

CORA Application – Follow Up to Questions from 3-6-2024 DRB Meeting

The CORA team appreciated the questions and concerns raised by the DRB at the March meeting and we want to provide an update on our follow up activities and requested clarifications.

- A meeting was held with the school principal to understand any concerns and to initiate an ongoing dialog between CORA and the school. Regarding the school/children concerns raised by the Principal and DRB members:
 - Traffic congestion and dangers
 - To address this, the CORA team will work with the road commissioner on solutions to mitigate speeding on School Rd.
 - In addition, signage, communications from the Town, and CORA website postings will include cautions regarding driving slowly as children are in the area.
 - “Hours to Avoid” while school is in session will be noted in materials announcing the opening of the recreation site and in other relevant communications, website, etc.
 - It is likely that those wishing to use the courts or other aspects of CORA will quickly learn to avoid school drop-off and pick-up times as a matter of course.
 - Strangers being attracted to the area
 - The CORA team believes that having an area for local residents to walk, recreate, and be present in the adjacent property is more likely to deter use of the school grounds by strangers. Currently, when students and staff are indoors, the parking lot area is secluded and private with very little ‘average citizen’ car or foot traffic.
 - Noise/Distracton
 - The CORA team followed up with Shoreham and Middlebury Rec and found that there were no complaints regarding noise from use of the pickleball or tennis courts. The hours of operation will mitigate noise during early morning and nighttime (see below).
 - Landscaping will be used to minimize visual distraction (but please note that it will be too expensive to purchase plants that will provide coverage right away)

- Following this planning and implementation phase of the project, a CORA advisory committee will be formed to maintain the recreation area and we propose to include a representative of the school on this committee.
- Hours of Operation
 - The zoning regulations state: “Hours of operation should be limited to standards for similar enterprises and *are generally encouraged* (italics added) to not begin earlier than 7:00am and end by 9:00pm. The burden will be on the applicant to demonstrate why longer hours are necessary.”
 - The recreation area’s courts, pitch, and pavilion will likely have the most ‘night-time demand’ during the summer when days are longest. In fact, at the summer equinox, civil twilight (the time when artificial light is not needed for activity) in Cornwall lasts until 9:15pm; many people are still enjoying outdoor activities even past this time. We would like to propose that CORA hours of operation be 7AM to 10PM. It is highly unlikely that anyone would be at the area until anywhere near 10PM in the winter and therefore, no lights or noise would be occurring to impact neighbors.
 - The hours of operation would be posted and ‘advertised’ on the Town and CORA websites, on the signage at the area, and in materials announcing the opening of the recreation site.
- Signs
 - Information, in English and Spanish*, will include:
 - Welcome to CORA, statement that the area is open to all and paths are universal access
 - Hours of operation
 - Along with a note to ‘Please avoid driving to area during school pick up and drop off times’ (and list these times)
 - Caution about school children being in the area (noise, vehicle speed, etc.)
 - Basic “rules” such as “Leave no trace” principles, limit noise and distraction, etc.
 - Court/Pitch “Rules”
 - Map of site with legend
 - List of Cornwall businesses and nearby recreation areas (as noted in VOREC grant application)

**CORA is exploring the ability to have a QR code or other option for translation of information, ideally into languages beyond Spanish*

CORA Application to DRB Waiver Requests

The CORA committee is requesting 4 waivers from the DRB. The reason and basis for each of these applications for waiver are provided below:

1. Waiver for some design elements to be within the setback area (The survey determined that the lot is not on School Rd and therefore by definition is an interior lot; in the Village District this calls for 35' setbacks on all sides.)

The following is the definition for Setbacks from the Vermont State Zoning Regulations Implementation Manual:*

“Minimum Front, Side, and Rear Setbacks. As measured from road right-of-way and property lines, to require separation between structures, travel ways, and adjoining uses for access management and fire protection, or to limit impacts or intrusions on adjoining properties. In the absence of other standards, setbacks define the area—the building or development “envelope”—in which structures may be located on a lot.”

We believe having portions of the walking path, some rest benches, an exercise station, 1/5 of the parking lot, and 1/6 of the tennis/pickleball courts within the setback area will not compromise travel ways, access, or safety, nor will it constitute any meaningful intrusion on to adjoining properties. In actuality, the existing “Shed and Outdoor Kitchen” (school constructed) structures that belong to the school already lie within the Front Yard minimum setback of 35 feet. This border is abutting the school property and we expect and encourage the school to continue to make use of these and the entire CORA area. There are plans to also have vegetation, some of it hedges that will be higher than the benches, particularly along the school-facing, front yard/north border to minimize noise and visual distraction for the school, which we believe is typically allowed within setback areas. Setback requirements are fully met on the side yard areas; in fact, on the East border, all elements are well within the 35' set back to meet the State wetland requirements. On the South border, the majority of the elements within the setback zone are ‘ground level’ – i.e.: paths and small portion of parking lot – with a few benches and section of court fencing (10' high chain link).

* <http://vpic.info/Publications/Reports/Implementation/Zoning.pdf>

2. Waiver for Lot Depth to be less than 200 feet

The Town Lot on which the CORA is planned is between 167' and 168' deep, north to south. The planned development of the lot is minimal, consisting of only 1 structure (an open pavilion) and fenced courts. We do not feel that the ‘density’ of this plan will compromise the surrounding area or the village center in any way. In fact, this development will provide a common recreational area for residents as well as increase the visual appearance with landscaping in an area that currently is mown field with significant invasive trees/shrubs.

3. Waiver for lot coverage to be more than the maximum for this 2-acre parcel (max 15%)

The lot coverage of impervious surface for the planned development is 17.2% or 0.34 acre. (2 acres = 87,120 sq ft; 15,014 sq ft of impervious surfaces). Bernard & Gervais, LLC are determining if a storm water permit will be needed. As a reference, state regulations require a storm water permit only when a development (of any size) has more than 0.5 acre of impervious surface.

4. Waiver for court lighting poles to be 20' tall (over the 15' limit for this district)

To provide adequate lighting for the courts with 4 light fixtures, the poles need to be 20' tall. Two more light fixtures would be required with a 15' limit to get the same coverage – this would mean a significant increase in costs. The CORA committee completely agrees with the need to minimize light pollution and will use LED*, down-facing lights. We will ensure that the lighting is only turned on when needed, has automatic shut off after a period of 60-90 minutes, and can be prevented from being turned on after 10pm. This will be accomplished through timers and/or a token-operated system. This is preferred to motion detector activation, as these could be triggered by wildlife and activate at any hour of the night.

The light poles for the parking area illumination will be only 15' high as this will permit adequate lighting for that area. These lights will be on a regular timer so will illuminate only when needed and turn off at closing time. (Ideally, this would not be right at 10PM but perhaps 10:10PM to allow CORA users to safely get to their vehicles and leave.)

**LEDs provide unidirectional flow of light (emit light in a particular specific direction only) but incandescent and fluorescent lights emit light in all directions and have a spread of 360 degrees.*