

**Public Comments Received Via Email (as of 8/4/2020) Regarding Crescere, LLC  
Special Use Permit Application**

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**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 CONCERNS:** 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 county 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 in 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 the 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 Department 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](mailto:Greenway.Farm@verizon.net)

*submitted electronically, signed original on file*

Mary Stroh Queitzsch

[mary.s.queitzsch@gmail.com](mailto: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 Spotswood 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 available 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 guest 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.

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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](mailto:Bellemont736@gmail.com)

Dated 06/30/20

**RECEIVED 6/30/2020**

Dear Secretary of the Planning Commission,

Please pass along my letter to both the board of the Planning Commission and the Board of Supervisors. I understand that you are having a joint 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 its 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 Supervisors,

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 1<sup>st</sup> 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.

[icj@virginia.edu](mailto:icj@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 development 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 devastation that occurs as one after the other developers buy large tracts, get approval to rezone and begin development. 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 rezoning 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 devastation 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 the 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 too familiar with noise pollution from weddings. Orange County has no 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](mailto: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 air 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 15<sup>th</sup> 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](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 occurring 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,

**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](mailto: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 Crescere 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 Crystalllis 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". Crystalllis 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 on 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 Spouski*

[JSponski914@gmail.com](mailto: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 our community, environment and the peace and quiet 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 final 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 be 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 to 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 from 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 this operation so the community has some input on 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 of our community. This resort will put a burden 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

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Cell (434) 882-5055

PIC #1239

[rtd6b@virginia.edu](mailto: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 quiet 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](http://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 accommodate 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 cables 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 Virginians. 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 Crescere 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 Crescere 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 Crescere 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 this 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 it 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.

The 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 be 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 all along those secondary roads may lose 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 towners 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



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!

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!

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### 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

**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



**NO CRESCERE!**

For August 5th, 2020 Joint PC / BOS Meeting



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!

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!

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## I OPPOSE THIS SUP!

PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME:

STREET:

CITY, ST, ZIP:

SIGNED:

DATE:

Email to:

[cjackson@madisonco.virginia.gov](mailto:cjackson@madisonco.virginia.gov)

[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)

[lwebb@madisonco.virginia.gov](mailto: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



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!

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!

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### 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

**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



**NO CRESCERE!**

For August 5th, 2020 Joint PC / BOS Meeting



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

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- PRESERVE & PROTECT -  
UNO, ROCHELLE, RAPIDAN RIVER & SURROUNDING COMMUNITIES, MADISON COUNTY, VA from LARGE SCALE EVENT DEVELOPMENT!

---

## I OPPOSE THIS SUP!

PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME:

STREET:

CITY, ST, ZIP:

SIGNED:

*Amanda Martz*

DATE:

Email to:

cjackson@madisonco.virginia.gov  
sdgregg@sdgregglaw.com  
lwebb@madisonco.virginia.gov  
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PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727



**NO CRESCERE!**

Morgan Shifflett  
2925 Jacks Shop Road  
Rochelle, VA 22738

Madison Board of Supervisors

P.O. Box 705

Madison, VA 22727

To whom it 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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---

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PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

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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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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NAME: *Ted Brame*  
STREET: *26 Oak Ln*  
CITY, ST, ZIP: *BRIGHTWOOD, VA*  
*22715*

CLAY JACKSON - CHAIRMAN, BOS  
SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727

SIGNED: *Ted R Brame*

DATE: *7/27/20*

Email to:

[cjackson@madisonco.virginia.gov](mailto:cjackson@madisonco.virginia.gov)  
[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)  
[lwebb@madisonco.virginia.gov](mailto:lwebb@madisonco.virginia.gov)  
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---

NAME: Jan Shiflett  
STREET: 26 Geer Ln  
CITY, ST, ZIP: BRIGHTWOOD, VA  
22715

SIGNED: Jan Shiflett

DATE: 7/27/20

---

Email to:

cjackson@madisonco.virginia.gov  
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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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PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727



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SUP REQUEST BY CRYSTALLIS LLC  
(BARBARA MILLER).

NAME: Morgan Shifflett  
STREET: 2925 Jacks Shop Rd  
CITY, ST, ZIP: Rochelle, VA 22738

SIGNED: 

DATE: 7/27/2020

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PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME: *Zachary Hess*

STREET: *2925 Tacks Shop Rd*

CITY, ST, ZIP: *Rochelle VA 22738*

SIGNED: *Zach Hess*

DATE: *7/27/2020*

Email to:

[cjackson@madisonco.virginia.gov](mailto:cjackson@madisonco.virginia.gov)

[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)

[lwebb@madisonco.virginia.gov](mailto: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: *Teresa Tucker*

STREET: *309 Smith Rd*

CITY, ST, ZIP: *Madison, VA 22727*

SIGNED: *Jessica Tucker*

DATE: *7/27/2020*

Email to:

[cjackson@madisonco.virginia.gov](mailto:cjackson@madisonco.virginia.gov)

[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)

[lwebb@madisonco.virginia.gov](mailto: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: John and Margaret Tucker

STREET: 3108 Ridgerview Road

CITY, ST, ZIP: Beva, VA 22735

SIGNED: Margaret Tucker

DATE: 07/27/2020

Email to:

cjackson@madisonco.virginia.gov

sdgregg@sdgregglaw.com

lwebb@madisonco.virginia.gov

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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 entertainer, 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 waiver.
- 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](mailto:Greenway.Farm@verizon.net)

*submitted electronically by email, signed original on file*

Mary Stroh Queitzsch

[mary.s.queitzsch@gmail.com](mailto:mary.s.queitzsch@gmail.com)

July 5

Dear Mr. Webb,

Absolutely No! To the approval of the proposed Ches Rural Resort. Madison County a "sacker jewel" do be protected at all costs! Once the gate is opened it will be hestroyed & Northern Virginia has and ne Charlottesville is heading. So, so SAS do watch! Urban sprawl must be prevented in Madison. 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 do not large Sivatorre settlement at the expense of someone

else! We do not want more traffic  
and loud music in this quiet, Peace  
County.

I moved here 30 years ago to be  
a nurse at OVA from Winston Salem  
North Carolina. Resigning from OVA  
after 20 years, I then worked in  
Northern Virginia. I have watched  
first hand the destruction of  
this once beautiful area. In  
little over 2 years the Haymarket  
area has now sprawled to appear  
and townhouses and traffic.

Proposed development is exactly  
how it begins! For money!  
Ms. Miller to make money  
the expense of the Madison  
County residents. Absolutely,

Please make others aware

Sincerely,

Mary Ann [Signature] RWV  
C

For August 5th, 2020 Joint PC / BOS Meeting



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-

---

# 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!

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



MY CONCERNS: TRAFFIC, EVENT SIZE & NUMBER, ENVIRONMENTAL IMPACTS: WATER, SEPTIC, TRASH, NOISE, OVERBURDEN OF FIRE/ SAFETY/ EMS, LIGHT POLLUTION...

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NAME: Kathleen ShiPlett  
STREET: 39 Jack Shop Rd  
CITY, ST, ZIP: Rochelle, VA 22738

SIGNED: Kathleen ShiPlett

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: BRIGANTWOOD, 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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SEAN GREGG - COUNTY ATTORNEY  
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---

NAME: David Perdue  
STREET: 9161 Liberty Mills Rd  
CITY, ST, ZIP: Somerset, VA 22972

CLAY JACKSON - CHAIRMAN, BOS  
SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727

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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SUP REQUEST BY CRYSTALLIS LLC  
(BARBARA MILLER).

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  
sdgregg@sdgregglaw.com  
lwebb@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

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(BARBARA MILLER).

NAME: Cynthia Wilson

STREET:

CITY, ST, ZIP:

SIGNED:

DATE:

Email to:

[cjackson@madisonco.virginia.gov](mailto:cjackson@madisonco.virginia.gov)

[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)

[lwebb@madisonco.virginia.gov](mailto: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: *TONY BUZZELLI*  
STREET: *6402 SCUFFLETOWN RD*  
CITY, ST, ZIP: *SOMERSET, VA 22972*  
SIGNED: *Anthony Buzzelli*  
DATE: *7/28/2020*

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

Email to:

cjackson@madisonco.virginia.gov  
sdgregg@sdgregglaw.com  
lwebb@madisonco.virginia.gov  
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For August 5th, 2020 Joint PC / BOS Meeting



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**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](mailto:cjackson@madisonco.virginia.gov)

[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)

[lwebb@madisonco.virginia.gov](mailto:lwebb@madisonco.virginia.gov)

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SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
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302 THRIFT ROAD  
MADISON, VA 22727



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---

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  
sdgregg@sdgregglaw.com  
lwebb@madisonco.virginia.gov  
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SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727



**NO CRESCERE!**



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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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(BARBARA MILLER).

DELIVER BY  
HAND / EMAIL / FAX / MAIL

NAME: *DAVID BLUTHARDT*

STREET: *PO BOX 539*

CITY, ST, ZIP: *SOMERSET, VA  
22972*

SIGNED: *David Bluthardt*

DATE: *JULY 29, 2020*

CLAY JACKSON - CHAIRMAN, BOS  
SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727

Email to:

[cjackson@madisonco.virginia.gov](mailto:cjackson@madisonco.virginia.gov)  
[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)  
[lwebb@madisonco.virginia.gov](mailto:lwebb@madisonco.virginia.gov)  
- Please distribute internally to all BOS-



**NO CRESCERE!**



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!

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!

---

## I OPPOSE THIS SUP!

PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

DELIVER BY  
HAND / EMAIL / FAX / MAIL

NAME: MICHELLE COLLIER

STREET: PO BOX 57,

CITY, ST, ZIP: SOMERSET, VA 22972

SIGNED: *M. Collier*

DATE: July 29th, 2020

CLAY JACKSON - CHAIRMAN, BOS  
SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727

Email to:

cjackson@madisonco.virginia.gov  
sdgregg@sdgregglaw.com  
lwebb@madisonco.virginia.gov  
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**NO CRESCERE!**

For August 5th, 2020 Joint PC / BOS Meeting



MY CONCERNS: TRAFFIC, EVENT SIZE &  
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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  
sdgregg@sdgregglaw.com  
lwebb@madisonco.virginia.gov  
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SEAN GREGG - COUNTY ATTORNEY  
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 acoustic 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, casinos, 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 in place 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 7/30/2020

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 7/30/2020

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

For August 5th, 2020 Joint PC / BOS Meeting



MY CONCERNS: TRAFFIC, EVENT SIZE & NUMBER, ENVIRONMENTAL IMPACTS: WATER, SEPTIC, TRASH, NOISE, OVERBURDEN OF FIRE/ SAFETY/ EMS, LIGHT POLLUTION...  
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DELIVER BY  
HAND / EMAIL / FAX / MAIL

NAME: *Somerset Plantation, Inc.*

STREET: *Po Box 463*

CITY, ST, ZIP: *Somerset, VA 22972*

SIGNED: *[Signature]*

DATE: *7/27/2020*

- CLAY JACKSON - CHAIRMAN, BOS
  - SEAN GREGG - COUNTY ATTORNEY
  - LIGON WEBB - COUNTY PLANNER
- PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727

Email to:

cjackson@madisonco.virginia.gov  
sdgregg@sdgregglaw.com  
lwebb@madisonco.virginia.gov  
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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](mailto:cjackson@madisonco.virginia.gov)

[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)

[lwebb@madisonco.virginia.gov](mailto:lwebb@madisonco.virginia.gov)

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SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727



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PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

---

NAME: Michael Downen

STREET: 1578 Forest Drive

CITY, ST, ZIP: Orange, VA 22960 (Madison County)

SIGNED: 

DATE: 7/31/20

---

Email to:

[cjackson@madisonco.virginia.gov](mailto:cjackson@madisonco.virginia.gov)

[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)

[lwebb@madisonco.virginia.gov](mailto:lwebb@madisonco.virginia.gov)

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SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727



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## I OPPOSE THIS SUP!

PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

---

**NAME:** Anna Marie DeMio Downen

**STREET:** 1578 Forest Drive

**CITY, ST, ZIP:** Orange, VA 22960 (Madison County)

**SIGNED:**

**DATE:** 7/31/20

---

**Email to:**

[cjackson@madisonco.virginia.gov](mailto:cjackson@madisonco.virginia.gov)

[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)

[lwebb@madisonco.virginia.gov](mailto:lwebb@madisonco.virginia.gov)

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CLAY JACKSON - CHAIRMAN, BOS  
SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727



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DELIVER BY  
HAND / EMAIL / FAX / MAIL

**NAME:** Siobhan Downen

**STREET:** 1578 Forest Drive

**CITY, ST, ZIP:** Orange, VA 22960 (Madison County)

CLAY JACKSON - CHAIRMAN, BOS  
SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727

**SIGNED:**

**DATE:** 7/31/20

---

**Email to:**

**cjackson@madisonco.virginia.gov**  
**sdgregg@sdgregglaw.com**  
**lwebb@madisonco.virginia.gov**  
**- Please distribute internally to all BOS-**



**NO CRESCERE!**

Received 7/31/2020

I am opposed to the Event Resort.

Property taxes will go up, more traffic in the area etc.

Please record my opposition against

Case#SU-07-20-14:A today 07/31/2020

Thank you

Anne Mates

7311 South Seminole Trail

Rochelle,VA 22378

--

Anne Mates

201-257-3920

Received 7/31/2020

Suggested Changes to SUP 07-20-2020

While I agree that the project planned by Crystallis, LLC has many potential benefits for the County and will keep a beautiful farm largely open and undeveloped, I understand the neighbors' concerns about the lack of specific limits on number and size of events and the potential resulting noise, especially from "Major Public Events." Since this is the first SUP for a "Rural Resort," it seems especially important that the precedent be established to require reasonable and specific limits.

N 1)- Private Events- It makes sense not to have a limit on the number of events because of the large variety of potential events described. However, the number of attendees should be limited. It seems appropriate that the limit not be more than the ultimate maximum building occupancy (230). That number should include off-site guests. The current language that "building occupancy will be a limiting factor" is not the same thing as saying that the occupancy is the limit. Why not just say that the total expected occupancy- not to "exceed 230 total guests," is the limit. This would allow Crystallis, LLC to have the 230 limit while the housing is being built.

Even if the number for a limit is larger, it seems that the County has the right/responsibility to set a specific number that could be monitored/enforced- if necessary.

N 2)- Minor Public Events- Stay with the 750 total off site guests they suggest. That would give them a maximum of almost 1,000 once they get their housing complete. You could add the "at one time" to allow for the coming and going issue of "pick your own" and other all day events. 750 makes sense since that's the number given as the minimum number for the Major Public Events.

N 3)- Major Public Events- Reduce events to 2 per year, with the ability to request approval of additional events on a case by case basis. Limit events to two nights, Friday and Saturday. Could offer starting at noon on Friday and closing at 5:00 p.m. Sunday, or similar.

O) Noise- Change to 9:45 Sunday to Thursday and 11:00 Friday and Saturday. This would be consistent with limiting Major Public Events to Fridays and Saturdays.

Respectfully Submitted,

Peter G. Rice

2784 Shelby Rd.

Madison, VA 22727

**Received 7/31/2020**

I am writing to let you know of my concerns for the proposed Crescere Rural Resort. I live about 1 mile South of this proposed project. We are mainly concerned about the traffic, noise and environmental impact on the community. Thank you for listening to my concerns.

Sincerely,

Donald H. Wright

**Received 8/1/2020**

Dear Sirs:

I am writing in opposition to the Rapidan River Project. The accumulated scope of this project is overwhelming in what is currently a rural county.

The site which is situated on route 231, an historic roadway, abuts the town on Rochelle. The town as well as the surrounding community would be adversely affected by this project. None greater than its impact on traffic and the right to quiet enjoyment.

Any decision on this project should be delayed until an Environmental Impact Study (EIS) is performed. One component would a traffic study. Another would be sound levels of planned events. Any costs required to mitigate would be a Developer cost.

The absence of an EIS makes any decision on the project at this time inappropriate.

Thank you for your consideration

John and Christina Markey  
13326 Chicken Mountain Road  
Orange VA 22690  
Home: 540-672-3161  
Cell: 412-951-4881

**Received 8/1/2020**

Concerns about Crescere

I appreciate the work that the Madison County Planner, Planning Commission, and Board of Supervisors have put into due diligence regarding the request by Barbara Miller for a Special Use Permit to develop a commercial rural resort on approximately 740 acres in Uno.

There are still a few questions that I cannot answer. I would hope that all members of the Madison Board of Supervisors are able to answer these questions satisfactorily for themselves before they vote at their August 5 meeting.

The documents regarding this request say that part of Ms. Miller's credentials is that she calls herself an environmentalist. Calling yourself an environmentalist does not make it so. If the developer is truly an environmentalist, why is there no plan for an independent environmental impact study before seeking approval of her plan so she can be sure she is not proceeding on a project that could adversely affect the environment (land and soil, ground and river water, air, light pollution, etc.)?

Given the scope of this proposal and its broader implications for defining (or redefining) the parameters of A-1 zoning for Madison and other rural counties, why has the County BOS been in such a rush to move on this proposal, including minimal efforts to inform the community and county residents of the proposal and public hearings. The documents say there will be opportunities for BOS to weigh in on each incremental step of developing this site, but there is no mention of any requirements regarding notifying neighbors and county residents before each step. I would remind BOS members of the outrage a few years ago over the BOS decision to cut down a tree on Main St. without adequate opportunity to inform and engage public response. A commercial resort on 740 acres is a lot more impactful than cutting down one tree!

VDOT reports that the "highest" traffic peak on 231 currently is 145 vehicle trips per hour. VDOT's reassurance that the expected traffic increase will not be too great seems unrealistic. With expected attendance to public events set at 500 to 1000 people, the surge of exiting vehicles after a concert or fireworks display would certainly be much greater than 145 vehicles per hour, unless people will be expected to wait several hours to exit the property and head home. Isn't it more likely that the outflow will increase traffic surges to dangerous levels, especially after dark on a road with no lighting?

Finally, why would the county be willing to cede authority and control over the details of the use of this property to future owners instead of retaining control? Given the vagueness of the current plans as proposed, I assume BOS plans to work closely with Ms. Miller in a collaborative manner to ensure that the site is developed as imagined by BOS members. This rests on a great deal of trust between BOS and Ms. Miller. A new owner might not inspire or deserve such trust. Once given away, power and control over future developments cannot be easily reversed. I can understand why this provision is in Ms. Miller's interest, but I do not understand how it is in the interest of the other 13,000 residents of Madison County. Before you say it will increase tax revenues, can you tell me the cost-benefit analysis that includes added costs to the county for

waste removal, security details, emergency services, etc.? Is there a provision that the owner and not the county will be responsible for restoring the land should this project fail financially?

One final thought. Given that we are in the midst of a pandemic of historic proportions, with few effective treatment or vaccine options yet available, why would Madison County, which as a rural county is somewhat protected from the widespread community transmission of COVID-19, proceed quickly to approve a plan that would regularly draw hundreds of people from outside the county to gather in large groups? Not only would the attendees be potentially exposed, but all the staff working at the facilities along with county personnel and emergency volunteers would be exposed. The risk to creating a "hot spot" or outbreak in Madison would be greatly increased. Shouldn't there be a study of the health risks posed by the construction of the resort and the operating of the proposed commercial activities on community health risks?

If BOS members cannot answer these questions adequately, then they should postpone approval of this SUP until they get satisfactory answers.

Sincerely,  
Janis Richter

334 Bairs Trail Lane  
Rochelle, VA 22738  
240-418-3500

**Received 8/1/2020**

To Whom It May Concern:

I have been working as Barbara Miller's estate manager for nearly two years. I was born in Virginia and have lived here for most of my life. When I met Barbara, I was amazed at how much we agreed upon concerning the environment and the importance of preserving land sustainably. I was also very impressed by how she actively listened to what I had to say and how she sincerely cares for the welfare of her animals, her community, her neighbors, and her employees. Choosing to take the position with Barbara impacted not only myself, but my family as well, as it determined where we live and shaped how we will raise our three young daughters. After working on an estate in Central NJ for five years, I was eager to bring my family to a community with values that align with my own, closer to home - where my wife and I can raise our girls with open space, teaching them the value of good neighbors and natural resources, along with the importance of honoring and protecting both of these things.

Most of my extended family on the maternal side reside in southern Virginia continuing generations-long work as local farmers. My paternal grandparents owned and operated a greenhouse selling plants and produce in Piney River Virginia where I was raised. I was brought up seeing first-hand how hard it is for farms to make a profit. The cards are stacked against family farms, and because of this they are disappearing and being sold to housing developers and large commercial endeavors.

When I was hired by Barbara, I brought with me many ideas and a lot of those ideas are part of the current vision of Crescere. As such, I have an intimate knowledge of what that vision is. I can tell you firsthand it's not the picture that a few outspoken individuals in this community have painted it to be.

Sustainability has many aspects, and one of those aspects that I think goes often overlooked is economic sustainability. If a farm or any environmentally-friendly business can't sustain itself monetarily, then all other aspects of sustainability are moot points, as the business will collapse. If this collapse comes to pass, the business enters new ownership, leaving way for new owners to do what they will with the property and business.

In regard to the handful of vocal people who are speaking out against this development and who, through their alarmism, have convinced numerous others to join their protest, you are lucky that Barbara Miller purchased this farm. Her vision, despite what you have been convinced of, is to preserve this farm in perpetuity. As I have said, goals of sustainability have to include a viable plan for any business to sustain itself monetarily. I can't speak for Barbara, but if I were doing this project alone and were not allowed to proceed with my plans to preserve the farmland that I own, I would sell it. Otherwise it could not sustain itself monetarily and would be a huge liability. If I didn't care about the environment or the community, I would harvest the lumber and build a housing development, as that would be a guarantee that a profit would be made. Would this option be better for the immediate neighbors around Crescere or for the extended community as a whole?

Barbara is the most caring and generous employer I have ever worked for. My employment with Barbara enables me to support a family of five within this community, a community we have grown to love. It saddens me that a few people concerned mainly about themselves are jeopardizing my means of supporting my family. And, yes, I too am thinking of myself in this regard but not only of myself. Those that are opposing are thinking only of the here and now but what about the future generations of this county and community? This project will not only preserve the farm but will give the community jobs and tax revenue. I have read the letters from those who oppose this project and they reflect a pandemic of fear that has become endemic in our society as a whole today. The knee jerk reaction of believing a soundbite or a few words on a sign instead of taking some time and getting some factual information reflects the inability for people to invest a little time and effort, do a little research and think for themselves. I can say firsthand that Barbara is a good person who cares about the environment, her animals, the people around her and the community. Her vision is to preserve this farm, to preserve the environment and to give people a space to experience the natural beauty of the land. I know the majority are behind her as am I.

Justin Mays

**Received 8/2/2020**

Please consider carefully what this proposition will do to traffic , noise , trash , accidents , stress on fire and rescue , and the Town of Rochelle and Village of Somerset . W/o some very severe restrictions , This SUP should be voted down .

Merrill Strange

19195 Annadale Farm Dr.

Gordonsville

**Received on 8/2/2020**

Ladies & Gentlemen,

I am writing to express my opposition to the proposed project on the Crescere property.

We live in Orange County at 11221 Montford Road off of Rt. 20. In looking at a map, this is only 3 miles (as the crow flies) from this property. Sound carries easily anywhere, especially when the wind is blowing. Given our location, we would be greatly impacted by any development there - this includes traffic as well as noise.

Please do not approve this project in any way, shape or form. It would totally destroy the character of this beautiful and tranquil area.

Thank you for your consideration.

Sincerely,

*Steve & Cheryl Holmes*  
703-597-3050

**Received on 8/2/2020**

To: Madison County Board of Supervisors  
c/o Clay Jackson  
Madison County Planning Commission  
c/o Ligon Webb  
Madison Eagle

(Submitted by email)

From: Adrienne G. Threatt  
Syria, VA

Re: Crescere Rural Resort Proposal

Ladies & Gentlemen:

I strongly support the Crescere development in principle. It could generate new jobs, tax revenues, and more customers for existing local businesses, and bring more educational, dining, and entertainment opportunities for residents. Unlike other potential development options, it envisions keeping much of the land agricultural.

I have significant concerns, however, about the scope of the proposed Special Use Permit (SUP) and the associated decision-making process.

The proposed SUP would allow Crescere to host an unlimited number of private events with unlimited attendance (it's unclear how building occupancy limits would constrain outdoor events); an unlimited number of so-called "minor" events with up to 750 off-site guests, plus, presumably, up to 230 on-site guests; and six major events annually with 750 to 2000 guests. A single event could last up to three days.

Roads, parking lots, decks, and patios are excluded from the definition of "development" and thus appear to be unlimited.

With so many of the actual limits on Crescere's operations left to the owner's discretion, it is unclear how county officials can meaningfully analyze the numerous concerns previously raised about noise, traffic, lights, environmental impact, and infrastructure adequacy, let alone ensure those concerns are addressed.

Crescere's owner, to her credit, publicly indicates that she intends to preserve the rural nature of the property and not operate in ways that upset residents. But what happens if despite her intentions there are negative consequences, or if the property is sold to someone who is not like-minded? What recourse would the county have?

The overarching substantive concern is that, without more concrete limits hard-wired into the SUP, Crescere risks changing the overall character of Madison and surrounding areas in ways that could be unwelcome and difficult to undo.

While the county has been laying the groundwork for a rural resort for some time, Crescere's first public application for a SUP and concrete development plan were submitted in mid-May. Less than three months is inadequate time for the robust study and public exchange of views needed for a proposal of such magnitude and potential long-term impact. Moreover, aside from adjustments to noise limits, changes to the SUP to date appear primarily to have benefitted the developer.

Before Madison County acts on the SUP, concerned residents, community groups, and the developer should work together to attempt to craft appropriate limits that all sides can support. The approval process also should involve (1) input from Orange and Greene Counties, given their proximity to Crescere; (2) consultation with other localities that have allowed similar rural resort developments about their experiences; and (3) considering requiring the developer to provide specific community benefits.

Crescere is poised to be a wonderful addition to our community.

Approving the current SUP with all its uncertainty, however, sets us up for buyer's remorse down the road. The public interest would be better served by revising and more thoroughly vetting the SUP so that, when Crescere moves forward, it is sure to be a long-term win for Madison and surrounding counties.

[signed] *Ashianne G. Threatt*

**Receive 8/3/2020**

Dear Mr. Webb Madison County Planner, Madison County Supervisors, & Planning Commissioners:

I am a Virginia Architect with 50 years of experience. My career has always been focused on environmentally responsible design and construction. I live in Orange County, and have the following comments about the Crescere proposal.

The Crescere submission exhibits a unique and heartwarming degree of respect for conservation of the natural environment and for this community in its planning and architecture. Site plan parameters for which the applicant has provided far more consideration than is normal, as well as much more than is required by code and ordinance are:

**SETBACKS:**

The 8 proposed overnight cottages are the only buildings sited anywhere near a property boundary; the nearest appears to be some 60 feet from the site boundary, about two and a half times the required setback of 25 feet. The other structures are hundreds of feet inside the boundaries.

**DENSITY:**

No dwelling units are proposed. The 8 overnight cottages represent a density of 1 unit on a 94 acre farm. The number of overnight guest units, including glamping and camping sites, is 42 over the entire 750 acres, which is equivalent to a unit on 17.8 acres. This does not increase the density of the locality as some are claiming. If all units and sites were occupied at the same time, the maximum number of guests might be 126 people, for a density of 1 person for every 6 acres of the 750 acre property. Even this extremely low density would occur only at times when the site is totally booked. The rest of the 750 acres is farmland.

**BUILDING COVERAGE:**

Imagine a 20 ft. x 40 ft. cottage footprint on an acre of land, 2.5% of that acre would be covered by the cottage. Building coverage of the 8 overnight cottages is 0.02% of 750 acres. Total eventual building footprint upon future completion of the project is stated to be 60,000 sq.ft or a total of 1.7 built acres for all uses and all buildings. This represents a **0.2%** coverage of the 750 acre (**25,920,000** square feet) land area. The applicable ordinance states a maximum of **50%** coverage.

This kind of site planning creates a resort development with outstanding conservation and nature friendly qualities. It conforms to applicable zoning and other ordinances. The NIMBY (Not In My Back Yard) responders who complain about imagined violations of their exclusivity should also respect the applicant's property rights.

The owner's vision is for Crescere Farm to become a learning center for people interested in rural life and sustainable self-sufficient farming. Future young farmers will benefit from this educational experience. Barbara Miller is an experienced and qualified farmer, operating a successful and beautiful organic farm at Edgewood Miller Farm.

Respectfully Submitted,

Angus W. Macdonald M.Arch. Architect AIA

NCARB USGBC

Macdonald Architecture & Technology

+1 (540) 349-5004

[www.macdonaldarchitects.com](http://www.macdonaldarchitects.com)

**Received 8/3/2020**

To: Madison County Planning Commission

c/o Ligon Webb

Madison County Board of Supervisors

c/o Clay Jackson

Sean Gregg, County Attorney

(Submitted by email)

From: Adrienne G. Threatt

2178 Weakley Hollow Rd

Syria, VA 22743

Re: Supplemental Comments on the Crescere Special Use Permit Proposal

(Case #SU-07-20-14) – For the Public Record

Ladies & Gentlemen:

Please place the following comments in the public record.

**Introduction**

The revised draft Special Use Permit (SUP) conditions document circulated by the County Planner, Mr. Ligon Webb, on July 31, 2020 (the “July 31 Draft”), is in many respects an improvement over the previous version dated July 23, 2020. I commend the planning commission, the board of supervisors, and the developer for being open to making changes in response to public comments.

After reviewing the July 31 Draft and related materials, I have some questions, observations, and suggestions for your further consideration.

### **My Overall Stance Remains Supportive**

Let me reiterate, as I did in my earlier comment letter dated July 27, 2020, that I support the Crescere project. If done within reasonable controls, it has the potential to bring many economic and societal benefits to Madison and surrounding counties. I personally look forward to a new restaurant, spa, and more entertainment options, especially if they focus on sustainable agriculture and environmental protection, which are issues of great importance to me.

### **The July 31 Revision Moves in the Right Direction in Several Respects**

There are some positive substantive changes in the July 31 Draft. Most importantly, it puts decks, patios, parking lots and roadways back into the definition of "developed areas," where they clearly belong based on the definition of "open space" in the Event Venue Ordinance and Article 20-133. (I'd prefer if the undeveloped requirement remained 80%, although I acknowledge that the current 70% is better than the 50% minimum.)

Also, the events section has been revised to remove some internal incongruities and add references to the Music/Entertainment Ordinance, and there are further clarifications in the lighting and fireworks sections.

These are all steps in the right directions, but some questions and concerns remain.

### **Questions and Concerns about the July 31 Draft**

#### **1. Scope of Controlling Documents Incorporated by Reference**

The July 31 Draft says the controlling documents include "materials submitted" by the grantee. I assume this means the final versions of the Crescere Master Plan and Proffer Letter, but is there anything else? The SUP conditions should specify with particularity which submissions are meant to be controlling. In light of the evolving nature of the proposal, the final versions of all controlling documents should be carefully reviewed to ensure that there are no inconsistencies.

#### **2. Scope of Private Events**

The second sentence of the private event limit says attendees "shall be on-site." The "on-site" concept is defined in the "minor event" paragraph to mean overnight guests.

Is it the intent that private events by definition will include only those events where all attendees stay as overnight guests? If so, then overnight occupancy limits would indeed serve as an upper attendance limit. In that case, I recommend defining "on-site" in paragraph N.1 where it first appears and specifically stating that private events may consist only of on-site guests.

If, however, private events are meant to be more flexible so as to accommodate single-day events or events that involve a mix of on-site and off-site guests, then I suggest clarifying that and applying a limit consistent with that intent (e.g., allow an unlimited number of private events but cap attendance at the overnight occupancy limit at the time of the event plus some reasonable, additional number of people).

### 3. Definitions Applicable to Advertising Levels, Particularly for "Minor Events"

One important way the SUP conditions attempt to distinguish minor events from major ones is by how extensively events are promoted/advertised – "minimal" promotion/advertising for minor events vs "significant" and "promoted regionally" for major events.

What is the upper limit for what constitutes the "minimal" advertising that would be indicative of a minor event? Would that be determined by the scope (geographic, demographic, issue-specific, etc.), type, or amount of the advertising, or some combination?

There should be more specificity about the parameters here, especially if "minimal" promotion/advertising is meant to be a meaningful practical control on minor public event size.

### 4. Scope of the "Small Scale" Requirement

The "minor public events" paragraph includes a sentence that begins "These events shall be small scale. . . ." and then goes on to list a number of examples of event types. Is the term "small scale" meant to modify only the "music events" immediately after it, or all the event types that follow? This should be clarified.

In either case, there is an inherent incongruity within the "minor public events" paragraph. On the one hand, it seems to envision small scale events that result from minimal promotion/advertising, yet on the other hand the numerical limit applicable to such events is 1000 people. In a county of just over 13,000 people (or anywhere else, really), it is difficult to see how public events with 1000 people could, in any real sense, be considered "minor" or "small scale."

One way to address this would be to allow an unlimited number of minor events, but with a lower attendance cap that in practical terms most people would view as truly “minor” and “small scale” (perhaps 250 or 300); then create an “intermediate public event” category for events expected to draw between that number and 1000 attendees, and apply a yearly limit to the number of such intermediate public events.

## 5. Questions about Application of the Music/Entertainment Ordinance

The July 31 Draft now contains references to the Music/Entertainment Ordinance, which appears meant to give comfort that many of Crescere's events will be subject to an additional review process and therefore in fact held to stricter limits than would have been apparent solely by reading the text of the previous versions of the SUP conditions.

The language in the July 31 Draft states that major events “shall be conducted in accordance with the Music/Entertainment Ordinance” (emphasis added). The Music/Entertainment Ordinance by its terms applies to “any [public] gathering of individuals . . . for the purpose of listening to or participating in entertainment which consists primarily of listening to musical renditions conducted in open spaces. . . .” (emphasis again added).

The Music/Entertainment Ordinance does not by its terms apply to large events with no outdoor music, and section 14-18.2 of the Event Venue Ordinance specifically states that the Music/Entertainment Ordinance “does not apply. . . to any event without music.” Moreover, unless there is some written or unwritten precedent to the contrary, the Music/Entertainment Ordinance also apparently would not apply to a public event that includes outdoor music but for which that music is not the primary draw.

Based on the discussion in the most recent version of Mr. Webb’s report on Crescere, which was included with the materials he circulated on July 31, it appears that the intent is to apply the permitting process described in the Music/Entertainment Ordinance to all Crescere’s major events with expected attendance of more than 1000 people, regardless of whether they have the type of musical entertainment that automatically would trigger the permitting process under that Ordinance itself.

If that indeed is the case, then I recommend revising the language in the July 31 Draft to explicitly say that (e.g., “Crescere must apply for a permit for all major public events according to the process set forth in the Music/Entertainment Ordinance, regardless of whether that Ordinance would apply by its terms.”). Such a requirement would actually serve as a meaningful check on Crescere’s large events and ensure that there are not multiple major events within the county at the same time.

Without clarification on this point, however, it would not be unreasonable to read the “in accordance with” language in the July 31 Draft as simply reiterating that the Music/Entertainment Ordinance requirement applies according to its own terms, such that all Crescere’s major events would not necessarily be subject to it. In that case, additional limits on the attendance and timing of Crescere’s major events would be warranted.

## Community Benefits

My July 27 comment suggested that the county consider requiring Crescere's owner to commit to providing specific community benefits in return for the SUP, and I would like to elaborate on that point.

The hope is that Crescere would bring jobs, tax revenues, and enriching educational and entertainment opportunities to Madison County, which of course all are clear benefits. There is an increasing trend in large economic developments, however, where the developer and either the local government or local community groups formally agree about other tangible community benefits the developer will provide that are appropriate to the location and type of development.

See <https://www.forworkingfamilies.org/page/community-benefits-101> for an overview of how this usually works.

Crescere contemplates a luxury resort and event venue that focuses on agriculture, the environment, and sustainability, and education about those issues. Ours is a rural community consisting primarily of people with average to limited means, and the developer has said publicly that she hopes to benefit the community.

In light of that, a community benefits agreement in this case could involve one or more of the following –

1. Commitments to local hiring for permanent positions;
2. Commitments to use local vendors for some percentage of outside staffing, catering, and commodity needs;
3. Agreeing to partner with the local schools and county extension office on educational programming centered around Crescere's stated mission, including agreeing to provide space for some minimum number of educational events annually; or
4. Offering residents of Madison and neighboring counties discounts at the restaurant and spa, particularly during the off-season.

Such an agreement could either be written into the SUP conditions or contained in a separate contract to be signed contemporaneously with the board's approval of the SUP conditions.

In either case, such an agreement would help to demonstrate Crescere's good will toward its neighbors and foster a positive relationship between all parties from the outset. Given the level of vocal opposition to Crescere to date, I think it would be worth the county's while to consider doing something like this here.

### **Timing**

Significant substantive changes were made to the proposed SUP conditions less than one week before the August 5, 2020, joint planning commission/board meeting at which the apparent intent is to approve them.

County officials should postpone the August 5 meeting for at least two weeks so that the public has a meaningful period in which to comment on the most recent version, and so that county officials have the opportunity to make appropriate changes in response to those comments. That a neighboring county's government also is asking for more time to vet the Crescere proposal makes such a delay even more imperative.

To be clear, I am not advocating that the vetting process go on indefinitely, but rather asking county officials to provide reasonable additional time to further improve the SUP conditions so that they can be made agreeable (or at least more agreeable) to all parties. This would be both good public policy and good public relations.

### **Conclusion**

As previously noted, I am supportive of Crescere and want it to succeed.

I also love Madison County in a way that I have never loved any other place, and my hope is that Crescere can move forward with broad public support and in a way that enhances Madison and surrounding counties for years to come.

I continue to think it is possible to craft conditions for Crescere that allow the developer to achieve her stated business objectives while simultaneously addressing the concerns the public has raised to date. My comments are offered in the spirit of helping to achieve that goal, and I thank you for considering them.

[signed] *Arienne G. Threatt*

For August 5th, 2020 Joint PC / BOS Meeting



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!

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!

## I OPPOSE THIS SUP!

PLEASE RECORD MY OPPOSITION  
AGAINST - CASE NO. SU-07-20-14: A  
SUP REQUEST BY CRYSTALLIS LLC  
(BARBARA MILLER).

NAME: *CHARLOTTE TIGKEN*  
STREET: *WAVERLEY FARM*  
CITY, ST, ZIP: *SOMERSET VA 22972*

SIGNED: *Charlotte Tigken*

DATE: *AUGUST 2, 2020*

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



**MY CONCERNS: TRAFFIC, EVENT SIZE & NUMBER, ENVIRONMENTAL IMPACTS: WATER, SEPTIC, TRASH, NOISE, OVERBURDEN OF FIRE/ SAFETY/ EMS, LIGHT POLLUTION...**

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---

## I OPPOSE THIS SUP!

PLEASE RECORD MY OPPOSITION AGAINST - CASE NO. SU-07-20-14: A SUP REQUEST BY CRYSTALLIS LLC (BARBARA MILLER).

NAME: Lisa Lawson

STREET: S. Blue Ridge Turnpike

CITY, ST, ZIP: Rochelle VA 22930

SIGNED: *L. Lawson*

DATE: 8-3-2020

---

Email to:

[cjackson@madisonco.virginia.gov](mailto:cjackson@madisonco.virginia.gov)

[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)

[lwebb@madisonco.virginia.gov](mailto:lwebb@madisonco.virginia.gov)

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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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AGAINST - CASE NO. SU-07-20-14: A  
SUP REQUEST BY CRYSTALLIS LLC  
(BARBARA MILLER).

---

NAME: Sarah Poole  
STREET: 200 E. King St.  
CITY, ST, ZIP: Gordonsville, VA  
22942  
SIGNED: Sarah Poole  
DATE: April 4, 2020

---

Email to:

cjackson@madisonco.virginia.gov  
sdgregg@sdgregglaw.com  
lwebb@madisonco.virginia.gov  
- Please distribute internally to all BOS-

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302 THRIFT ROAD  
MADISON, VA 22727



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For August 5th, 2020 Joint PC / BOS Meeting



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DELIVER BY  
HAND / EMAIL / FAX / MAIL

NAME: *Bryan Wisner*  
STREET: *10226 Inverness Drive*  
CITY, ST, ZIP: *Gordonsville, VA 22942*

CLAY JACKSON - CHAIRMAN, BOS  
SEAN GREGG - COUNTY ATTORNEY  
LIGON WEBB - COUNTY PLANNER  
PO BOX 705  
302 THRIFT ROAD  
MADISON, VA 22727

SIGNED: *[Signature]*

DATE: *August 4, 2020*

Email to:

[cjackson@madisonco.virginia.gov](mailto:cjackson@madisonco.virginia.gov)  
[sdgregg@sdgregglaw.com](mailto:sdgregg@sdgregglaw.com)  
[lwebb@madisonco.virginia.gov](mailto:lwebb@madisonco.virginia.gov)  
- Please distribute internally to all BOS-



**NO CRESCERE!**

Received 8/3/2020

Good Afternoon Ligon and Clay,

In light of our current State of Emergency with COVID-19, I have grave concerns for my fellow Virginians and the BOS Public Hearing on Aug 5<sup>th</sup> 2020. Today, August 3<sup>rd</sup> 2020 Dr. Birx says COVID-19's Impact on Rural Areas is Greater Than Before. The move to hold a BOS Public Hearing in a High School Auditorium to allow and accommodate **more** people to gather is unsafe and potentially reckless on the part of the BOS and Madison County. I ask that you please consider the delay of this Public Hearing until such time as it is safe and the state has moved to Phase 3 or above.

Should you elect to move forward with this large gathering, I have a couple of questions in regard to the safety and screening you are implementing for those attending.

1. Will the necessary sanitation of the building, space and podium where people will enter, sit, stand and exit through be implemented. I note the podium, as this is going to be an area of high traffic as people speak at the public hearing, rest their papers, touch the surface or microphone with their hands. Will the necessary cleansing take place between speakers to mitigate transference. I recently had the joy of renewing my driver's license. At DMV, a government individual, cleansed the surfaces before the next person of the public was allowed to approach. What measures is the Madison County BOS implementing to protect the public at this hearing?
2. Will the necessary contact tracing information be documented from all those that attend this large gathering / BOS Public Hearing?
3. Who will be the nominated point of contact for any follow up of these contact tracing records?
4. What safety steps will be taken in regard to checking and screening the health of people prior to entry into the Auditorium?
5. Will there be sufficient air changes within the space to accommodate the numbers you are expecting under COVID-19 conditions, knowing that some people can be asymptomatic?

According to Dr Brix - "We are in a new phase...we are beginning to see an impact from the mitigation procedures that many of the state and local officials have put into place, but I want to be very clear what we're seeing today is different from March and April. It is extraordinarily widespread, it's into the rural as equal as urban areas, and to everybody that lives in a rural area, you are not immune or protected from this virus." Dr. Birx said.

I look forward to receiving your response on the safety steps and screening measures being implemented at this Aug 5<sup>th</sup> BOS Public Hearing for the public and all others present.

However, I ask again that you seriously consider the delay of this Public Hearing due to COVID-19 risk, along with your concern and due diligence to keep Madison County safe for all and COVID numbers low. Please help minimize risk to all. Thank you.

Kind regards,

Michelle Collier

Received 8/3/2020

Dear Mr. Webb Madison County Planner, Madison County Supervisors, & Planning Commissioners:

I am a Virginia Architect with 50 years of experience. My career has always been focused on environmentally responsible design and construction. I live in Orange County, and have the following comments about the Crescere proposal.

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No dwelling units are proposed. The 8 overnight cottages represent a density of 1 unit on a 94 acre farm. The number of overnight guest units, including glamping and camping sites, is 42 over the entire 750 acres, which is equivalent to a unit on 17.8 acres. This does not increase the density of the locality as some are claiming. If all units and sites were occupied at the same time, the maximum number of guests might be 126 people, for a density of 1 person for every 6 acres of the 750 acre property. Even this extremely low density would occur only at times when the site is totally booked. The rest of the 750 acres is farmland.

**BUILDING COVERAGE:**

Imagine a 20 ft. x 40 ft. cottage footprint on an acre of land, 2.5% of that acre would be covered by the cottage. Building coverage of the 8 overnight cottages is 0.02% of 750 acres. Total eventual building footprint upon future completion of the project is stated to be 60,000 sq.ft or a total of 1.7 built acres for all uses and all buildings. This represents a **0.2%** coverage of the 750 acre (**25,920,000** square feet) land area. The applicable ordinance states a maximum of **50%** coverage.

This kind of site planning creates a resort development with outstanding conservation and nature friendly qualities. It conforms to applicable zoning and other ordinances. The NIMBY (Not In My Back Yard) responders who complain about imagined violations of their exclusivity should also respect the applicant's property rights.

The owner's vision is for Crescere Farm to become a learning center for people interested in rural life and sustainable self-sufficient farming. Future young farmers will benefit from this educational experience. Barbara Miller is an experienced and qualified farmer, operating a successful and beautiful organic farm at Edgewood Miller Farm.

Respectfully Submitted,

Angus W. Macdonald M.Arch. Architect AIA

NCARB USGBC

Macdonald Architecture & Technology  
+1 (540) 349-5004

Received 8/3/2020

To Mr. Ligon Webb, County Planner,

I am writing to express my concern regarding the above named case, and the negative effect that Crescere Resort may have upon the local area.

While there are a number of areas of potential concern (traffic, property values, etc.), I would like to focus specifically on just one issue - the problem of unregulated noise created by events at this proposed venue, and the probability of this noise being ruled a legal "nuisance". Please consider the following:

- While sound travels at a fairly constant speed (app. 330m/sec), the *distance* that sound can travel depends greatly on a number of variables, including temperature, humidity, cloud cover and altitude, barometric pressure, topography, and even the time of day.

- Because of these variables, concert sound (usually measured at an average volume of 100–115 db @1m) can easily travel from *one to two miles*, and on occasion more than eight miles away from the source. (In rare instances, concert sound has been heard up to 19 miles away.) Numerous examples of these distances can be found online; I can provide documented examples of such concert sound transmission, if you wish.

- I have attached a map that indicates distances from the proposed concert site, showing a one-mile radius, two-mile radius, four-mile radius, and eight-mile radius. These radius circles encompass the large number of families that could be negatively affected by the noise from these proposed concerts.

- As a homeowner who lives just over one mile from the proposed site, I would expect that we will be able to hear virtually every amplified event. For those of us who have spent our life savings (as my wife and I did more than twenty years ago) to have a home that is far from the sound of congested areas, the noise from this site will negatively and consistently impact the quality of our lives, inflicting upon us the very problem which we have attempted to leave behind, thereby constituting a legal "nuisance".

- My understanding is that Madison County currently has no noise ordinance, and that events at this venue will be allowed use full (non-regulated) sound systems until midnight. I also am given to understand that no study has yet been done to evaluate the effect of event noise in this area. To grant a permit allowing amplified events, with no consideration of effects of noise created by such events, opens up Madison County to numerous types of lawsuits.

- There are numerous instances of localities being successfully sued for damages by both concert attendees (hearing damage) and area residents where noise ordinances were nonexistent or insufficient. Our attorney, Thomas Roberts, has provided seven examples of case law regarding noise nuisance or hearing damage. See his website references and case law, below.

Therefore, because the potential noise from these proposed events would constitute a legal nuisance, such noise opens up Madison County to lawsuits due to hearing damage or nuisance claims. I would respectfully request that no permit be granted for any events with amplified sound, until such time as a detailed study be done regarding the effect of event sound in this area, including an allowed time for public input once the study is concluded and published. The potential for harming the quality of life for so many of us in this area, and harming the budgets of Madison County due to nuisance or hearing damage lawsuit awards, is simply too great to ignore.

Thank you for your consideration of this request.

Sincerely,

John Keltonic, Orange County Property Owner

cc: Mr. Thomas Roberts, Attorney-At-Law

Received 8/3/2020

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

In Care of Ligon Webb, County Planner

Dear Mr. Webb,

I would ask that you distribute this letter to the Madison County Board of Supervisors and the Madison County Planning Commission members.

I wish my opposition to the current proposed special use permit for Crescere and Crystallis LLC to be of public record.

My main objection is to the lack of specifics concerning the noise pollution that will undoubtedly plague the local residents if this permit is approved as proposed.

The language in paragraph "O" is far too vague and seems to be far more concerned about meeting the needs of the resort and its ambitious plans for large events

and is tantamount to being negligent in addressing any of the concerns from local residents concerning their peaceful enjoyment of their property.

The proposed private, small and large events at Crescere will undoubtedly greatly disturb the peace in an agriculturally zoned neighbourhood.

O) NOISE:

Outdoor electronic amplification - To what decibel are we limiting this? - there is no indication of that in this paragraph.

Cut off time of 11pm Thursday to Saturday, and 10pm Sunday through Wednesday - in and Agriculturally zoned area where many farmers go to bed just

after sundown - 9pm in the summer, and rise with the dawn - 5:30 am - would any of you want to work a full day on the farm with no sleep the night before?

Also consider that once the music is turned down - as in no longer amplified, there is still the noise of all of the traffic and rowdy guests as they leave the event, this will go on long after midnight.

And at what time will these events begin - will the bass be booming for hours and hours? Will there be amplification on Sunday mornings when neighbours are trying to sleep in, or others are at their houses of worship?

I think a compromise of 10 pm TH- SA and 9 pm SU- W is more reasonable.

and certainly no amplifications before noon on any day, ever.

I'd also like to know what are the proposed consequences for breaking the rules, for violations of the permit?

Monetary Fines? Will they be significant enough to act as a deterrent?

Will repeated violations result in rescinding the special use permit? It should!

I understand that Madison currently has no noise ordinance. Clearly, this shortcoming should be looked into and rectified. In order to protect the entire county from unwanted noise from neighbours, especially

in agriculturally zoned areas, the BOS needs to address this as soon as possible. This leads to my next question:

If the county does manage to pass a noise ordinance will it still pertain to this special use permit or will Crescere somehow be grandfathered into a pre-ordiance status?

I trust the BOS will have the foresight to insist that whatever future noise ordinances are passed, Crescere must adhere to the new guidelines.

This current permit should not somehow relieve them from future obligations or changes to the rules governing Madison County residents.

The BOS needs to specifically note that this SUP is subject to any future noise ordinances passed by the BOS, or for that matter any county wide ordinances concerning events.

You must protect all of us against potential breaches in understanding and expectations, especially since you seem to insist that the SUP needs to transfer with the land. Demand specific details from them and insist

on protections for your residents. That is your job! That is what you were elected to do.

I also would like to ask that you answer at the meeting on Wednesday whether Crescere or Crystallis LLC will be receiving any preferential status regarding property taxes?

Will they fall under land use taxation like a farm? Hopefully not considering they will now be more like a commercial enterprise. The BOS needs to make it clear to the citizenry of Madison

what the BOS has agreed to regarding taxation. We need to know how Crescere's grand enterprise can truly benefit the county, since it will undoubtedly be changing the beloved rural character that

so many of us wish to preserve.

Yours truly,

Rachel Vere Nicoll

Locust Dale, Virginia

Received 8/3/2020

Dear Sir,

I just wanted to confirm that my opposition to issuing an SUP for the Crescere resort will be entered into the record for the meeting taking place this week to discuss the matter.

This is too large an issue to be rushed through. The many months of planning afforded to Ms. Miller is instructive. Those with serious reservations about this venture also need adequate planning time to express concerns about the permanent and deleterious impact to the area that this proposal (the SUP for Crescere) invites.

Thank you again,

Dale Hilton

8/3/2020

Dear Ligon Webb,

Please distribute this email to all members of the Board of Supervisors.

I am writing to express my concern at the rapid pace at which the BOS has approved the preliminary project requests from Barbara Miller for Crescere. I am one of many Madisonians concerned about the environmental impact of this very

large project, including noise, light and air pollution with the increased traffic of hundreds or perhaps as many as 2000 people arriving for events. As I understand it, our county has no noise ordinance that might regulate the volume of concerts and other nighttime events planned for Crescere and their impact on neighbors.

I am particularly concerned about the possibility of many hundreds of people entering Madison from all over during the coronavirus pandemic. We have managed to keep our infection rate relatively low (though it continues to rise), but the arrival of hundreds of non-residents could create conditions in which the the number of cases in the county would skyrocket.

The public has not had an adequate opportunity to express its opinions and concerns about the proposed project, its scale and impact on quality of life in Madison. I urge the BOS to postpone approving the SUP so the public has a chance to give its input and to receive detailed responses to its many questions.

Sincerely,

Carolyn R Smith  
195 Aylor Rd  
Madison 22727

Received 8/3/2020

Greetings,

I am a resident of Madison County and live on Route 621. I am voicing my opinion via the internet concerning the proposed Special Use Permit for Crescere Rural Resort.

Having resided here for 15 years, I have witnessed the multifold increase in traffic on Route 621, largely due to the development of Greene County/Ruckersville area and the northward push from Albemarle. This growth is excellent in providing jobs and revenue for localities but comes with problems that have not been addressed in our own County. Route 621 was not designed and built to handle the volume of traffic that exists today, much less any increase in volume. Any traffic attending an event at the Crescere Resort that originates from West or South will search and find the shorter route to Route 231 via Route 621.

There are other issues as well such as noise, water pollution and downstream quality, etc.etc. These issues are manageable with proper ordinances and monitoring. Road issues are a major infrastructure expense and require time to complete. I oppose the current request based on the current state of condition of Route 621.

Your time has been appreciated,

Steve Dudley

Betty Dudley

2667 Jacks Shop Rd.

Rochelle, VA 22738

Received 8/4/2020

Recently I have been made aware of the Crescere Development. With Covid 19 currently wreaking havoc with our world, our community has been fortunate not to have lost as many citizens as many other areas. Our local population is more prone to Social Distancing than the larger cities as there is a lot of farmland, raising cattle, horses, pigs, goats, etc. and I think that is to our advantage. That being said, I don't think it is to our advantage to have an event/venue with their "project narrative estimates site build-out will contain roughly 60,000 sq. ft. of permanent and temporary structures". Why would we want the immense amount of traffic that a venue this size would bring to our community if we are trying to Social Distance and keep our locals safe?

The problem with this pandemic is that no one really knows the answers to so many questions. Some articles state that it is possible that Covid19 could last years. New York City is saying that Broadway will be closed until sometime in 2021, possibly the fall. Many people are moving from New York City to other less populated areas.

Another very real problem would be the amount of traffic created on Hwy. 231. All local residents are familiar with the large number of accidents that have occurred at the intersection of Hwy 231 and Hwy 20. Recently, the Somerset Center Store was totally demolished at that intersection. Will the traffic circle that is currently being put in be enough to prevent accidents a for a venue the size that is being proposed? There is already a large amount of traffic on Hwy. 231. Will there be an ABC permit issued that will put people who have been drinking at this venue/event on these roads that they are unfamiliar with?

People have bought property here because it is rural, they want to keep it that way.

I am asking that a decision not be made regarding this venue until the questions that have been raised by myself and many others previous and current to this letter be addressed.

Diana Dodge

P.O. Box 198

Montpelier Station, VA 22957

540.672.2493

Received 8/4/2020

Dear Members of the Planning Commission and Board of Supervisors,

I request that you include these comments as part of the public record and be read at the hearing.

From the time I first heard of this proposed SUP (which was only a few weeks ago), I have tried constructively to suggest changes that would lessen the Resort's impacts on the surrounding farmers and families. I have repeatedly suggested

specific written language changes and spoken with various members of the Commission and Board with general and specific ideas to improve the open ended nature of the SUP. Unfortunately, although there has been much talk of "being open to listening to neighbors" in fact there has been none of that. Instead, the SUP has over the past few weeks been amended to become even more favorable to the Developer and even more onerous on the neighbors

Two examples: 1) Originally there was a 2,000 person limit on Major Public Events. More than 100 citizens have written to oppose that limit. So listening to your constituents, did your "negotiators" bring down the limit? No, in the final draft of the SUP you have eliminated the attendee limit entirely, and

2) Initially, there was a recognition that the SUP should not be transferable to a new owner or operator when the Developer gets bored with the project, as most everyone recognizes that she soon will. But rather than put restrictive language in the SUP, the final draft says that "the SUP shall be fully transferable and assignable". When asked why, the Board Chairman said that that the County Attorney said it would be illegal to restrict the transfer. When both the Chairman and the County Attorney were asked for the Virginia Code citation so that the neighbors could confirm the advice, nothing was provided. So now, the SUP will be assignable to whoever the Developer gets to buy it.

In one final effort, I offer the following suggestions to improve the SUP before y'all grant it, as you surely will do, for reasons apparently known only to you:

- 1) Limit the daily crowds, including Private Events, to no more than 400 people in total.
  
- 2) Limit the crowds at Minor Public Events to no more than 750 people in total. Limit the number of Minor Public Events to six per year.
  
- 3) Limit the crowds at Major Public Events to no more than 1000 people in total. Limit the number of Major Public Events to two per year.
  
- 4) Limit the number of overnight guests to no more than 60 per night. Limit the total number of sleeping accommodations (Glamping sites and cottages) to 10 total, with a capacity of no more than six people each.
  
- 5) Limit the number of Employee Housing Units to four, with a maximum capacity of five people each, for a total of no more than 20 employees living on the property.
  
- 6) Require that amplified music and noise shut off by 9:00 pm each night, and not be allowed to start before 3:00 pm each day.
  
- 7) Require a Public Hearing and approval by the BoS each time the Developer sells or transfers the Resort to a new owner or operator.

Thank you,

Mark Warren

Somerset

**Received 8/4/2020**

Dear Mr. Webb,

I've reviewed the Crescere draft SUP 07-20-14 dated July 23, 2020 and have a few comments. Please provide these comments to the Board of Supervisors and Planning Commission prior to the August 5, 2020 meeting, and include them in the record. I appreciate your help in allowing my concerns to be heard.

1. Section A: I think it may be beneficial to specifically list the 'materials submitted' that serve as controlling documents. A few years down the road it may not be easy to determine if a specific submittal was actually meant to be a controlling document.
2. Section E: Five days notice to adjoining property owners is not adequate.
3. Section G: The open air pavilion should be treated as a structure and should be included in the area counted as 'developed'.
4. Section N: I believe the size of the major public events is excessive (2000+) and do not understand how this use fits into the 'most beautiful bucolic painting you've ever seen' (crescerefarm.com website).
5. Section O: Again, how does amplified music until 11 or 12 pm benefit agri-eco education? How can it possibly add value to 'one of the most diverse landscapes in Central Virginia' (crescerefarm.com website)?
6. Section P: The county should determine what constitutes a significant change/alteration to the conditions of the SUP, and that should be stated clearly in the SUP. If the determination is left to the applicant, there will likely be no community oversight.

This project is simply too big and the terms of the SUP are too vague and generous to the applicant. I fear that if approved as written, this SUP will offer few protections for the neighbors and the county. Unfortunately, limited control generally leads to differences being settled through expensive litigation.

Sincerely,

William E (Bill) Queitzsch

Property owner on the Rapidan River in Madison Mills, VA

Received 8/4/2020

Mr. Webb,

I live in the Uno area, and I have attached a letter in opposition to the Crescere Resort and event venue. I will be at the meeting on August 5th, but because I am at high risk for COVID-19, I dare not risk being in a crowd. I will remain socially distanced in the parking lot. Since I am unable to come inside to express my thoughts, I am asking that you add my letter to the record. I hope for and appreciate the careful consideration by all of our county representatives of this issue.

Sarah Odom

Received 8/4/2020

August 4, 2020

Mr. Webb:

I have had a home in Somerset (Uno area) since 1988, **and I am totally opposed to the Crescere Resort and event venue**. I have read all the articles and letters in the Madison and Orange newspapers, and many people have spoken eloquently about the negative impacts this place would have on our community.

I would like to address the noise problem. I think it is ludicrous to think that neighbors would think it is okay to have amplified music EVER, much less until 9 p.m. or 11 p.m. You said, "Maybe it cuts off a little earlier Monday through Thursday." I do not want to hear amplified music at any time on any day. Why would you think neighbors in the surrounding community would want to hear loud music at all?

The same can be said of lighting. Why would you think neighbors in a rural area want their night sky lit up by a resort? Barbara Miller said lights would be low and pointed downward "when possible." That is just one example of the vague answers she gives to resolving issues.

In terms of traffic, in the past week, I have twice had cars pass me on the yellow lines in the curves just south of Uno. In the past few years, there has been a dramatic increase of 18-wheelers on Route 231, and they often do not observe the speed limit. Increasing traffic on this stretch of Route 231 is going to invite accidents. You likened Rt. 231 to Rt. 230. Only the stretch of Rt. 231 between Shelby Road and Rt. 230 are similar. Rt. 231 from Shelby Road to Somerset is curvy and heavily populated. Adding traffic of the magnitude proposed by the event venue would put citizens of Madison at risk.

Let's see. Loud music, lights in the beautiful dark, night sky, and lots of traffic. Seasonal events are described as being a "minimal inconvenience." These things are NOT minimal inconveniences. Ms. Miller said, "Everything is planned with respect to neighbors and nature." She also said, "We understand the importance of being a good neighbor." I do not believe either of these statements is true. Does anyone in a rural area want a neighbor who is loud, has many cars in and out of their home, and puts up lights all over their property?

Ms. Miller says she will be "providing guests with access to nature," and will be "educating people about the importance of farming." If she understood the importance of farming and rural areas, she would

not be trying to ruin our community. If people want access to nature and rural areas, they can do what we all did. We saved our money and bought homes in beautiful Madison County.

Clay Jackson said that there are “pros and cons that go with tourism ventures, it isn’t all negative.” Everything that has been proposed is negative for those who live near Crescere. You are throwing away a whole community if you allow this resort and event venue to proceed. Please listen to and learn from other writers, Charlotte Ticken from the Midwest and Ana Sanford Harvey near the Market at Grelen, who have had experience with these types of things, and do not make the same mistake other communities have made. Please stop Crescere Resort and event venue!

Sarah Odom

Somerset, VA