



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Aubrey L. Layne, Jr.
Chairman

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Agenda item # 8

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

October 24, 2017

MOTION

Made By: Mr. Connors, Seconded By: Mr. Rosen

Action: Motion Carried

**Title: Recreational Access to Westmoreland Recreational Complex
Project RECR-096-613, Westmoreland County**

WHEREAS, § 33.2-1510 of the *Code of Virginia* sets forth that the General Assembly of Virginia has found and declared that it is "... in the public interest that access roads and bikeways to public recreational areas and historical sites be provided..." and sets aside highway funds for such purpose, "... [w]hen the Director of the Department of Conservation and Recreation has designated a public recreational area as such ... and recommends to the [Commonwealth Transportation] Board that an access road or bikeway be provided or maintained to that area"; and

WHEREAS, the Director of the Department of Conservation and Recreation (DCR) and the Commonwealth Transportation Board (CTB) have adopted a joint policy to govern the use of the Recreational Access Fund pursuant to § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Westmoreland County Board of Supervisors has, by appropriate resolution, requested Recreational Access funds to provide road access to serve new recreational facilities proposed to be located off of Kings Highway (Route 3) within the planned Westmoreland Recreational Complex in Westmoreland County and said road access is estimated to cost \$762,000; and

WHEREAS, this request is under consideration by the Director of DCR for full compliance with the provisions of § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, it is anticipated that the Director of DCR will recommend the construction of the aforementioned access; and

NOW, THEREFORE, BE IT RESOLVED, that from the Recreational Access Fund \$350,000 (\$250,000 unmatched and \$100,000 matched) for road construction be allocated to provide adequate access to new recreational facilities within the proposed Westmoreland Recreational Complex to be located off of Kings Highway in Westmoreland County, Project RECR-096-613, contingent upon:

1. The Director of DCR recommending the use of the Recreational Access Fund for the construction of the access roadway and bikeway to the proposed new facilities within Westmoreland Recreational Complex; and
2. All right of way, environmental assessments and remediation, and utility adjustments being provided at no cost to the Commonwealth; and
3. Execution of an appropriate contractual agreement between the County of Westmoreland (LOCALITY) and the Virginia Department of Transportation (VDOT) to provide for the:
 - a. Design, administration, construction and maintenance of this project; and
 - b. Provision of up to \$100,000 in matching funds, as necessary, by the LOCALITY for construction of the access road; and
 - c. Payment of all ineligible project costs, and of any eligible project costs in excess of the respective allocation amount for the roadway access project from sources other than those administered by VDOT.

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CTB Decision Brief

Recreational Access – Westmoreland County Westmoreland Recreational Complex

Issue: Pursuant to § 33.2-1510 of the *Code of Virginia*, the Westmoreland County Board of Supervisors has requested funds from the Recreational Access Program to provide adequate road access to proposed new facilities within the planned Westmoreland Recreational Complex.

Facts: Section 33.2-1510 of the *Code of Virginia* provides that the Commonwealth Transportation Board (CTB) shall expend from funds set aside for the construction of access roads and bikeways to public recreational areas and historical sites under this section of the *Code of Virginia*. Further, this section of the *Code of Virginia* grants the CTB the authority to construct access roads and bikeways to public recreational areas and historical sites when the governing body of the county in which the access road is to be provided passes a resolution requesting the road and when the Director of the Department of Conservation and Recreation (DCR) has designated the public recreational area as such and recommends to the CTB that an access road be provided to that area.

Westmoreland County plans to develop the Westmoreland Recreational Complex on 60 acres off of Kings Highway (Route 3). Recreational facilities proposed to be access by the requested project include six ball fields, open multi-use areas that can be used for soccer, two volleyball courts, picnic areas, playgrounds, and ADA accessible trails. The Locality will administer the design and construction of the proposed road project.

The County's plans for the proposed access road will provide for the connection of 640 feet of road with Route 3, which will be designed and constructed to provide access to the last entrance for the County's planned new high school. This portion will be built in conjunction with the access road to the Westmoreland Recreational Complex; however, the Westmoreland Recreational Complex access road will not be considered a part of the Recreational Access project. The County's plans for the access road are to construct a 24-foot wide asphalt roadway with appropriate shoulders and ditches, within 60-feet of right of way, continuing south approximately 0.41 mile and ending at a proposed parking lot. VDOT Fredericksburg District Staff concurs in the plans for the project and has determined that the project costs for eligible items and quantities represented in the County's \$762,000 estimate exceed the maximum Recreational Access Program project allocation. Westmoreland County will be responsible for financial arrangements to provide for the required Program matching funds, as appropriate, and all project costs exceeding the state Recreational Access Program allocation to fully fund the project.

The Local Assistance Division has coordinated with DCR staff to confirm support for the project. It is anticipated that the Director will designate the Westmoreland Recreational Complex as a public recreational area and will recommend utilization of Recreational Access funds to provide adequate access to the recreational area.

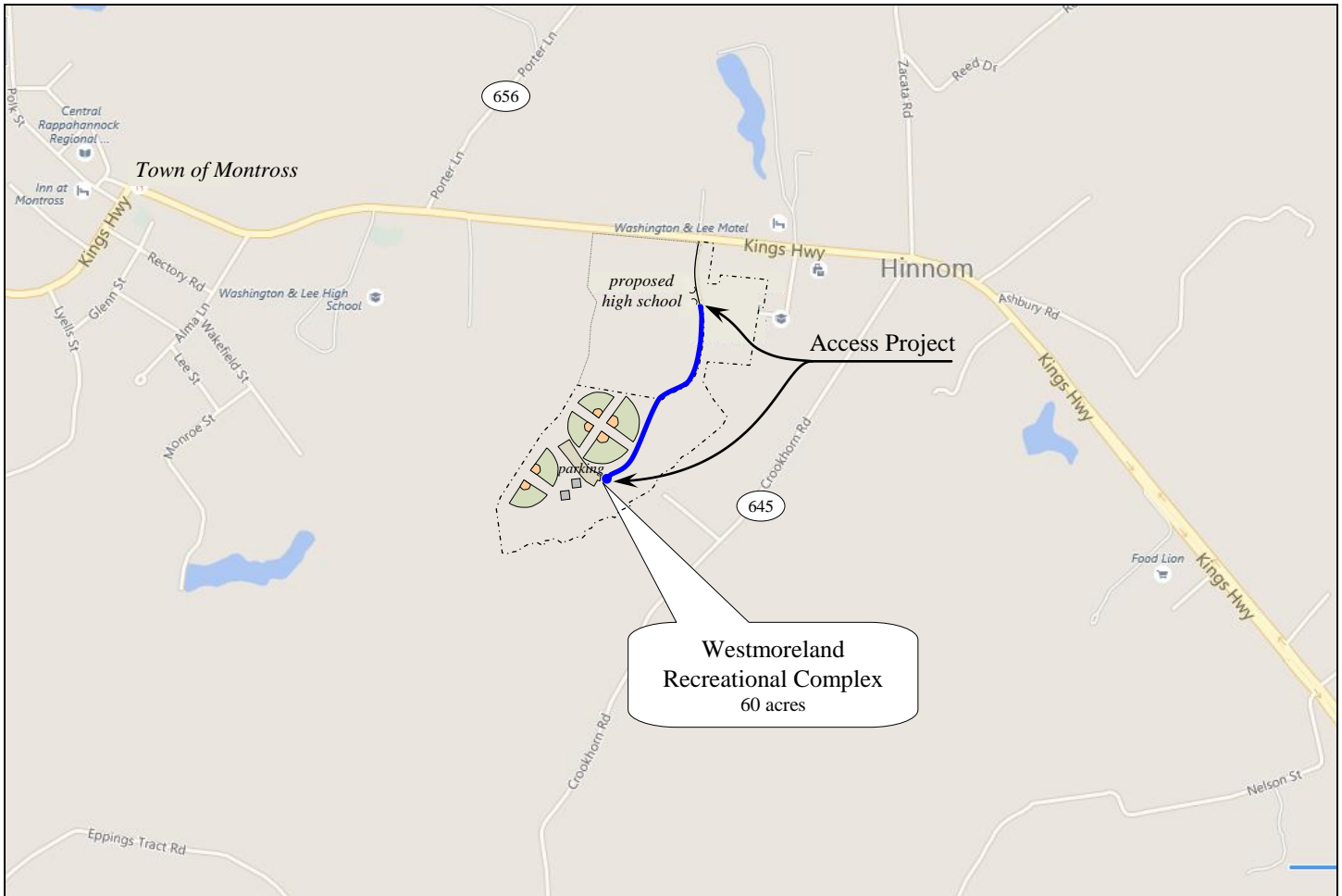
Recommendations: VDOT recommends Recreational Access Program funding in the maximum allocation of \$350,000 (\$250,000 unmatched and \$100,000 matched) from the Recreational Access Fund for construction of this project, subject to certain contingencies as set forth in the accompanying resolution.

Action Required by the CTB: Prior to expending funds set aside for access roads to public recreational areas and historical sites, the *Code of Virginia* specifies that the CTB shall declare by resolution that the access road project be provided. A resolution is provided for formal vote.

Result, if Approved: VDOT and Westmoreland County will proceed with the recreational access road project.

Options: Approve, Deny, or Defer.

Public Comments/Reaction: None



PROPOSED RECREATIONAL ACCESS PROJECT
Westmoreland Recreational Complex
Project RECR-096-613
Westmoreland County

Recreational Facility

Proposed facilities on 60 acres include 6 fields for baseball, softball and T-ball, 2 volleyball courts, multi-purpose field area, picnic areas, ADA accessible trail system, and parking area

Access Facility

Length: 0.41 mile
 Pavement Width: 24 feet
 R/W Width: 60 feet
 Estimated Cost: \$1.35 million
 Proposed Allocation: \$350,000
 (\$250,000 unmatched and \$100,000 matched)

DARRYL E. FISHER, CHAIRMAN
ELECTION DISTRICT NO. 1
HAGUE, VIRGINIA 22469

W. W. HYNSON, VICE CHAIRMAN
ELECTION DISTRICT NO. 4
COLONIAL BEACH, VIRGINIA 22443

RUSS CULVER
ELECTION DISTRICT NO. 2
MONTROSS, VIRGINIA 22520

DOROTHY DICKERSON TATE
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WESTMORELAND COUNTY, VIRGINIA

Board of Supervisors

MONTROSS, VIRGINIA 22520-1000

**RESOLUTION
RECREATION ACCESS FUND APPLICATION**

WHEREAS, the Westmoreland Recreational Complex is owned and is to be developed by the County of Westmoreland as a recreational facility serving the residents of Westmoreland County and adjoining localities; and

WHEREAS, the property on which this facility will be located has no access to a public street or roadway and will require the construction of a new roadway which will connect to State Route 3; and

WHEREAS, the procedure governing the allocation of recreational access funds as set forth in Section 33.2-1510 of the *Code of Virginia* requires joint action by the Director of the Department of Conservation and Recreation and the Commonwealth Transportation Board; and

WHEREAS, a statement of policy agreed upon between the said Director and Board approves the use of such funds for the construction of access roads to publicly-owned recreational or historical areas; and

WHEREAS, the Board of Supervisors has duly adopted a zoning ordinance pursuant to Article 7 (Section 15.2-2280 et seq), Chapter 22, Title 15.2 of the *Code of Virginia*; and

WHEREAS, it appears to this Board of Supervisors that all requirements of the law have been met to permit the Director of the Department of Conservation and Recreation to designate the Westmoreland Recreational Complex as a public recreational facility and further permit the Commonwealth Transportation Board to provide funds for access to this public recreation/historical area in accordance with Section 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Board of Supervisors agrees, in keeping with the intent of Section 33.2-405 of the *Code of Virginia*, to use its good offices to reasonably protect the aesthetic or cultural value of this road leading to or within areas of historical, natural or recreational significance; and

WHEREAS, the County of Westmoreland acknowledges that no land disturbance activities may occur within the limits of the proposed access project without the permission of the Department of Transportation as a condition of the use of the Recreational Access Fund; and

WHEREAS, the County of Westmoreland hereby guarantees that the necessary environmental analysis, mitigation, and fee simple right of way for this improvement, and utility relocations or adjustments, if necessary, will be provided at no cost to the Virginia Department of Transportation;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Westmoreland County hereby requests the Director of the Department of Conservation and Recreation to designate the Westmoreland Recreational Complex as a public recreational area and to recommend to the Commonwealth Transportation Board that recreational access funds be allocated for an adequate access road to serve said park area; and

BE IT FURTHER RESOLVED, that the Commonwealth Transportation Board is hereby requested to allocate the necessary recreational access funds to provide a suitable access road as hereinbefore described; and

BE IT FURTHER RESOLVED, that the Westmoreland County Board of Supervisors hereby agrees that the new roadway so constructed will be added to and become a part of the secondary system of highways.

Date of Adoption: February 13, 2017



**Darryl E. Fisher, Chairman
Board of Supervisors
Westmoreland County**

ATTEST:



Norm Risavi, County Administrator