June 30, 2020

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

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

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

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

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

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

The citizens of Madison County deserve to have their resources protected. Similarly, without the protection of the county’s natural resources, beauty, and quiet atmosphere, tourists would not view the county as a destination worth visiting. This SUP should not negatively impact the public health, safety, or welfare nor the county’s natural resources. The SUP should not be approved as currently submitted.
In order to address these potential impacts, the SUP should be updated to include the staff recommendations provided in the Special Use Permit – Crescere Agri-Resort: Project Overview, Ordinance Requirements & Project Consideration letter submitted to the applicant on June 3, 2020.

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

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

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

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

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1 "A large public event would be defined as an advertised event or gathering in which the general public is invited (regardless if a few is collected or not) where the group exceeds 1000 people over the course of the event.” (Supplemental Updates submitted by Crystallis LLC on June 26, 2020)
dependent on environmental conditions at the site. Without having the proper testing done upfront, the capacity for these utilities is unknown. Therefore, environmental site conditions should be analyzed, with the results used as a formal means to determine appropriate attendance capacities.

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

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

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

- **Perpetual SUP:** It is PEC’s understanding that the current SUP runs with the land, and would allow for future property owners to rely upon the approved permit for Crystallis LLC. The county must recognize that future property owners may have different environmental and business ethics than the current applicant. For this reason, the SUP should provide the clarity and protections necessary to preserve the rural character of Madison County for perpetuity, regardless of the land owner’s intentions.
Thank you for taking the time to review PEC’s thoughts on this important matter. Please include this letter in the county’s public submission forum, read it aloud on my behalf during the public hearing, and feel free to contact me with any questions or requests for additional information.

Sincerely,

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