



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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Richmond, Virginia 23219

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Agenda item # 5

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 21, 2022

MOTION

Made By: Mr. Merrill **Seconded By:** Mr. Kasprowicz

Action: Motion carried, unanimously

Title: Recreational Access to Rose Dale Park
Project RECR-003-703 – Alleghany 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 Alleghany County Board of Supervisors has, by appropriate resolution, requested Recreational Access funds to provide roadway access to adequately serve recreational facilities located off of Midland Trail (Virginia State Route 60) and said roadway access is estimated to cost \$250,000; and

WHEREAS, this request has been considered by the Director of DCR and has been found to comply with the provisions of § 33.2-1510 of the *Code of Virginia* and has designated the site a public recreation area.

NOW, THEREFORE, BE IT RESOLVED, that from the Recreational Access Fund \$250,000 be allocated to construct the access road to Rose Dale Park, Project RECR-003-703, contingent upon:

1. All right of way, environmental assessments and remediation, and utility adjustments being provided at no cost to the Commonwealth; and
2. Execution of an appropriate contractual agreement between Alleghany County and VDOT to provide for the:
 - a. design, administration, construction and maintenance of this project;
 - b. payment of all ineligible project costs, and of any eligible project costs in excess of the allocation amount for the roadway access project from sources other than those administered by VDOT.

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CTB Decision Brief

Recreational Access – Alleghany County Rose Dale Park

Issue: Pursuant to § 33.2-1510 of the *Code of Virginia*, the Alleghany County Board of Supervisors has requested funds from the Recreational Access Program to provide adequate roadway access to facilities within Rose Dale Park.

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. CTB Policy requires that the locality provide all rights of way, utility adjustments, and environmental assessments and remediation at no cost to the Commonwealth. 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 locality 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.

Alleghany County owns and operates Rose Dale Park off of Midland Trail (Virginia State Route 60). Rose Dale Park is a 14.4-Acre public park with athletic fields, open space, river access, and parking. The County recently constructed a pavilion at the park and has plans to construct public use restrooms in the coming months. The existing park entrance road is not wide enough for two vehicles to pass each other safely and the County proposes to construct a recreational access project reconstructing and improving the existing 0.11-mile long entrance road from Route 60 to the park's parking area. The Virginia Department of Transportation's (VDOT's) Staunton District staff has estimated the cost of the road access project to be \$250,000. VDOT will administer the design and construction of the proposed road access project and the road shall continue to be a portion of the primary state highway system.

VDOT's Local Assistance Division has coordinated with DCR staff to confirm support for the project. The Director of DCR has designated Rose Dale Park as a public recreational area (attached) and recommends utilization of Recreational Access funds to provide adequate access to the park.

Recommendations: VDOT recommends that Recreational Access Program funding in amount of \$250,000 for the construction of roadway access be approved, subject to certain contingencies.

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: The aforementioned allocations will be made and VDOT and Alleghany County will proceed with the recreational access roadway project.

Options: Approve, Deny, or Defer.

Public Comments/Reaction: None



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

June 28, 2022

Mr. Stephen C. Birch, P. E.
Commonwealth Transportation Commissioner
1401 East Broad Street
Richmond, Virginia 23219

Dear Commissioner Birch:

In accordance with §33.2-1510 of the *Code of Virginia*, I am designating the Rose Dale Park in Alleghany County as a public recreational area. Rose Dale park is 14 acres and provides riverfront access, has athletic fields & open space, a pavilion and there are plans to construct bathrooms this summer. The address for Rose Dale Park is 100 Stoughton Lane in Covington and is adjacent to the Jackson River and the Alleghany Highlands Blueway.

I hereby recommend to the Virginia Department of Transportation that Recreational Access Road funds be provided to this area as allowable under §33.2-1510 of the *Code of Virginia* to provide safe access to this recreation area.

Your Local Assistance Division can provide further details regarding the project.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew S. Wells".

Matthew S. Wells
Director

CC: Jonathan Liss, Virginia Department of Transportation, Local Assistance Division
Michael Fulcher, Virginia Department of Transportation
Chad Willims, Alleghany County
Kelly McClary, Division Director of Planning & Recreation Resources