



Albemarle County

Legislation Text

File #: 17-213, **Version:** 1

AGENDA DATE: 3/1/2017

TITLE:

Virginia Electric and Power Company and Central Telephone Company Easements on County-Owned Parcel

SUBJECT/PROPOSAL/REQUEST: Reconsider decision to grant easements to Virginia Electric and Power Company and Central Telephone Company on County-owned property located at the intersection of Old Trail Drive and Jarmans Gap Road requiring that third-party equipment be underground

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Walker, Kamptner

PRESENTER (S): Greg Kamptner

LEGAL REVIEW: Yes

REVIEWED BY: Douglas C. Walker

BACKGROUND: On August 3, 2016, the Board held a public hearing and adopted two resolutions authorizing the conveyance of utility easements to Virginia Electric and Power Company ("Dominion") and Central Telephone Company ("Century Link") on County-owned property located at the intersection of Old Trail Drive and Jarmans Gap Road, identified as Tax Map Parcel 055E0-00-00-000A1 ("TMP 55E-1") (Attachment A). The Board's motion adopting the resolutions stated that the conveying deeds "require third-party equipment to not be allowed above ground." The relevant background of these easements is explained in the August 3, 2016 executive summary for the Dominion easement (Attachment B).

The condition requiring undergrounding was included in the Board's August 3, 2016 action to reduce the potential visual impacts of utility equipment along Jarmans Gap Road. The utilities' equipment and structures were relocated in 2012 or earlier as part of the Jarmans Gap Road project along the northern edge of TMP 55E-1. Maps showing their locations are included as Attachments C and D. The relocated utilities include above-ground utility lines, as shown in Attachment E.

STRATEGIC PLAN: Goal 2: Critical Infrastructure: Prioritize, plan and invest in critical infrastructure that responds to past and future changes and improves the capacity to serve community needs.

DISCUSSION: Attorneys from Sands Anderson, who represent the Virginia Department of Transportation in the Jarmans Gap Road project, have requested that the Board reconsider the condition requiring that third-party equipment not be located above ground. Their request is included as Attachment F and they will present additional information at the Board meeting.

Sands Anderson represents that third-party equipment already exists on Dominion's aerial lines, as well as "pedestals" outside of the proposed easement area that serve the aerial lines. Dominion has now proposed an amendment to its standard deed language that would restrict third-party equipment only to that serving