Agenda
Board of Supervisors Meeting
Wednesday, August 5, 2020 at 7:00 PM
Madison County High School Auditorium
68 Mountaineer Lane, Madison, Virginia 22727

Call to Order, Pledge of Allegiance & Moment of Silence

Determine Presence of a Quorum / Adopt Agenda

Public Comment

Public Hearings:

A. **Case No. OA-08-20-15**: Amending the Zoning Ordinance's Floodplain Management Regulations (Article 11), specifically changes to articles I through VII. Madison County is a participant in the National Flood Insurance Program (NFIP) administered by the Virginia Department of Conservation and Recreation (DCR) with oversight from the Federal Emergency Management Agency (FEMA). Through the NFIP, federally backed flood insurance is available to homeowners, renters and businesses owners as protection against flood loss. A requirement for the County to participate in the program is adoption of appropriate ordinances and regulations related to floodplain management. In addition, FEMA has recently completed a remapping of the floodplain limits in the County. The Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed, and if/when the proposed ordinance amendments are adopted the FIS and FIRM will become effective upon adoption. Paper copies of the proposed amendments to the zoning ordinance, the FIS and the FIRMs are available for review. These documents may also be viewed digitally.

B. **Case No. SU-07-20-14**: A special use permit request by Crystallis LLC (Barbara Miller) for an event/venue use located on seven (7) parcels totaling 749.3 acres. The subject properties are zoned A1 (agriculture) and in this district event/venue uses are allowable by special use permit. The applicant has submitted a conceptual site plan showing at build-out numerous lodging areas, a welcome center & restaurant, a spa, a pavilion, an event center and several other associated buildings/structures; a project narrative estimates site build-out will contain roughly 60,000 sq. ft. of permanent and temporary structures. In addition, developed areas will include parking, roadways, hiking trails and equestrian trails and facilities. If approved, prior to the development of any area(s) or structures the applicant would be required to submit a site plan to be reviewed by County staff, receive a recommendation by the Planning Commission and approval by the Board of Supervisors. The subject parcels are identified on Madison County Tax Map's as 64-71, 64-73, 64-73A, 68-1, 68-2A, 68-2 and 69-1. An existing single-family dwelling on the on parcel 73A has a postal address of 2427 S. Blue Ridge Turnpike, Rochelle, VA.

Old Business

New Business

Information/Correspondence

Public Comment

Closed Session

Adjourn *(consider continuation of the meeting to 2:30 PM on August 11 in the Board Auditorium for discussion on the RSA matter)*

Meeting Place and Remote Access Information for the August 5, 2020 Board of Supervisors Meeting

NOTE CHANGE IN LOCATION

In order to promote a safe environment allowing for increased distancing the joint public hearing of Madison County's Planning Commission & Board of Supervisors scheduled for Wednesday, August 5th, 2020 at 7 p.m. has been moved to the auditorium at Madison County High School. The auditorium's address is 68 Mountaineer Lane, Madison, VA 22727.

In order the two (2) public hearings scheduled are for 1) proposed amendments to Madison County's floodplain ordinance & 2) Crystallis LLC's SUP for an event venue use

Notices of this venue change have been placed on all doors of the County's Administration Center located at 414 N. Main Street, Madison, VA and beginning at 6:30 p.m. on the day of the hearing a County employee will be outside of the administration center in order to direct potential attendees to MCHS's auditorium.

In addition, notice of this change will be made on Madison County's Official website at some point today.

Please forward this email to any interested parties/individuals…

Also, for those interested in live streaming this meeting via the internet, please use the following links below:

Vimeo

Primary streaming link
https://vimeo.com/event/198159

Secondary link if required due to technical problems with the primary link
https://vimeo.com/event/198164

Madison County's Official Youtube Channel:

https://www.youtube.com/channel/UC62By71sBkniEzxnfQNAdEA

Published in the Madison Eagle on Thursday, July 16th, & Thursday, July 23rd, 2020

PUBLIC NOTICE

Notice is hereby given that Madison County's Planning Commission and Board of Supervisors will hold a joint public hearing in the Madison County Administrative Center Auditorium on **Wednesday, August 5th, 2020.** The meeting will begin at **7:00 p.m.** The Planning Commission's recommendation(s) will be forwarded to the Board of Supervisors; the Board of Supervisors' meeting will begin immediately after the Planning Commission's meeting has adjourned.

Case No. OA-08-20-15: Amending the Zoning Ordinance's Floodplain Management Regulations (Article 11), specifically changes to articles I through VII. Madison County is a participant in the National Flood Insurance Program (NFIP) administered by the Virginia Department of Conservation and Recreation (DCR) with oversight from the Federal Emergency Management Agency (FEMA). Through the NFIP, federally backed flood insurance is available to homeowners, renters and businesses owners as protection against flood loss. A requirement for the County to participate in the program is adoption of appropriate ordinances and regulations related to floodplain management. In addition, FEMA has recently completed a remapping of the floodplain limits in the County. The Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed, and if/when the proposed ordinance amendments are adopted the FIS and FIRM would become effective upon adoption. Paper copies of the proposed amendments to the zoning ordinance, the FIS and the FIRMs are available for review. These documents may also be viewed digitally.

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The public is invited to attend the hearing and comment. However, due to Covid-19 comments may be submitted by email or in writing beforehand. All comments will be included in the official meeting packet. The meeting will be livestreamed online via multiple platforms. The public may go to the following website for information regarding livestream access and to view documents related to the above cases: www.madisonco.virginia.gov/meetings Copies of the ordinances and documents related to the cases are available for review in Madison County's Building & Zoning Office, 414 North Main Street, Madison, VA 22727; documents can be inspected Monday through Friday from 8:30 a.m. to 4:30 p.m. These documents can also be sent electronically by request. Comments or questions can be sent by email to lwebb@madisonco.virginia.gov, or by calling 540-948-7513.

Ligon Webb, County Planner

July 9, 2020

To: Planning Commission & Board of Supervisors

RE: Proposed Amendments to the County's Floodplain Management Ordinance (Article 11 of the County's Zoning Ordinance)

Overview - Proposed changes to the County's floodplain management ordinance are necessary in order to be compliant with (new) state and federal floodplain regulations; updates are required in order for County property owners to be able to purchase federally guaranteed/backed flood insurance policies. These changes must be completed before September 18, 2020. In Madison County it is estimated there are roughly forty (40) active federally backed floodplain insurance policies. Once adopted, the proposed amendments will have little effect (or change) regarding future development of structures in identified floodplains; structures (dwellings, farm buildings, accessory structures, etc.) may continue to be constructed in floodplains provided the building/structures meets floodplain construction standards articulated in the Virginia Uniform Statewide Building Code (USBC).

Though it varies by municipality, in Madison County the floodplain ordinance is codified in the zoning ordinance, which is not uncommon. Overall, the proposed changes/additions to the County's floodplain ordinance are relatively modest. These changes are highlighted in the **red text** on subsequent pages where the entire floodplain ordinance is copied. The specific sections being amended are as follows:

Article I (general provisions), section 1.2 (applicability)

Article I (general provisions), section 1.4 (records)

Article I (general provisions), section 1.5 (abrogation)

Article II (administration), section 2.1 (designation of floodplain administrator)

Article III (establishment of special flood hazard districts), sections 3.1 (description of special flood hazard districts), A (basis of district)

Article IV (district provisions), section 4.1 (permit and application requirements), A (permit requirement)

Article IV (district provisions), section 4.3 (elevation and construction standards), B (non-residential construction)

Glossary, A

Key Components & Terms –

NFIP (National Flood Insurance Program) - A program created by the Congress of the United States in 1968 through the National Flood Insurance Act of 1968 (P.L. 90-448). U.S. Congress has the twofold purposes of the NFIP to share the risk of flood losses through flood insurance and to reduce flood damages by restricting floodplain development. The program enables property owners in participating communities to purchase insurance protection, administered by the government, against losses from flooding, and **requires** flood insurance for all loans or lines of credit that are secured by existing buildings, manufactured homes, or buildings under construction, that are located in the Special Flood Hazard Area in a community that participates in the NFIP. U.S. Congress limits the availability of National Flood Insurance to communities that adopt adequate land use and control measures with effective enforcement provisions to reduce flood damages by restricting development in areas exposed to flooding. **(Source: Wikipedia)**

FIS (Flood Insurance Study) – A Flood Insurance Study (FIS) is a compilation and presentation of flood risk data for specific watercourses, lakes, and coastal flood hazard areas within a community. When a flood study is completed for the NFIP, the information and maps are assembled into an FIS. The FIS report contains detailed flood elevation data in flood profiles and data tables. (**Source: FEMA**)

For more information on how floodplain maps are created via a FIS follow this link:

https://pubs.usgs.gov/fs/2004/3060/

FIRM (Flood Insurance Rate Map) - Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded). (**Source: FEMA**)

Madison County's FIRMs – An essential component of the floodplain ordinance is the FIRM. This map indicates if a specific property is located in a floodplain; and construction of structures in identified floodplain areas would be required to follow floodplain construction building codes. Further, if mortgaged floodplain structures would require federally backed floodplain insurance.

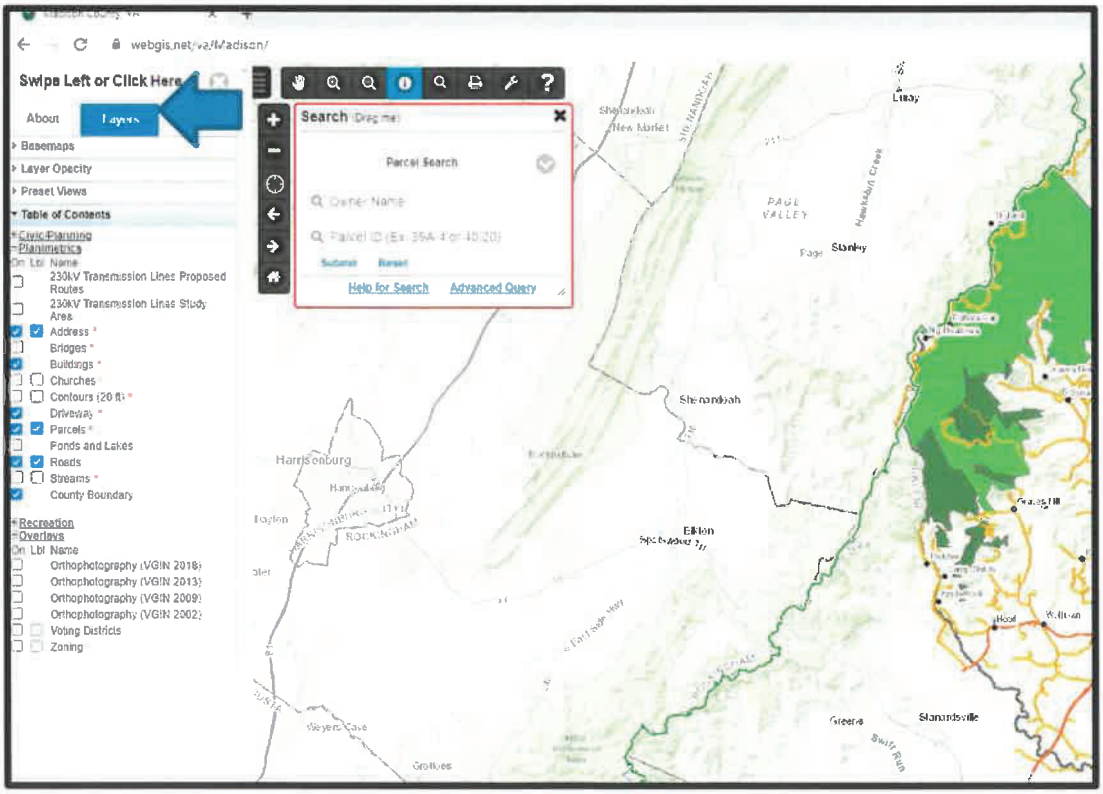
Madison's current FIRMs were established in 2007. The recent FIS was completed last year, and once the amended ordinance is adopted these new maps (and their associated boundaries) will become the County's new official FIRMs.

Generally speaking, the new Madison County FIRMs appear to expand identified floodplain areas compared to the 2007 FIRMs. It is unknown if, or how many, existing dwellings not located in a floodplain per the 2007 FIRMs are now (per the new FIRMs) located in a floodplain.

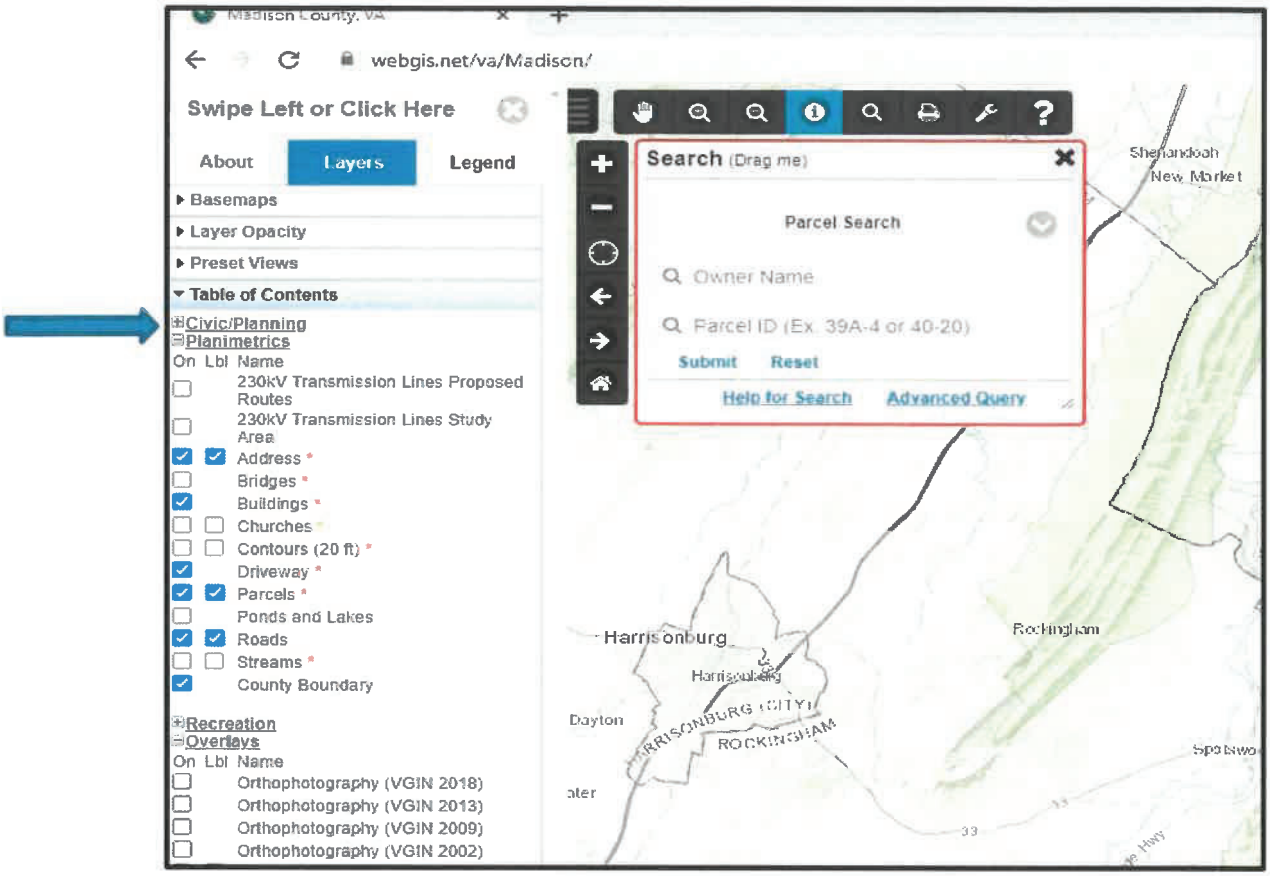
The boundaries of a FIRM may be challenged, but this is a very technically complicated process that requires an appeal to FEMA.

The Department of Building & Zoning has paper copies of all of the (2007 & 2019) FIRMs. However these maps may also be viewed online via the County's GIS website. Here is how to access these maps digitally:

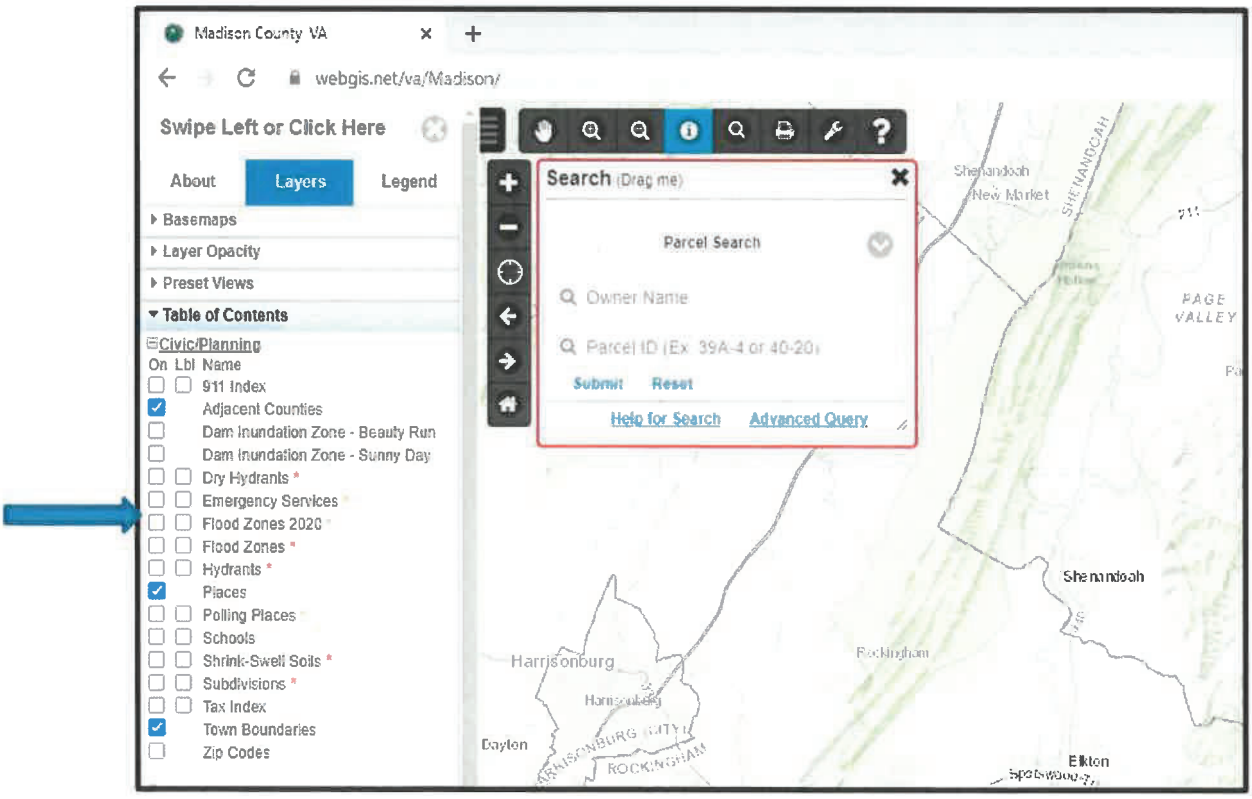
Go to the following website: https://www.webgis.net/va/Madison/



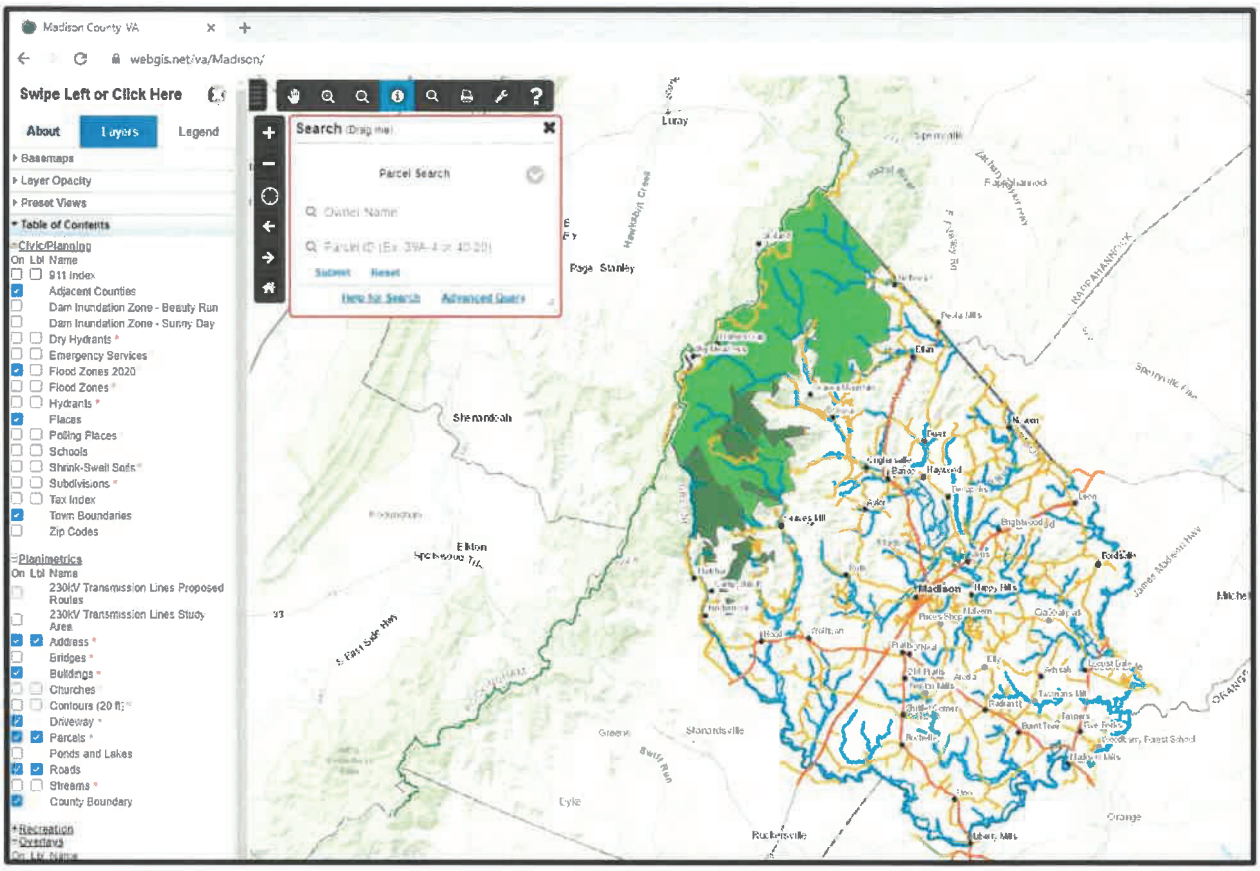
Once on Madison's GIS, click on the tab for "layers"



Move cursor over the + symbol to the left of "civic/planning" in the table of contents, and click once



Click the empty box beside "Flood Zones 2020" to see new maps; or click "Flood Zones" to see 2007 map. Clicking on both boxes will display both maps together in order to view map expansions or contractions.



The light blue lines are the mapped 2020 floodplain areas; zoom to see specific parcels and boundaries.

Summary – As noted, in order for Madison County property owners to be able to purchase federal flood insurance policies, the County is required to adopt floodplain ordinances compliant with state and federal regulations. The proposed amendments to Madison County's floodplain management ordinance - which is codified in the zoning ordinance - are mostly minor and pro forma in nature. However, an important and principal component of the floodplain ordinance is the FIRMs; these maps delineate which properties, or parts/portions of a property, are located in an identified floodplain. Structures may be built in a floodplain area, but must adhere to specific measures as required by the Virginia Uniform Statewide Building Code.

U.S. Department of Homeland Security
500 C Street, SW
Washington, DC 20472

FEMA

June 15, 2020

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

R. Clay Jackson
Chairperson, Board of Supervisors
Madison County
Post Office Box 705
Madison, Virginia 22727

Dear Mr. Jackson:

I commend you for the efforts that have been put forth in implementing the floodplain management measures for Madison County, Virginia, to participate in the National Flood Insurance Program (NFIP). As you implement these measures, I want to emphasize the following:

- Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed for your community;
- the FIS and FIRM will become effective on September 18, 2020; and
- by the FIS and FIRM effective date, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office is required to approve the legally enforceable floodplain management measures your community adopts in accordance with Title 44 Code of Federal Regulations Section 60.3(c).

As noted in FEMA's letter dated March 18, 2020, no significant changes have been made to the flood hazard data on the Preliminary and/or revised Preliminary copies of the FIRM for Madison County. Therefore, Madison County should use the Preliminary and/or revised Preliminary copies of the FIRM as the basis for adopting the required floodplain management measures. Final printed copies of the FIRM for Madison County will be sent to you within the next few months.

If you encounter difficulties in enacting the measures, I recommend you contact the Virginia Department of Conservation and Recreation, Division of Dam Safety and Floodplain Management. You may contact Kristin Owen, AICP, CFM, the Acting NFIP State Coordinator, by telephone at (804) 786-2886, in writing at 600 East Main Street, 24th Floor, Richmond, Virginia 23219, or by electronic mail at kristin.owen@dcr.virginia.gov.

The FEMA Regional staff in Philadelphia, Pennsylvania, is also available to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for Madison County and will ensure its participation in the NFIP. The Regional Office may be contacted by telephone at (215) 931-5500 or in writing. Please send your written inquiries to the Director,

Mitigation Division, FEMA Region III, at 615 Chestnut Street, One Independence Mall, Sixth Floor, Philadelphia, Pennsylvania 19106-4404.

You may have already contacted the NFIP State Coordinator and/or the FEMA Regional Office, and may be in the final adoption process or recently adopted the appropriate measures. However, in the event your community has not adopted the appropriate measures, this letter is FEMA's official notification that you only have until September 18, 2020, to adopt and/or submit a floodplain management ordinance that meets or exceeds the minimum NFIP requirements, and request approval from the FEMA Regional Office by the effective date. Your community's adopted measures will be reviewed upon receipt and the FEMA Regional Office will notify you when the measures are approved.

I appreciate your cooperation to ensure that your community's floodplain management measures are approved by the FEMA Regional Office by September 18, 2020. Your compliance with these mandatory program requirements will enable your community to avoid suspension from the NFIP.

Sincerely,

Rachel Sears, Director
Floodplain Management Division
Mitigation Directorate | FEMA

cc: MaryAnn Tierney, Regional Administrator, FEMA Region III
Kristin Owen, AICP, CFM, Acting NFIP State Coordinator, Virginia Department of Conservation and Recreation, Division of Dam Safety and Floodplain Management
Ligon Webb, Planning and Zoning Director, Madison County

Article 11

FLOODPLAIN MANAGEMENT ORDINANCE

OF

MADISON COUNTY, VIRGINIA

ORDINANCE #OA 08-20-15

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF MADISON COUNTY, VIRGINIA, TO ESTABLISH FLOODPLAIN DISTRICTS, TO REQUIRE THE ISSUANCE OF PERMITS FOR DEVELOPMENT, AND TO PROVIDE FACTORS AND CONDITIONS FOR VARIANCES.

BE IT ENACTED AND ORDAINED BY THE Board of Supervisors of Madison County, Virginia ("the County"), as follows:

ARTICLE I - GENERAL PROVISIONS

Section 1.1 Statutory Authorization and Purpose [44 CFR 59.22(a)(2)]

This ordinance is adopted pursuant to the authority granted to localities by Va. **Code** § 15.2 - 2280.

The purpose of these provisions is to prevent: the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by

A. regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies;

B. restricting or prohibiting certain uses, activities, and development from locating within districts subject to flooding;

C. requiring all those uses, activities, and developments that do occur in flood-prone districts to be protected and/or flood-proofed against flooding and flood damage; and,

D. protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

Section 1.2 - Applicability

These provisions shall apply to all privately and publicly owned lands within the jurisdiction of Madison County, and identified as areas of special flood hazard according to the flood insurance rate map (FIRM) or included in the Flood Insurance Study (FIS) that are provided to Madison County, by FEMA.

Section 1.3 - Compliance and Liability

A. No land shall hereafter be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged, or structurally altered except in full compliance with the terms and provisions of this ordinance and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this ordinance.

B. The degree of flood protection sought by the provisions of this ordinance is considered reasonable for regulatory purposes and is based on acceptable

engineering methods of study, but does not imply total flood protection. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that districts outside the floodplain district or land uses permitted within such district will be free from flooding or flood damages.

C. This ordinance shall not create liability on the part of Madison County, or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

Section 1.4 – Records [44 CFR 59.22(a)(9)(iii)]

Records of actions associated with administering this ordinance shall be kept on file and maintained by the Floodplain Administrator **in perpetuity.**

Section 1.5 - Abrogation [44 CFR 60.1(b)]

This ordinance supersedes any ordinance currently in effect in flood-prone districts. This ordinance shall take precedence over any less restrictive conflicting local laws, ordinances or codes. These regulations are not intended to repeal or abrogate any existing ordinances including subdivision regulations, zoning ordinances, or building codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall govern.

Section 1.6 - Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this ordinance. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this ordinance are hereby declared to be severable.

Section 1.7 - Penalty for Violations [44 CFR 60.2(e)]

Any person who fails to comply with any of the requirements or provisions of this Ordinance or directions of the Floodplain Administrator shall be guilty of the appropriate violation and subject to the penalties therefore.

The VA USBC addresses building code violations and the associated penalties in Section 115. Violations and associated penalties of the Zoning Ordinance of Madison County, Virginia, are addressed in Section 19.3 of the Zoning Ordinance.

In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations within a reasonable time. Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared by Madison County, to be a public nuisance and abatable as such. Flood insurance may be withheld from structures constructed in violation of this article.

ARTICLE II - ADMINISTRATION

Section 2.1 - Designation of the Floodplain Administrator [44 CFR 59.22(b)]

The Madison County Zoning Administrator is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may:

A. Do the work themselves. In the absence of a designated Floodplain Administrator, the duties are conducted by the Madison County chief executive officer.

B. Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees.

C. Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

Section 2.2 - Duties and Responsibilities of the Floodplain Administrator [44 CFR 60.3]

The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

(A) Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area (SFHA).

(B) Interpret floodplain boundaries and provide available base flood elevation and flood hazard information.

(C) Review applications to determine whether proposed activities will be reasonably safe from flooding and require new construction and substantial improvements to meet the requirements of these regulations.

(D) Review applications to determine whether all necessary permits have been obtained from the Federal, State or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the 100-year frequency floodplain of free-flowing non-tidal waters of the State.

(E) Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies (VADEQ, USACE) and have submitted copies of such notifications to FEMA.

(F) Approve applications and issue permits to develop in flood hazard areas if the provisions of these regulations have been met, or disapprove applications if the provisions of these regulations have not been met.

(G) Inspect or cause to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with these regulations or to determine if non-compliance has occurred or violations have been committed.

(H) Review Elevation Certificates and require incomplete or deficient certificates to be corrected.

(I) Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for the County, within six months after such data and information becomes available if the analyses indicate changes in base flood elevations.

(J) Maintain and permanently keep records that are necessary for the administration of these regulations, including:

(1) Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps) and Letters of Map Change; and

(2) Documentation supporting issuance and denial of permits, Elevation Certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been floodproofed, other required design certifications, variances, and records of enforcement actions taken to correct violations of these regulations.

(K) Enforce the provisions of these regulations, investigate violations, issue notices of violations or stop work orders, and require permit holders to take corrective action.

(L) Advise the Board of Zoning Appeals regarding the intent of these regulations and, for each application for a variance and prepare a staff report.

(M) Administer the requirements related to proposed work on existing buildings:

1) Make determinations as to whether buildings and structures that are located in flood hazard areas and that are damaged by any cause have been substantially damaged.
(2) Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct, and prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.

(N) Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with substantial damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in special flood hazard areas; and assisting property owners with documentation necessary to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.

(O) Notify the Federal Emergency Management Agency when the corporate boundaries of the County have been modified and:

(1) Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and

(2) If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

(P) Upon the request of FEMA, complete and submit a report concerning participation in the NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for development in the SFHA, and number of variances issued for development in the SFHA.

(Q) It is the duty of the Floodplain Administrator to take into account flood, mudslide and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of the Community, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).

(R) Jurisdiction for this ordinance is the County of Madison. Any change in the boundary for the County of Madison would require action that is not governed by this ordinance. Furthermore, any change in the boundary of Madison County is extremely unlikely to occur.

Section 2.3 - Use and Interpretation of FIRMs [44 CFR 60.3]

The Floodplain Administrator shall make interpretations, where needed, as to the exact location of special flood hazard areas, floodplain boundaries, and floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:

(A) Where field surveyed topography indicates that adjacent ground elevations:

(1) Are below the base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as special flood hazard area and subject to the requirements of these regulations;

(2) Are above the base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the SFHA.

(B) In FEMA-identified special flood hazard areas where base flood elevation and floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a Federal, State, or other source shall be reviewed and reasonably used.

(C) Base flood elevations and designated floodway boundaries on FIRMs and in FISs shall take precedence over base flood elevations and floodway boundaries by any other sources if such sources show reduced floodway widths and/or lower base flood elevations.

(D) Other sources of data shall be reasonably used if such sources show increased base flood elevations and/or larger floodway areas than are shown on FIRMs and in FISs.

(E) If a Preliminary Flood Insurance Rate Map and/or a Preliminary Flood Insurance Study has been provided by FEMA:

(1) Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these regulations.

(2) Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to Section 3.1.A.3. and used where no base flood elevations and/or floodway areas are provided on the effective FIRM.

(3) Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary base flood elevations or floodway areas exceed the base flood elevations and/or designated floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.

Section 2.4 - Jurisdictional Boundary Changes [44 CFR 59.22, 65.3]

The County floodplain ordinance in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements for participation in the National Flood Insurance Program. Municipalities with existing floodplain ordinances shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards prior to annexation of any area containing identified flood hazards. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22 (a) (9) (v) all NFIP participating communities must notify the Federal Emergency Management Agency and optionally the Virginia Department of Conservation and Recreation – Division of Dam Safety and Floodplain Management in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.

In order that all Flood Insurance Rate Maps accurately represent the community's boundaries, a copy of a map of the community suitable for reproduction, clearly delineating the new corporate

limits or new area for which the community has assumed or relinquished floodplain management regulatory authority must be included with the notification.

Section 2.5 - District Boundary Changes

Jurisdiction for this ordinance is the County of Madison. Any change in the boundary for the County of Madison would require action that is not governed by this ordinance. Furthermore, any change in the boundary of Madison County is extremely unlikely to occur.

Section 2.6 - Interpretation of District Boundaries

Initial interpretations of the boundaries of the Floodplain Districts shall be made by the Floodplain Administrator. Should a dispute arise concerning the boundaries of any of the Districts, the Board of Zoning Appeals shall make the necessary determination. The person questioning or contesting the location of the District boundary shall be given a reasonable opportunity to present his case to the Board and to submit his own technical evidence if he so desires.

Section 2.7 Submitting Technical Data [44 CFR 65.3]

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Emergency Management Agency of the changes by submitting technical or scientific data. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.

Section 2.8 Letters of Map Revision

When development in the floodplain will cause or causes a change in the base flood elevation, the applicant, including state agencies, must notify FEMA by applying for a Conditional Letter of Map Revision and then a Letter of Map Revision.

Example cases:

- Any development that causes a rise in the base flood elevations within the floodway.
- Any development occurring in Zones A and AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation.
- Alteration or relocation of a stream (including but not limited to installing culverts and bridges) *44 Code of Federal Regulations §65.3 and §65.6(a)(12)*

ARTICLE III - ESTABLISHMENT OF SPECIAL FLOOD HAZARD DISTRICTS

Section 3.1 - Description of Special Flood Hazard Districts (SFHA) [44 CFR 59.1, 60.3]

A. Basis of Districts

The various special flood hazard districts shall include the SFHAs. The basis for the delineation of these districts shall be the FIS and the FIRM for Madison County, prepared by the Federal Emergency Management Agency, dated September 18, 2020, and any subsequent revisions or amendments thereto.

The County may identify and regulate local flood hazard or ponding areas that are not delineated on the FIRM. These areas may be delineated on a "Local Flood Hazard Map" using best

available topographic data and locally derived information such as flood of record, historic high water marks or approximate study methodologies.

The boundaries of the SFHA Districts are established as shown on the FIRM which is declared to be a part of this ordinance and which shall be kept on file at the office of the Floodplain Administrator.

1. The **Floodway District** is in an **AE Zone** and is delineated, for purposes of this ordinance, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the one percent annual chance flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The areas included in this District are specifically defined the above-referenced FIS and shown on the accompanying FIRM.

   The following provisions shall apply within the Floodway District of an AE zone [44 CFR 60.3(d)]:

   a. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently-accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Floodplain Administrator.

   Development activities which increase the water surface elevation of the base flood may be allowed, provided that the applicant first applies with the endorsement of the County for a Conditional Letter of Map Revision (CLOMR), and receives the approval of the Federal Emergency Management Agency.

   If Article III Section 3.1 A 1 a is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 4.

   b. The placement of manufactured homes (mobile homes) is prohibited, except in an existing manufactured home (mobile home) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring, elevation, and encroachment standards are met.

2. The **AE** on the FIRM accompanying the FIS shall be those areas for which one-percent annual chance flood elevations have been provided and the floodway has **not** been delineated. The following provisions shall apply within an AE zone [44 CFR 60.3(c)]*:

   Until a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within the areas of special flood hazard, designated as AE on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within Madison County.

   Development activities in AE, on the FIRM which increase the water surface elevation of the base flood by more than one foot may be allowed, provided that the applicant first applies – with the endorsement of Madison County for a Conditional Letter of Map Revision, and receives the approval of the Federal Emergency Management Agency.

* The requirement in 63.3(c)(10) only applies along rivers, streams, and other watercourses where FEMA has provided base flood elevations. The requirement does not apply along lakes, bays and estuaries, and the ocean coast.

3. The **A Zone** on the FIRM accompanying the FIS shall be those areas for which no detailed flood profiles or elevations are provided, but the one percent annual chance floodplain boundary has been approximated. For these areas, the following provisions shall apply [44 CFR 60.3(b)]:

   The Approximated Floodplain District shall be that floodplain area for which no detailed flood profiles or elevations are provided, but where a one hundred (100)-year floodplain boundary has been approximated. Such areas are shown as Zone A on the maps accompanying the FIS. For these areas, the base flood elevations and floodway information from federal, state, and other acceptable sources shall be used, when available. Where the specific one percent annual chance flood elevation cannot be determined for this area using other sources of data, such as the U. S. Army Corps of Engineers Floodplain Information Reports, U. S. Geological Survey Flood-Prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this base flood elevation. For development proposed in the approximate floodplain the applicant must use technical methods that correctly reflect currently accepted non-detailed technical concepts, such as point on boundary, high water marks, or detailed methodologies hydrologic and hydraulic analyses. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Floodplain Administrator.

   The Floodplain Administrator reserves the right to require a hydrologic and hydraulic analysis for any development. When such base flood elevation data is utilized, the lowest floor shall be elevated to no less than one (1) foot above the base flood level.

   During the permitting process, the Floodplain Administrator shall obtain:

   1) The elevation of the lowest floor (including the basement) of all new and substantially improved structures; and,

   2) if the structure has been flood-proofed in accordance with the requirements of this article, the elevation (in relation to mean sea level) to which the structure has been flood-proofed.

   Base flood elevation data shall be obtained from other sources or developed using detailed methodologies comparable to those contained in a FIS for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.

Section 3.2 - Overlay Concept

The Floodplain Districts described above shall be overlays to the existing underlying districts as shown on the Madison County Zoning Ordinance Map, and as such, the provisions for the floodplain districts shall serve as a supplement to the underlying district provisions.

If there is any conflict between the provisions or requirements of the Floodplain Districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.

In the event any provision concerning a Floodplain District is declared inapplicable as a result of any legislative or administrative actions or judicial decision, the basic underlying provisions shall remain applicable.

ARTICLE IV - DISTRICT PROVISIONS [44 CFR 59.22, 60.2, 60.3]

Section 4.1 Permit and Application Requirements

A. Permit Requirement

All uses, activities, and development occurring within any floodplain district, including placement of manufactured homes, shall be undertaken only upon the issuance of a Flood Zone Development Permit. Such development shall be undertaken only in strict compliance with the provisions of this Ordinance and with all other applicable codes and ordinances, as amended, such as the Virginia Uniform Statewide Building Code (VA USBC) and Madison County Subdivision Regulations. Prior to the issuance of any such permit, the Floodplain Administrator shall require all applications to include compliance with all applicable state and federal laws and shall review all sites to assure they are reasonably safe from flooding. Under no circumstances shall any use, activity, and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility or system.

B. Permit Applications

All applications for development within any floodplain district and all building permits issued for the floodplain shall incorporate the following information:

1. The elevation of the Base Flood at the site.

2. The elevation of the lowest floor (including basement).

3. For structures to be flood-proofed (non-residential only), the elevation to which the structure will be flood-proofed.

4. Topographic information showing existing and proposed ground elevations.

Section 4.2 - General Standards

The following provisions shall apply to all permits:

A. New construction and substantial improvements shall be according to Section 3.1 of this ordinance and the VA USBC, and anchored to prevent flotation, collapse or lateral movement of the structure.

B. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state anchoring requirements for resisting wind forces.

C. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

D. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

E. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

F. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

G. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

H. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

In addition to provisions A ~~H~~ above, in all special flood hazard areas, the additional provisions shall apply:

I. Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U. S. Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these organizations). Furthermore, in riverine areas, notification of the proposal shall be given by the applicant to all affected adjacent jurisdictions, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), other required agencies, and the Federal Emergency Management Agency.

J. The flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

Section 4.3 - Elevation and Construction Standards [44 CFR 60.3]

In all identified flood hazard areas where base flood elevations have been provided in the FIS or generated by a certified professional in accordance with Section 3.1 A 3, the following provisions shall apply:

A. Residential Construction

New construction or substantial improvement of any residential structure (including manufactured homes) in Zones A and AE with detailed base flood elevations shall have the lowest floor, including basement, elevated to no less than one (1) foot above the base flood level.

B. Non-Residential Construction

New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no less than one (1) foot above the base flood level. Buildings located in all A and AE zones may be flood-proofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the BFE plus one foot are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification, including the specific elevation (in relation to mean sea level) to which such structures are floodproofed, shall be maintained by the Floodplain Administrator.

C. Space Below the Lowest Floor

In zones A and AE, fully enclosed areas, of new construction or substantially improved structures, which are below the regulatory flood protection elevation shall:

1. not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).

2. be constructed entirely of flood resistant materials below the regulatory flood protection elevation;

3. include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:

    a. Provide a minimum of two openings on different sides of each enclosed area subject to flooding.

b. The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.

c. If a building has more than one enclosed area, each area must have openings to allow floodwaters to automatically enter and exit.

d. The bottom of all required openings shall be no higher than one (1) foot above the adjacent grade.

e. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.

f. Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

D. Standards for Manufactured Homes and Recreational Vehicles

1. All manufactured homes placed, or substantially improved, on individual lots or parcels, must meet all the requirements for new construction, including the elevation and anchoring requirements in Article 4, section 4.2 and section 4.3.

2. All recreational vehicles placed on sites must either

a. be on the site for fewer than 180 consecutive days, be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or

b. meet all the requirements for manufactured homes in Article 4.3(D)(1).

Section 4.4 - Standards for Subdivision Proposals

A. All subdivision proposals shall be consistent with the need to minimize flood damage;

B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and

D. Base flood elevation data shall be obtained from other sources or developed using detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in a Flood Insurance Study for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.

ARTICLE V – EXISTING STRUCTURES IN FLOODPLAIN AREAS

A structure or use of a structure or premises which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following conditions:

A. Existing structures in the Floodway Area shall not be expanded or enlarged unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed expansion would not result in any increase in the base flood elevation.

B. Any modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use located in any floodplain areas to an extent or amount of less than fifty (50) percent of its market value shall conform to the VA USBC and the appropriate provisions of this ordinance.

C. The modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use, regardless of its location in a floodplain area to an extent or amount of fifty (50) percent or more of its market value shall be undertaken only in full compliance with this ordinance and shall require the entire structure to conform to the VA USBC.

ARTICLE VI - VARIANCES: FACTORS TO BE CONSIDERED [44 CFR 60.6]

Variances shall be issued only upon (i) a showing of good and sufficient cause, (ii) after the Board of Zoning Appeals has determined that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) after the Board of Zoning Appeals has determined that the granting of such variance will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.

Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

In passing upon applications for variances, the Board of Zoning Appeals shall satisfy all relevant factors and procedures specified in other sections of the zoning ordinance and consider the following additional factors:

A. The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development, or activity within any Floodway District that will cause any increase in the one hundred (100)-year flood elevation.

B. The danger that materials may be swept on to other lands or downstream to the injury of others.

C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.

D. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.

E. The importance of the services provided by the proposed facility to the community.

F. The requirements of the facility for a waterfront location.

G. The availability of alternative locations not subject to flooding for the proposed use.

H. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.

I. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.

J. The safety of access by ordinary and emergency vehicles to the property in time of flood.

K. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.

L. The historic nature of a structure. Variances for repair or rehabilitation of historic structures may be granted upon a determination that the proposed repair or rehabilitation will not preclude the structure's

continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

M. Such other factors which are relevant to the purposes of this ordinance.

The Board of Zoning Appeals may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.

Variances shall be issued only after the Board of Zoning Appeals has determined that the granting of such will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.

Variances shall be issued only after the Board of Zoning Appeals has determined that the variance will be the minimum required to provide relief.

The Board of Zoning Appeals shall notify the applicant for a variance, in writing that the issuance of a variance to construct a structure below the one hundred (100)-year flood elevation (a) increases the risks to life and property and (b) will result in increased premium rates for flood insurance.

A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances. Any variances that are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.

GLOSSARY [44 CFR 59.1]

A. Appurtenant or accessory structure means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

B. Base flood - The flood having a one percent chance of being equaled or exceeded in any given year.

C. Base flood elevation - The water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. The water surface elevation of the base flood in relation to the datum specified on the community's Flood Insurance Rate Map. For the purposes of this ordinance, the base flood is the 1% annual chance flood.

D. Basement - Any area of the building having its floor sub-grade (below ground level) on all sides.

E. Board of Zoning Appeals - The board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance.

F. Development - Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

G. Elevated building - A non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, or columns (posts and piers).

H. Encroachment - The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

I. Existing construction - structures for which the "start of construction" commenced before the effective date of the FIRM or before April 3, 1989 for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

J. Flood or flooding -

1. A general or temporary condition of partial or complete inundation of normally dry land areas from
   a. the overflow of inland or tidal waters; or,
   b. the unusual and rapid accumulation or runoff of surface waters from any source.
   c. mudflows which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph 1 (a) of this definition.

K. Flood Insurance Rate Map (FIRM) - an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

L. Flood Insurance Study (FIS) ~~a~~ report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.

M. Floodplain or flood-prone area - Any land area susceptible to being inundated by water from any source.

N. Flood proofing - any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

O. Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

P. Freeboard - A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed. When a freeboard is included in the height of a structure, the flood insurance premiums may be less expensive.

Q. Highest adjacent grade - the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

R. Historic structure - Any structure that is

1. listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

3. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,

4. individually listed on a local inventory of historic places in communities with historic preservation

programs that have been certified either

a. by an approved state program as determined by the Secretary of the Interior; or,

b. directly by the Secretary of the Interior in states without approved programs.

S. Hydrologic and Hydraulic Engineering Analysis Analyses performed by a *licensed* professional engineer, in accordance with standard engineering practices that are accepted by the Virginia Department of Conservation and Recreation and FEMA, used to determine the *base flood*, other frequency floods, *flood* elevations, *floodway* information and boundaries, and *flood* profiles.

T. Letters of Map Change (LOMC) - A Letter of Map Change is an official FEMA determination, by letter, that amends or revises an effective *Flood Insurance Rate Map* or *Flood Insurance Study*. Letters of Map Change include:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated *special flood hazard area*. A LOMA amends the current effective *Flood Insurance Rate Map* and establishes that a Land as defined by meets and bounds or *structure* is not located in a *special flood hazard area*.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to *flood zones*, *flood* elevations, *floodplain* and *floodway* delineations, and planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a *structure* or parcel of land has been elevated by fill above the *base flood elevation* and is, therefore, no longer exposed to *flooding* associated with the *base flood*. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the *community*'s floodplain management regulations.

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed *flood* protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of *special flood hazard areas*. A CLOMR does not revise the effective *Flood Insurance Rate Map* or *Flood Insurance Study*.

U. Lowest adjacent grade - the lowest natural elevation of the ground surface next to the walls of a structure.

V. Lowest floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.

W. Manufactured home - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days, but does not include a recreational vehicle.

X. New construction - For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after April 3, 1989, whichever is later], and includes any subsequent improvements to such structures. For floodplain management purposes, *new construction* means structures for which the *start of construction* commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Y. Post-FIRM structures - A structure for which construction or substantial improvement occurred on or after April 3, 1989.

Z. Pre-FIRM structures - A structure for which construction or substantial improvement occurred on or before April 3, 1989.

AA. Recreational vehicle - A vehicle which is

1. built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. designed to be self-propelled or permanently towable by a light duty truck; and,
4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

BB. Repetitive Loss Structure – A building covered by a contract for flood insurance that has incurred flood-related damages on two occasions, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.

CC. Severe repetitive loss structure - a structure that: (a) Is covered under a contract for flood insurance made available under the NFIP; and (b) Has incurred flood related damage – (i) For which 4 or more separate claims payments have been made under flood insurance coverage with the amount of each such claim exceeding $5,000, and with the cumulative amount of such claims payments exceeding $20,000; or (ii) For which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.

DD. Shallow flooding area A special flood hazard area with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

EE. Special flood hazard area - The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Article 3, Section 3.1 of this ordinance.

FF. Start of construction - For other than new construction and substantial improvement, under the Coastal Barriers Resource Act (P.L. 97-348), means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

GG. Structure - for floodplain management purposes, a walled and roofed building or a manufactured home.

HH. Substantial damage - Damage of any origin sustained by a structure whereby the cost of restoring the

structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

II. Substantial improvement - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the *start of construction* of the improvement. This term includes structures which have incurred *repetitive loss* or *substantial damage* regardless of the actual repair work performed. The term does not, however, include either:

1. any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or

2. any alteration of a *historic structure*, provided that the alteration will not preclude the structure's continued designation as a *historic structure*.

3. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

JJ. Violation - the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 3.7 B11, Section 4.3 B, Section 4.4 A, Section 4.5, and section 4.8 is presumed to be in violation until such time as that documentation is provided.

KK. Watercourse - A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

ARTICLE VII – ENACTMENT

ENACTED AND ORDAINED THIS 5th Day of August, 2020. This ordinance shall become effective upon passage.

Madison County Board of Supervisors

By: _____
R. Clay Jackson, Chair

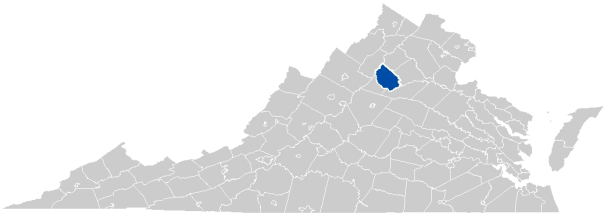
	Aye	Nay	Abstain-Absent
R. Clay Jackson	___	___	___
Charlotte Hoffman	___	___	___
Amber Foster	___	___	___
Kevin Mc Ghee	___	___	___
Carlton Yowell	___	___	___

1. Statutory Authorization and Purpose (44 CFR 59.22(a)(2))

2. Va. Code Section 15.2 2280 Al1ows to be a part of the Madison County Zoning Ordinance

FLOOD INSURANCE STUDY

FEDERAL EMERGENCY MANAGEMENT AGENCY



MADISON COUNTY, VIRGINIA

AND INCORPORATED AREAS

COMMUNITY NAME	COMMUNITY NUMBER
MADISON COUNTY, UNINCORPORATED AREAS	510094
MADISON, TOWN OF *	510031

*No Special Flood Hazard Areas identified

FEMA

REVISED:

SEPTEMBER 18, 2020

FLOOD INSURANCE STUDY NUMBER
51113CV000B

Version Number 2.4.3.5

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Exhibits

Flood Profiles	Panel
Hughes River	01-03 P
Rose River	03-07 P
Robinson River Lower Reach	08 P
Robinson River Upper Reach	09-15 P

Published Separately

Flood Insurance Rate Map (FIRM)

FLOOD INSURANCE STUDY REPORT
MADISON COUNTY, VIRGINIA AND INCORPORATED AREAS

SECTION 1.0 – INTRODUCTION

1.1 The National Flood Insurance Program

The National Flood Insurance Program (NFIP) is a voluntary Federal program that enables property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods.

For decades, the national response to flood disasters was generally limited to constructing flood-control works such as dams, levees, sea-walls, and the like, and providing disaster relief to flood victims. This approach did not reduce losses nor did it discourage unwise development. In some instances, it may have actually encouraged additional development. To compound the problem, the public generally could not buy flood coverage from insurance companies, and building techniques to reduce flood damage were often overlooked.

In the face of mounting flood losses and escalating costs of disaster relief to the general taxpayers, the U.S. Congress created the NFIP. The intent was to reduce future flood damage through community floodplain management ordinances, and provide protection for property owners against potential losses through an insurance mechanism that requires a premium to be paid for the protection.

The U.S. Congress established the NFIP on August 1, 1968, with the passage of the National Flood Insurance Act of 1968. The NFIP was broadened and modified with the passage of the Flood Disaster Protection Act of 1973 and other legislative measures. It was further modified by the National Flood Insurance Reform Act of 1994 and the Flood Insurance Reform Act of 2004. The NFIP is administered by the Federal Emergency Management Agency (FEMA), which is a component of the Department of Homeland Security (DHS).

Participation in the NFIP is based on an agreement between local communities and the Federal Government. If a community adopts and enforces floodplain management regulations to reduce future flood risks to new construction and substantially improved structures in Special Flood Hazard Areas (SFHAs), the Federal Government will make flood insurance available within the community as a financial protection against flood losses. The community's floodplain management regulations must meet or exceed criteria established in accordance with Title 44 Code of Federal Regulations (CFR) Part 60, *Criteria for Land Management and Use*.

SFHAs are delineated on the community's Flood Insurance Rate Maps (FIRMs). Under the NFIP, buildings that were built before the flood hazard was identified on the community's FIRMs are generally referred to as "Pre-FIRM" buildings. When the NFIP was created, the U.S. Congress recognized that insurance for Pre-FIRM buildings would be prohibitively expensive if the premiums were not subsidized by the Federal

Government. Congress also recognized that most of these floodprone buildings were built by individuals who did not have sufficient knowledge of the flood hazard to make informed decisions. The NFIP requires that full actuarial rates reflecting the complete flood risk be charged on all buildings constructed or substantially improved on or after the effective date of the initial FIRM for the community or after December 31, 1974, whichever is later. These buildings are generally referred to as “Post-FIRM” buildings.

1.2 Purpose of this Flood Insurance Study Report

This Flood Insurance Study (FIS) Report updates information on the existence and severity of flood hazards for the study area. The studies described in this report developed flood hazard data that will be used to establish actuarial flood insurance rates and to assist communities in efforts to implement sound floodplain management.

In some states or communities, floodplain management criteria or regulations may exist that are more restrictive than the minimum Federal requirements. Contact your State NFIP Coordinator to ensure that any higher State standards are included in the community’s regulations.

1.3 Jurisdictions Included in the Flood Insurance Study Project

This FIS Report covers the entire geographic area of Madison County, Virginia.

The jurisdictions that are included in this project area, along with the Community Identification Number (CID) for each community and the United States Geological Survey (USGS) 8-digit Hydrologic Unit Code (HUC-8) sub-basins affecting each, are shown in Table 1. The FIRM panel numbers that affect each community are listed. If the flood hazard data for the community is not included in this FIS Report, the location of that data is identified.

The location of flood hazard data for participating communities in multiple jurisdictions is also indicated in the table.

Jurisdictions that have no identified SFHAs as of the effective date of this study are indicated in the table. Changed conditions in these communities (such as urbanization or annexation) or the availability of new scientific or technical data about flood hazards could make it necessary to determine SFHAs in these jurisdictions in the future.

Table 1: Listing of NFIP Jurisdictions

Community	CID	HUC-8 Sub-Basin(s)	Located on FIRM Panels	If Not Included, Location of Flood Hazard Data
Madison County, Unincorporated Areas	510094	02080103	51113C0025D [2] 51113C0050D 51113C0055D 51113C0060D 51113C0065D 51113C0070D 51113C0090D 51113C0125D 51113C0130D 51113C0135D 51113C0140D 51113C0145D 51113C0175D 51113C0200D 51113C0210D 51113C0235D 51113C0250D 51113C0275D 51113C0280D 51113C0290D 51113C0307D 51113C0330D	
Madison, Town of [1]	510031	02080103	51113C0145D 51113C0235D	

[1] No Special Flood Hazard Areas Identified

[2] Panel not printed

1.4 Considerations for using this Flood Insurance Study Report

The NFIP encourages State and local governments to implement sound floodplain management programs. To assist in this endeavor, each FIS Report provides floodplain data, which may include a combination of the following: 10-, 4-, 2-, 1-, and 0.2-percent annual chance flood elevations (the 1% annual chance flood elevation is also referred to as the Base Flood Elevation (BFE)); delineations of the 1% annual chance and 0.2% annual chance floodplains; and 1% annual chance floodway. This information is presented on the FIRM and/or in many components of the FIS Report, including Flood Profiles, Floodway Data tables, Summary of Non-Coastal Stillwater Elevations tables, and Coastal Transect Parameters tables (not all components may be provided for a specific FIS).

This section presents important considerations for using the information contained in this FIS Report and the FIRM, including changes in format and content. Figures 1, 2, and 3 present information that applies to using the FIRM with the FIS Report.

- Part or all of this FIS Report may be revised and republished at any time. In addition, part of this FIS Report may be revised by a Letter of Map Revision (LOMR), which does not involve republication or redistribution of the FIS Report.

Refer to Section 6.5 of this FIS Report for information about the process to revise the FIS Report and/or FIRM.

It is, therefore, the responsibility of the user to consult with community officials by contacting the community repository to obtain the most current FIS Report components. Communities participating in the NFIP have established repositories of flood hazard data for floodplain management and flood insurance purposes. Community map repository addresses are provided in Table 31, "Map Repositories," within this FIS Report.

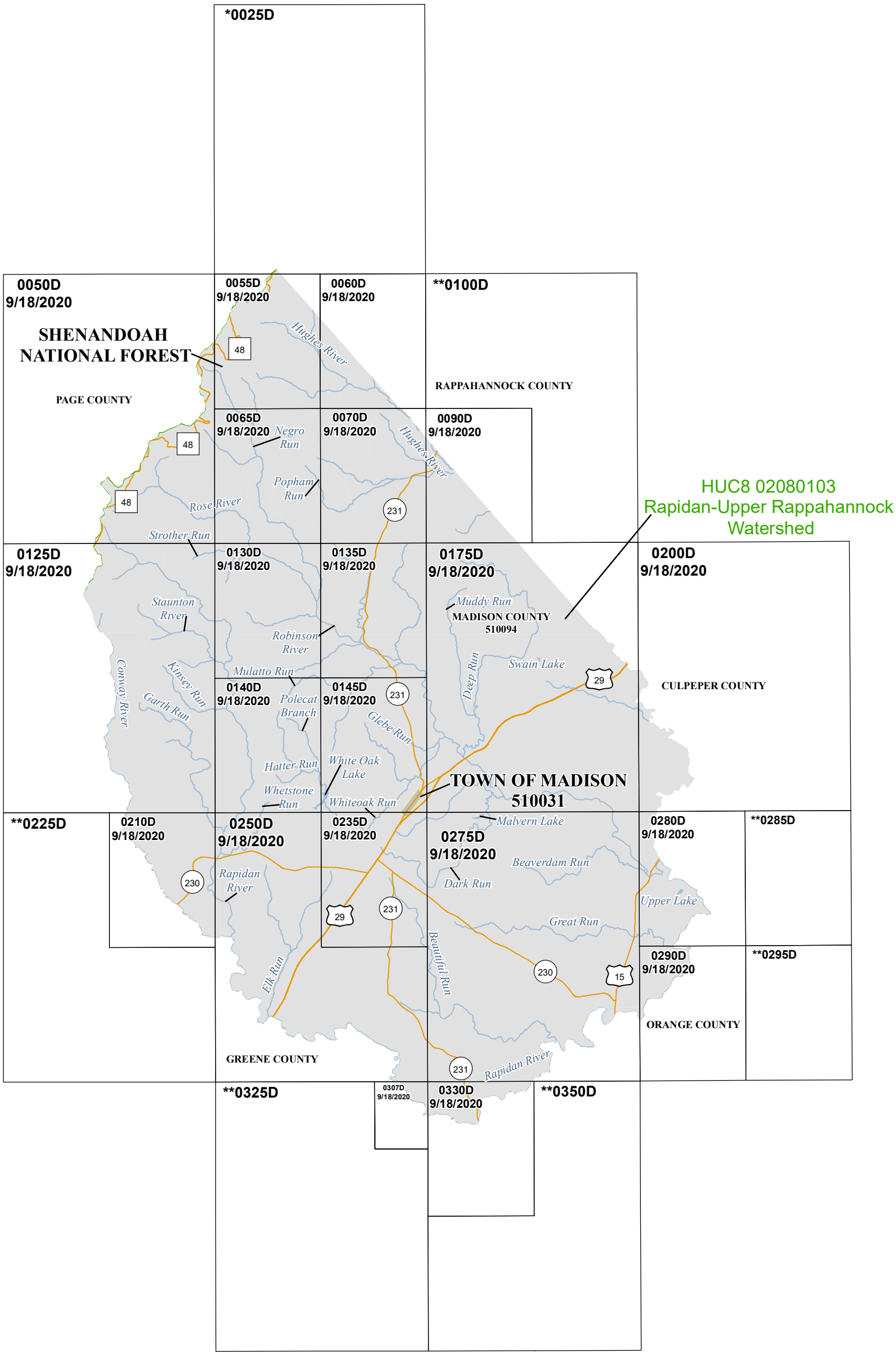
- New FIS Reports are frequently developed for multiple communities, such as entire counties. A countywide FIS Report incorporates previous FIS Reports for individual communities and the unincorporated area of the county (if not jurisdictional) into a single document and supersedes those documents for the purposes of the NFIP.

  The initial Countywide FIS Report for Madison County became effective on January 5, 2007. Refer to Table 28 for information about subsequent revisions to the FIRMs.

- FEMA has developed a *Guide to Flood Maps* (FEMA 258) and online tutorials to assist users in accessing the information contained on the FIRM. These include how to read panels and step-by-step instructions to obtain specific information. To obtain this guide and other assistance in using the FIRM, visit the FEMA Web site at https://www.fema.gov/online-tutorials.

The FIRM Index in Figure 1 shows the overall FIRM panel layout within Madison County, and also displays the panel number and effective date for each FIRM panel in the county.

Figure 1: FIRM Index



ATTENTION: The corporate limits shown on this FIRM Index are based on the best information available at the time of publication. As such, they may be more current than those shown on FIRM panels issued before September 18, 2020.

N

1 inch = 18,333 feet 1:220,000

0 5,000 10,000 20,000 30,000 40,000 feet

Map Projection:
State Plane Virginia North FIPS 4501;
North American Datum 1983

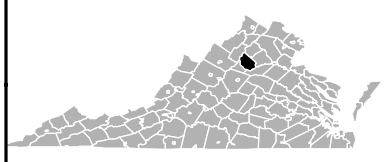
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT

HTTPS://MSC.FEMA.GOV

SEE FLOOD INSURANCE STUDY FOR ADDITIONAL INFORMATION

* PANEL NOT PRINTED - NO SPECIAL FLOOD HAZARD AREAS
** PANEL NOT PRINTED - AREA OUTSIDE COUNTY BOUNDARY

COUNTY LOCATOR



NATIONAL FLOOD INSURANCE PROGRAM

FLOOD INSURANCE RATE MAP INDEX

MADISON COUNTY, VIRGINIA and Incorporated Areas

PANELS PRINTED:

0050, 0055, 0060, 0065, 0070, 0090, 0125, 0130, 0135, 0140, 0145, 0175, 0200, 0210, 0235, 0250, 0275, 0280, 0290, 0307, 0330

FEMA

MAP NUMBER
51113CIND0B

MAP REVISED
SEPTEMBER 18, 2020

Each FIRM panel may contain specific notes to the user that provide additional information regarding the flood hazard data shown on that map. However, the FIRM panel does not contain enough space to show all the notes that may be relevant in helping to better understand the information on the panel. Figure 2 contains the full list of these notes.

Figure 2: FIRM Notes to Users

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products, or the National Flood Insurance Program in general, please call the FEMA Mapping and Insurance eXchange at 1-877-FEMA-MAP (1- 877-336-2627) or visit the FEMA Flood Map Service Center website at https://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Flood Map Service Center website or by calling the FEMA Mapping and Insurance eXchange.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Flood Map Service Center at the number listed above.

For community and countywide map dates, refer to Table 28 in this FIS Report.

To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

PRELIMINARY FIS REPORT: FEMA maintains information about map features, such as street locations and names, in or near designated flood hazard areas. Requests to revise information in or near designated flood hazard areas may be provided to FEMA during the community review period, at the final Consultation Coordination Officer's meeting, or during the statutory 90-day appeal period. Approved requests for changes will be shown on the final printed FIRM.

The map is for use in administering the NFIP. It may not identify all areas subject to flooding, particularly from local drainage sources of small size. Consult the community map repository to find updated or additional flood hazard information.

BASE FLOOD ELEVATIONS: For more detailed information in areas where Base Flood Elevations (BFEs) and/or floodways have been determined, consult the Flood Profiles and Floodway Data and/or Summary of Non-Coastal Stillwater Elevations tables within this FIS Report. Use the flood elevation data within the FIS Report in conjunction with the FIRM for construction and/or floodplain management.

FLOODWAY INFORMATION: Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the FIS Report for this jurisdiction.

Figure 2. FIRM Notes to Users *(continued)*

FLOOD CONTROL STRUCTURE INFORMATION: Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 4.3 "Non-Levee Flood Protection Measures" of this FIS Report for information on flood control structures for this jurisdiction.

PROJECTION INFORMATION: The projection used in the preparation of the map was State Plane Virginia North FIPS 4501. The horizontal datum was the North American Datum of 1983 (NAD83), GRS1980 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of the FIRM.

ELEVATION DATUM: Flood elevations on the FIRM are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at https://www.ngs.noaa.gov.

Local vertical monuments may have been used to create the map. To obtain current monument information, please contact the appropriate local community listed in Table 31 of this FIS Report.

BASE MAP INFORMATION: Base map information shown on the FIRM was derived from USDA Aerial Photography Field Office Imagery, dated 2016, and digital data provided by Virginia Geographic Information Network (VGIN), dated 2017. For more information about the base maps, refer to section 6.2 “Base Map” in this FIS Report.

The map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables may reflect stream channel distances that differ from what is shown on the map.

Corporate limits shown on the map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after the map was published, map users should contact appropriate community officials to verify current corporate limit locations.

NOTES FOR FIRM INDEX

REVISIONS TO INDEX: As new studies are performed and FIRM panels are updated within Madison County, VA, corresponding revisions to the FIRM Index will be incorporated within the FIS Report to reflect the effective dates of those panels. Please refer to Table 28 of this FIS Report to determine the most recent FIRM revision date for each community. The most recent FIRM panel effective date will correspond to the most recent index date.

SPECIAL NOTES FOR SPECIFIC FIRM PANELS

This Notes to Users section was created specifically for Madison County, VA, effective September 18, 2020.

Figure 2. FIRM Notes to Users *(continued)*

FLOOD RISK REPORT: A Flood Risk Report (FRR) may be available for many of the flooding sources and communities referenced in this FIS Report. The FRR is provided to increase public awareness of flood risk by helping communities identify the areas within their jurisdictions that have the greatest risks. Although non-regulatory, the information provided within the FRR can assist communities in assessing and evaluating mitigation opportunities to reduce these risks. It can also be used by communities developing or updating flood risk mitigation plans. These plans allow communities to identify and evaluate opportunities to reduce potential loss of life and property. However, the FRR is not intended to be the final authoritative source of all flood risk data for a project area; rather, it should be used with other data sources to paint a comprehensive picture of flood risk.

Each FIRM panel contains an abbreviated legend for the features shown on the maps. However, the FIRM panel does not contain enough space to show the legend for all map features. Figure 3 shows the full legend of all map features. Note that not all of these features may appear on the FIRM panels in Madison County.

Figure 3: Map Legend for FIRM

SPECIAL FLOOD HAZARD AREAS: *The 1% annual chance flood, also known as the base flood or 100-year flood, has a 1% chance of happening or being exceeded each year. Special Flood Hazard Areas are subject to flooding by the 1% annual chance flood. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood. The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights. See note for specific types. If the floodway is too narrow to be shown, a note is shown.*

Special Flood Hazard Areas subject to inundation by the 1% annual chance flood (Zones A, AE, AH, AO, AR, A99, V and VE)

Zone A — The flood insurance rate zone that corresponds to the 1% annual chance floodplains. No base (1% annual chance) flood elevations (BFEs) or depths are shown within this zone.

Zone AE — The flood insurance rate zone that corresponds to the 1% annual chance floodplains. Base flood elevations derived from the hydraulic analyses are shown within this zone.

Zone AH — The flood insurance rate zone that corresponds to the areas of 1% annual chance shallow flooding (usually areas of ponding) where average depths are between 1 and 3 feet. Whole-foot BFEs derived from the hydraulic analyses are shown at selected intervals within this zone.

Zone AO — The flood insurance rate zone that corresponds to the areas of 1% annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between 1 and 3 feet. Average whole-foot depths derived from the hydraulic analyses are shown within this zone.

Zone AR — The flood insurance rate zone that corresponds to areas that were formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

Zone A99 — The flood insurance rate zone that corresponds to areas of the 1% annual chance floodplain that will be protected by a Federal flood protection system where construction has reached specified statutory milestones. No base flood elevations or flood depths are shown within this zone.

Zone V — The flood insurance rate zone that corresponds to the 1% annual chance coastal floodplains that have additional hazards associated with storm waves. Base flood elevations are not shown within this zone.

Zone VE — Zone VE is the flood insurance rate zone that corresponds to the 1% annual chance coastal floodplains that have additional hazards associated with storm waves. Base flood elevations derived from the coastal analyses are shown within this zone as static whole-foot elevations that apply throughout the zone.

Figure 3: Map Legend for FIRM *(continued)*

	Regulatory Floodway determined in Zone AE.
OTHER AREAS OF FLOOD HAZARD	
	Shaded Zone X: Areas of 0.2% annual chance flood hazards and areas of 1% annual chance flood hazards with average depths of less than 1 foot or with drainage areas less than 1 square mile.
	Future Conditions 1% Annual Chance Flood Hazard – Zone X: The flood insurance rate zone that corresponds to the 1% annual chance floodplains that are determined based on future-conditions hydrology. No base flood elevations or flood depths are shown within this zone.
	Area with Reduced Flood Risk due to Levee: Areas where an accredited levee, dike, or other flood control structure has reduced the flood risk from the 1% annual chance flood.
	Area with Flood Risk due to Levee: Areas where a non-accredited levee, dike, or other flood control structure is shown as providing protection to less than the 1% annual chance flood.
OTHER AREAS	
	Zone D (Areas of Undetermined Flood Hazard): The flood insurance rate zone that corresponds to unstudied areas where flood hazards are undetermined, but possible.
NO SCREEN	Unshaded Zone X: Areas of minimal flood hazard.
FLOOD HAZARD AND OTHER BOUNDARY LINES	
(ortho) (vector)	Flood Zone Boundary (white line on ortho-photography-based mapping; gray line on vector-based mapping)
	Limit of Study
	Jurisdiction Boundary
	Limit of Moderate Wave Action (LiMWA): Indicates the inland limit of the area affected by waves greater than 1.5 feet
GENERAL STRUCTURES	
Aqueduct *Channel* *Culvert* *Storm Sewer*	Channel, Culvert, Aqueduct, or Storm Sewer
Dam *Jetty* *Weir*	Dam, Jetty, Weir

Figure 3: Map Legend for FIRM *(continued)*

	Levee, Dike, or Floodwall
Bridge	Bridge
REFERENCE MARKERS	
22.0	River mile Markers
CROSS SECTION & TRANSECT INFORMATION	
B 20.2	Lettered Cross Section with Regulatory Water Surface Elevation (BFE)
5280 21.1	Numbered Cross Section with Regulatory Water Surface Elevation (BFE)
17.5	Unlettered Cross Section with Regulatory Water Surface Elevation (BFE)
8	Coastal Transect
	Profile Baseline: Indicates the modeled flow path of a stream and is shown on FIRM panels for all valid studies with profiles or otherwise established base flood elevation.
	Coastal Transect Baseline: Used in the coastal flood hazard model to represent the 0.0-foot elevation contour and the starting point for the transect and the measuring point for the coastal mapping.
513	Base Flood Elevation Line
ZONE AE (EL 16)	Static Base Flood Elevation value (shown under zone label)
ZONE AO (DEPTH 2)	Zone designation with Depth
ZONE AO (DEPTH 2) (VEL 15 FPS)	Zone designation with Depth and Velocity

Figure 3: Map Legend for FIRM *(continued)*

BASE MAP FEATURES	
Missouri Creek	River, Stream or Other Hydrographic Feature
234	Interstate Highway
234	U.S. Highway
234	State Highway
234	County Highway
MAPLE LANE	Street, Road, Avenue Name, or Private Drive if shown on Flood Profile
RAILROAD	Railroad
	Horizontal Reference Grid Line
	Horizontal Reference Grid Ticks
+	Secondary Grid Crosshairs
Land Grant	Name of Land Grant
7	Section Number
R. 43 W. T. 22 N.	Range, Township Number
$^{42}76^{000m}$E	Horizontal Reference Grid Coordinates (UTM)
365000 FT	Horizontal Reference Grid Coordinates (State Plane)
80° 16' 52.5"	Corner Coordinates (Latitude, Longitude)

SECTION 2.0 – FLOODPLAIN MANAGEMENT APPLICATIONS

2.1 Floodplain Boundaries

To provide a national standard without regional discrimination, the 1% annual chance (100-year) flood has been adopted by FEMA as the base flood for floodplain management purposes. The 0.2% annual chance (500-year) flood is employed to indicate additional areas of flood hazard in the community.

Each flooding source included in the project scope has been studied and mapped using professional engineering and mapping methodologies that were agreed upon by FEMA and Madison County as appropriate to the risk level. Flood risk is evaluated based on factors such as known flood hazards and projected impact on the built environment. Engineering analyses were performed for each studied flooding source to calculate its 1% annual chance flood elevations; elevations corresponding to other floods (e.g. 10-, 4-, 2-, 0.2-percent annual chance, etc.) may have also been computed for certain flooding sources. Engineering models and methods are described in detail in Section 5.0 of this FIS Report. The modeled elevations at cross sections were used to delineate the floodplain boundaries on the FIRM; between cross sections, the boundaries were interpolated using elevation data from various sources. More information on specific mapping methods is provided in Section 6.0 of this FIS Report.

Depending on the accuracy of available topographic data (Table 23), study methodologies employed (Section 5.0), and flood risk, certain flooding sources may be mapped to show both the 1% and 0.2% annual chance floodplain boundaries, regulatory water surface elevations (BFEs), and/or a regulatory floodway. Similarly, other flooding sources may be mapped to show only the 1% annual chance floodplain boundary on the FIRM, without published water surface elevations. In cases where the 1% and 0.2% annual chance floodplain boundaries are close together, only the 1% annual chance floodplain boundary is shown on the FIRM. Each FIRM panel contains an abbreviated legend for the features shown on the maps. However, the FIRM panel does not contain enough space to show the legend for all map features. Figure 3 shows the full legend of all map features. Note that not all of these features may appear on the FIRM panels in Madison County.
Figure 3, “Map Legend for FIRM”, describes the flood zones that are used on the FIRMs to account for the varying levels of flood risk that exist along flooding sources within the project area and Table 3 indicates the flood zone designations for each flooding source and each community within Madison County, respectively.

Table 2, “Flooding Sources Included in this FIS Report,” lists each flooding source, including its study limits, affected communities, mapped zone on the FIRM, and the completion date of its engineering analysis from which the flood elevations on the FIRM and in the FIS Report were derived. Descriptions and dates for the latest hydrologic and hydraulic analyses of the flooding sources are shown in Table 13. Floodplain boundaries for these flooding sources are shown on the FIRM (published separately) using the symbology described in Figure 3. Each FIRM panel contains an abbreviated legend for the features shown on the maps. However, the FIRM panel does not contain enough space to show the legend for all map features. Figure 3 shows the full legend of all map features. Note that not all of these features may appear on the FIRM panels in Madison County.

On the map, the 1% annual chance floodplain corresponds to the SFHAs. The 0.2% annual chance floodplain shows areas that, although out of the regulatory floodplain, are still subject to flood hazards.

Small areas within the floodplain boundaries may lie above the flood elevations but cannot be shown due to limitations of the map scale and/or lack of detailed topographic data. The procedures to remove these areas from the SFHA are described in Section 6.5 of this FIS Report.

Table 2: Flooding Sources Included in this FIS Report

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Beautiful Run	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	11.4	*	N	A	2018
Beautiful Run Tributary 1	Madison County	At Confluence with Beautiful Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.9	*	N	A	2018
Beautiful Run Tributary 1.1	Madison County	At Confluence with Beautiful Run Tributary 1	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.2	*	N	A	2018
Beautiful Run Tributary 2	Madison County	At Confluence with Beautiful Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.0	*	N	A	2018
Beautiful Run Tributary 3	Madison County	At Confluence with Beautiful Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.2	*	N	A	2018
Beautiful Run Tributary 4	Madison County	At Confluence with Beautiful Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.9	*	N	A	2018
Beaver Run	Madison County	At Confluence with Whiteoak Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	3.0	*	N	A	2018
Beaverdam Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	4.0	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Beaverdam Run Tributary 1	Madison County	At Confluence with Beaverdam Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.3	*	N	A	2018
Bootens Run	Madison County	At Confluence with Conway River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.8	*	N	A	2018
Brokenback Run	Madison County	At Confluence with Hughes River US	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	3.2	*	N	A	2018
Brokenback Run Tributary 1	Madison County	At Confluence with Brokenback Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.8	*	N	A	2018
Cedar Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.6	*	N	A	2018
Conway River	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	13.5	*	N	A	2018
Conway River Tributary 5	Madison County	At Confluence with Conway River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.7	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Crooked Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	13.5	*	N	A	2018
Crooked Run Tributary 4	Madison County	At Confluence with Crooked Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.9	*	N	A	2018
Dark Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	7.9	*	N	A	2018
Dark Run Tributary 1	Madison County	At Confluence with Dark Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.4	*	N	A	2018
Dark Run Tributary 2	Madison County	At Confluence with Dark Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.1	*	N	A	2018
Dark Run Tributary 3	Madison County	At Confluence with Dark Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.6	*	N	A	2018
Deep Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	11.7	*	N	A	2018
Deep Run Tributary 1	Madison County	At Confluence with Deep Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.4	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Deep Run Tributary 1.1	Madison County	At Confluence with Deep Run Tributary 1	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.9	*	N	A	2018
Deep Run Tributary 2	Madison County	At Confluence with Deep Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.1	*	N	A	2018
Deep Run Tributary 3	Madison County	At Confluence with Deep Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.4	*	N	A	2018
Deep Run Tributary 4	Madison County	At Confluence with Deep Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.6	*	N	A	2018
Deep Run Tributary 5	Madison County	At Confluence with Deep Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.8	*	N	A	2018
Deep Run Tributary 6	Madison County	At Confluence with Deep Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.5	*	N	A	2018
Elk Run	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	4.9	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Elk Run Tributary 1	Madison County	At Confluence with Elk Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.3	*	N	A	2018
Elk Run Tributary 2	Madison County	At Confluence with Elk Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.9	*	N	A	2018
Finks Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.7	*	N	A	2018
Finks Run Tributary 1	Madison County	At Confluence with Finks Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.0	*	N	A	2018
Garth Run	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	6.5	*	N	A	2018
Garth Run Tributary 1	Madison County	At Confluence with Garth Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.3	*	N	A	2018
Gilmore Run	Madison County	At Confluence with Elk Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.9	*	N	A	2018
Glebe Run	Madison County	At Confluence with Whiteoak Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.8	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Great Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	8.6	*	N	A	2018
Great Run Tributary 1	Madison County	At Confluence with Great Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.7	*	N	A	2018
Great Run Tributary 2	Madison County	At Confluence with Great Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.6	*	N	A	2018
Great Run Tributary 3	Madison County	At Confluence with Great Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.2	*	N	A	2018
Great Run Tributary 4	Madison County	At Confluence with Great Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.4	*	N	A	2018
Hannah Run	Madison County	At Confluence with Hughes River Tributary 4	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.4	*	N	A	2018
Hogcamp Branch	Madison County	At Confluence with Rose River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.2	*	N	A	2018
Hughes River	Madison County	At Confluence with Hazel River	Zone Break to AE	02080103	6.0	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Hughes River	Madison County	At Zone Break to AE	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	5.0	*	N	A	2018
Hughes River	Madison County	At State Route 231	About 150 feet upstream of State Route 707	02080103	2.2	*	N	AE	1987
Hughes River Tributary 3	Madison County	At Confluence with Hughes River DS	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.2	*	N	A	2018
Hughes River Tributary 4	Madison County	At Confluence with Hughes River US	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.9	*	N	A	2018
Hughes River Tributary 5	Madison County	At Confluence with Hughes River US	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.6	*	N	A	2018
Kinsey Run	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.1	*	N	A	2018
Kinsey Run Tributary 1	Madison County	At Confluence with Kinsey Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.8	*	N	A	2018
Leathers Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	3.8	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Leathers Run Tributary 1	Madison County	At Confluence with Leathers Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.0	*	N	A	2018
Leathers Run Tributary 2	Madison County	At Confluence with Leathers Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.8	*	N	A	2018
Little Crooked Run	Madison County	At Confluence with Crooked Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	3.1	*	N	A	2018
Little Crooked Run Tributary 1	Madison County	At Confluence with Little Crooked Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.0	*	N	A	2018
Little Dark Run	Madison County	At Confluence with Dark Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	3.3	*	N	A	2018
Mill Prong	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.0	*	N	A	2018
Muddy Run	Madison County	At Confluence with Deep Run 309	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	5.0	*	N	A	2018
Mulatto Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	3.2	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Negro Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.9	*	N	A	2018
Popham Run	Madison County	At Confluence with Hughes River DS	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	5.4	*	N	A	2018
Popham Run Tributary 1	Madison County	At Confluence with Popham Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.2	*	N	A	2018
Poplar Run	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.0	*	N	A	2018
Quaker Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.8	*	N	A	2018
Ragged Run	Madison County	At Confluence with Popham Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	3.1	*	N	A	2018
Rapidan River	Madison County	At Madison County Boundary	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	87.9	*	N	A	2018
Rapidan River Tributary 1	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.6	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Rapidan River Tributary 3	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.8	*	N	A	2018
Rapidan River Tributary 4	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.2	*	N	A	2018
Rapidan River Tributary 5	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.3	*	N	A	2018
Rapidan River Tributary 7	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.0	*	N	A	2018
Rapidan River Tributary 8	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	3.8	*	N	A	2018
Rapidan River Tributary 8.1	Madison County	At Confluence with Rapidan Tributary 8	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.8	*	N	A	2018
Rapidan River Tributary 8.1.1	Madison County	At Confluence with Rapidan Tributary 8.1	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.5	*	N	A	2018
Rapidan River Tributary 11	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.8	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Rapidan River Tributary 12	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.5	*	N	A	2018
Rapidan River Tributary 13	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.3	*	N	A	2018
Robinson River	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	22.5	*	N	A	2018
Robinson River Lower Reach	Madison County	About 150 feet upstream of USGS Gauge No. 01666500	About 9,600 feet upstream of USGS Gauge No. 01666500	02080103	1.8	*	N	AE	1987
Robinson River Tributary 2	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.8	*	N	A	2018
Robinson River Tributary 3	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.3	*	N	A	2018
Robinson River Tributary 3.1	Madison County	At Confluence with Robinson River Tributary 3	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.8	*	N	A	2018
Robinson River Tributary 4	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	3.0	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Robinson River Tributary 4.1	Madison County	At Confluence with Robinson River Tributary 4	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.9	*	N	A	2018
Robinson River Tributary 4.2	Madison County	At Confluence with Robinson River Tributary 4	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.7	*	N	A	2018
Robinson River Tributary 5	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.7	*	N	A	2018
Robinson River Tributary 6	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.4	*	N	A	2018
Robinson River Tributary 7	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.1	*	N	A	2018
Robinson River Tributary 8	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.1	*	N	A	2018
Robinson River Tributary 9	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.6	*	N	A	2018
Robinson River Upper Reach	Madison County	About 1,100 feet upstream of Confluence of Leathers Run	At Confluence of Robinson River Tributary 9	02080103	9.7	*	N	AE	1987

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Rocky Run 1	Madison County	At Confluence with Hughes River DS	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.9	*	N	A	2018
Rocky Run 2	Madison County	At Confluence with Hughes River US	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.3	*	N	A	2018
Rose River	Madison County	At Zone Break to AE	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	3.9	*	N	A	2018
Rose River	Madison County	At Confluence with Robinson River	About 8,900 feet upstream of State Route 648	02080103	4.6	*	N	AE	1987
Rose River Tributary 1	Madison County	At Confluence with Rose River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.1	*	N	A	2018
Rosson Hollow Run	Madison County	At Confluence with Popham Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.3	*	N	A	2018
Rosson Hollow Run Tributary 1.1	Madison County	At Confluence with Rosson Hollow Tributary 1	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.2	*	N	A	2018
Rosson Hollow Tributary 1	Madison County	At Confluence with Rosson Hollow Rn	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.3	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Shotwell Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	4.6	*	N	A	2018
Shotwell Run Tributary 1	Madison County	At Confluence with Shotwell Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.7	*	N	A	2018
Staunton River	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	4.0	*	N	A	2018
Strother Run	Madison County	At Confluence with Rose River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.2	*	N	A	2018
Whetstone Run	Madison County	At Confluence with Rapidan River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.0	*	N	A	2018
White Walnut Run	Madison County	At Confluence with Mulatto Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	2.1	*	N	A	2018
Whiteoak Run	Madison County	At Confluence with Robinson River	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	10.6	*	N	A	2018
Whiteoak Run Tributary 2	Madison County	At Confluence with Whiteoak Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.6	*	N	A	2018

*Data not available for this Flood Risk Study

Table 2: Flooding Sources Included in this FIS Report *(continued)*

Flooding Source	Community	Downstream Limit	Upstream Limit	HUC-8 Sub-Basin(s)	Length (mi) (streams or coastlines)	Area (mi^2) (estuaries or ponding)	Floodway (Y/N)	Zone shown on FIRM	Date of Analysis
Whiteoak Run Tributary 3	Madison County	At Confluence with Whiteoak Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.1	*	N	A	2018
Whiteoak Run Tributary 4	Madison County	At Confluence with Whiteoak Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	0.9	*	N	A	2018
Whiteoak Run Tributary 5	Madison County	At Confluence with Whiteoak Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.7	*	N	A	2018
Whiteoak Run Tributary 6	Madison County	At Confluence with Whiteoak Run	Upstream Limit of Study, 1 sq mile Drainage Area	02080103	1.2	*	N	A	2018

*Data not available for this Flood Risk Study

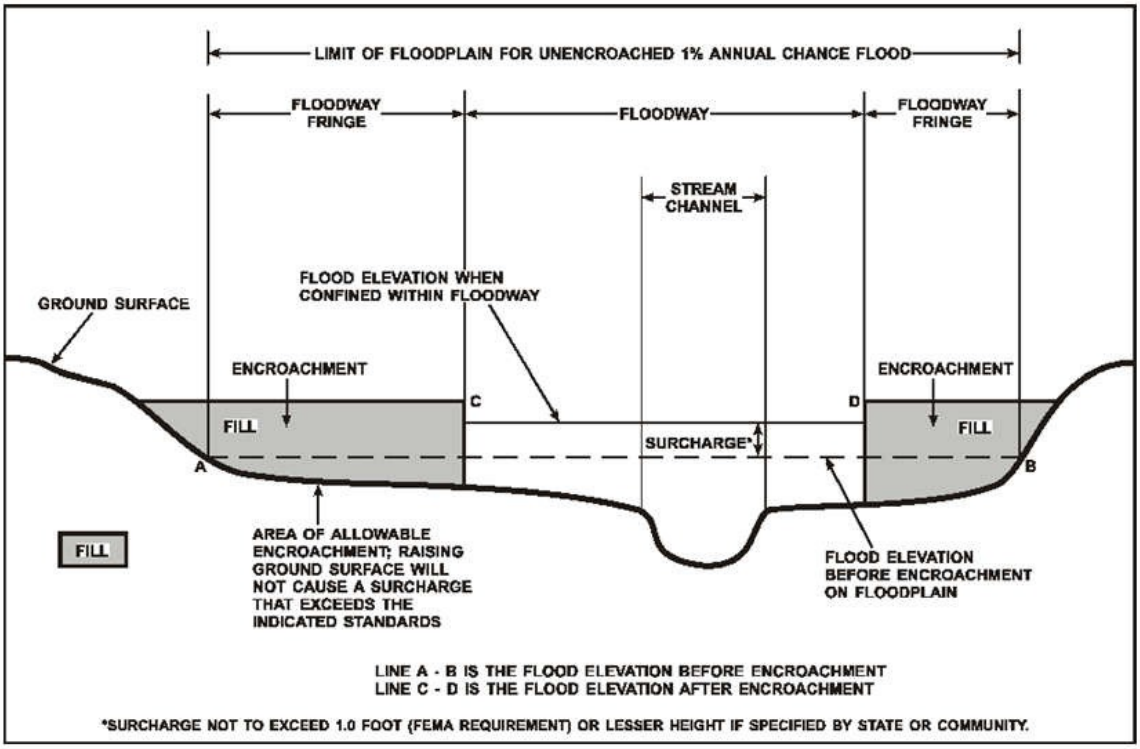
2.2 Floodways

Encroachment on floodplains, such as structures and fill, reduces flood-carrying capacity, increases flood heights and velocities, and increases flood hazards in areas beyond the encroachment itself. One aspect of floodplain management involves balancing the economic gain from floodplain development against the resulting increase in flood hazard.

For purposes of the NFIP, a floodway is used as a tool to assist local communities in balancing floodplain development against increasing flood hazard. With this approach, the area of the 1% annual chance floodplain on a river is divided into a floodway and a floodway fringe based on hydraulic modeling. The floodway is the channel of a stream, plus any adjacent floodplain areas, that must be kept free of encroachment in order to carry the 1% annual chance flood. The floodway fringe is the area between the floodway and the 1% annual chance floodplain boundaries where encroachment is permitted. The floodway must be wide enough so that the floodway fringe could be completely obstructed without increasing the water surface elevation of the 1% annual chance flood more than 1 foot at any point. Typical relationships between the floodway and the floodway fringe and their significance to floodplain development are shown in Figure 4.

To participate in the NFIP, Federal regulations require communities to limit increases caused by encroachment to 1.0 foot, provided that hazardous velocities are not produced. The floodways in this project are presented to local agencies as minimum standards that can be adopted directly or that can be used as a basis for additional floodway projects.

Figure 4: Floodway Schematic



2.3 Base Flood Elevations

The hydraulic characteristics of flooding sources were analyzed to provide estimates of the elevations of floods of the selected recurrence intervals. The Base Flood Elevation (BFE) is the elevation of the 1% annual chance flood. These BFEs are most commonly rounded to the whole foot, as shown on the FIRM, but in certain circumstances or locations they may be rounded to 0.1 foot. Cross section lines shown on the FIRM may also be labeled with the BFE rounded to 0.1 foot. Whole-foot BFEs derived from engineering analyses that apply to coastal areas, areas of ponding, or other static areas with little elevation change may also be shown at selected intervals on the FIRM.

Cross sections with BFEs shown on the FIRM correspond to the cross sections shown in the Floodway Data table and Flood Profiles in this FIS Report. BFEs are primarily intended for flood insurance rating purposes. For construction and/or floodplain management purposes, users are cautioned to use the flood elevation data presented in this FIS Report in conjunction with the data shown on the FIRM.

2.4 Non-Encroachment Zones

This section is not applicable to this Flood Risk Project.

2.5 Coastal Flood Hazard Areas

This section is not applicable to this Flood Risk Project.

2.5.1 Water Elevations and the Effects of Waves

This section is not applicable to this Flood Risk Project.

Figure 5: Wave Runup Transect Schematic

Not applicable to this Flood Risk Project.

2.5.2 Floodplain Boundaries and BFEs for Coastal Areas

This section is not applicable to this Flood Risk Project.

2.5.3 Coastal High Hazard Areas

This section is not applicable to this Flood Risk Project.

Figure 6: Coastal Transect Schematic

Not applicable to this Flood Risk Project.

2.5.4 Limit of Moderate Wave Action

This section is not applicable to this Flood Risk Project.

SECTION 3.0 – INSURANCE APPLICATIONS

3.1 National Flood Insurance Program Insurance Zones

For flood insurance applications, the FIRM designates flood insurance rate zones as described in Figure 3. Each FIRM panel contains an abbreviated legend of the features shown of the maps. However, the FIRM panel does not contain enough space to show the legend for all map features. Figure 3 shows the full legend of all map features. Flood insurance zone designations are assigned to flooding sources based on the results of the hydraulic or coastal analyses. Insurance agents use the zones shown on the FIRM and depths and base flood elevations in this FIS Report in conjunction with information on structures and their contents to assign premium rates for flood insurance policies.

The 1% annual chance floodplain boundary corresponds to the boundary of the areas of special flood hazards (e.g. Zones A, AE, V, VE, etc.), and the 0.2% annual chance floodplain boundary corresponds to the boundary of areas of additional flood hazards.

Table 3 lists the flood insurance zones in Madison County.

Table 3: Flood Zone Designations by Community

Community	Flood Zone(s)
Madison County, Unincorporated Areas	A, AE, X
Madison, Town of	X

3.2 Coastal Barrier Resources System

This section is not applicable to this Flood Risk Project.

Table 4: Coastal Barrier Resources System Information

Not applicable to this Flood Risk Project.

SECTION 4.0 – AREA STUDIED

4.1 Basin Description

Table 5 contains a description of the characteristics of the HUC-8 sub-basins within which each community falls. The table includes the main flooding sources within each basin, a brief description of the basin, and its drainage area.

Table 5: Basin Characteristics

HUC-8 Sub-Basin Name	HUC-8 Sub-Basin Number	Primary Flooding Source	Description of Affected Area	Drainage Area (square miles)
Rapidan-Upper Rappahannock	02080103	Mountain Run, Rapidan River, Rappahannock River	Encompassing all of Culpeper, Madison and Rappahannock Counties, as well as portions of Albemarle, Fauquier, Greene, Orange, Spotsylvania, and Stafford Counties; this watershed extends easterly from the Blue Ridge region through the Piedmont region of north-central Virginia	1,530

4.2 Principal Flood Problems

Table 6 contains a description of the principal flood problems that have been noted for Madison County by flooding source.

Table 6: Principal Flood Problems

Flooding Source	Description of Flood Problems
Hughes River	The Hughes River flooding problems are primarily due to overflow caused by drainage of the eastern slopes of the Blue Ridge Mountains
Robinson River	The flooding on the Robinson River is typically caused by drainage from the eastern slopes of the Blue Ridge Mountains. The flood of record for Madison County occurred October 15, 1942 on the Robinson River near Locust Dale. More recent floods on the Robinson River have occurred in June 1972 and November 1985. Other significant floods have occurred in June 1995 and September 1996.

Table 7 contains information about historic flood elevations in the communities within Madison County.

Table 7: Historic Flooding Elevations

Flooding Source	Location	Historic Peak (Feet NAVD88)	Event Date	Approximate Recurrence Interval (years)	Source of Data
Rapidan River	Near Ruckersville	470.1	1995	n/a	USGS gage
Robinson River	Near Locust Dale	807.6	1942	100	USGS gage

4.3 Non-Levee Flood Protection Measures

Table 8 contains information about non-levee flood protection measures within Madison County such as dams, jetties, and or dikes. Levees are addressed in Section 4.4 of this FIS Report.

Table 8: Non-Levee Flood Protection Measures

Not applicable to this Flood Risk Project.

4.4 Levees

This section is not applicable to this Flood Risk Project.

Table 9: Levees

Not applicable to this Flood Risk Project.

SECTION 5.0 – ENGINEERING METHODS

For the flooding sources in the community, standard hydrologic and hydraulic study methods were used to determine the flood hazard data required for this study. Flood events of a magnitude that are expected to be equaled or exceeded at least once on the average during any 10-, 25-, 50-, 100-, or 500-year period (recurrence interval) have been selected as having special significance for floodplain management and for flood insurance rates. These events, commonly termed the 10-, 25-, 50-, 100-, and 500-year floods, have a 10-, 4-, 2-, 1-, and 0.2% annual chance, respectively, of being equaled or exceeded during any year.

Although the recurrence interval represents the long-term, average period between floods of a specific magnitude, rare floods could occur at short intervals or even within the same year. The risk of experiencing a rare flood increases when periods greater than 1 year are considered. For example, the risk of having a flood that equals or exceeds the 100-year flood (1-percent chance of annual exceedance) during the term of a 30-year mortgage is approximately 26 percent (about 3 in 10); for any 90-year period, the risk increases to approximately 60 percent (6 in 10). The analyses reported herein reflect flooding potentials based on conditions existing in the community at the time of completion of this study. Maps and flood elevations will be amended periodically to reflect future changes.

5.1 Hydrologic Analyses

Hydrologic analyses were carried out to establish the peak elevation-frequency relationships for floods of the selected recurrence intervals for each flooding source studied. Hydrologic analyses are typically performed at the watershed level. Depending on factors such as watershed size and shape, land use and urbanization, and natural or man-made storage, various models or methodologies may be applied. A summary of the hydrologic methods applied to develop the discharges used in the hydraulic analyses for each stream is provided in Table 13. Greater detail (including assumptions, analysis, and results) is available in the archived project documentation.

A summary of the discharges is provided in Table 10. Frequency Discharge-Drainage Area Curves used to develop the hydrologic models may also be shown in Figure 7 for selected flooding sources. A summary of stillwater elevations developed for non-coastal flooding sources is provided in Table 11. Stream gage information is provided in Table 12.

Discharges for flooding sources designated as Zone A on the FIRM are not shown in Table 10 of this FIS report, however, discharge values are included in the FIRM database in the S_Nodes and L_SUMMARY_DISCHARGES feature classes.

Table 10: Summary of Discharges

Flooding Source	Location	Drainage Area (Square Miles)	Peak Discharge (**cfs**)					
			10% Annual Chance	4% Annual Chance	2% Annual Chance	1% Annual Chance Existing	1% Annual Chance Future	0.2% Annual Chance
Hughes River	Near Peola Mills (State Route 231 bridge)	19.60	*	*	*	8,320	*	*
	At Nethers (State Route 681 bridge)	17.10	*	*	*	7,820	*	*
Robinson River Lower Reach	Near Locust Dale (gaging station No. 01666500)	179.0	*	*	*	42,200	*	*
Robinson River Upper Reach	At Banco (gaging station No. 01665850)	46.70	*	*	*	16,100	*	*
	Below Rose River near Criglersville	33.10	*	*	*	12,600	*	*
	Above Rose River near Criglersville	17.30	*	*	*	7,760	*	*
	Below Cedar Run near Syria (gaging station No. 01665740)	9.77	*	*	*	5,240	*	*
Rose River	At mouth near Criglersville	15.80	*	*	*	7,140	*	*
	At State Route 648 near Syria	13.50	*	*	*	6,500	*	*

*Not calculated for this Flood Risk Project

Figure 7: Frequency Discharge-Drainage Area Curves

Not applicable to this Flood Risk Project.

Table 11: Summary of Non-Coastal Stillwater Elevations

Not applicable to this Flood Risk Project.

Table 12: Stream Gage Information used to Determine Discharges

Not applicable to this Flood Risk Project.

5.2 Hydraulic Analyses

Analyses of the hydraulic characteristics of flooding from the sources studied were carried out to provide estimates of the elevations of floods of the selected recurrence intervals. Base flood elevations on the FIRM represent the elevations shown on the Flood Profiles and in the Floodway Data tables in the FIS Report. Rounded whole-foot elevations may be shown on the FIRM in coastal areas, areas of ponding, and other areas with static base flood elevations. These whole-foot elevations may not exactly reflect the elevations derived from the hydraulic analyses. Flood elevations shown on the FIRM are primarily intended for flood insurance rating purposes. For construction and/or floodplain management purposes, users are cautioned to use the flood elevation data presented in this FIS Report in conjunction with the data shown on the FIRM. The hydraulic analyses for this FIS were based on unobstructed flow. The flood elevations shown on the profiles are thus considered valid only if hydraulic structures remain unobstructed, operate properly, and do not fail.

For streams for which hydraulic analyses were based on cross sections, locations of selected cross sections are shown on the Flood Profiles (Exhibit 1). For stream segments for which a floodway was computed (Section 6.3), selected cross sections are also listed in Table 24, “Floodway Data.”

A summary of the methods used in hydraulic analyses performed for this project is provided in Table 13. Roughness coefficients are provided in Table 14. Roughness coefficients are values representing the frictional resistance water experiences when passing overland or through a channel. They are used in the calculations to determine water surface elevations. Greater detail (including assumptions, analysis, and results) is available in the archived project documentation.

Table 13: Summary of Hydrologic and Hydraulic Analyses

Flooding Source	Study Limits Downstream Limit	Study Limits Upstream Limit	Hydrologic Model or Method Used	Hydraulic Model or Method Used	Date Analyses Completed	Flood Zone on FIRM	Special Considerations
Hughes River	State Route 231	Approximately 250 feet upstream of Pine Hill Road (State Route 707)	1977 and 1978 USGS Regression Equations	WSPRO	1987	AE	Discharges were computed using both 1977 and 1978 methods and weighted by equivalent years of record to determine values used in this study.
Robinson River Lower Reach	Approximately 150 feet upstream of USGS Gauge No. 01666500	Approximately 9,600 feet upstream of USGS Gauge No. 01666500	1977 and 1978 USGS Regression Equations	WSPRO	1987	AE	Discharges were computed using both 1977 and 1978 methods and weighted by equivalent years of record to determine values used in this study. Floodplain boundaries have been redelineated using 2017 LiDAR.
Robinson River Upper Reach	Approximately 1,100 feet upstream of the confluence of Leathers Run	At confluence of Robinson River Tributary 9	1977 and 1978 USGS Regression Equations	WSPRO	1987	AE	Discharges were computed using both 1977 and 1978 methods and weighted by equivalent years of record to determine values used in this study.
Rose River	Confluence with Robinson River	Approximately 8,900 feet upstream of State Route 648	1977 and 1978 USGS Regression Equations	WSPRO	1987	AE	Discharges were computed using both 1977 and 1978 methods and weighted by equivalent years of record to determine values used in this study.
All Zone A Areas within HUC 02080103	At downstream limits of study	At upstream limits of study	SIR 2011-5144 and SIR 2014-5090	HEC-RAS 3.1.1 and up	2018	A	Effects of hydraulic structures were not considered in the models.

Table 14: Roughness Coefficients

Flooding Source	Channel “n”	Overbank “n”
Hughes River	0.030-0.075	0.030-0.075
Rose River	0.030-0.075	0.030-0.075
Robinson River Lower Reach	0.030-0.075	0.030-0.075
Robinson River Upper Reach	0.030-0.075	0.030-0.075
All Streams Studied by Approximate Methods	0.045-0.055	0.045-0.120

5.3 Coastal Analyses

This section is not applicable to this Flood Risk Project.

Table 15: Summary of Coastal Analyses

Not applicable to this Flood Risk Project.

5.3.1 Total Stillwater Elevations

This section is not applicable to this Flood Risk Project.

Figure 8: 1% Annual Chance Total Stillwater Elevations for Coastal Areas

Not applicable to this Flood Risk Project.

Table 16: Tide Gage Analysis Specifics

Not applicable to this Flood Risk Project.

5.3.2 Waves

This section is not applicable to this Flood Risk Project.

5.3.3 Coastal Erosion

This section is not applicable to this Flood Risk Project.

5.3.4 Wave Hazard Analyses

This section is not applicable to this Flood Risk Project.

Table 17: Coastal Transect Parameters

Not applicable to this Flood Risk Project.

Figure 9: Transect Location Map

Not applicable to this Flood Risk Project

5.4 Alluvial Fan Analyses

This section is not applicable to this Flood Risk Project.

Table 18: Summary of Alluvial Fan Analyses

Not applicable to this Flood Risk Project.

Table 19: Results of Alluvial Fan Analyses

Not applicable to this Flood Risk Project.

SECTION 6.0 – MAPPING METHODS

6.1 Vertical and Horizontal Control

All FIS Reports and FIRMs are referenced to a specific vertical datum. The vertical datum provides a starting point against which flood, ground, and structure elevations can be referenced and compared. Until recently, the standard vertical datum used for newly created or revised FIS Reports and FIRMs was the National Geodetic Vertical Datum of 1929 (NGVD29). With the completion of the North American Vertical Datum of 1988 (NAVD88), many FIS Reports and FIRMs are now prepared using NAVD88 as the referenced vertical datum.

Flood elevations shown in this FIS Report and on the FIRMs are referenced to NAVD88. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between NGVD29 and NAVD88 or other datum conversion, visit the National Geodetic Survey website at https://www.ngs.noaa.gov.

Temporary vertical monuments are often established during the preparation of a flood hazard analysis for the purpose of establishing local vertical control. Although these monuments are not shown on the FIRM, they may be found in the archived project documentation associated with the FIS Report and the FIRMs for this community. Interested individuals may contact FEMA to access these data.

To obtain current elevation, description, and/or location information for benchmarks in the area, please visit the NGS website at https://www.ngs.noaa.gov.

The datum conversion locations and values that were calculated for Madison County are provided in Table 20.

Table 20: Countywide Vertical Datum Conversion

Quadrangle Name	Quadrangle Corner	Latitude	Longitude	Conversion from NGVD29 to NAVD88 (feet)
Barboursville	NE	38.250	-78.250	-0.721
Big Meadows	NE	38.625	-78.375	-0.519
Earlysville	NE	38.250	-78.375	-0.660
Fletcher	NE	38.500	-78.375	-0.561
Gordonsville	NE	38.250	-78.125	-0.776
Madison	NE	38.500	-78.250	-0.703
Madison Mills	NE	38.375	-78.125	-0.769
Rochelle	NE	38.375	-78.250	-0.731
Stanardsville	NE	38.375	-78.375	-0.655
Average Conversion from NGVD29 to NAVD88 = -0.677 feet				

Table 21: Stream-Based Vertical Datum Conversion

Not applicable to this Flood Risk Project.

6.2 Base Map

The FIRMs and FIS Report for this project have been produced in a digital format. The flood hazard information was converted to a Geographic Information System (GIS) format that meets FEMA's FIRM Database specifications and geographic information standards. This information is provided in a digital format so that it can be incorporated into a local GIS and be accessed more easily by the community. The FIRM Database includes most of the tabular information contained in the FIS Report in such a way that the data can be associated with pertinent spatial features. For example, the information contained in the Floodway Data table and Flood Profiles can be linked to the cross sections that are shown on the FIRMs. Additional information about the FIRM Database and its contents can be found in FEMA's *Guidelines and Standards for Flood Risk Analysis and Mapping*, https://www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping.

Base map information shown on the FIRM was derived from the sources described in Table 22.

Table 22: Base Map Sources

Data Type	Data Provider	Data Date	Data Scale	Data Description
8-Digit Watershed Boundary	USDA/NRCS - National Cartography & Geospatial Center	2013	24,000	
Orthophoto	USDA-FSA Aerial Photography Field Office	2016	12,000	Orthoimagery for all of Madison County
Submittal Information	ATKINS	2017	N/A	
USGS National Hydrography Dataset	United States Geological Survey	2017	24,000	Digital geospatial datasets of surface water, including rivers, streams, canals, lakes, ponds, dams and stream gages
Virginia Administrative Boundaries	Virginia Geographic Information Network	2017	24,000	County and community boundary data and shapefiles
Virginia Road Centerlines	Virginia Geographic Information Network	2016	24,000	Primary and secondary roadway data and shapefiles

6.3 Floodplain and Floodway Delineation

The FIRM shows tints, screens, and symbols to indicate floodplains and floodways as well as the locations of selected cross sections used in the hydraulic analyses and floodway computations.

For riverine flooding sources, the mapped floodplain boundaries shown on the FIRM have been delineated using the flood elevations determined at each cross section; between cross sections, the boundaries were interpolated using the topographic elevation data described in Table 23.

In cases where the 1% and 0.2% annual chance floodplain boundaries are close together, only the 1% annual chance floodplain boundary has been shown. Small areas within the floodplain boundaries may lie above the flood elevations but cannot be shown due to limitations of the map scale and/or lack of detailed topographic data.

The floodway widths presented in this FIS Report and on the FIRM were computed for certain stream segments on the basis of equal conveyance reduction from each side of the floodplain. Floodway widths were computed at cross sections. Between cross sections, the floodway boundaries were interpolated. Table 2 indicates the flooding sources for which floodways have been determined. The results of the floodway computations for those flooding sources have been tabulated for selected cross sections and are shown in Table 24, “Floodway Data.”

Table 23: Summary of Topographic Elevation Data used in Mapping

Community	Flooding Source	Source for Topographic Elevation Data			
		Description	Vertical Accuracy	Horizontal Accuracy	Citation
Madison County	Rapidan-Upper Rappahannock Watershed	LiDAR	18.9 cm RMSEZ	1 meter at 95% confidence level	STARRII 2017

BFEs shown at cross sections on the FIRM represent the 1% annual chance water surface elevations shown on the Flood Profiles and in the Floodway Data tables in the FIS Report.

Table 24: Floodway Data

Not applicable to this Flood Risk Project.

Table 25: Flood Hazard and Non-Encroachment Data for Selected Streams

Not applicable to this Flood Risk Project.

6.4 Coastal Flood Hazard Mapping

This section is not applicable to this Flood Risk Project.

Table 26: Summary of Coastal Transect Mapping Considerations

Not applicable to this Flood Risk Project.

6.5 FIRM Revisions

This FIS Report and the FIRM are based on the most up-to-date information available to FEMA at the time of its publication; however, flood hazard conditions change over time. Communities or private parties may request flood map revisions at any time. Certain types of requests require submission of supporting data. FEMA may also initiate a revision. Revisions may take several forms, including Letters of Map Amendment (LOMAs), Letters of Map Revision Based on Fill (LOMR-Fs), Letters of Map Revision (LOMRs) (referred to collectively as Letters of Map Change (LOMCs)), Physical Map Revisions (PMRs), and FEMA-contracted restudies. These types of revisions are further described below. Some of these types of revisions do not result in the republishing of the FIS Report. To assure that any user is aware of all revisions, it is advisable to contact the community repository of flood-hazard data (shown in Table 31, “Map Repositories”).

6.5.1 Letters of Map Amendment

A LOMA is an official revision by letter to an effective NFIP map. A LOMA results from an administrative process that involves the review of scientific or technical data submitted by the owner or lessee of property who believes the property has incorrectly been included in a designated SFHA. A LOMA amends the currently effective FEMA map and establishes that a specific property is not located in a SFHA.

To obtain an application for a LOMA, visit https://www.fema.gov/floodplain-management/letter-map-amendment-loma and download the form “MT-1 Application Forms and Instructions for Conditional and Final Letters of Map Amendment and Letters of Map Revision Based on Fill”. Visit the “Flood Map-Related Fees” section to determine the cost, if any, of applying for a LOMA.

FEMA offers a tutorial on how to apply for a LOMA. The LOMA Tutorial Series can be accessed at https://www.fema.gov/online-tutorials.

For more information about how to apply for a LOMA, call the FEMA Mapping and Insurance eXchange, toll free, at 1-877-FEMA MAP (1-877-336-2627).

6.5.2 Letters of Map Revision Based on Fill

A LOMR-F is an official revision by letter to an effective NFIP map. A LOMR-F states FEMA's determination concerning whether a structure or parcel has been elevated on fill above the base flood elevation and is, therefore, excluded from the SFHA.

Information about obtaining an application for a LOMR-F can be obtained in the same manner as that for a LOMA, by visiting https://www.fema.gov/floodplain-management/letter-map-amendment-loma for the "MT-1 Application Forms and Instructions for Conditional and Final Letters of Map Amendment and Letters of Map Revision Based on Fill" or by calling the FEMA Mapping and Insurance eXchange, toll free, at 1- 877-FEMA MAP (1-877-336-2627). Fees for applying for a LOMR-F, if any, are listed in the "Flood Map-Related Fees" section.

A tutorial for LOMR-F is available at https://www.fema.gov/online-tutorials.

6.5.3 Letters of Map Revision

A LOMR is an official revision to the currently effective FEMA map. It is used to change flood zones, floodplain and floodway delineations, flood elevations and planimetric features. All requests for LOMRs should be made to FEMA through the chief executive officer of the community, since it is the community that must adopt any changes and revisions to the map. If the request for a LOMR is not submitted through the chief executive officer of the community, evidence must be submitted that the community has been notified of the request.

To obtain an application for a LOMR, visit https://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping/mt-2-application-forms-and-instructions and download the form "MT-2 Application Forms and Instructions for Conditional Letters of Map Revision and Letters of Map Revision". Visit the "Flood Map-Related Fees" section to determine the cost of applying for a LOMR. For more information about how to apply for a LOMR, call the FEMA Mapping and Insurance eXchange; toll free, at 1-877-FEMA MAP (1-877-336-2627) to speak to a Map Specialist.

Previously issued mappable LOMCs (including LOMRs) that have been incorporated into the Madison County FIRM are listed in Table 27.

Table 27: Incorporated Letters of Map Change

Not applicable to this Flood Risk Project.

6.5.4 Physical Map Revisions

A Physical Map Revisions (PMR) is an official republication of a community's NFIP map to effect changes to base flood elevations, floodplain boundary delineations, regulatory floodways and planimetric features. These changes typically occur as a result of structural works or improvements, annexations resulting in additional flood hazard areas or correction to base flood elevations or SFHAs.

The community's chief executive officer must submit scientific and technical data to FEMA to support the request for a PMR. The data will be analyzed and the map will be revised if warranted. The community is provided with copies of the revised information and is afforded a review period. When the base flood elevations are changed, a 90-day appeal period is provided. A 6-month adoption period for formal approval of the revised map(s) is also provided.

For more information about the PMR process, please visit https://www.fema.gov and visit the "Flood Map Revision Processes" section.

6.5.5 Contracted Restudies

The NFIP provides for a periodic review and restudy of flood hazards within a given community. FEMA accomplishes this through a national watershed-based mapping needs assessment strategy, known as the Coordinated Needs Management Strategy (CNMS). The CNMS is used by FEMA to assign priorities and allocate funding for new flood hazard analyses used to update the FIS Report and FIRM. The goal of CNMS is to define the validity of the engineering study data within a mapped inventory. The CNMS is used to track the assessment process, document engineering gaps and their resolution, and aid in prioritization for using flood risk as a key factor for areas identified for flood map updates. Visit https://www.fema.gov to learn more about the CNMS or contact the FEMA Regional Office listed in Section 8 of this FIS Report.

6.5.6 Community Map History

The current FIRM presents flooding information for the entire geographic area of Madison County. Previously, separate FIRMs, Flood Hazard Boundary Maps (FHBMs) and/or Flood Boundary and Floodway Maps (FBFMs) may have been prepared for the incorporated communities and the unincorporated areas in the county that had identified SFHAs. Current and historical data relating to the maps prepared for the project area are presented in Table 28, "Community Map History." A description of each of the column headings and the source of the date is also listed below.

- *Community Name* includes communities falling within the geographic area shown on the FIRM, including those that fall on the boundary line, nonparticipating communities, and communities with maps that have been rescinded. Communities with No Special Flood Hazards are indicated by a footnote. If all maps (FHBM, FBFM, and FIRM) were rescinded for a community, it is not listed in this table unless SFHAs have been identified in this community.

- *Initial Identification Date (First NFIP Map Published)* is the date of the first NFIP map that identified flood hazards in the community. If the FHBM has been converted to a FIRM, the initial FHBM date is shown. If the community has never been mapped, the upcoming effective date or "pending" (for Preliminary FIS Reports) is shown. If the community is listed in Table 28 but not identified on the map, the community is treated as if it were unmapped.

- *Initial FHBM Effective Date* is the effective date of the first FHBM. This date may be the same date as the Initial NFIP Map Date.

- *FHBM Revision Date(s)* is the date(s) that the FHBM was revised, if applicable.
- *Initial FIRM Effective Date* is the date of the first effective FIRM for the community.
- *FIRM Revision Date(s)* is the date(s) the FIRM was revised, if applicable. This is the revised date that is shown on the FIRM panel, if applicable. As countywide studies are completed or revised, each community listed should have its FIRM dates updated accordingly to reflect the date of the countywide study. Once the FIRMs exist in countywide format, as PMRs of FIRM panels within the county are completed, the FIRM Revision Dates in the table for each community affected by the PMR are updated with the date of the PMR, even if the PMR did not revise all the panels within that community.

The initial effective date for the Madison County FIRMs in countywide format was 01/05/2007.

Table 28: Community Map History

Community Name	Initial Identification Date	Initial FHBM Effective Date	FHBM Revision Date(s)	Initial FIRM Effective Date	FIRM Revision Date(s)
Madison County, Unincorporated Areas	11/08/1974	11/08/1974	02/24/1978	04/03/1989	09/18/2020 01/05/2007
Madison, Town of [1, 2]	01/05/2007	None	None	01/05/2007	09/18/2020

[1] This community did not have a FIRM prior to the first countywide FIRM for Madison County
[2] No identified Special Flood Hazard Areas

SECTION 7.0 – CONTRACTED STUDIES AND COMMUNITY COORDINATION

7.1 Contracted Studies

Table 29 provides a summary of the contracted studies, by flooding source, that are included in this FIS Report.

Table 29: Summary of Contracted Studies Included in this FIS Report

Flooding Source	FIS Report Dated	Contractor	Number	Work Completed Date	Affected Communities
Hughes River	04/03/1989	USGS	EMW-85-1823	July 1987	Madison County, Unincorporated Areas

Flooding Source	FIS Report Dated	Contractor	Number	Work Completed Date	Affected Communities
Rose River	04/03/1989	USGS	EMW-85-1823	July 1987	Madison County, Unincorporated Areas
Robinson River	04/03/1989	USGS	EMW-85-1823	July 1987	Madison County, Unincorporated Areas
Zone A	09/18/2020	STARRII	HSFE07-17-J-0009	October 2017	Madison County, Unincorporated Areas

7.2 Community Meetings

The dates of the community meetings held for this Flood Risk Project and previous Flood Risk Projects are shown in Table 30. These meetings may have previously been referred to by a variety of names (Community Coordination Officer (CCO), Scoping, Discovery, etc.), but all meetings represent opportunities for FEMA, community officials, study contractors, and other invited guests to discuss the planning for and results of the project.

Table 30: Community Meetings

Community	FIS Report Dated	Date of Meeting	Meeting Type	Attended By
Madison County Unincorporated Areas	04/03/1989	01/22/1985	Initial CCO Meeting	FEMA, the community, and the study contractor
		02/08/2010	Final CCO Meeting	FEMA, the community, and the study contractor
	01/05/2007	06/07/2006	Final CCO Meeting	FEMA, the community, and the study contractor
	09/18/2020	09/21/2017	Discovery	FEMA, the community, and the mapping contractor
	09/18/2020	02/05/2018	Flood Risk Review Meeting	FEMA, the community, and the mapping contractor
Madison, Town of	01/05/2007	06/07/2006	Final CCO Meeting	FEMA, the community, and the study contractor
	09/18/2020	09/21/2017	Discovery	FEMA, the community, and the mapping contractor
	09/18/2020	02/05/2018	Flood Risk Review Meeting	FEMA, the community, and the mapping contractor

SECTION 8.0 – ADDITIONAL INFORMATION

Information concerning the pertinent data used in the preparation of this FIS Report can be obtained by submitting an order with any required payment to the FEMA Engineering Library. For more information on this process, see https://www.fema.gov.

Table 31 is a list of the locations where FIRMs for Madison County can be viewed. Please note that the maps at these locations are for reference only and are not for distribution. Also, please note that only the maps for the community listed in the table are available at that particular repository. A user may need to visit another repository to view maps from an adjacent community.

Table 31: Map Repositories

Community	Address	City	State	Zip Code
Madison County, Unincorporated Areas	Madison County Administrative Center 414 North Main Street	Madison	VA	22727
Madison, Town of	Madison Town Office 23 Washington Circle	Madison	VA	22727

The National Flood Hazard Layer (NFHL) dataset is a compilation of effective FIRM Databases and LOMCs. Together they create a GIS data layer for a State or Territory. The NFHL is updated as studies become effective and extracts are made available to the public monthly. NFHL data can be viewed or ordered from the website shown in Table 32.

Table 32 contains useful contact information regarding the FIS Report, the FIRM, and other relevant flood hazard and GIS data. In addition, information about the State NFIP Coordinator and GIS Coordinator is shown in this table. At the request of FEMA, each Governor has designated an agency of State or territorial government to coordinate that State's or territory's NFIP activities. These agencies often assist communities in developing and adopting necessary floodplain management measures. State GIS Coordinators are knowledgeable about the availability and location of State and local GIS data in their state.

Table 32: Additional Information

FEMA and the NFIP	
FEMA and FEMA Engineering Library website	https://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping/engineering-library
FEMA Region III	Federal Emergency Management Agency One Independence Mall 615 Chestnut Street, 6th Floor Philadelphia, PA 19106-4404 (215) 931-5500
NFHL Dataset	https://msc.fema.gov
NFIP website	https://www.fema.gov/national-flood-insurance-program
Other Federal Agencies	
Hydraulic Engineering Center website	https://www.hec.usace.army.mil
USGS website	https://www.usgs.gov
State Agencies and Organizations	
State GIS Coordinator	Stuart Blankenship, Geospatial Projects Manager Integrated Services Program VITA, Virginia Geographic Information Network 11751 Meadowville Lane Chester, Virginia 23836 stuart.blankenship@vita.virginia.gov
Acting State NFIP Coordinator	Kristin Owen, CFM Virginia Department of Conservation and Recreation Division of Dam Safety and Floodplain Management 600 East Main Street, 24th Floor Richmond, Virginia 23219 (804) 371-6135 charley.banks@dcr.virginia.gov

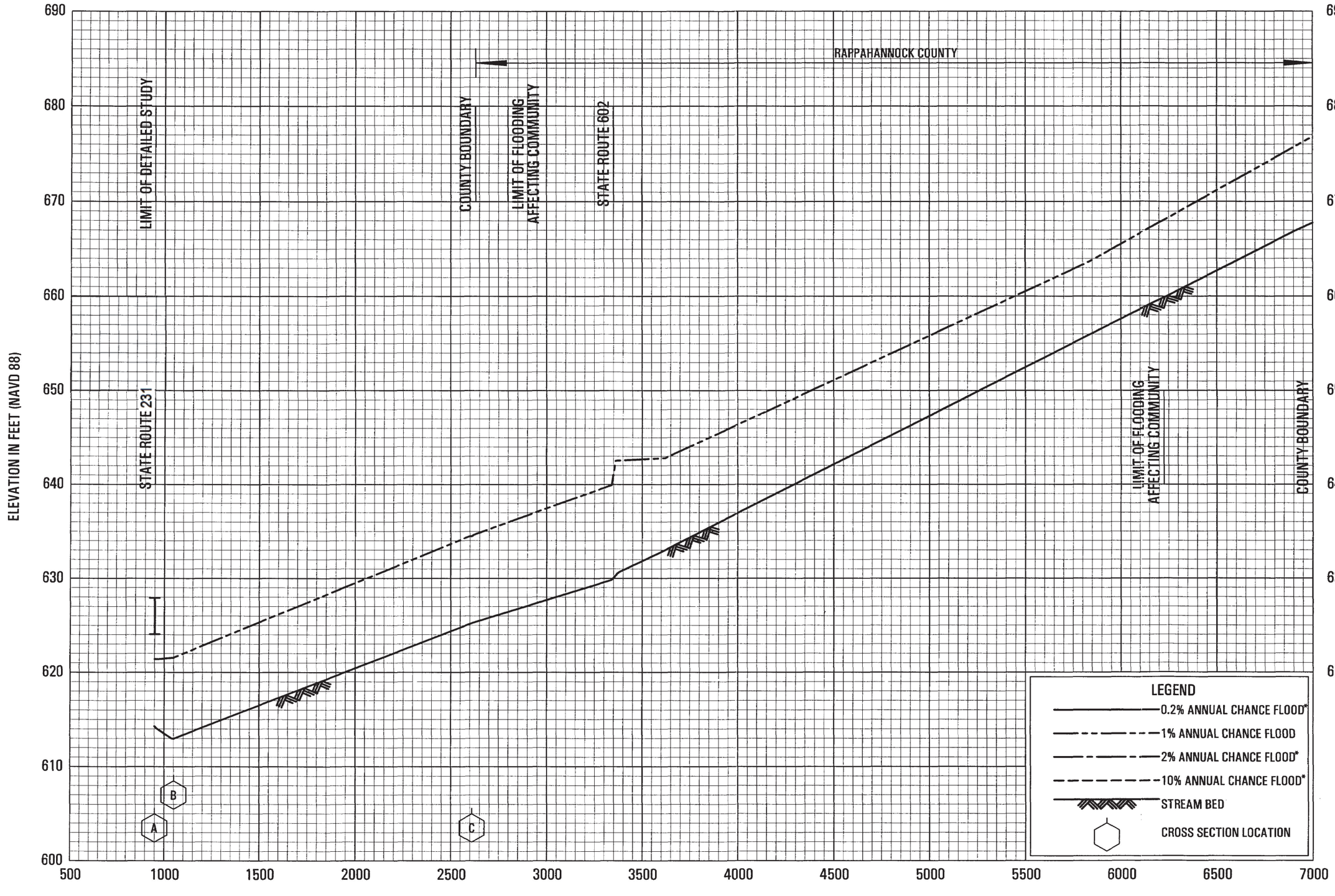
SECTION 9.0 – BIBLIOGRAPHY AND REFERENCES

Table 33 includes sources used in the preparation of and cited in this FIS Report as well as additional studies that have been conducted in the study area.

Table 33: Bibliography and References

Citation in this FIS	Publisher/ Issuer	*Publication Title,* "Article," Volume, Number, etc.	Author/Editor	Place of Publication	Publication Date/ Date of Issuance	Link
USGS	U.S. Department of the Interior, Geological Survey	Water Resources Investigations 78-5, *Technique for Estimating Magnitude and Frequency of Floods in Virginia*	E.M. Miller	Washington, D.C.	1978	https://pubs.er.usgs.gov/publication/wri785
USGS	U.S. Department of the Interior, Geological Survey	Water Resources Investigations 77-83, *A Technique for Determining Depths for T-Year Discharges in Boundary Channels*	D.E. Burkham	Washington, D.C.	1977	https://pubs.er.usgs.gov/publication/wri7783
USGS	U.S. Department of the Interior, Geological Survey, in cooperation with the Federal Highway Administration	*WSPRO User's Manual*	J.O. Sherman and others	Washington, D.C.	1983	https://water.usgs.gov/software/WSPRO/
USGS	U.S. Department of the Interior, Geological Survey	*7.5-Minute Series Topographic Maps,* Scale 1:24,000, Contour Interval 20 Feet	U.S. Department of the Interior, Geological Survey	Washington, D.C.	Various	https://topomaps.usgs.gov
FIA	U.S. Department of Housing and Urban Development, Federal Insurance Administration	*Flood Hazard Boundary Map, Unincorporated Areas of Madison County, Virginia*	U.S. Department of Housing and Urban Development, Federal Insurance Administration	Washington, D.C.	February 24, 1978	FEMA Flood Map Service Center https://msc.fema.gov

Citation in this FIS	Publisher/ Issuer	*Publication Title,* "Article," Volume, Number, etc.	Author/Editor	Place of Publication	Publication Date/ Date of Issuance	Link
FEMA	Federal Emergency Management Agency	*Flood Insurance Study, Madison County, Virginia and Incorporated Areas*	Federal Emergency Management Agency	Washington, D.C.	April 3, 1989	FEMA Flood Map Service Center https://msc.fema.gov
FEMA	Federal Emergency Management Agency	*Flood Insurance Study, Madison County, Virginia and Incorporated Areas*	Federal Emergency Management Agency	Washington, D.C.	January 5, 2007	FEMA Flood Map Service Center https://msc.fema.gov
FEMA	Federal Emergency Management Agency	*Flood Insurance Study, Unincorporated Areas of Orange County, Virginia*	Federal Emergency Management Agency	Washington, D.C.	September 10, 1984	FEMA Flood Map Service Center https://msc.fema.gov
USGS	U.S. Department of Interior, Geological Survey	*Peak Streamflow for Virginia*	U.S. Department of Interior, Geological Survey	Washington, D.C.		USGS https://nwis.waterdata.usgs.gov/va/nwis/peak



STREAM DISTANCE IN FEET ABOVE STUDY LIMIT#

#STUDY LIMIT: 950 FEET DOWNSTREAM OF STATE ROUTE 231

*DATA NOT AVAILABLE

FLOOD PROFILES

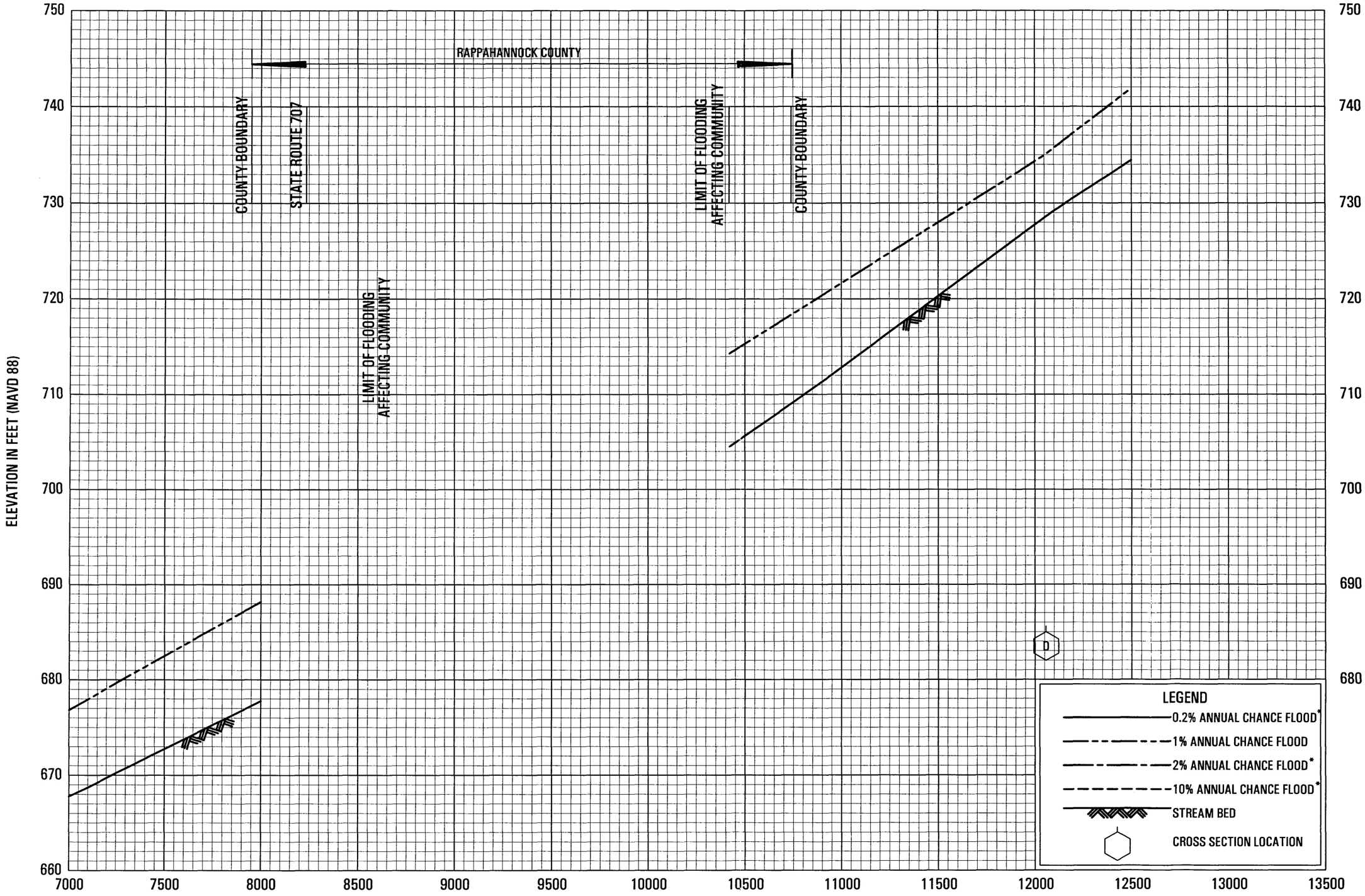
HUGHES RIVER

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

AND INCORPORATED AREAS

01P



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FLOOD PROFILES

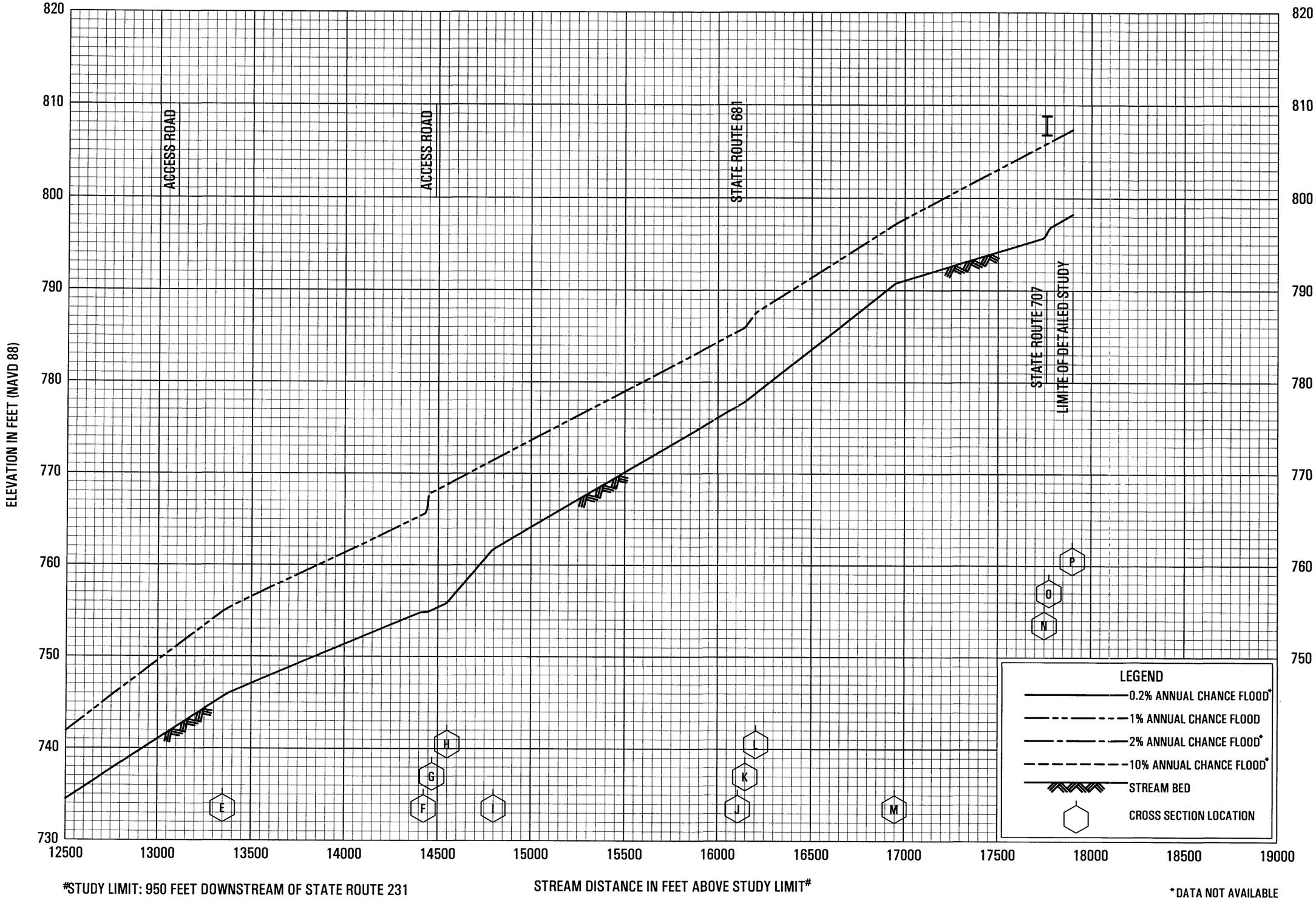
HUGHES RIVER

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

AND INCORPORATED AREAS

02P



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STREAM DISTANCE IN FEET ABOVE STUDY LIMIT#

*DATA NOT AVAILABLE

FLOOD PROFILES

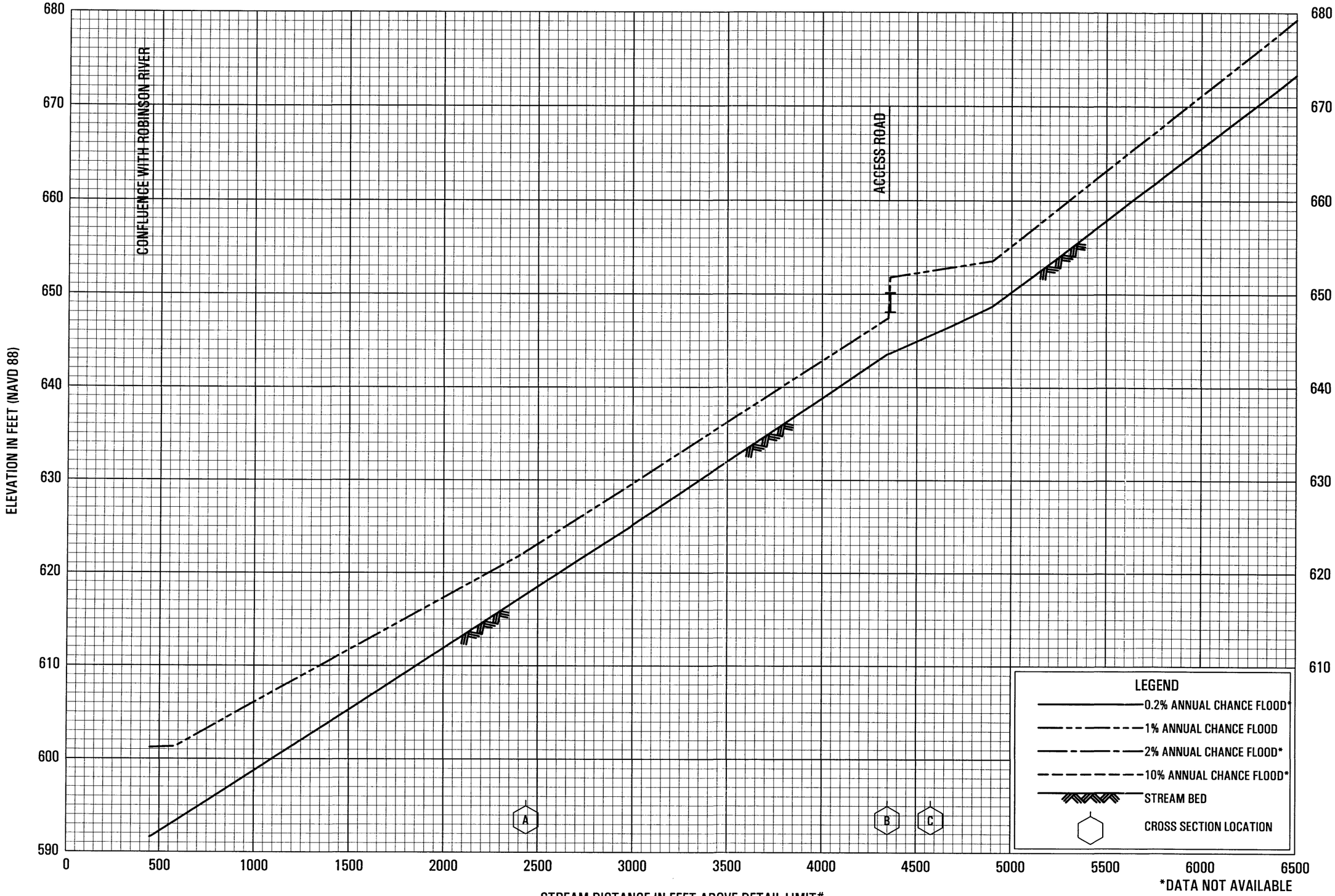
HUGHES RIVER

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

AND INCORPORATED AREAS

03P



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FLOOD PROFILES

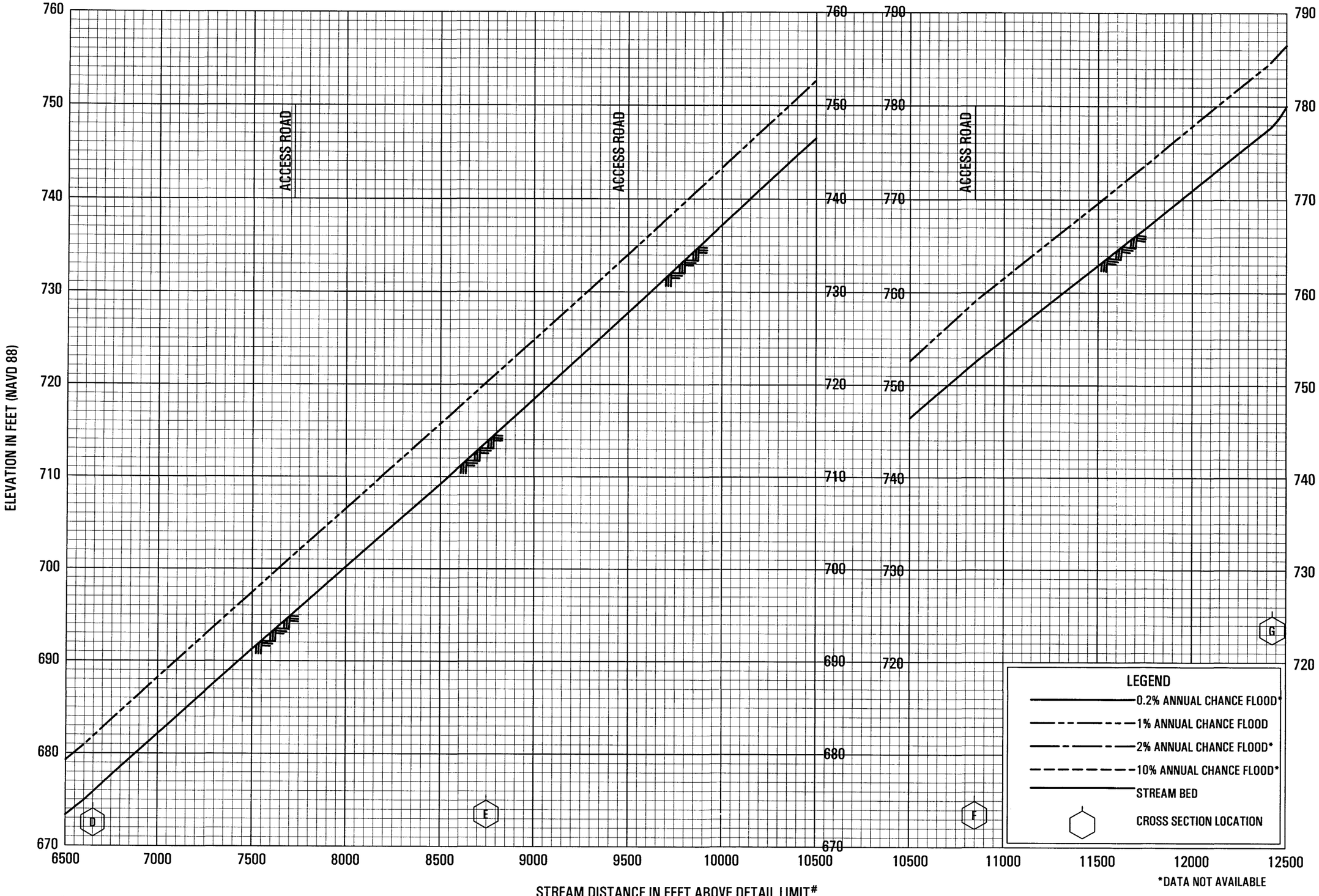
ROSE RIVER

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

AND INCORPORATED AREAS

04P



#STUDY LIMIT: 450 FEET DOWNSTREAM OF CONFLUENCE WITH ROBINSON RIVER

FLOOD PROFILES

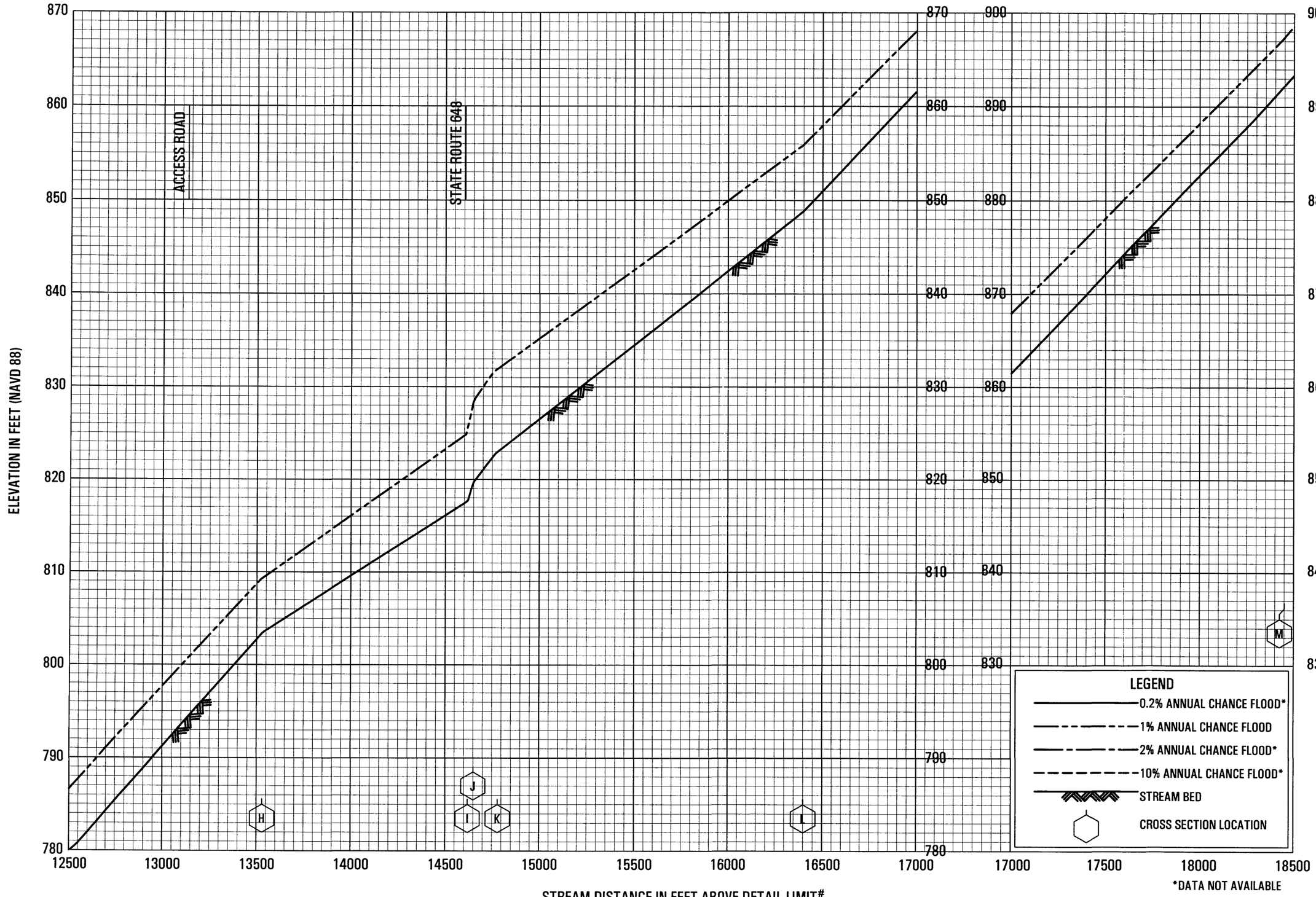
ROSE RIVER

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

AND INCORPORATED AREAS

05P



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FLOOD PROFILES

ROSE RIVER

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

AND INCORPORATED AREAS

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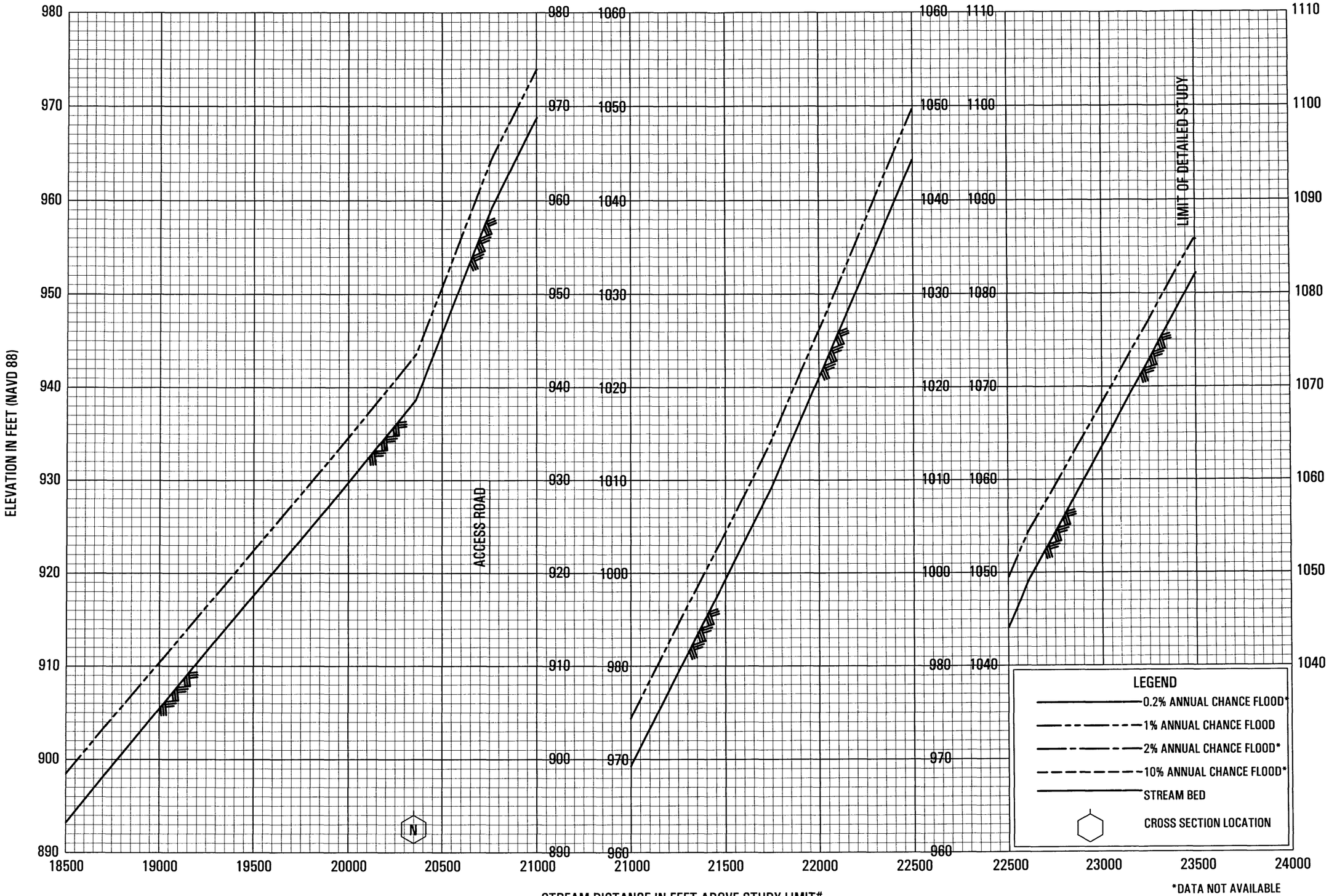

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#STUDY LIMIT: 450 FEET DOWNSTREAM OF CONFLUENCE WITH ROBINSON RIVER

FLOOD PROFILES

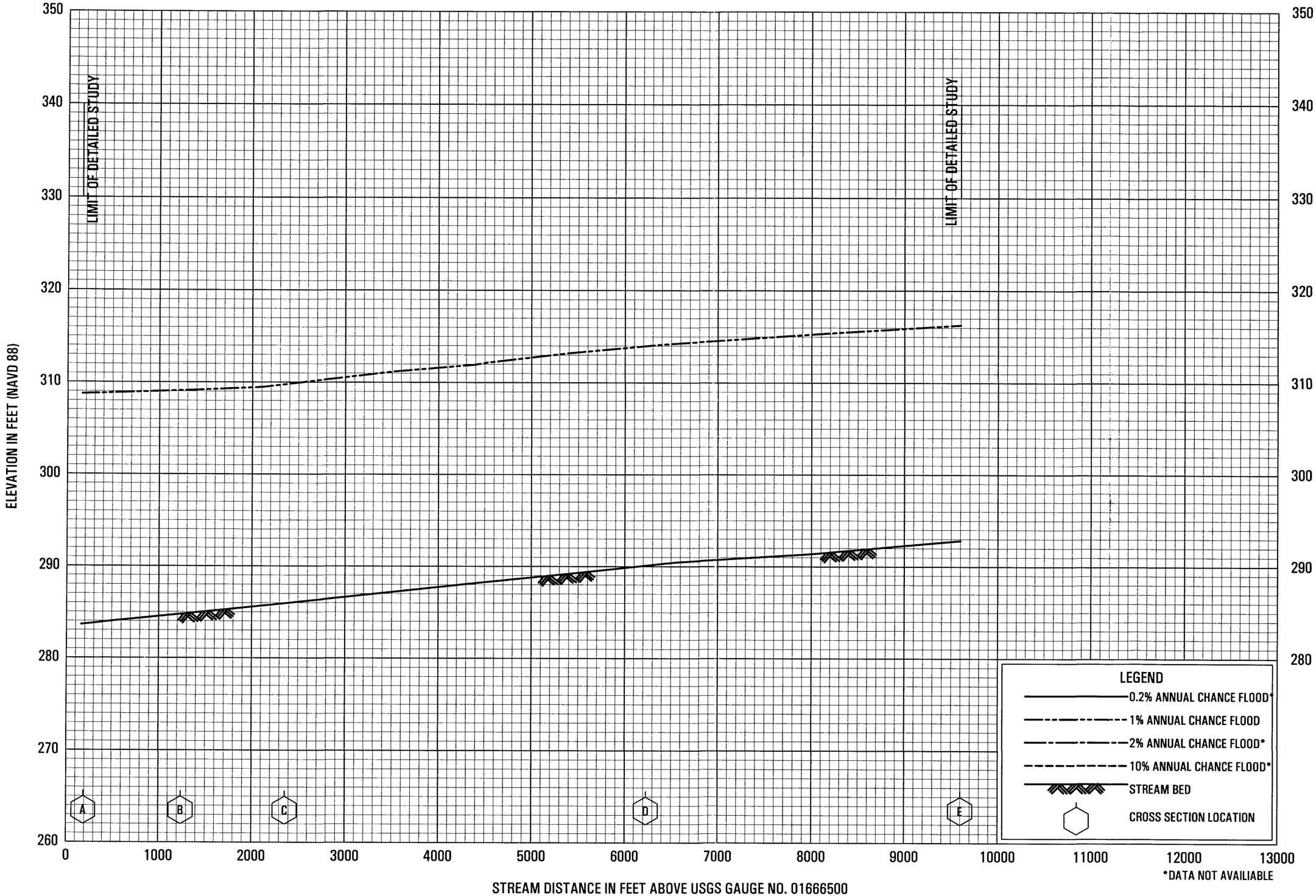
ROSE RIVER

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

AND INCORPORATED AREAS

07P



FLOOD PROFILES

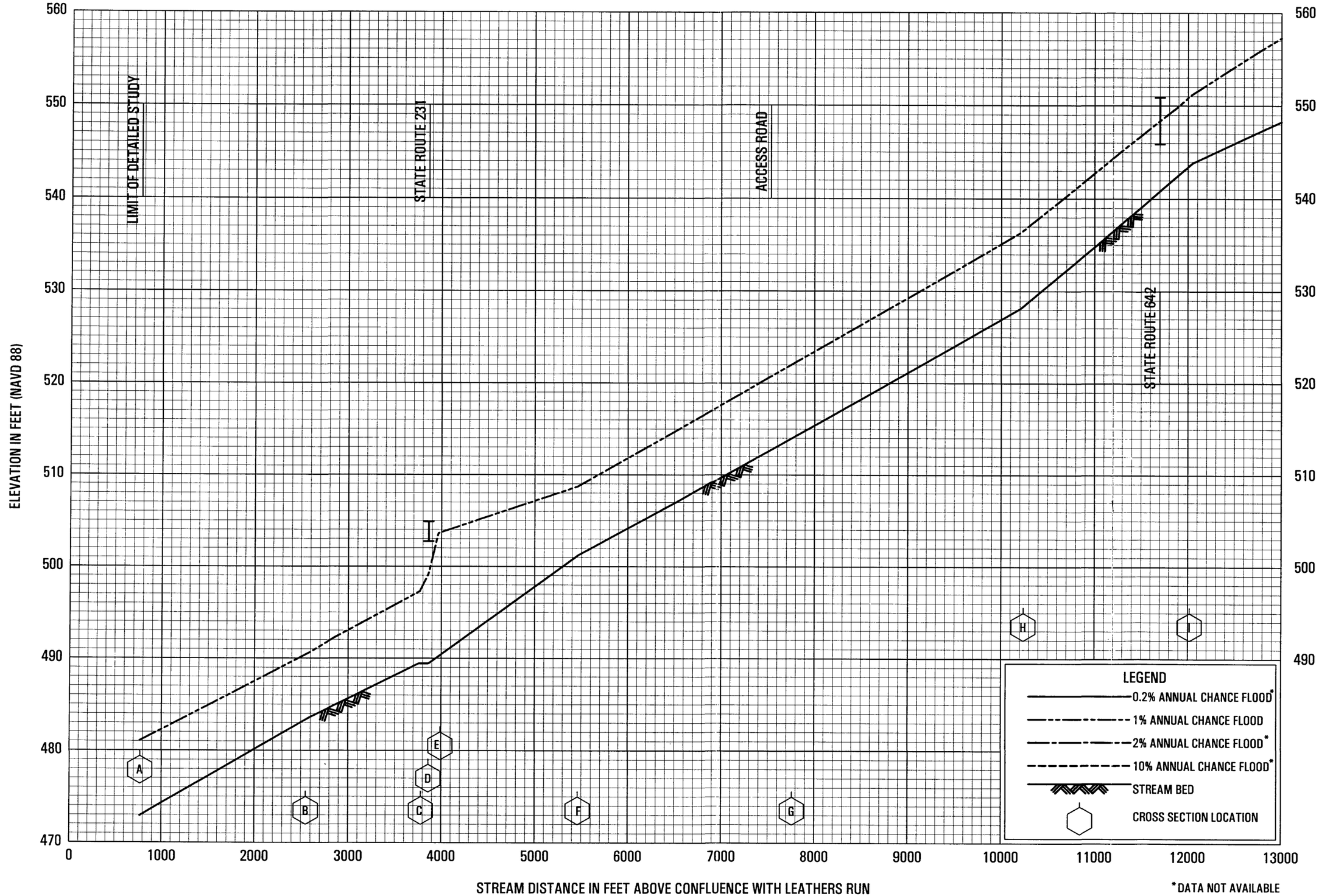
ROBINSON RIVER LOWER REACH

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

AND INCORPERATED AREAS

08P



FLOOD PROFILES

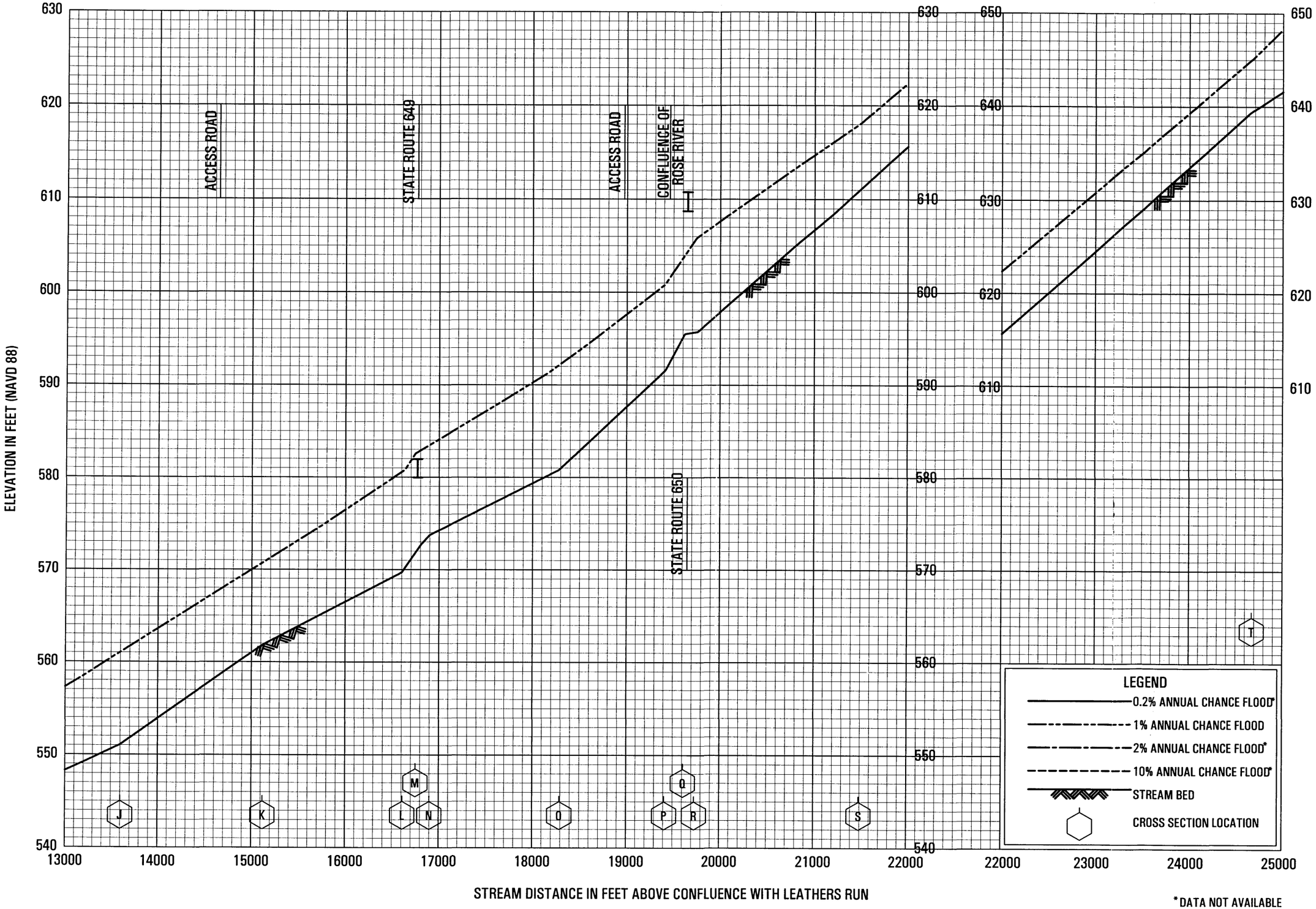
ROBINSON RIVER UPPER REACH

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

AND INCORPORATED AREAS

09P



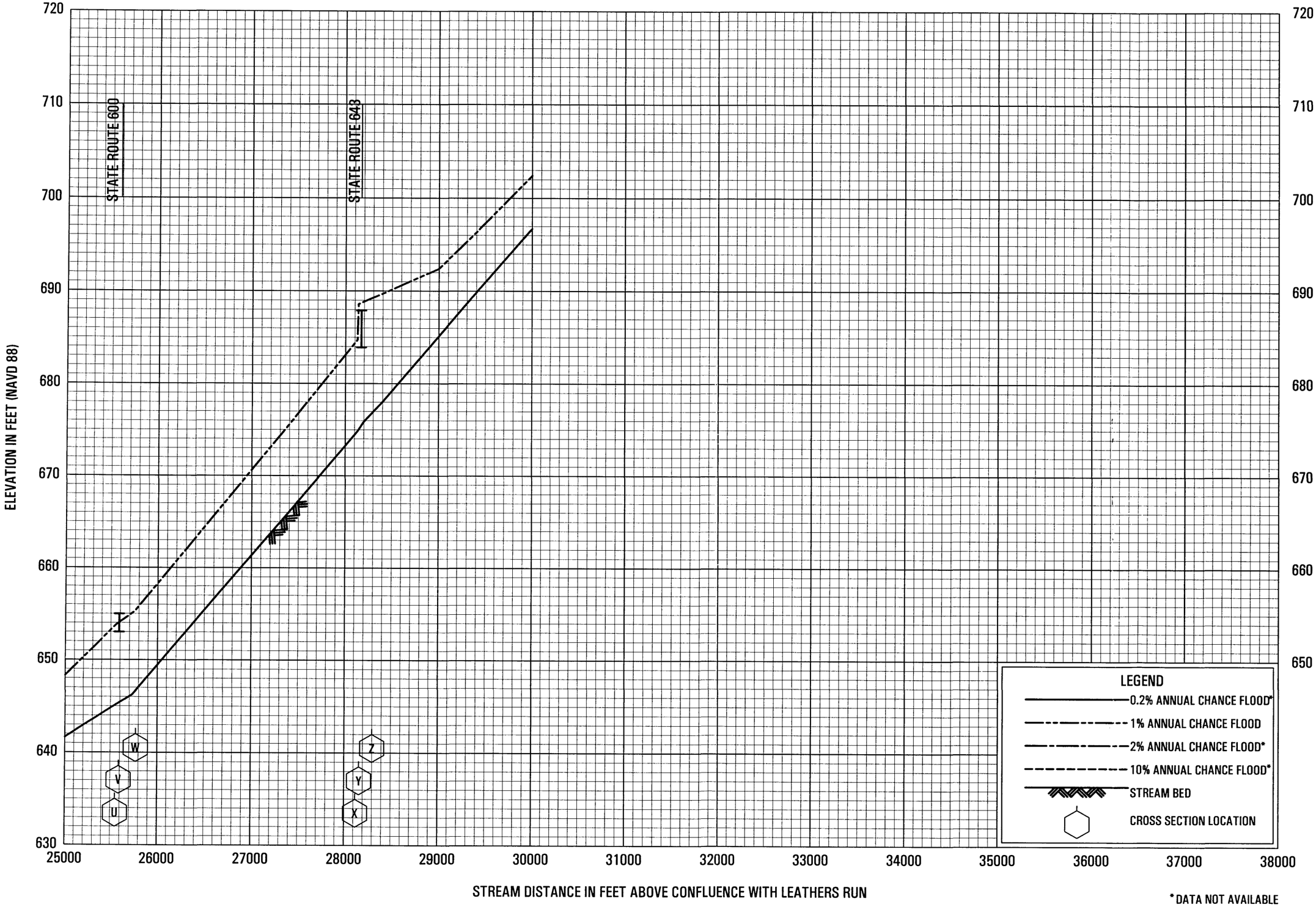
FLOOD PROFILES

ROBINSON RIVER UPPER REACH

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

AND INCORPORATED AREAS



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ROBINSON RIVER UPPER REACH

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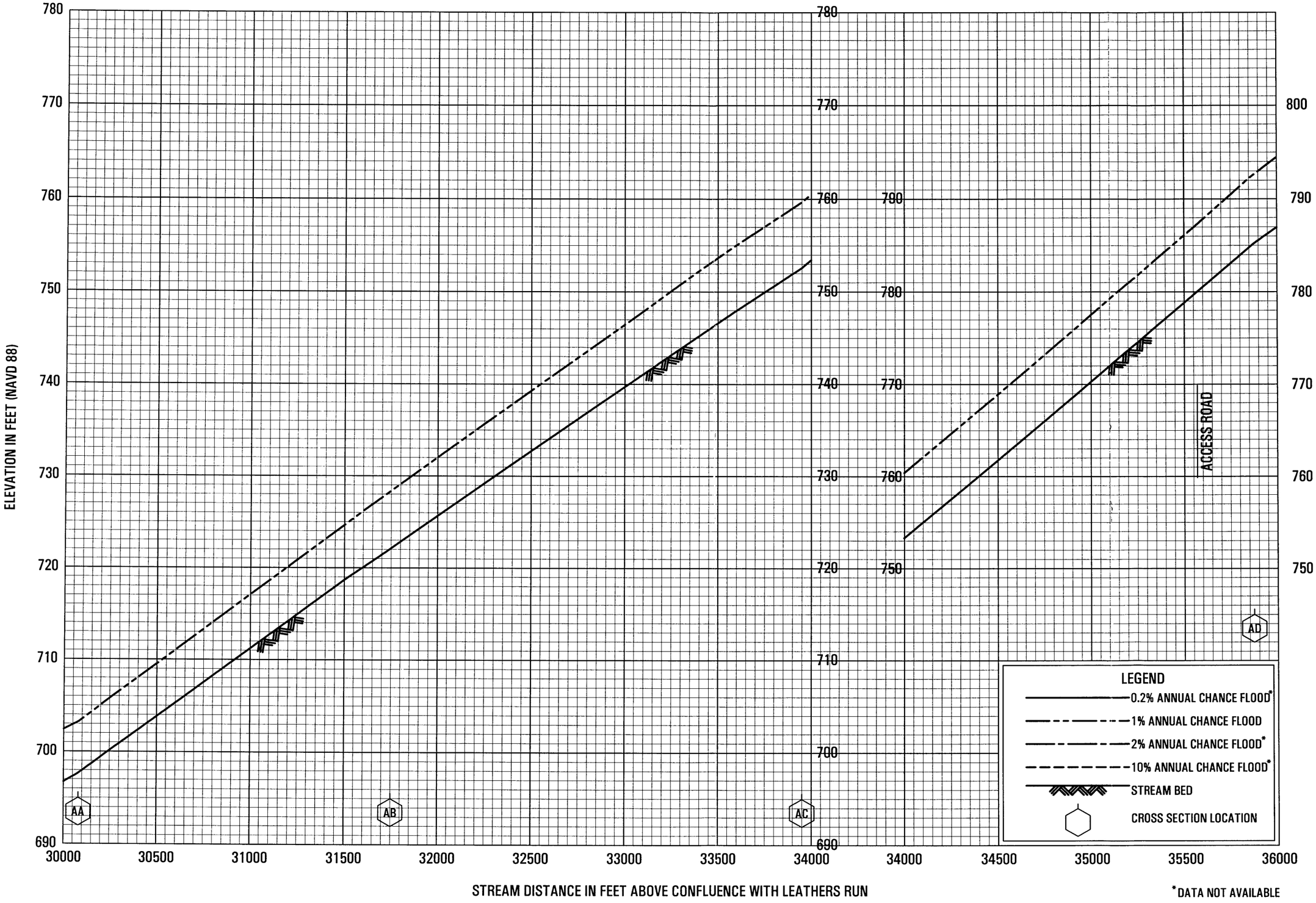
AND INCORPORATED AREAS



FLOOD PROFILES

ROBINSON RIVER UPPER REACH

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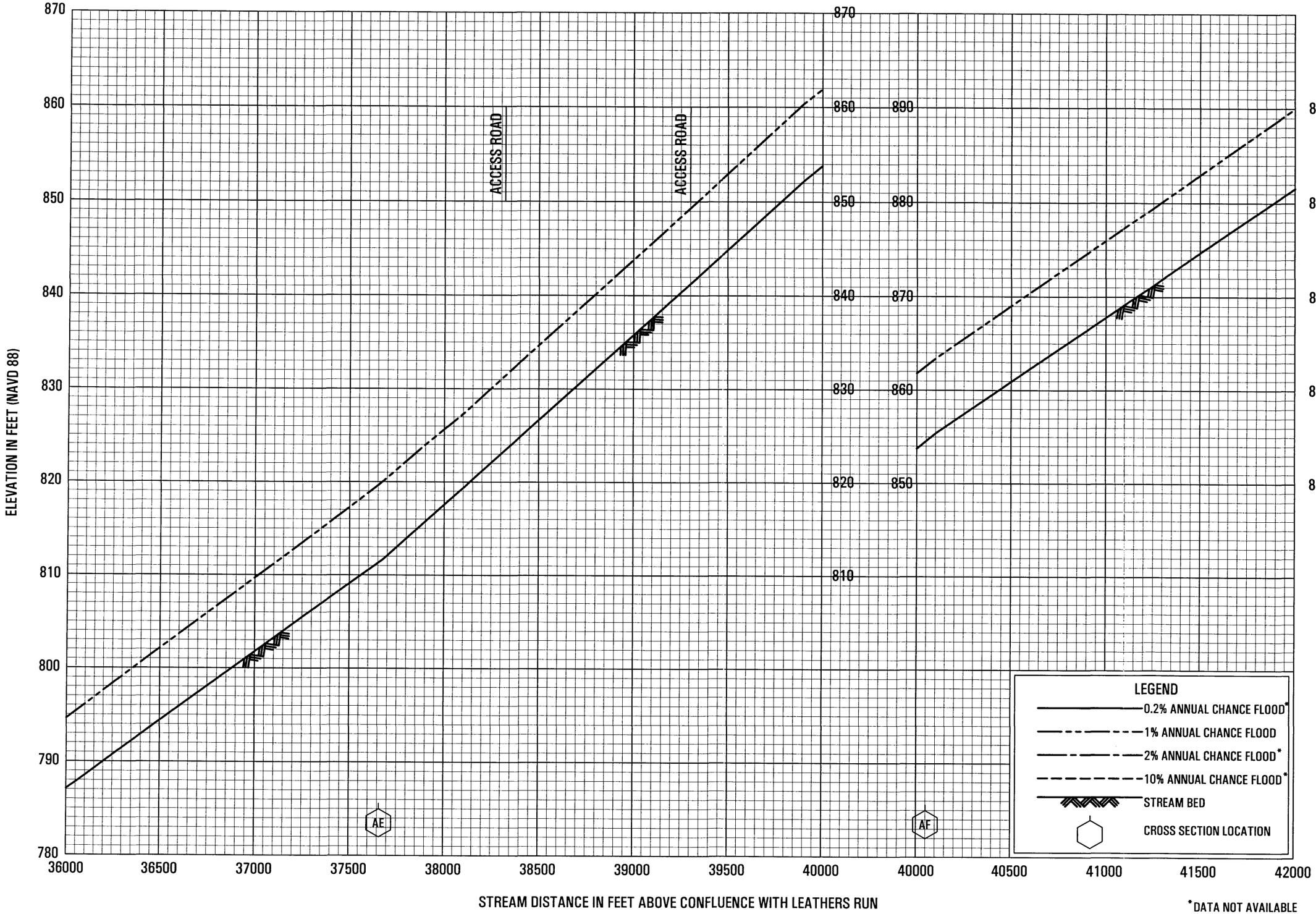

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FLOOD PROFILES

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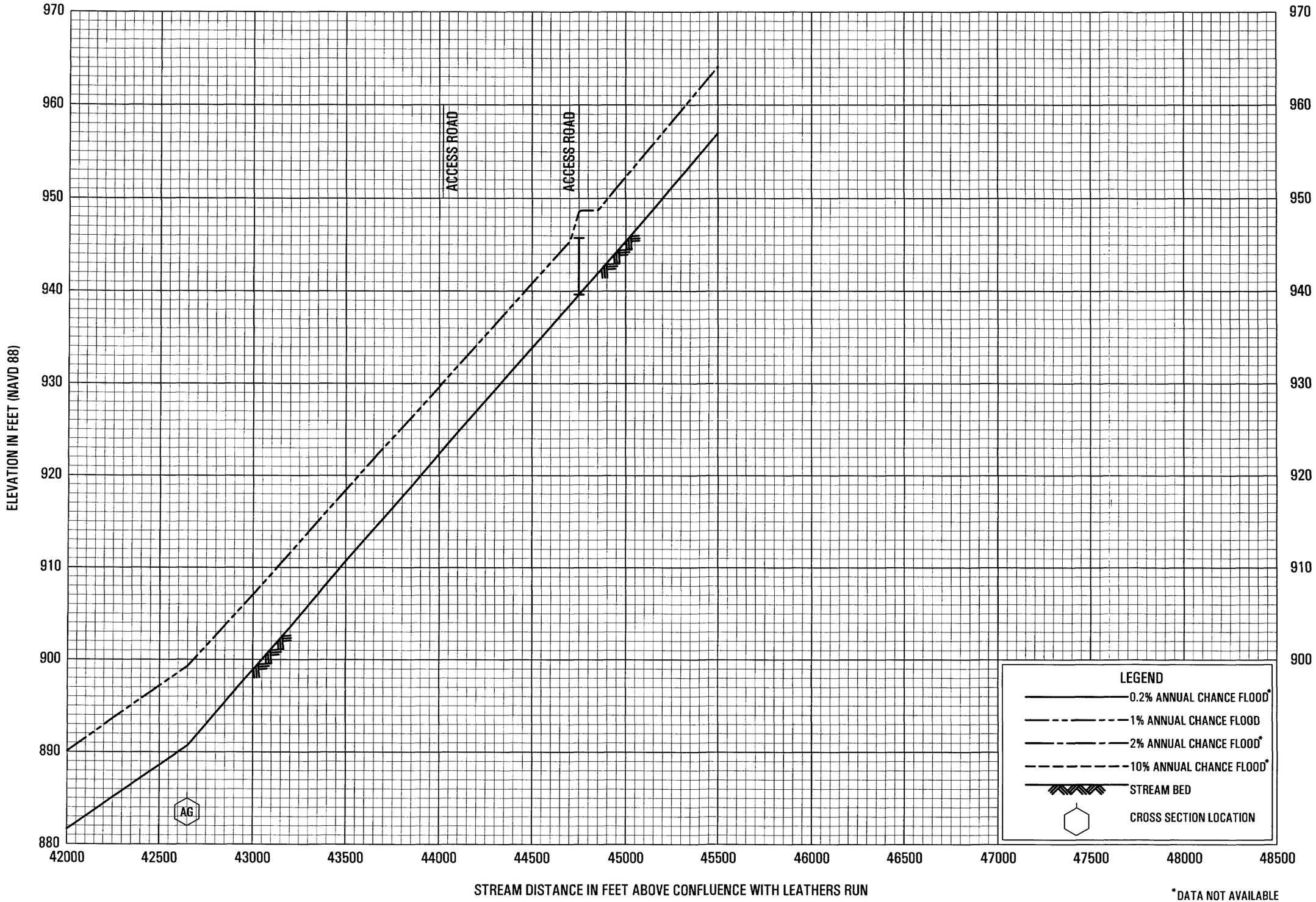

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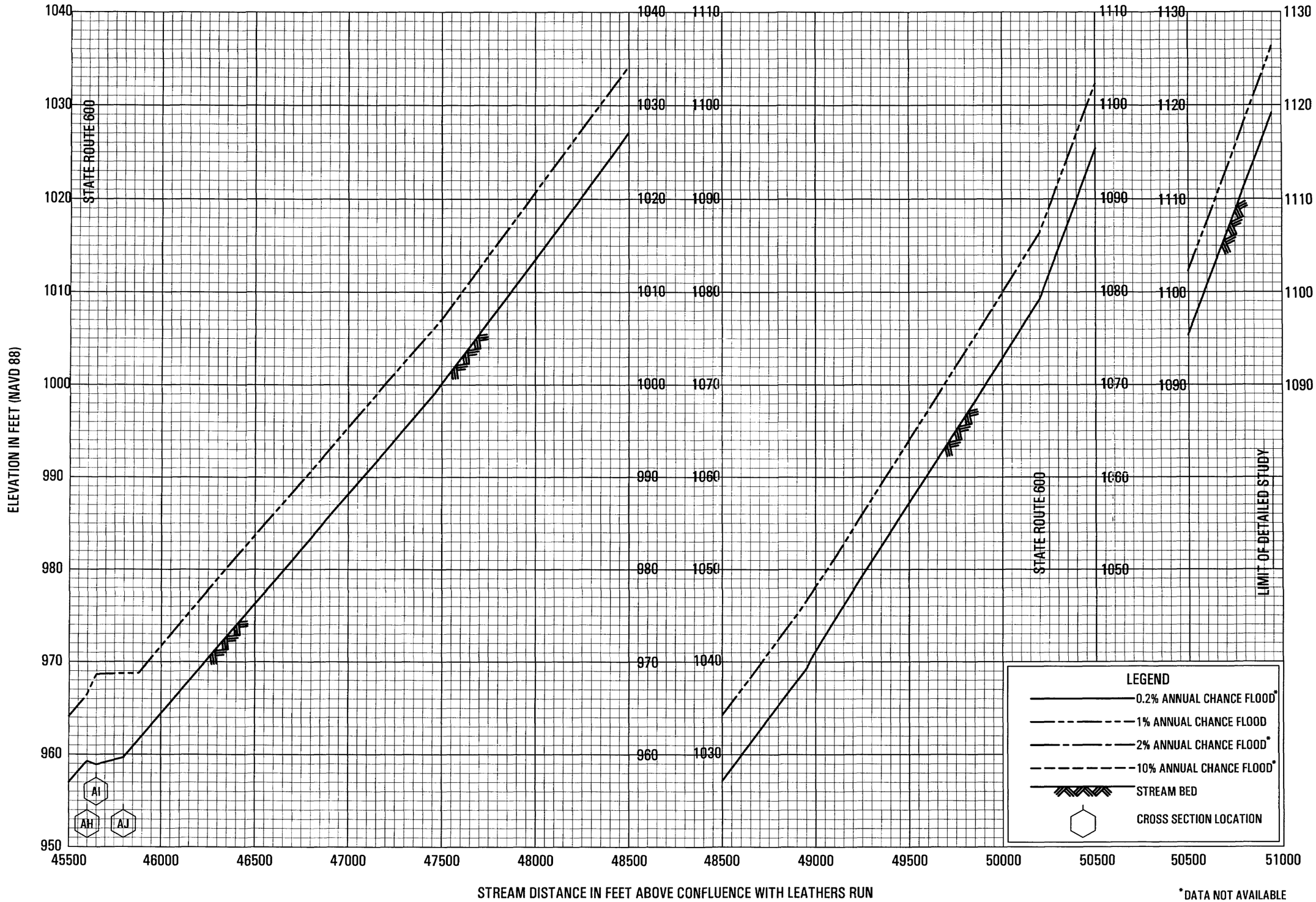


*DATA NOT AVAILABLE

FLOOD PROFILES

ROBINSON RIVER UPPER REACH

FEDERAL EMERGENCY MANAGEMENT AGENCY

MADISON COUNTY, VA

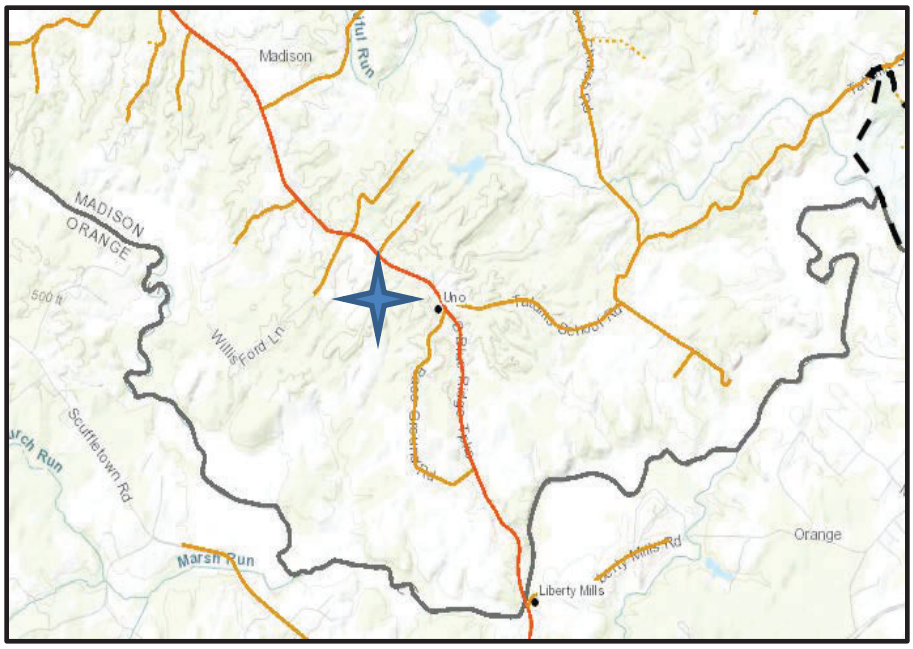
AND INCORPORATED AREAS

Special Use Permit Request by Crystallis, LLC (Barbara Miller)

for a

Event/Venue Use on A1 Zoned Properties

Background: The proposed Crescere Agri-Resort is an event/venue and recreational resort located on multiple parcels in Madison County totaling roughly 749 acres. The subject parcels are zoned A1 (agriculture) and in this district the proposed use of the property requires a special use permit. Per the submitted project narrative the proposed uses include the following: 1) a welcome center & restaurant, 2) an event center, 3) numerous "glamping" and lodging areas, 4) a spa, and 5) other additional support buildings (dam bar, farm center, open air pavilion). In addition, the site's development would include the redevelopment and expansion of existing site roadways and construction of several parking areas.



As described in the project narrative the development would provide (and offer) "conference and retreat facilities; educational and entertainment facilities; dining and picnicking facilities; camping and glamping facilities; hiking, cycling, fishing, canoeing, rafting, tubing, wildlife observation shelters, boat landings/docks, ad equestrian trails and facilities…Approximately 60,000 sq ft of permanent and temporary structures are proposed on the property. 280,000 sq ft of the property entrance and new parking area are proposed to be paved and nearly 9,000 linear feet of existing dirt roads will be widened to 12' to ensure safer circulations throughout the site and adequate road surface improvements to serve any emergency vehicles."

Proposed Site Facilities: The applicant's submission shows the following facilities:

A welcome center and restaurant (proposed 6,600 sq ft)

Event Center (proposed 11,500 sq ft)

Eight (8) Four Season Cottages (proposed 1,500 sq ft per unit)

Spa Building (proposed 2,500 sq ft)

Open Air Pavilion (unknown proposed size)

Upgraded Existing Pavilions (unknown size)

Damn Bar (unknown proposed size)

Farm Center (unknown proposed size)

Lodge Building (proposed 2,000 sq ft)

Fourteen (14) Hilltop Glamping Sites (unknown proposed size)

Nine (12) Riverview Glamping Sites (unknown proposed size)

Eight (8) Family Campsites (unknown proposed size)

The site plan (page 6 of 9 of packet submitted by applicant) shows a total of forty-two (42) overnight accommodations and eight (8) ancillary or support buildings/structures.

Several proposed buildings/structures are of unknown size; the County Planner does not consider this to be of significant concern at this juncture.

The submitted site plan also shows the development of internal vehicle travel lanes and hiking trails.

Per the submitted site plan the County Planner estimates the 42-over-night accommodations could accommodate roughly 126 guests on site.

Development Process & Requirements: The subject property is proposed to be developed in multiple phases, with each phase requiring a site plan submittal to be reviewed (and recommended) by the Planning Commission and approved by the Board of Supervisors. During the site plan submittal(s) specifics details regarding road surfacing, parking considerations and building/design details can be reviewed detail.

Subsequently, as each phase is constructed, the applicant will be required to obtain erosion/sediment control permits and building permits. Regarding erosion/sediment controls: the post development runoff is required to be the same (or less) as the pre-development runoff; each phase's erosion/sediment plan is required to be completed by a state licensed engineer.

Prior to the construction of any proposed phase, the County will require an engineered E/S plan for the entire site.

Septic and Water Considerations: The County Planner estimates the site would likely require a minimum of seven (7) to potentially twelve (12), or more, individual septic systems to accommodate the proposed build-out. And depending on flow rates, the site could also require a similar number of individual drilled wells to supply water to the proposed structures.

The applicant is required to submit soils tests, septic designs and well logs to the Virginia Department of Health (VDH) for review and approval. Building permits will not be issued until VDH has approved septic and well sites.

Entrance, Traffic Impacts & Analysis (See Traffic Count Segment Map on Subsequent Pages) The site is proposed to have one entrance on S. Blue Ridge Turnpike (Rt. 231). VDOT has completed an initial review of the site plan and has stated that a detailed entrance design review can be undertaken during the site plan submittal phase. In addition, the proposed entrance has good site distance. However, a right and left turn lane will likely be necessary at some juncture as the site develops. Attached to this report is a letter from VDOT.

VDOT's 2019 traffic counts estimated the 9.6 mile segment of S. Blue Ridge Turnpike (Rt. 231) has a AADT (annual average daily traffic) of 1,400; further, the K factor (Vehicles Per Hour During Peak Hour) is 145. Overall, the segment of Blue Ridge Turnpike appears to be functioning well under the road's design capacity, and there are no significant "surges" (k factor) in traffic at any given time.

The proposed entrance's site distance to the north and south on Rt. 231 is good.

The nature of this proposed facility will result in higher "surges" (see k factor) during events, both public and private. Many of the events will be private in nature, and surges will likely be below (or near) the roads existing k factor of 145. For instance, a private event with 500 attendees (using three attendees per vehicle which is likely low) would result in a surge of 167 vehicles entering or exiting the site in an hour.

However, larger public events with 1,000 (or more) attendees would result in surges of 300/400 vehicles entering/exiting in an hour, or more, which is significantly higher than the Blue Ridge Turnpike's existing k factor of 145. Turing lanes would help to manage such surges, and "normal" traffic (non-surge) to and from the site will invariably increase the traffic on this road.

In summary, presently this segment of Blue Ridge Turnpike has a significantly lower AADT than many nearby roads with similar design capacities. This road can accommodate increased traffic, but traffic surges are a concern; and will fluctuate depending on the number and size of events. Improving the site's entrance is a given but may be done so incrementally as this site develops.

Analysis of Applicant's Proffer/Conditions Letter – The applicant submitted a signed voluntary proffer letter (attached). If the special use permit is approved as submitted, this letter would become "binding" and become another "layer" of the site's zoning; and deviations from the proffers would be handled as a zoning violation. Changes to the proffered conditions would require public hearings before the Planning Commission and Board of Supervisors. The proffers would also be transferrable too. Important highlights from the proffer letter is as follows:

1) Phasing Plan – the proffer letter makes mention of a phasing plan, and the County Planner believes it meets the intent of the event/venue ordinance. A project this size has many variables which make estimating a highly detailed phasing plan difficult; however, it is anticipated the site will develop in multiple phases, and each phase will require a site plan submittal to the County.

2) The proffer letter states the number of overnight lodging units to be "approximately 50"; by the County Planner's count the submitted site plan (page 6 of 9 of the applicant's submittal) shows 41 overnight units. Also, the applicant states the lodging units "would accommodate 225 guests." Given that there appears be a disconnect between the site plan and the proffer letter regarding the total number of lodging units, the total number of overnight guests is higher than expected too.

3) Number of public events & noise: The applicant has proffered "the number of annual large public events will be no more than 12; and any additional event over 12 would require specific approval by Madison County Board of Supervisors. A large public event would be defined as an advertised event or gathering in which the general public is invited (regardless if a fee is collected or not) where the group exceeds 1000 people over the course of the event. We plan to adhere to an outdoor music cut-off time of 12 a.m."

4) The letter provides eight "bullet points" which reiterate adherence to required processes or reviews; these points range for VDH and VDOT approvals to required site plan submittals. Although these processes require adherence, clearly listing them is beneficial.

<u>The County Planner's critique of the submitted proffer letter</u>:

- It is recommend the submitted site plan be a proffered condition of the special use permit. Currently, it appears to be inconsistencies between the site plan and the submitted proffer letter, namely the total number of lodging units; and at build-out the total number of potential overnight guess appears to be significantly higher than anticipated.

- The proffer letter makes no reference to the size and number of private events, which the County Planner believes is acceptable; private events by nature are smaller in size and intensity. However, it is believed the conditions placed on the definition of what constitutes a public event (1,000 or more people), the annual allowable number of public events (12 per year), noise (outdoor music cutoff at midnight) lacks specifics and is ambiguously written (e.g. "plan to adhere to").

Comprehensive Plan – The County's comprehensive plan contains general aspirational goals of preserving the County's agricultural lands while promoting tourism as a means for economic development. It is believed the subject proposal would indeed meet these goals, provided stated concerns are met.

Site Visuals:

Recommendation: Table **June 27, 2020**

The site provides ample acreage to accommodate the proposed uses. It is believed to be consistent with the County's comprehensive plan to promote economic development through tourism while preserving agricultural lands. The County Planner believes the project has tremendous potential. In addition, there are many regulatory processes which will ensure the site will be developed in an orderly and consistent manner in compliance with all County and state regulations; if built-out as proposed the site would overwhelmingly remain in open space and still remain viable for agricultural uses.

However, questions remain specifically regarding the number of lodging units, the annual number and definition of public events. In the opinion of the County Planner the proffered conditions related to these issues are vague and need improvement. If tabled, and the applicant is agreeable, the County Planner will work with the applicant to clarify and improve these conditions to the satisfaction of all.

Update: **July 10, 2020**

The County Planner delayed/withdrew Crescere's public hearing scheduled for 7/1/2020; as required by the state code an official notice was not sent to the "Chief Administrative Officer" of an adjoining municipality which is located within in a mile of the proposal (Orange County). The public hearing has been re-advertised for Wednesday, August 5th, 2020, and notices to adjoining (and adjacent) property owners have been mailed. Notices via certified mail were sent to the Town of Orange's Town Manager, Orange County's County Administrator and Green County's County Administrator. Notice of the public hearing will appear in the Madison Eagle on July 16th and July 23rd, 2020.

On June 30th the applicant submitted a revised draft condition letter. In the opinion of the County Planner the (revised) condition letter still leaves some concerns and is somewhat "opened ended" regarding several key concerns: namely noise and the size and nature of site events.

Recently a member of the Board of Supervisors pointed out that the state code provides municipalities with a high degree of discretion regarding *imposing* conditions on a special use permit application (but the opposite is true regarding a rezoning request). However, before imposing any condition(s) there must be a clear (and logical) established connection between the condition(s) and the identified concerns which the condition(s) hope to address. The County Planner recognizes the applicant's need/desire for flexibility in order to advance such

an ambitious project; and to-date the applicant has been agreeable to modifying conditions based upon feedback and concerns. Ideally, common ground can be found without "imposing" conditions.

Recommendation: Approval **July 31, 2020**

The recommendation to approve is contingent upon concurrence by the Planning Commission, and ultimately by the Board of Supervisors, that submitted SUP conditions adequately address the myriad of potential impacts caused by this proposal. Generally speaking, public comments/concerns related to this SUP principally revolve around four (4) issues: traffic impacts, noise, the total number and nature of events, and transferability of the SUP. However, other concerns do exist.

Since Crystallis' first condition letter was drafted roughly five (5) weeks ago, the SUP conditions have been significantly modified (and hopefully improved) in order to address potential adverse impacts. For several weeks the County Planner has worked directly with the applicant, members of the Planning Commission and Board of Supervisors, the Piedmont Environmental Council, and the general public in order to synthesize and address stated concerns. The hope is that as written the SUP conditions adequately address these concerns. Additional modifications to the SUP conditions may be recommend by the Planning Commission, and imposed by the Board of Supervisors at the upcoming public hearing.

Additional comments related to areas of concern:

Traffic: At 1,400 AADT (average annual daily trips) the traffic counts on S. Blue Turnpike (Rt. 231) are relatively low; and the highest "peak" hour is 145 vehicle trips, or roughly 2.4 trips per minute. Although S. Blue Ridge Turnpike currently has a relatively low AADT and a modest peak traffic hour, the proposed SUP would invariably increase both. As written, the conditions require Crystallis to adhere to VDOT recommendations for onsite (and potential offsite) improvements. These improvements will be phased and likely require left, and right, turning lanes into the site from S. Blue Ridge Turnpike; though unknown at this time, VDOT could require additional improvements be made and/or studies be completed. The idea of an additional access road to the site has been discussed – potentially an access road used exclusively by staff and/or emergency vehicles. Through a written correspondence to the County, VDOT has stated an in-depth analysis (and recommendations) regarding potential improvements can be reviewed during future Site Plan submittals.

Noise/Events: From the County Planner's perspective, noise and events undeniably linked. The SUP categorizes events into three distinct categories: private events, minor events and major

events. Private events are of a lesser concern due to the nature of such events; however, minor and major events require more attention.

Several years ago, through bipartisan efforts the Virginia Legislature essentially liberalized agricultural land uses throughout the state thus allowing for exemptions for agritourism related activities; this made the broad category of agritourism exemptions "by right" on agriculturally zoned properties. And many of the minor events/activities described in this SUP would indeed be considered agriculturally exempt activities. Currently in Madison County (and other surrounding Counties) numerous breweries and wineries operate under this broad "umbrella" of agricultural exemptions. Further, many of these enterprises provide small scale musical entertainment and other similar events without approval or oversight from the jurisdiction. As written in the SUP conditions, in the County Planner's opinion the minor event SUP conditions provide increased oversight than what is required of numerous existing (and somewhat similar) enterprises located in the County.

Major events are required to follow Madison County's "Music and Entertainment Festival Ordinance" (adopted 1978); meaning major events will be required to adhere to the numerous provision listed in the ordinance. The principal regulatory mechanism of this ordinance requires major events to receive prior approval by the Madison County Board of Supervisors. It's anticipated that annually (late winter/early spring) a list of major events would be presented to the Board of Supervisors for approval, where specifics of each even could be discussed. In addition, the SUP conditions limit major events to six (6) annually, this annual number of events is similar to Graves Mountain Lodge too. Additional major events over six (6) would require specific approval by the Board of Supervisors.

The proposed SUP conditions related to noise is not nearly as nuanced. The times proposed for ending electronic amplification are clearly stated, and the acceptability of these times is subject to the recommendations of the Planning Commission, and ultimately is the decision of the Board of Supervisors.

Transferability: As written, the SUP is "indefinite" and is fully transferable. In theory the site could be sold and another person and/or entity could move the project forward. However, the hypothetical new owner would be required to adhere to all stated conditions of the SUP.

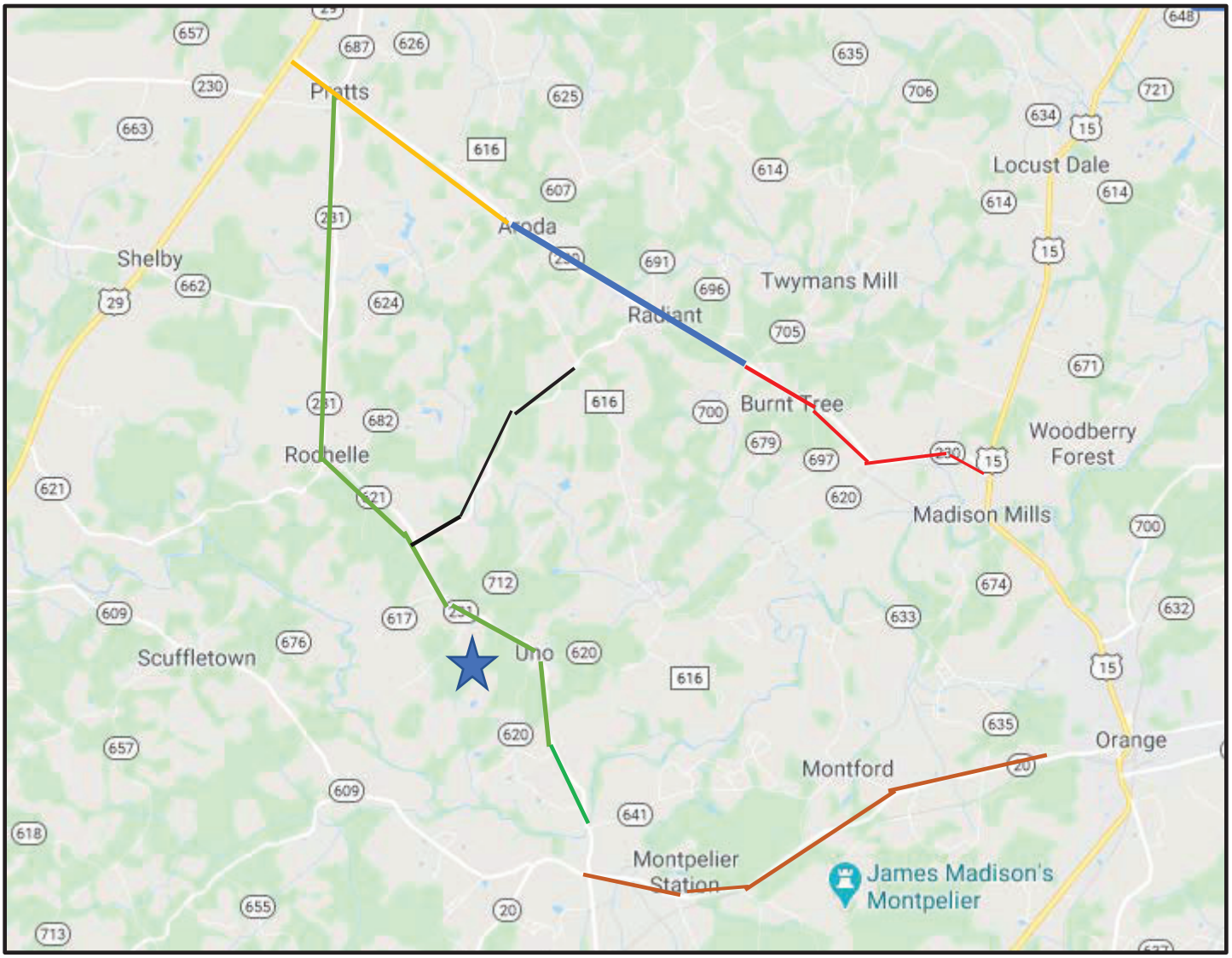
In closing, as presented Crystallis' SUP has potential to be a strong economic force in the Rochelle/Uno corridor of Madison County highlighting the region's natural and scenic beauty. Over the past decade, with the assistance of state legislative actions, rural tourism has increased substantially. The proposed Crescere Resorts seeks to capitalize on this increased interest in rural tourism. The County Planner believes the submitted conditions provide a high

degree of predictability and assurance regarding the future development and use of the site; regardless of who moves the project forward. However, if this SUP is approved, a strong set of regulatory processes still remain; but if built-out as proposed the impacts of the proposal will change this area. Provided future regulatory processes and burdens are met, build-out is expected to be incremental and evolve slowly over the course of many years.

Selected 2019 Road Segment Traffic Counts

Source: VDOT

AADT = Average Annual Daily Traffic **K Factor = Vehicles Per Hour During Peak Hour**



US 29 to Elly Road (2.53 mi): 3,600 AADT; K Factor: 316

Elly Rd to Twymans Mill Rd (2.86 mi): 3,100 AADT; K Factor: 282

Twymans Mill Road to US 15 (3.16 mi): 6,300 AADT; K Factor: 592

US 231 to Good Hope Church Rd: 190 AADT; K Factor (no data)

Orange Road (Rt. 230) to Orange County Line – Rt. 231 (9.6 mi): 1,400 AADT; K Factor: 145

US 231 (Gordonsville Turnpike) to Town of Orange Line (5.76 mi): 4,300 AADT; K Factor: 382

June 3, 2020

To: Barbara Miller, Owner & CEO; Sue Miller, EVP Business Development; Justin Shimp, Shimp Engineering

From: Ligon Webb, County Planner

RE: Special Use Permit – Crescere Agri-Resort: Project Overview, Ordinance Requirements & Project Consideration

Project Overview: The proposed Crescere Agri-Resort is an event/venue and recreational resort located on multiple parcels in Madison County totaling roughly 749 acres. The subject parcels are zoned A1 (agriculture) and in this district the proposed uses of the property requires a special use permit. Per the submitted project narrative the proposed uses include the following: 1) a welcome center & restaurant, 2) an event center, 3) numerous "glamping" and lodging areas, 4) a spa, and 5) other additional support buildings (dam bar, farm center, open air pavilion). In addition, the site's development would include the redevelopment and expansion of existing site roadways and construction of several parking areas.

As described in the project narrative the development would provide (and offer) "conference and retreat facilities; educational and entertainment facilities; dining and picnicking facilities; camping and glamping facilities; hiking, cycling, fishing, canoeing, rafting, tubing, wildlife observation shelters, boat landings/docks, ad equestrian trails and facilities…Approximately 60,000 sq ft of permanent and temporary structures are proposed on the property. 280,000 sq ft of the property entrance and new parking area are proposed to be paved and nearly 9,000 linear feet of existing dirt roads will be widened to 12' to ensure safer circulations throughout the site and adequate road surface improvements to serve any emergency vehicles." Our

recent discussions, and the project's narrative, indicate the proposed venue would host private events and possible public events too.

Ordinance Requirements: As you are aware in May of 2019 the Rural Resort ordinance was adopted by the Madison County Board of Supervisors; and being that Barbara advocated for this ordinance as related to this site, the public hearing(s) associated with the adoption of this ordinance (essentially) served as a de facto hearing for this proposal. However, the adoption of the Rural Retreat ordinance simply provides an avenue for this proposal, or other similar proposals, to apply for a special use permit for the uses described in the Rural Resort ordinance.

In the spring of 2020 Madison County's Board of Supervisors amended the Rural Resort ordinance and subsequently changed its name to "Event Venue" ordinance; other changes were made, but mostly minor revisions.

The submitted site plan and narratives appear to satisfy all requirements under Article 14-18 (Event Venue) of the Madison County Zoning Ordinance. However, it is recommended the following item be addressed:

14-18.4 Application Requirements:

B. The anticipated installation timetable or phasing plan.

Per our conversations, if approved potential build-out would be unpredictable. However, developing a simple timetable is required. Of course site plans would be required for new construction/development as the project advances. Therefore it is recommended a narrative be developed addressing potential phasing plans, with the understanding phasing timelines are often fluid.

Project Considerations: From a planning perspective the proposal's predictability moving forward is key; and (in my opinion) ensuring predictability can be achieved through a proffer/condition letter which accompanies the submittal. A signed letter detailing voluntary project conditions would be helpful and provide increased certainty regarding the project's development; and in some instances conditions could simply reiterate existing code requirements. However, as discussed, submitted proffers are voluntary in nature, and would become "binding" and be fully transferable; and changes/revision to proffered conditions would require a public hearing. Regardless, submitting such a letter would be helpful, but doing so does not ensure project approval or that all potential concerns have been met. It is

my opinion that the following items should be considered (in no particular order):

- The project's entrance will conform to VDOT recommendations and requirements; with the understanding that improvements could likely be phased as the project is built-out (see VDOT email dated 6/3/2020).

- Per the Madison County Site Plan Ordinance, each phase of the project's construction/development would require a formal site plan submittal to be reviewed by the Planning Commission and approved by the Board of Supervisors.

- The submitted site plan (sheet 6 of 9) is recommended to be the project's proffered layout; and any potential changes thereto will be minimal in nature and would be discussed/reviewed during site plan submittals.

- Substantial changes or revisions to the site's layout or services/activities would necessitate amending the special use permit and require a public hearing. (e.g. additional lodging units, new structures in direct support of the event and venue components, or expansions of existing structures)

- The total number of lodging units located on the site; and the total maximum number of overnight guests.

- Acknowledge all non-farm related structures must meet the Virginia Uniform Statewide Building Code.

- No structures will be located in an identified floodplain, unless a dock or pier.

- The site's external lighting will substantially adhere to the "Night Skies Best Practices" as recommended by the National Park Service (NPS).
  https://www.nps.gov/subjects/nightskies/practices.htm

- Clearly define/state a cut-off time for outdoor activities and music.

- Consider limiting the number of annual public events to two (2); and any additional public events above this number (2) would require specific approval by the Madison County Board of Supervisors. A public event would be defined as an advertised event or gathering in which the general public is invited regardless if a fee is collected or not.

- Consider placing a maximum limit on the number of guests/attendees for private events.

- Acknowledge the Virginia Department of Health will be responsible for review and approval of all wells and septic systems developed on the site.

From:	Ligon Webb
To:	Moore, Adam; "Bedsaul, Willis"
Bcc:	April Clements; Jamie Wilks; Jack Hobbs; "Sean Gregg"; "Carty Yowell"; "Michael Mosko"; Clay Jackson
Subject:	re: Special Use Permit - Entrance Requirements
Date:	Wednesday, June 3, 2020 11:37:09 AM
Attachments:	Crescere-SitePlan.pdf

Hello Adam & Willis –

Madison County recently received a special use permit application from Crescere Resort, LLC (Barbara Miller) to develop portions of a 749 site (made up of multiple parcels) located in Uno off Route 231. I have attached the project's site plan too….the proposed resort would provide various overnight accommodations and event/venue space for special events (weddings, reunions, retreats, etc….)…The number and frequency of these special events is unknown at this moment but it is assumed that during the "season" (April – November ?) the site would be active, naturally mostly during weekends.

The attached site plan provides a detail narrative of the proposed development, but here's an overview: the proposed event/venue site (with overnight accommodations) is anticipated to be developed in multiple phases, and at build-out the site (as presented) would contain 1) 40 lodging sites, with capacity of 80-100 overnight guests, 2) a welcome center & restaurant(6,600 sq ft proposed), 3) an event center (11,500 sq ft proposed), 4) a spa (2,500 sq ft proposed) & bar (unknown sp ft), and 5) various other support and accessory structures…in total the project narrative states it would contain 60,000 sp ft of permanent & temporary structures "under roof"…

In conjunction with overnight guests, the event center is proposed to have an occupancy of 300 people…large scale events (say weddings) could likely accommodate 500 guest (utilizing outdoor space too), with (again) the potential for 100 guest to be accommodated on site in the various lodging components.

I have discussed a potential phasing plan with the applicants, and at this moment there is no true phasing plan; however, the applicants acknowledge potential build-out could take many years. The first phase would likely be items number 1 (welcome center restaurant), 2 (Event Center) and 3 (Four Season Cottages) as described on sheet six (6) of the site plan.

However, if the SUP is approved as presented any subsequent construction/development, which is anticipated to be done so incrementally, would be required to submit a site plan for review by County staff and Planning Commission and approved by the Board of Supervisors…County staff would engage VDOT during these site plan submittals too.

Regarding the entrance at Rt. 231, the applicants understand the entrance design/type is under the purview and review of VDOT, and ultimately the design/type of entrance will be dependent upon existing traffic counts on Rt. 231, and the estimated traffic counts generated by the proposed uses on the site. I indicted to the applicants at build-out I imagine a right-taper lane and a left turn lane would likely be required. However, I also believe entrance improvements could likely be phased, and review could be coordinated between VDOT and County staff during each site plan submittal(s)…

Anyhow, given that I just received this SUP several weeks ago, and we (tentatively) have a joint Planning Commission and Board of Supervisors hearing scheduled for this on Wednesday, July 1st, I wanted to get your thoughts on this project regarding VDOT's entrance review timeline and potential recommendations, with the understanding that (if approved) future site plan submittals will provide opportunities for additional entrance review, recommendations and requirements…

Ok, thanks again for your time and attention to this matter, thanks - Ligon

Ligon Webb
County Planner
Madison County
414 N. Main Street
Madison, VA 22727
(540) 478-2240 (Cell)

FOR OFFICE USE ONLY:		
Zone:	Tax Map No:	By Who?
Fee Amount:	Date Paid:	
Receipt #:	Check #:	

MADISON COUNTY
APPLICATION FOR SPECIAL USE PERMIT

Date:

The undersigned owner/applicant of the following described property hereby applies for a Special Use Permit as required by Article(s) 14 of the Zoning Ordinance of Madison County, Virginia.

Owner of Record:

Name: CRYSTALLIS LLC

Address: 5291 SCUFFLETOWN RD, BARBOURSVILLE, VA 22923

Phone No.:

E-Mail: barbara@crescereresort.com

Applicant:

Name: Crescere Resort, LLC

Address: 5291 SCUFFLETOWN RD, BARBOURSVILLE, VA 22923

Phone No.:

E-Mail: barbara@crescereresort.com

TAX MAP: 64-71, 64-73, 64-73A, 68-1, 68-2A, 68-2 & 69-1____ ZONE: 5 & 6

OF ACRES TO BE COVERED BY SPECIAL USE PERMIT: 749.308

LOCATION/ADDRESS OF PROPERTY FOR SPECIAL USE PERMIT: S BLUE RIDGE TPKE RT 231

Is this an amendment to an existing Special Use Permit? If yes, provide that SP Number: _____

PROPOSAL/REQUEST: _____

I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner in filing this application. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge.

Barbara Miller

Signature of Owner or Agent

5/15/2020

Date

Barbara Miller

Print Name

917-570-0155

Daytime phone number of Signatory

Have all the necessary statements, plats, plans and other pertinent information been submitted? ☐Yes ☐ No

Reviewed by Planning Commissioner: **Date:** _____

Conditions, if any: _____

Action Taken by Board of Supervisors: **Date:** _____

Conditions, if any: _____

APPROVED: ☐ **DENIED:** ☐ Ligon Webb, Zoning Administrator **Date:** _____

SHIMP ENGINEERING, P.C.
Design Focused Engineering

May 15, 2020

Ligon Webb
County of Madison
414 N. Main Street
Madison, Virginia 22727

RE: Rural Resort Special Use Permit for Crescere (TMP 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A & 69-1)

Dear Mr. Webb,

Please find the first submission of the special use permit application for Crescere, TMPs 64-71, 64-73, 64-73A, 68-1, 68-2A, 68-2, and 69-1 for review. Included in this submission are:

1. 15 (11x17) copies of the concept plan for review.
2. Project narrative (included with the concept plan)
3. SP Application

If you have any questions, please do not hesitate to contact me at Kelsey@shimp-engineering.com or by phone at 434-227-5140. You can also contact Justin Shimp at Justin@shimp-engineering.com.

Best regards,

Kelsey Schlein
Shimp Engineering, P.C.

SPECIAL USE PERMIT

CONCEPT PLAN

SP NUMBER PENDING

CRESCERE

TMP(s) 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A & 69-1

project ID: 18.051

Submitted 15 May 2020

REVISED 24 JULY 2020

Sheet 1 of 9

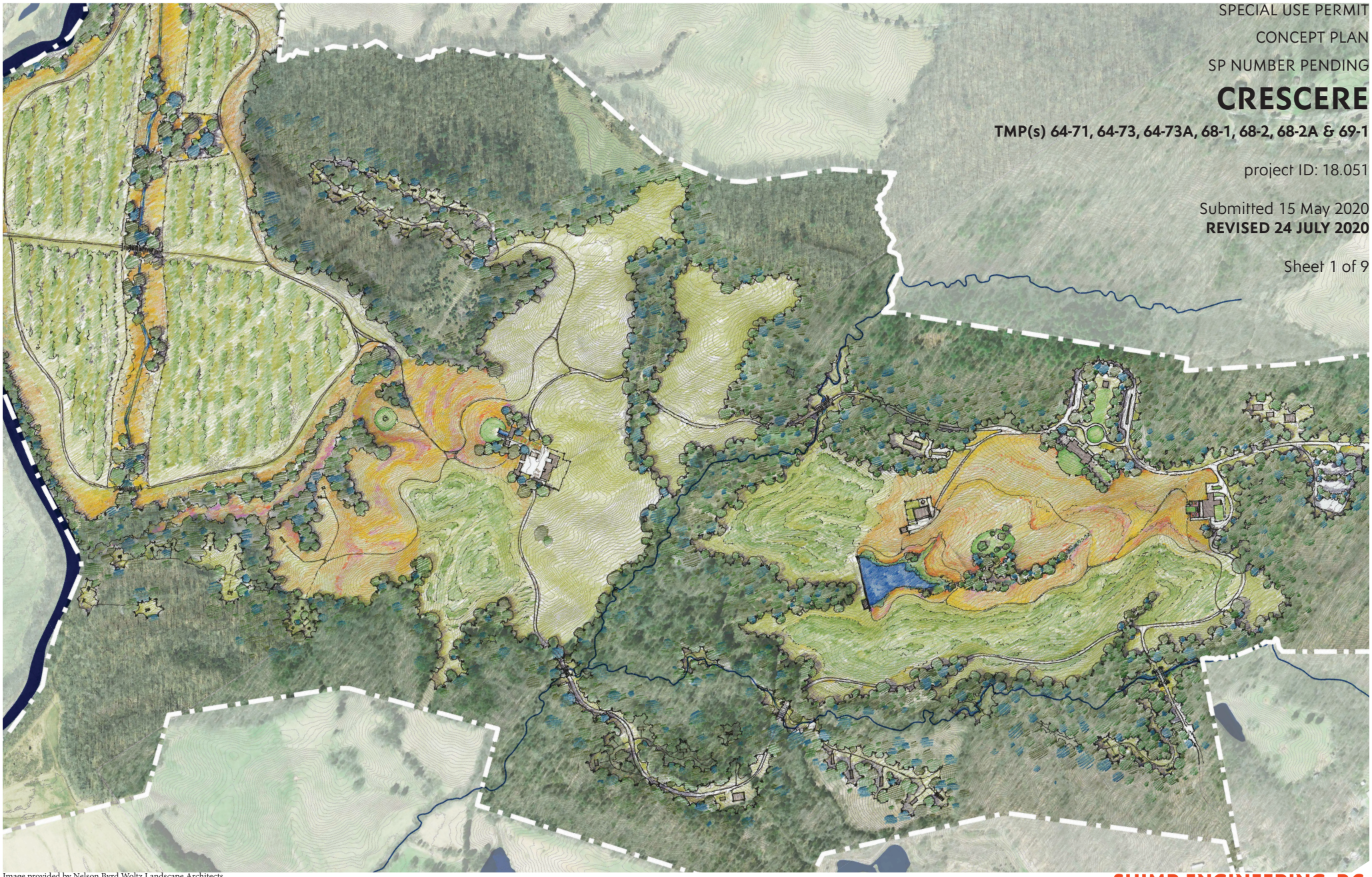


Image provided by Nelson Byrd Woltz Landscape Architects

SHIMP ENGINEERING, P.C.

SPECIAL USE PERMIT
CONCEPT PLAN
SP NUMBER PENDING

CRESCERE
SITE & SP DETAILS

OWNER
Crystallis, LLC
5291 Scuffletown Rd
Barboursville, VA 22923

DEVELOPER
Crescere Resort
5291 Scuffletown Rd
Barboursville, VA 22923

TMP(s)
64-71, 64-73, 64-73A, 68-1, 68-2A, 68-2 & 69-1

ACREAGE
749.308

DISTRICT
Rochelle

SOURCE OF BOUNDARY & TOPOGRAPHY
Boundary plat prepared by: Parker & Burke Surveyors, PLC, on April 15, 2007. Two (2) foot contour interval topography from aerial survey by McKenzie Snyder, Inc on April 3, 2019.

FLOODZONE
According to the FEMA Flood Insurance Rate Map, effective date Janurary 5, 2007 (Community Panel 51113C0307C), this property does lie within a Zone A 100-year flood plain.

WATER AND SANITARY SERVICES
Provided by private well & septic

USE
EXISTING: Agricultural
PROPOSED: Rural Resort

ZONING
EXISTING: A1 - Agricultural
OVERLAY: Floodplain

PROJECT NARRATIVE
Crystallis LLC (the "Applicant") is the owner of tax map parcels 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A and 69-1 (collectively, the "property") located in Madison County (the "County") Together, the parcels are approximately 749.308 acres. The property is located between Route 231 South Blue Ridge Turnpike and the Orange County Line. The property is minutes away from James Madison's Monteplier and six miles from Route 29. The Applicant requests special use permit approval of an Event Venue use for rural resort development and operations on the property, which is zoned A-1 Agricultural. The rural resort will be known as "Crescere." The property is surrounded by other A-1 uses and borders on the Rapidan River which is the Madison/Orange County Line. Cow pastures, horse pastures, and crop areas are currently on the property. Agricultural functions will continue with the integration of the rural resort use on the property. The development of this rural resort will contribute to County goals of encouraging agri-tourism while promoting and protecting the natural beauty and rural character of Madison County. A rural resort on this property will help to attract tourist activity, support industry growth, and encourage conservation and stewardship.

Rural resort development and operations proposed with this application include conference and retreat facilities; educational and entertainment facilities; dining and picnicking facilities; camping and glamping facilities; hiking, cycling, fishing, canoeing, rafting, tubing, wildlife observation shelters, and boat landing/docks; administrative, utility service, laundry and construction facilities and staff living quarters. Approximately 60,000[1] sq. ft. of permanent and temporary structures are proposed on the property. Approximately 280,000[1] sq. ft. of the property entrance and new parking areas are proposed to be paved and nearly 9,000[1] linear feet of existing dirt roads will be widened to 12' to ensure safe circulation throughout the site and adequate road surface improvements to serve any emergency vehicles. Overall, a vast majority of the property will remain undisturbed as open space, preserving the rural and agricultural character of the property and ensuring development on the property will not pose a threat to environmental resources.

DEVELOPMENT IMPACT ANALYSIS
The following development impact analysis is provided in accordance with Sec. 16-2 of the Madison County Zoning Ordinance:

16-2.1 Population:
This request does not propose increased density or residential development and therefore, there is no anticipated impact on the population of Madison County.

16-2.2 Public and Private Services:
Crescere will be served by private well and septic and will not have an impact on public water and sewer. Crescere is envisioned as an ecological retreat and as an ecological retreat, intends to keep trash production significantly low by providing guests with reusable canteens and discouraging use of non-compostable picnic products on the property. Crescere will be served by local emergency services, in the event of an emergency. The proposed internal road improvements will make it easier for emergency vehicles to access the site in the event of an emergency. There are no proposed residences and so there will be no impact to schools from the development. The entrance to the site from publicly maintained roads will be reviewed by VDOT at the site plan state and so any necessary and required entrance improvements will be made in accordance with VDOT standards to ensure there are safe points of ingress and egress to and from the site that do not create conflicts with existing background traffic on the public roads.

16-2.3 Environmental Impact:
Lighting: Lighting of the property will not have substantial impact on neighboring parcels. Lighting will be limited to allow for safe movement, such as path lighting and on and around permanent and temporary structures and such structures comply with the setbacks and yard regulations outlined in the Madison County Zoning Ordinance Section 4-4 and 4-6. Rural resort operations will largely take place during the day, so outdoor lighting is expected to be minimal. In accordance with Sec. 14-4-2(d), any onsite outdoor lighting will be sited to not hinder the use or discourage the appropriate use and development of adjacent land and buildings or impair the value thereof.

Noise: Noise produced by the use of the property is not anticipated to have a negative impact on neighboring parcels given the distance between proposed new structures and neighboring properties. The majority of the existing treeline will be maintained, supporting a natural buffer against traveling noise. Excessive noise will be controlled by the

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2 - Site & SP Details
3 - Site & SP Details
4 - Existing Conditions
5 - Existing Conditions
6 - Crescere Master Plan
7 - Event Venues + Four Season Cottages
8 - Meadowlands
9 - Farm Center + Glamping Sites

TMP 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A & 69-1

Submitted 15 May 2020
REVISED 24 JULY 2020

project: 18.051

SHIMP ENGINEERING, P.C.

business and it is in the best interest of the resort to limit noise for all guests that visit the facilities so that guests may partake in peaceful enjoyment of the rural resort property.

Stormwater Management and Erosion & Sediment Control: The application proposes 60,000[1] sq. ft. of permanent and temporary structures, 280,000[1] sq. ft. of impervious pavement for entrance and parking improvements, and about 9,000[1] linear feet of widened roadways, which will impact the land disturbance on the property. A vast majority of the property will remain as open space, which substantially mitigates new stormwater run-off and does not require excessive engineering for the increased impervious area. Any impacts caused by construction of the glamping sites, restaurant, and other structures, will be minimal and will be mitigated with E&S measures. The proposed construction in conjunction with the mitigation measures which may include sediment traps, silt fencing, and the like will be overall, less impactful on erosion and water quality than some traditional agricultural activities that is permitted by-right on the site, such as cattle cultivation. With minimal disturbance proposed out of the total 749 acres, impacts to environmental resources from erosion and sedimentation will be essentially, non-existent.

Air Quality: Since the majority of the site will remain as open space, there is no impact to air quality. The vegetation on the site will continue to contribute to good air quality as an overwhelming majority of the existing vegetation will remain.

16-2.4 Generation of Local Tax Revenue:
Crescere is anticipated to generate local tax revenue predominantly from real estate tax and transient occupancy tax. According to Madison County GIS, the property value is approximately $5mm. The improvements to the property in the near term are expected to be a few million, which will increase the assessed value and taxes generated. The transient occupancy tax, which is 5% of net rent, is also expected to generate local tax dollars. There are expected to be 42 glamping, camping, and cottage sites that will each rent for several hundred dollars per night.

NOTES

1. Exact limits on square footages shall be determined by the conditions approved by the Board of Supervisors.

SPECIAL USE PERMIT
CONCEPT PLAN
SP NUMBER PENDING

CRESCERE
SITE & SP DETAILS

Sheet 3 of 9

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TMP 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A & 69-1

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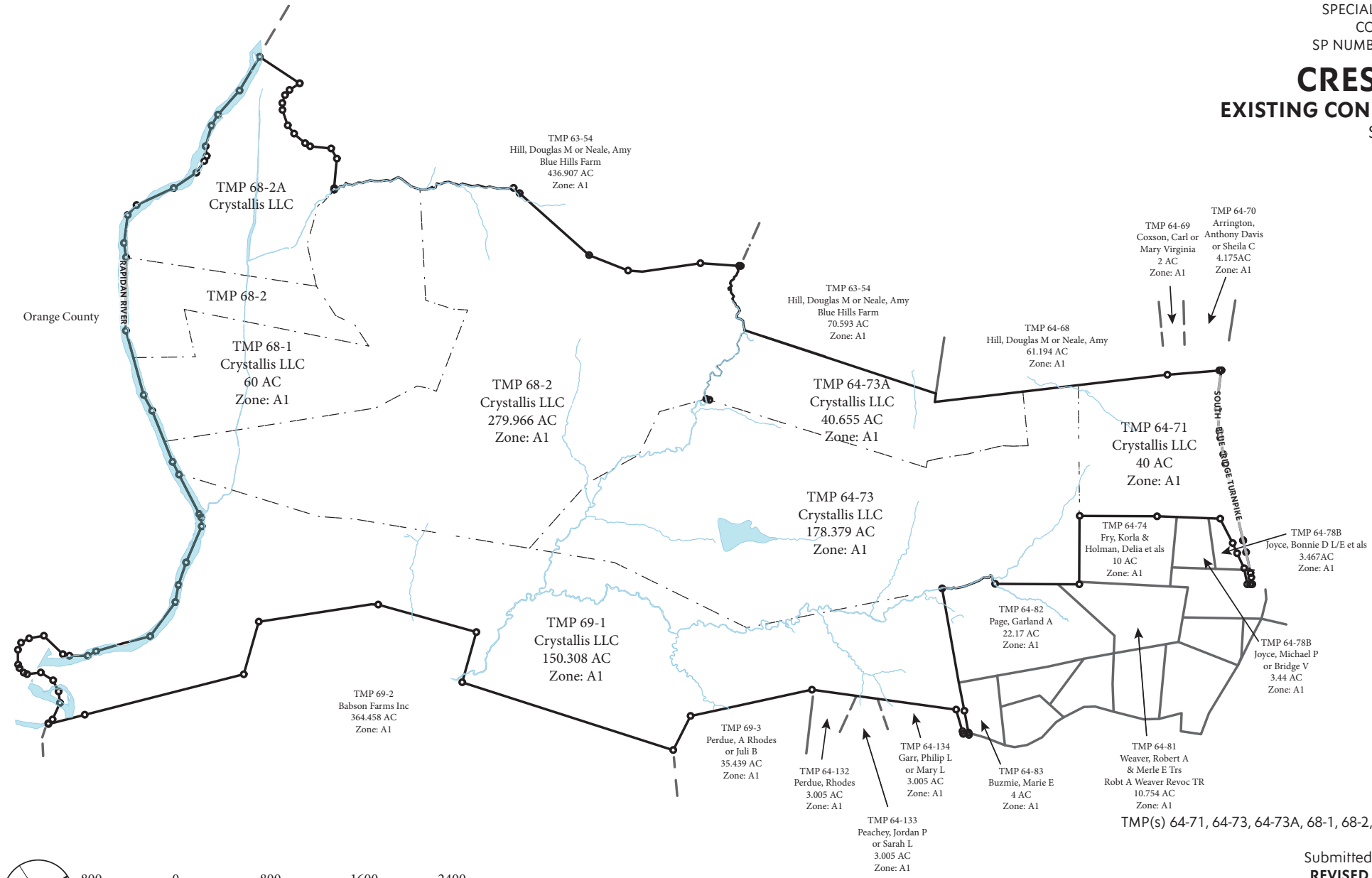
SPECIAL USE PERMIT
CONCEPT PLAN
SP NUMBER PENDING

CRESCERE

EXISTING CONDITIONS

Sheet 4 of 9



TMP(s) 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A & 69-1

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project: 18.051

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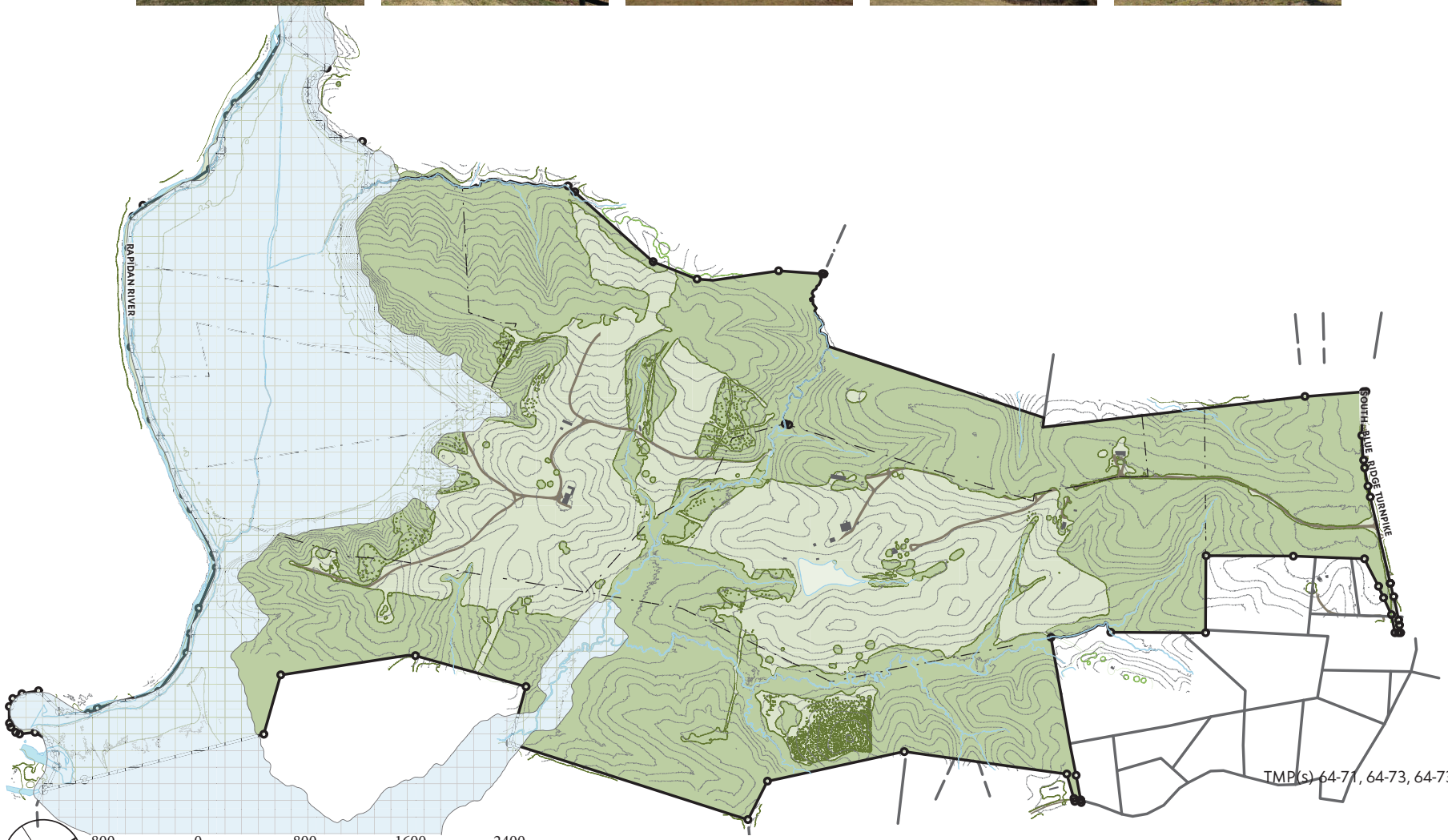
Legend
- Buildings
- Road
- Treeline
- Active Pasture
- Water
- Floodplain

SPECIAL USE PERMIT
CONCEPT PLAN
SP NUMBER PENDING

CRESCERE
EXISTING CONDITIONS
Sheet 5 of 9



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TMP(s) 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A & 69-1

Submitted 15 May 2020
REVISED 24 JULY 2020

project: 18.051

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SPECIAL USE PERMIT
CONCEPT PLAN
SP NUMBER PENDING

CRESCERE
MASTER PLAN
Sheet 6 of 9

LEGEND

1. Welcome Center + Restaurant
2. Event Center
3. Four Season Cottages
4. Spa
5. Open-Air Pavilion
6. Upgraded Existing Pavilions
7. Dam Bar
8. Farm Center
9. Lodge
10. Hilltop Glamping
11. Riverview Glamping
12. Family Campsite
13. Employee Housing

Notes

1. Open Space: A minimum of 80% (percent) of the site shall remain as open space. (See Article 20-133)

2. Building Height: No new building shall exceed 48 feet (4 stories) in height from the grade to the highest roof beams or a flat roof, or the mean level of the highest gable or slope of a gable, hip, or other roof.

3. Lodging: All lodging, dining, and other facilities for guests use must comply with local and State building codes and Health Department regulations.

4. Parking & Loading: Parking and loading at event venues will be subject to the requirements set forth in Article 14-9 and 14-10.

TMP(s): 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A & 69-1

Submitted 15 May 2020
REVISED 24 JULY 2020

project: 18.051

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Graphic Scale: 1"=800'

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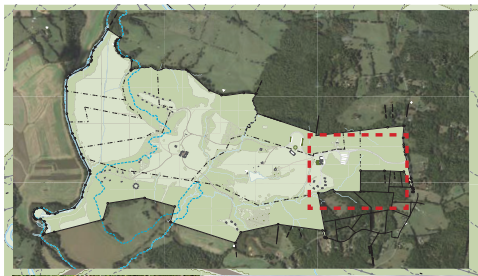
SPECIAL USE PERMIT
CONCEPT PLAN
SP NUMBER PENDING

CRESCERE
EVENT VENUES
+ FOUR SEASON COTTAGES



Parking + outdoor event space

Proposed 11,500 SF Event Center

25' side setback

Pedestrian + ATV path

Parking

Proposed 6,600 SF Welcome Center + Restaurant

Dining + lawn terrace

Proposed 2,000 SF Four Season Cottages

TMP(s) 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A & 69-1

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project: 18.051

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Graphic Scale: 1"=100'

SHIMP ENGINEERING, P.C.

SPECIAL USE PERMIT
CONCEPT PLAN
SP NUMBER PENDING

CRESCERE
MEADOWLANDS

TMP(s) 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A & 69-1

Submitted 15 May 2020
REVISED 24 JULY 2020

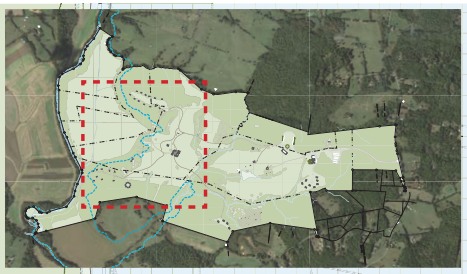
project: 18.051

SHIMP ENGINEERING, P.C.

SPECIAL USE PERMIT
CONCEPT PLAN
SP NUMBER PENDING

CRESCERE
FARM CENTER
+ GLAMPING SITES

Sheet 9 of 9



25' side setback

Hilltop Glamping Neighborhood

100-year floodplain

Existing road widened to 12'

Existing structures

Proposed
3,000 SF lodge

Existing road

Proposed
farm center

100-year floodplain

Existing road widened to 12'

New 12' road to
employee housing

Riverview Glamping Neighborhood

25' side setback

TMP(s) 64-71, 64-73, 64-73A, 68-1, 68-2, 68-2A & 69-1

Family Campsite

300 0 300 600 900

Graphic Scale: 1"=300'

Submitted 15 May 2020
REVISED 24 JULY 2020

project: 18.051

SHIMP ENGINEERING, P.C.

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

Stephen C. Brich, P.E.
Commissioner

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

June 10, 2020

Madison County Zoning
Attn: Ligon Webb
P.O. Box 1206
Madison, Virginia 22727-1206

Re: Special Use Permit – Barbara Miller-Crescere Resort, LLC
Rte. (Route 231), Uno, Madison County, VA

Dear Mr. Webb:

The Department of Transportation, Charlottesville Residency Transportation and Land Use Section has reviewed the above-referenced special use permit/conceptual plan dated May 15, 2020 as prepared by Shimp Engineering, and offer the following comment:

1. Specific entrance elements like turn lanes, would determine at the site plan stage but both right and left turn lanes may be required. If phased improvements are desired then there must be a trigger with the County to require a new plan. Otherwise VDOT may not be aware when additional buildout occurs.

If you have further questions, please contact Willis Bedsaul at (434) 422-9866.

Sincerely,

Adam J. Moore, P.E.
Area Land Use Engineer
VDOT - Charlottesville Residency

ORANGE COUNTY, VIRGINIA

OFFICE OF THE COUNTY ADMINISTRATOR

THEODORE L. VOORHEES
COUNTY ADMINISTRATOR

tvoorhees@orangecountyva.gov
PHONE: (540) 672-3313
FAX: (540) 672-1679
orangecountyva.gov

MAILING ADDRESS:
P. O. BOX 111
ORANGE, VA 22960

PHYSICAL ADDRESS:
112 WEST MAIN STREET
ORANGE, VA 22960

July 17, 2020

Jack Hobbs
Madison County Administrator
P.O. Box 705
Madison, Virginia 22727

RE: Case No. SU-07-20-14

Dear Mr. Hobbs,

On behalf of the Orange County Board of Supervisors, we respectfully request that you consider rescheduling the public hearing for Case No. SU-07-20-14, to allow sufficient time for all concerned citizens to be better educated on the relevant issues. We understand this case has already been deferred once but we think it is desirable that everyone who wants to be engaged in this process can have that opportunity.

While we understand this decision is entirely within the Madison Board of Supervisors' legislative discretion, because the project will impact communities and roadways in both jurisdictions, we would like Orange County residents to have the time to share with you any relevant information that might be of use as you make a thoughtful and informed decision that best serves the interests of the community at large.

Thank you for your consideration of our request.

Sincerely,

Theodore L Voorhees
County Administrator

VIA EMAIL

July 30, 2020

To: Ted Voorhees, Orange County Administrator

From: Ligon Webb, County Planner

RE: SUP Hearing 8/5/2020

Hello Ted –

Thanks for calling me back yesterday regarding the Crystallis, LLC's (Case no. SU-07-20-14) special use permit application for an event/venue use near Rochelle (VA) located in Madison County. And thank you for again for the letter (dated July 17, 2020) stating the concerns of Orange County's Board of Supervisors regarding this special use permit scheduled for a joint Planning Commission and Board of Supervisors meeting on August 5, 2020 at 7 p.m.

As I stated this proposed project has been discussed for well over a year in Madison. Here's some background: Per a request by the applicant (Barbara Miller) in the latter portion of 2018 on numerous occasions the Planning Commission and Board of Supervisors publically discussed amending the County's zoning ordinance in order to provide an avenue for Ms. Miller to apply for a special use permit for a "rural resort" use. In the spring of 2019 Madison County amended its zoning ordinance to include a rural resort as a use allowable by special permit. Also, in the early portion of 2020 the rural resort use was slightly modified, and this use was amended. It's now called the "event venue" use; again allowable by special use permit. This amendment hearing was highly attended by the public, and covered by local media…

Though I was not employed by Madison County at this time, it's my understanding the public hearing for the initial rural resort amendment was also highly attended by the public, and again numerous stories about the hearing (and ordinance amendment in general) appeared in local media. I think it's accurate to describe the impetus behind the amendment was Ms. Miller's anticipated SUP application, in early 2019 when the ordinance was amended specifics regarding Ms. Miller's forthcoming SUP were not fully developed. And since my employment began just over a year ago, it was communicated to me that a proposal similar to what was received in May of 2020 would be forthcoming…

Since receiving Ms. Miller's special use permit application on May 15th concerns communicated via your letter on behalf of Orange County's Board of Supervisors have also been also expressed by numerous members of the public. Specifically that the hearing process is moving at a rapid pace, and until recently many in the public appear to be unaware of the proposal (and its history).

To me, I believe some of the concerns regarding the "pace" of the proposed hearing are associated with Madison County's joint hearing process; in Madison land use applications (rezonings, SUPs, ordinance amendments, etc.) are done so via joint hearings between the Planning Commission and Board of Supervisors, which of course is allowable by the Code of Virginia.

Though this joint hearing process is somewhat of an anomaly for most jurisdictions, from my understanding Madison has instituted this process for many years. I'll admit when I started as the County Planner I was a bit apprehensive regarding the joint hearing process, but since I have come to appreciate this process and have found joint hearings to be efficient and effective.

Since receiving the SUP application on May 15th, Madison County officials have been working diligently to incorporate concerns raised by all stakeholders. Currently, I am working on revising a set of specific binding SUP conditions which I hope will address many of the concerns raised by the public. Generally speaking, I do believe both the Planning Commission and Board of Supervisors are supportive of this project provided the SUP conditions are acceptable.

Tomorrow on Madison County's website I will be posting numerous documents related to this SUP. Once posted, I will share with you the link for accessing these documents, and please forward as you see fit.

Ok, thanks again for your letter, and it was good talking to you yesterday. If you have any additional concerns or comments please feel free to email or call, thanks - Ligon

Ligon Webb

County Planner

Madison County

414 N. Main Street

Madison, VA 22727

(540) 478-2240 (Cell)

Piedmont Environmental Council

June 30, 2020

Madison County Planning Commission
Madison County Board of Supervisors
% Ligon Webb, County Planner
PO Box 1206
414 N. Main Street
Madison, Virginia 22727
(Transmitted via email)

Re: SU-07-20-14 Crystallis LLC Special Use Permit for Crescere Rural Resort

Dear Mr. Webb (Ligon), Planning Commission, and Board of Supervisors,

The Piedmont Environmental Council (PEC) respectfully submits this letter in response to the application identified as SU-07-20-14 submitted by Crystallis LLC on May 15 and revised June 26 for the Crescere Rural Resort (Crescere) located on Tax Map IDs 64-71, 64-73, 64-73A, 68-1, 68-2A, 68-2 and 69-1.

PEC requests that the SUP be denied in its current form, or that the public hearing process be tabled until July 28 (at the earliest) to allow for full review and analysis of the application by the county's residents, particularly as the application was substantially revised on June 26.

PEC understands the importance of tourism, especially the economic benefits it brings to Madison County. At the same time, PEC raises the importance of protections to mitigate environmental impacts, Madison citizens' peaceful enjoyment of their community, and the likely traffic impacts.

The citizens of Madison County deserve to have their resources protected. Similarly, without the protection of the county's natural resources, beauty, and quiet atmosphere, tourists would not view the county as a destination worth visiting. This SUP should not negatively impact the public health, safety, or welfare nor the county's natural resources. **The SUP should not be approved as currently submitted.**

In order to address these potential impacts, the SUP should be updated to include the staff recommendations provided in the Special Use Permit – Crescere Agri-Resort: Project Overview, Ordinance Requirements & Project Consideration letter submitted to the applicant on June 3, 2020.

The Applicant submitted supplemental updates to the SUP on June 26, only three (3) business days prior to the public hearing. These substantial changes (discussed further below) support PEC's request to deny the current application and extend the public hearing so that the citizens of Madison County have an appropriate amount of time to review and comment.

- **Increased Public Annual Events**: The original SUP requested two (2) annual, public events per year. The supplemental updates requested 12 annual, public events per year (**a 400% increase**). Each of these events would allow for over 1,000 guests to attend. It is PEC's understanding that public events with less than 1,000 guests would not be included as one of the 12 public events per year, meaning an unlimited amount of events with less than 1,000 guests could be held.[1] **PEC does not support the attendance allowed for this amount of public events, and suggests an upper limit be included for the maximum number of guests for public events.**

- **Private Events:** The supplemental updates include no language specific to the number of private events allowed per year; nor do they address the amount of guests allowed per private event. Both of these allowances need to be included in the permit. Without this clarity, transportation, noise, and environmental impacts could potentially exceed those of public events. PEC does not support private events having more guests allowed than public events.

- **Environment**: Given the increased amount of estimated overnight guests (250) requested in the supplemental updates, with no given maximum on the amount of overnight guests, the potential for environmental impacts is much greater than originally anticipated. The increased amount of overnight guests, coupled with the unrestricted amount of guests for both public and private events, has resulted in **incalculable needs/requirements for septic and potable water use**. The Rapidan River is an important resource that not only provides clean drinking water to our community, but also serves as a water source for agriculture and habitat for plants and animals. Septic and potable water use are both

[1] "A large public event would be defined as an advertised event or gathering in which the general public is invited (regardless if a few is collected or not) where the group exceeds 1000 people over the course of the event." (Supplemental Updates submitted by Crystallis LLC on June 26, 2020)

dependent on environmental conditions at the site. Without having the proper testing done upfront, the capacity for these utilities is unknown. Therefore, environmental site conditions should be analyzed, with the results used as a formal means to determine appropriate attendance capacities.

- **Noise and Quiet Hours:** The supplemental updates requested a music cut-off time of 12 am. This requested cut-off time will be detrimental to the public health, safety, and welfare of both adjoining and nearby residents and livestock. PEC recommends the county require a music cut-off time of 9 pm, in addition to limiting the number of music events allowed per year. **As currently written, the SUP would allow for music to play until midnight for 365 days per year with no restriction on noise levels.**

- **Transportation:** More clarity is needed to better understand potential transportation impacts, especially as it relates to Fire and Emergency Medical Service (EMS) response times and capacities. Given the unlimited number of guests allowed for during each of the 12 public events, there are obvious transportation impacts that could not only cause road congestion but could result in difficulty for Fire and EMS to appropriately respond to future calls on the property and throughout the entire county. An analysis of Route 231's capacity for safe driving conditions, coupled with Fire and EMS recommendations for safe attendance maximums, should be utilized to determine the appropriate number of maximum guests allowed on site at any given time.

- **Unspecified Building Footprints**: Both the supplemental and original applications discuss the inclusion of support buildings, including a dam bar, farm center, and open air pavilion. It is important to note that these support buildings have unspecified building footprints. The square footage of each of the buildings should be included, in order to better understand the potential impacts and average daily guests.

- **Perpetual SUP**: It is PEC's understanding that the current SUP runs with the land, and would allow for future property owners to rely upon the approved permit for Crystallis LLC. The county must recognize that future property owners may have different environmental and business ethics than the current applicant. For this reason, the SUP should provide the clarity and protections necessary to preserve the rural character of Madison County for perpetuity, regardless of the land owner's intentions.

Thank you for taking the time to review PEC's thoughts on this important matter. Please include this letter in the county's public submission forum, read it aloud on my behalf during the public hearing, and feel free to contact me with any questions or requests for additional information.

Sincerely,

Christopher Hawk
Land Use Representative - The Piedmont Environmental Council
(804)337-6716

Public Comments Received Via Email (as of 7/31/2020) Regarding Cresere, LLC Special Use Permit Application

Please refresh/reload your internet browser to view most recent comments

Received 6/26/2020 –

I am a Madison County landowner approximately six miles east of the proposed Crescere Rural Resort. I was recently surprised to learn that such a large development was being planned and that very few people were aware of it.

I have concerns about increased traffic and noise, and adverse impacts to water quality and existing recreation opportunities on the Rapidan River.

There has not been sufficient public notification of this project or opportunity for input. Please postpone any decisions and ensure that more information is made available.
Thank you for your time,

Bill Queitzsch

Received 6/27/2020 –

To whom it may concern:

Please distribute my e-mail to the members of both the Planning Commission and Board of Supervisors as part of the public record.

It appears the proposed Crescere development project is being overzealously pushed through by a few self-serving individuals and officials without allowing proper input from local residents and without regard to how negatively this development will affect Madison County and surrounding areas.

The speed in which this development has been pushed through Madison County government shouts loudly that there has been little to no consideration regarding the noise pollution, increased traffic, water and sewage challenges, not to mention the quality of life for those that truly care about the landscape and country life Madison County offers.

Does the Board of Supervisors and Planning Commission of Madison County just rubber stamp this big development in an area zoned for agricultural use? Does the Board of Supervisors and Planning Commission just SHUT OUT hearing opinions from

their voters, residents, and neighbors and act as complete dictators in the decision process? This hearing should be rescheduled and opened to the public. If the Planning Commission and Board of Supervisors refuses to do so, the Special Use Permit should be **denied** in its current form due to the various concerns you as elected government officials should be well aware of but it appears not.

SO LET ME HELP YOU OUT:
This development would have major negative impact on the environment, local road systems and rural character of the area. Are you really rubberstamping 60,000 square feet of buildings, a welcome center, restaurant, glamping and lodging areas, spa, bar, and an open air pavilion for large concerts? Let's not forget paving over 6 acres of land zoned agricultural. Shame on all of you. This abbreviated application process and lack of time for public input smells of corruption. How can you let this happen to your county and what benefits do you see that outweigh the multitude of concerns?

ENVIRONMENTAL CONCERNS: The SUP would adjoin the Rapidan River, which serves as the potable drinking water source for multiple localities downstream, including the Town of Orange. The 50 glamping cabins proposed would accommodate up to 100 overnight guests, quantities otherwise expected in hotel operations. As such, site specific conditions could create large septic drain field impacts with the potential for environmental impacts on the Rapidan River.

NOISE CONCERNS: Madison County does not currently have a codified noise ordinance – Really? There is critical importance in having a noise ordinance in place in any best practices of governing. Do none of you live nearby or have voters that live close to this proposed development? Quiet hours, are enforceable by the police and require no noise level testing.

OCCUPANCY CONCERSNS: There is NO mention of maximum occupancy, maximum event occupancy, the number of public and private events allowed, lighting pollution.

CONCERNS FOR REFUSING TO ALLOW RESIDENTS TO PARTICIPATE IN THE PUBLIC HEARING IN PERSON OR ON LINE: In the very least, since the pandemic is the Madison County reason to close this hearing to the public, make the meeting virtual. Come on everyone is doing it, even my 94 year old mother. I strongly oppose this closed door decision from elected officials who are not answering or listening to their constituents, residents, or neighbors.

The people of Madison County deserve better. They deserve to have their recourses protected and you all have a responsibility as elected Madison County Officials to do just that. This development will destroy the very reasons tourists would be attracted to the county as a destination worth visiting.

If this development is so questionably fast tracked with no public hearing, I predict the investigations will be rampant into everyone involved in the rushed approval process. You could not have hoped for worse optics.
With enormous concern,

Elizabeth von Hassell

Received 6/28/2020 –

Please distribute this letter to the Madison County Planning Commission and the Madison County Board of Supervisors and include it in the public record.

Re: SUP at Kenwalt

Strong zoning provides stasis, a reasonable expectation of protection, and a haven for a community of like-minded individuals. An entity that comes in and buys land for the express purpose of shattering the zoning regulations and causing harm to the community in the form of noise, light pollution and increased traffic should be denied this wrong minded fantasy. If one developer is allowed this egregious misuse of farmland, others will arrive with similar expectations. Approving the SUP would render the meaning of the words "zoning" and "agricultural" meaningless. Zoning regulations should have meaning and "teeth" to prevent a hodge-podge of development across the landscape.

There are other questions that beg answers. Where will the staffing for this enterprise come from? Local businesses have trouble finding qualified workers for full time positions at restaurants. How will similar jobs be filled for weekend work? If the business does not sustain itself what will be done with 6 acres of farmland buried under pavement?

Careful consideration and an impact study are needed. A bond could be secured to restore the property to its agricultural use if the business fails and the SUP should have a **sunset provision** if this occurs. Please do not rush to approve this SUP. Denying it would be a better course of action.

I write from a neighboring county because this is not an issue that should be insulated by county lines. We all reside in a broader landscape that needs our stewardship and protection.

Respectfully submitted,
Cynthia Whitman
Orange, Virginia

Received 6/28/2020 –

Mr. Webb: Please include this email as part of the public record on the Crescere Resort SUP and distribute this email to the members of the Madison County Planning Commission and Board of Supervisors.

Dear Supervisors and Commissioners,

Madison County is a wonderful place to live, farm, work and visit. Thank you all for your dedication to keeping this a place that we all love.

Agricultural zoned land is the single most important thing that makes Madison County so special. When you combine it with the Agricultural land in the surrounding Piedmont, we have this amazing place that we lucky people get to live in, and others want to visit and vacation in.

Please don't destroy this special place by allowing Commercial Development on the Agricultural zoned land formerly known as Ken-Walt Farm.

Commercial Development should be in Commercially zoned areas. Please tell this Developer to build her Resort in an area that won't ruin the limited and precious Agricultural resources of the County. To do otherwise, and to grant the SUP, would be grossly unfair to the surrounding neighbors and others who "play by the rules" and respect the Agricultural zoning in this beautiful area of the County.

In this rural area, we don't want to hear Rock Concerts at night. We don't want to have Route 231 clogged with hundreds of people who have been drinking. We don't want the noise of 500 people partying day and night. And by the way, who is going to be counting? Not the County, which is always short on staff. And certainly not the Developer, who obviously has no concern for her neighbors. So if the SUP is approved, you know that whatever the maximum number allowed is, it often will be exceeded.

Please vote NO on this SUP. The scale of this proposal is far too large for the area. Please listen to your neighbors and keep Agricultural zoned land for agriculture and families who want to live in peace and quiet.

Thank you,

Mark Warren
Somerset

Received 6/28/2020 -

Dear Supervisors and Commissioners,

Please Vote against the Crescere SUP. The scale of the proposed project is immense. There is no limit on the number of people who can attend.

On any given day, if 500 people attend an event and 300 people attend a concert, plus 100 campers, and hundreds more at the bars and restaurants, you will have over One Thousand people at the Resort. Day after day. Forever. This will destroy the rural quality of life in the area.

The Lockn' Music Festival in Nelson County attracts 25 Thousand people each year who create noise and traffic and leave behind mountains of trash and sewage. Please don't let this happen in rural Madison County.

This land is zoned Agricultural. Please leave it agricultural for farmers and families to use and enjoy.

Thank you for your consideration,

Jasmine Warren
Somerset

Received 6/29/2020

Dear Madison County Planning Commission & BOS:

My name is Charlotte Tieken. I live at Waverley Farm in Somerset, Virginia 22972.

My late husband, Theodore Tieken, and I have been farming in both Madison and Orange counties since 1986. The Madison County farm, Glenwood Farms, partly borders Kenwalt (Crescere Resort). Upon Theodore's death, the farm was divided into three parcels, two of which have been sold for purely agricultural use. It is the intent that the third will follow the same course as it is designated agricultural zoning.

What this SUP proposes is in direct contradiction to agricultural zoning guidelines. We all want progress for not only our individual county, but for all our neighboring counties, as well as our state at large. Moving forward in a responsible and educated way is necessary. Tourism is one vehicle, but must be achieved at the highest standard. Let's not err in the other direction. I

have lived in other states and have seen first-hand what happens when land use changes are pushed through too fast. Mediocrity does not end well.

This SUP sets a bad precedent for future requests. Most importantly, to the entire county, this development would have a severe impact on the existing infrastructure. Is 60,000 square feet of brick and mortar really necessary? To the immediate environs, weekend after weekend of noise from wedding bands and rock concerts, ambient light, excessive traffic and overuse of recreation on the Rapidan River collectively would be a travesty.

I would like to conclude by applauding the support of both the planning commission and board of supervisors. I can assume that each of your dedicated efforts stem from your appreciation of living in such a beautiful place and that each of you is grateful for the peaceful rural life. Let these past months of turbulent times allow us to reflect on how we can work more closely as communities for the common good. Moving forward with this SUP would not achieve that end.

Respectfully,

Charlotte Tieken

PO Box 514

Somerset, VA 22972

Received 6/29/2020

Planning Commission Case No. SU-07-20-14 – Crystallis LLC

Dear Sirs:

Madison County is a particularly fine place to live and work because generations of Virginia farmers have respected its agricultural land and respected the rights of their neighbors. I am confident that you will have those core Virginia values in mind as you consider the Crystallis LLC application to develop Kenwalt, and this letter is simply to emphasize the importance of your decision not only for the citizens of Madison County but for all of us who live on agricultural land in adjacent counties.

The Crystallis development application as presented to you does not respect the values protected by agricultural zoning for at least two fundamental reasons.

1. **A development as extensive as the one proposed will create conditions that are inappropriate for an agricultural area and that no rural county government can be expected to supervise effectively.**

The traffic, noise, and light pollution from the development will change the area for everyone who lives there. Favoring one landowner over all others in this way—and endangering all drivers on a country road that already has presented safety concerns—is both unfair to everyone who has relied on your zoning decisions and inconsistent with the county's fundamental responsibility to protect local health and safety.

A rural county does not require—and therefore does not have—the administrative capacity to supervise a development far outside the bounds of normal land use. Proper supervision would make demands on country resources that would prevent the county from serving other citizens and, in any event, make it quite likely that the developer does not perform as promised. The excessive demands on county administration would continue even after the development is completed because without ongoing supervision, there will be no way to hold the developer to its proffers.

2. **The development application as presented makes no showing at all that the developer is capable of financing or managing the execution of the proposed plan.**

Financing is an essential element of any executable plan. The application simply fails to explain how the developer is capitalized, what the proposed development will cost, and how the developer can obtain the necessary funding.

Developments like the one proposed not uncommonly fail not only for lack of sustainable financing—especially in economic downturns—but also from the absence of the range of management resources needed to complete and operate the development. The application does not show whether this developer has the necessary experience and management resources.

When land developments fail, it is the neighbors and the county government who live with the consequences in the shape of spoiled land and the reduced tax base that comes with the damage to county land value. No developer therefore should be granted special use permission without a clear demonstration that it has the money and ability to see the project through.

Yours sincerely,

Gregory May
7209 Rapidan Road
Rapidan, Virginia 22733

Received 6/29/2020

Dear Mr. Webb,

I live adjacent to the proposed "Crescere" development.

I am aware the owner obtained zoning that would allow for a special use permit. I thought I would be notified in a businesslike way of proceedings concerning an adjacent property which directly affect me.

If not for friends and neighbors, I would not know about the meeting tomorrow. I have a phone, email, a physical address in Madison county, and a P.O box address. Why was I not informed as an adjacent property owner of these proceedings? Notice in the local paper is a poor excuse for any type of notice with this impact. There is no problem sending tax bills, but there was no direct notice to me about any of this.

I won't belabor that point.

Please understand that I do not object to my neighbor's use of her property as long as it does not impact me and my quiet enjoyment of my property. I do not want to listen to other people's music and crowd noise and generators and traffic noise at any time of day. Large public events with no limit on capacity are not consistent with rural zoning. I am sure that others have made their concerns known with more specificity, but my time to respond is limited.

Please note my objections as to inadequate notice and unlimited crowds and noise.

Regards,

Rhodes Perdue

RECEIVED 6/29/2020

Dear Ligon Webb-

Please share this email with members of The Madison County Planning Commission.

We live on Liberty Mills Road in Somerset, Orange County. Obviously not in Madison but on the Rapidan River and very close to the referenced property. We have read the entire application and all accompanying material on your County website. Besides a vague promise of employing local people *we cannot see a single thing in the application that would benefit Madison County or any of the neighboring citizens and taxpayers.*

What we read in the application make Graves Mountain Lodge seem small and insignificant. Graves Mountain has, for generations, appealed to a wide range of citizens from Madison and neighboring counties. It does not appear that Crescere Rural Resort seeks to attract us at all but folks from far away areas with far more urban congestion and money.

We live across from Liberty Mills Farm on a small gravel county road. This agri tourism business was the result of an SUP that allowed a use not permitted by the current zoning. Every Friday, Saturday and Sunday from mid-September until Thanksgiving there is a constant and steady stream of cars for 8-10 hours per day on my road. The traffic, the dust and the numerous people that get lost in our driveway are a fact of life for us. It is known that the County Sherriff's office spends a lot of time there also. We seriously doubt any of these tourists spend a nickel in Orange County anywhere but at their destination.

This SUP is breathtaking in its scope. The 60,000 SF of improvements, the potential for 12 "large" events per year added to the unlimited "small" events, the sheer number of cars and people and the traffic on the historic (and dangerous and curvy) Blue Ridge Turnpike seems enough to make Madison County hit the "pause" button...but the list goes on.

As you are all aware, a Special Use Permit like this is, at its core, a rezoning. Folks who buy or live on AG zoned property simply do not envision a large scale rural resort as an AG use. Granting this SUP

creates tremendous value for the property owner at little expense. The neighbors are the ones who get the bill.

Thank you for your service to Madison County. It is truly a special place that has done more to preserve its history and landscape than most, it not all, of its neighbors.

Best wishes-

Elizabeth & David Perdue

Somerset, VA

RECEIVED 6/29/2020

Dear Mr. Webb--just this past weekend, I heard for the first time about the proposed Crescere Resort project on the border of Madison County and Orange County. As a neighboring resident, I was shocked to hear of the scale of the proposed project, and the rushed timeline for consideration and approval, particularly in the present Covid-19 atmosphere. I hope you agree with me that the proposed scope and scale of the project are immense, and the impact on the surrounding agricultural community is potentially extreme and irreversible. There are numerous important factors for public officials to consider, including the proposed massive scale of the project, the impact on existing infrastructure, including sewage, water and roadways, noise and light pollution, the radical change in the nature of the area and quality of life of residents who have lived in the area for generations, and the bad precedent that would be set by approving such a commercial development venture in land that for centuries has been centered on, and properly zoned, for agriculture, without a full and fair public process. While it is difficult to think of a less appropriate use for such historically significant and naturally beautiful property, once approved, there is no turning back. There is only one opportunity to get this right.

Important questions need to be asked about the principals behind the project, the financing, the integrity of the process (there are rumors of public official involvement), alternatives that would limit the adverse impact on the area and neighboring property values. In short, such a radical proposal deserves a full and fair hearing, with full opportunity for input from all affected stakeholders, and better public information about who is behind the project and why. It was described to me as a "vanity project" by someone who has publicly described it as a "way to make her mark". A mark would clearly be made--a very ugly mark on a beautiful area. When a project as impactful and significant as this is rushed through behind the scenes, with minimal opportunity for public involvement, people are justifiably concerned that something isn't right and it creates another example of why people are often justifiably distrustful of government officials and process. Even local media are largely ignorant of the proposal.

I speak for myself and numerous of my neighbors, some of whom are unable to make their views timely known in the current environment, in strongly urging you to put the brakes on this process, to permit full and proper disclosure of information, the opportunity for questions and answers and overall public involvement. In these difficult times of social isolation and reduced opportunities for communication, it isn't appropriate, or good government policy, to jam such a radical proposal on a community that frankly knows very little about it, on shockingly short notice. Cooler heads should prevail and the timetable should be altered so as to permit a full hearing on the merits, with all interested parties having

the opportunity to participate. These simply aren't normal times and with the negative impacts this project would produce, it shouldn't be approved in an expedited manner in which the affected community has no reasonable opportunity to participate in person or be heard.

I thank you for your consideration of the foregoing. I am able and available to speak with you further by telephone, or respond via email.

David C. Wright

RECEIVED 6/29/2020

Although I don't live in Madison County. I live I Orange County not too far from the proposed sight. I like many people moved to the area for the rural beauty and county quiet. I am horrified at the movement to take the agricultural land and turn it into venues that totally destroy the rural quiet and beauty. I live next door to a wedding venue and not only has it destroyed the quiet I moved here for. It also has made my multi million dollar property a lot less valuable.

I ask the Planning Commission to not approve this proposal and to keep Madison County thé beautiful rural community it is. Next will be amusement parks, etc!

Sincerely,

Ed Harvey
19978 Jacksontown Road
Somerset,
Va 22972
540 661 0370

RECEIVED 6/29/2020

To the Madison County Planning Commission and Madison County Board of Supervisors.

I am writing In regard to the SUP application for Crescere resort. I do not live in Madison County, however I live directly across the Rapidan River from the planned resort in Orange County. I only heard of this proposal yesterday and find out that it is being rushed through very quickly which does not allow much time for citizens to be able to study the proposal and express their concerns. So my first point would be to postpone the decision until people can learn more about it. I am not at all opposed to the concept of agri-tourism. I believe that it is a good concept when done in a manner that retains the character that it purports. However on the quick examination of the proposal that I have to make because of the timing of the decision being rushed, this looks to be agri-tourism in name only. The size of the proposal causes concerns about noise and light pollution, water and sewer concerns, contamination of the Rapidan River, large crowds, and traffic. Up to 1000 people drinking and listening to loud music until midnight is not agri-tourism. True agri-tourism exposes people to the agricultural life, it does not bring urban partying into a peaceful setting and call it agri-tourism just because it is on a farm. As I said I am not against agri-tourism and I do not object to the developer creating something that is in character for an agricultural area, but this mega-resort does not fit that definition.

JoAnne Speiden
Scuffletown Road
Somerset

RECEIVED 6/30/2020

Dear Mr. Webb:

I am writing to express my concern about the Crescere Agri-Resort. As a resident of Somerset, Orange County, my family and I will be very negatively impacted by this huge resort in ways that I'm sure have been expressed to you by my neighbors.

Whether or not the resort is developed, I am also very concerned about the PRECEDENT this will set in future rural development. And so I oppose it.

Many thanks.

Sincerely,

Virginia Doenlson

12384 Merriewood Drive

Somerset 22972

RECEIVED 6/30/2020

Mr. Webb,

Barbara Miller's requests for her event/venue are unbelievable. Things are getting out of control and must, for the sake of everyone in Madison County, be reined in. There are the neighbors and their livestock, the impact on the river, the traffic on our country roads. Please remember who was here first and why.....do not let this event/venue damage everything the residents love about Madison County.

Thank you,

Jennie Hill Robinson

RECEIVED 6/30/2020

Although I don’t live in Madison County (I am a Orange resident)I do have serious concerns with granting a SUP for this project without a great deal of additional consideration.

I am all for tourism but lean towards tourism that will only have positive effect on all surrounding property owners and it is doubtful that this project will have nothing but a negative impact to those that live around it.

Please be careful as this could have a terrible effect on all of us.

Thank you.

David A Scibal

Greenway Farm
48 Madison Mills Lane
Madison Mills, VA 22960-5002
June 30, 2020

Madison County Virginia Board of Supervisors
Madison County Virginia Planning Commission
Madison County Virginia Zoning Department
(Attn. Ligon Webb)
302 Thrift Road, P.O. Box 1206, 414 N. Main Street
Madison, VA 22727
(Submitted electronically by email)

Dear Members of the Madison County Board of Supervisors, the Madison County Planning Commission, and the Madison County Zoning Department,

My wife and I are residents of, and property owners in, Madison County, on the Rapidan River at Madison Mills. We are submitting public comments regarding Crystallis LLC's proposed Special Use Permit Application for the Crescere Resort, LLC proposed development (Madison County Public Hearing Case Number SU-07-20-14). Please ensure that a copy of these comments is provided to each member of the Board of Supervisors, each member of the Planning Commission, and each member of the Zoning Department, as well as a copy included in the County file regarding this project. Please add us to the list of persons who desire to receive notice of actions on and /or related to Case Number SU-07-20-14 and/or actions associated with the Crescere Resort project.

Our preliminary comments are the following at this time, and we reserve the right to add additional comments as new, revised and/or updated information becomes available:

- The proposed special use permit is vague and ambiguous with respect to specific quantification of well and septic requirements. The proposed application implies that wells and septic fields will be added as needed. This is an untenable starting point. Precise estimates are essential to determining whether current water supplies and septic fields can be accommodated. As the application fails to provide even a rough estimate, the impacts of the proposal are impossible to determine. Consequently, the base assumption in evaluating the application must be that sufficient capacity may not be available and the environmental impacts may be harmful. It cannot just be assumed that wells can be drilled and septic fields installed. It is imperative that studies be performed to identify the maximum number of wells and the number and size of septic fields the property can support as part of ascertaining the viability of the proposed development. This basic, but critical information, is essential to setting the maximum number of event and overnight guests the property could support. The last version of the proposal speaks of large event gatherings, defined as 1000+ persons, with no cap on total number of persons allowed, and 250 overnight guests in the first phase, again with no cap. Without supporting documentation from the applicant providing basic information on what the

property could sustain for total well and septic use, it is impossible to determine if State or County Health requirements could be met.

- The proposal speaks to the number of cars per hour that may use the facility. However, the numbers do not appear to align with the thousands of day guests proposed for twelve (12) large events per year. To put the proposal in perspective, the large events equate to a 10% increase in county population for each event, all focused at the event site and on the supporting rural county roads. At best, the numbers provided appear, without any supporting information, to assume that significant carpooling would be the norm and does not take into account single occupancy vehicle traffic. A detailed surge study to determine whether the facility roads, entrance to Blue Ridge Turnpike (Rt 231), and the local roads can accommodate the projected surge and must take into account single occupancy vehicle traffic.
- There does not appear to be any consideration on the impact of large events (1000+ persons, with no cap) or of overnight use (250+ persons, with no cap),on the projected ability of Police, Fire, or EMS to respond to an emergency at the facility or to respond to neighboring properties. The surge traffic at the end of an event attended by thousands, would be logically expected to overwhelm Rt 231, and other local roads. It is imperative to study how the impacts of large events and overnight guests might jeopardize the health and safety of neighbors should they need emergency support, as well as the attendees and overnight guests at the facility should they encounter an emergency.
- The proposal states that outdoor loud noises (i.e. music) would be stopped at midnight. This is very late for a quiet rural setting in an area zoned for agricultural use, especially given the total lack of restrictions proposed for the number of such loud events that might occur in a year, month, or week. Nor is any consideration given to Sundays, or allowance to ensure some expectation by neighbors of days without noise. Since no statement is made, it must be assumed that the applicant would expect to be able to move noisy activities indoors after midnight. There is no limit on indoor noise in the application. Under a reasonable person standard, a reasonable person, knows loud indoor bars and event facilities can often be heard far beyond the outside walls of the facilities. As written, the proposal provides no assurance to neighbors that there will not be unacceptable noise levels throughout the night. Additionally, there does not appear to be any definition of what constitutes “outdoor” or “indoor”. Would a stage with roof, a back wall, and possibly partial side walls constitute “indoors” and hence be exempt from the midnight noise cut-off? Would an event facility with large doors and windows allowing steady indoor to outdoor transit of guests be expected to provide any significant reduction in noise from a large event? Clarification and limitation are essential before this application should move forward. The County should take the time to interview neighbors of other local (Madison, Orange, etc.) event venues to find out what issues (especially noise and traffic) may have arisen due to inadequate due diligence associated with issuing Special Use Permits.
- The last-minute changes to the proposed special use permit application, submitted three (3) business days before the July 1, 2020, Board of Supervisors/Planning Commission meeting, deprive Madison County citizens of the opportunity to fully evaluate and comprehensively comment on the proposal. Talking with other Madison County citizens, none were aware of the expanded scope of the project as it is represented in the June

27, revised package. They were all under the impression that the project was frozen at the earlier smaller scope posted at/before mid-June.

- The proposal package available to the public at/before mid-June indicated there might be up to two (2) large public events per year with one thousand (1,000) or more attendees. The last-minute June 27, 2020, update increased this to twelve (12) events per year with 1,000 or more participants each. Neither package proposed setting limits on how many thousands of guests might attend these large public events.
- The number of overnight guest accommodations (campsites, glamping sites, and cabins is different in each version of the proposal with the one consistency that the number increases with each revision. Additionally, while each iteration proposes a number of sites/guests, none propose limit caps on numbers.
- The proposed special use permit cannot be fully evaluated at this time because it is incomplete by failing to provide even an estimated size for the following proposed facilities, all of which are listed in the applicant's submission as "unknown proposed size" or as "unknown size" – Open Air Pavilion, Upgraded Existing Pavilions (number of "existing pavilions" is not provided either), Damn Bar, Farm Center, Fourteen Hilltop Glamping Sites, Nine Riverview Glamping Sites, and Eight Family Campsites. Without an understanding of the size of those facilities, the total proposal is ambiguous and incomplete and no Board, Zoning, or Planning Commission can possibly have knowledge of what the applicant is actually asking those bodies to approve in a special use permit. Moving forward without complete information would be an arbitrary and capricious act on the part of those bodies.
- Supporting documents from VDoT, Department of Health, etc. appear to have been prepared before the last rounds of proposal updates and do not appear to have been prepared with knowledge of the recently enlarged scope now being proposed. Those entities must have an opportunity to consider the enlarged scope before any action is taken on the proposed special use permit.
- The property is roughly rectangular with the long sides adjoining neighbors. The narrow dimension of the property has to absorb gathering facilities, event pavilion, camp/glamp/cabin sites, restaurant, spa, parking, etc. Parking appears to be an afterthought in the documents provided, but looking at the property dimensions it appears that to accommodate all of these requirements it is likely that infringement on the privacy of neighbors and the risk of improper use of the flood plain would be a potential undesirable and unsustainable impact. This is a basic site plan geometry issue that a reasonably thought out proposal must address. By failing to address this matter, the proposed application is incomplete and does not meet any standard for forwarding the application toward finalization and approval.
- The rapid evolution of the proposal to date, especially the steady and significant expansion of number of guests and events, demonstrates that the applicant has not finalized the scope of use intended for the resort. Many critical issues that need to be resolved in order to consider approving the project have been in flux and therefore are not fully understood by the Agencies that need to provide approval or by the local citizens that may be adversely impacted by the project. The County needs to send the proposal back to the applicant with instructions that a final proposal with adequate

supporting material be provided to the County. The County should not continue to review the application until it has received all essential supporting material. When those materials have been received, they must be made available to the public in a timely fashion for review and comment. Allowing major changes to the project proposal three business days before the public hearing does not provide adequate or reasonable time for public notice for proper review.

- The proposal indicates many special uses for which impacts and remediation are not discussed in the proposal. Equestrian activities are listed, but there are no identified provisions for stables, pastures, trails, or safe separation of equestrian activities from other uses. Canoeing is listed, but the Rapidan does not have put-in/take-out access points upstream or downstream of the proposed resort that could support even a small fraction of the proposed guests on a busy weekend. Madison and Orange Counties (the two sides of the Rapidan) already have significant difficulty with abuse of the existing access points, and greatly increasing use without additional appropriate access point development will only make existing problems worse.
- Allowing an applicant to move forward assuming that the range of concerns identified above and identified as “undefined” in the proposal might be addressed “down the road” sets up future conflicts where the applicant can claim to have been misled when the County fails to perform due diligence and the applicant makes significant investments in a project that could have been ruled untenable at the outset if the County had done its homework.
- Madison County does not have well developed broadband internet service. In this time of COVID-19 challenges, citizens have to rely on the internet to keep up with activities like this project proposal. Citizens with limited internet access have to rely on timely postings of large project files so that they can make arrangements to acquire the material. When the County arbitrarily accepts spur of the moment, and especially last minute updates from applicants, Citizens are unfairly burdened trying to keep up. The County needs to follow standard protocols for setting review periods, posting material at the start of the period, and not allowing changes during the period.
- Citizens of Madison County place their trust in their elected and appointed officials, and as such expect that they can trust these officials to do due diligence in ensuring that applicant proposals are thoroughly reviewed and citizens are given fair opportunity to comment. The Crescere project was not adequately defined prior to initial posting for public comment and the County has allowed the applicant to make significant changes, effectively doubling, or more, the impact of this project three business days prior to public hearing. This violates the trust of county citizens and logically causes persons to question motives on both sides. General government ethics requirements use the standard of “would this process be deemed acceptable to a reasonable person?” We believe that it falls far short of the ethical standards expected of our public officials.

Since the critical information necessary for a proper review of the application was still evolving three business days before the July 1, 2020, hearing, and is still not complete, we ask the Madison County Board of Supervisors, Planning Commission, and Zoning Depart to reject the application and require, before resubmission, that the applicant finalize their proposal and address the critical missing elements. If the applicant re-applies, County Officials should ensure

that the application is complete (includes supporting documentation of claims and plans) before posting for public comment. When the posting is made, the County should not allow the applicant to modify the posting, thus ensuring that all citizens have access to one set of documents that is consistent for all reviewers.

Respectfully Submitted by,

submitted electronically, signed original on file

Gilbert K. (Chip) Queitzsch, Jr.
540-672-8417
Greenway.Farm@verizon.net

submitted electronically, signed original on file

Mary Stroh Queitzsch
mary.s.queitzsch@gmail.com

RECEIVED 6/30/2020

To the Board:

I am a landowner on Longshot Lane in Rochelle who would be directly impacted by this new resort. I am writing to express my opposition to it in the strongest possible terms. We purchased our farm in Rochelle due to its rural character, quiet, and charm. Having a major resort go up around the corner — completely at odds with the agricultural zoning — would change the nature and character of Rochelle forever. As Blue Ridge Turnpike is the natural cut through from 29 to Ken-Walt, our roads would be choked with resort traffic and our ears ringing from cars and loud concert music. A decline in the quality of life in Rochelle is inevitable.

While I am all in favor of sustainable economic development, I have lived for years in Northern Virginia and seen first hand the disasters that occur when local governments buy in to the false promises of developers. Unless you believe there is a demand among Madison residents for low wage house cleaning and service jobs, please do not be fooled in to approving this proposal.

Thank you,

Brad Bennett

833 Longshot Lane

Rochelle, VA

(202) 538-9074

RECEIVED 6/30/2020

Good morning.

I am writing in regard to the proposed resort development on the Rapidan River. I have learned that you plan to go to meeting on July 1 regarding this SUP. Given the scale of the proposed effort, and that this SUP was only proposed this May, I would like to request that the meeting be postponed to July 28th, at the earliest. This will allow the county and surrounding areas adequate time to assess the proposal and respond appropriately. A resort of this size would have a significant impact on the county, and pushing this request through without providing the residents time to fully understand the impacts to this agricultural area, would be unfair and would not serve the county's best interest.

Thank you,

Julie Fithian

Sent from my iPhone

RECEIVED 6/30/2020

Dear Supervisors and Commissioners,

Please distribute this email to the Madison County Planning Commission and the Madison County Board of Supervisors and include it in the public record.

As residents of Madison County, we deserve to have a voice and a vote. Don't rush deciding on **Case No WU-07-20-14** please wait until all residents have been given proper notice and can be heard.

The current proposal would be **detrimental to our current environment** and the beauty we all enjoy in Madison County. Unlimited venues would not only cause **uncontrollable traffic** on Rt 231 but also **noise pollution**, this must be reconsidered. Landowners and residents of Madison County live here to nurture the land and to live in peace and beauty not to hear noise and music venues through midnight on any given day or to have the landscape tarnished. We are extremely concerned with the amount of noise and the plans to having outdoor music being played until midnight. This is an unreasonable disruption to all the residents.

From Madison County's own website, we pulled this quote:

Madison County has been a crossroads of history for over 11,000 years.

Paleo-Indians, the royal governor Alexander Spottswood and the Knights of the Golden Horseshoe, as well as Civil War Generals Stonewall Jackson and J. E. B. Stuart along with their men have all been visitors to Madison County.

We are proud to invite you to this beautiful, historic and exciting region of Virginia

Why would consideration be given to tarnishing this beautiful historic land with a commercially zoned property in the middle of agricultural and residential properties?

We feel that this SUP **Case No WU-07-20-14:**

- Violates our rights as residents, how could this **SUP** be going to vote prior to proper notice being given to residents that this **SUP** would directly impact
- Have the local and adjoining property owners been legally notified
- There has not been a legal public hearing sign staked at the entrance to Crescere
- Is being jammed through without giving residents and landowners a voice
- Will have an impact on the Rapidan River as well as light and noise pollution
- Negatively impacts the quality of life of Madison Counties residents

While we are new residents to Madison County, what appealed us to moving here was the peacefulness, the air quality, the openness, and the amount of natural beauty we see and experience each day. We know what negative impact density of buildings has on the ecosystem being former residents of a large metropolitan city.

Respectfully waiting your judicious and righteous decision,

Christina and William Rother

Belle Mont Farm

RECEIVED 6/30/2020

Hello Madison County Planning Commission:

It has come to my attention that a big resort style development is being planned along the Rapidan River on the border of Madison and Orange Counties. I want to heartily express my disapproval for the development and believe it is totally out of character with the area. I have a farm in Orange County on the Rapidan a bit downstream of the proposed development and I am afraid of the potential for serious pollution of various sorts emanating from the development. Not to mention the increased traffic on roads that are largely rural in nature. I strongly urge you to deny the group plans for the resort.

Respectfully yours,

Peter W. Tuz

MerryDale Stables

Orange, VA

RECEIVED 6/30/2020

Mr. Webb: Please include this email as part of the public record on the Crescere Resort SUP and distribute this email to the members of the Madison County Planning Commission and Board of Supervisors.

Dear Supervisors and Commissioners,

My wife, Amy Neale, and I farm and live next door to the proposed Crescere Resort LLC.

We were surprised that the number of overnight guests and the number of annual public events had grown since the June 17th workshop. Over night guest numbers grew from 100 to 225. Annual public events for 1000 or more people grew from 6 to 12. These are two changes that need more discussion.

Also, am I correct in reading there can be amplified music 7 days and nights a week until midnight? How much lighting will be needed to keep 1000 or more people safe until 12:00 am? These are just a few of our concerns and questions.

We ask that you table this decision so new questions can be asked and answers can be worked out.

Sincerely.

Doug Hill

RECEIVED 6/30/2020

As a farmer and land owner, over looking the proposed development I am in total opposition to this project. It will bring light and sound pollution to a beautiful, peaceful part of Virginia. Look what development has done to Charlottesville, Fredricksburg, and the rest of Virginia. This resort will just be the beginning, with more to follow, as those land owners(not in easement) choose to sell rather than live here. It will be very hard to "turn down" future special use permit requests in Madison County if this one is approved. People have been coming here from up North for years, and making changes, that only helped the locals loose a great quality of life and history. VOTE NO

Regards,

David C. Bluthardt

RECEIVED 6/30/2020

Good morning,

I am writing in reference to the newly submitted Special Use Permit for a 749+ acre rural resort, proposed by Crystallis LLC, located on S. Blue Ridge Turnpike.

I reside on the property that borders the agricultural acreage that would like to be altered to a commercial development, and have some concerns. I feel that the PC and BoS needs to wait on accepting or denying this project until all voices are heard, and all inquiries answered. I notice that this is being rushed through without adequate time for neighbors to analyze what is being proposed and potentially accepted. We need time to deliberate and eventually address the proposal.

The impacts of such a large establishment will be felt throughout our rural community.

We are a family that enjoys nature and the usage of our Rapidan River from Spring through Fall. Environmental impacts of such magnitude could be potentially devastating to our ecosystem, along with concerns about *the utilization of* this River. Rest assure, I am all for the concept of Agritourism in Madison County, yet I feel that the *size* and *magnitude* of this proposal is not a true representation of the rural Farm/Agricultural life.

Noise issues are another area of concern. We love the quiet of Madison county, hence living here. We also love the animal life who dwell here because of the peacefulness. I am concerned about the impacts of noise pollution and how it will affect all around us. Noise travels easily in the county, and to be overwhelmed by the sound of concerts and varying events would interrupt what solitude we do have. Once again, it is the scale that is of concern.

Our driveway lies at the bottom of a hill that is rather close to Crescere's driveway. It is already dangerous for us, with the stream of traffic today, and the added traffic would induce loads of apprehension.

Please reschedule the public hearing so our voices and concerns can be acknowledged, our questions answered, in hopes that we can come to some resolution that may be more suited for the area.

Also, who is this intended to serve? The affluent, or the varying socioeconomic households of Madison County? I would hope that it is not out of the economic reach of our neighbors, and is intended to be an inclusive establishment.

I love the idea of teaching communities the importance of sustainability, of providing jobs for those in our area, and for agritourism to be an essential part of helping a farm during difficult times, and of promoting the small businesses in our county, but is a mega resort what we need in order to do this?

We who reside in this area need to weigh the pros and cons before coming to any conclusive decision.

I appreciate your time,

Bridget Ramo Joyce

S Blue Ridge Turnpike

Rochelle Va 22923

RECEIVED 6/30/2020

Ligon,

Copied below is a note by Peter Rice to Clay Jackson asking that the decision on the SUP be postponed so that all members of the community can weigh in. I would like to echo Peter's request. As a member of the committee that recommended the TOT for Madison County, I am generally in favor of more tourism as a source of revenue for the county. But this is a large project that will set a precedent for future applications. Rushing it through in the middle of a pandemic without a separate public hearing in front of the Planning Commission.seems particularly ill-advised. Please add my email to those addressing this issue.

Thanks for your consideration

David Crowe

Hood, Va.

Clay,

I understand that the public hearing for this SUP is scheduled for July 1, only 45 days after the application was filed. What I have seen of the proposal raises a number of serious concerns about the impact of the plans for developing this "rural resort" for the citizens of the County. Especially since this is the first application for a Rural Resort designation, it seems that the process should be deliberate and not rushed through the Planning Commission and BOS.

I respectfully appeal that the public hearing on this application be postponed until at least the July 28 meeting.

Sincerely,

Peter G. Rice

2784 Shelby Rd,

Madison, VA 22727

RECEIVED 6/30/2020

To the Madison County Board of Supervisors and Planning Commission

Re: Crescere Resort Special Use Permit—Public Comment

Dear Supervisors and Commissioners:

I am writing to respectfully urge the Board of Supervisors to delay its Public Hearing and vote on the Crescere Resort SUP until its next meeting on July 28, at the earliest.

I have two reasons for urging this delay:

First, the applicant's proffer letter is dated June 26, 2020. The County Planner's full report with response to the proffer letter is dated June 27, 2020. The Public Hearing and vote on the SUP are scheduled for tomorrow, July 1, 2020. This means that the public will have had only three or four days to study the application with the proffer and the County Planner's full report with response to the proffer. There has been a contracted timeline overall for consideration of this SUP, but it seems especially unreasonable to expect members of the public to respond to an SUP application in an informed and thoughtful way when crucial documents have become availabe only three or four days before a hearing and a vote.

My second reason for urging a delay in the Supervisors' Public Hearing and vote is that the County Planner has made significant criticisms of the proffer letter that have gone unanswered. Referring to the proffer letter, the County Planner writes in his report:

It is recommend the submitted site plan be a proffered condition of the special use permit. Currently, it appears to be inconsistencies [sic] between the site plan and the submitted proffer letter, namely the total number of lodging units; and at build-out the total number of potential overnight guess appears to be significantly higher than anticipated. (p. 27)

However, it is believed the conditions placed on the definition of what constitutes a public event (1,000 or more people), the annual allowable number of public events (12 per year), noise (outdoor music cutoff at midnight) lacks specifics and is ambiguously written (e.g. "plan to adhere to"). (p. 27)

In fact, the County Planner suggests tabling the SUP so that the issues he raises can be addressed:

However, questions remain specifically regarding the number of lodging units, the annual number and definition of public events. In the opinion of the County Planner the proffered conditions related to these issues are vague and need improvement**.** If tabled, and the applicant is agreeable,

the County Planner will work with the applicant to clarify and improve these conditions to the satisfaction of all. (p. 29)

The issues here are important, and the positions that the applicant and the County Planner take on them differ significantly. For example, in his letter to the applicant of June 3, 2020, the County Planner suggests limiting to two the number of public events that could be held before it was necessary to ask permission from the Board of Supervisors (p. 33); the application sets that number at twelve.

If the County Planner himself has written on June 27 that the SUP application needs more work, I do not see how there can be a Public Hearing and a vote on the SUP on July 1.

I have many serious concerns about the Crescere proposal and if a vote were to be taken, I would hope that the SUP application would be denied. But for the purposes of this comment, I am limiting my remarks to the question of delaying the Supervisors' Public Hearing and vote on the SUP until July 28, or later.

Thank you for your attention and for your service to Madison County.

Yours very truly,

James Collins

Somerset

RECEIVED 6/30/2020

Gentlemen,

I write today concerning the proposed resort on the Rapidan River which is before the Joint Board of Supervisors and Planning Commission meeting on July 1, 2020. I reside at Mount Sharon Farm in Orange County so you might ask why would I be concerning myself with Madison County matters.

My reasons are twofold:

(1) The land in question fronts on the Rapidan River which separates it from Orange County
(2) Often planning exceptions and decisions in one jurisdiction become precedents for decisions in other especially adjoining counties

Madison and Orange counties are known for their fertile land, majestic views and agrarian lifestyle. Now and then, the owner of a beautiful parcel allows say a family wedding or event, possibly even an event for benefit of a local charity, on their land. It is quite another matter to openly encourage a large 'Woodstock type' gathering on one's land with the goal of making it a 'for profit' business.

A large gathering creates noise and light pollution, not to mention the extremely loud noise which disturbs not only immediate neighbors but those who otherwise enjoy the peaceable use of their agricultural green space and live many miles away. In addition, this type of use will lower the values of all adjoining agricultural land including parcels across the river in Orange County.

The glamping aspects of this proposal are merely another way of making profit by creating housing on a denser basis than that allowed by the present zoning.

What does Madison County have to gain from this proposal other than a bad reputation for making a disastrous exception for cheap development that no sensible person would want or encourage?

I urge you to continue protecting your own beautiful county and to be a good neighbor to Orange County landowners across the river by denying this damaging proposal.

Sincerely,

Charles H Seilheimer, Jr

Owner

RECEIVED 6/30/2020

Dear Supervisors and Commissioners,

Please distribute this email to the Madison County Planning Commission and the Madison County Board of Supervisors and include it in the public record.

As residents of Madison County, we deserve to have a voice and a vote. Don't rush deciding on **Case No WU-07-20-14** please wait until all residents have been given proper notice and can be heard.

The current proposal would be **detrimental to our current environment** and the beauty we all enjoy in Madison County. Unlimited venues would not only cause **uncontrollable traffic** on Rt 231 but also **noise pollution**, this must be reconsidered. Landowners and residents of Madison County live here to nurture the land and to live in peace and beauty not to hear noise and music venues through midnight on any given day or to have the landscape tarnished. We are extremely concerned with the amount of noise and the plans to having outdoor music being played until midnight. This is an unreasonable disruption to all the residents.

From Madison County's own website, we pulled this quote:

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Paleo-Indians, the royal governor Alexander Spottswood and the Knights of the Golden Horseshoe, as well as Civil War Generals Stonewall Jackson and J. E. B. Stuart along with their men have all been visitors to Madison County.

We are proud to invite you to this beautiful, historic and exciting region of Virginia

Why would consideration be given to tarnishing this beautiful historic land with a commercially zoned property in the middle of agricultural and residential properties?

We feel that this SUP **Case No WU-07-20-14:**

- Violates our rights as residents, how could this **SUP** be going to vote prior to proper notice being given to residents that this **SUP** would directly impact
- Have the local and adjoining property owners been legally notified
- There has not been a legal public hearing sign staked at the entrance to Crescere
- Is being jammed through without giving residents and landowners a voice
- Will have an impact on the Rapidan River as well as light and noise pollution
- Negatively impacts the quality of life of Madison Counties residents

While we are new residents to Madison County, what appealed us to moving here was the peacefulness, the air quality, the openness, and the amount of natural beauty we see and experience each day. We know what negative impact density of buildings has on the ecosystem being former residents of a large metropolitan city.

Respectfully waiting your judicious and righteous decision,

Christina and William Rother

Belle Mont Farm

736 Race Ground Road

Rochelle, VA 22738

Christina 847-682-8450 William 847-226-7820

Bellemont736@gmail.com

Dated 06/30/20

RECEIVED 6/30/2020

Dear Secretary of the Planning Commission,

Please pass along my letter to to both the board of the Planning Commission and the Board of Supervisors. I understand that you are having a join meeting tomorrow. I am writing to express my concern about the proposed development of land in Madison County along the Rapidan River. From the information that I have gathered this is a large scale event center that will contain restaurants, bars, and a huge outdoor venue along with overnight accommodations. This project is of a very large scale and I am concerned that there has not been enough time to review the impact on the community. We enjoy a scenic and peaceful environment here in our rural county, something which is unique and a rare commodity in this fast developing state. I believe that we should do everything to preserve the rural character of our community and have admired the Madison County BoS and PC for taking the time to listen to it's citizens when it comes to development and changes.

At this point, all that I am asking is that you reschedule the public hearing to a later date so that your fellow residents can appear and voice their concerns in person. If you are unwilling or unable to reschedule this, I would ask that you deny the Special Use Permit in its current form due to concerns about the size of the proposed project, the noise and pollution generated from the increase in traffic not to mention sewage, water run off into our beloved Rapidan River. In my opinion, the size of the proposed event venue is more of a commercial nature and does not belong in an Agriculturally zoned area. It should not be allowed without some very strong restrictions and limitations firmly in place.

Please let me know when I can attend a meeting in person to express my additional concerns. I am counting on you to do the right thing by your neighbors and give us the appropriate opportunity to respond.

Yours truly,

Rachel Vere Nicoll
Madison County Resident.

RECEIVED 6/30/2020

Dear Members of the Planning Commission and the Board of Supervisos,

What an astonishing proposal from Crystallis LLC related to the development of Ken-Walt Farm, a 740-plus acre property which is zoned for agriculture in Madison County.

The people who live in Rochelle ought to be outraged that the Special Use permit was ever requested in the first place. We have all chosen to live on agriculturally-zoned land because we love the peace and quiet of being in a rural setting, a place without undue traffic and noise, a tranquil place for raising animals, crops and families.

The scale of the proposal is immense and totally out of proportion for a rural property on land that is zoned for agriculture. The amount of traffic it would generate is also enormous and not consistent with the rural character of the property or the neighborhood.

Where on earth the parent company thinks they are going to get the thousands of people they are planning to accomodate is beyond me, but they are certainly not all from around here.

As a citizen and resident of Orange County, the idea of a development of this scale, right on the border of Orange and Madison Counties, on agriculturally-zoned land, gives me the horrors as the next group of developers may try something similar in Orange County.

Please turn down the proposal from Crystallis LLC, for the special use permit and leave this piece of agricultural land as it is, undefiled and unspoiled.

And if you are not able to flatly deny them, please at least table the public hearing process until the end of July to allow time for public review and analysis by county residents regarding this piece of property.

Sincerely yours,

Flossie Fowlkes
(Florence Bryan Fowlkes)
P.O.Box 910
10226 Inverness Drive
Gordonsville
VA 22942

RECEIVED 6/30/2020

For the attention of Madison County Planning Commission and Madison County Board of Supervisors.

My name is Michelle Collier and I live on Scuffletown Road, across the Rapidan River on R609 in Somerset, Orange County.

I am writing In regard to the SUP application for Crescere Resort, to express my concern with the haste and quietness with which this proposal is being pushed through. This SUP relates to large scale change in our community, involving complex inter-related topics of economic, social and environmental. It warrants transparency and full participation by local residents and the surrounding communities it impacts. Why such haste, especially in a closed COVID-19 environment?

I ask that the vote on this SUP be postponed from July 1st 2020 to allow the local and surrounding communities to better understand the far reaching aspects of this resort and to have a voice. The lack of transparency and speed to process this SUP speaks volumes.

My concerns for the community include how the following will be controlled, upper limits on daily attendance / occupancy, increased traffic, noise levels, trash, policing impact, water, light pollution and overall infrastructure. We ask for a postponement to the vote or a vote of no to the issuance of this proposed SUP as is.

Regards,

Michelle Collier

RECEIVED 6/30/2020

Dear Mr. Webb, Planning Commission and Madison County Board of Supervisors,

I am writing to express my strong opposition to the granting of a Special Use Permit for the Crescere Rural Resort. Please include my comments as part of the public record and distribute to the members of the planning commission and the Board of Supervisors.

I am a property owner in Rochelle and moved to Madison County from Greene County because I believed that Madison County valued its farming traditions and rural way of life and sought to keep development to a minimum. I believe this proposed development removes a large tract of viable farmland from its original, intended agricultural use. This is a slippery slope inviting more large scale commercial development at the expense of farmland. The scope and size of this project dramatically alters the rural character of the County. I am shocked by the proposed plan that seeks to significantly alter the usage of the land as well as impose a significant burden on the counties infrastructure of police, fire and rescue and other county services.

Here are some of my biggest concerns and objections to this proposal.

1. This project has not received the kind of scrutiny necessary by the Planning Department and public to fully understand and document all of the details associated with a Special Use Permit of this size. An environmental impact study by an independent environmental firm should be required of this and other such large scale development projects prior to any SUP being granted. I am concerned about this development's negative impact on the Rapidan River, endangered species, potential burial sites or historical sites located on the property.

2. The Rapidan River serves an important role as the potable drinking water source for multiple localities downstream, including the Town of Orange. Having lived on the Rapidan River for over 20 years, I can attest to the vulnerability of the river to pollutants. It alternates between excessive flooding and drought and needs to be protected as a resource. There is great concern over the number of developments currently being constructed along the banks of the Rapidan, Greene Landing LLC. And, adding more pressure on this valuable resource threatens to destroy the river's viability.

3. The sheer scale of this project – known and not yet known, necessitates this SUP being denied. An event center of 11,500 square feet, other structures of "unknown proposed size" including open air pavilion, damn bar, and numerous glamping sites need to be further clarified. How can 280,000 sq. ft of impervious pavement and 60,000 sq. ft of permanent and temporary structures not impact the land adversely? Public discussion and County due diligence must be thoroughly investigated.

4. The 50 glamping cabins proposed would accommodate up to 100 overnight guests, quantities otherwise expected in hotel operations. As such, site-specific conditions could create large septic drain field impacts with the potential for environmental impacts on the Rapidan River. Likewise, what specific regulations would be in place to govern the use of the cabins? Will they be governed in the same manner as hotels and B&B's?

5. The issues of noise, traffic, overall impact of placing a substantial development in the midst of a rural farm setting just doesn't make sense for Madison. It is one thing for the planning commission to establish areas in Madison where development can take place and be encouraged, granting zoning changes to allow for greater density. This should always be placed before the citizens of the county to determine whether they approve or disapprove.

6. As Madison County does not currently have a codified noise ordinance, there would need to be significant restrictions in place prior to any approval of the SUP. A similar proposal for an outdoor concert venue in Orange (Liberty Mills) was defeated due to the concern over excessive noise and traffic.

7. Of obvious concern is the issue of increased traffic on a scenic Virginia byway, Rte. 231. Studies need to be made on the importance of understanding the average trips per day increase associated with this SUP, as well as the peak trips per day during larger events (e.g., public music events). This would necessitate increased police, fire/rescue etc.…

8. Studies would need to be made to ensure that the massive effects of lighting would not adversely affect neighbors on both sides of the Rapidan River as well as along Rte. 231. Lighting needs to respect neighbors' ability to avoid night sky glow.

9. Occupancy maximums for events and number of public and private events permissible: This is perhaps the most important factor to consider in the assessment of this development**.** This needs to be significantly restricted to ensure that the density and usage is limited.

I am most distressed at the fact that this SUP is being rushed through without sufficient public hearing and comment and necessary due diligence. The citizens of Madison County deserve better. They deserve to have their resources and quality of life protected. Without the protection of the county's natural resources, beauty, and quiet atmosphere, I and other residents, would not necessarily view the county as a desirable place to live. This large-scale development project should not negatively impact the public health, safety, or welfare or the county's natural resources. The SUP should not be approved as currently submitted and it should be subject to a public debate over its impact and value to the county.

Respectfully,

Jane W. Hammond

Rochelle, VA

RECEIVED 6/30/2020

Dear Ligon,

Thanks for getting back to me and offering the opportunity to chat. I will pass on that lest you have to spend much of the conversation correcting my misunderstandings about the situation. I am absolutely not any sort of expert, and I don't have any particular opinion about the application to be considered tomorrow. My concern is more with process and precedent. Piedmont Environmental Council inspired me to write, and I have been the listening partner in numerous conversations with a member of the Planning Commission when we were supposed to be doing the work of a non-profit organization. My reason for writing to you (I also wrote to the five members of BOS.) is to provide a bit of support if you are inclined toward extending the time frame for this proposal.

A bit about me: I am a native of the county, a graduate of MCHS, a retired teacher (not in the local system), and owner of a farm that has been in my family since the 1890s. I am perfectly capable of arguing that those "rich city people" in PEC have no business coming here to our county (that they don't understand) and trying to tell us what to do. On the other hand, I have entered into a conservation easement with PEC in perpetuity. I am not personally all that comfortable with PEC's cheerleading and its existence (in part) to provide a tax shelter for rich people. But I do respect PEC employees' genuine commitment to protecting the environment and their knowledge about regulations and the law. Several years ago, when Dominion Power was on its quest to build huge power transmission lines through the county (and across my property), it was really good to have PEC on my side. I didn't have much to do; PEC fought on my behalf.

About the current issue: I think the ordinance governing these resorts is new. There is little or no precedent for its implementation. This current proposal has to be one of the first to come under the ordinance. But I think the original ordinance has been amended to significantly change the acreage requirements for certain aspects. This is where I worry about precedent: what is perfectly feasible on hundreds of acres may be quite problematic on a smaller tract. PEC seems to be recommending that the process slow down enough to gather opinion and really analyze such things. I support this action because, quite frankly, I think PEC officials are probably better equipped to identify future ramifications of today's decisions than run-of-the-mill local elected officials. Really there need to be a partnership and a good will effort to see multiple sides and hopefully reach a consensus.

Thanks for reading this far (if you did!) and for all your work on behalf of the county. I hope to meet you sometime.

Judy Mahanes

RECEIVED 6/30/2020

Hello,
I am writing as a concerned resident of Madison County who lives near the proposed Crescere resort. I literally just heard the news about this proposal and the public hearing scheduled for tomorrow. Please postpone this hearing so that Madison's residents have time to learn more about this proposal.
And if the hearing does happen tomorrow and a decision is made, please reject the Crescere application to build a resort in our incredible rural homeland.
Sincerely,
Lee Catherine Clayton
Rochelle, VA

RECEIVED 6/30/2020

231 is a designated scenic byway 2 lane road with limited traffic sight and not

capable of supporting a commercial enterprise with hundreds of people arriving and leaving. Section 15.1-427 requires you to reduce and prevent congestion in the public streets. This request should not be granted in a residential scenic area where noise, lights and traffic are more suited to a commercial area like Route 29.

We were told it would be a wedding venue not something more suited to Northern Virginia

RECEIVED 6/30/2020

To whom it may concern:

I wish to go on record as opposing the **newly submitted Special Use Permit for a 749+ acre rural resort**, proposed by Crystallis LLC. Crescere Rural Resort which would be located on Route 231 and the Rapidan River in Madison County, just northwest of Montpelier. My email may be distributed to the Members of both the Planning Commission and Board of Supervisors, and be included as part of the public record

I am a landowner in Madison County – owning land very close to this development. I do not wish to have the pollution that will go into the river. What about sewage? Septic tanks? Run off? Floods? Drought? I am also concerned about the use of fireworks which could cause my agricultural land and cattle to go up in flames.

Please remember that once farmland is lost, it is lost forever. Do you want that to happen?

Sincerely,

Sarah Queitzsch Barnhart

Madison County Landowner – Rt 29/Rt 231/Rapidan River, Part of Greenway Farm

RECEIVED 6/30/2020

Dear Madison County Planning Commission Members:

I have been informed through a network of concerned residents of a Special Use Permit that is being considered for approval for a 749+ acre Crescente Resort and tourist venue and complex along the Rapidan in Madison County and bordering Orange County. We are land owners in Greene County on the opposite side of the Rapidan on Fredericksburg Rd. within the area potentially impacted by this resort. Of great concern is the sidestepping by the Madison Board of Supervisors and the Planning Commission of established protocol for due process in informing the public and providing a forum for informed response by the public. Public input has been shut out of the required process. COVID-19 is not a valid reason to cut the public out of the approval process. If COVID-19 imposes barriers to public input then the process must be delayed until due process can be fulfilled. PLEASE RESCHEDULE THE PLANNING MEETING TO A TIME WHEN PUBLIC INPUT CAN BE FAIRLY AND OPENLY PROVIDED.

The comprehensive and complete plans of the Crescente Resort must be made publicly available and given enough lead time for public review. An open forum must be provided by the Madison Board of Supervisors and the Planning Commission that assures the public access (which an online meeting does not) to express all concerns and to seek answers to all questions raised by the proposal.

We are very concerned about the complete lack of restrictions on noise levels and the scale of the entertainment venue which would change the character of the county and its surrounding community. This proposal raises so many questions that the public has a right to raise and seek answers to.

Please distribute this letter to the members of both the Planning Commission and Board of Supervisors, and include it in the public record of the July 1 meeting.

Thank you for your consideration,

Janine Jagger, Ph.D.

jcj@virginia.edu

6133 Fredericksburg Rd.

Barboursville, VA 22923

RECEIVED 6/30/2020

I am writing to you about the planning of the Crescere resort. I live at 2246 S Blue Ridge Tpke Rochelle, very close to the planned resort.

My first concern is the noise with the large venues. The event concert area is at a higher elevation and relatively close to 231. There should be a limited number of large venues of (500 to 1000 persons), like maybe 2 to 3 times a year max, that would be tolerable. The concert venue should be in an area where the noise impact on the community would be to a minimum.

My second concern is the environmental impact on the Rapidan river with this amount of lodging and camping sites which are very close to the river. The camping area and draining fields should not be included in any of the flooding zones.

Regards,

Sophie Laporte

RECEIVED 6/30/2020

Hello,

As Madison County citizens who live on the 231 scenic byway in the Old Pratts area, we want to mention that we are opposed to the proposed developement of the Ken Walt Farm property.

We believe that this property should remain agricultural. From past experience in other Virginia counties we have seen the devestation that occurs as one after the other developers buy large tracts, get approval to rezone and begin developement. Once this begins , it snowballs. Look around at other counties which were once beautiful farmland and countryside. One by one developers bought the farm land,got approval for re-zoning and began to build their dream. What was once a beautiful place that people loved to visit and desired to live in becomes just another area lined with businesses , big box stores and subdivisions . Ugly and congested . The crime rate also rises.

And please consider the amount of traffic that will be coming through our small scenic road when there is a big venue.

Please consider these things carefully. We saw the devestation that happened in our previous, once beautiful county. It started slowly and came to a point where there was no stopping it.

We love Madison County. One reason is that you have kept it so pristine. It is unlike any of the surrounding counties in beauty, lifestyle ,pace .Unspoiled by developers. A place that people love to visit for that reason.

Thank you for considering our thoughts. We love Madison County for what it is. We truly respect how this county has taken a stand against what some may call " progress" .

Because of this , Madison County has remained a breath of fresh air. A very rare gem of a place.

Lyndon and Katrina Friend

51 Repton Mill Rd

Rochelle,VA 22738

RECEIVED 7/1/2020

I respectfully request that this email be distributed to the members of the Board of Supervisors and the Planning Commission for Madison County.

Dear Members of the Board of Supervisors and the Planning Commission,

I am an owner of Parcels 58 26B and 58 120 in Twyman's Mill. The hearing on the Crescere Rural Resort should be postponed until adequate provisions for public input are available. Given the size of the proposal, the rapid scheduling of the permitting process, and the inability for the public to fully participate, a month's delay should not adversely affect the applicant. Further, in the midst of a pandemic, one wonders how wise it is to proceed with such a development for public safety reasons.

I am not opposed to development, when done correctly and thoughtfully. I was actually investigating opening up a B&B in Hebron Valley a few years ago. Thank you.

Michael Filippello

1552 Twyman's Mill Rd

Radiant, VA 22727

RECEIVED 7/1/2020

As a new resident to Madison County, please reschedule the public hearing until after the July 28 meeting (at the earliest). If the public hearing cannot be rescheduled, the Special Use Permit should be denied in its current form due to the various concerns identified. We want to be an active participant in the county to preserve the rural beauty that we've come to love in the 3 months we've lived here.

Respectfully,

Robert & Kimberley Carter

167 Innovation Lane

Madison, VA 22727

RECEIVED ON 7/8/2020

Dear Mr. Webb,

I feel compelled to write having grown up in Madison County on Arrowpoint Farm in the forks of the Rapidan and Robinson rivers. My family moved to Madison County in 1953. It did not take long for a neighbor to visit and tell my parents it was not safe for us to swim in the Rapidan River because of sewage that was being emptied into it up river. Because the Rapidan River is a drinking water source for multiple localities downstream, this potential development is of grave concern to me. With 50 glamping cabins proposed to accommodate up to 225 overnight guests, this could create large septic drain field impacts with thhe potential for environmental impacts on the Rapidan River.

I am now a resident of Orange County and have property that adjoins The Market at Grelen and Grelen Nursery. My husband and I are all to familiar with noise pollution from weddings. Orange County has not noise ordinance in place and Dan Gregg has told us many times that they have told the bands and DJs providing the music for the weddings to please keep the noise level below a certain level. That request is often disregarded. We, as well as some of our neighbors, are often able to hear the every word of every song if we are outside. What is more disturbing is that we can hear the music at times in our house with every window closed! We have most certainly lost the peace, quiet and serenity that prompted us to purchase the property. Also affected is the value of our property which has been significantly diminished. I mention all of the above because Crescere Resort could create the same unwanted effects on the neighboring homes.

I appreciate the need for counties to raise revenue through tourism but I appeal to the county Planning Commission and Board of Supervisors to weigh the importance of honoring the quality of life of its residents and quiet, safe rural appeal of the county against creating an entertainment site that will destroy all of the previous county appeal.

I would appreciate you distributing my email to the Members of both the Planning Commission and Board of Supervisors. Also, would you please include this as part of the public record.

Respectfully,

Ada Sanford Harvey

P. O. Box 68

Somerset, VA. 22972

540-661-0370

ehh323@aol.com

RECEIVED ON 7/8/2020

Dear Ligon and Barbara,
We are writing to you as your neighbors and concerned citizens of Madison, Orange and Greene counties. We understand that the two of you are negotiating the Conditions of Use (Conditions) in the Special Use Permit (SUP) that will govern the operation of the proposed Resort on the Rapidan River. We first heard of the proposed Development last week and are very concerned that it is proceeding in a rushed manner, without adequate input from the surrounding farmers and home owners. We understand that you plan to have the Conditions finalized and voted on by the Madison County Planning Commission on July 15th - only 8 days from today. Madison Matters is a local organization in formation. In only one week's time, more than 50 of your neighbors already are part of our group. We expect that our number will be well over 100 by the end of the month. On behalf of your neighbors we respectfully request:

1. You both agree to an adequate extension of time to allow proper study of the likely traffic, noise and environmental impacts of the proposed Resort on the area. We suggest that a four to six month extension would be fair and appropriate, particularly given the difficulties we all face with the Covid-19 pandemic.

2. That you allow one of us to participate directly with you in your negotiations over the Conditions. As both the County of Madison and the Developer are publicly on record in favor of the Rapidan River Development, it is only fair that a representative of the affected neighbors be permitted to discuss and negotiate the Conditions with you. We believe that our two requests are both reasonable and appropriate, and urge you to please grant them. Given that the Planning Commission meeting to vote on the SUP is only 8 days away, could we please hear back from you by Thursday, July 16th, 2020?

Thank you in advance for your cooperation.

Sincerely,

Jane W. Hammond
Madison Matters
(434) 531-8547

RECEIVED ON 7/8/2020

This email is sent on behalf of Peter Radford.

Please circulate to the Planning Commission and Board of Supervisors in regard to Case No. SU-07-20-14

Dear Planning Commission and Board of Supervisors,

I live in Somerset approximately 3 miles as the crow flies from the center of the proposed development of Ken-Walt by Crescere (Barbara Miller). I find it difficult to believe that Madison Planning Authority would even consider a proposal of this magnitude that would change the rural ideal that is the existing Ken-Walt Farm, Uno, Rochelle, plus all the properties adjacent to the Rapidan in Orange County, without significant consultation and input from the population that would be adversely affected.

We operated a subsidiary of our company in Madison for 10 years or so before we ran out of space and moved to larger premises in Greene County. As a consequence we made many friends in Madison and the surrounding towns. When we finally heard about the development that was being proposed we contacted our friends in Rochelle and Madison and none of them knew of the desecration that was being proposed in the name of education and sustainability. How Rock Concerts and unlimited gatherings of people fit into that category is beyond comprehension. In case it has escaped the notice of the developers and all concerned, we have the Blue Ridge Mountains and associated Parks that fits the bill and was gifted to the Nation to enjoy all the benefits of the flora, fauna. There are also many leisure and educational facilities to demonstrate wealth of benefits that are offered by the beautiful Virginia Countryside.

I am certainly not against development as in the right circumstances, with due thought and consultation only improves local economy and benefits all. Surely with the amount of opposition from both Madison and Orange Counties, its time to rethink at a **real** open public meeting, so that we can aire our views and hear what the Developers, County and State officials have to say.

Although, not being a Madison resident, but living in Orange County (approx. 3 miles as the crow flies from the proposed development) I would like the opportunity of speaking. I have an appropriate example of a similar development and the consequences that I would like to share.

Regards,

Peter Radford

RECEIVED 7/9/2020

My husband Doug Hill and I own and work the farm adjacent to the proposed Crescere Resort.

I have some very strong reservations to the current SUP proposal. This project has become something that should give pause to all in the area as it has the potential to have a strong negative impact on our daily lives. Peace, quiet and the beauty of the Piedmont is the reason why many of us have chosen to live in this very special piece of rural Virginia. Some of us chose to never leave the area. The current proposal has the potential to change our county forever. I realize the need to pursue tourism dollars but it seems like this is going a bit far. This property is located in prime Agriculture-1 zoned land. It feels like the scope of this development sends a wrong precedent.

There seems to not be clear parameters on a number of points.

The ability to play outdoor amplified music until midnight every night of the year seems a bit excessive, to say the least. I realize that would probably not happen, but why leave it open ended, for to the applicant to decide? A cut off of 9 pm seems to be a time that reflects the character of the setting.

The number of annual 'major' public events of 750 offsite guests or more has increased from the original 2 to 6! Add 225 onsite guests. An unlimited number of people. And 6 'minor' public events that could have up to 995 people or more depending on the no max capacity of the on-site guests. Conceivably, the way the SUP is written, all could be amplified music events playing until midnight. If passed the way it is it would be the applicants right. And there is not limit on guests or numbers of private events. That could mean 365 days a year of unlimited numbers of people and late night music. And music isn't the only concern. Large groups of people talking and laughing make a lot of noise. And yes, sound can and does travel a great distance. Farther than you think it would. And what of noise from ATV's, just added in the most recent update!!! Not only would the noise be a factor but the traffic on our county roads could and would be heavily impacted, possibly with drivers that may have had a day or evening of drinking. What a out our safety? How will this affect our local sheriffs department and our EMS services? Who will pay for this?

The number of overnight guests has just recently been increased from 100 to 225 with approximately 41 units! Again, no limit listed for either guests or units. What will the impact of that many people mean to our precious natural resources? What could this mean to the water table? To our water table next door? The Rapidan River? And what about septic systems? Please remember it wasn't long ago that we faced a pretty severe drought. It will come again.

The 280,000 square feet of impervious paving takes in 6.43 acres. I understand the entrance and main road would need to be paved. Could permeable materials be used in the parking areas to mitigate the water runoff. This is particularly important for the area of proposed parking and outdoor event space just north/northwest of the event center which runs close to my property line. The currently wooded area is at the top of our very steep hill which runs directly into a pristine stream. Runoff from cars could easily enter the waterway.

It is understood that the setback stated in the county's event ordinance is 25' with a minimum of 10 acres. Seeing as this property is 749 acres it seems reasonable, if it is the county's power, to raise the requirement for this SUP to at least 50' with 75-100' preferred. This could give adjacent landowners a much needed extra buffer zone.

The glow from the amount of lightning needed for a project of this size could be a real hindrance to our community. I would hope this aspect would be addressed by the board to include mitigating the effects of the 'glow' of lighting. Down facing lights would be a start.

Of extreme concern, possibly is the SUP being attached to the land, and not the applicant. As we all know, unforeseen events happen every day. Who knows what, or more importantly, who, the future brings. A different owner might have very different ideas of what he or she would like for their development. I beseech you to consider the ramifications of allowing the wording as it stands, and instead require the Special Use Permit to follow the applicant, not the land.

I realize the board is in a very tough spot and I appreciate all you do for Madison County. Just please, keep in mind that once something is done, it can rarely be undone.

Thank you for your time.

Sincerely,

Amy Neale

Received 7/11/2020

This development is not good for Madison County or people like myself who live in Orange County just across the Rapidan River. The River is threatened by 100 septic systems plus sewage from events. I live near Montpelier and I fear for impact of traffic, noise, and river pollution.
The town of Orange gets its water from the Radian. Pollution from the events is bound to impact water quality.

Route 231 is not designed to handle this traffic.

Please vote no to this development.

John Snyder
12574 Chicken Mountain Road
Orange, VA 22960

Received 7/12/2020

Refer: Case No. SU-07-20-14

Dear Mr. Webb,

Yesterday (July 11, 2020), Bill and Kris came to my place and introduced me to the "Proposed Crescere Rural Resort" (proposed business development) in our neck-of-the-woods.

We talked about it, and I read (and re-read) carefully the leaflet (with information and map) summarizing the impact on our immediate community.

I want you to know that my reaction to this commercial endeavor is 100% negative.

I will do everything I can to prevent the approval of that project.

This project (business) will disrupt the live of all the residents in the area, I cannot think of anything positive for the people who live here resulting from such enterprise.

I won't elaborate any more that the issues documented (very briefly) on that leaflet (refer: "OPEN QUESTIONS FROM CONCERNED CITIZENS"), but, I will attend the Public Hearing (August 5, 2020) and make my voice heard, if I am asked to.

Best regards,

Richard Houyoux
PS: my address is: 1256 Race Ground Rd, Rochelle VA 22738, tel: 540 290 2892

Received 7/12/2020

Please vote NO

The planned SUP would create a very unfortunate development on this scenic area.

Andre Hintermann (ex Graves Mill Farm)

Thank you for your understanding.

Received 7/13/2020

Madison Matters Rochelle, VA

To the Madison County Planning Commission Re: Crescere Resort, Proposed SUP

Dear Commissioners:

Madison Matters consists of citizens, property owners and taxpayers from Madison, Orange and Greene Counties who are gravely concerned about the proposed Crescere resort. We hope to work with Madison County officials and the Developer to produce a SUP that is fair to all stakeholders, and results in a model SUP that might be used for future proposed developments in the County.

We are concerned for two reasons. First, we believe that, as proposed, Crescere would represent a gross violation of the very first goal in the Madison County Comprehensive plan, "Preserve, protect, and enhance the natural beauty, rural character, and air and water quality of Madison County, and sustain agriculture/forestry as the County's primary land use."

Second, we believe that, as proposed, Crescere would cause undue harm to those living nearby. According to the Event Venue Ordinance in the Madison County Code, the reason for regulating rural resorts is their "potential impact on the health, safety and welfare of neighboring property owners." If Crescere were to go forward in its current form, the impact on the health, safety and welfare of neighboring property owners would be severe.

At your July 15th meeting, you will be taking up the Special Use Permit that the developer of Crescere has applied for. We are writing now to submit modifications to the SUP in its current form—i.e. as of the June 30 proffer letter--that we hope would make Crescere more appropriate for land zoned agricultural and that would mitigate its bad effects on its neighbors. We respectfully ask that you consider these modifications as you deliberate.

Compliance with Event Venue Ordinance

The SUP should be modified so that it comes into compliance with the Event Venue Ordinance in the Madison County Code.

1) According to the Event Venue Ordinance, "Outdoor Music or entertainment events that are open to the public are subject to the requirements of the Madison County Music and Entertainment Ordinance." The Music and Entertainment Ordinance, then, would apply to what the SUP applicant calls "minor public events" and "major public events."

Under the Music and Entertainment Ordinance, a permit is required for "any gathering of individuals, open to the public, with or without admission charge, for the purpose of listening to or participating in entertainment which consists primarily of musical renditions conducted in open spaces not within an enclosed structure." There are 11 "conditions precedent to granting of permits." The application must include plans for sanitation, food and water, medical facilities, parking and traffic control, fire protection, lighting and so forth. The application must also include a statement that no music "shall be unreasonably audible beyond the property on which the festival is located."

Musical events would be a prominent feature of Crescere, but in the SUP application, no mention is made of the Music and Entertainment Ordinance or of how Crescere would intend to comply with it. The SUP should require the developer to address this.

2) According to the Event Venue Ordinance, "An applicant for an event venue special use permit shall include...[a] thorough explanation of the scope and variety of buildings and land improvements and uses that would be installed on the property." Further, "The specifics of any building, land improvement and uses approved under a special use permit for an event venue shall be documented in the motion by the board of Supervisors."

The applicant has not provided a "thorough" and "specific" description of the buildings that are planned for Crescere. The structures of "unknown proposed size" include: Open Air Pavilions, Damn Bar, Farm Center, Lodge Building, 14 Hilltop Glamping Sites, 9 (or is it 12?) Riverview Glamping Sites, 8 Family Campsites. In addition, no size is given for the following: Boat house, Bridal/groom suites, Snack Shacks, Storage, Laundry.

In his report of June 27, 2020, the County Planner writes, "Several proposed buildings/structures are of unknown size; the County Planner does not consider this to be of significant concern at this juncture." It is hard to reconcile this permissive

attitude with the Event Venue Ordinance. How would it be possible for the "specifics" of Crescere's buildings to be documented in a motion by the Supervisors if the most basic information about at least forty structures—their size is not known? The SUP should require that the developer specify the size of the structures that will be built. Moreover, the SUP should require that the applicant specify the number and uses of the resort's structures, for they are "not limited to" those on the lists provided.

3) The Event Venue Ordinance also requires an applicant for an SUP to submit "The anticipated installation timetable or phasing plan." The developer has written, "A concrete timeline is not practical at this point." While it may not suit the developer to provide a phasing plan, that does not change the fact that such a plan is required under the ordinance.

Environment

In the proffer letter, the applicant writes, "The mission of Crescere Agri-Resort is founded on sustainability [and] conservation." In the Concept Plan we find these comments: "a rural resort on this property will...encourage conservation and stewardship," "Crescere is envisioned as an

ecological retreat," "development on the property will not pose a threat to environmental resources."

Given this concern for the environment, the applicant should not object if it is made a condition of the SUP that an independent firm conduct an environmental impact study of the site and the proposed development of it. Such a study is necessary: the floodplain along the Rapidan where the site is located is extremely unstable; the resort's septic fields may pose a danger to the water quality in the river; we don't know what endangered species there may be on the property. With a project of this scale, it is crucial to understand the environmental issues before the earth- movers get going.

Transferability and Perpetuity

As of now, the SUP would run with the land and would apply to the property no matter who bought it in the future. Future owners may not have the same intentions as the current one, however. To protect the County, there should be a Public Hearing and a vote to renew the SUP in the event of any transfer of rights or sale of the property.

In addition, the SUP should be limited to two 20-year terms, renewable with a Public Hearing and vote every 5 years.

Lodging

The capacity for overnight guests at Crescere should be reduced. As the plan stands, there would be lodging for at least 225 guests. The typical Holiday Inn Express has about 70 rooms (https://en.wikipedia.org/wiki/Holiday_Inn_Express), some of them suites, for a capacity of, say, 160 guests. Effectively, then, with its lodging facilities, Crescere would be operating a hotel on agricultural land. This goes too far. We suggest that the number of lodging units be reduced to 10, with a total capacity of 60.

Noise

If the SUP application were approved in its current form then amplified outdoor music could be played until midnight 365 days a year. This cannot be what the County intends. The cut-off time for outdoor amplified music should be 9:00 p.m. Moreover, the number of events with amplified outdoor music permitted each year should be limited. We propose a limit of 1 such event per week. That would still allow Crescere to hold 52 events with outdoor amplified music.

The provision in the Music and Entertainment Ordinance that no music shall "be unreasonably audible beyond the property" would not apply to private events. But, surely, if there is such a limitation for public events, it makes no sense to allow music at private events to be unreasonably audible beyond the property, especially when Madison has no noise ordinance. Therefore, the SUP should specify that that provision will apply to private events at Crescere.

“Unreasonable” is, of course, open to interpretation. The fact is that, for a neighbor, the sound of *any* amplified music coming from Crescere will be unreasonable. If one lives in a rural and agricultural area, the sound of a thumping bass from a wedding band destroys one’s quiet enjoyment of one’s property, regardless of the decibels. That is why it is crucial to limit the number of events with outdoor amplified music.

Events

The SUP would allow Crescere to hold an unlimited number of private events with no limit on attendees. The SUP would further allow Crescere to hold an unlimited number of “minor public events” with unlimited attendance. (The applicant writes that attendance at minor public events is not “expected” to exceed 750 persons, but there is no explicit cap on attendance. The cap on “major public events” would not apply to minor public events, since they are defined differently.)

Goal 2 of the Comprehensive Plan is to promote tourism. Surely, though, when it comes to agritourism, there should be reasonable limits so that the “tourism” does not overwhelm the “agri.” In the case of Crescere, the number of attendees at a private event and at a minor public event should be limited to 300. Private events and minor public events attended by 100 or more people should be limited to 1 per week, each.

As for major public events, they should be limited to 2 a year, as the County Planner suggested in his letter of June 3. The number of attendees should be limited to 2000. It should not be possible for Crescere to apply to the Board of Supervisors for an increase in the number of events or in the number of attendees. Moreover, an event should not be allowed to last more than one day without permission from the Board of Supervisors.

Water and Septic

We understand that the Virginia Department of Health will have to approve wells and septic sites in order for building permits to be issued. However, the applicant makes no effort to determine what Crescere’s well and septic requirements may be. In fact, it is the County Planner, not the applicant, who estimates these needs. There is no way to determine the number of visitors, both overnight guests and attendees at events, that the property can support without a thorough study of the availability of water at the site, and of the possible size and location of septic fields. The SUP should require the applicant to make such a study.

Light

In his June 3 letter, the County Planner suggested that Crescere adhere to the Night Skies Best Practices as recommended by that National Park Service. This should be a condition of the SUP. It should not be a hardship for Crescere to adopt the Night Skies Best Practices, for, according to

the Concept Plan, “Rural resort operations will largely take place during the day, so outdoor lighting is expected to be minimal.”

Traffic

In his report of June 27, the County Planner writes that an event at Crescere attended by 500 people would create a surge in traffic that would be only a little higher than the peak surge that the Blue Ridge Turnpike typically experiences each day. That is not as comforting as it might sound, for if Crescere is allowed to have an unlimited number of private events and minor public events, with no limit on attendees, and if you take into consideration the 225 or more overnight guests who might be coming and going, what is now peak traffic on the road could become routine. The Blue Ridge Turnpike is a twisty country road—it’s easy to imagine snarls, delays and accidents occuring daily if no limit is put on the attendees at private events and minor public events and on the number of these events.

The County Planner writes that surges in traffic caused by events with 1000 or more attendees would be 2-2.75 times greater than the normal peak. This is one reason why the number of major public events should be limited to 2, and the number of attendees should be limited to 2000, without recourse to the Board of Supervisors to increase these numbers.

Financing and Management

Establishing Crescere will require a great deal of capital. At a conservative estimate of $400 per square foot, the buildings alone will cost $24 million. A large and complicated enterprise, Crescere will also require a great deal of management expertise. Yet nowhere in the application is there any indication of where the financing for the project will come from or what management resources are available to the applicant. An SUP should not be granted when there is too much uncertainty as to the success of the project that the SUP is enabling—it would be a bad outcome for the County to have sacrificed agricultural land for the sake of a failed event venue. Therefore, the SUP should stipulate that the applicant estimate the cost of the resort, show how it will be capitalized, and explain who will operate it.

Activities

The proffer includes riding ATVs as one of the activities that guests at Crescere could engage in. It should be a condition of the SUP that riding ATVs will not be allowed at the resort.

Our hope for Crescere is really quite simple: we'd like to see it scaled back. We want less tourism and more agri. We want fewer days and nights when we will hear a wedding band playing in the background as we farm, garden, ride, play outside with our children, sit talking on the porch. We want less light blasting up from Crescere obscuring the stars. We want fewer cars on the Blue Ridge Turnpike, so we can look at the scenery rather than contend with traffic. We

want fewer guest rooms so that there is not a hotel operating on agricultural land. We want fewer big events and no chance that they could grow into huge events.

Thank you for your dedication to serving Madison County, and thank you for your consideration.

Sincerely,

Jane W. Hammond Madison Matters Rochelle, VA

P.S. The email addresses for: Fay Utz, Pete Elliott, Stephen Carpenter, Francoise Seillier- Moisewitsch and J. Daniel Crigler are not listed on the Planning Commission website, so I have requested them from the Zoning and Planning office and when I receive them I will send this email to those members.

Received 7/13/2020

I'm a resident of Orange Co. and I live off rt. 231 . I've been reading about this SUP for a farm zoned agricultural . This property is on 231 which is a designated scenic by way . And I know there are restrictions on "Development " along a scenic byway . There is a reason this farm was zoned AG-1 . We need farms and agriculture more than we need Glamping. This is a gross embellishment of what this could turn out to store for not only Madison , but very much Orange . The traffic would be horrendous on what is a popular bike route. And a scenic drive that will be crowded w thousands of cars . Besides trashing the farm , these clampers will more than likely trash the river, the peace and quiet of the farm and the roads leading up to the old Ken-Walt .
Please don't ruin a beautiful county just to satisfy a greedy self interested person who is not even from Madison co. Vote no to the sup.
Merrill P. Strange box 248
Gordonsville 22942

Received 7/13/2020

As a resident of Jack's Shop Rd, I am very interested and concerned about the proposed development in Uno of the event center. Traffic and noise as well as light pollution concern me greatly. I would like to see the number of Major events limited to 6 per year with caps on numbers attending. 1,000 per day is too many. I consider midnight too late for outdoor music; prefer 10:00 pm.
With covid concerns I would not consider attending a public hearing, but hope you can obtain more conservative proffers from Ms. Miller.
Thank you for working on this project and looking out for the best interests of our County residents.
Heidi Sage
1057 Jacks Shop

Received 7/13/2020

Dear Mr. Webb,
It was just brought to our attention that the Madison Board of Supervisors and Planning Commission will be voting soon on a proposal to allow a resort development to be established in our area of the county. As residents living on Beautiful Run for the past 21 years, we are deeply concerned about this proposal and the impact this will have on our bucolic, peaceful existence in this beautiful countryside.
The information we received includes 6 major public events per year, outdoor amplified events and festivals, lodging for over 200 guests, restaurant, bar, event center, etc. Is this really what Madison County needs or desires?
Community members who reside in Madison County have intentionally chosen this area for the rural lifestyle, stunning picturesque landscape, and peace and quiet. If we wanted to live near a resort, we would have relocated to other parts of the Commonwealth.
We have concerns about traffic issues on 231 (A narrow, two lane highway), being forced to listen to loud music, environmental impacts during and after the construction phase, and in general, adding an unwanted disruption to our lives.
We are wholeheartedly opposed to approval of this project for all the reasons listed above and more. This is not the type of development for Madison County. Please vote no.
Sincerely,
James and Nancy Allegretto
1328 Beautiful Run Road
Aroda

Received 7/13/2020

To the planning commission of Madison: I am writing this letter to you out of concern after it was brought to my attention that a "Special Use" permit is being applied for by a certain resident of our community to build a resort - namely the "Crescere Rural Resort" in our area. I moved to 894 Race Ground Rd 3 years ago because it was rural and because Madison County has many quality conservative farm oriented people who respect each other's privacy. While such a resort - if - permitted - may bring more tax dollars to the county coffers, the potential of drawing lower class, party oriented people from who knows where should be cause for concern. Many of these issues are already addressed on the "Madison Matters" website so I will not belabor them. If this resort is built, I subject that in time, depending on the unpleasantness and complications this resort causes, I will sell my property (at a loss) and move elsewhere and folks who appreciate the party life will move in and trash up the place, because partying, trash and criminal elements tend to go hand in hand.

This is why I am appealing to you to oppose this resort. Madison County already has a concert facility at Graves Mountain Lodge. Let the party people gather there - where not so many people will be affected !

Sincerely your,

Tim and Karen Ressler

Received 7/13/2020

Mr. Webb,

We are Madison County residents and wish to express our opposition to the Special Use Permit for Crescere as presently drafted. Our address is 462 Royal Lane, Madison Mills, Virginia 22960.

While we do not live in the part of Madison County where Crescere is located, we are very concerned that the approval of this Special Use Permit will set a precedent to allow similar developments on agricultural land in other parts of Madison County. While we support economic development, we feel that the controls proposed with the proffers are not adequate for the proposed development of the property. Without proper proffers and controls, the proposed Crescere development can significantly impact adjacent land values, the environment and the quiet enjoyment of their properties by existing landowners in the neighborhood.

We have been following this project for some time, and were not opposed to the proposed glamping use. But this seems to have morphed into not only glamping with associated activities but into a major event venue.

Our specific concerns are as follows:

1) The Event Venue Ordinance already adopted by the County provides significant protections to existing landowners. It is appropriate that compliance with this ordinance be a proffer associated with the Special Use Permit.

2) At this time, Madison County does not have a Noise Ordinance. Noise is clearly an issue. If we lived in the area, we would be very concerned with the lack of noise controls and the proposed 12 PM cutoff. It is one thing for an event that would happen once or twice a year, but it appears the SUP proposal has minimal limits on the number of events. In fact, the minor events can occur at any time during the year.

3) Our comments above also relate to lighting as well as noise.

4) We are concerned with the size and number of events. Clearly, economic viability is important. But reading the proposal, it indicates that an unlimited number of minor public and private events will be allowed. This includes 750 off site guests which when added to 225 on site guests adds up to 1000 guests. That is large, certainly much larger than most weddings or conferences. We feel like the size should be reduced to half (500 total) and a cap on the number of events is appropriate. 50 events would allow one per week for the entire year and more per week during the time of operation the developer is projecting (April - November timeframe). This is more in line with the glamping concept.W

5) We do not feel that major public events as proposed in this SUP are appropriate on agricultural land in rural areas. The major public events allowing 2000 people are also concerning as related to environmental, life/safety and traffic/parking issues. There are a lot of public services required, and it is not clear that the proffers require that the County be reimbursed for (or has the capacity to provide) those public services. We suggest that these major public events would be required to comply with the Event Venue Ordinance and the adequacy of a site plan, public services required etc be evaluated at that time.

6) While we understand that the County has environmental regulations, we feel that this particular property is particularly sensitive as there are portions of it which border the Rapidan River. The intensity of the development needs to be reviewed with respect to the impact on groundwater and pollution related to the Rapidan River. If the development is to be served by wells and septic systems, the adequacy needs to be reviewed and verified. The Rapidan River serves as the major water source for Orange County. It floods regularly (as many of us who live near it experience). We have been encouraged to fence off our streams to alleviate pollution in the river and the Chesapeake Bay. It would be appropriate that a buffer zone free of development be required to protect the river.

Thank you for consideration of our concerns. We do believe that a smaller scale (less intrusive) development can be economically viable and achieved with proper proffer controls.

Roger and Kem Courtenay

462 Royal Lane

Madison Mills, VA. 22960

rogerandkem.courtenay@gmail.com

Received 7/30/2020

Mr. Webb,

Please pass this to the Madison County Planning Commission and Board of Supervisors.

As a resident of Madison County, living on Race Ground Road, I have concerns over the development of the former Ken-Walt Farm as "Crescere Agri-Resort."

My first concern comes from reading the proffer letter dated 30 June 2020 I note that it seems to be somewhat open ended with regards to lodging units and the potential number of overnight guests, something the County Planner also points out in his 10 July 202 update. Is this to be an open ended development with ever increasing numbers of guests?

My second concern is the additional traffic in the area of Crescere, not only on route 231 but also on Race Ground Road. I that more most events the number of vehicles traveling route 231 would be at or near what route 231 was designed for. That numbers is greatly increased for major events. Entering route 231 from either end of Race Ground Road I find that vehicles traveling on route 231 can appear out of nowhere, with increased traffic it how difficult/dangerous will it become to travel to or from my home? I would also ask whether there will be any additional traffic on Race Ground Road? I noticed last year that there had been an entry cut traveling from Race Ground Road onto Crescere property. What will this be used for? Will it increase the traffic on Race Ground Road?

My third concern is the noise. The proffer letter states a midnight cutoff for outside music and that the plans produced by Shimp Engineering, item 16-2.3 Environmental Impact indicates they do not expect a negative impact on neighboring parcels. Let me assure you, it will. I regularly hear farm machinery operating on that property, both when operated as Ken-Walt Farm and now as Crescere. Time of year does not matter, it can be heard at my home whether leaves are on the trees or not. Most recently my wife and I heard this machinery operating on 1 July, the same day we found out what was planned for Crescere. Being an agricultural area we expect to hear this machinery, we do not expect to hear music until midnight though. As far as music specifically, I did hear it on one occasion coming from that property when it was still operated as Ken-Walt. To illustrate this further, we can hear trains traveling through Somerset while sitting outside our home and at times while inside our home.

In closing, I believe that development of Crescere Agri-Resort as proposed will be done at the expense of neighboring properties and urge to deny the SUP.

Gary L. Cassity

Received 7/13/2020

Dear Members of the Madison County Board of Supervisors and the Members of the Madison County Planning Commission,

Please include this letter in the public record and distribute to all above members, thank you. This is regarding the SUP proposal for Cresere Luxury Resort in Rochelle. We are residents of Madison County, and though we do not live in that particular part of the county, many pieces of the SUP proposal are quite concerning and warrant discussion.

- The water table is of *great* concern. With the potentially large number of guests proposed in the SUP, can the water resources in that immediate area actually support, and sustain, the amount of water usage (sewage and septic issues notwithstanding) day in and day out*?* Water is a precious commodity, one that no *one,* let alone *all* life, can survive without.

- The potential impact on the Rapidan river is also of concern.

- The midnight curfew for live music to either cease or move indoors seems far too lenient considering how sound travels and echoes--why not a much more acceptable and reasonable time? The *din* of 1,000 or more people, the staff to support such a crowd, ATV usage, and the volume of vehicle traffic alone is daunting. And what about those vehicles, and the condition of the drivers? That is a huge amount of traffic entering and exiting off of Route 231, and traveling upon the county roads.

- One of the outstanding features of Madison County is being able to see the stars in the evening--will the amount of light needed for such a proposed facility destroy that special beauty??

Which leads to the purpose of this email: We've chosen to live in Madison County for the past thirty years because of the special qualities mentioned above, which are priceless. That cannot be found in populated areas. The quiet, and the peacefulness, the night sky, the daily living--when a person comes to hearth and home it allows what the outside world may carry to slip away. A person ***unwinds*** at home....how could such peace *truly* be found under the amount and weight of impact from such a proposed SUP??

Thank you for your consideration,

Michael Dowen

Anna Marie DeMio Dowen

Received 7/13/2020

Mr. Webb,

Please pass this to the Madison County Planning Commission and Board of Supervisors.

As a resident of Madison County, living on Race Ground Road, I have concerns over the development of the former Fisher Farm known as Ken-Walt Farm that is now "Crescere."

I have several concerns after reading the letter for the proposed development on this property. The first being increased traffic on 231 and Race Ground Road. Route 231 is a regular traffic route and can be heavily traveled at times. Adding event traffic to this is not something I want to see happen. There was also a road cut from the Crescere property to Race Ground Road. Will this be used as a service road to the property for delivery trucks? Increasing the traffic on our road? Or will it be an exit point for event goers to leave by also increasing traffic on our dirt road? Either way traffic will increase on our road!

My second concern is about the noise this proposal will bring to our quiet country setting. With weddings and live bands come much noise! Noise that will be heard at my house regardless of the time of year. Most people in this area are early to bed and early to rise which means the midnight noise cutoff just won't do. We can hear farm machinery running on that property now and when it was owned by the Fisher family. Mostly during day time hours and as it is farm land here that was to be expected. Music and loud party goers are not!

My third concern is the possibility of increased lodging and other venues! The plan seems to be open ended. We agree to a certain amount of lodging and cabins. What happens two years from now when they want to double or triple it? How many times will they want to add to this development? How many more cabins and campgrounds will be added? How much developing of this farm land will be enough?

I believe that the development of Crescere as proposed will destroy this peaceful country farm land and bring destruction to this area. Please take all of us as neighbors in to consideration. You will be taking away our way of life!

Sincerely,

Sherry Cassity

Received 7/13/2020

As residents of Madison County with property in Rochelle along the Rapidan River, we are very concerned about the Special Use Permit (SUP) being considered by the planning committee and Board of Supervisors. Large scale developments such as Crescere can bring more problems than you can anticipate.

Many have already addressed the traffic issues, unlimited numbers of guests, amplified noise issues, wildlife endangerment and habitat disruption, road maintenance issues of surrounding smaller roads leading , impact on Police, Fire and other emergency possibilities. These issues and others need to be addressed and brought before the public in a referendum vote, not just a Board decision.

Please weigh carefully your decisions and consider the facts and not just the dollars. Many in the immediate area will suffer from lower property values.

Sincerely,.

Dale and Carol DeBuhr

Rochelle, VA

Received 7/13/2020

Good morning Sir. I am a resident of Madison County. I lived on 231 about a mile from Crescere. I moved here with my family 2 years ago. The drawing card was peace and quiet living. I am mortified to hear of this proposed resort. This would strip our community of the very essence of country living. 231 is an extremely dangerous road to travel. I have witnessed multiple car accidents on the narrow roadway. Trying to increase traffic is outrageous! I have spoken to a number of local residents that feel very strongly to leave this area if this resort is built to include myself. Building a resort in this small area will be a nightmare to every resident in this county! Please do not allow this to happen!

Received 7/13/2020

Mr. Webb, I request you forward this email to members of the Planning Commission and the members of the Board of Supervisors.

I learned of the proposed SU-07-20-14 requested by Crescere LLC by reading about it in the Orange and Madison papers and from several emails received from friends and neighbors in Madison and Orange Counties. I accessed and printed all the materials submitted to the Planning Commission to understand the scope of the proposed development and the issues and concerns expressed about the development.

30 years ago my wife and I made the decision to relocate to and retire in Madison County. A decision reached after spending many years evaluating other locations in several states. Madison County was selected for various reasons but primarily because it is a beautiful County offering a quiet place to live.

Because the proposed Crescere development is located in the far southern part of Madison County and our home is located in the far eastern part some may think I should not be concerned about this proposed development since it is NIMBY. But whatever does or does not happen in Madison County affects everyone living in the County. I am also concerned about decisions affecting our neighbors and friends in Orange and Greene Counties. The Crescere Development if approved will have a decided impact on people living in the three Counties. The deliberations and decision of the Madison County Planning Commission and Board of Supervisors regarding Crescere Resort LLC will also reverberate in all agriculture based counties in Virginia.

The proposed development on the approximately 750 acres located on Route 231 near Rochelle is an atypical request of the Planning Commission and Board of Supervisions to approve a Special Use Permit for a development of this size. This is not a request to subdivide acquired property into a number of lots for sale. This a permit allowing special use of the property for a Resort. This SUP, if approved, is cited for the property and thus is transferable by Crystallis LLC[it is not clear which entity Crystallilis LLC or Crescere Resort LLC owns the property] to another entity.

I caution the Planning Commission and Board of Supervisors to be mindful of “unintended consequences”. Crystallis LLC or Crescere Resort LLC may not be the forever owner, operator of Crescere. Many years from now the County may be confronted with having to face negotiating with not another LLC but perhaps a corporation with a different concept for

uses of the property within the context of the zoning requirements but yet are undesirable to not just adjoining property owners but the whole community of Madison County.

Many years ago in my corporate life, I was responsible for the planning and construction of a multi- structure, multi use project on 350 acres in Richmond. To obtain approval from the City and County authorities detailed site improvement plans and schematics, construction drawings and drainage specifications, traffic management planning within the proposed development and other detailed information was expected and provided for approval. My specific concern is for a project of this size the applicant has provided minimal information of the proposed development to the Planning Commission and Board of Supervisors to make an informed decision about the viability and impact on not just Madison County residents but also Orange and Greene county residents should this application for SUP be approved.

Listed below are missing details that should be available to the Planning Commission and Board of Supervisors for their deliberations regarding this SUP application:

1. The absence of a complete, detailed site development plan showing:

a) extent of overall site improvements[roads, lighting, water, sewage, rain runoff/drains on site, electrical lines or conduits, location for storage of propane, emergency power generator[s], location of cell service tower[s], any internet service providers whether satellite or cable, telephone conduits;

b)topographical plan indicating location of all buildings [defined as existing or proposed], citing square footage range for each proposed building/structure, parking for each building, sources of water and sewage for each building/structure, impact analysis of affect on well water source and for availability for adjoining properties with occupied buildings or structures;

c) Identification of each proposed phase for development of the project related to the complete site development plan.

2. Who will be the daily Operator of this development - Crystallis,LLC, Crescere Resort,LLC or some other organization, as yet undisclosed, under contract by either Crystallis or Cresere Resort? Who will the county administrators and functions have to deal with regarding operating issues and compliance with the approved operations of the development?

3. This project requires revenue for acquisition costs, development costs and on-going operation and maintenance costs. To assure this project is viable has either Crystallis LLC or Cresere Resort LLC provided financial disclosure to the Planning Commission or the Board of Supervisors of available cash or near cash assets for development of all the phases of the project plan and the ongoing operating expense and annual capital maintenance requirements?

4. Will either Cresere Resort LLC or Crystallis LLC provide a 5 year Bond to Madison County to cover any costs for reclamation of the land to condition prior to development in the event the owner can not sustain the developed project or abandons the property and the County must provide security and maintenance services on the property.

5. There is no indication in the proffers for any security fencing around the existing pond - the development is focused on ‘family use’ and thus it is safe to assume children will be on the property and the pond is an attraction for children.

The Fence must be high enough to prevent small children from climbing, there has to be controlled entrance and exist into the pond area. Although it is not stated in the Development overview it is also logical that a swimming pool of some dimension will be located in the development - this needs to be included in the site plan and necessary fencing and entrance control must also be constructed.

6. CCTV cameras and a centralized monitoring location should be included in the site development. CCTV cameras should cover all physical structures on the property, entrances to the property, parking lots and equipment used by the development. Tape or CD disks for each camera should be maintained on site for 30 days and made available to county or state police when requested.

7. Because of the distance and rural roads from the property to the nearest hospital the county must require a helipad on the property for use in the event of an emergency that can not be addressed by ambulance run to and from the property to patient delivery to the nearest hospital emergency room in a reasonable time. The helipad must meet the requirements of the FAA for such a facility.

8. Fire safety and control is critical for this project. Because the property is not near a fire station and time of response by fire fighting equipment will be affected by RT.231, the property must be required to have not just adequate numbers of fire extinguishers in every structure but also have more robust fire fighting equipment to supplement the hand extinguishers. In addition the property must have an adequate number of operable standpipes throughout the development for hook-up of hoses from the supplemental fire fighting equipment which needs to be detailed ion the site plan.

9.The development must also be required to have daily, 24 hour on site security staff trained in first aid, CPR and Resuscitation as well as general security for control entrance to the property and use of facilities according to instructions provided to all guests.

10. Other respondents about this proposed SUP have submitted comments and their concerns about traffic, noise, site lighting levels and appropriateness of this type of resort development in a predominately agricultural area. I heartily concur with their concerns.

Since it can not be determined from the documents provided by the SUP applicant:

a). the experience and capabilities of whichever organization will be operating this development is unknown and can not be determined adequate for the successful operation of the project

b). can not ascertain how the proffers as to number of quests limits or noise controls will be monitored and controlled by the County

c) can not see where the physical limitations of Rt.231 will be addressed by either the developer or VDOT to deal with traffic congestion not just one day a year but frequently

d). the absence of a detailed site plan and scope of required operations does not provide the County with sufficient data and information to reach an informed decision

e). the ‘financial risk’ of the long term success of the project is unknown due to the absence of information regarding the financial condition of the applicant

f). no indication of any effort by the applicant to address the concerns of adjacent property owners not just on Rt.231 but also in nearby Orange and Greene counties

I recommend and entreat the members of the Planning Commission and Board of Supervisors to not approve SU-07-20-14.

But,if the Planning Commission and the Board of Supervisors wishes to give further consideration of this SUP then I suggest a qualified and experienced multi-use development consulting firm be engaged to assist the Planning Commission and the Board of Supervisors with their deliberations and decision. The cost for such a service should be borne by the SUP Applicant as this need is promoted by the application.

John Sponski

JSponski914@gmail.com

1674 N. James Madison Hwy.

Locust Dale, VA 22948

540 673 6399 (H)

703 899 4522 (C)

Received 7/14/2020

Dear Members of the Planning Board,

In regard to the Crescere Rural Development project many concerns have been raised within our community, for example the impact it would have on our natural environment, local traffic patterns, strain on community resources like rescue, fire and police to mention a few.

I also wonder what is the track record of the developer? I couldn't find any information on Barbara Miller.

Who will manage the resort once it's built?

And what about the resort staff? How large will it be? How might that impact our schools in regard to student numbers? Will the people employed by the resort earn living wages? Have health insurance? We don't want a company here that has their employees fill out an application for food stamps along with their job application like some do.

It seems so far Madison County has been able to avert the lure and glitz of developments by outsiders.

I hope we can keep it that way.

Respectfully

Ursula Foster

3188 Orange Rd

Aroda, Va 22709

Received 7/14/2020

Dear Mr. Webb:

My husband and I are Madison County residents and we're writing in reference to the proposed Crescere Resort.

We live about 6 miles north of the proposed resort off of rt 231 and are against the approval of such resort.

As you are well aware, this is an Agricultural Community and this would be a detriment to out community, environment and the peace and quite that we all relish living here.

We are against this development and ask that the Board Of Supervisors not approve this proposal.

We also like to know if the public can attend the meeting and hearing for July 15, 2020

and finial decision on Aug 5, 2020. Also the time that the meeting will take place.

Thank you for your time.

Sincerely,

John and Shelley Chebuske

7/14/2020

After reading the recent mailer from Madison Matters, I feel compelled to write in **support** of the SUP for Crescere.

The quote marks should be around the words facts in the mailer.

The Lockn' festival data is ridiculous. 66 arrests out of 28,000 people in 4 days is .002 percent. Minuscule.

I resent the outright lies and the scare tactics being used.

sherry b in va

Received 7/14/2020

To: Madison county supervisors and commissioners:

Please include this into the public record.

Concerning Crescere Rural Resort, no where in their plans does it show a secondary entrance for their employees and for all the deliveries they will have to receive. With a business like this, it is not desirable to have guests share the entrance with delivery trucks. How will they plan for this? I just recently noticed that a

section of Crescere property (GIS 69-1) connects onto Race Ground Rd. I certainly hope that the county does not allow a commercial business to use a residential 1 lane gravel road as their back door entrance. This should NEVER be allowed.

Thank you

William & Christina Rother

BelleMont Farm

Race Ground rd.

Rochelle

Received 7/14/2020

First let me state that I have no problems with businesses starting or relocating in Madison. I know that the county needs tax revenue.

Definition: Agriculture is an activity of growing crops, fruits, vegetables, flowers and rearing of livestock

- This property is rated agriculture and this venue does not fit the agriculture definition above. It need to be changed to business since it is a resort with lodging, restaurant, bar, event center, and many more other activities that does not include agriculture activities. This venue property needs to changed to business and it would provide the county with more revenue.

- The venue should not be allowed to play music outside until midnight. Places that I have visited shut down outside music for quiet time after 10 PM. Families that have children need to be able to put them to bed and go to sleep early during the week especially during the school term.

- The roads leading into the resort venue is another problem. Most of these roads are crooked and narrow. I live on Rt 662 (Shelby Rd) that already has a lot of traffic due the Recycle Center. Shelby Road has a very dangerous intersection entering onto Rt 29. There is a stop sign between Rt 29N and Rt 29S but many people never stop. Also Rt 662 has a posted speed limit of 35 but many speed. I expect that Shelby Rd would be a short cut to the venue for people coming Rt 29. I am concerned about the drinking and driving on these roads. Roads need to be improved in the area. Shelby Rd is in bad need of improvements now with all the traffic on it at present.

- Passing SUP to run permanently with the land for all future land owner without the community having any input is another issue. If passed it should be for only passed for this operation so the community has some input what is located next to them in the future. The next operation if sold could be a casino, concert center or any other noisy operation.

- This venue will impact property values and the selling/lease for surrounding properties. People that live in a county area expect peace and quiet after working all day. If the other owners want to sell or lease their property, the venue may make that person decide to go somewhere else.

- This large venue should hire their own medical, security, and fireman. If the county is to take care of these services, it will require more personnel and it will have to increase the taxes in Madison to pay for it and they were just increased.

Thank you in advance for considering my thoughts on this SUP.

Regards,

Hilda Schriver

4109 Shelby Rd

Rochelle

Received 7/14/2020

Dear Mr. Webb,

My name is Allison Rittenhouse and I am reaching out concerning the proposed Rural Resort on the former Ken-Walt Farm property.

I am Power of Attorney for my grandmother who owns property on Tatums School Road, less than 2 miles from the Ken-Walt Farm.
My grandmother is 91 and in assisted living due to dementia. Her farm was purchased in the 1960s as a home and haven for her children and grandchildren.
As primary guardian of her affairs, I am very concerned at what the possible approval of the Rural Retreat would mean for my family's land in future, as well as the impact of the other concerns that are listed on the open questions flyer (i.e. traffic, noise, overall adverse effect to the surrounding rural community).

While I'm not opposed to progress, I feel Ms. Miller's proposal would only bring detriment to the residents of Uno and Rochelle. This area is not suited to accommodate the traffic and strain on infrastructure it would bring.
The property owners and farmers in these communities value a rural lifestyle and would gain nothing positive from a venue of this size other than disruption to their daily course of life. Not to mention the extreme devaluation of their properties being in close approximation to such a resort.

I plan to attend the Board of Supervisors hearing in person on August 5th to voice these concerns on behalf of my family with the hope that they will vote NO to the ultimate damage this change to our countryside would bring.

Sincerely,
Allison Rittenhouse

7/14/2020

Please vote against this resort. Madison is a beautiful county. We are proud if our community. This resort will put a burdon on our community. Not only the Fire, EMS and Rescue Squad but also increase the traffic on our roads. One intersection that would become more congested is the intersection on Route 29 and Jack Shop Road.

Concerning traffic coming from the north, the intersection on 29 and Shelby Road would also be impacted. These 2 intersections would become more dangerous than they already are.

Madison County is a beautiful county, please let's keep it that way.

Sincerely

C. Scott

7/14/2020

In the matter of the proposed Crescere Rural Resort, Case No. SU-07-20-14.

I am a resident of Madison County residing in close proximity of the proposed project identified above. I would like it noted that I am in favor of granting the special use permit necessary to develop this project. Madison County has not realized any appreciable economic growth in the fifteen years I have resided here. In addition, this county could benefit from an investment in infrastructure upgrades such as high-speed internet, cellular telephone service, high-speed cable, etc. A project such as this could certainly improve the revenue base of the county to help support infrastructure

improvements. This rural resort project appears to have the potential to improve tourism and have other economic benefits to the county with minimal environmental impact. Please put me on record as being in favor of this special use permit.

Robert Dailey

1830 Beautiful Run Rd.

Aroda, Va. 22709

R.T. Dailey, MHA, RRT-ACCS

Pulmonary Diagnostics & Respiratory Therapy Services

Manager, Heart Center Respiratory Therapy

Manager, Respiratory Therapy Unit Rotation Service

Manager, Respiratory Therapy Wage Pool

Manager, Sleep Disorders Center
University of Virginia Health System
PO Box 800686
Charlottesville, Va. 22908-0686
PH (434) 243-6248
FX (434) 982-0401

Cell (434) 882-5055
PIC #1239
rtd6b@virginia.edu

Received 7/14/2020

Mr. Webb

I want to make you aware I am a Rochelle resident and I am opposed to the proposed resort in our community.

The size of this will greatly impact our beautiful quite village in a negative way. This is why people choose to live in Rochelle, to get away from the mobs of people, traffic and noise.

Please reconsider the approval of Crescere Resort.

Respectfully,

Holly Kilby

Received 7/15/2020

Good afternoon,

Although I am all for business development, this sort of venue is concerning. I am a resident of Graves Mill and putting myself in the position of living near something like this, I would certainly be at these meetings with many concerns, and potentially petition against it.

I think Madison County is and oasis, a lovely well run community with great public schools. I am proud to live here. I hope that there is much careful consideration for that area's residences, wildlife, and environmental awareness before this is approved.

Please contact me with any questions.

Best,

Shannon Carter
Social Media Specialist
Children's Group, LLC
HearthSong & Magic Cabin

Shannon Carter
Social Media Specialist
Children's Group, LLC
HearthSong & Magic Cabin

Received 7/15/2020

Hello, we received flyer in our mailbox regarding the PROPOSED Crescere Rural Resort.
We DO NOT support this project as it stands now. More time needed to make sure our counties are protected and respected. Much more conversation is necessary. We are residents of Greene County for 21 years. Not against progress but it MUST be done right for all to benefit Sincerely, Robert and Nancy Young, Ruckersville

Received 7/15/2020

Dear Ligon,

I am writing regarding the Special Use Permit for which the developer of Crescere has applied. As a citizen of Madison county for 18 years, I would like to register my concern about the proposal as it currently stands and ask that modifications to the SUP (i.e. as of the June 30 proffer letter) would be required by the Planning Commission.

I fully support the Madison Matters suggested modifications to the SUP to make Crescere more appropriate for agricultural zoned land and to reduce its negative effects on its neighbors.

Please enter these comments in, as public comments to the meeting.

Sincerely,

Anne Ochs

315 N. Main St.

Madison, VA

Received 7/15/2020

Ligon,

I support the approval of the SUP for the venue, Crescere, at Ken Walt farm.

I look forward to the addition of the tax dollars this would bring to Madison County.

Thank you,

Ronnie Lambrich

LS Industries Inc.

140 Fairground Rd

Madison, VA 22727

P: (540) 948-4806

F: (540) 948-4808

www.lsindustriesinc.net

received 7/15/2020

Dear Sir,

I am writing to you this afternoon to discuss certain concerns I have about the Crescere Rural Resort Application being proposed. I will make my position known right now and that is that I am vehemently opposed to this construction of this resort.

My first overarching concern is that of where the proposed resort is to be located and the current infrastructure. The highway system leading to the proposed location is woefully inadequate to accomodate a large influx of vehicles. Route 20 is a rural highway and is not designed to handle a large amount of traffic, especially at once such as a large number of vehicles coming into the proposed resort area. Route 231 is even more incapable of doing so. Route 29 South, while being more capable to handle the influx, will see an increased amount of traffic which will be worsened by the stoplights and speed restrictions. The "shortcuts" which will be quickly discovered will fare even worse. Jack's Shop Rd is convenient to get over to the location but will be unable to handle the car influx and a large influx will make driving hazardous. Fredericksburg-Scuffletown Rd already sees its fair share of vehicle traffic along with Commercial Vehicles using it as a shortcut between Route 20 and Route 29. The road is narrow, dangerous for Commercial Traffic and has a large number of cyclists who regularly use it. The highway infrastructure in its current form will be unable to handle the influx of passenger vehicles for these events. This has the potential to cause motor vehicle accidents and will cause a grave inconvenience to the local population.

Along these lines, the resort will require public utilities. Roads will have to be dug up for water, sewage lines and internet cabales to be placed. REC will have to update the electrical system to accommodate the increased demand for electricity. Who will pay for this? The owners of Crescere? I think that to be highly unlikely. The costs, I'm sure, will become the burden of the taxpayer and also that of the customers of REC.

Next, concerns public safety. Fire protection services in the area are a volunteer service. Daytime response from both Madison County, Barboursville, Gordonsville and Ruckersville, the closest fire companies, is spotty at best. What is to happen if there was a major incident at noon when most of the firefighting manpower is at work? Mutual aid would have to come from Albemarle which can have a very lengthy response time. In that area, there are no fire hydrants which will either require hydrants to be placed, again at taxpayer cost, or for the fire companies to run water shuttles. That can't be done at an incident in the middle of the day. This will in turn drive the citizens home insurance upwards. Further, running the fire apparatus at less than full manning puts firefighters lives at risk. Of course, we can pay firefighters to staff stations, but that again, becomes a taxpayer burden.

EMS is equally stressed. If there was a major incident, the only daytime medic unit that is manned is in Barboursville and that is an Orange County station. So, should we be asking Orange County residents to pay for EMS support for a Madison County property? That seems quite unfair to Orange County residents.

The Sheriff's Department will be required to perform traffic and peacekeeping duties for these events. Who will pay the overtime? Will it be taxpayers providing funds for the extra deputies? How will that manpower come about? Will another one or two deputies need to be hired further causing the taxpayer to foot the bill for the deputies salaries all to ensure the safety of this resort? If no new deputies are hired, will that negatively impact the citizens of Madison County who would require a deputy?

Thirdly, the area is zoned as agricultural. It is very rural in nature. How is it that a permit can be applied for to construct a resort in an Agricultural Zoned area? What will this resort do to our home and land values? It can only depreciate them putting the citizens at a loss on investment all for a developer to make a buck. I didn't move to the area to have my home and land value depreciated and listen to amplified music until midnight. I came here for the quietness, friendly neighbors and solitude the area offers. I will not stand for a developer to come in and ruin this rural area's peacefulness and beauty.

Next, and finally, but this is a New York City developer. Can we really be expected for the developer to be respectful of the culture of the citizens living in this area? If what happened in Northern Virginia is any indication, the answer is no. The morals, values, and culture of individuals from that area of the country are stunningly different and are wholly incompatible to that of Virginians. I can only foresee conflict between the owners, clientele and the citizens if this project is approved.

In conclusion, this proposed resort is a poor fit and choice for not only the citizens of Madison County, but Orange and Greene Counties as well. It will be an excessive burden on the taxpayer, depreciate home and land values, stress our public safety services and potentially cause personality conflicts from those who wish to impose New York values on Virgnians. Approving this project is a poor choice and not in the best interest of the citizenry.

Very Respectfully,

Mark Genarelli

434-284-3815

Received 7/15/2020

To whom it may concern:

I live on Rt. 231, a few miles west of the proposed Crescere Rural Resort.

This proposal makes a mockery of the agricultural designation of the land. We are not in need of more places for lodging or glamping and Rt. 231, a scenic byway and one of the oldest roads in VA, is not appropriate for the traffic that will come with this development. If major exceptions are granted, why have these zoning regulations to begin with? This is a growing affront to the quiet enjoyment of our homes and it is a commercial monetization of our beautiful Madison Agricultural zoned countryside.

Think of the precedent it will set and what impact it will have on the whole county. The increased services such as EMS and Fire and police would be a large financial cost to the county. Property values will be affected. The traffic, noise, lighting, and the impact to the water needs to be carefully considered. A thorough study needs to be done and the public should be able to vote on major changes to our Zoning.

In addition I feel strongly that there has not been sufficient public notification of this project, in fact most people know nothing about it. I have not been able to find all of the details. The County should have sent out a mailing at the developer's expense, to allow us the time to understand and respond to the proposition. Please vote NO on this SUP and do not allow a commercial development on Agricultural Zoned land. Allow us to enjoy the peace and quiet and rural life in Madison and surrounding areas that we treasure. This developer, Ms Miller, is new to the area and I am sure she came here with the intent of building this commercial enterprise. I am concerned that she was given the indication that this would be approved, I certainly hope that is not the case.

Thank you for your consideration,

Fiona Tustian

Rochelle

Received 7/15/2020

Dear Mr. Webb:

I am not able to attend the meeting this evening, Wednesday, July 15, 2020, but I want to add my voice to the concerns over the Crescere Resort. I live on Jacks Shop Road in Rochelle. I have read the flyer from Madison Matters Group, and the six page letter that was sent to the Madison County Planning Commission on July 9, 2020 by Jane Hammond. I am in agreement with the concerns in this letter. Per discussions with family and others there are also other concerns that will be submitted tonight if they are given the opportunity to voice them.

I've been out of town for a few months so I don't know when the option of a Resort of this magnitude in our rural area was made public. It seems people are just getting this information. I wish I had known from the beginning. I assume with the COVIC issue that the county meetings may have been done virtually, and many people may not follow our county government dealings online thus being left in the dark.

Thank you for your time and interest in my input concerning the Crescere Rural Resort.

Nancy T. King

Received 7/15/2020

Hello,
We recieved a disturbing flyer concerning plans for developing this farm. Obviously we don't want this to happen for the same reasons listed on the flyer. To be honest, it probably wouldn't affect us much like it would people living off the 231, but we do live nearby and bike there frequently and we also enjoy fishing and kayaking on the rapidan along there. I have lived in Madison all my life and one thing that remains attractive about it is that it hasn't changed a lot quickly. I realize economically a resort would be helpful to our county but if our opinions matter, we strongly prefer it to not be in our country. Thank you.
George and Malinda Kleiner
180 Good Hope Church Road
Aroda, va 22709

Received 7/15/2020

To whom it may concern,

I am writing to oppose the proposed commercial resort on the Rapidan River in Madison County.
This is a safe, quiet, environmentally protected area in which a commercial resort does not belong. Please feel free to contact me.

Mary DeLuca
4547 Ridge Road
Barboursville VA

Received 7/15/2020

Dear Ligon,

As a Rochelle resident, I am very interested in participating in your efforts to stop the proposed development. I have spoken with an attorney for some thoughts on the issue. Please contact me so that I may know how I can help.

We purchased this property in Rochelle a year ago because of its rural nature. We have an Eastern-Orthodox Christian convent, a traditional women's monastery, nestled in a secluded pocket off of Route 231. In the County's own long-term vision, it is stated that they wish to keep the area as a quiet refuge, that this is the beauty of the area. I'm certain the wealthy horse and cattle farmers and professional retirees aren't interested in this proposed nonsense that will forever destroy the landscape, quietude and rural feel of the treasure known as Rochelle.

In some ways, a religious refuge such as a convent in the village is a unique feature -- there are not that many of us worldwide, let alone in Virginia. It adds a component of quiet isolation to the area and indeed, brings a Christian component not readily found in any other area of the State. The reason we chose this area is because on a still day, when a leaf falls you can hear it touch the ground. In addition, there is a man on Route 231 not far from us who is to be ordained an Orthodox Christian priest, which was a factor in our relocation. Sister Christina and I wish to see our efforts and prayers here enhance the morality of the area -- this planned development is directly antithetical to the reason we moved here.

In Our Lord Jesus Christ,
Mother Andrea, Superior
239-229-3871

Received 7/16/2020

Good Morning,

As a Madison County resident I wanted to reach out to you to let you know that I support the proposed Resort coming to Madison County. The extra tax monies generated , tourism and employment opportunities are all positive things for the county. I hope that serious consideration will be given to this Resort as it can be a great opportunity for the County.

Sincerely,

Teresa Lambrich

A Madison County Citizen

Received 7/17/2020

Dear Mr. Webb
My name is Judy Elias, and I am a Madison County resident. I have followed the news about the proposed SUP for the Crescere Resort with interest and concern. While I'm not anxious to see the the County become less bucolic and peaceful, I understand the desire by the County governing bodies to increase the tax base while utilizing the County's assets. I believe that the Cresere Resort project will constitute a business very similar to Graves Mountain Lodge. Make no mistake, for all the developer's verbiage about preserving the environment, this will be a profit-driven business. The Planning Commission needs to look retrospectively at the Graves operation with an eye to any problems that have arisen in the past. This is your opportunity to place restrictions on the Crescere SUP to avoid past problems. The one lingering concern I have is with the location of the Crescere project on Rt. 231. Graves Mountain Lodge is situated virtually at the end of Rt. 670 in Syria while the proposed Cresere will be in the middle of Rt. 231 as it runs between Rochelle and Somerset. Will Rt. 231 be able to safely handle the sudden influx of hundreds of cars during the larger events? While I am sympathetic with the surrounding landowners whose property values will, no doubt, plummet, I do not oppose the issuing of a SUP to Crescere. I can only hope that Madison County officials will perform their duties under the Law and Regulations in the best interests of the citizens of the County.
Judy Elias
2765 Seville Rd.
Madison VA 22727

Received 7/16/2020

Good morning,

My fiancée and I have been seeing the signs to not have the Cresere Resort and we would like to know how can also have a few signs at the end of our driveway? We want to help to make sure this resort does NOT happen!

Our address is 2925 Jacks Shop Road, Rochelle, VA 22738

Thank you!
Morgan Shifflett

Received 7/18/2020

Hello, my name is Dale William Neal, 1460 Repton Mill Road, Aroda, Va 22709. As long term property owner in Madison and someone who lives near the area of the proposed resort I just wanted to let you know that I support the development as long as you make sure everything is done in a proper and environmentally sound manner. Protecting our land, water and the rural character of our county is important.

Received 7/19/2020

I do not want this in my neighborhood, I live in Rochelle!! I need to know what can be done **to stop** this.

Carolyn Suter

Received 7/202/202

To whom it may concern:

Thank you for distributing my e-mail to the members of both the Planning Commission and Board of Supervisors as part of the public record.

I have recently become aware that the proposed Crescere development project is being quickly pushed through your process without adequate due process without allowing proper input from local residents and without regard to how negatively this development will affect Madison County and surrounding areas. Although I live in Orange County, I am frequently in Madison and in general want to protect the agricultural character of this area.

My concerns relate to noise pollution, increased traffic, water and sewage challenges, not to mention the quality of life for those that truly care about the landscape and country life Madison County offers.

If the Board of Supervisors and Planning Commission of Madison County moves forward too quickly, especially in light of the pandemic and residents inability to personally appear to protest this large project, that would be not only an insult to the system but in my mind grounds for a future legal challenge. As a former planning commission chair myself, the most important part of your job as an elected official is to listen to your constituents and others affected by development projects of this size. It appears that you are bypassing that important value and

moving too quickly without consideration of the unintended and potentially negative consequences if this development were to go through.

This hearing should be rescheduled and opened to the public. If the Planning Commission and Board of Supervisors refuses to do so, the Special Use Permit should be **denied** in its current form due to the various concerns.

It is clear to me that this development would have major negative impact on the environment, local road systems and rural character of the area. Rubberstamping 60,000 square feet of buildings, a welcome center, restaurant, glamping and lodging areas, spa, bar, and an open-air pavilion for large concerts is not prudent at tyhis time and honestly I have deep concerns about transforming previously zoned land zoned agricultural to commercial uses this cavalierly. Your apparent abbreviated application process and lack of time for public input smells of corruption and irresponsibility.

The SUP also adjoins the Rapidan River, which serves as the potable drinking water source for multiple localities downstream, including my county and the Town of Orange. The 50 glamping cabins proposed would accommodate up to 100 overnight guests, quantities otherwise expected in hotel operations. As such, site specific conditions could create large septic drain field impacts with the potential for environmental impacts on the Rapidan River.

Madison County does not currently have a codified noise ordinance –which in and of itself is irresponsible. There is critical importance in having a noise ordinance in place in any best practices of governing. I have concerns on this front as well.

There is NO mention of maximum occupancy, maximum event occupancy, the number of public and private events allowed, lighting pollution. Irresponsible, again.

At the very least, given the pandemic, please make this meeting virtual. The people of Madison County deserve better. They deserve to have their recourses protected and you all have a responsibility as elected Madison County Officials to do just that. This development will destroy the very reasons tourists would be attracted to the county as a destination worth visiting.

If this development is fast tracked with no public hearing, I predict that your electability will be in jeopardy and that lawsuits will ensue. I sincerely ask that you reconsider both your existing and inadequate process and the decision to move forward with this project.

Ame Hellman

18230 Lovers Lane

Gordonsville VA 22942

540.222.1364

Received 7/20/2020

Morgan Shifflett

2925 Jacks Shop Road

Rochelle, VA 22738

Madison Board of Supervisors

P.O. Box 705

Madison, VA 22727

To whom is may concern,

I am writing to discuss this possible SUP for the Cresere Resort. I have been a resident of Madison County all my life for 27 years now. I recently purchased my home on Jacks Shop Road in Rochelle in hopes of living in a quiet rural area. I grew up in town, on Main Street until the age of 19. I was so excited to finally live in the country where it was quiet. Recently my fiancée and I received this brochure in the mail that left an uneasy feeling in the pits of our stomach informing us that there was a NYC Developer wanting to put a resort on route 231.

Living on Jacks Shop Road without a resort is busy enough and as a matter of fact if you think people follow the 45 speed limit, you're kidding yourself. Jacks Shop Road is a "short cut" that leads right to route 231 and being a resident I don't want to have to fight traffic to and from my home every day. Having to live so close to the resort and being able to hear loud music or speed race cars going down the while my new born or other children at night try to sleep just makes some one want to move into a more rural area.

I understand that kids of older ages need more of places to go and be kids, but what if someone wants to have a good time, has a few brews and decides to drive home because they only live a few minutes down the road?

Let's talk about emergency personnel. We have had several new deputies added to the Madison County Sheriff's office which is absolutely great, but what about the Madison County Rescue Squad? In my opinion I feel as if we won't have the adequate first responders to be able to be in two places at once and be able to care for the rest of the town that may be in need. If Graves Mountain has an event the same day as the resort how does one choose where to go?

Madison has been a small town for many, many years and regardless of my thoughts and questions, I feel as if the residents of Rochelle, or other residents of Madison County won't have an opinion because money talks and these days that all most people seem to be worried about.

Morgan Shifflett

Received 7/20/2020

To the Planning Commission

At this critical juncture when the approval is going to be given for this development I believe it is important to look at how it can be made appealing and workable for Madison residents.

I have spoken to many, many residents and they would like to see a public access on Crescere to put our kayaks in the river. Please put this in your notes to be requested of the developer. There is plenty of space for it and it would be great for our County. Kenny allowed us to put in there and it would be greatly appreciated.

It must be said again that the music must be cut off at 10:00 so the traffic will be out by 11:00. 52 minor events a year, not unlimited, limited to 300 people ea. A limit of the number of people per public event to 1000.

If you are really interested in making Madison a tourist destination, you should consider that hundreds come each year to enjoy the scenery by bicycle. Rt 231 is a scenic byway and therefore one of the scenic routes taken, however it is not safe. There is no shoulder now the road has been resurfaced and the 55 speed limit is really 60 for most people and it is not safe for bicyclists. I cannot even walk to my neighbors' or mow the edge without cars and trucks missing me by inches so I just do not do it anymore. I am not sure of the answer but lowering the speed limit would be a start and signs asking for drivers to respect the bicyclist's space. Having a bike friendly road map would also be a huge help for people coming to stay here including those glamping at Crescere who will definitely be bringing their bikes.

Thanking you in advance for your consideration,

Fiona Tustian

Rochelle, VA

Received 7/21/2020

Crescere – Famine or Feast, Fair or Foul.

I live on R609 in Somerset with around one-mile separation from the proposed development at Crescere which was the Ken-Walt Farm on R231. As Somerset abuts the Madison County line, we are caught right in the middle of this contentious development, for which we have been told we have little or no influence. In common with most folks in the area, in both counties, we tend to keep to ourselves and enjoy the company of our neighbors and beautiful surroundings. Well, that was the case until a Developer moved into Orange County and began to wine, dine, and infiltrate our happy and welcoming community. We had heard all the mumblings in the background of a Boutique Hotel and Spa on the Ken-Walt Farm along with Glamping (what on earth that is, remains to be defined) almost as a small-scale Country Retreat. Well, who wouldn't be in favor of that? Sounded like a low-key operation, maybe a little Elitist, but would fit in with the Montpelier, Wineries, etc., that are all part of both Madison and Orange Counties.

Like most of the Residents in the area we assumed that our local government in both Counties would do their bit for us and make sure that all was fair and reasonable for its Residents. So, it came as a bit of surprise to find out that all the Developer talk had been a lot of hot air. What was being proposed was a much larger affair, that the Madison County Supervisors had amended the necessary ordinances to enable this development on Ag-zoned land. The only way I heard of the real intention was when I received a leaflet explaining what was proposed. Being somewhat of a cynical soul, I fact checked the leaflet and wish I hadn't, as it was all corect.

So fast forward to the Planning Commission Workshop, with Supervisors present, held in Madison at the Madison County Administrative Auditorium on July 15th at 6:30pm. As we are in the times of COVID-19 (a

Developers/Speculator's dream as a lot of things seemed to be rushed through) the event was livestreamed on the internet so all interested parties could see local government at work. From what I could see from the computer screen, the audience consisted of 'Team Miller' (the Developer of Crescere) and concerned Citizens with the Chair dictating the rules that were to be followed. A number of folk remained outside the meeting in the hallway as they were concerned about contracting COVID-19, with due reason, or felt intimidated by the process. However, the Chair did his best to make all welcome and Ligon Webb explained the process in which the planners had come to their recommendations, but in the end it was all down to the Supervisors to decide what to do.

As expected, many folk explained their views as the size and scale of the operation was not in keeping with the locale or infrastructure. These were all impassioned pleas from Residents that had lived in the area for many years and truly cared for their neighbors, the spectacular scenery, and peace and quiet which we all love and enjoy.

he Planning Commission Workshop section of the meeting came to an end and those that didn't realize at the close, there was to be a BoS meeting next on the very topic, left. The live screen feed continued, whether or not the supervisors knew it was happening I don't know, but it wasn't pretty. The supervisors let it be known that they had been working on this project for over a year and were more than indignant that people that move into the area should complain about the proposed development. The rant continued, with one of the supervisors said he was all for it and one was going to vote for it. Another said that as far as she was concerned Barbara Miller should be allowed to do what ever she liked on her own property!!! So much for the Planners advise or views of the concerned Residents. As this section of the meeting was live streamed, I'm sure either Madison County or someone else has a recording of this demonstration of our local government at work that can be shared.

Returning to the focus of my argument, bearing in mind the high passions of the County Officials and all affected by the proposal at Crescere, a compromise is needed. After all, we are dealing with a Developer, the less constraints there are on the property, the more it's worth to the next owner, and that is the drive, not all the BS about the current proposal. The majority of the objections didn't oppose the development, only its ridiculous scale and the impact on Madison and Orange Counties. So why not send the proposal back to Barbara Miller and her Team to come up with something more realistic that we can all live with. After all, I did recall one of the board of Supervisors saying "It's the Madison way" so listen to the Residents as well as the Developer and compromise. A first step along the way would be to postpone the meeting on August 5th, 2020 for a couple of months so that any decisions taken represented fully the views of the Residents and the BoS, rather than just the Developer and BoS.

In addition, just in case it would be a very good idea that anyone who reads this and objects to the proposal in its current state; to write, email to both Madison and Orange County and ask them to register your objection to the proposed development at Crescere and not move forward in its present form.

Peter Radford

Somerset

Received 7/22/2020

Hello Mr. Webb,

I am here via email to voice my extreme concern over the proposed resort and of it having a special use permit as well as its existence all together.

1. Our property values will drastically be reduced.

2. The roads leading from any direction to this site are not set up to handle the volume of traffic that will he seen. I sat in traffic for 3 hours on rt 29 trying to go to Lynchburg due to traffic back up from people trying to get into LockN'. This was on a Thursday. The same thing on Friday/Saturday as was on the news & i saw it again

on Sunday when coming back home. VDOT will have a huge project on its hands if this is approved and lots of people al along those secondary roads may loose part of their property to make wide and safer roads. who is going to fund that?

3. the noise will be a nuisance from all over Madison County. I have been in Nelson county when LockN' was going on and i know first hand how far noise travels.

4. The trash now on 662 E & 20 S is awful and will get worse when those out of towner's dump their 1-7 to whoever knows how many days trash somewhere along their way.

5. You cant expect the elderly in the area not to be emotionally and physically affected if this thing passes. who will be there to help them? who will pay?

6. and who will pay for the fire, rescue, police to be there for however many days. i certain hope they don't think taxpayers should.

7. I strongly suggest denial of this and of any special use permits. This type venue belongs in a much larger county and we just don't have the funds, infrastructure or manpower or needs for it here n Madison. the owners are only thinking of themselves and how to protect their interest and not those of Madisonians.

8. I live at the most dangerous intersection in Madison county. Now we are getting some type winery on 662 E & 29 where there will be drinking and driving and now throw in this venue and you have a recipe for disaster! There's already a wreck a week here at this intersection. This road leads to our dump and you wont eve be able to get to it. I could no even believe it when i heard our BOS state we needed tax money-to heck with the lives that will be lost at that intersection but they passed this winery! We have to stop this proposed venue now. How long will it take the folks who live on all the affected roads to get to their homes when you have multi day events going on? every road in the county will be backed up and wrecks everywhere not to mention littering and drinking while venue goers wait in traffic to get there.

8. I have extended family in Nelson and hear them speak of the noise, trash, disruptions to their county and life when Lockn is there not to mention the drugs and alcohol use. it is nothing more than a place to do all this and will be thing same thing in Madison. WE DO NOT NEED THIS.I KNOW PEOPLE WHO HAVE BEN TO NELSON AND THIS IS WHAT THEY SAYS GOES ON AS WELL AS NUDITY. PEOPLE DO DRUGS RIGHT IN PUBLIC WITH NO ENFORCEMENT BY POLICE AS THEY CANT MANAGE THIS TYPE CROWD. PLEASE DENY ANY AND ALL PERMITS FOR THIS!

Thank you for allowing me to voice my concerns!

Ann Yowell Stevens

For August 5th, 2020 Joint PC / BOS Meeting

I OPPOSE!

NO 'EVENT RESORT' ON A-1 LAND, IN HEART OF RURAL COMMUNITY.

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MY CONCERNS: TRAFFIC, EVENT SIZE & NUMBER, ENVIRONMENTAL IMPACTS: WATER, SEPTIC, TRASH, NOISE, OVERBURDEN OF FIRE/ SAFETY/ EMS, LIGHT POLLUTION...
I SEND THIS 'I OPPOSE' TO THE ATTENTION OF CLAY JACKSON, ALL OTHER BOS, PC & MADISON COUNTY ATTORNEY

I OPPOSE THIS SUP!

PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME: Dale Hilton

STREET: 5320 Old Barboursville Rd.

CITY, ST, ZIP: Barboursville, VA 22923

SIGNED: Dale Hilton Dale Hilton

DATE: 7/26/20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
- Please distribute internally to all BOS-

DELIVER BY
HAND / EMAIL / FAX / MAIL

CLAY JACKSON - CHAIRMAN, BOS
SEAN GREGG - COUNTY ATTORNEY
LIGON WEBB - COUNTY PLANNER
PO BOX 705
302 THRIFT ROAD
MADISON, VA 22727

YOUR VOICE MATTERS.

NO CRESCERE!

For August 5th, 2020 Joint PC / BOS Meeting

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NAME: Jane W. Hammond

STREET: 675 Jacks Sop Road

CITY, ST, ZIP: Rochelle, VA 22738

SIGNED: Jane W. Hammond

DATE: 7/26/20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
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SIGNED: Dale Hilton Dale Hilton

DATE: 7/26/20

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NAME: Jane W. Hammond

STREET: 675 Jacks Sop Road

CITY, ST, ZIP: Rochelle, VA 22738

SIGNED: Jane W. Hammond

DATE: 7/26/20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
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YOUR VOICE MATTERS.

NO CRESCERE!

Morgan Shifflett
2925 Jacks Shop Road
Rochelle, VA 22738

Madison Board of Supervisors

P.O. Box 705

Madison, VA 22727

To whom is may concern,

I am writing to discuss this possible SUP for the Cresere Resort. I have been a resident of Madison County all my life for 27 years now. I recently purchased my home on Jacks Shop Road in Rochelle in hopes of living in a quiet rural area. I grew up in town, on Main Street until the age of 19. I was so excited to finally live in the country where it was quiet. Recently my fiancée and I received this brochure in the mail that left an uneasy feeling in the pits of our stomach informing us that there was a NYC Developer wanting to put a resort on route 231.

Living on Jacks Shop Road without a resort is busy enough and as a matter of fact if you think people follow the 45 speed limit, you're kidding yourself. Jacks Shop Road is a "short cut" that leads right to route 231 and being a resident I don't want to have to fight traffic to and from my home every day. Having to live so close to the resort and being able to hear loud music or speed race cars going down the while my new born or other children at night try to sleep just makes some one want to move into a more rural area.

I understand that kids of older ages need more of places to go and be kids, but what if someone wants to have a good time, has a few brews and decides to drive home because they only live a few minutes down the road?

Let's talk about emergency personnel. We have had several new deputies added to the Madison County Sheriff's office which is absolutely great, but what about the Madison County Rescue Squad? In my opinion I feel as if we won't have the adequate first responders to be able to be in two places at once and be able to care for the rest of the town that may be in need. If Graves Mountain has an event the same day as the resort how does one choose where to go?

Madison has been a small town for many, many years and regardless of my thoughts and questions, I feel as if the residents of Rochelle, or other residents of Madison County won't have an opinion because money talks and these days that all most people seem to be worried about.

Morgan Shifflett

For August 5th, 2020 Joint PC / BOS Meeting

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NAME: Kathleen Shiflett
STREET: 39 Jack Shop Rd
CITY, ST, ZIP: Rochelle, VA 22738
SIGNED: Kathleen Shiflett
DATE: 7-27-20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
- Please distribute internally to all BOS-

DELIVER BY
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SEAN GREGG - COUNTY ATTORNEY
LIGON WEBB - COUNTY PLANNER
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YOUR VOICE MATTERS.

NO CRESCERE!

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NAME: Ted Brame
STREET: 24 Oak Ln
CITY, ST, ZIP: BRIGHTWOOD, VA 22715
SIGNED: Ted R Brame
DATE: 7/27/20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
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NAME: Jan Shiflett
STREET: 26 Greer Ln
CITY, ST, ZIP: BRIGHTWOOD, VA 22715
SIGNED: Jan Shiflett
DATE: 7/27/20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
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NAME: David Perdue

STREET: 9161 Liberty Mills Rd

CITY, ST, ZIP: Somerset, VA 22972

SIGNED: David L Perdue

DATE: 7/27/20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
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I OPPOSE CRESCERE EVENT RESORT

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NAME: Morgan Shifflett

STREET: 2925 Jacks Shop Rd

CITY, ST, ZIP: Rochelle, VA 22738

SIGNED: Morgan K Shifflett

DATE: 7/27/2020

Email to:

cjackson@madisonco.virginia.gov
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OPPOSE CRESCERE EVENT RESORT

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NAME: Zackery Hess

STREET: 2925 Jacks Shop Rd

CITY, ST, ZIP: Rochelle VA 22738

SIGNED: Zack Hess

DATE: 7/27/2020

Email to:

cjackson@madisonco.virginia.gov
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NAME: Teresa Tucker

STREET: 309 Smith Rd

CITY, ST, ZIP: Madison, VA 22727

SIGNED: Teresa Tucker

DATE: 7/27/2020

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
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NAME: John and Margaret Tucker

STREET: 3108 Ridgeview Road

CITY, ST, ZIP: Reva, VA 22735

SIGNED: Margaret Tucker

DATE: 07/27/2020

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
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PO BOX 705
302 THRIFT ROAD
MADISON, VA 22727

NO CRESCERE!

Greenway Farm
48 Madison Mills Lane
Madison Mills, VA 22960-5002
July 29, 2020

Madison County Virginia Board of Supervisors
Madison County Virginia Planning Commission
Madison County Virginia Zoning Department
(Attn. Ligon Webb)
302 Thrift Road, P.O. Box 1206, 414 N. Main Street
Madison, VA 22727
(Submitted electronically by email)

Dear Members of the Madison County Board of Supervisors, the Madison County Planning Commission, and the Madison County Zoning Department,

My wife and I are residents of, and property owners in, Madison County, on the Rapidan River at Madison Mills. We are submitting additional public comments regarding Crystallis LLC's proposed Special Use Permit Application for the Crescere Resort, LLC proposed development (Madison County Public Hearing Case Number SU-07-20-14). Our previous comments submitted in letter format via email dated June 30 and July 14, 2020, are fully incorporated by reference herein. Please ensure that a copy of these comments is provided to each member of the Board of Supervisors, each member of the Planning Commission, and each member of the Zoning Department, as well as a copy included in the County file of public comments regarding this project. Please add us to the list of persons who desire to receive notice of actions on and/or related to Case Number SU-07-20-14 and/or actions associated with the Crescere Resort project.

We support Madison County's efforts to encourage businesses that bring additional tax revenue and local jobs to Madison County. We believe that agritourism has the potential to do this with minimal negative impact to the community, if permitted and operated correctly. The Crescere Resort project proposes to mix agritourism with event promotion, which on the surface could appear to have broader appeal, but it goes beyond basic agritourism and requires a Special Use Permit (SUP) under the new Madison County Event Venue Ordinance. The Crescere SUP Application is the first to be processed under the new Event Venue Ordinance, so it is unsurprising that there have been issues working through the technical details. The recently posted, ~July 24, 2020, Draft SUP is incomplete and contains vague and contradictory language. As written, it does not provide adequate protections to the County, its citizens, or the applicant. The SUP requires revision and re-posting for public comment before it will be ready for the Planning Commission (PC) to forward it to the Board of Supervisors (BoS) for review and voting.

In the following bullet points, we identify a number of specific issues with the draft SUP that could prove problematic if not corrected. The reference section identifications refer to the draft SUP document as posted on or about July 24, 2020, on the Madison County meeting website under August 5, BoS Agenda Package.

- As drafted, the Proposed SUP is vague and ambiguous because the language in proposed Condition (A) Controlling Documents, which states "The special use permit's (aka, "the SUP" or "the project") controlling document shall be the conditions set forth herein *and materials submitted as part of the special use permit application presented by*

Crystallis, LLC (Barbara Miller)" (emphasis added), fails to specify the specific "materials submitted" that are to be included. Over the past six weeks, Madison has posted multiple potentially relevant new materials, so by failing to specify which "materials submitted" are included and at the same time stating that the SUP conditions include those unspecified materials, no one, not the permit writer, not the permittee, not the Planning Commission, not the Board of Supervisors, not other public entities, not the public, can determine what the conditions actually are. This would appear to be a fatal flaw in the Draft Proposed SUP at the outset. A flaw that cannot withstand scrutiny because any decision to issue such a vague and ambiguous Proposed SUP would be easily interpreted as an arbitrary and capricious act subject to appeal and overturn.

- Proposed Conditions A and B together are flawed in that they propose to define the term "the project" in two separate ways. This conflict in drafting terminology creates ambiguity in the terms of the Proposed SUP making it impossible to determine whether the term "the project" refers to the SUP or to the referenced parcels. This is a drafting error that needs to be addressed. In addition, Proposed Condition C introduces another term "subject property" that does not clearly define what the "subject property" is and does not relate "subject property" to the parcels identified in Proposed Condition B that appear to be the parcels to be covered by the Proposed SUP. Proposed Condition C introduces yet another term, "subject site" without explaining if "subject site" is the same as "subject property" or "the project" or some other meaning. Terms matter. Clear definitions matter. The permit terms need to be clearly defined, and used properly and consistently once defined. If new terms are introduced, those new terms need to be defined. The lack of clarity in terms leads to unnecessary ambiguity in the Proposed SUP.
- In the Proposed SUP, proposed Condition J, stating that "All septic and potable water (well) systems require Virginia Department of Health (VDoH) Approval," is overly narrow in its scope by only considering "septic" (a subset of all possible sewage handling methods – see VDoH Regulations 12 VAC 5-610 and associated regulations https://www.vdh.virginia.gov/environmental-health/onsite-sewage-water-services-updated/regulations-and-current-regulatory-activity/) and failing to address the potential need for sewage treatment systems or to address the potential, raised by the Permittee's engineer at the Joint Planning Commission/Board of Supervisors Meeting on July 15, 2020 (see Madison's YouTube posting https://vimeo.com/436907495 about time 1:40:00), of methods of sewage disposal other than septic, such as sewage injection. Nor does the proposed condition include any requirement for Financial Assurance and Liability Insurance for handling sewage at the site, especially considering the potential for unique systems without direct means of compliance under existing VDoH Ordinances, that the permittee has indicated in public testimony might be proposed. Sewage injection, while currently a method used almost exclusively only in the State of Florida, would need to be exhaustively studied and carries the potential to cause extensive contamination to the Rapidan River. Proposed Condition J needs to be redrafted to include the requirement to meet VA Code Requirements for Solid Waste (not just traditional septic) and VDoH Requirements, as well as approval. By limiting Proposed Condition J to VDoH approval for septic and potable wells, and by stating at Proposed Condition A that the controlling

documents for the Proposed SUP "shall be the conditions as set forth herein…" the language in the Proposed SUP has the potential to create a legal loophole for the handling of sewage because, while Madison would require VDoH approval of septic and potable water (wells) under the Proposed SUP, sewage handling that is not septic would not appear to be limited.

- Proposed SUP Condition E only requires the county to notify adjoining property owners five days before any meeting regarding site plan reviews for Crescere. If the county has to place notices in the local paper for the two weeks preceding a public meeting, how can five days be considered comparable notice? Not all citizens subscribe to the county paper, so by not serving notice to possible non-subscriber neighbors until five days before, is the county dictating that citizens need to subscribe to the paper to be informed in a timelier manner? For consistency, this condition should be changed to require notification mailing such that it is received at least two calendar weeks prior to the meeting. And, since there has been so much community interest, the County should extend this notification to include those persons who provided public comment during the SUP development, or at a minimum include those people who requested in their comment submittal to be placed on future notification lists.
- The Proposed SUP in Condition F, states that "the total number of employee lodging units shall not exceed five (5) units" and "the location, size and total occupancy of employee lodging units will be proposed in future Site Plan submittals" and as written is excessively open-ended. A threshold question is why the permittee needs significant employing lodging, particularly in light of the stated desire by the developer to create jobs within the existing local community. The Proposed SUP should at a minimum set an upper limit on the size and total occupancy of employee lodging units so that the permittee has a boundary condition to work within based on those numbers to estimate water usage, sewage generation and traffic increase at this stage in the process.
- Proposed SUP Condition G departs from common academic, legal, and planning use of the term "developed land" or "developed areas". Review of online documents and postings indicates that there is general consensus that "developed land" is land transformed from its natural state by the installation/construction of roads, curbs, parking, walkways, buildings, etc. The consensus appears to be that these terms include existing, under construction, and proposed development. The implication this definition carries is that developed land is land with lower permeability than natural land. The runoff coefficients for developed features used in stormwater runoff assessments will reflect the reduction in permeability and retention capability resulting from the land development at Crescere. In general, developed features such as those in existence and proposed at Crescere will carry runoff coefficients 4 to 10 times greater than the natural agricultural land baseline.

  A subset of this broad definition appears when looking within a parcel to calculate what acreage might be "developable land", or "land to be developed", on a property. For this calculation, roads and other developed features may be excluded because they are already there or will be there before final decisions are made for buildings and lot lines. The point here is that the County must be specific with terminology so that misunderstandings are minimized.

As written, the arbitrary proposal to eliminate roads, parking, walkways, agricultural buildings, patios, etc. from the bookkeeping of "developed land" will misrepresent to reviewers the scope of actual development existing and proposed at Crescere. A reader assuming common use of the term "developed land" could then easily make bad assumptions about land use, potential runoff risks, and other issues. To prevent any future misunderstanding about what is or is not developed at Crescere, and to prevent setting a SUP terminology precedent that might be inappropriately followed by future developers, Madison County should account for "developed land" as including the existing and proposed construction that transforms or has already transformed natural land so that there is no confusion about land use and minimizes any potential risks such misrepresentation might create. If Madison wants to carry a second class of calculation for "developable land" (or another unique use), then this should be clearly identified using unique terms and definitions.

- Proposed SUP, Condition H, does not state whether Crescere will be grandfathered under the existing flood plain map, or the update currently under approval review by the County. This needs clarification.

- The Proposed SUP, Condition N, Type and Frequency of Events, provides for Private Events, Minor Public Events, and Major Events and as drafted raises several concerns: (1) the proposed Condition N does not state that these three types of events, Private, Minor Public, and Major, cannot overlap and as drafted would not prohibit overlapping events which would allow for an unknown number of attendees on any given day resulting in increased total impacts (eg., traffic, noise, sewage generation); (2) the proposed Condition N 1, Private Events expressly states that the size and number of attendees is unlimited and consequently, as drafted, unknown but very large crowds could be anticipated to be at the Proposed SUP location 365 days a year, again resulting in greatly increased total impacts (eg. traffic, noise, sewage generation); (3) the proposed Condition N 2, Minor Public Events, expressly states that there will be no limit on the number of such events and consequently, as drafted, these "minor" events would be anticipated to be at the Proposed SUP location 365 days a year, again resulting in greatly increased total impacts (e.g. traffic, noise, sewage generation); and (4) the proposed Condition N 3, Major Public Events, as drafted with the provisions allowing the permittee to seek Madison County Board of Supervisor approval for additional Major events once the permittee has held six events, provides no cap on the number of events which would allow crowds of 2000+ attendees, again no limit is given for the total number of attendees and so this number could be anticipated to be 10,000 or 20,000 given the number of attendees on record from the Madison Street Festival or from the Graves Mountain Lodge music festival, and consequently is excessively open-ended.

  Taken individually, proposed Condition N sub-conditions 1), 2), and 3), or as a whole, Condition N is so over-broad as to provide no actual limits on number of events or crowd sizes and fails to give the permit writer, the permittee, the Planning Commission, the Board of Supervisors, other public entities, or the public, any way to assess what the Proposed SUP is actually giving the permittee permission to do. The open-ended drafting of Proposed Condition N is vague and ambiguous and excessively expansive in scope

with the significant potential to lead to unlimited crowds, unlimited events and unlimited impacts (eg,. traffic, noise, sewage generation, etc.). At a minimum, as drafted, the Proposed SUP should include a total usage/attendee cap for the day at the Proposed SUP location.

Communications Madison has posted on its web site over the course of reviewing the Crescere project regarding number, size, timing of events, and more, indicates Madison "assumes" events will be primarily on weekends, primarily smaller in size (<300 people, some large to 500), with fewer overnight guests (80-100), etc. (see Madison email to Adam and Willis, dated June 3, 2020, included on pages 23-24 of file "pcpacket-_06172020.pdf", posted for the June, 2020 PC Workshop under "Agenda Packet" at https://www.madisonco.virginia.gov/meetings). Rather than "assume" what a future owner, or new partners to the current applicant, might want to do, Madison should stipulate limitations on use that reflect what the current developer has led Madison to "assume".

- Proposed SUP Condition O, Noise, states that outdoor amplified noise shall cease at 11:00 pm Thursday through Saturday, and 10:00 pm Sunday through Wednesday. There are three problems with this condition as written. First, what constitutes "outdoor"? Will events under cover in the proposed open sided event structure(s) be considered indoor or outdoor? Will there be any restriction on amplified indoor noise? Would a loud amplifier in a cloth glamping tent be considered indoor, even though the "structure" would provide little or no sound dampening? To prevent issues with a future venue owner, these considerations need to be addressed in this SUP before it can be transferred. Second, there need to be both start and shutdown times for amplified noise. Providing only a shutdown does not inherently prevent guests from re-starting the next day at 1:00 am for entertainment under the stars. Third, is the shutdown time. There are no restrictions on the number of private or minor public events, so conceivably families living near Crescere could be subjected to amplified noise preventing school age children and parents with early jobs from getting a good night's sleep seven days a week. A better compromise for the community would be to set an 8:30 am start time restriction seven days a week, a 9:30 pm cutoff Sunday through Thursday, and 10:30 pm cutoff Friday – Saturday. During the school year, there should be a limit on the total number of week nights amplified music is allowed. If an entertainr, group, DJ, speaker, or other sound or music provider is going through the trouble to plan travel to Madison, bring in instruments/equipment for amplified noise, then there should be sufficient pre-event planning time for the guest group and Crescere to petition the County for a single event wavier.

- The Proposed SUP, at proposed Condition P, Transferability of the Special Use Permit, states that a "transferee or assignee desiring changes/alternations ***deemed significant***" (emphasis added), shall require a formal public hearing but the Proposed SUP does not define "significant" nor does it specify who makes the determination that the change/alternation is "deemed" significant. This is an oversight and flaw in the drafting of this proposed condition. Critical terms, such as "significant" need to be clearly defined or the intent to provide a public hearing could be undermined. The proposed condition should clearly define the term "significant" and clearly state who (eg. Planning Commission, Board of Supervisors) determines that a change/alternation is "deemed

significant". Regardless of how this is written, the SUP needs to preclude the applicant believing they or their agent might have sole discretion to determine "significant".

- Missing in the SUP: there should be an expiration clause in the SUP that stipulates that if no provisions in the SUP are acted upon within X years, the SUP expires. In addition, there should be language in the Proposed SUP stating that if the SUP is transferred, any conditions that have not been acted upon within the prior X years would require a public hearing before the new owner could move forward on any dormant conditions in the SUP. We do not know what the future may bring, the SUP as written would exist in perpetuity, so it is not in Madison's interest to have an unused SUP languishing when it is impossible to predict what the potential effects may be at some future date. If SUPs do not have expiration limits on unused conditions, it could encourage developers to request SUPs for investment properties based on some hypothetical future use in order to lock in (grandfather) current limitations. By acting in a timely manner on the conditions allowed in the SUP, the applicant would be grandfathered thus minimizing future risk to the applicant.

The above issues with the draft SUP as written are not unexpected with this being the first SUP developed under the new Event Venue Ordinance. That said, there is insufficient time for the PC to revise the draft SUP and post it with sufficient time for public review and comment before the PC and BoS meet August 5. To minimize risks associated with voting on a flawed document, the BoS should send the draft SUP back to the PC to correct identified deficiencies, then post the revision for the August PC Workshop meeting where hopefully any remaining issues can be resolved before it is then finalized and posted for public review before submission to the BoS at the September joint PC/BoS meeting.

We recognize that the Crescere project has been in off and on discussions for over a year. However, the first public posting on the Madison County website in 2020 regarding potential SUP content did not occur until mid-June. While the county had been in private meetings for some time with the developer, the full scope has only been available to the general public for coming up on six weeks. During this time, the developer has been in private negotiations with the County, resulting in many changes along the way. Unfortunately, the current draft is still not a finished document and needs significant revision to minimize future challenge risks. Taking a little more time to correct the document and incorporate final comments should ensure that a complete and accurate Application package is finished and posted in time for public review before the Board of Supervisors meet the first week of September.

Respectfully Submitted by,

submitted electronically by email, signed original on file

Gilbert K. (Chip) Queitzsch, Jr.
540-672-8417
Greenway.Farm@verizon.net

submitted electronically by email, signed original on file

Mary Stroh Queitzsch
mary.s.queitzsch@gmail.com

July 6

Dear Mr. Webb,

Absolutely No! To the approval of the proposed Ches Rural Resort. Madison County a "sacred jewel" etc be protec at all costs! Once the gate is opened it will be destroyed f Northern Virginia has and ne Charlottesville is heading. So, sc says to watch! Urban sprawl must be prevented in Madiso Please do all in your power to prevent it's takeover of th beautiful remaining county. Once the land is gone it is gone! Let Barbara Miller and to her large divorce settleme at the expense of someone

else! We do not want more traff
and loud music in this quiet, peac
county.
I moved here 30 years ago to b
a nurse at UVA from Winston Sale
North Carolina. Resigning from UVA
after 20 years, I then worked in
Northern Virginia. I have watc
first hand the destruction o
this once beautiful area. In
little over 2 years the Haymark
area has now sprawled to appr
and townhouses and traffic.
proposed developement is exac
how it begins! For money!
Ms. Miller to make money
the expense of the Madison
County residents. Absolutely
Please make others awake
Sincerely,
Mary Ann Sing RN

For August 5th, 2020 Joint PC / BOS Meeting

I OPPOSE!

NO 'EVENT RESORT' ON A-1 LAND, IN HEART OF RURAL COMMUNITY.

- PRESERVE & PROTECT - UNO, ROCHELLE, RAPIDAN RIVER & SURROUNDING COMMUNITIES, MADISON COUNTY, VA from LARGE SCALE EVENT DEVELOPMENT!

MY CONCERNS: TRAFFIC, EVENT SIZE & NUMBER, ENVIRONMENTAL IMPACTS: WATER, SEPTIC, TRASH, NOISE, OVERBURDEN OF FIRE/ SAFETY/ EMS, LIGHT POLLUTION...
I SEND THIS 'I OPPOSE' TO THE ATTENTION OF CLAY JACKSON, ALL OTHER BOS, PC & MADISON COUNTY ATTORNEY

I OPPOSE THIS SUP!

PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME: Amanda Martz

STREET: 83 Tussing Lane

CITY, ST, ZIP: Rochelle, VA 22738

SIGNED: *Amanda Martz*

DATE: 7/27/20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
- Please distribute internally to all BOS-

DELIVER BY
HAND / EMAIL / FAX / MAIL

CLAY JACKSON - CHAIRMAN, BOS
SEAN GREGG - COUNTY ATTORNEY
LIGON WEBB - COUNTY PLANNER
PO BOX 705
302 THRIFT ROAD
MADISON, VA 22727

YOUR VOICE MATTERS.

NO CRESCERE!

For August 5th, 2020 Joint PC / BOS Meeting

I OPPOSE!

NO 'EVENT RESORT' ON A-1 LAND, IN HEART OF RURAL COMMUNITY.

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NAME: Kathleen Shiflett
STREET: 39 Jack Shop Rd
CITY, ST, ZIP: Rochelle, VA 22738
SIGNED: Kathleen Shiflett
DATE: 7-27-20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
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NAME: Jan Shiflett
STREET: 26 Greer Ln
CITY, ST, ZIP: BRIGHTWOOD, VA 22715
SIGNED: Jan Shiflett
DATE: 7/27/20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
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PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME: David Perdue

STREET: 9161 Liberty Mills Rd

CITY, ST, ZIP: Somerset, VA 22972

SIGNED: David L Perdue

DATE: 7/27/20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
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NAME: Greg Martz

STREET: 83 Tussing Lane

CITY, ST, ZIP: Rochelle, VA 22738

SIGNED: Gregory Martz

DATE: 7/27/20

Email to:

cjackson@madisonco.virginia.gov
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NAME: elizabeth von Hassell

STREET: 2625 Crenshaw

CITY, ST, ZIP: Marshall, VA. 20115

SIGNED: Elizabeth von Hassell

DATE: July 27, 2020

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
- Please distribute internally to all BOS-

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NAME: Cynthia Wilson

STREET:

CITY, ST, ZIP:

SIGNED:

DATE:

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
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NAME: TONY BUZZELLI

STREET: 6402 SCUFFLETOWN Rd

CITY, ST, ZIP: SOMERSET, VA 22972

SIGNED: Anthony Buzzelli

DATE: 7/28/2020

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
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For August 5th, 2020 Joint PC / BOS Meeting

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NO 'EVENT RESORT' ON A-1 LAND, IN HEART OF RURAL COMMUNITY.

- PRESERVE & PROTECT - UNO, ROCHELLE, RAPIDAN RIVER & SURROUNDING COMMUNITIES, MADISON COUNTY, VA from LARGE SCALE EVENT DEVELOPMENT!

MY CONCERNS: TRAFFIC, EVENT SIZE & NUMBER, ENVIRONMENTAL IMPACTS: WATER, SEPTIC, TRASH, NOISE, OVERBURDEN OF FIRE/ SAFETY/ EMS, LIGHT POLLUTION...
I SEND THIS 'I OPPOSE' TO THE ATTENTION OF CLAY JACKSON, ALL OTHER BOS, PC & MADISON COUNTY ATTORNEY

I OPPOSE THIS SUP!

PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME: Amy Neale

STREET: 463 Willis Ford Ln

CITY, ST, ZIP: 22738

SIGNED: Amy Neale

DATE: 7/28/20

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
- Please distribute internally to all BOS-

DELIVER BY
HAND / EMAIL / FAX / MAIL

CLAY JACKSON - CHAIRMAN, BOS
SEAN GREGG - COUNTY ATTORNEY
LIGON WEBB - COUNTY PLANNER
PO BOX 705
302 THRIFT ROAD
MADISON, VA 22727

NO CRESCERE!

For August 5th, 2020 Joint PC / BOS Meeting

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PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME: WILLIAM ROTHER

STREET: 736 RACE GROUND RD

CITY, ST, ZIP: ROCHELLE, VA 22738

SIGNED: William Rother

DATE: 7-31-2020

Email to:

cjackson@madisonco.virginia.gov
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NAME: PETER RADFORD

STREET: PO BOX 58

CITY, ST, ZIP: SOMERSET, VA 22972

SIGNED:

DATE: July 29th, 2020

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
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YOUR VOICE MATTERS.

NO CRESCERE!

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PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME: DAVID BLUTHARDT

STREET: PO BOX 539

CITY, ST, ZIP: SOMERSET, VA 22972

SIGNED: David C Bluthardt

DATE: JULY 29, 2020

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
- Please distribute internally to all BOS-

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PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME: MICHELLE COLLIER

STREET: PO BOX 57,

CITY, ST, ZIP: SOMERSET, VA 22972

SIGNED: M S Collier.

DATE: July 29th, 2020

Email to:

cjackson@madisonco.virginia.gov
sdgregg@sdgregglaw.com
lwebb@madisonco.virginia.gov
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LIGON WEBB - COUNTY PLANNER
PO BOX 705
302 THRIFT ROAD
MADISON, VA 22727

NO CRESCERE!

Received 7/29/2020

Mr. Webb Planning & Zoning for
Madison County Virginia

Dear Mr. Webb:

Thank you for taking the time to speak with me a few minutes the other day on this planning commission request in your office. You asked me to send you some comments to your e-mail so this is it! I received a flyer in the mail on this and there were signs up on this along Jacks Shop Road where I have lived for about 30 years. My property is in Rochelle and backs up to the Rapidan River. I have loved and enjoyed being a Madison resident for many years with all its beauty, quietness, and good neighbors. At first I thought no one had given many comments on this or asked many questions, but then I read the Madison Eagle and realized there were many folks concerned.

My comments for consideration:
1) I believe in private property rights and the lady who has acquired the old Kenwalt farm in UNO and the company that is establishing the resort have rights to use their property subject to the Madison County rules. I believe if we allow a major development to come in there are good economic benefits, but that the county needs to consider the externalities on both the county residents, and government services and establish the rules under which a large business entity can operate. You mentioned Graves Mountain Lodge. I agree that the Graves Lodge has been a good steward in the area. However, this has been run for many years by a local family who also run the orchard/farm business with the nice restaurant, and other recreation facilities. The Graves business is more isolated and several miles off RT-231, but they have a nice family oriented restaurant, lodge, and limited concert and festival venue. If Crescere is limited to such things as Graves Mountain Lodge is, it can be an asset not a nuisance with appropriate restrictions on noise, traffic management, lighting, refuse and sewage management etc.
2) As with the Madison Eagle article the traffic and safety on RT-231 and local roads like Jacks Shop and the road by the transfer station etc. will be impacted by additional vehicle traffic. This is certainly not the busiest road but safety is a consideration. VDOT should change the speed limit and the resort should pay to widen the entrance and have turn lanes to handle the traffic on RT-231. RT-231 at Rochelle is dangerous right now because the corner has poor visibility and a 55 speed limit that is not met very often means you need to pull out somewhat in the blind and those coming either direction fast can hit and kill/injure folks. This just gets worse with more traffic and will esp. be worse for local residents with any venue where lots of alcohol and some drugs may be used.
3) Litter is another problem with some of these venues by attendees that will lower property values for folks along several of these roads. It may not be scenic highway for long. It would also be good to know the impact on the transfer station and that they pay their fair share of fees there.
4) Noise and Light pollution are externalities that can be managed with height restrictions, limits on how early/late noisy activities, where facilities are positioned, and with natural or planted vegetation. County noise restrictions for all to follow on all venues would be good to establish with time of day and IEEE accoustic deci-Bell level standards. This is done elsewhere in Virginia like in Fairfax and Alexandria and as the "event" plans for the county are much bigger than Crescere alone and these are beneficial to all residents.
5) We need to limit the types of activities so that a bad element is not attracted where drugs, alcohol, prostitution, gambling etc. can attract organized crime and gangs. This is a real concern and over time if restrictions need to be in place to prevent the county from becoming a home to this element. This is big public safety and property values issues. A good resort has restrictions and rules; night clubs, cassinos, and some types of concert venues can attract a bad element and since we have limited law enforcement we may not control the extra burden of crime and ODs etc. on the Sheriffs and EMTs. A good family restaurant, resort, fishing, hunting, limited concerts, orchards/pick your own farm, nature trails etc. can be a very good and family oriented business for Madison County. We do not need a bad element moving in.

6) Ms. Miller seems a nice level headed lady who likes our county and wants to do right. What happens if she is no longer the sole proprietor or majority owner in Crescere? The Graves family has been here for generations running a nice family oriented farm and resort business. It is not clear what happens down the road when ownership changes (to be resolved). However; good restrictions/rules up front for this and all the other venues planned for any 10 acre lot in Madison should be inplace to best control bad outcomes long term that we may not foresee today.

I respect the County Planners job. I am sure you have looked at many of these types of things I have listed. All these types of event businesses that the planners are addressing coming into Madison are of great concern. Once we destroy what makes Madison a great place, it won't come back. I recommend caution and a slower go approach with the total problem of who will run what on any 10 acre lot up to the big resorts like Crescere. Revenue for the county always looks good until we realize that the cost of supporting a big resort area increases government services costs and drives up taxes.

Thank you for your review of my comments and courtesy during my short visit to your office;

Mike Regan
2050 Jacks Shop Road
Rochelle, VA.

Received 7/303/2020

In last weeks paper there was an article about Farm Equipment on rt 231 and driving safety by VDOT and the Orange Farm Bureau. Its bad now without adding more traffic. Next door to Crescere is the 500 acre working cattle farm of Doug Hill & Amy Neil who are model examples of
Sustainable farming. They will leave a better footprint behind, are good neighbors, and citizens of Madison County. Their life will be totally changed forever by this Resort. It is your job to protect this beautiful County, its agriculture and people like Doug & Amy! Develop the RT 29 area and utilize that existing highway. Don't ruin rural Madison County, please vote NO David C. Bluthardt, Somerset

Received 7/303/2020

To the Madison County Planning Commission Members and the Madison County Board of Supervisors:

We are residents of Orange County. Our home is located between Gordonsville and Somerset on Route 231, a road which is already heavily travelled in both directions between Gordonsville and Madison. We have witnessed multiple vehicle accidents and several fatalities on our stretch of 231 in the 22 years we have lived at this location. For over 20 years I (Megan) worked at Plow&Hearth in Madison VA and drove to the corporate headquarters past the proposed venue property on a daily basis, always marvelling at the incredible beauty and serenity of Rt 231 in all seasons.

We are shocked and appalled at the grandiose scale of the Rapidan River Resort development plans for the former Ken-Walt Farm, with the huge amount of traffic such a venue would engender, along with horrific noise, light, ground, water, and litter pollution.

Surely a massive entertainment/event venue as RRR does not belong, now or ever, in the beautiful countryside and quiet farmlands of central Virginia. A venue of this magnitude goes against everything which makes Madison County what it is today. All of you are in a critical position to protect and preserve for posterity your remarkable Madison County from such an inappropriate and overly-ambitious entertainment business.

We encourage you to study carefully and at length the impact of this proposed SUP and to think long and hard about significantly scaling back the size and scope of this pie-in-the-sky idea. The negatives far outweigh the positives of the SUP as it is presently written.

Sincerely,

Megan and Eugene (Ti) Hack
10285 Achnacarry Drive
Gordonsville VA 22942

Rec'd 8/1/2020

July 29, 2020

Dear Supervisors + Planning,

There is a lot of concern about Crescere developing in or near small area of Rochelle.

It sounds like it is a bit too much for our county because if Ms. Miller does not do it as she said in her letter in the Eagle. Am usually a trusting person but a New Yorker with lots of money makes me skeptical of what it will end up being. We don't need to overload our services with her people that will surely come to visit Madison for whatever number of days.

You determine what we are - please give a lot of thought for all of us who love our beautiful county and want to keep it that way.

Sincerely,
Harriet S. Moncrief

HONCRIEF
P.O. Box 28
Rochelle VA 22738

Madison
Board of Supervisors
North Main Street
Madison VA 22727

Conditions of a Special Use Permit (SUP) 07-20-14 for Crystallis, LLC to Operate an Event/Venue and Associated Agriculturally Exempt Activities on A1 (agricultural) Zoned Parcels Located in Madison County, Virginia.

Date: July 23, 2020

Revised: July 31, 2020

Prepared by: Ligon Webb, County Planner & Sean Gregg, County Attorney

A) **Controlling Documents**: The special use permit's (aka, "the SUP" or "the project") controlling document shall be the conditions as set forth herein and the materials submitted to the grantor, Madison County (VA), by the grantee, Crystallis LLC as part of this special use permit.

B) **Parcels Identified/Covered by Special Use Permit**: Madison County Tax Maps: 64-71, 64-73, 64-73A, 68-1, 68-2A, 68-2 & 69-1; with a total acreage of roughly 749.3 acres. These parcels may be referred to herein as "the site" or "the project". The identified parcels are owned by Crystallis, LLC.

C) **Compliance**: The use and development of the subject property shall conform to the stated conditions listed herein and conform to all requirements of Madison County's zoning, subdivision and site plan ordinances; and all associated state and federal requirements shall be complied with. Failure to conform to, or comply, with stated

conditions herein could result in revocation of the SUP and therefore the ability to legally operate said activities from the subject site. Any failure on the part of the County in compliance with the development process shall not constitute a violation of the SUP or result in a revocation of the SUP.

D) **Uses and Activities Covered by SUP**: The "event venue" use is codified in Article 4 (agricultural, A-1), section 4-2 (special permit uses), section 4-2-24 (event venue) of Madison County's Zoning Ordinance; further, event venue uses are subject to additional zoning ordinance provisions articulated in Article 14 (general provisions), section 14-18 (event venue), sections 14-8.1 through 14-18.4.

Per section 15.2-2288.6 (agricultural operations; local regulation of certain activities) of the Code of Virginia, the subject site enjoys local regulation exemptions for certain agritourism activities; section 3.2-6400 (definitions) of the Code of Virginia defines these activities as follows: *any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, ranching, horseback riding, historical, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity.*

The subject site shall be an event venue use for weddings, reunions, conferences, corporate retreats, trade/hobby groups, seasonal festivals and gatherings, concerts, "pick your own" fruits and vegetables activities, farm tours, spa treatments, team building activities and specialty entertainment events (i.e., karaoke, open mic nights, wine tasting, star gazing hikes, etc.) The site will offer dining and picnicking facilities, a bar, overnight lodging and camping/glamping facilities, hiking, cycling, fishing, canoeing, rafting, tubing, camping, wildlife observation shelters and boat landings/docks facilities. Other "by-right" agricultural uses as enumerated in Madison County's zoning ordinance shall be deemed allowable site uses and activities.

E) **Development Process**: The project will be developed in multiple phases. Each phase shall require a formal Site Plan application demonstrating compliance to sections A1 – A10 of the Madison County Site Plan Ordinance. The Site Plan application will be submitted to County staff for review, presented to the Planning Commission for a

recommendation and forwarded to the Board of Supervisors for approval, denial or recommended modifications. County staff shall notify adjoining property owners via writing when a Site Plan submittal has been received; this notice shall be received by adjoining property owners a minimum of five (5) days before the scheduled hearing for the Site Plan. A public notice will also be placed in the local paper of record advertising the plans and providing notice of the Planning Commission and Board of Supervisors' review. This notice shall be placed in the local paper a minimum of two (2) consecutive weeks prior to the scheduled hearing. Public notice and advertising of plans shall adhere to sections 15.2-2204 and 15.2-2206 of the Code of Virginia. If the Site Plan is approved, subsequently the applicant will be required to submit erosions/sediment (E & S) and storm water management plans for land area(s) proposed to be disturbed which meets minimum permitting requirements; additionally building plans shall be submitted for all non-agriculturally exempt buildings/structures to be reviewed by the County Building Official. Other regulatory processes and review(s) may also be required. Any failure on the part of the County in compliance with the development process shall not constitute a violation of the SUP or result in a revocation of the SUP.

F) **Site Layout, Orientation & Buildings**: The project's overall layout and site orientation shall substantially conform to the Master Plan submitted as part of the special use permit application. This Master Plan is identified as page six (6) of nine (9) of the submitted Crescere Special Use Permit Concept Plan received by County staff on May 15, 2020, and revised on July 24, 2020. Minor deviations from the submitted Crescere Master Plan are acceptable, provided deviations are necessary in order to address unforeseen topographical anomalies (e.g. presence of underlying rock formations, to improve site drainage, achieve enhanced gravity flow for effluent, etc.); deviations from the submitted Master Plan (page 6 of 9) shall be noted on formal Site Plan submittals to the County (see the above item "E"). As deemed by the Board of Supervisors any significant changes and/or alterations between the Crescere Master Plan and a subsequent Site Plan submittal shall require a public hearing in accordance with section 15.2-2204 of the Code of Virginia.

As represented in a narrative and visually on the submitted Crescere Master Plan, the site's buildings shall be as follows:

A welcome center and restaurant (not to exceed 7,000 sq. ft. in area)

Event Center (not to exceed 12,000 sq. ft. in area)

Eight (8) Four Season Cottages (not to exceed 2,000 sq. ft. in area per unit) or eight (8) glamping Sites (but not both)

Spa Building (not to exceed 3,000 sq. ft. in area)

Open Air Pavilion (size to be proposed at Site Plan submittal)

Upgraded Existing Pavilions (existing structures)

Dam Bar (not to exceed 2,000 sq. ft. in area)

Farm Center (Agriculturally exempt building)

Lodge Building (not to exceed 3,000 sq. ft. in area)

Fourteen (14) Hilltop Glamping Sites (occupancy between 2- 6 guests per unit)

Twelve (12) Riverview Glamping Sites (occupancy between 2-6 guests per unit)

Eight (8) Family Campsites (occupancy between 2 – 6 guests per unit)

The total number of employee lodging units shall not exceed five (5) units. The size and total occupancy of employee lodging units will be proposed in future Site Plan submittals, and shall be constructed in accordance with Article four (4) of the Madison County Zoning Ordinance.

As shown on the Crescere Master Plan, the total number of permanent overnight lodging units (including camping/glamping units) shall not exceed forty-two (42) total units.

G) Total Area of Site to be Developed: A total of seventy (70) percent of the site shall be undeveloped and therefore remain in open space; in accordance with section A.3.1 of Madison County's Site Plan Ordinance "developed areas" shall mean, but are not limited to, areas located within the envelope/footprint of a structure and/or building, patios, decks, parking areas and roadways. Areas such as trails and agriculturally exempt buildings will not be considered developed areas.

H) Development in Identified Floodplain Areas: Unless a dock or pier, there shall be no development (or land disturbance) in areas identified in the 100 year floodplain. The development of a dock or pier will be required to conform to all building codes, and the total number of docks and/or piers shall not exceed two (2).

I) Adherence to Virginia Department of Transportation (VDOT) Recommendations: County staff shall forward Site Plan submittals to VDOT's Charlottesville Residency for review and a recommendation by the Resident Engineer, or by his/her designee. VDOT recommendations for improvements to the site's existing entrance on South Blue Ridge Turnpike (Rt. 231) shall be adhered to by the applicant; it is anticipated a left and right turning lane will be recommended at the site's entrance. The construction of turn lanes will be required once traffic volumes are determined to warrant such improvements. Other improvements, or studies, may also be required as recommended by VDOT. The cost for all VDOT recommended improvements shall be the sole responsibility of Crystallis, LLC, or its assignee.

J) All Septic/Sewer and Potable Water (Wells) Systems Require Virginia Department of Health (VDH) Approval

K) Outdoor Lighting: All site lighting of over 3,000 lumens shall be full cutoff fixtures and the maximum height of any light pole shall be 30 feet. Full cutoff lighting, as defined by the Engineering Society of North America (IESNA), is a lighting fixture that projects all of its light in a downward direction, emitting no upward component of light while providing precise, controlled illumination to the area. A lighting plan, in photometric format, will be provided with each site plan submittal to be reviewed by Madison County's Planning Commission and Board of Supervisors.

L) Fireworks: Fireworks displays will be limited to July 4th and New Year's Eve and will require the Madison County Fireworks Authorization Form be submitted and approved; any additional firework display shall require approval by the Madison County Board of Supervisors. The handling, storage and use of fireworks shall conform to all state code requirements.

M) **Total site overnight occupancy**: The total number of overnight occupancy shall not exceed two hundred thirty (230) total guests, or the number of cumulative guests allowable per the established occupancy of each lodging unit. Each lodging unit (including "glamping" sites) will be assigned a maximum occupancy by the Building Official.

N) **Type and Frequency of Events**: Events will be categorized by three (3) distinct types. These events are as follows:

1) **Private Events** - private events shall mean there is no outside or public promotion/advertising of the event. As the name suggests, attendees shall be on-site for a common purpose and/or celebration. Examples of private events are weddings, reunions, corporate retreats, trade group meetings, common interest hobby groups and other similar groups. There will be no restrictions on the size and number of attendees to such events, but it is understood building occupancy will be a limiting factor, and the total occupancy of structures (i.e. event center) will be limited per the Virginia Uniform Building Code.

2) **Minor Public Events** – a minor public event shall mean an event in which outside promotion/advertising is minimal. Attendees are expected to be on-site (overnight) guests and off-site (non-overnight) guests. These events will be expected to have a minimum of 25 guests, but not exceed a total of 1,000 on-site and off-site guests in aggregate. These events shall be small scale music events, group hikes (e.g., hiking under the star), "pick your own" harvest, corn mazes, and other similar events and exempt agritourism activities. There will be no limit on the number of such events; however, the majority of such events will take place from April to November.

3) **Major Public Events** – a major public event shall mean an event in which outside promotion/advertising is significant. Such events will be promoted regionally, and attendance is expected to exceed a total of 1,000 on-site and off-site guests in aggregate. Major public evens shall be conducted in accordance with Madison County's Ordinance to Provide for the Control and Regulation of Musical and Entertainment Festivals of 1978 and 1982. Such events shall be limited to six (6) in any given calendar year, and any additional events over six (6) shall require approval by the Madison County Board of Supervisors.

A multiple day event, not to exceed three (3) consecutive days, shall be considered a single event and shall be required to adhere to all provisions/requirements of Madison County's Ordinance to Provide for the Control and Regulation of Musical and Entertainment Festivals of 1978 and 1982.

O) **Noise**: All outdoor electronic amplification of sound shall cease at 11:00 p.m. from Thursday through Saturday. From Sunday through Wednesday outdoor electronic amplification of sound shall cease at 10:00 p.m.; an exception shall be made for state or national holidays falling on a Sunday through Wednesday, in this case electronic amplification of sound may cease at 11:00 p.m. Annually three (3) major public events may electronically amplify sound until 12 a.m. (midnight) and these events shall adhere to all provisions/requirements of Madison County's Ordinance to Provide for the Control and Regulation of Musical and Entertainment Festivals of 1978 and 1982

P) **Transferability of the Special Use Permit**: In accordance with section 14-3 of the Madison County's Zoning Ordinance this special use permit is indefinite and shall be fully transferable and assignable. *The transferee or assignee shall be required to follow all conditions and requirements listed and articulated in this document*. A transferee or assignee desiring changes/alterations deemed significant to the conditions stated in this document, or to the submitted Crescere Concept Plan or subsequently approved site plan(s), shall require a formal public hearing as articulated in section 15.2-2204 of the Code of Virginia.

Q) **Recording**: This document shall be recorded by Crystallis, LLC in the land records of the Clerk's Office of the Madison County Circuit Court.

Signatures:

_____Date:_____ _____Date_____

Crystallis, LLC By: Barbara Miller, Sole Member **Clay Jackson, Chairman Madison County Board of Supervisors**

SUBSCRIBED AND SWORN TO, OR AFFIRMED, before on this _____ day of _____, 2020

Notary Public Signature: _____

Registration Number: _____

Commission Expires: _____

SUBSCRIBED AND SWORN TO, OR AFFIRMED, before on this _____ day of _____, 2020

Notary Public Signature: _____

Registration Number: _____

Commission Expires: _____

END OF DOCUMENT

ORDINANCE TO PROVIDE FOR THE CONTROL AND
REGULATION OF MUSICAL OR ENTERTAINMENT FESTIVALS (1978)

WHEREAS. The Board of Supervisors of Madison County, Virginia, finds it necessary and proper to enact this ordinance in the interest of the public health, safety and general welfare, to provide for the control and regulation of musical or entertainment festivals conducted in the open and of groups or gatherings of persons for the purpose of listening to or participating in such festivals.

NOW, THEREFORE, Be it Enacted by the Board of Supervisors of Madison County, Virginia, that:

* Revised 10/12/82 1. "Music or entertainment festival" defined. For the purposes of this ordinance, the term "musical or entertainment festival" shall mean any gathering of individuals, open to the public, with or without admission charge for the purpose of listening to or participating in entertainment which consis primarily of musical renditions conducted in open spaces not within an enclose structure.

2. Permit re uired. No person, firm, corporation or partnership shall stage, promote or conduct any musical or entertainment festival in M-dison County, Virginia, unless there shall have been first obtained from t : Board of Supervisors a special entertainment permit for such festival.

3. A plication for ermit. Applications for special entertainment permits shall be in writing, on forms provided for the purpose, and filed in duplicate with the county administrator at least thirty (30) days before the date of such festival, and at least twenty-one (21) days prior to a regular meeting of the Board of Supervisors, along with a filing fee of One-Hundred Dollars ($100.00). Such applications shall have attached thereto and made a part thereof the plans, statements, approvals and other documents required by this ordinance. The county administrator shall, with out delay, notify each member of the Board of Supervisors of the filing of each application.

4. Action on ap lication; rantin or denial of ermits. The Board of Supervisors shall act on such applications within ten (10) days from filing thereof. The Board of Supervisors may grant a permit upon those conditions which it deems necessary and proper to promote the public health, safety and general welfare, including, but not limited to, the post ing of bond by the applicant in an amount established by the Board of Super visors to ensure compliance with this ordinance, cleaning of the premises used so as to restore said premises to the same condition as they existed ior to the festival, and to ensure payment of any and all damages and gitimate nuisance claims which might arise from the conduct of said festival. If granted, the permit shall be issued in writing, on a form for the purpose, and mailed by the county administrator to the applicant at the address indicated. If denied, the refusal shall be in writing and the reasons for such denial stated therein, and mailed by the county administrator to the applicant at the address indicated.

5. Conditions precedent to rantin of ermits; lans, statements, a rovals, etc., to accom an ap lication of ermit. No permit shall be issued under this ordinance unless the following conditions are met and the following plans, statements and approvals are submitted to ne Board of Supervisors with the application for permit:

(a) The application for a special entertainment permit shall have attached to it a copy of the ticket or badge of admission to such festival, containing the date or dates and the time or times of the festival, together with a statement by the applicant of the total number of tickets to be offered for sale, the best reasonable estimate by the applicant of the number of persons expected to be in attendance, and the maximum number of persons who will be granted admission to such festival.

(b) A statement of the name and address of the promoters of the festival, the financial backing of the festival, and the names of all persons or groups who will perform at the festival.

(c) A statement of the location of the proposed festival, the name and address of the owner(s) of the property on which the festival is to be held, and the nature and interest of the applicant therein.

(d) A statement of written permission from the owner(s) of the property on which the festival is to be held.

(e) A plan for adequate sanitation facilities and garbage, trash and sewage disposal for persons at the festival. This plan shall meet the requirements of all state and local statutes, ordinances and regulations, and shall be approved by the county health officer.

(f) A plan for providing food, water and lodging for the persons at the festival. This plan shall meet the requirements of all state and local statutes, ordinances and regulations, and shall be approved by the county health officer.

(g) A plan for adequate medical facilities for persons at the festival, approved by the county health officer.

(h) A plan for adequate parking facilities and traffic control in and around the festival area.

(i) A plan for adequate fire protection. This plan shall meet the requirements of all state and local statutes, ordinances and regulations

(j) A statement specifying whether any outdoor lights or lighting is to be utilized, and if so, a plan showing the location of such lights and shielding devices or other equipment to prevent unreasonable glow beyond the property on which the festival is located.

(k) A statement that no music shall be played, either by mechanical device or live performance, in such a manner that the sound emanating therefrom shall be unreasonably audible beyond the property on which the festival is located.

6. Restrictions as to music and entertainment. Music shall not be rendered nor entertainment provided for more than eight hours in any twenty-four hour period, such twenty-four hour periods to be measured from the beginning of the first performance at any festival, and further, no music nor entertainment shall be provided between the hours of 1:00 A.M. and 10:00 A.M.

7. Enforcement provisions. No permit shall be issued under this ordinance unless the applicant shall furnish to the Board of Supervisors

written permission for the Board, its lawful agents or duly constituted law enforcement officers, to go upon the property at any time for the purpose of determining compliance with the provisions of this ordinance. The Board of Supervisors shall have the right to revoke any permit issued under this ordinance upon noncompliance with any of its provisions and conditions.

8. Violations and enalties; in unctions. Any person who violates any provision of this ordinance, and upon conviction thereof, shall be punished by a fine not exceeding One Thousand Dollars ($1,000.00) or by confinement in jail not exceeding thirty (30) days, or by both such fine and imprisonment. Each violation shall constitute a separate offense. The Board of Supervisors may bring suit in the Circuit Court of Madison County, Virginia to restrain, enjoin or otherwise prevent violation of this ordinance.

9. Validity. It is declared to be the intent of this Board of Supervisors that if any section, subsection, sentence, clause, phrase or portion of this ordinance shall for any reason be held unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and individual provision and such holding shall not affect the validity of the remaining portions thereof.

Enacted this 1 day of 1978

Chairman, Board of Supervisors of
Madison County, Virginia

Amended: October 12, 1982

ORDINANCE TO AMEND THE MUSICAL OR ENTERTAINMENT FESTIVAL ORDINANCE ADOPTED BY THE MADISON COUNTY BOARD OF SUPERVISORS ON MAY 9, 1978.

Be it enacted by the Board of Supervisors of Madison County, Virginia, that the Musical or Entertainment Festival Ordinance of Madison County, Virginia, adopted May 9, 1978, be amended as follows:

(1) Change the definition of "Music or entertainment festival" to read as follows:

"Music or entertainment festival" defined. For the purposes of this ordinance, the term "musical or entertainment festival" shall mean any gathering of individuals, open to the public, with or without admission charge, for the purpose of listening to or participating in entertainment which consists primarily of musical renditions conducted in open spaces not within an enclosed structure.

Enacted this 12th day of October, 1982.

J. T. Williamson

Chairman, Board of Supervisors of Madison County, Virginia