, which are located between the aforesaid locations, the Commonwealth acquired certain lands and limited access easements from various landowners; and

WHEREAS, the Commonwealth of Virginia, State Corporation Commission (SCC), in its Final Order dated February 15, 2008 (ORDER), approved the modified route D corridor per Application of Virginia Electric and Power Company d/b/a Dominion Virginia Power (DVP) for Approval and Certification of Electric Facilities: Pleasant View-Hamilton 230 kV Transmission Line and 230 kV-34.5 kV Hamilton Substation for the proposed 230 kV Transmission Line and through engineering studies DVP has determined, in coordination with VDOT, that seven of the proposed transmission towers should be constructed within the Commonwealth's existing right of way so as to minimize the taking of additional private property and for engineering considerations; and

WHEREAS, three locations along the southwest, northeast and north sides of Route 7 (Leesburg By-Pass) and its proposed or existing right of way and limited access lines, as shown on the plans for the aforesaid State Highway Projects, have been identified for LACC by DVP in accordance with the ORDER for temporary construction and/or permanent maintenance entrances to proposed 230 kV transmission line towers due to topographic barriers; and

WHEREAS, DVP has identified and requested these respective LACC along the Route 7 (Leesburg By-Pass), of approximately 25 feet, more or less in width on the southwest proposed right of way and limited access line (approximately 12.5 feet, more or less, on either side of approximate Station 314+25); and of approximately 20 feet, more or less in width on the northeast existing right of way and proposed limited access line (approximately 10 feet, more or less, on either side of approximate Station 326+30); and of approximately 20 feet, more or less in width, on the north proposed right of way and limited access line (approximately 10 feet, more or less, on either side of approximate Station 358+60); and

WHEREAS, four additional locations have been identified along the roadway and ramps of Route 7 (Leesburg By-Pass) within the existing right of way and limited access line, as shown on the plans for the aforesaid State Highway Projects, for temporary construction and permanent maintenance access entrances to the proposed transmission line towers; and

WHEREAS, VDOT has determined that the requirements for a Global Traffic Analysis and Air Quality Conformity Review, as set forth in Chapter 401 of 24 VAC 30 of the Virginia Administrative Code, are not applicable to this request as the said LACC shall not impact the daily operation of the said Route 7 (Leesburg By-Pass); and

WHEREAS, VDOT has determined that the respective LACC opposite approximate Station 314+25 and opposite approximate Station 326+30 being locked gated entrances and the remaining five being non-signalized entrances without median breaks are viable for said proposed temporary construction and/or maintenance entrances from a conceptual design standpoint subject to further review, requirements and approvals; and

WHEREAS, VDOT has determined that through the requirements of the SCC application and approval process that the requirements for the proposed LACC, as set forth in Chapter 401 of 24 VAC 30 of the Virginia Administrative Code, for locality support, environmental impacts, and public notice have been met; and

WHEREAS, all costs of engineering and construction, including but not limited to all necessary lane and/or safety improvements for the said entrances, will be borne by DVP; and

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WHEREAS, DVP shall pay just compensation to the Department in consideration of the proposed LACC, this amount to be determined by the Department; and

WHEREAS, the proposed LACC are in compliance with Title 24, Section 30, Chapter 401 of the Virginia Administrative Code; and

WHEREAS, upon completion and acceptance of the proposed entrances and changes by VDOT, all work, roadway construction, improvements and equipment for the said entrances within the normal limits of Route 7 (Leesburg By-Pass) will become the property of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, the CTB finds and concurs with the determinations made by VDOT for Global Traffic Analysis, locality support, public notice, environmental impacts including Air Quality Conformity Review, for compliance with Chapter 401 of 24 VAC 30 of the Virginia Administrative Code, and in accordance with the provisions of Section 33.1-58 of the *Code of Virginia* (1950), as amended; the CTB hereby approves the said LACC, as set forth, and subject to the above referred to conditions. The Commonwealth Transportation Commissioner is hereby authorized to execute any and all documents needed to comply with this resolution.

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