

**JASON CAPELLE, DISTRICT 1**  
**GEORGE YANCEY, DISTRICT 2**  
**DONALD BROOKS, DISTRICT 3**  
**JULIE ZELJMAKER, DISTRICT 4**  
**JIM HUTCHISON, DISTRICT 5**



**MAILING ADDRESS:**  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960

**SANDRA THORNTON**  
PLANNING SERVICES MANAGER

**PLANNING SERVICES:**  
OFFICE: (540) 672-4347  
FAX: (540) 672-0164  
[orangecountyva.gov](http://orangecountyva.gov)

**Orange County Planning Commission Agenda**  
Thursday, August 6, 2020 – 6:00 p.m.  
Taylor Education Administration Complex (TEAC)  
200 Dailey Drive, Orange VA

The meeting will be conducted in accordance with Commonwealth of Virginia COVID-19 requirements and guidelines, including the wearing of masks or face coverings in indoor public spaces and maintenance of six (6) feet of physical space between persons; seating capacity will be limited by this requirement. Attendees will be screened for COVID-19 symptoms upon arrival.

1. Call to Order and Determination of Quorum
2. Approval of Agenda
3. Approval of Minutes
  - a. June 18, 2020 regular meeting
4. New Business
  - a. **Preliminary Plat Review – Winterberry Creek/Garrett Street LLC**
5. Public Hearings
  - a. **SUP 20-02:** Orange County Resort, LLC has applied for a Special Use Permit to operate a 250-unit Recreational Vehicle Park on property owned by Jeffrey B. and Donna Hayden and identified as Tax Map Parcels 74-22 and 74-22B. A portion of the proposed project area is located in Orange County but identified as Spotsylvania County Parcel 53-A-1. The proposed project area is located in Voting District 2 and consists of 82.87 acres zoned A Agricultural, and the Orange County portion of the area is designated Agricultural-1 on the Recommended Future Land Use Map in the Orange County Comprehensive Plan. The request is pursuant to Orange County Zoning Code Sec. 70-303 (5) – Uses permitted by special use permit, “Camp, campground or recreational vehicle park.”

- b. **Continuation of SUP 20-01:** Mid-Atlantic Pyrotechnic Arts Guild has submitted amendments to a Special Use Permit application for the manufacture, testing, and discharge of fireworks at Tax Map Parcel 61-32 which contains 127.544 acres and is zoned Agriculture (A). The property is owned by Cardinal Garden & Gun, LLC and is located on Woolfolk Lane. The parcel is designated Agricultural 2 on the Recommended Future Land Use Map in the Orange County Comprehensive Plan. The request is pursuant to Orange County Zoning Code Sec. 70-303 (23) – Uses permitted by special use permit, “Pyrotechnics testing/manufacturing on a parcel 50 acres or greater in size.”

The proposed amendments include a reduction in the annual number of event weekends from 7 to 5, with no more than one event per month and no activities during the month of August in any year; a reduction in the annual number of days of fireworks discharge from 28 to 10; a reduction in the number of annual hours for the window for testing of fireworks from 280 to 30, with testing limited to Fridays and Saturdays from 1 p.m. to 4 p.m.; a reduction in the number of annual hours for the display of fireworks from 280 to 40, with displays limited to Fridays and Saturdays from 7 p.m. to 11 p.m.; and a cap on attendance for any event of 100 members maximum, with no public access to events.

6. Worksession – (none)
7. Old Business – (none)
8. Reports
  - a. Board of Supervisors report – Mark Johnson
  - b. Planning Services report – Sandra Thornton
9. Commissioner Comments
10. Next meeting date – September 3, 2020
11. Adjourn



**Orange County Planning Commission  
Regular Meeting  
August 6, 2020**

**Agenda Item 3a**

**Orange County Planning Commission**  
**Regular Meeting**  
**Thursday, June 18, 2020**  
**Meeting Held Electronically via Zoom video conference**

**Present:** Donald Brooks (Chairman); Jason Capelle (Vice Chairman); George Yancey; Jim Hutchison; Julie Zeijlmaker

**Absent:** Mark Johnson, Board of Supervisors Liaison

**Staff Present:** Sandra Thornton, Planning Services Manager; Eric Lansing, Assistant County Attorney; Tracey Newman, Planning Services Associate

The meeting was held in compliance with the Orange County Continuity of Government Ordinance adopted by the Board of Supervisors on April 28, 2020.

**1. Call to order and determination of quorum:**

Chairman Brooks called the meeting to order at 6:00 pm and streaming began on YouTube.

Pursuant to the emergency ordinance adopted on March 24, 2020, this meeting was held electronically via Zoom video conference and livestreamed to YouTube for the public to view. As such, the minutes reflect the physical location of each Planning Commissioner during their participation.

**2. Approval of agenda:**

On a motion of Mr. Capelle, seconded by Mr. Hutchison, which carried by a vote of 5-0, the agenda was approved,

**3. Approval of minutes:**

**A. June 18, 2020 regular meeting:**

On the motion of Mr. Hutchison with second by Mr. Capelle, the minutes were accepted as presented on a vote of 5-0.

**4. Public comment:** None

**5. Public hearings:**

**A. SUP 20-01:** Mid Atlantic Pyrotechnics Arts Guild (MAPAG) has applied for a Special Use Permit to discharge fireworks at Tax Map Parcel 61-32. The request is pursuant to Orange County Zoning Code Sec. 70-303(23) – Uses permitted by special use permit, “Pyrotechnics testing/manufacturing on a parcel 50 acres or greater in size.”

Ms. Thornton advised the applicant had requested postponement of the public hearing and that the applicant is represented by an attorney who also requested postponement.

Chairman Brooks inquired of a motion. Mr. Yancey made motion to accommodate the applicant's request for postponement until the August 8, 2020 meeting. Mr. Hutchison seconded the motion. Chairman Brooks called for a vote on the motion, which carried 5-0.

Ayes: Capelle, Brooks, Yancey, Zeijlmaker, Hutchison      Nays: none

**6. Work session:** None

**7. New Business:** None

**8. Old business:** None

**9. Reports:**

**A. Planning Services Report – Sandra Thornton**

Ms. Thornton advised a Special Use Permit Application has been submitted for a luxury RV resort in District 2, and may be on the August 6, 2020 agenda.

**B. Board of Supervisors Report – Mark Johnson**

None

**10. Commissioner comments:** None

**11. Next meeting date – August 6, 2020**

**12. Adjourn**

On the motion of Mr. Hutchison, seconded by Mr. Yancey, which carried by a vote of 5-0, the meeting adjourned at 6:26 pm.

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Donald Brooks, Chair

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Planning Commission Secretary

*The events of this meeting were captured via digital audio recording. These written minutes shall serve as the official record of actions taken during the meeting.*



**Orange County Planning Commission  
Regular Meeting  
August 6, 2020**

**Agenda Item 4a**

# ORANGE COUNTY

## PLANNING SERVICES

COMMUNITY DEVELOPMENT  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347  
FAX: (540) 672-0164  
[orangecountyva.gov](http://orangecountyva.gov)

### MEMORANDUM

TO: Orange County Planning Commission  
FROM: Sandra B. Thornton  
SUBJECT: Planning Commission Review – Winterberry Creek Subdivision

This preliminary plat with improvement plan was submitted by Garrett Street, LLC, in April 2018, prior to the County's adoption of a revised subdivision ordinance effective April 25, 2018. It appears that for various reasons referral of the plat to the Planning Commission was deferred after the submittal was deemed complete by staff. Since that time, the applicant has been working with staff and the Virginia Department of Transportation (VDOT) to address concerns, particularly a request for an exception concerning the requirement for a second entrance. In January 2019, a proposal for addressing the entrance requirement was submitted by the applicant's agent, which Bryan David and I determined VDOT should assess. On May 7, 2020, Mark Wood provided the determination that the proposal was satisfactory and that the applicant would not need an exception from VDOT to satisfy their requirements. Accordingly, staff determined that VDOT's response was sufficient to approve the proposal regarding the second entrance requirement. In consultation with the county attorney, it was determined that despite the length of time since the original submittal, it was appropriate to complete the review under the pre-April 25, 2018, ordinance.

Attached for your information are comments received from Culpeper Soil & Water Conservation District, Culpeper Engineering, Shimp Engineering, and VDOT. The plat and plan appear to be consistent with the Subdivision Ordinance; however, prior to recordation of final, record plats for the project, the county will verify that all agency comments have been satisfied.

## Tracey Newman

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**From:** Wood, J. Mark <james.wood@vdot.virginia.gov>  
**Sent:** Thursday, May 7, 2020 4:43 PM  
**To:** Justin Shimp  
**Cc:** Languin Barron; Robert Springer; Sandra Thornton; Tracey Newman  
**Subject:** Re: Winterberry Creek Second Entrance

Justin,

Lynn Lloyd of our Office of Land Use reviewed the Winterberry Creek Road Exhibit you prepared. You **will not** need a Connectivity Exception as you have shown the stub outs in all the right places. The Emergency Access Entrance is an excellent idea, however, the section of Berry Creek Avenue between Rte. 613 (Willy Miser Lane) and Crosscreek Lane will have to remain private as it does not meet public service requirements.

Mark

On Wed, May 6, 2020 at 2:54 PM Justin Shimp <[justin@shimp-engineering.com](mailto:justin@shimp-engineering.com)> wrote:

Hello Mark,

Just checking in on this, are we good from a VDOT standpoint?

Thanks,

-Justin

On Apr 13, 2020, at 8:24 AM, Wood, J. Mark <[james.wood@vdot.virginia.gov](mailto:james.wood@vdot.virginia.gov)> wrote:

Justin,

Thanks for the follow up on the subdivision lot phasing. Sorry I missed it.

Mark

On Mon, Apr 13, 2020 at 7:24 AM Justin Shimp <[justin@shimp-engineering.com](mailto:justin@shimp-engineering.com)> wrote:

Hi Mark,

We would like to bring it on in phases. If you zoom in a bit on the PDF I sent you will see that we are proposing 3 phases, 37, 37 and 35 lots.

Let me know if you need anything else from us.

Thanks,

-Justin

On Apr 11, 2020, at 11:19 AM, Wood, J. Mark <[james.wood@vdot.virginia.gov](mailto:james.wood@vdot.virginia.gov)> wrote:

Bob,

Thanks for the background information and the PDF that Justin provided they both have been very helpful.

One thing VDOT needs to know is are you planning on bringing the entire Winterberry Creek Subdivision road network into the Secondary road system at one time or are you bringing it into the System in sections (phases)?

Thanks.

Mark

On Fri, Apr 10, 2020 at 5:06 PM Robert Springer <[springer351@gmail.com](mailto:springer351@gmail.com)> wrote:

In response to the plan submission timing, we had an approved plan with VDOT approved entrance permits back in 2006. When the market turned down, we discussed with VDOT the length of time that the entrance permit would remain and agreed that the best solution was to let the entrance permit lapse and reopen when we decided to re-start construction. You can discuss this with Randy Norris, who was in charge of the project at that time.

-

Bob

-

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**From:** Justin Shimp <[justin@shimp-engineering.com](mailto:justin@shimp-engineering.com)>  
**Sent:** Friday, April 10, 2020 10:45 AM  
**To:** Mark (James) P. E. L. S. Wood <[james.wood@vdot.virginia.gov](mailto:james.wood@vdot.virginia.gov)>  
**Cc:** Robert Springer <[springer351@gmail.com](mailto:springer351@gmail.com)>  
**Subject:** Re: Winterberry Creek Second Entrance

-

Hello Mark,

-

I'll get you that PDF shortly. The plan that I submitted was filled post 2009 under the SSAR, We do have a stub out to an adjoining property owner to satisfy the connectivity requirement.

-

There was an older version of this same subdivision that was submitted and approved years ago, I do not know if it was submitted before 2009 though. Bob would have to chime in on that.

-

Will follow up with the PDF on a separate email.

-

Thanks,

-

-Justin

-

-

On Apr 10, 2020, at 10:26 AM, Wood, J. Mark  
<[james.wood@vdot.virginia.gov](mailto:james.wood@vdot.virginia.gov)> wrote:

-

Bob,

-

Sorry I missed your call this morning, I just left you a voicemail. I have a 10:30 a.m. conference call so I am going to provide you with a list of information I need to provide to the Central Office so we move forward:

-

1. Was Winterberry submitted for review prior to July 1, 2009 (SSR)? or was it submitted on or after July 1, 2009 (SSAR)?
2. Can I get a PDF showing the proposed Winterberry subdivision road system as it relates to the existing state roads and the proposed subdivision connections to the state road (main entrance and the proposed emergency access entrance)? I believe there is one stub out to and adjoining property and I need to make sure this is included on the PDF.
3. Also, I need to be able to identify any phased network additions if applicable.

Thanks.

-

Mark

-

On Fri, Apr 10, 2020 at 8:26 AM Robert Springer  
<[springer351@gmail.com](mailto:springer351@gmail.com)> wrote:

Mark,

I have not heard anything from the county and wanted to check to see what the status is on the letter we discussed a couple weeks ago.

-

Bob Springer

540-272-1009

=

J. Mark Wood, P.E., L.S.

Assistant Resident Engineer/Area Land Use Engineer

VDOT - Louisa Residency

[3709 Davis Highway](#)

[Louisa, VA 23093](#)

[Office: \(540\) 967-3708](#)

[Cell: \(540\) 223-5240](#)

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Cell: (540) 223-5240

## Tracey Newman

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**From:** Austin, Nathran <nathran.austin@vdot.virginia.gov>  
**Sent:** Monday, January 27, 2020 1:05 PM  
**To:** Justin Shimp  
**Cc:** Sandra Thornton; Jacobs, Michael; Tracey Newman; Mark (James) P. E. L. S. Wood; Robert Springer  
**Subject:** Re: Winterberry Creek Subdivision Design Exception Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

In terms of traffic operations, the 2nd entrance does not really provide any real benefit. The only benefit that it would provide would be in the situation of the main entrance being block due to an emergency. It would then provide an alternative route for residents and emergency vehicles. Justin's comments accurately reflect my position on the 2nd entrance.

Let me know if you need additional information concerning this matter.

On Mon, Jan 27, 2020 at 12:37 PM Justin Shimp <[justin@shimp-engineering.com](mailto:justin@shimp-engineering.com)> wrote:  
Hi Sandra,

Apologies for the long delay in response on this. We do very much want to move this project forward but I also wanted to confirm some other details for you with a bit more specificity.

We have no objection from the developers side to restricted use of the second entrance for emergency access only. We had asked for a similar condition via a waiver request that had been submitted to the County administrator back a little over a year ago. The feedback we received was to work with VDOT, which we have and it seems that we have come full circle but with one difference that I believe would not require any waivers on the part of the County and would meet the requirements of 54-168 under the prior subdivision ordinance we are working with.

Troy has suggested making the second entrance limited access for emergency service vehicles only. If that condition is attached to our waiver, then VDOT can approve the second entrance which would mean compliance with section 54-168 which states that we need "more than one point of access.... In accordance with VDOT Access Management Standards" Even though normal vehicles might not use that connection, emergency vehicles could and we meet the ordinance requirements.

The connection as proposed by Troy would also satisfy Appendix D of the statewide fire protection code for fire apparatus roads. I don't think that Orange County has actually adopted that code, so the regulations are likely less stringent but even if you do have them, we would comply from a fire access standpoint with the design that is proposed.

**Troy/VDOT** - Could you please confirm my interpretation of your prior comments that you felt the road could still be a public road with just a restriction for emergency situations only? I had a brief discussion with Mike Jacobs about this and it looks like that was your intent but would like to confirm. Assuming so, let me know how we need to modify our Design Exception and we will get that back to you ASAP.

Thanks,

-Justin

On Dec 16, 2019, at 5:43 PM, Sandra Thornton <[sthornton@orangecountyva.gov](mailto:sthornton@orangecountyva.gov)> wrote:

Dear Mike,

Justin Shimp has forwarded to me comments from you and Troy Austin concerning the request for a waiver from the county's requirement for a 2<sup>nd</sup> subdivision entrance for Winterberry Creek Subdivision. In your November 26 email, you indicated that it would be necessary "to have Troy's question about the bollards resolved to everyone's satisfaction." We haven't yet determined whether this input alters our thinking about our subdivision ordinance requirement. How would others envision the restriction of usage to only emergency situations through the installation of bollards to work from a practical standpoint?

Sandra

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

--

Troy Austin, P.E.  
District Traffic Engineer  
Culpeper District  
1601 Orange Road  
Culpeper, VA 22701  
Office: (540) 727-7012



January 8<sup>th</sup>, 2018

Mr. R. Bryan David  
County Administrator & Subdivision Agent  
Orange County Department of Planning and Zoning  
128 W Main Street  
Orange, Virginia 22960

**Regarding: Winterberry Creek  
Waiver Request for: Multiple Points of Access**

Dear Mr. David,

This project is being reviewed under the Orange County Adopted Subdivision Ordinance pre 4-25-2018.

Per Sec. 54-17 of the Orange County Subdivision Ordinance, a subdivision agent may waive minimum requirements upon demonstration that there exists an unusual situation or where strict adherence to the subdivision regulations would result in substantial injustice or hardship.

Per Sec. 54-168.1 of the Orange County Subdivision Ordinance, any subdivision creating more than 40 lots on new subdivision streets shall have more than one point of access to the state highway system. All points of access shall be located and constructed in accordance with VDOT Access Management Standards and Subdivision Street Requirements.

Per Sec. 54-168.1, the proposed 109 lot subdivision, Winterberry Creek, is required to have more than one point of access to the state highway system.

The requirement for multiple points of access benefits emergency service vehicles as well as residents in a subdivision. In the case of the proposed subdivision, the principal point of access is directly on Ridgeway Drive (Rt. 670) approximately 550 feet west of the intersection with Willy Miser Lane (Rt. 613). A secondary access is proposed on Willy Miser Lane (Rt. 613) approximately 675 feet south of the intersection with Ridgeway Drive (see attached waiver exhibit). Willy Miser Lane (Rt. 613) is approximately 1800 feet in length with a single point of access onto Ridgeway Drive; and it is not feasible to consider any future road connections to Willy Miser Lane.

The majority of traffic exiting Willy Miser Lane is turning left to travel southbound on Ridgeway Drive (Rt. 670) toward Seminole Trail (Rt. 29). The existing intersection at Willy Miser Lane (Rt. 613) and Ridgeway Drive (Rt. 670) has a sight distance of 319' (see attached waiver exhibit), as measured by Shimp Engineering staff on December 7<sup>th</sup>, 2018. The required sight distance of 390' is not available due to interference from trees and brush. Additionally, the angle of intersection for Willy Miser Lane (Rt. 613) measures 47 degrees, which does not meet the requirements of the VDOT Road Design Manual.

The proposed secondary entrance for the Winterberry Creek Subdivision onto Willy Miser Lane (Rt. 613) will increase the traffic from the current 140 daily trips (ADT) to 414, further exacerbating the safety concerns at the intersection with Ridgeway Drive (Rt. 670). The primary entrance from the Winterberry Creek Subdivision directly onto Ridgeway Drive (Rt. 670) provides approximately 650' of sight distance (looking southbound) and approximately 500' of sight distance (looking northbound) and the angle of intersection with Ridgeway Drive is approximately 90 degrees. This is more than adequate to serve the entire daily traffic volume from the Winterberry Creek subdivision.

As the existing conditions (sight distance and angle of intersection) at the intersection of Willy Miser Lane (Rt. 613) and Ridgeway Drive (Rt. 670) do not meet VDOT access management standards, creating a safety concern; it would benefit the safety of motorists and residents on Willy Miser Lane and Ridgeway Drive if access from the Winterberry Creek subdivision onto Willy Miser Lane is limited to emergency use only. Based on this consideration, we request a waiver of the requirement for multiple points of access to the state highway system to allow the use of the proposed Winterberry Creek Blvd as the primary entrance for the subdivision while the proposed entrance at Berry Creek Ave will serve as an Emergency Access Road only, with bollards provided at each end of the access road.

If you have any questions please do not hesitate to contact me at [Michael@shimp-engineering.com](mailto:Michael@shimp-engineering.com) or by phone at 434-227-5140

Best Regards,

A handwritten signature in black ink, appearing to be 'Justin Shimp', written over a circular scribble.

Justin Shimp, P.E.  
Shimp Engineering, P.C.

Attachments: Entrance Waiver Exhibit prepared by Shimp Engineering PC, dated January 7, 2019



PROPOSED ENTRANCE  
SIGHT DISTANCE  
(ADEQUATE)

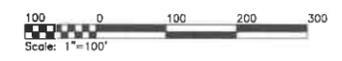
319'  
EXISTING  
SIGHT  
DISTANCE  
(INADEQUATE)

390'  
REQUIRED  
SIGHT  
DISTANCE

PROPOSED  
EMERGENCY  
ACCESS  
ROAD  
(BERRY CREEK AVE)

CONNECTION TO  
ADJACENT PROPERTY  
PARCEL 52-28

CONNECTION TO  
ADJACENT PROPERTY  
PARCEL 52-35



**SHIMP ENGINEERING, P.C.**  
ENGINEERING • LAND PLANNING • PROJECT MANAGEMENT  
PHONE: (434) 287-5143  
CHARLOTTEVILLE, VA 22909  
JUSTIN@SHIMPEngineering.com

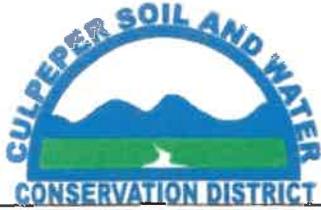


ENTRANCE WAIVER EXHIBIT

Rev #	Date	Description

EXHIBIT FOR:  
**Winterberry Creek**  
ORANGE COUNTY, VIRGINIA

Date: 12/10/2018  
Scale: 1"=100'  
Sheet No.: C1 OF 1  
File No.: 15.028



# Culpeper Soil & Water Conservation District

*Serving Culpeper, Greene, Madison, Orange, & Rappahannock*

351 Lakeside Drive  
Culpeper, Va. 22701  
(540) 825-8591 Culp  
(540) 645-6624 fax  
(540) 308-6301 Orange  
(540) 616-1654 fax

May 31, 2018

Josh Frederick  
Orange County Director of Planning  
PO Box 111  
Orange, Va. 22960

Dear Mr. Frederick,

I have reviewed the April 18, 2018 Preliminary Plans for Winterberry Creek Subdivision located on Tax Map 52-26, 52-A-105, and 52-A-115 off of Preddy Creek Road (Rt. 670) and Willy Miser Lane (Rt. 613) in Orange County. The preliminary plans need to address the following concerns.

1. Maintenance access to the proposed stormwater BMPs B, C, and D is needed. Access is usually provided in the form of a road or easement.
2. Stormwater Conveyance Easements are needed to convey ditch runoff through private lots to stormwater BMPs B, C, and D.
3. Operational and Maintenance access is needed for the proposed wastewater treatment facility. Currently the facility is land locked behind stormwater BMP G. The full extent of the wastewater treatment facility should be shown on the overall plan view and it appears to contain buildings and structures that could affect the impervious cover. It is questionable to include structural facilities in the Open Space designated areas.
4. There are several wetland and stream impacts shown. At this stage the applicant should have a jurisdictional determination and summary of possible impacts.
5. The applicant should also be aware of the maintenance responsibilities for the stormwater BMPs and have a plan to address how maintenance will be implemented. Ensuring that BMPs are located in common space is ideal to minimize the burdens on individual lot owners.
6. DEQ will require the metes and bounds of any designated open space used for stormwater compliance and stormwater access easements.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Jacobs".

Richard Jacobs  
Conservation Specialist

cc: Robert Bradford, Orange County Director  
Robert Brame, Orange County Director  
Warren Lee, Orange County Associate Director

**CULPEPER ENGINEERING**  
**P.O. BOX 733**  
**LOCUST GROVE, VIRGINIA 22508**  
**PHONE: 540 423-9706**  
**FAX: 540 423-1534**

July 26, 2018

Justin Shimp, P.E.  
Shimp Engineering, P.C.  
201 E. Main Street, Suite M  
Charlottesville, VA 22902

Re: Winterberry Creek

Dear Mr. Shimp,

Garrett Street, LLC has been issued a VPDES Permit, VA0080781, for a discharge to an UT of Preddy Creek in Orange County near the intersection of Routes 670 and 613. The Permit is to serve the proposed residential development on the Garrett Street, LLC property which is now referenced as Winterberry Creek. The issued permit describes the proposed facility as the Eheart Subdivision Sewage Treatment Plant.

The VPDES Permit includes two flow tiers; one is for a design flow of 0.04 MGD and the other is for a design flow of 0.07 MGD. The current proposed wastewater facility design is based on the installation of a 0.04 MGD treatment plant. The facility will be capable of treating 40,000 gpd. Additional capacity, up to the 0.07 MGD could be added if required in the future.

Garrett Street, LLC has had two water supply wells drilled at the site to serve as the source supplies for the proposed public water system. The wells were yield tested and have been verified to have capacities of 100 gpm and 30 gpm. In accordance with the Virginia Waterworks Regulations, a waterworks utilizing wells as the sole source of supply shall provide source capacity of a minimum of 0.5 gpm per ERC (1 ERC= 400 gpd) and waterworks serving 50 or more residential connections shall provide at least two water sources that do not hydraulically interfere with another source of public water supply. Based on the Waterworks Regulations, the facility has evidenced adequate well source supply is available. The proposed water system design includes water treatment, storage and pumping. The proposed system should be adequate to supply water to meet the demands of a system with 130 ERCs or up to 52,000 gpd. Should additional capacity be required in the future, additional storage could be provided as storage is the limiting "factor" in the current design.

The water system is designed to address peak consumer demands which may be experienced. It is not anticipated the facility will operate at design capacity; however, the potable water supply system is designed to assure peak system demands are satisfied.

A realistic, daily average flow estimate of 300 gpd for both water use and wastewater generation may be used to assess water demand and sewage flow that may be expected as both systems will serve new construction. Based on a wastewater treatment capacity of 40,000 gpd, this would result in an ability to serve approximately 133 dwelling units. The water system would have greater capability.

Please let me know if you have any questions or concerns. As noted, both the water and wastewater systems could be expanded if necessary.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebecca S. Tolliver". The signature is cursive and somewhat stylized.

Rebecca S. Tolliver, P.E.



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

1601 Orange Road  
Culpeper, Virginia 22701

**Stephen C. Brich, P.E.**  
Commissioner

August 28, 2018

Thomas Wysong, Planner  
Dept. of Planning & Zoning  
County of Orange  
P.O. Box 111  
112 W. Main Street  
Orange, VA 22960

Subject: Winterberry Creek Preliminary Subdivision Plats  
Rtes. 670 (Ridgeway Drive) and Rte. 613 (Willy Miser Lane) Orange County

Dear Mr. Wysong:

This office has reviewed the "PRELIMINARY SUBDIVISION PLAT FOR WINTERBERRY CREEK, TAX MAP 52, PARCEL 26, TAX MAP 52, SECTION A, PARCELS 105 AND 115, BARBOUR MAGISTERIAL DISTRICT, ORANGE COUNTY, VIRGINIA", prepared by Shimp Engineering, P.C., dated, sealed and signed April 18, 2018 and received by this office on May 1, 2018. VDOT has the following comments:

1. Sheet C1, provide a note stating that the subdivision is designed as per VDOT's GS-SSAR Standards.
2. Sheet C1, provide a note stating that all Stormwater Management Basins, BMP's, etc. to be maintained by the Developer, Homeowners Association, Property Owners Association, etc. (Not by VDOT).
3. Sheet C1, provide a note on the cover sheet that clearly states that "NO PARKING ON SUBDIVISION STREETS IS ALLOWED".
4. Sheet C1, shows a "Typical Road Crosssection 12' Lane Width", identify the specific Street Names where this road cross section is proposed and list the design ADT for each of the roads. Also, Table 2 shows a 6 ft. minimum shoulder width for up to 2000 ADT and a 2 ft. shoulder is shown.
5. Sheet C1, shows a "Typical Road Crosssection 9' Lane Width", identify the specific Street Names where this road cross section is proposed and list the design ADT for each of the roads.
6. Sheet C1, based on the pavement widths and shoulder widths shown on the two typical road cross sections shown, NO PARKING is allowed on the subdivision streets. Provide a note on the cover sheet that clearly states that "NO PARKING ON SUBDIVISION STREETS IS ALLOWED".
7. Sheet C4, label existing state road as "RTE. 670, RIDGEWAY DRIVE".
8. Sheet C4, revise note stating "537' TO INTERSECTION WITH S.R. 16" to refer to "RTE. 613".
9. Sheet C4, label the centerline of the state road, edge of pavement and the Right of Way lines and provide the Right of Way Width for Rte. 670.
10. Sheet C4, label Rte. 670 as "Posted Speed Limit = 45 mph and minimum Intersection Sight Distance = 500 ft.".

11. Sheet C4, the actual Sight Distance Easement has to be located 5 ft. outside of the Line of Sight.
12. Sheet C4, the inlet end of the "NEW 64 LF 36" CMP CULVERT" is shown projecting approximately 5 ft. outside of the proposed Right of Way.
13. Sheet C4, the Right of Way width on Winterberry Creek Boulevard is shown as 49.0 ft. in one location and on Crosscreek Lane the Right of Way is shown as 49.3 ft. in one location. Was a 50 ft. Right of Way intended?
14. Sheet C4, what is the approximate angle of intersection of Winterberry Creek Boulevard and Crosscreek Lane?
15. Sheet C5, label the centerline of the state road, edge of pavement and the Right of Way lines and provide the Right of Way Width for Rte. 613.
16. Sheet C5, label Rte. 613 as "Posted Speed Limit = 35 mph and minimum Intersection Sight Distance = 390 ft."
17. Sheet C5, the actual Sight Distance Easement has to be located 5 ft. outside of the Line of Sight. Based on the existing Rte. 613 road geometry south of the intersection of Rte. 613 and proposed Briery Creek Avenue, a Sight Distance Easement may be required across the adjoining property at 15323 Willy Miser Lane...it appears a large White Oak may be within the limits of the required Sight Distance Easement.
18. Sheets C4, C5 and C6, provide the Curve Data (P.C., P.T., P.R.C., Centerline Radius, etc.) for all horizontal curves on the proposed subdivision roads.
19. Sheets C4, C5 and C6, show proposed drainage easements at inlet and outlet ends of cross pipes and where concentrated flow from road ditches in being discharged at cul-de-sacs, provide the Curve Data (P.C., P.T., Centerline Radius, etc.) for all horizontal curves on the proposed subdivision roads.
20. Sheets C4, C5 and C6 show five of the seven cul-de-sacs as having a 60 ft. diameter paved cul-de-sac. Has the Orange County Emergency Services and Orange County Public Schools agree to the 60 ft. diameter as opposed to the recommended 90 ft. diameter cul-de-sac for school buses and fire apparatus?
21. Sheet C6, WATERSIDE COURT, the centerline radius scales approximately 100 ft. and a 200 ft. minimum centerline radius is required as per "GEOMETRIC DESIGN STANDARDS...(GS-SSAR) TABLE 2 – SHOULDER AND DITCH SECTION" for up to 2000 ADT.
22. Sheet C6, the inlet end of the "NEW 70 LF 36" CMP CULVERT" is shown projecting approximately 12 ft. outside of the proposed Right of Way.
23. Sheet C6, the Right of Way width on Winterberry Creek Boulevard near the cul-de-sac is shown as 48.0 ft. Was a 50 ft. Right of Way intended?

Sincerely,



J. Mark Wood, P.E., L.S.  
Area Land Use Engineer  
Land Development – South  
P.O. Box 2194, Louisa, VA 23093  
Phone: (540) 967-3708  
Cell: (540) 223-5240  
Email: Mark.Wood@vdot.virginia.gov  
JMW/sw

Email copy: Bruce Henning, Senior Inspector, RS&H Engineering  
Justin Shimp, Shimp Engineering



PROJECT MANAGEMENT  
CIVIL ENGINEERING  
LAND PLANNING

August 1<sup>st</sup>, 2018

APPROVED:

*J. Frederick* 8/22/18  
Orange County Subdivision Agent Date  
*Waiver granted as requested.*

Mr. Josh Frederick  
Director of Planning and Zoning  
Orange County  
Department of Planning and Zoning

Regarding: **SDP – Winterberry Creek  
Waiver Request - Dead End Street**

Dear Mr. Frederick,

Per *Sec. 54-17* of the Orange County Subdivision Ordinance; a subdivision agent may waive minimum requirements upon demonstration that there exists an unusual situation or where strict adherence to the subdivision regulations would result in substantial injustice or hardship.

Per *Sec. 54-174* of the Orange County Subdivision Ordinance; A local terminal street (cul-de-sac), designed to have one end permanently closed, shall be no longer than 1,200 feet, as measured from the outlet to the beginning of the turnaround. However, the subdivision agent may waive this provision when, in the judgement of the subdivision agent, extreme topographic conditions would cause undue hardship if the subdivider complied with this provision.

Per *Sec. 54-175* of the Orange County Subdivision Ordinance; for greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length to 1,200 feet as measured from the outlet to the beginning of the turnaround.

Due to the existing topography of the proposed development and the presence of wetlands, two (2) of the three (3) proposed roadways with cul-de-sac turnarounds extend beyond the maximum street length of 1,200 feet. The two (2) roadways of concern are Winterberry Creek Boulevard and Berry Creek Avenue. The possibility of connecting the two roadways was avoided due to the required crossing of the wetlands. Without the connection, the access to the South-East part of the property requires a cul-de-sac turnaround. For this reason we would like to request a waiver of the dead end street length requirement.

If you have any questions please do not hesitate to contact me at [Michael@shimp-engineering.com](mailto:Michael@shimp-engineering.com) or by phone at 434-227-5140.

Best Regards,

Michael Chandler  
Shimp Engineering, P.C.



PROJECT MANAGEMENT  
CIVIL ENGINEERING  
LAND PLANNING

July 23<sup>rd</sup>, 2018

Mr. Josh Frederick  
Director of Planning and Zoning  
Orange County  
Department of Planning and Zoning

APPROVED:

J. Frederick 8/22/18  
Orange County Subdivision Agent Date  
*A min. 90' diameter may be  
utilized for all cul-de-sacs.*

Regarding:

SDP – Winterberry Creek  
Waiver Request - Cul-de-sac Diameter

Dear Mr. Frederick,

Per Sec. 54-17 of the Orange County Subdivision Ordinance, a subdivision agent may waive minimum requirements upon demonstration that there exists an unusual situation or where strict adherence to the subdivision regulations would result in substantial injustice or hardship.

Per Sec. 54-174 of the Orange County Subdivision Ordinance, each cul-de-sac must be terminated by a turnaround of not less than 110 feet in *right-of-way diameter*.

Per Sec. B-4.F.2 of the VDOT Subdivision Street Design Guide, a minimum radius of 45 feet, measured to the edge of pavement or face of curb, shall be used for circular turnaround on residential cul-de-sac streets serving more than 25 dwellings and greater than 0.25 mile in length.

Per Sec.B-4-F.2.d of the VDOT Subdivision Street Design Guide, for circular turnaround on short low volume residential cul-de-sac streets, the 45-ft minimum radius may be reduced to 30 feet when specifically approved by the locality in consultation with emergency services.

The proposed development contains seven (7) cul-de-sacs to the serve the new subdivision. While two (2) cul-de-sacs meet the required 110-ft right-of-way diameter, the remaining five (5) are proposed with a radius of 30-ft along with the required 15-ft utility easement, for a total right-of-way diameter of 90-ft. Each of the undersized cul-de-sacs serve a low volume of residents and per Sec.B-4-F.2.d of the VDOT Subdivision Street Design Guide, the 45-ft minimum radius may be reduced to 30 feet when specifically approved by the locality in consultation with emergency services. Therefore, we would like to request a waiver of the required minimum cul-de-sac right-of-way diameter of 110 feet for the following streets in the proposed development.

-Crosscreek Lane, McCay Court, Springcreek Court, Berryfield Court, Waterside Court

If you have any questions please do not hesitate to contact me at [Michael@shimp-engineering.com](mailto:Michael@shimp-engineering.com) or by phone at 434-227-5140

Best Regards,

Michael Chandler  
Shimp Engineering, P.C.

# SHIMP ENGINEERING

PROJECT MANAGEMENT  
CIVIL ENGINEERING  
LAND PLANNING

August 8th, 2018

Mr. Josh Frederick  
Director of Planning and Zoning  
Orange County  
Department of Planning and Zoning

APPROVED:

JK Frederick 8/22/18  
Orange County Subdivision Agent Date

*Waiver granted as requested.*

Regarding: **SDP – Winterberry Creek  
Waiver Request - Sewer Review**

Dear Mr. Frederick,

Per *Sec. 54-17* of the Orange County Subdivision Ordinance, a subdivision agent may waive minimum requirements upon demonstration that there exists an unusual situation or where strict adherence to the subdivision regulations would result in substantial injustice or hardship.

Per *Sec. 54-203(3)* of the pre-4/25/2018 Orange County Subdivision Ordinance; no privately operated wastewater collection, treatment and disposal system or sewer systems will be permitted under this chapter without review and recommendation of the planning commission and approval by the Board of Supervisors. The code does not provide guidance on this review leaving a highly unusual circumstance where the Board would review highly technical documents relating to the construction of water and sewer treatment systems. Our systems have preliminary designs from accomplished licensed professionals and will meet all of the requirements of VDH, DEQ and other applicable review agencies.

The newly adopted, as of 4/25/2018, Orange County Subdivision Ordinance does not require privately operated wastewater collection, treatment and disposal systems or sewer systems to be reviewed by the Board of Supervisors. Orange County staff has begun review of the development under the pre-4/25/2018 Subdivision Ordinance, as it was submitted prior the adoption date. However, because this requirement has been eliminated from the Orange County Subdivision Ordinance and the review of the technical design is best reserved to officials of VDH and DEQ we request that the requirements of section 54-203(3) be waived.

If you have any questions please do not hesitate to contact me at [Justin@shimp-engineering.com](mailto:Justin@shimp-engineering.com) or by phone at 434-227-5140.

Best Regards,

  
Justin Shimp, P.E.  
Shimp Engineering, P.C.

**MOTION:**

**August 5, 2020  
Regular Meeting  
Resolution # 20-05**

**SECOND:**

**RE: Preliminary Plat & Improvement Plan – Winterberry Creek**

**WHEREAS**, Garrett Street, LLC has submitted a Preliminary Plat & Improvement Plan for a development to be known as Winterberry Creek Subdivision and to be located on TM 52-26, TM 52-A-105, and TM 52-A-115; and

**WHEREAS**, Section 54-66 g. of the pre-4/25/18 Orange County Subdivision Ordinance required approval by the Planning Commission of any preliminary plat/plan; and

**WHEREAS**, the Planning Commission has found that the preliminary plat and improvement plan **as submitted/with modification as noted** meets the requirements of the Subdivision Ordinance; and

**WHEREAS**, the Planning Commission has determined that the public health, safety and welfare, and good zoning practice support approval of the preliminary plat and plan **as submitted/with modification** as noted;

**NOW, THEREFORE, BE IT ORDAINED**, that the Orange County Planning Commission approves Winterberry Creek Preliminary Plat.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:** County Attorney  
County Subdivision Agent  
Garrett Street, LLC

**Modifications:**

**CERTIFIED COPY**

\_\_\_\_\_  
**Secretary to the Planning Commission**



**Orange County Planning Commission  
Regular Meeting  
August 6, 2020**

**Agenda Item 5a**

ORANGE COUNTY  
DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347  
FAX: (540) 672-0164  
[orangecountyva.gov](http://orangecountyva.gov)

APPLICATION FOR SPECIAL USE PERMIT (SUP)

Applicant Name: Orange County Resort, LLC Phone: \_\_\_\_\_

Mailing Address: 3684 Centerview Dr., Suite 120 Chantilly, VA 20151

Email Address: LKA Dreamhome@gmail.com

*Application must be made by the Landowner or with his/her permission. If the Applicant is not the Landowner, please complete and attach: (1) a completed Authorized Agent Affidavit, OR (2) a letter of permission from the landowner.*

Landowner Name: Jeffrey B. and Donna Hayden Phone: \_\_\_\_\_

Mailing Address: 16736 Days Bridge Rd., Orange, VA 22960

Property Location: Route 522 near Belmont Road

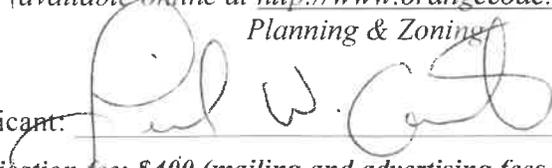
Tax Parcel #(s): OC 74-22, OC 74-22B Current Zoning: Agriculture

Existing uses/structures: Undeveloped Pasture and Woodland

Special use request (attach additional pages as necessary): Recreational Vehicle Park

**\*\* Attach a general concept plan no smaller than 11"x17" and a comprehensive narrative for the proposed use. See the checklist for complete submittal requirements. \*\***  
**\*\* Incomplete applications will not be processed. \*\***

*For minimum setback requirements and other zoning requirements, refer to the Orange County Zoning Ordinance (available online at <http://www.orangecode.us/>) or contact the Department of Planning & Zoning.*

Signature of Applicant:  Date: 5-8-20

*Application fee: \$400 (mailing and advertising fees are billed separately)*

*NOTE: Refunds will not be issued once a SUP application has proceeded to the ARC review period.*



ORANGE COUNTY  
DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347  
FAX: (540) 672-0164  
[orangecountyva.gov](http://orangecountyva.gov)

AUTHORIZED AGENT AFFIDAVIT

This 9 day of 5 (May), 20,  
(day) (month) (year)

I, Jerry B Haydel,  
(owner)

owner of OC 74-22, OC 74-22B, SC 53-A-1B, give my  
(address and/or tax map number)

permission to: Orange county resort, LLC, to make  
(applicant / lessee)

an application to the Orange County Department of Planning & Zoning  
for a special use permit:

Jerry B Haydel  
(signature of owner)

COMMONWEALTH OF VIRGINIA

County / City of Orange

Subscribed and sworn to me this 9<sup>th</sup> day of May, 2020

in my County / City aforesaid, by the aforementioned Owner.

Tiffany Bryant Griffith  
(Notary Public)

My commission expires: 01-31-2022



PERMITS/INSP PAYMENT

515034  
CLIENT ADDR1  
ORANGE COUNTY, VA  
112 West Main Street

Orang 14:27 CUSTOMER#: 05/18/20  
TIME: 14:27 CUSTOMER NAME  
scrosb CLERK ID

-----TOTALS-----

0  
INTEREST PAID: SUPS  
ADJUSTMENTS: Special Use 400.00

PAYMENT METHOD  
400.00 PAYMNT REF

TOT PREV BAL DUE: .00  
TOT BAL DUE NOW : CHECK

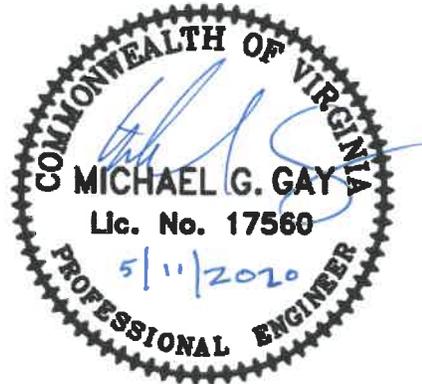
# ORANGE COUNTY RESORT, A HIGH END MOTORCOACH RESORT

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## SPECIAL USE PERMIT APPLICATION

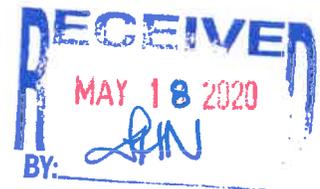
Located in:

**Orange County, Virginia**



Project Number: 2945.0

Date: May 11, 2020



## GAY AND NEEL, INC.

ENGINEERING ♦ LAND PLANNING ♦ SURVEYING  
1260 Radford Street • Christiansburg, Virginia 24073  
540.381.6011 office • 540.381.2773 fax  
[www.gayandneel.com](http://www.gayandneel.com) • [info@gayandneel.com](mailto:info@gayandneel.com)

# Orange County Resort, A High End Motorcoach Resort

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May 11, 2020

Ms. Sandra Thornton  
Orange County  
Department of Planning and Zoning  
128 West Main Street  
Orange, VA 22960

RE: Orange County Resort SUP Application  
Job No. 2945.0

Dear Ms. Thornton:

Please find enclosed an application and check in the amount of \$400 for a Special Use Permit. This complete application is also being submitted to you electronically as a PDF. This request is for the establishment of a high-end Motorcoach Resort to be located in Orange County and fronting on Lake Anna. Access will be from Route 522, Zachary Taylor Highway. This project, if approved, will allow the construction of 250 lots, or sites, for sale and will allow the lot owners to park and camp in their Motorcoach. A Motorcoach being an upscale Recreational Vehicle.

The following Application will provide the County Staff and Administration with a description of the proposed improvements. It is understood that as part of fulfilling the requirements of the Special Use Permit, a site development plan will need to be prepared and approved by the County Planning Department, as well as the local Health Department, VDOT, and the Department of Environmental Quality.

This application has been prepared in accordance with the County Zoning Ordinance and pertinent guidance documents. We look forward to working with the County to bring this exciting project to fruition. If you have any questions, concerns, or need additional information, please do not hesitate to contact Gay and Neel, Inc., or the Agent as included in the Application.

Sincerely,  
Gay and Neel, Inc.



Trevor M. Kimzey, P.E.  
Director of Engineering

Enclosures

cc: Lonnie Carter

TMK/kmt

# Orange County Resort, A High End Motorcoach Resort

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## APPLICATION

i

ORANGE COUNTY  
DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347  
FAX: (540) 672-0164  
[orangecountyva.gov](http://orangecountyva.gov)

**APPLICATION FOR SPECIAL USE PERMIT (SUP)**

Applicant Name: Orange County Resort, LLC Phone: \_\_\_\_\_

Mailing Address: 3684 Centerview Dr., Suite 120 Chantilly, VA 20151

Email Address: LKA Dreamhome@gmail.com

*Application must be made by the Landowner or with his/her permission. If the Applicant is not the Landowner, please complete and attach: (1) a completed Authorized Agent Affidavit, OR (2) a letter of permission from the landowner.*

Landowner Name: Jeffrey B. and Donna Hayden Phone: \_\_\_\_\_

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Property Location: Route 522 near Belmont Road

Tax Parcel #(s): OC 74-22, OC 74-22B  
SC 53-A-1B Current Zoning: Agriculture

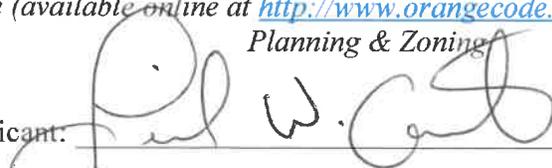
Existing uses/structures: Undeveloped Pasture and Woodland

Special use request (attach additional pages as necessary): Recreational Vehicle Park

**\*\* Attach a general concept plan no smaller than 11"x17" and a comprehensive narrative for the proposed use. See the checklist for complete submittal requirements. \*\***

**\*\* Incomplete applications will not be processed. \*\***

*For minimum setback requirements and other zoning requirements, refer to the Orange County Zoning Ordinance (available online at <http://www.orangecode.us/>) or contact the Department of Planning & Zoning.*

Signature of Applicant:  Date: 5-8-20

**Application fee: \$400 (mailing and advertising fees are billed separately)**

*NOTE: Refunds will not be issued once a SUP application has proceeded to the ARC review period.*

Orange County Resort, A High End Motorcoach Resort

---

**AUTHORIZED AGENT AFFIDAVIT**

ORANGE COUNTY  
DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347  
FAX: (540) 672-0164  
[orangecountyva.gov](http://orangecountyva.gov)

AUTHORIZED AGENT AFFIDAVIT

This 9 day of 5 (May), 20,  
(day) (month) (year)

I, Jerry B. Haych,  
(owner)

owner of OC 74-22, OC 74-22B, SC 53-A-1B, give my  
(address and/or tax map number)

permission to: Orange county resort, LLC, to make  
(applicant / lessee)

an application to the Orange County Department of Planning & Zoning  
for a special use permit:

Jerry B. Haych  
(signature of owner)

COMMONWEALTH OF VIRGINIA

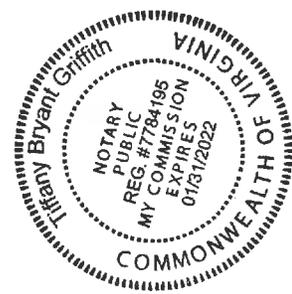
County / City of Orange

Subscribed and sworn to me this 9th day of May, 2020

in my County / City aforesaid, by the aforementioned Owner.

Tiffany Bryant Griffith  
(Notary Public)

My commission expires: 01.31.2022



# Orange County Resort, A High End Motorcoach Resort

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## NARRATIVE

# **ORANGE COUNTY RESORT PROJECT NARRATIVE**

**May 11, 2020**

## **Project Description**

Located in the beautiful County of Orange on the banks of Virginia's Lake Anna will be an exclusive resort development for use by the growing Motorcoach industry developing throughout the nation. This facility will provide owner occupied lots, or sites, for the recreational enjoyment of Owners of high-end recreational vehicles, often referred to as Motorcoaches. In addition to the Owner-occupied sites, the facility will provide and maintain commonly owned amenities including, but not limited to active recreational opportunities, a camp store, a community building, a boat ramp and slips, extensive open space and trails, and on-site water and wastewater facilities. This is just to name a few of the amenities to ultimately be provided.

Orange County is unparalleled for scenic views, the lake, streams, open spaces, historical significance, and an amazing climate. This Class A Motorcoach resort will take advantage of all four seasons. Spring offers gorgeous foliage native to the region. Summers are lush with green foliage and an average June temperature of 77 degrees. Fall landscapes burn brilliant with red, orange and gold from mid-October through early November. Winter brings blue skies, crystal-clear air. For all seasons there is premium fishing, hunting, and many recreational and cultural activities to enjoy.

Orange County Resort will be restricted to Class A upscale Motorcoaches. The Owner-occupied sites will provide stamped concrete pads for the Motorcoaches. Site amenities can include such improvements as outdoor kitchens, fire pits, and small cabanas for storage of golf carts and lawn furniture. Each site will be provided with water and sewer hook-ups.

The facility will have a very detail-oriented Property Owners Association (POA) to ensure the quality of the resort will be maintained. Specific site infrastructure installation and maintenance will include a paved, private road network, on-site potable water system, an on-site wastewater collection, treatment, and disposal system, electric service, and a stormwater management system for the entire facility.

Amenities to be provided for the enjoyment of all lot owners may include such items as:

- Waterfront improvements which will include outdoor spaces for passive enjoyment, a private marina to include a boat ramp, dockage and slips, covered dry boat storage, fuel sales and restroom facilities.
- Clubhouse with bath and restroom facilities, a pool, a community meeting space, and fitness facility,
- A "Camp Store" which will provide basic supplies for the lot owners,
- Active recreation opportunities such as trails, tennis/basketball, bocce ball
- Laundry and other hospitality services.

The target demographic for this facility is affluent, high income, active adults and families. The use of the facility will be restricted to the lot owners, their families, and friends. This facility will not be open to the general public. In particular, there will be no transient, overnight camping open for public use.

### **Anticipated Traffic and Impacts**

A preliminary traffic analysis has been conducted to quantify the impact on existing public roads near the proposed facility. This project will have a single entrance located along Zachary Taylor Highway (Route 522). Basic computations are provided in this Narrative to indicate that no turn lanes will be required per VDOT Access Management Regulations. Trip generation is for a maximum of 250 sites. The 10<sup>th</sup> edition of the ITE trip generation manual has been used to estimate daily and peak hour trips leaving and entering the project at full build-out. Zachary Taylor Highway has the capacity for the additional traffic and as previously mentioned, no turn lanes will be required considering the low traffic currently on Route 522 and the low amount of traffic to be generated by the new facility.

### **Economic Impacts to the County**

It is proposed that the economic impacts to the County will be mostly beneficial. As previously mentioned, the targeted demographic are affluent, active adults and families. The positive economic impact can be described in two ways.

First, the real estate improvements will considerably increase the County tax base. It is proposed that there will be 250 sites for Motorcoaches. It is estimated at this time that the price of the individual lots will range from \$100,000 to \$375,000.

Second, the tourism aspect of this project will also provide an economic benefit. This includes tourism to the numerous cultural opportunities in Orange County, as well as expenditures at restaurants, fuel pumps, and grocery stores.

### **Impacts on Public Services**

The impacts on Public Services from this project can be considered far less than other projects having the economic benefits provided.

The presence of the lot Owners at the facility will have an impact on emergency services, just as any proposed increased use around the lake would be realized. This includes emergency response for medical reasons or the rare instance of a fire or other related accident.

In contrast, this project, considering the recreational and part-time use of the facility, will preclude any negative impact on the public-school system. There will be no full-time residents, other than an onsite facility manger.

Likewise, the proposed private water and sewer facilities will have no negative impact on County Services. The systems will be built on site and maintained by the POA or Owner of the facility.

The internal road network and stormwater management facility will also be privately built and maintained on the site.

### **Environmental Impacts**

During the design phase of this project a thorough environmental inventory will be conducted. These inventories include analysis of the impact of developing the potable water system, soils analysis to ensure the adequacy of soils to meet the capacity of on-site wastewater treatment and disposal for all improvements.

A comprehensive inventory of wildlife, both flora and fauna, and wetlands and streams on the property will be conducted. As part of this analysis and permitting of any impacts, avoidance and mitigation will be taken into account.

### **Impacts on Historic and Cultural Resources**

Currently, no negative impacts on historic and cultural resources have been identified. As part of data base reviews for the environmental impacts, a review will be made to ascertain any cultural and/or historic features identified as associated with this site. This includes a data base search of any previous local, state, and federal historic and cultural resource inventories on the property.

### **Impacts to Neighboring Properties**

In general, the subject property is buffered. On site buffers and open spaces will be utilized to minimize negative impacts to adjoining properties. To the South, the Lake front will be impacted as use increases. These uses will be designed and maintained to preserve the shoreline, an integral amenity for this project. To the North, vegetation and topographic features will help minimize any impacts to adjoiners. To the East is open farmland. Vegetative and physical distance will be used to minimize impacts. To the West is undeveloped woodland and route 522. Again, topography and vegetative buffering will be used to minimize off site impacts.

Along the lake shoreline and adjacent to the Southwest corner of the site is an existing home. The proposed layout has been sensitive to this existing home and has provide buffering. This parcel from the proposed project by distance and elevation. This home site will see the proposed shoreline improvements which are proposed as low profile and low density.

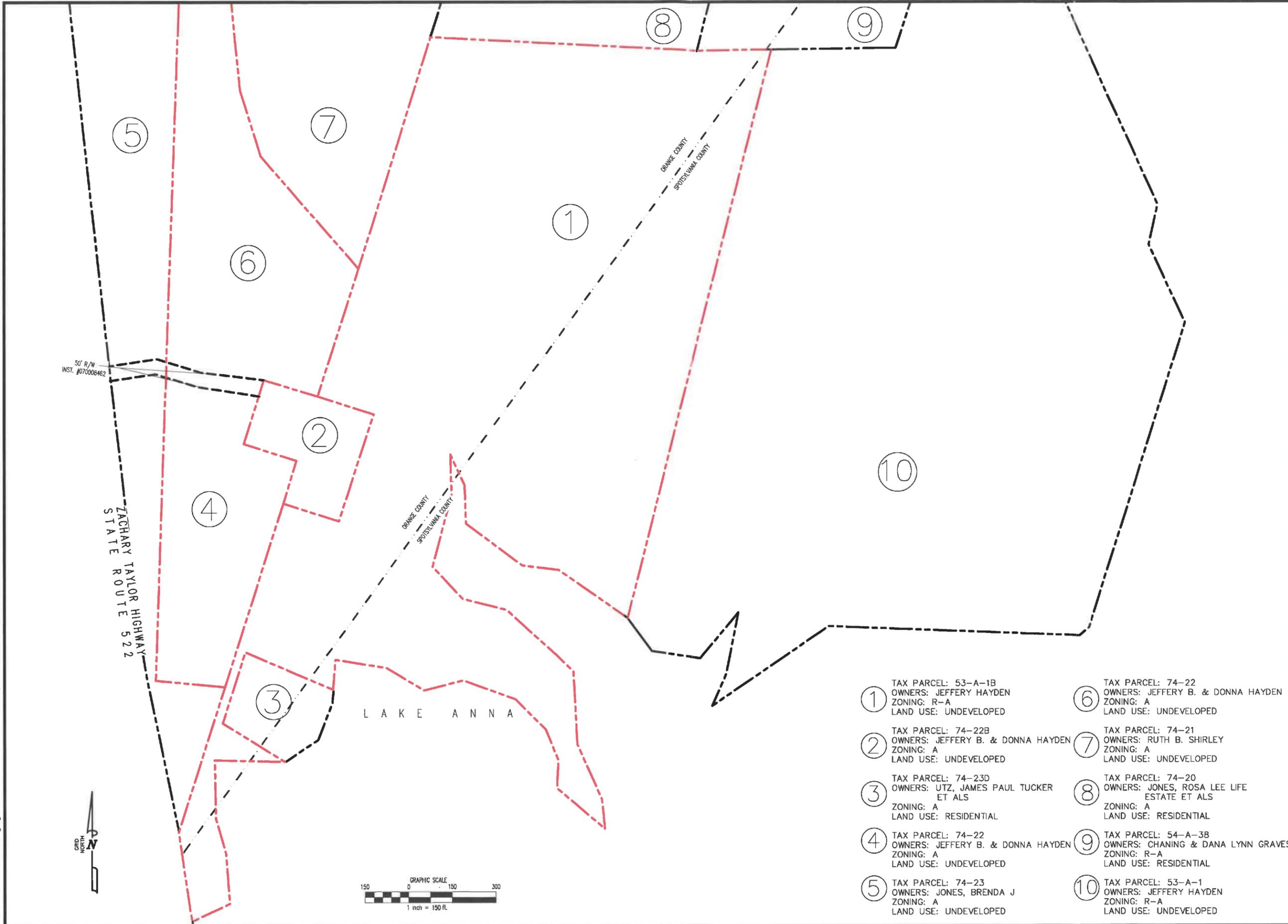
## Orange County Resort, A High End Motorcoach Resort

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### DRAWINGS

- Tax Map
- Existing Conditions
- Plat of Subject Property
- Project Concept

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 TLR, BTL, EBO, BSH, PH, Egenp, AutoCAD PLOT (General, Documentation)pc3, 1/1



- |   |  |
|---|--|
| <p>① TAX PARCEL: 53-A-1B<br/>OWNERS: JEFFERY HAYDEN<br/>ZONING: R-A<br/>LAND USE: UNDEVELOPED</p> <p>② TAX PARCEL: 74-22B<br/>OWNERS: JEFFERY B. &amp; DONNA HAYDEN<br/>ZONING: A<br/>LAND USE: UNDEVELOPED</p> <p>③ TAX PARCEL: 74-23D<br/>OWNERS: UTZ, JAMES PAUL TUCKER<br/>ET ALS<br/>ZONING: A<br/>LAND USE: RESIDENTIAL</p> <p>④ TAX PARCEL: 74-22<br/>OWNERS: JEFFERY B. &amp; DONNA HAYDEN<br/>ZONING: A<br/>LAND USE: UNDEVELOPED</p> <p>⑤ TAX PARCEL: 74-23<br/>OWNERS: JONES, BRENDA J<br/>ZONING: A<br/>LAND USE: UNDEVELOPED</p> | <p>⑥ TAX PARCEL: 74-22<br/>OWNERS: JEFFERY B. &amp; DONNA HAYDEN<br/>ZONING: A<br/>LAND USE: UNDEVELOPED</p> <p>⑦ TAX PARCEL: 74-21<br/>OWNERS: RUTH B. SHIRLEY<br/>ZONING: A<br/>LAND USE: UNDEVELOPED</p> <p>⑧ TAX PARCEL: 74-20<br/>OWNERS: JONES, ROSA LEE LIFE<br/>ESTATE ET ALS<br/>ZONING: A<br/>LAND USE: RESIDENTIAL</p> <p>⑨ TAX PARCEL: 54-A-38<br/>OWNERS: CHANING &amp; DANA LYNN GRAVES<br/>ZONING: R-A<br/>LAND USE: RESIDENTIAL</p> <p>⑩ TAX PARCEL: 53-A-1<br/>OWNERS: JEFFERY HAYDEN<br/>ZONING: R-A<br/>LAND USE: UNDEVELOPED</p> |
|---|--|

**GAY AND NEEL, INC.**  
 ENGINEERING • LAND PLANNING • SURVEYING  
 1260 Radford Street  
 Christiansburg, Virginia 24073  
 Phone: (540) 381-6011  
 Fax: (540) 381-2773  
 Email: info@gayandneel.com  
 Web: www.gayandneel.com

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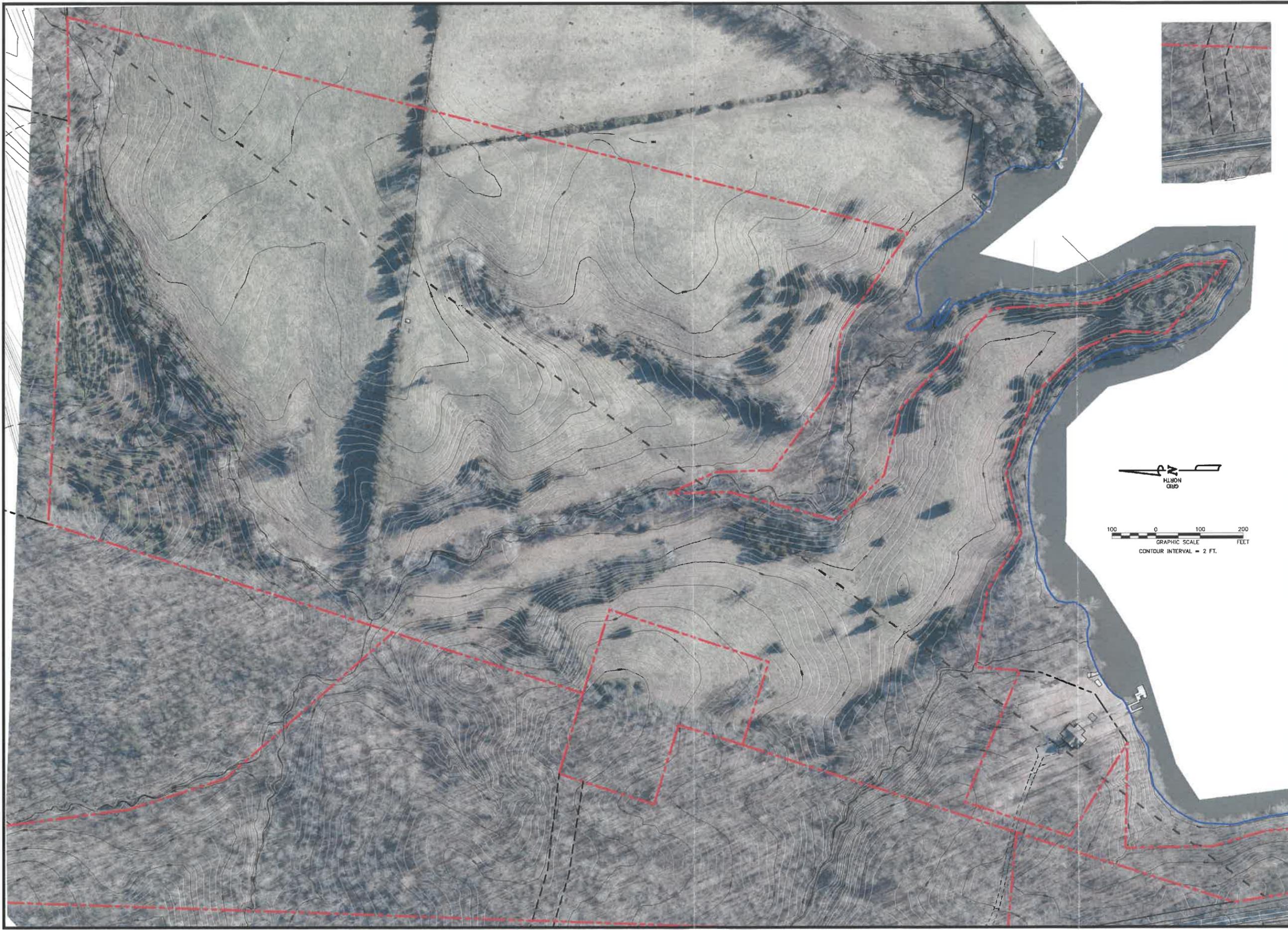
## ORANGE COUNTY RESORT

ORANGE COUNTY, VIRGINIA

REVISIONS		
NO.	COMMENTS	DATE

PROJECT TEAM	
PIE	JOHN T. NEEL, PE
PM	MICHAEL G. GAY, PE
DESIGN	ZG
ISSUE DATE	
05/11/2020	
GNI JOB NO.	
2945	
SHEET TITLE	
TAX MAP	
SHEET NUMBER	
1 OF 1	

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## ORANGE COUNTY RESORT

ORANGE COUNTY, VIRGINIA

REVISIONS		
NO.	COMMENTS	DATE

PROJECT TEAM	
PIC	JOHN T. NEEL, PE
PM	MICHAEL G. GAY, PE
DESIGN	ZG

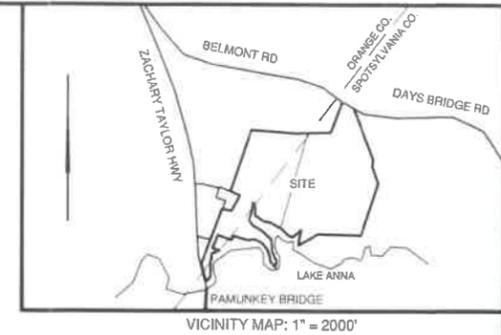
ISSUE DATE: 05/11/2020

GNI JOB NO. 2945

SHEET TITLE: EXISTING CONDITION

SHEET NUMBER: 1 OF 1

INSTRUMENT # 190015576  
 RECORDED IN CLERK'S OFFICE OF SPOTSYLVANIA ON  
 Sep 16, 2019 AT 09:20 am  
 CHRISTALYN M. JETT by M/LA



- GENERAL NOTES:
1. NO TITLE REPORT FURNISHED.
  2. EASEMENTS MAY EXIST THAT ARE NOT SHOWN HEREON.
  3. THIS PROPERTY IS ZONED R-A
  4. THE 58.579 ACRE PARCEL SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY.

OWNER:  
 JEFFREY HAYDEN  
 16736 DAYS BRIDGE ROAD  
 ORANGE, VA 22960

OWNER'S CONSENT AND DEDICATION  
 THE CREATION OF THE PARCELS OF LAND SHOWN ON THIS PLAT, CONTAINING 136.5 ACRES, MORE OR LESS, AND DESIGNATED AS TAX MAP 53-A-1, SITUATED IN THE LIVINGSTON MAGISTERIAL DISTRICT, IN THE COUNTY OF SPOTSYLVANIA, VIRGINIA, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS THEREOF, ALL STREETS, ACCESS EASEMENTS OR ACCESSES FOR THIS PARCEL ARE PRIVATE AND DO NOT COMPLY WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) REQUIREMENTS FOR ACCEPTANCE INTO THE SECONDARY SYSTEM AND WILL NOT BE MAINTAINED BY EITHER THE COUNTY OR VDOT. THE STREETS, ACCESS EASEMENTS OR ACCESSES SHALL BE MAINTAINED BY THE OWNERS OF THE PARCEL AND/OR THE OWNERS OF DWELLINGS LOCATED ON SUCH PARCELS THAT USE THE STREET, ACCESS EASEMENTS OR ACCESSES. PRIOR TO ANY FUTURE REQUEST FOR THEIR ADDITION TO THE STATE SECONDARY SYSTEM, THESE STREETS, ACCESS EASEMENTS OR ACCESSES MUST BE DEVELOPED IN FULL COMPLIANCE WITH VDOT REQUIREMENTS IN EFFECT AT THAT TIME. ANY SUCH DEVELOPMENT SHALL BE AT THE EXPENSE OF THE OWNERS OF THE PARCELS AND/OR DWELLINGS LOCATED ON SUCH PARCELS WHO USE THE STREETS, ACCESS EASEMENT OR ACCESSES. THE UNDERSIGNED OWNERS CERTIFY THAT PARCEL 53-A-1 WAS CREATED ON OR PRIOR TO FEBRUARY 12, 2002, THAT ANNUAL DIVISIONS HAVE RESULTED IN NO MORE THAN 6 LOTS AND THAT THE TOTAL DIVISIONS HAVE RESULTED IN NO MORE THAN 10 LOTS.

THE SAID 136.5 ACRES, MORE OR LESS, OF LAND HEREBY SUBDIVIDED HAVING BEEN CONVEYED TO JEFFREY HAYDEN, BY WILL RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF SPOTSYLVANIA COUNTY, VIRGINIA AS INSTRUMENT #20050000142.

GIVEN UNDER MY HAND THIS 27<sup>th</sup> DAY OF August, 2019.

Jeffrey Hayden (SEAL)  
 JEFFREY HAYDEN

COMMONWEALTH OF Virginia TO WIT:  
 CITY/COUNTY OF Orange  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY JEFFREY HAYDEN THIS 27<sup>th</sup> DAY OF August, 2019.  
 MY COMMISSION EXPIRES THE 31<sup>st</sup> DAY OF January, 2022.  
 MY REGISTRATION # IS:

J. Bryant Griffith NOTARY PUBLIC  
Jiffany Bryant Griffith PRINTED NAME

FLOOD PLAIN NOTE  
 PORTIONS OF THE LAND HEREON ARE LOCATED IN THE F.I.R.M. 100-YEAR SPECIAL FLOOD AREA ZONE "A", AS INDICATED ON FEMA MAP #5103080125C, DATED FEBRUARY 18, 1998 AND FEMA MAP #51137C0325D (ORANGE COUNTY, VIRGINIA), DATED JANUARY 2, 2008 IS SO DESIGNATED HEREON.

CHESAPEAKE BAY PRESERVATION ACT NOTES  
 - CBPA IS AN OVERLAY DISTRICT FOR THE ENTIRE SPOTSYLVANIA COUNTY AND THE PARCEL DESCRIBED WITHIN THIS PLAN LIES WITHIN THE RMA FEATURES AND DOES CONTAIN RPA FEATURES WITHIN THE CHESAPEAKE BAY PRESERVATION AREA OVERLAY DISTRICT.  
 - RESOURCE PROTECTION AREA (RPA) IS A 100 FOOT WIDE BUFFER AREA THAT SHALL REMAIN UNDISTURBED AND VEGETATED IN ACCORDANCE WITH SPOTSYLVANIA COUNTY CODE CHAPTER 6A - CHESAPEAKE BAY PRESERVATION.  
 - RPA SHOWN PER COUNTY MAPS

ROAD MAINTENANCE NOTES  
 A) THE LOT IS SERVED BY A PRIVATELY MAINTAINED ROAD AND WILL NOT BE MAINTAINED BY THE STATE OR COUNTY. ANY COSTS NECESSARY TO BRING THE ROAD TO A CONDITION QUALIFYING IT FOR ACCEPTANCE AS PART OF THE SECONDARY SYSTEM OF STATE HIGHWAYS SHALL BE SUSTAINED FROM RESOURCES OTHER THAN THOSE ADMINISTERED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND THE COUNTY OF SPOTSYLVANIA OR ANY OTHER PUBLIC AGENCY;  
 B) SCHOOL BUS SERVICE SHALL NOT BE PROVIDED BY THE COUNTY ALONG PRIVATE ROADS, LANES OR STREETS; UNLESS APPROVED BY THE SPOTSYLVANIA COUNTY SCHOOL BOARD;  
 C) UNITED STATES POSTAL SERVICE SHALL NOT BE PROVIDED ALONG PRIVATE ROADS LANDS OR STREETS; UNLESS APPROVED BY THE UNITED STATES POSTAL SERVICE;  
 D) THE EXPENSE AND RESPONSIBILITY FOR MAINTAINING THE ROADS WITHIN THE DEVELOPMENT SHALL BE PAID FOR AND BORNE BY THE LOT OWNERS AND/OR DEVELOPER, AS THE CASE MAY BE;  
 E) IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER FOR THE INITIAL CONSTRUCTION AND SUBSEQUENT MAINTENANCE, IF ANY, OF THE ROADS. IF THE ROADS ARE TO BE MAINTAINED BY A PROPERTY OWNERS ASSOCIATION OR OTHER LEGAL ENTITY, THE DISCLOSURE MUST CLEARLY SO INFORM THE BUYER.

VDOT APPROVAL REQUIRED PRIOR TO ACCESS TO ALL PUBLIC ROADS  
 THIS PARCEL WAS PLATTED WITHOUT DEMONSTRATING SEPTIC CAPACITY MEETING THE REQUIREMENTS OF SPOTSYLVANIA COUNTY CODE CHAPTER 6A.

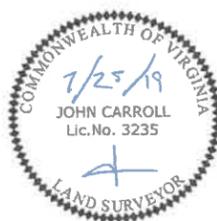
APPROVAL AND ACCEPTANCE  
 UNDER THE AUTHORITY OF THE ORANGE COUNTY SUBDIVISION AND ZONING ORDINANCES, ACTING FOR AND ON BEHALF OF ORANGE COUNTY, VIRGINIA, THE HEREON DIVISION PLAT IS HEREBY APPROVED FOR RECORDATION. THE ORANGE COUNTY SUBDIVISION AGENT IS A SIGNATORY TO THIS PLAT ONLY TO THE EXTENT THAT IT PERTAINS TO PROPERTIES LOCATED IN ORANGE COUNTY.  
Sandra B. Thornton for R. Bryan Ward 8/27/19  
 ORANGE COUNTY SUBDIVISION AGENT DATE

BASED ON THE REPRESENTATIONS CONTAINED IN THE OWNER'S CONSENT, THIS PLAT DOES NOT CONSTITUTE A "SUBDIVISION" AS DEFINED IN SECTION 20-2.1.3 OF THE SPOTSYLVANIA COUNTY CODE. FURTHER DIVISION OF THIS PARCEL OR THE PARENT PARCEL MAY CONSTITUTE A "SUBDIVISION" AND REQUIRE COMPLIANCE WITH THE COUNTY SUBDIVISION ORDINANCE.  
Wanda Paul 9/11/19  
 COUNTY ADMINISTRATOR OR AGENT OF THE COUNTY BOARD OF SUPERVISORS DATE

THE PROPERTY BEING SUBDIVIDED ON THIS PLAT IS LOCATED IN SPOTSYLVANIA COUNTY, NOT ORANGE COUNTY.

NOTICE:  
 APPROVAL AND/OR RECORDING OF THIS PLAT DOES NOT CONSTITUTE ASSURANCE THAT PUBLIC SEWER OR PUBLIC WATER SERVICE WILL BE AVAILABLE TO SERVE THE LAND DESCRIBED ON THIS PLAT AT ANY PARTICULAR TIME.

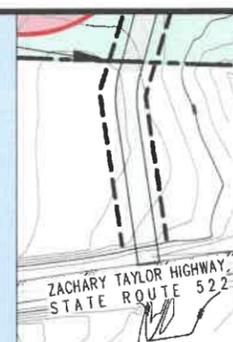
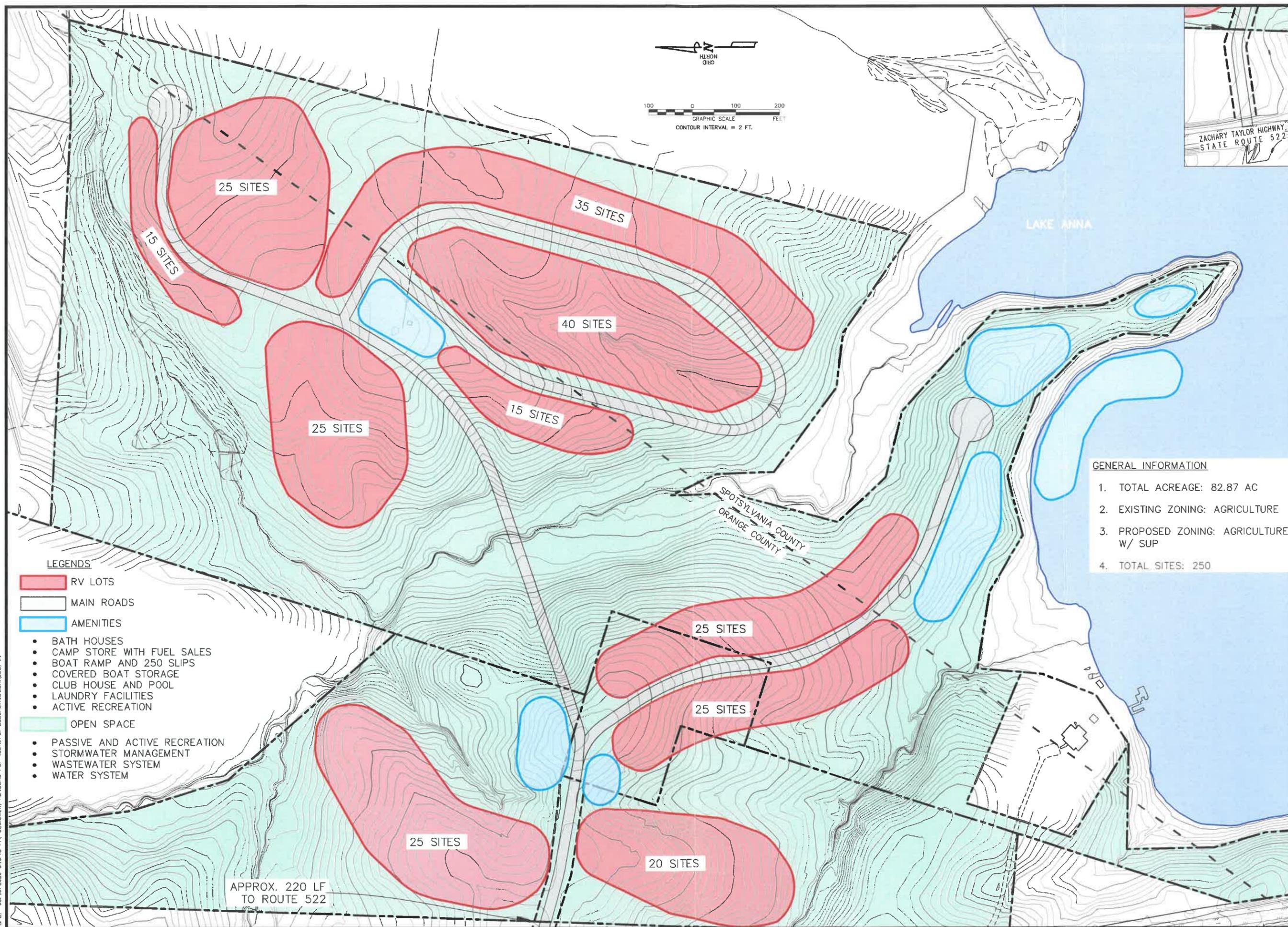
REVISION BLOCK
7-22-19: REVISED PER COUNTY COMMENTS OF 5-22-19



ANNUAL EXEMPT DIVISION PLAT  
**TAX MAP 53-A-1**  
 LIVINGSTON MAGISTERIAL DISTRICT SPOTSYLVANIA COUNTY, VIRGINIA  
 AND  
 TAYLOR MAGISTERIAL DISTRICT ORANGE COUNTY, VIRGINIA  
 SCALE: 1" = 200' AUGUST 31, 2017  
 REVISED APRIL 3, 2019  
**LAKE ANNA LAND SURVEYS**  
 362 OVERTON DRIVE MINERAL, VIRGINIA 23117  
 540-894-7550  
 SHEET 1 OF 2



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**ORANGE COUNTY RESORT**  
 ORANGE COUNTY, VIRGINIA

- GENERAL INFORMATION**
1. TOTAL ACREAGE: 82.87 AC
  2. EXISTING ZONING: AGRICULTURE
  3. PROPOSED ZONING: AGRICULTURE W/ SUP
  4. TOTAL SITES: 250

- LEGENDS**
- RV LOTS
  - MAIN ROADS
  - AMENITIES
    - BATH HOUSES
    - CAMP STORE WITH FUEL SALES
    - BOAT RAMP AND 250 SLIPS
    - COVERED BOAT STORAGE
    - CLUB HOUSE AND POOL
    - LAUNDRY FACILITIES
    - ACTIVE RECREATION
  - OPEN SPACE
    - PASSIVE AND ACTIVE RECREATION
    - STORMWATER MANAGEMENT
    - WASTEWATER SYSTEM
    - WATER SYSTEM

REVISIONS		
NO.	COMMENTS	DATE

PROJECT TEAM	
PIE	JOHN T. NEEL, PE
PM	MICHAEL G. GAY, PE
DESIGN	ZG
ISSUE DATE	
05/11/2020	
GNI JOB NO.	
2945	
SHEET TITLE	
CONCEPT PLAN	
SHEET NUMBER	
1 OF 1	

Orange County Resort, A High End Motorcoach Resort

---

TRAFFIC REPORT

Virginia Department of Transportation  
 Traffic Engineering Division  
 2019  
 Annual Average Daily Traffic Volume Estimates By Section of Route  
 Primary and Interstate Routes

Route	Jurisdiction	Length	AADT	QA	4Tire	Bus	2Axle 3+Axle	1Trail	2Trail	QC	K Factor	QK Factor	Dir Factor	AAWDT	QW
522 Zachary Taylor Hwy	Orange County	8.87	3200	G	92%	1%	1%	1%	5%	0%	C 0.091	F 0.604	F 0.604	3200	G
522 Zachary Taylor Hwy	Orange County	6.84	6500	G	92%	1%	1%	1%	5%	0%	F 0.095	F 0.633	F 0.633	6500	G
522 Zachary Taylor Hwy	Culpeper County	6.36	6600	G	93%	0%	1%	2%	4%	0%	F 0.087	F 0.596	F 0.596	6600	G
522 Zachary Taylor Hwy	Culpeper County	0.92	8500	G	93%	0%	1%	2%	4%	0%	C 0.090	F 0.585	F 0.585	8600	G
522 3 Germanna Hwy	Culpeper County	0.32	17000	G	93%	0%	1%	1%	4%	0%	C 0.084	F 0.564	F 0.564	17000	G
522 3 Germanna Hwy	Culpeper County	0.34	12000	G	96%	0%	1%	1%	2%	0%	C 0.084	F 0.566	F 0.566	13000	G
522 3 Germanna Hwy	Town of Culpeper	0.96	8600	G	96%	0%	1%	1%	2%	0%	F 0.093	F 0.532	F 0.532	9100	G
522 15 Germanna Highway	Town of Culpeper	0.12	5200	G	97%	0%	1%	0%	1%	0%	C 0.092	F 0.538	F 0.538	5500	G
522 15 29 Main St	Town of Culpeper	0.26	11000	G	98%	0%	1%	0%	1%	0%	C 0.077	F 0.526	F 0.526	12000	G
522 15 29 Main St	Town of Culpeper	0.59	17000	G	98%	0%	1%	0%	1%	0%	F 0.077	F 0.526	F 0.526	18000	G
522 Evans St	Town of Culpeper	0.08	6900	G	98%	0%	1%	0%	1%	0%	F 0.086	F 0.552	F 0.552	7300	G
522 Evans St	Town of Culpeper	1.44	10000	G	98%	0%	1%	0%	1%	0%	C 0.088	F 0.617	F 0.617	11000	G
522 Sperryville Pike	Culpeper County	7.34	6300	G	97%	0%	1%	1%	1%	0%	C 0.083	F 0.568	F 0.568	6400	G
522 Sperryville Pike	Culpeper County	0.93	2300	G	97%	0%	1%	1%	1%	0%	F 0.088	F 0.560	F 0.560	2300	G
522 Zachary Taylor Ave	Rappahannock County	4.67	2100	F	95%	1%	2%	1%	2%	0%	C 0.096	F 0.634	F 0.634	2000	F
522 Zachary Taylor Ave	Rappahannock County	4.02	1900	F	94%	1%	2%	1%	2%	0%	C 0.095	F 0.605	F 0.605	1900	F
522 Sperryville Pike	Rappahannock County	0.66	3800	F	94%	0%	1%	2%	2%	0%	C 0.091	F 0.539	F 0.539	3700	F

## Campground/Recreational Vehicle Park (416)

**Vehicle Trip Ends vs: Occupied Campsites**  
**On a: Weekday,**  
**Peak Hour of Adjacent Street Traffic,**  
**One Hour Between 7 and 9 a.m.**

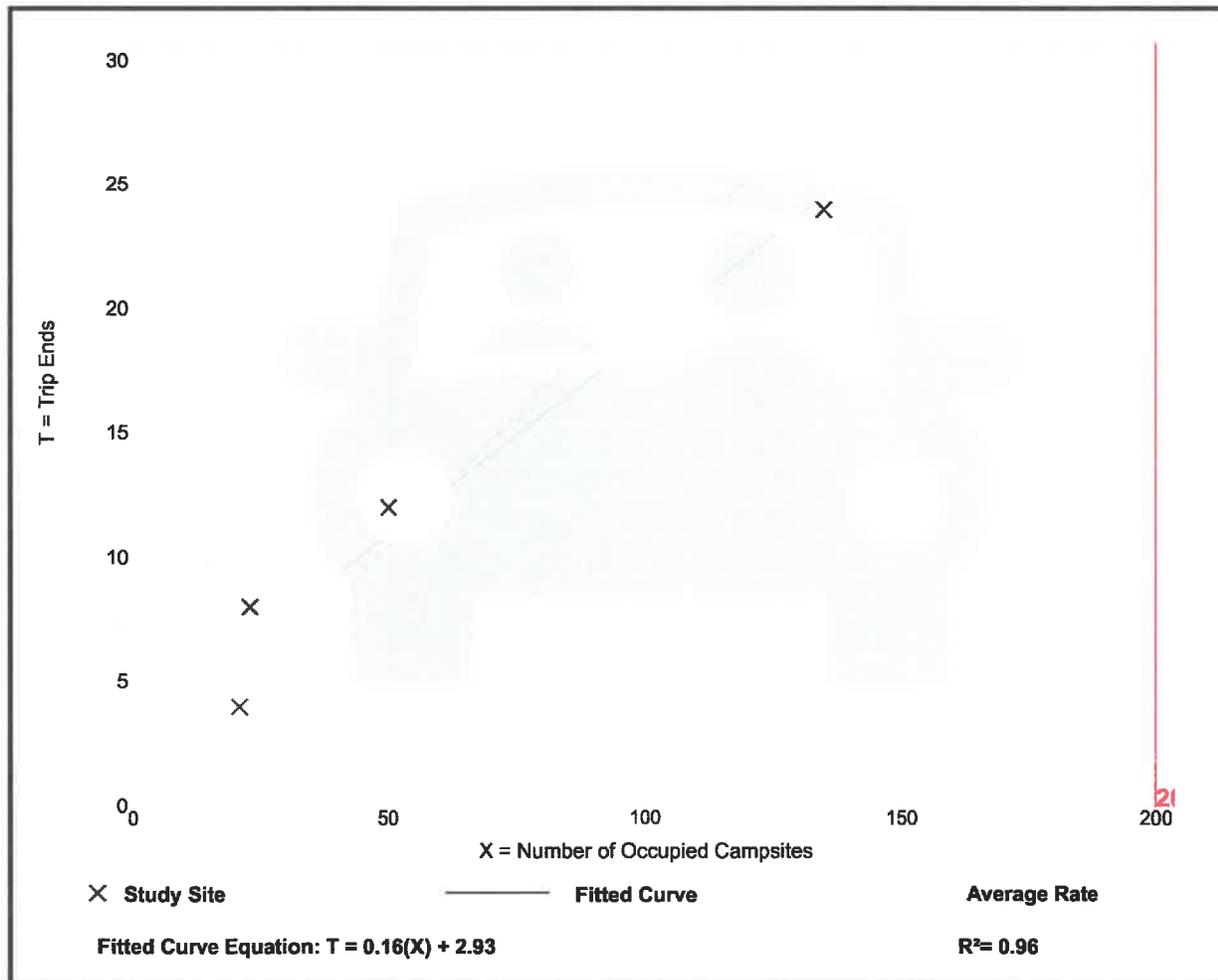
**Setting/Location: General Urban/Suburban**  
 Number of Studies: 4  
 Avg. Num. of Occupied Campsites: 57  
 Directional Distribution: 36% entering, 64% exiting

### Vehicle Trip Generation per Occupied Camp Site

Average Rate	Range of Rates	Standard Deviation
0.21	0.18 - 0.35	0.06

### Data Plot and Equation

*Caution – Small Sample Size*



*Trip Gen Manual, 10th Edition • Institute of Transportation Engineers*

# Campground/Recreational Vehicle Park (416)

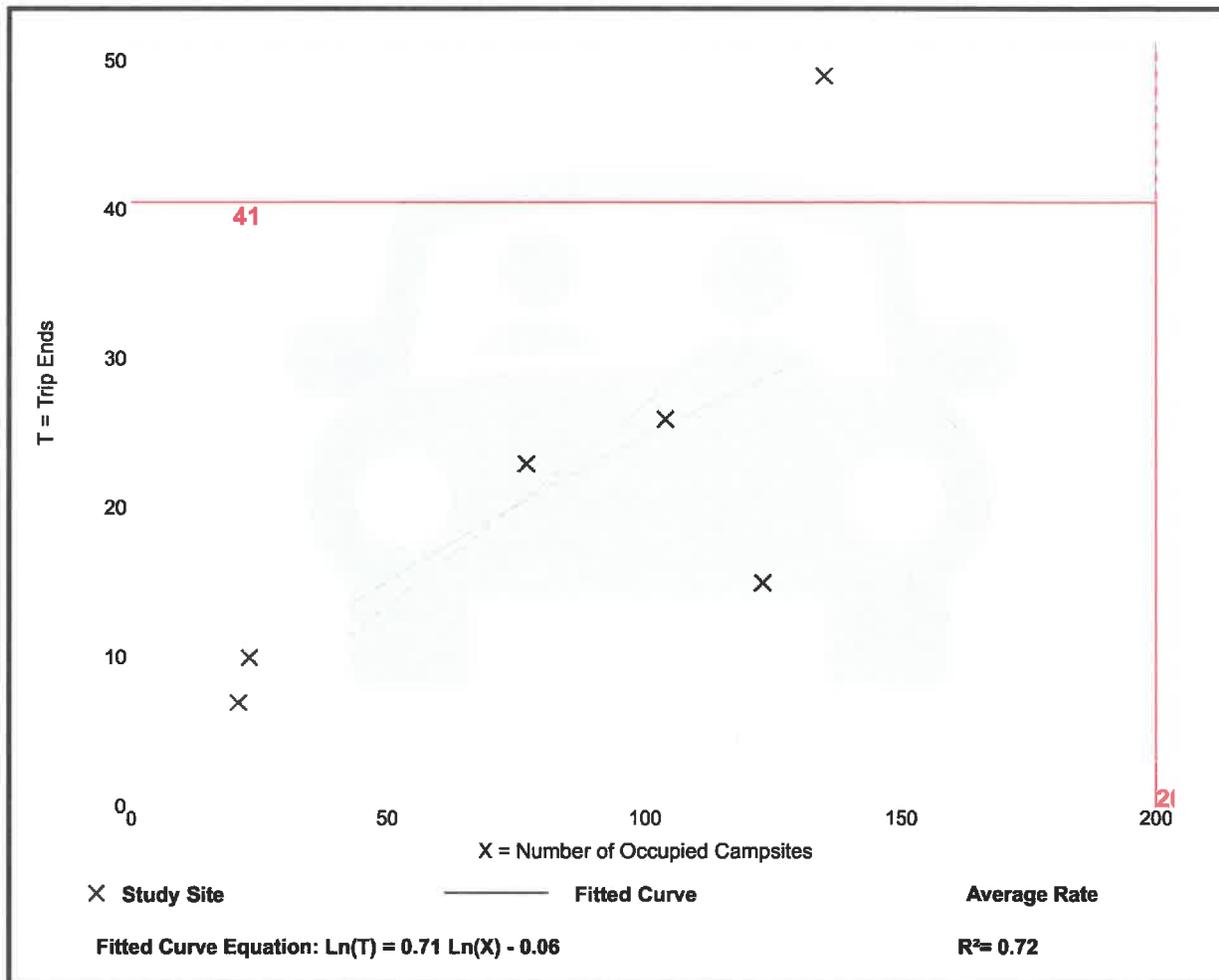
**Vehicle Trip Ends vs: Occupied Campsites**  
**On a: Weekday,**  
**Peak Hour of Adjacent Street Traffic,**  
**One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**  
 Number of Studies: 6  
 Avg. Num. of Occupied Campsites: 81  
 Directional Distribution: 65% entering, 35% exiting

## Vehicle Trip Generation per Occupied Camp Site

Average Rate	Range of Rates	Standard Deviation
0.27	0.12 - 0.43	0.11

## Data Plot and Equation



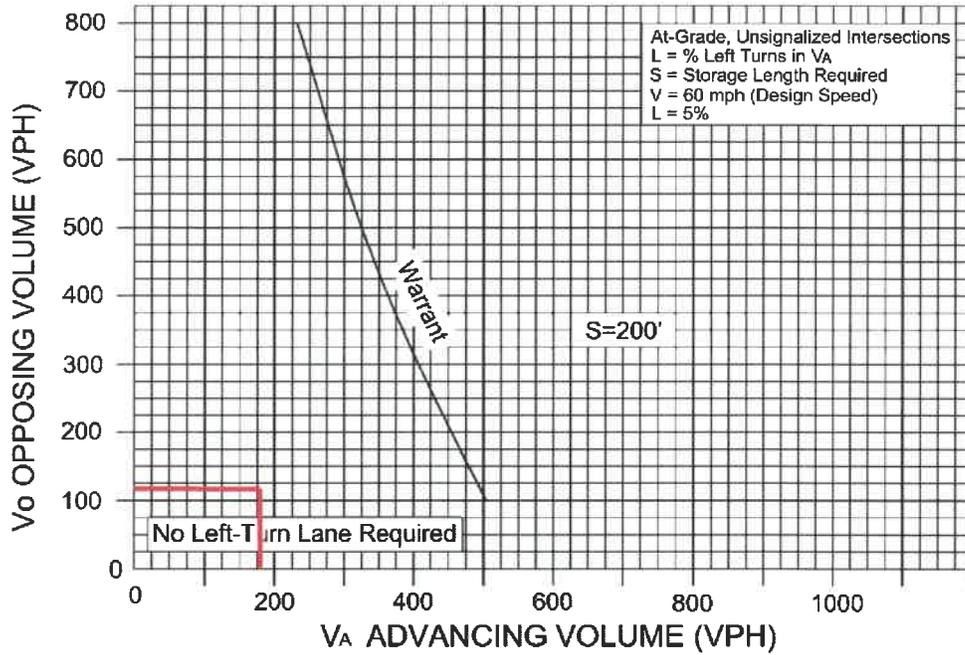
*Trip Gen Manual, 10th Edition* • Institute of Transportation Engineers

TRIP GENERATION ESTIMATES

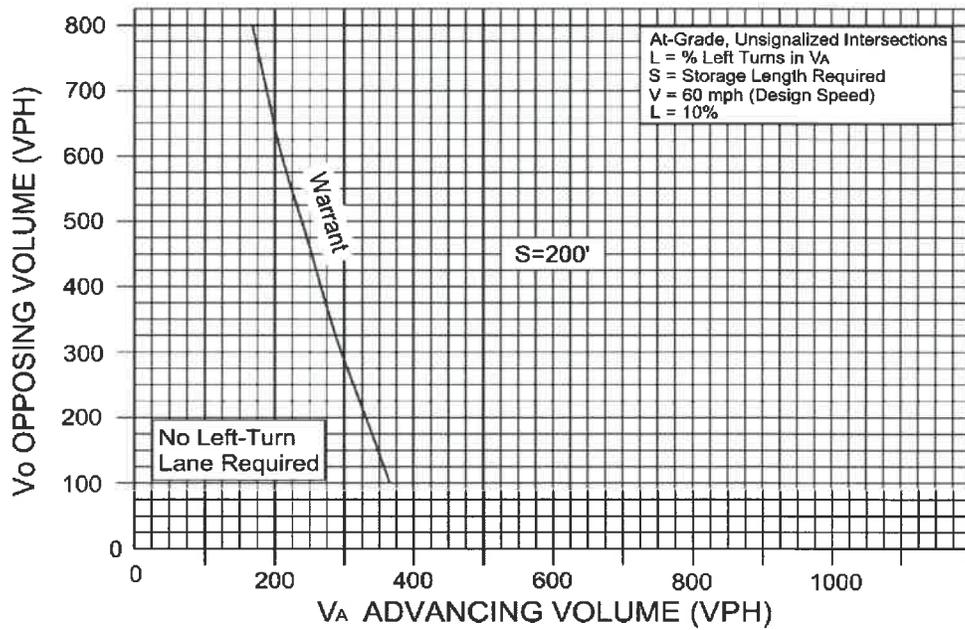
Land Use Code (ITE, 10th edition)	Variable	VPD (Trip Ends)	SubTotal VPD (enter)	AM Peak (enter)	AM Peak (exit)	PM Peak (enter)	PM Peak (exit)	Internal Capture (%)	Pass By (%)	Primary VPD (enter)	Primary VPD (exit)	Primary AM Peak (enter)	Primary AM Peak (exit)	Primary PM Peak (enter)	Primary PM Peak (exit)
416-Recreational Vehicle Park - Occupied Campsites	200	54	35	15	27	35	19	25	0	26	14	11	20	26	14
<b>TOTALS</b>										<b>26</b>	<b>14</b>	<b>11</b>	<b>20</b>	<b>26</b>	<b>14</b>
										<b>40 Total Trip Ends added to Route 522</b>					



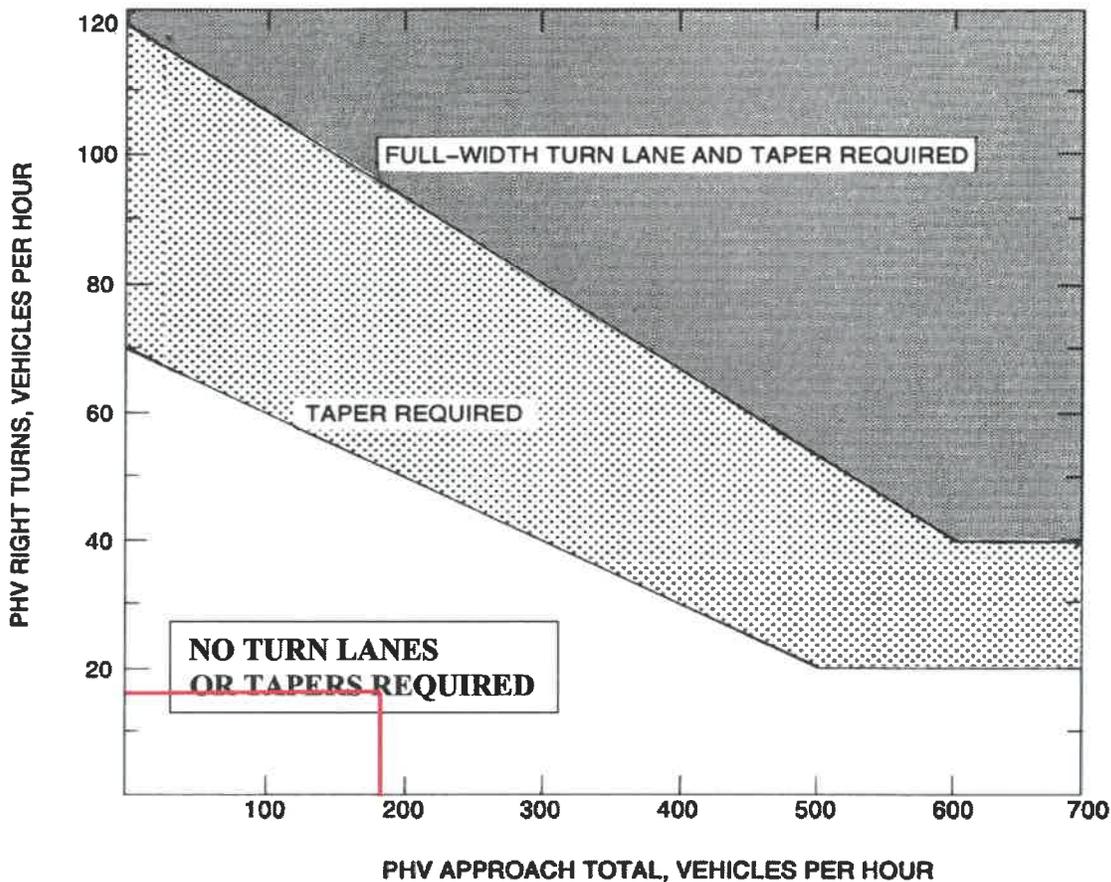
**WARRANT FOR LEFT-TURN STORAGE LANES ON TWO-LANE HIGHWAY**



**FIGURE 3-17**



**FIGURE 3-18**



Appropriate Radius required at all Intersections and Entrances (Commercial or Private).

**LEGEND**

**PHV** - Peak Hour Volume (also Design Hourly Volume equivalent)

**Adjustment for Right Turns**

For posted speeds at or under 45 mph, PHV right turns > 40, and PHV total < 300.

Adjusted right turns = PHV Right Turns - 20

If PHV is not known use formula:  $PHV = ADT \times K \times D$

K = the percent of AADT occurring in the peak hour

D = the percent of traffic in the peak direction of flow

Note: An average of 11% for K x D will suffice.

When right turn facilities are warranted, see Figure 3-1 for design criteria.\*

**FIGURE 3-26 WARRANTS FOR RIGHT TURN TREATMENT (2-LANE HIGHWAY)**

\* Rev. 1/15

## Tracey Newman

---

**From:** Sandra Thornton  
**Sent:** Wednesday, August 5, 2020 5:49 AM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing; Trevor Kimzey; Lonnie Carter; GARY GRIFFITH  
**Subject:** FW: RV park SUP

Good morning,

We have received some comments on SUP 20-02, which I am forwarding. Given the procedure by which we handled public comment for the remote meetings involving SUP 20-01, which is the same process by which the BOS is handling public comments while they are meeting remotely, we will be recommending that the public hearing remain open until your next meeting for the receipt of written comments. As you know, when SUP 20-02 was advertised and the deadline for receipt of written comments was published, we anticipated an in-person public hearing at which interested persons could speak. Accordingly, you will note that some comments have been received since Monday, and I am forwarding those, as well.

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

**From:** Cynthia Whitman <cynwhit@gmail.com>  
**Sent:** Saturday, August 1, 2020 9:28 AM  
**To:** Sandra Thornton <sthorton@orangecountyva.gov>  
**Cc:** Mark Warren <rivandalefarm@aol.com>; Katie.hand@icloud.com  
**Subject:** RV park SUP

Please distribute to The Planning Commission

I am frustrated by the fact that we need to address another request for an RV camping business. Perhaps the assumption of the applicants of the most recent SUP is that we will tire and let down our guard.

My husband and I did not come to Orange County to fight with people. We came for a love of the land, to promote agriculture and conservation and to enjoy the out-of-doors. Our investment here includes leasing land and the improvements on it to a local family owned farming business and we retired the wetlands on our property to conservation. The entire farm is in easement. We have an expectation that the commitment we have made is a sound one, knowing that a large part of the county is in agricultural zoning and that many properties are in conservation easement. We thought these facts meant we were coming to a community of like-minded individuals. Lately there seems to be increasing pressure to "bust" zoning for the purpose of commercial economic gain.

I grew up in a rural area and witnessed its transformation into a suburban hub. "Growth" chipped away at the landscape. The short term tax gains were eroded and then completely eclipsed by the need to add infrastructure.

We don't have to make that mistake in Orange County. With wisdom and forethought we can deny haphazard development and the associated assault to our peace and quiet. If we proceed with care the value of the land will rise to reflect its beauty, fertility and the wisdom of its stewards.

If you think the location of the property named in the SUP application will not affect you, rest assured that the next request for an RV park or other non-agricultural use will be in your backyard.

Respectively submitted,  
Cynthia Whitman  
Rapidan Road  
Orange, Virginia

## Tracey Newman

---

**From:** Sandra Thornton  
**Sent:** Wednesday, August 5, 2020 5:52 AM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing; Trevor Kimzey; Lonnie Carter; GARY GRIFFITH  
**Subject:** FW: RV Park

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

**From:** Essie Rossi <emrossi76@gmail.com>  
**Sent:** Monday, August 3, 2020 2:07 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** RV Park

Ms. Thornton,

I am writing to express our concerns over the RV Park plan the Hayden's have for their property on Lake Anna. As homeowners in Orange County on 17 plus acres, with lake frontage, we do not feel the permit should be approved. Among many concerns are:

- \* 522 safety concerns with large RVs turning in and out of their drive. 522 has had many serious and fatal accidents over the years. Large RVs pulling boats and cars are a road safety issue themselves.

Note: Christopher Run down 522 has no turn lane north or south and there are many safety issues with traffic in and out.

- \* inadequate roadway structure leading to the park through Orange County, two lane Route 20 and two lane 522, including all the other backroads leading to Lake Anna. The mere pittance in tax revenue from the small portion of the park in Orange County will not fund repairs or improvements needed for the inevitable wear and tear from 250 large RVs on our county roads.

- \* availability of ground water and the affect on the aquifer below.

- \* environmental concerns re: pollution of ground water and runoff in to the lake

- \* Fire and rescue services are inadequate to service this large park. Possibly many seniors with emergent health issues and already an inadequate response time to this far end of Orange County.

- \* increased boat traffic on the lake with out of town/state folks with no adherence to safety laws

- \* noise concerns for Pamunkey Point homeowners and others on this portion of the lake who live here full time

- \* concern that since the smaller piece of land is in Orange County, that the Spotsylvania portion will be regulated differently and Orange regulations will not be enforced.

- \* this would use Orange County roads and services to get to other county's stores and restaurants, which would leave us with no tax income or benefit.

Orange should deny the permit and let the Hayden's downscale the park to Spotsylvania land only. Decisions between the two counties have not been easily solved in the past from what we have experienced, so a consensus may be difficult to attain.

We do not believe there will be ANY economic boom for Orange County. The high income affluent people will go to closer stores and restaurants in Louisa and Spotsylvania counties.

Thanks,  
Essie and Joseph Rossi

--  
Essie Rossi

TO: Orange County Planning and Zoning Members  
August 3, 2020

**CONCERN:**

Special Use Permit requested by Jeffery and Donna Hayden to create a 250 unit recreational vehicle (RV) park on nearly 83 acres of agriculturally zoned land in Spotsylvania County.

1. The proposed access would be off of US Route 522 in Orange County. As a resident on this highway, the traffic already prohibits me from enjoying being outside my home at peak times of day and on weekends. This proposed RV park will be an added traffic problem and congestion. NOTE: It would be advisable if a traffic count could be taken to determine if this 2 lane road can take additional traffic.
2. This land is in Spotsylvania County and has access off Route 719, therefore access off of Rt 522 is not needed.
3. This RV Park will devalue adjoining property for single family homes for the reason stated in item #1.
4. Adjoining land is zoned agriculture and it is necessary to use Rt 522 for moving farm equipment. The heavier the traffic the more dangerous is for local farmers.
5. There are no restaurants or stores near the requested entrance in Orange County, therefore it is of no benefit to Orange County.
6. Request serious consideration be given to the above before voting to approve this application.

Thank you,



Vernon R. Jones

## Tracey Newman

---

**From:** Christopher Hawk <chawk@pecva.org>  
**Sent:** Monday, August 3, 2020 3:50 PM  
**To:** Sandra Thornton  
**Cc:** Tracey Newman; Theodore Voorhees; Jim crozier; Donald Brooks  
**Subject:** Re: Public Comment for Orange County Resort - SU 20-02  
**Attachments:** Updated Orange County Resort - SU 20-02 - Piedmont Environmental (8-3-20) .pdf

Sandra et al,

Please include the following statement as an addendum to my previous email. The attached document should now serve as PEC's public comments for the Orange County Resort public hearing.

**PEC recommends that the public hearing be tabled for two (2) weeks, in order for the public comment period to be appropriately extended, especially in the light of the ongoing COVID-19 pandemic and the format change (in-person public hearing replaced by virtual meeting without a public comment period).**

Regards,  
Chris

On Mon, Aug 3, 2020 at 3:00 PM Christopher Hawk <[chawk@pecva.org](mailto:chawk@pecva.org)> wrote:  
Good Afternoon Sandra et al,

Please find attached PEC's public comments for the Orange County Resort public hearing.

Regards,  
Chris



Christopher M. Hawk  
Field Representative - Culpeper, Orange & Madison  
804.337.6716

*Contributions make our work possible. [Become a member today!](#)*



Christopher M. Hawk  
Field Representative - Culpeper, Orange & Madison  
804.337.6716

*Contributions make our work possible. [Become a member today!](#)*



August 3, 2020

Orange County Planning Commission  
Orange County Department of Planning Services  
% Sandra Thornton, Manager  
128 West Main Street  
Orange, VA 22960  
(Transmitted via email)

Re: SUP 20-02 Orange County Resort, LLC

Dear Ms. Thornton and Members of the Planning Commission,

The Piedmont Environmental Council (PEC) respectfully submits these public comments regarding the Orange County Resort, LLC Special Use Permit (SUP 20-02). Please include these comments in the public record and read them aloud on my behalf during the public hearing.

**PEC recommends the following be addressed prior to making a recommendation to the Board of Supervisors:**

- **PEC recommends that the public hearing be tabled for two (2) weeks, in order for the public comment period to be appropriately extended, especially in the light of the ongoing COVID-19 pandemic and the format change (in-person public hearing replaced by virtual meeting without a public comment period). Application documents were not made available to the public until Friday, July 31. The public notice requested that public comments be submitted prior to 5:00 p.m. on Monday, August 3, which is only one (1) business day after the application documents were available for the public to review. The public notice does not fully describe the conditions and details proposed in SUP 20-02; therefore, the public should be afforded more than one (1) business day to review, analyze, and comment upon the application.**
- **PEC recommends that each of the 250-units be referred to as “RV Sites” or “Motorcoach Sites” that are for lease, and that they not be**



considered as “lots” or “sites” for sale. The conditions of SUP 20-02 should restrict these “RV Sites” or “Motorcoach Sites” for leasing purposes only. The “RV Sites” or “Motorcoach Sites” should not be for sale nor subdivided from their parent parcel(s).

- **PEC recommends that more information be provided, in regards to the “Wastewater Collection, Treatment, and Disposal System”.** Due to the proposed site’s proximity to Lake Anna and Pamunkey Creek, sewer conditions could further impact the impaired water quality of both Lake Anna and Pamunkey Creek<sup>1,2,3</sup>.
- **PEC recommends that the east boundary of the property be buffered to mitigate impacts upon the adjoining residential and agricultural neighbors.**

In order to protect the public health, safety, and welfare of Orange County, PEC recommends that more information and solutions be provided to address the above concerns. **A recommendation should not be made to the Board of Supervisors until SUP 20-02 provides the clarity necessary for the public to fully understand any potential impacts.**

Thank you for taking the time to review the Piedmont Environmental Council’s concerns on this important matter. Please feel free to contact me with any questions or requests for additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Hawk".

**Christopher Hawk**

Land Use Representative - The Piedmont Environmental Council  
11395 Constitution Highway  
PO Box 195  
Montpelier Station, Virginia 22957

---

<sup>1</sup> Benthic Macroinvertebrates Bioassessments, Assessment Unit (VAN-F07R\_PMC02A02), [Virginia Department of Environmental Quality, Appendix 1a - 2020 List of Category 5 Impaired Waters](#)

<sup>2</sup> PCBs in Fish Tissue, Assessment Units (VAN-F07R\_PMC01A04, VAN-F07L\_PMC02A02), [https://www.deq.virginia.gov/Portals/0/DEQ/Water/WaterQualityAssessments/IntegratedReport/2020/ir20\\_Appendix5\\_Category4or5\\_FactSheets\\_Detailed-York.pdf](https://www.deq.virginia.gov/Portals/0/DEQ/Water/WaterQualityAssessments/IntegratedReport/2020/ir20_Appendix5_Category4or5_FactSheets_Detailed-York.pdf)

<sup>3</sup> Escherichia coli (E. coli), Assessment Units (VAN-F07R\_PMC01A00, VAN-F07R\_PMC02A02)

## Tracey Newman

---

**From:** Sandra Thornton  
**Sent:** Wednesday, August 5, 2020 5:53 AM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing; Trevor Kimzey; Lonnie Carter; GARY GRIFFITH  
**Subject:** FW: RV Park Resort SUP

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

**From:** Mark Warren <rivandalefarm@aol.com>  
**Sent:** Monday, August 3, 2020 4:13 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Cc:** Jason Capelle <jcapelleorangecounty@gmail.com>; rmj142@yahoo.com  
**Subject:** RV Park Resort SUP

Dear Members of the Planning Commission:

Despite that fact that the Applicant has worked with the County Planning officials for months, the SUP Application was not posted to the County web site until late afternoon Friday, July 31, 2020. Nevertheless, the Planning Commission scheduled this SUP for Public Hearing only four business days later, on August 6, 2020. Even worse, the Planning Commission decreed the requirement that members of the Public must submit written comments by 5:00 pm Monday, August 3--one business day later-- in order to be considered by the Planning Commission.

Very often in the past, members of our County government have praised the SUP process as giving all members off the public a chance to be heard on important proposed land use changes. With all due respect, giving merely four days to prepare for a Public Hearing and only one day to prepare written comments, is giving no meaningful time at all.

When you give members of the public one day, or even four days, to evaluate complex land use changes and articulate their position to help the Planning Commission reach the right conclusion on significant land use changes, you are really giving the public no meaningful chance to participate in the SUP process.

By throwing these SUP proposals at the public with very little time to respond, you are sending the message that you don't care about public input. You are signaling that the Public Hearing itself is simply a box to be checked on your way to doing whatever you want to do.

Since you have given the public inadequate time to evaluate this SUP, please do not grant the SUP at this time. Please postpone your Public Hearing in order to give adequate time to evaluate this Major Commercial Development proposal on Agricultural One zoned land.

Thank you,

Mark Warren

## Tracey Newman

---

**From:** Sandra Thornton  
**Sent:** Wednesday, August 5, 2020 5:56 AM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing; Trevor Kimzey; Lonnie Carter; GARY GRIFFITH  
**Subject:** FW: Special Use Permit 20-0 - VOTE NO

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

**From:** villageroad@verizon.net <villageroad@verizon.net>  
**Sent:** Monday, August 3, 2020 5:15 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>; Jim Hutchison <jhutchison@orangecountyva.gov>; jbbeijlmaker@gmail.com; Donald Brooks <dbrooks@orangecountyva.gov>; George Yancey <gyancey@orangecountyva.gov>; Jason Capelle <jcapelleorangecounty@gmail.com>; R. Mark Johnson (External) <rmarkjohnson142@gmail.com>  
**Cc:** Jim crozier <jcrozier@orangecountyva.gov>; James K. White (External) <jimwhitedistrict2@gmail.com>; Teel Goodwin (external) <teel.goodwin@comcast.net>; Lee Frame <lframe@orangecountyva.gov>  
**Subject:** RE: Special Use Permit 20-0 - VOTE NO

Regarding SUP Orange County RV Park Resort SUP that will also be heard August 6.

RE: A proposal to develop a 250 Unit Recreational Vehicle (RV) Park Resort on 82 acres of land zoned Agricultural 1, has just been announced. The site to be developed, owned by Jeff and Donna Hayden, is along the Orange-Spotsylvania border. The SUP will allow Boating Facilities, Swimming Pool, Tennis and Basketball Courts, Clubhouse, Fitness Center, and a Store to be constructed.

The PC did not post this SUP to the PC web site until July 31 with requirement that all public comments be submitted by August 3 with a Public Hearing set on this RV Park Resort for August 6.

As there has been inadequate time for the public to be notified of this SUP, the process is flawed and you must vote NO to this SUP or postpone it until an adequate measure of time is permitted for public comment.

Why is the county rushing this through? There is no need to do so at this time.

I can only comment at this quick time to say that the traffic up and down 522 will be immeasurably increased only to the detriment of the citizens of Orange County. Please take note of last evening's horrific accident on 522 just below Route 20 where fatalities occurred. Only look at the recent record of accidents up and down 522 over the past year, and you will NOT want to make such quick rush to judgement that this is a great thing for the county.

Respectfully submitted.

Jacque Johnson  
Unionville, VA

## Tracey Newman

---

**From:** Sandra Thornton  
**Sent:** Wednesday, August 5, 2020 5:59 AM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing; Trevor Kimzey; Lonnie Carter; GARY GRIFFITH  
**Subject:** FW: Comments on proposed RV park

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

**From:** William Field <wfieldva@gmail.com>  
**Sent:** Tuesday, August 4, 2020 7:48 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** Comments on proposed RV park

I am very concerned about traffic especially the oversized vehicles this project would bring to the area. Are they going to build deceleration turn lanes and acceleration lanes for the big vehicles.  
In addition this end of the lake has had issues with algae. What assurances are there that the wastewater will not impact the lake.

Thank you for reading this  
Bill Field  
102 Windward Dr  
Orange VA  
434 760 0684

## Tracey Newman

---

**From:** Thomas Graves <tgravesoc@gmail.com>  
**Sent:** Wednesday, August 5, 2020 4:56 PM  
**To:** Tracey Newman  
**Cc:** George Yancey; R. Mark Johnson (External)  
**Subject:** Questions SUP 20-02. Hayden

Ms. Newman,

Thank you for providing the PDF file that the applicant submitted to the county. It is lacking detail that would be needed to make a decision on the proposed project. I have included some of the questions that need answers to.

How will sewer be provided to the scattered RV sites?

How will water be provided? Is there enough ground water to serve the proposed 250 units? It would seem that a Hydrogeologic study would be in order to determine the adequacy of ground water. My sons well on the adjoining property is 350 feet and only produces a gallon and half of water per minute and it is sulfur water.

Will the roads be built to state standards? If not why considering the size and weight of RVs.

Will a second ingress / egress be built along 719? ( in Orange County ) If not why not ? Considering if there was an emergency there needs to be a second access point. A 719 access point would be closes to the nearest fire and rescue station ( Belmont).

The proposal does not call for deceleration and turn lanes on 522. With the volume of existing traffic and how it expected to increase in the future headed to Lake Anna and the size of RVs and their large turning radius, why should the project be approved without the additional lanes?

Will any of the RVs be parked on site on an annual basis? If not how would it be prevented from having people living on site year round?

What protections would be provided for adjoining property owners?

With the availability of RV campgrounds around Lake Anna as well as many available building lots around the lake, why is the proposed project needed or in the best interest of Orange County?

How were the prices of the RV spaces determined? They seem to be out of all proportion to what property is selling for around the lake.

These are a few of the questions that I feel need to be answered before an informed decision can be made on the proposed SIP.

Thomas Graves



**Orange County Planning Commission  
Regular Meeting  
August 6, 2020**

**Agenda Item 5b**



David G. Stoddard, President  
Mid Atlantic Pyrotechnic Arts Guild, Inc.  
3316 Kilkenny Street  
Silver Spring, MD 20924-1735

July 20, 2020

Ms. Sandra Thornton  
Planning Services Manager  
Orange County Virginia  
128 West Main Street  
Orange, VA 22960

Reference: Special Use Permit Application, SUP 20-01

Dear Ms. Thornton:

Please allow this document to serve as formal submittal of clarification and amendment of SUP 20-01, submitted January 17, 2020.

MAPAG has participated in two meetings with Orange County Planning and Zoning (via Zoom). During those meetings, Commissioners requested clarification and additional information. MAPAG has also taken public comments into serious consideration and has offered amendment the original SUP submittal.

We propose to significantly reduce the number of days of permits we request and the fireworks activities on the property. We would also propose specific hours for fireworks activity.

The information below outlines what MAPAG submits as amendment or clarification to its original submittal on January 17, 2020:

- Reference Section: “About the Mid-Atlantic Pyrotechnic Arts Guild – How Our Events Work”
  - Clarification: For the purposes of this SUP, **dry camping and group assembly** shall be defined as on-site over-night stays solely by members of Mid-Atlantic Pyrotechnic Arts Guild, Inc. and specifically excludes the general public. A **campground**, as defined in

Sec. 70-1 of the Orange County Zoning Code which offers accommodations to paying guests from the general public, is prohibited. Therefore, MAPAG events do not constitute a *campground*.

- Clarification: Attendance by members of Mid-Atlantic Pyrotechnic Arts Guild, Inc. at testing and firework events shall be limited to one hundred (100) attendees per event. There will be *no public access* to MAPAG events.
  
- Amendment: Firework activities shall be limited annually to the period beginning May 1 through October 31 during which time there shall be no more than five (5) weekends scheduled for fireworks activities, with no more than one (1) event per month. There shall be no fireworks activities during the month of August in any year. Testing shall be limited to Fridays and Saturdays from 1 p.m. to 4 p.m. Displays of fireworks shall be limited to Fridays and Saturdays from 7 p.m. to 11 p.m. There shall be no displays of fireworks on Sundays through Thursdays except for celebrations of holidays or other special events as may be approved by Orange County Administration for community enrichment purposes. There shall be no firework displays on Thursdays or Sundays. There shall be no fireworks displays on school nights.

Club Activities	Original Application	Amended Application	Change %
Events with Fireworks	7 weekends	5 weekends	28% reduction
Days of Fireworks Discharge	28 days	10 days	64% reduction
Valid Permit Hours	280 hours	70 hours	75% reduction
Window for Testing	280 Hours	30 hours	89% reduction
Window for Display	280 Hours	40 hours	86% reduction
Attendance	<i>No Cap Given</i>	100 attendees max.	

- Reference Section: “Overview of Site Plan Drawings – Land Survey and Lease Area”
  - Clarification: Activities shall be conducted onsite in accordance with the locations as generally depicted on Figure F1 –Site Plan. Parking will generally be in the area designated on the Site Plan. If additional parking is required it will be in the nearest field east of the entrance gate which borders Woolfolk Lane.
  
- Reference Section: “Trash, and Fireworks Debris”

- Clarification: Debris shall be removed from the property and disposed of at the end of each event.
- Reference Section: “Noise Impact”
  - Amendment: Salutes shall be limited to four inches (4”) or less in any dimension. Fireworks that exceed NFPA code limitations shall be prohibited. NFPA-1123-2018 permits salutes up to five inches (5”) in diameter. By restricting salutes to four inches (4”), the volume of pyrotechnic material is reduced by 49 percent (33.51 in<sup>3</sup> vs. 65.45 in<sup>3</sup>). Four-inch (4”) salutes are used in the vast majority of displays in the USA. The “loudness” of the four-inch (4”) salute is half that of the NFPA Code permitted five-inch (5”) salutes.
- Reference Section: “Environmental Impact Analysis – Pyrotechnic Materials”

Clarification: This information is provided to address previously referenced European study and the most recent articles submitted by those who emailed concerns to the County. The analysis and comments are presented by John Steinberg, MD, who is a technical expert and adviser to MAPAG for the purposes of the SUP application. He has a BS in Biochemistry from Michigan State University, and MD from the University of Maryland, School of Medicine, and serves on 3 technical committees at NFPA that produce fireworks related code. He has been accepted as an expert on matters related to fireworks (including health and injuries) in both federal and state jurisdictions and has never been disqualified as an expert in forensic matters. He has prepared the following comments:

As a physician, with a background in chemistry, and a recognized expert on fireworks, I have reviewed the various technical submissions and articles provided in response to the MAPAG SUP. The submissions by Hilary Holiday, Ph. D. (a professor of English, I am given to believe) relies on materials not subject to peer review and which, with much hyperbole, refers to toxic elements not used in fireworks for over fifty years. The very title of the table, “Pick your poison” reflects overt author biases. The health risk claims are specious and in gross error. Fireworks are blamed for everything from greenhouse gases to acid rain. Reference is also made to the NFPA opposition to consumer fireworks, which are not the issue at hand. NFPA has zero opposition to the use of profession. Similar comments were submitted by Michelle Collier. Neither Holiday nor Collier have any expertise in fireworks or health matters and each references comments and studies that are poorly sourced and improperly conducted. For example, Collier notes a study from London stating that fireworks cause death and illness from cardiovascular causes to increase two to three times over baseline for display days. Should such a bizarre and unsubstantiated claim, made by extrapolation from unsubstantiated data, ever be established by proper research methodology, plaintiffs’ attorneys would have one of the largest class actions ever. Of course, the claims of health risk made in the citation are separated by but a small degree from complete fiction.

The most recent submittals in opposition to fireworks include one environmental study and two press releases. The press releases should be dismissed out of hand, but, I will address one spectacular item from each. The research press release cites EPA pollutant findings after

fireworks displays. Of course, EPA makes no effort to regulate or ban professional fireworks displays as the data cited are subject to numerous confounding errors. The CNN item by Marples quotes Gordon as advising families to remain downwind of fireworks. Of course, this would maximize smoke exposure. Fortunately, as no reputable medical studies have found transient exposure to fireworks smoke to be a significant health hazard to the general population, this advice, emblematic of the author's careless approach, is harmless. The study by Hickey and Gordon, et al, is risible. It is published in a rather obscure on-line journal by a commercial entity that allows rapid publication. Though technically accurate, it is worth noting what is claimed:

Human cell culture cells can be damaged by known toxins.

Mice can be harmed if known toxins are forcibly sprayed into their lungs while they are anesthetized. The methodology employed has little if any relevance even by analogy to what is experienced by humans engaged in fireworks activities.

In summary, the "technical" objections submitted have the following critical flaws:

1) They are not conducted by health professionals nor published in recognized, peer reviewed, medical journals.

2) The submitters lack any technical or medical training.

3) The objections relate to CONSUMER fireworks which are NOT the subject of the MAPAG SUP proposed activities which instead focus on DISPLAY fireworks.

4) The most well-recognized environmental sampling study, of Lake Buena Vista, at Disney World in Florida, where professional DISPLAY fireworks displays have been conducted every evening for decades, has NOT demonstrated any adverse environmental effects or pollution related to DISPLAY fireworks activities. Were it not for COVID-19 related closures, these displays would be ongoing even today.

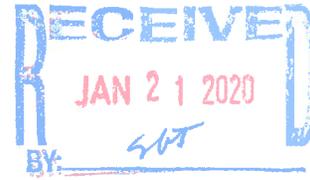
5) The references to toxins that are already banned is especially disturbing. If consumer fireworks are, indeed, found at time of import, during Consumer Products Safety Commission inspections, to contain lead or mercury, or arsenic, etc., they can be immediately seized, impounded, and ordered destroyed at the importers' expense. The allegation of lead pollution from fireworks, a common thread in all the objectors' technical submittals, is simply NOT found upon analysis by others.

Except as supplemented, clarified and amended by this document, the SUP 20-01 application, dated December 17, 2019, and filed January 21, 2020, remains as stated therein and unchanged.

Sincerely,



David G. Stoddard, President  
Mid-Atlantic Pyrotechnic Arts Guild



David G. Stoddard, President  
Mid Atlantic Pyrotechnic Arts Guild, Inc.  
3316 Kilkenny Street  
Silver Spring, MD 20924-1735

December 17, 2019

Ms. Sandra Thornton  
Planning Services Manager  
Orange County Virginia  
128 West Main Street  
Orange, VA 22960

Reference: Special Use Permit Application

Dear Ms. Thornton:

Please allow this document to serve as formal application for a Special Use Permit under Orange County Code of Ordinances, Chapter 70 Zoning, Section 70-1 Definitions – *Pyrotechnics*. Included in this package is a project narrative, required documentation and a check to cover the application fee. Please invoice MAPAG at our mailing address for additional costs related to the application.

MAPAG held a pre-application meeting with you on March 22, 2019 as part of the prescribed application process. This meeting was very productive in the preparation of our application package.

If you require any additional information, please do not hesitate to contact me via email at [board@mapag.us](mailto:board@mapag.us) or on my mobile phone at 301-455-0245.

Thank you for your consideration and help through this process. It is very much appreciated.

Sincerely,

David G. Stoddard, President  
Mid-Atlantic Pyrotechnic Arts Guild

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ORANGE COUNTY  
DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347  
FAX: (540) 672-0164  
[orangecountyva.gov](http://orangecountyva.gov)

APPLICATION FOR SPECIAL USE PERMIT (SUP)

Applicant Name: MID-ATLANTIC PYROTECHNIK ARTS GUILD Phone: 301-455-0245

Mailing Address: 3316 KILKENNY ST., SILVER SPRING, MD 20904

Email Address: board@mapag.org

Application must be made by the Landowner or with his/her permission. If the Applicant is not the Landowner, please complete and attach: (1) a completed Authorized Agent Affidavit, OR (2) a letter of permission from the landowner.

Landowner Name: EDWARD & CAROL HASTETTER  
24073 WOOLYBARK LANE, ORANGE, VA 22960 Phone: (712) 807-0207

Mailing Address: 24073 WOOLYBARK LANE, ORANGE, VA 22960

Property Location: Ø WOOLYBARK LANE

Tax Parcel #(s): 60100000000320 Current Zoning: A

Existing uses/structures: CATTLE GRAZING WITH ONE DILAPIDATED CHICKEN COOP

Special use request (attach additional pages as necessary): SEE ATTACHED

**\*\* Attach a general concept plan no smaller than 11"x17" and a comprehensive narrative for the proposed use. See the checklist for complete submittal requirements. \*\***

**\*\* Incomplete applications will not be processed. \*\***

For minimum setback requirements and other zoning requirements, refer to the Orange County Zoning Ordinance (available online at <http://www.orangecode.us/>) or contact the Department of Planning & Zoning.

Signature of Applicant: [Signature] Date: 12/3/19

Application fee: \$400 (mailing and advertising fees are billed separately)

NOTE: Refunds will not be issued once a SUP application has proceeded to the ARC review period.

## Project Narrative

For more than 40 years, Orange County, VA has been home to a hobbyist fireworks club. The Mid-Atlantic Pyrotechnic Arts Guild (MAPAG) and its members wish to make application for a Special Use Permit under Orange County Code of Ordinances, Chapter 70 Zoning, Section 70-1 Definitions – *Pyrotechnics* on a 127 acre parcel located on Woolfolk Lane in Orange, VA.

Current Orange County, VA regulations require a display permit for the discharge of fireworks. The permit requires a VA licensed lead pyrotechnician, public notification, and a statement of liability. MAPAG has applied to Orange County early each year for fireworks display permits for each day of our monthly meetings. These permits were granted by the county to MAPAG.

In early 2016, the Orange County Attorney, the County Administrator and the leadership of MAPAG met to discuss how the club and Orange County could work toward a more efficient permit process: Why did the club request multiple fireworks display permits every year? Was there a better way for the County to manage the permit process in general? The County Attorney explained to us the Special Use Permit process. If MAPAG made application for a Special Use Permit (SUP) and was granted one, the process would define the club's activities/responsibilities, and streamline the permitting process.

Orange County Code Section 70 – 1. *Pyrotechnics testing/manufacturing* describes “the operations of non-profit entity engaged in the production and testing of fireworks. Whereby the entity is licensed and regulated pursuant to 18 U.S.C. Chapter 40.” It is under this category that MAPAG wishes to make application for a Special Use Permit.

MAPAG is identified and licensed as a non-profit entity in accordance with the Internal Revenue Service. The property MAPAG presents for this application is a 127.544 acre parcel, #6010000000320, located near Lahore and currently zoned “A”. The land is owned by Edward & Carol Hostetter et/al Cardinal Garden & Gun, LLC.

## About the Mid-Atlantic Pyrotechnic Arts Guild

### Overview

There are approximately 25 regional hobbyist fireworks clubs throughout the United States, and an international guild called the Pyrotechnics Guild International (PGI). The Mid-Atlantic Pyrotechnic Arts Guild, Inc. (MAPAG) represents the Mid-Atlantic Region and has approximately 80 members.

To be a member of a fireworks club you must be passionate about fireworks. It goes beyond the fascination of the once a year 4<sup>th</sup> of July fireworks display. MAPAG members are interested in the artistry, chemistry, engineering, and freedom represented by fireworks. MAPAG is dedicated to preserving the art of pyrotechnics for future generations through sharing our knowledge with others.

Since MAPAG's formation in 2012, Orange County has issued MAPAG more than 80 fireworks display permits. MAPAG has an accident-free record. The club's liability insurance policy remains claims free. In over the 40 years since a fireworks club has operated in Orange County, there have been no accidents or injuries, and no incidents that resulted in any violation of law or any legal action. Every member of the club is on the safety team, and any member can halt any activity on the field by simply speaking up.

### How Our Events Work

MAPAG is a membership organization. To become a member, you must be at least 21 years of age, complete an application, sign a liability waiver and be voted into the guild by current members. The Board of Directors is elected by the membership.

MAPAG generally holds meetings one weekend of each month, April through October. Members typically dry camp on-site, or stay in a local hotel. Meetings are focused on teaching safety, sharing ideas, and building, testing and shooting fireworks. Once the event dates are established, they are posted on the MAPAG website. Each event begins on Thursday and runs through Sunday, with the exception of the September event which begins on Wednesday.

On a typical day (outside of the September meet) we may shoot fireworks over the course of day/evening. The devices are often fired individually so they can be viewed for critique and improvement, or simply for appreciation. The number of devices is dependent upon the weather and what members have built and/or want to shoot.

All fireworks are shot by individuals that are trained to shoot commercial fireworks. Every shoot is supervised by at least one Virginia licensed shooter. The club has multiple licensed shooters who are members. We restrict entry to the display area while firing is taking place. We use all of our events as an opportunity to teach fireworks safety to new members. Our club policy forbids any fireworks after 9 PM on a school night and all fireworks activity ceases by 11pm on Friday and Saturday.

Fire prevention and property protection are key drivers to everyone's safety. We keep pressurized water cans around the site in order to extinguish any potential grass fires. At the Woolfolk Lane site we will

operate with a fire suppression rig consisting of a water tank/pump mounted on a Kubota RTV. We also maintain a comprehensive first aid emergency kit. Despite the scores of shows being shot in Orange County we have never had a grass fire that was not extinguished with our own equipment. An important point to note, we monitor the site conditions and enforce a ban on all fireworks activities if we deem the site is too dry and represents a fire hazard.

MAPAG hosts an Open House in September, and a larger choreographed fireworks display is provided on Saturday night. The September display would rival most municipal displays, and might include pyrotechnic devices not normally seen in municipal displays. MAPAG has requested (at our expense) the Sheriff's Department to control access to our site during the Open House Saturday display. We will also request the Orange Volunteer Fire Company (OVFC) to have a brush truck onsite.

Sundays are the site clean-up day. Trash is collected for proper disposal. Campers break down their tents or RV's, and the fields we occupy are returned to good order.

Everything we do as a fireworks club is singly focused on safety. That includes the safety of our members and neighbors. We participate in a hobby that is heavily regulated. Our products are regulated by the Federal Government and closely inventoried and tracked. The people responsible for managing the products at MAPAG undergo background checks by the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATF), including personal interviews, fingerprints, and FBI criminal background checks. Our records and materials are available for inspection by both the State and Federal Government.

We live in a country where our freedoms are often celebrated once a year with fireworks. Better than 80% of MAPAG's membership provide the labor and manpower to set up/shoot community displays that our families enjoy on the 4<sup>th</sup> of July each year. MAPAG is a unique organization pursuing a hobby we truly enjoy.

## Event Procedures

Listed below are the event procedures MAPAG follows for each event. Some of these procedures are required by Orange County's display permit, others are unique to MAPAG. We would observe these same procedures if granted a Special Use Permit.

**Virginia Licensed Pyrotechnicians** – Orange County, VA requires that a Virginia-licensed pyrotechnician is onsite when fireworks are discharged. MAPAG has a minimum of 6 Virginia State Licensed pyrotechnicians as members. We will always have at least one licensed pyrotechnician on site when shooting fireworks. We also offer annual training to any member (or non-member) that wishes to pursue a Virginia State Pyrotechnics license.

**Notification Sign** –A notification sign is placed at the entrance to the property several days before each event to notify our neighbors that we intend to hold an event. This sign is usually posted the weekend prior to each event, and taken down on Sunday when we leave.

**Curfews** – The club recognizes the 11pm curfew required under Orange County's display permit. Further there will be no activity beyond 9pm on any school night.

**Emergency Center Notification** – MAPAG notifies the Orange County Emergency Center each day prior to initiating any fireworks activity. This call is usually placed at 1 PM for each day we have fireworks activity.

### Benefits to the Community

MAPAG provides an important benefit to the pyrotechnic community. First is the transfer of knowledge to others – without a club, our knowledge dies with this generation. There is a lot to learn about this art, and much of that information is based on safety, chemistry, engineering, and other STEM disciplines.

MAPAG teaches the PGI Display Operator Certification (DOC) course for those interested in becoming licensed to shoot display fireworks. The Virginia Pyrotechnics Licensing exam is based on the concepts taught in our course. The DOC course also counts as continuing education for individuals that are licensed in the State of Virginia as firefighters, EMTs and Fire Marshals. MAPAG is the only provider of this training in the State of Virginia. The course is one of two nationally recognized training programs. Dr. John Steinberg, the author of this course, is a founding member of MAPAG as well as a committee member and contributor to the National Fire Protection Agency (NFPA) Code for Fireworks Display. In May of 2019, we hosted our PGI Display Operators Course at the Orange Volunteer Fire Company (OVFC.) The OVFC allowed MAPAG to use their training room for the classroom segment. The 2019 course was well attended with ~25 individuals participating. Five of the participants were MAPAG members, with other attendees from throughout Virginia.

There are benefits to the local community. MAPAG offers a no-cost fireworks display in support of the Orange Volunteer Fire Company's (OVFC) Annual Fair. The Annual Fair is a major fundraiser OVFC. The value of the fireworks, labor, insurance and equipment provided by MAPAG in for the 2019 display was \$8,000. We are pleased to report that we have received an invitation / request from OVFC to provide them with a firework display in 2020. (See attached letter from OVFC.)

### MAPAG's Regulatory Compliance

It should come as no surprise that our activities are heavily regulated at both the State and Federal level. We are fully licensed with the US Department of Justice / Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATF) and we currently hold an ATF Type 20 License. We have two BATF approved storage magazines.

Our records are meticulously maintained, and we have had annual inspections by the ATF every year since we have been licensed, starting in August 2013. The club performs an annual magazine inventory at the October event. Copies of our Federal License are provided as part of this Special Use Permit application. MAPAG magazines and facilities are 100% compliant with all ATF regulations, as defined in the ATF "Federal Explosives Law and Regulations", which can be accessed directly from the ATF website at this address:

<https://www.atf.gov/explosives/docs/publication-federal-explosives-laws-and-regulations-atf-p-54007/download>

MAPAG has State of Virginia magazine licenses for each of its magazines, which are renewed annually, copies of which are included in this Special Use Permit application package. We have filed all required notification paperwork with the Orange County Emergency Communications Center. Our magazines

have also been inspected for compliance by the Virginia State Fire Marshal's Office in Richmond, VA. MAPAG carries two million dollars in liability insurance, underwritten by Lloyd's of London, which is the club's highest expense. A copy of our insurance policy declarations sheet is included.

### Board of Directors

The 2019/2020 Board of Directors for MAPAG is as follows:

David Stoddard – President  
3316 Kilkenny Street  
Silver Spring, MD 20904-1735  
301-455-0245 : cell  
301-850-0668 x101 : office  
dgs@networkalarmcorp.com  
dgs@accelix.net

Lynn Zagrod – Treasurer  
7441 Highgate Lane  
Bealeton, VA 22712  
540-439-2788 : home  
540-270-9563 : cell  
lynnz1234@hotmail.com

Marguerite L Page – Secretary (Membership Director)  
11960 Beaver Mill Lane  
Manassas, Virginia 20112  
703-791-2758 : home  
571-229-6765 : cell  
mlpage@comcast.net

Bernie Woodard – 1st Vice President (Safety Director)  
2115 Colts Neck Court  
Reston, VA 20191  
703-476-6755 : home  
703-587-4257 : cell  
bernie6755@verizon.net

David Goldsmith – 2nd Vice President (Magazine Director)  
10 Fairbanks Court  
Fredericksburg, VA 22405  
540-412-5099 : home  
703-819-6197 : cell  
dgoldsmith@sans.org

John Richard Steinberg, M.D. – Advisor to the Board and Safety/Operations Consultant (CV attached)  
3944 Carthage Road  
Randallstown, Maryland 21133-4517  
410-655-8594 : office

410-375-2292 : cell  
jrsrocket@aol.com

Edward Hostetter – Advisor to the Board  
24073 Woolfolk Lane  
Orange, VA 22960  
713-882-8207 : cell  
ehostetter@resalecatalyst.com

## Proposed 2020 Event Schedule

The following dates have been tentatively established for MAPAG events for 2020:

- Thursday, April 30 through Sunday, May 3
- Thursday, May 28 through Sunday, May 31
- Thursday, June 18 through Sunday, June 21
- Thursday, July 23 through Sunday, July 26
- Thursday, August 27 through Sunday, August 30
- Wednesday, September 24 through Sunday, September 27
- Thursday, October 22 through Sunday, October 25

## Site Plan Description Detail

The elements of this section are addressed in the same order as listed on the General Concept Plan Information and Checklist found on page 5 of the SUP Application Packet.

### Overview and Description of Farm

The farm is accessed from Woolfolk Lane, off Grasty Lane near Lahore, VA. The property is a working cattle farm with 13 individual grass paddocks fenced with an electric wetlands exclusion fencing system. The cattle receive their water from a well serving five remote watering stations.

The parcel is generally rectangular in shape with fence lines and drainage ditches creating many of the actual property lines. The farmland along the lane has gentle slopes leading up to the top of a hill. The backside of the property has a large pond and a gentle slope leading down to the Pamunkey Creek. The property at its widest point East to West runs more than 4,700 feet. The property runs at its shortest distance North to South just under 950 feet. The western property line is the Pamunkey Creek.

The farm had fallen into disrepair after the passing the previous owner. The fenced paddocks were overgrown with heavy brush which obscured the fence lines. There were scores of fallen/dead trees in and along the fields. There were a number of damaged drainage culverts, and two fallen in structures. The current owners have made significant investments to restore the farm to good working order.

## Overview of Site Plan Drawings

The Site Plan Drawings contain a cover sheet, plus two pages which are printed on 11x17 sheets of paper. The two pages include:

- Boundary Survey & Lease Area
- Overall Site Plan

### Cover Sheet

The cover sheet provides the identification information for the Site Plan Drawings. This includes the organization, the project address, the adjoining property owners, the organization contact, and parcel information for the main property.

### Lease Area Exhibit

There are 127.544 acres of land on the site for the Special Use Permit. This boundary survey was prepared by H. Aubrey Hawkins Associates.

### Overall Site Plan

The Overall Site Plan shows all of the elements that make up the project site. The map shows numbered areas enhanced with color for various functions and activities at the events. The site map includes the following elements:

1. **Entrance Gate** –This gate is closed when events are not taking place on the farm. We monitor every car that passes through the gate during MAPAG events.
2. **Parking** – The parking area is normally for cattle grazing. For larger events, such as the September event, we would designate a larger area to be used for guests.
3. **Camping** – Camping is defined in one of two areas on the field. Future plans include making power available at both locations even though power consumption is relatively light – enough to power four to six camping trailers, plus power for electric blankets and cell phones for the tent campers.
4. **Restrooms** – MAPAG rents port-a-potties from a local company for member use during monthly events. Additional units are brought in to accommodate the larger number of members and guests at the September Open House.
5. **Existing Barn** (Severely dilapidated – In demolition process for safety concerns)

6. **Display Area** – The display area is used for shooting fireworks and to allow builders to test individual items.
7. **Fire Suppression Equipment** – Staging area for Kubota RTV with water tank and pump
8. **Fireworks Viewing Area** – The fireworks viewing area is where members sit to view fireworks for the evening display. This is a safe distance for fireworks based on the NFPA 1123 distance standards.
9. **Proposed Pavilion** –The proposed pavilion is an open structure (approx. 30'x60') with a galvanized steel roof. It will be utilized to teach classes and/or assemble of display items. During the winter months, it will be used for hay storage to support the cattle operation on the property.
10. **Pond** – The pond provides a sufficient quantity of fresh water to assist in extinguishing potential fires. While we have never had to utilize any pond for this purpose, it is nearby and always available for use.
11. **Equipment Shed** – Proposed location for small shed to protect MAPAG equipment from the elements when not in use.

### Existing Roads, Driveways, Utilities, and Easements

**Roads** – Road access to the property is on Woolfolk Lane off Grasty Lane (RT 649). Access to Grasty Lane from Route 522 is via Lahore Road (Rt 629.)

**Driveways** –There is an existing stone driveway that branches off Woolfolk Lane leading to the farm property. Access to the property for parking and camping is through a metal gate.

**Utilities** – 117 VAC electric power to the water well and electric fencing is provided on a 200 amp circuit. There is no running water available in the camping area (members are encouraged to bring their own water), however, there is a well and upon a successful application, a water hydrant will be installed near the well along the fence line. There is no municipal sewage service – we utilize port-a-potties that are serviced by a local company. We also remove our trash from the site at the end of each event. We do not require landline phone access, cable television, or Internet access. Most members carry a personal cell phone.

**Easements** – There are the typical utility easements recorded along the property lines. However, these easements are outside the area MAPAG plans to operate and will not affect club operation.

### Existing Structures

The following structures currently exist on the property:

**Chicken Coop** – In poor condition. Used currently for storing small farm equipment. The GPS coordinates are 38.366621 N, -77.808302 W.

**Fallen Barn** –Currently in demolition process. Wood siding to be recovered, if possible. A replacement equipment shed is planned for this area. GPS coordinates are 38.366812 N, -77.808357 W. The owners are in the process of rehabilitating the area so that it becomes a well maintained property. Any infrastructure to be added will be constructed with permits as required.

**Residence** – There is no residence on the property.

**Storage Container 1** – 40-foot shipping container on the property.

### Proposed Structures

There are three future structures proposed for the property. One structure will be an equipment shed to store the tractors, mowers, UTV and attachments required to maintain the farm. Another structure will serve as our pavillion. An equipment / supply / tool shed is also envisioned to store consumables and small tools used on the farm.

### Proposed Utilities

A water line is planned from the well to a hydrant / hose bib along the fence line.

Additional electric power is planned to operate equipment and lighting, etc. during MAPAG events.

### Proposed Grading

There is no grading or land disturbance proposed for the property beyond site prep for the new structures mentioned above.

### General Parking and Landscaping Areas

MAPAG meetings are held on a working livestock farm. There are ~13 fenced paddocks configured to manage cattle grazing. We intend to rotate the use of these paddocks to ensure adequate ground cover exists in each paddock and that there is minimal disturbance caused by our meetings. Prior to MAPAG meetings, the farmer will mow the area where we camp and park. Parking will be on the grass in a designated area identified on the Site Plan Drawings. There are no permanent structures planned or required to support parking on the grass.

### Wetlands, Floodplains, Streams, and Water Bodies

The Western property line adjoins the Pamunkey Creek. Access to the wetlands, floodplains, and stream is managed through an exclusion fencing program administered by Clulpeper Water and Soil Conservation. There are two man made ponds on the farm inside exclusion fencing. Property inside the exclusion fencing will not be used for MAPAG activities.

## Proposed Subdivisions

There are no subdivisions planned for the property.

## Phasing of Development

There is no phasing of development planned for the property. The owner intends to build a farm equipment shed to replace the dilapidated barn. There are plans to remove the existing chicken coop now used for equipment storage, and construct a covered pavillion on that location if the SUP is granted.

## General Signage

There is no general signage planned for the property. MAPAG will place a temporary sign at the entrance to the property one week prior to club events to notify the neighborhood of planned activity. The sign will be removed at the conclusion of each event.

## Proposed Roads and Driveways

There are no proposed roads and driveways planned.

## Alignment with Orange County Comprehensive Plan

The goals and objectives of the Orange County Comprehensive Plan 2013 (OCCP) align with the SUP application as follows:

### **Goal 1: Promote and preserve our unique historic and environmental resources.**

**Objective B:** – Sustain and enhance agricultural and forestal uses.

*The rural areas of the County should remain agricultural and forestal in character and density. Development of rural areas should preserve agricultural areas for agricultural use, as well as other accessory and residential uses in conjunction with agriculture activities.*

The current landowner has abandoned subdivision plans developed and paid for by the previous owner. It is the landowner's intent to preserve the property as farmland, and significant investment has taken place to restore the property's rural character. Two ponds on the property are being surveyed for rehabilitation and reintroduction of fish. The property now offers access to the Pamunkey Creek. All the fence lines have been cleared of overgrowth. Scores of dead trees have been removed from the fields. The cattle watering system is once again functional.

A local farmer uses this property in conjunction with the adjoining 168 acre tract to graze grass-fed cattle, cut hay, and manage poultry for egg production. The landowner purchased and is preserving these lands in part, to meet the requirements of this SUP application in support of MAPAG.

*Permit and encourage agricultural and forested uses, outdoor recreational uses, uses based on cultural, natural or historic resources or open spaces, and accessory uses in direct support of these uses.*

While unconventional, we contend that the long-standing existence of a hobbyist fireworks club in Orange County provides a unique and beneficial outdoor recreational use. The property is well suited for overnight dry camping. We believe that the forestry mulching around the ponds, and along the Pamunkey Creek, which restores access to these areas, is beneficial for recreational purposes beyond MAPAG's intended use.

**Goal 2: Ensure the County is a competitive location for economic development opportunities.**

**Objective E:** Promote tourism as a viable component of the County's economy.

*Promote and expand farm-related recreational activities as well as farm enterprise and farmer's market opportunities.*

Once established at this location, we believe MAPAG meetings will draw visitors from other regional fireworks clubs, promoting tourism in Orange County. Many MAPAG members are Virginia residents, but we have members that join us from as far away Texas, California, Massachusetts, Connecticut, Maryland, Delaware, Pennsylvania, West Virginia, North Carolina and South Carolina, and Florida. All of our events occur on agricultural lands, and that same agricultural use continues before, and following our events.

The beef cattle raised on this property are processed locally. The meat is sold under the Renewed Pastures label at the Farmer's Market, and in bulk to the community in general. Poultry on the farm produces eggs which are sold at the Farmer's Market in Spotsylvania, VA. When the farm changed hands, the farmer was invited to move his cattle over to this parcel with a plan to not over graze any of the fields. It has also allowed the farmer to cut hay from one of the larger fields instead of grazing that field.

**Goal 3: Provide for adequate public services and facilities to serve the needs of County citizens.**

**Objective A:** Promote effective and efficient government.

*Communicate with citizens about services and opportunities available to them through their County government.*

There are certain resources and manpower required for the issuance of multiple display permits each year. That process will be streamlined with the approval of the SUP. This is a more efficient use of County manpower.

**Objective F:** Ensure adequate infrastructure.

*Develop level of service standards for public facilities and services, including airports, schools, water and sewer systems, libraries, parks and recreation, fire and rescue service, public health services, solid waste management, and transportation.*

The Orange County Airport offers an exceptional level of service with respect to general aviation airports. Several MAPAG members use the Orange County Airport when visiting Orange County and attending MAPAG events.

We believe that MAPAG's ongoing community outreach will further support the OVFC's fundraising efforts.

## Anticipated Traffic Volumes and Related Impacts

MAPAG has approximately 80 members in total, with 35 members in regular event attendance. Approximately 80% of our members travel together with at least one member companion, representing 14 vehicles. The remaining members travel alone representing another 6 vehicles for an estimated 20 vehicles. September will prove to be a larger event with an estimated 35 vehicles.

Members arrive on different days: 10% arrive on Thursday, 40% arrive on Friday and the remaining 50% arrive on Saturday. About 20% of the membership will arrive and leave on the same day, typically Saturday. Everyone else departs by mid-day on Sunday (Sunday is for clean up only).

With regard to a formal traffic impact study, the Virginia Department of Transportation (VDOT) referred us to their document on the web titled "VDOT Traffic Impact Analysis Regulations Administrative Guidelines". This document can be found here:

[http://virginiadot.org/projects/resources/chapter527/administrative\\_guidelines\\_tia\\_regs\\_7.2012.pdf](http://virginiadot.org/projects/resources/chapter527/administrative_guidelines_tia_regs_7.2012.pdf)

On page 21, the document states the following:

***NOTE: The Traffic Impact Analysis Regulations do apply to conditional use, special use, or special exception requests as these are considered zoning proposals.***

We contacted VDOT to verify whether this exception applied to our Special Use Permit application. On January 22, 2018, we called the VDOT support hotline at 800-367-7623 and talked to Shay. Shay told us that we would need to talk to Sharon Wolfry at 540-967-3715 in order to have the determination made. We talked to Sharon Wolfry on January 23, 2018, and she referred us to the VDOT representative for Orange County, Anthony Hurlock at 540-829-7498. Anthony Hurlock called us back at 4:04 pm on January 23, 2018, and told us that we were not required to submit a formal traffic impact statement based on location and the size of our organization.

## Fiscal Impact Analysis

Most MAPAG members "dry camp" during the events. Members will purchase gas for their vehicles, food, ice, charcoal, and propane at local stores. Some members stay at local hotels. The club purchases the tools, lumber, and hardware used in our activities at local stores. The club also is responsible for the Port-a-Potties, which are rented from and serviced by a local business.

A poll of members reveals an average of \$200 per person is spent on gas, food, and supplies for each weekend meeting. A typical monthly meeting of 35 members would generate \$7,000 in economic activity. The September meeting, with 75 members (not including additional family members and guests) in attendance would generate \$15,000. Materials and supplies purchased by MAPAG adds an additional \$12,000.

April, May, June, July, August, October	6 x \$7,000	\$42,000
September		\$15,000
MAPAG general supplies		<u>\$12,000</u>
Annual Impact		\$69,000

The estimated total fiscal impact of \$69,000 is conservative. It does not include monies spent on lodging.

Investments in the site (to date) by the landowner to restore it to working order are approximately \$161,000. This includes a tractor, mower, root grapple, UTV, culvert repair, forestry mulching, storage container, grass seed and road repair. All products and services were sourced from local businesses.

## Impact on the Provision of Public Services

There are two groups that are impacted through the provision of public services – the Orange County Sheriff’s Department, and the Orange Volunteer Fire Company.

MAPAG has requested an off-duty officer from the Orange County Sheriff’s Department to stand watch at the main entrance gate during our September event. MAPAG pays for those services. We also work with the Orange Volunteer Fire Company for additional fire support (on-site brush truck) during our large display in September. While we are not billed for their service, we compensate the fire department for their services through a donation.

The balance of the meets we monitor our own gate, and we handle fire suppression with pressurized water cans, a Kubota RTV with water tank and pump, and a fire watch team.

## Environmental Impact Analysis

There are three elements we have identified that would fall into the environmental impact category. These items include trash, Port-a-Potties, fireworks debris, pyrotechnic materials, and the impact of noise.

### Trash, and Fireworks Debris

There is a small amount of trash and other refuse that is generated by the club’s camping activities. All of the trash is collected and removed from the farm at the end of each event. Fireworks are constructed using cardboard, pasted paper, and clay. At the cessation of each event, club members walk the field to pick up any recoverable fireworks debris. Any paper debris smaller than a quarter are quickly degraded in the field.

## Pyrotechnic Materials

The pyrotechnic materials used in fireworks are generally black powder, or some variant of black powder with other components. Black powder is generally considered non-toxic to humans, plants, and animals. The primary ingredients in black powder are potassium nitrate (fertilizer), charcoal and sulfur. When these materials are burned in a fireworks item, the pyrotechnic materials are consumed in a reaction yielding gasses and colored flames or effects. The chemistry behind these formulations requires oxygen and fuel to be balanced to consume both the oxidizer and the fuel in the reaction. The byproducts of these reactions are usually CO<sub>2</sub>, potash, and other common elements.

## Noise Impact

Standards for regulating the display of commercial fireworks are specified by the National Fire Protection Association (NFPA) in standard NFPA 1123-2014. Virginia incorporates NFPA-1123 into the State Fire Code for public fireworks displays.

The loudest commercial fireworks are known as aerial salutes. One of the goals of the NFPA 1123 Standards Committee was to limit the impact of noise in the 2014 standard. As a result, commercial aerial salutes are limited to 75 grams of composition in order to cap the noise level at 130 decibels. Aerial fireworks without salutes are substantially quieter (90 to 100 decibels).

The following table shows the decibel level of sound for various origin decibel levels when carried over a specified distance.

**Decibel Levels Dissipated Over Distance**

Origin In Decibels	Distance Traveled							
	100 ft	500 ft	1000 ft	¼ Mile	½ Mile	¾ Mile	1 Mile	2 Miles
90 dB	60.3	46.3	40.3	37.9	31.9	28.4	25.9	19.8
100 dB	70.3	56.3	50.3	47.9	41.9	38.4	35.9	29.8
110 dB	80.3	66.3	60.3	57.9	51.9	48.4	45.9	39.8
120 dB	90.3	76.3	70.3	67.9	61.9	58.4	55.9	49.8
130 dB	100.3	86.3	80.3	77.9	71.9	68.4	65.9	59.8
140 dB	110.3	96.3	90.3	87.9	81.9	78.4	75.9	69.8

Source: <http://hyperphysics.phy-astr.gsu.edu/hbase/Acoustic/isprob.html#c3>

To put these sound levels into perspective, it is important to have a frame of reference to understand these values. The following table shows the types of activity that would be normally be encountered for various decibel levels.

**Noise Levels Chart for Common Activities**

Decibels	Type of Activity
0	Human hearing threshold
10	A pin dropping
20	Rustling leaves
20	Whisper

<b>40</b>	Babbling brook, computer fan
<b>50</b>	Light vehicle traffic, refrigerator
<b>60</b>	Conversational speech, air conditioner
<b>70</b>	Shower, dishwasher
<b>80</b>	Alarm clock, garbage disposal
<b>85</b>	Passing a diesel truck, snow blower
<b>90</b>	Lawn mower, arc welder
<b>95</b>	Food processor, belt sander
<b>100</b>	Riding a motorcycle, handheld electric drill
<b>105</b>	Sporting event, table saw
<b>110</b>	Rock band, jackhammer
<b>115</b>	Emergency vehicle siren, riveter
<b>120</b>	Thunder clap, oxygen torch
<b>125</b>	Balloon popping
<b>130</b>	Peak stadium crowd noise, aerial salute
<b>135</b>	Air raid siren
<b>140</b>	Jet engine at takeoff
<b>150</b>	Fighter jet launch

Source: <http://www.noisehelp.com/noise-level-chart.html>

Based on this scientific data, the impact on the community at large should be minimal.

## Impact on Historic and Cultural Resources

The farm we operate on is a working farm with cattle and poultry. A farm has existed on this site for more for than 100 years. It consists of open fields lined by cedar trees along the fence lines. We do not intend to disturb any of the land or structures on the site. As such, we do not believe that MAPAG's application for a Special Use Permit will have any negative impacts on the historical and cultural resources within Orange County, VA.

## Anticipated Impact to Neighboring Properties and Mitigation

The impact on neighboring properties include sound and light from the discharge of fireworks. Although fireworks have been discharged by a club in Orange County for more than 40 years, this is a new site. MAPAG is sensitive to the concerns of the neighbors in the surrounding area and we have met many of them and explained to them how our club operates.

One of the ways MAPAG has reached out to the community in the past is to invite neighbors and community leaders and officials in Orange County to attend our September event and see for themselves what we do. This invitation stands for each of our Open House events.

We believe the impacts from sound and light can be mitigated by a few self-imposed guidelines as follows:

- Continue to follow the procedures that are required for individuals that apply for fireworks display permits, including the requirement for a Virginia-licensed pyrotechnician, displaying a sign one week prior to each event to notify the neighbors of our events, calling in to the Orange County Emergency Center to notify them when we are ready to begin fireworks.
- Fireworks activity would not begin before 1 PM.
- End fireworks activity on school nights by 9 PM. This restriction would be in effect April, May, August, September, and October.
- Evenings where school restrictions are not in effect, including Friday and Saturday evenings, all fireworks activity would cease at 11 PM.
- Continue to enforce MAPAG aerial salute policy to group loud items in a limited time frame, and restrict their use to 30 minutes after sunset.

We believe these limits should be sufficient to mitigate the impact of sound and light on the neighbors that are near the farm.

State of Maryland  
**Department of  
Assessments and Taxation**



**Warren O. Bice**  
Governor

**Robert E. Young**  
Director

**Paul B. Anderson**  
Administrator

Charter Division

Date: 11/08/2012

MID-ATLANTIC PYROTECHNIC ARTS GUILD, INC  
DAVID G STODDARD  
3316 KILKENNY STREET  
SILVER SPRING MD 20904

THIS LETTER IS TO CONFIRM ACCEPTANCE OF THE FOLLOWING FILING:  
ENTITY NAME : MID-ATLANTIC PYROTECHNIC ARTS GUILD, INC.  
DEPARTMENT ID : D14936587  
TYPE OF REQUEST : ARTICLES OF INCORPORATION  
DATE FILED : 11-08-2012  
TIME FILED : 08:32 PM  
RECORDING FEE : \$100.00  
ORG. & CAP FEE : \$20.00  
EXPEDITED FEE : \$50.00  
POSTAGE FEE : \$5.00  
NON-PROFIT FEE : \$50.00  
FILING NUMBER : 1000362004026144  
CUSTOMER ID : 0002832260  
WORK ORDER NUMBER : 0004048840

PLEASE VERIFY THE INFORMATION CONTAINED IN THIS LETTER. NOTIFY THIS DEPARTMENT IN WRITING IF ANY INFORMATION IS INCORRECT. INCLUDE THE CUSTOMER ID AND THE WORK ORDER NUMBER ON ANY INQUIRIES. EVERY YEAR THIS ENTITY MUST FILE A PERSONAL PROPERTY RETURN IN ORDER TO MAINTAIN ITS EXISTENCE EVEN IF IT DOES NOT OWN PERSONAL PROPERTY. A BLANK RETURN WILL BE MAILED BY FEBRUARY OF THE YEAR FOR WHICH THE RETURN IS DUE.

Charter Division  
Baltimore Metro Area (410) 767-1350  
Outside Metro Area (888) 246-5941



INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **FEB 27 2013**

MID-ATLANTIC PYROTECHNIC ARTS GUILD  
INC  
3316 KILKENNY ST  
SILVER SPRING, MD 20904

Employer Identification Number:  
46-1372950  
DLN:  
17053016329013  
Contact Person:  
NICHOLAS R HINDS ID# 31662  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Form 990 Required:  
Yes  
Effective Date of Exemption:  
November 8, 2012  
Contribution Deductibility:  
No  
Addendum Applies:  
No

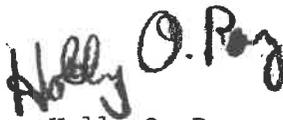
Dear Applicant:

We are pleased to inform you that upon review of your application for tax-exempt status we have determined that you are exempt from Federal income tax under section 501(c)(7) of the Internal Revenue Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Please see enclosed Publication 4221-NC, Compliance Guide for Tax-Exempt Organizations (Other than 501(c)(3) Public Charities and Private Foundations), for some helpful information about your responsibilities as an exempt organization.

A section 501(c)(7) organization is permitted to receive up to 35 percent of its gross receipts, including investment income, from sources outside of its membership without losing its tax-exempt status. Of the 35 percent, not more than 15 percent of the gross receipts may be derived from the use of the club's facilities or services by the general public. Income in excess of these limits may jeopardize your continued tax-exempt status.

Sincerely,



Holly O. Paz  
Director, Exempt Organizations  
Rulings and Agreements

Enclosure: Publication 4221-NC

Letter 948 (DO/CG)

# Federal Explosives License/Permit (18 U.S.C. Chapter 40)

U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives

8 - EXPLOSIVES LICENSING - 8-0000 - 8-0000 - 8-0000 - 8-0000

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Director Correspondence To ATF - Chief, FELC 244 Needy Road Martinsburg, WV 25405-9431	License Permit Number <div style="background-color: black; color: white; padding: 5px; text-align: center; font-weight: bold; font-size: 1.2em;">8-MD-031-20-2J-00346</div>
Chief, Federal Explosives Licensing Center (FELC) <div style="font-family: cursive; font-size: 1.5em; margin-top: 10px;">Christopher R. Keever</div>	Expiration Date <div style="background-color: black; color: white; padding: 5px; text-align: center; font-weight: bold; font-size: 1.2em;">September 1, 2022</div>

Name  
MID-ATLANTIC PYROTECHNIC ARTS GUILD, INC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)  
**3316 KILKENNY STREET  
 SILVER SPRING, MD 20904-1735**

Type of License or Permit  
**20-MANUFACTURER OF EXPLOSIVES**

**Purchasing Certification Statement**

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

**Mailing Address (Changes? Notify the FELC of any changes.)**

MID-ATLANTIC PYROTECHNIC ARTS GUILD, INC  
 3316 KILKENNY STREET  
 SILVER SPRING, MD 20904-1735

Licensee/Permittee Responsible Person Signature	Position Title
Printed Name	Date

ATF Form 5400.14 5400.15 Part 1  
Revised October 2011

Previous Edition is Obsolete MID-ATLANTIC PYROTECHNIC ARTS GUILD, INC-3316 KILKENNY STREET-20904-8-MD-031-20-2J-00346 September 1, 2022 20-MANUFACTURER OF EXPLOSIVES

**Federal Explosives License (FEL) Customer Service Information**

Federal Explosives Licensing Center (FELC) 244 Needy Road Martinsburg, WV 25405-9431	Toll-free Telephone Number: (877) 283-3352 Fax Number: (304) 616-4401 E-mail: FELC@atf.gov	ATF Homepage: www.atf.gov
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**Change of Address (27 CFR 555.54(a)(1)).** Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

**Right of Succession (27 CFR 555.59).** (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

*(Continued on reverse side)*

**Cut Here ✂**

**Federal Explosives License/Permit (FEL) Information Card**

License Permit Name: MID-ATLANTIC PYROTECHNIC ARTS GUILD, INC

Business Name:

License Permit Number: 8-MD-031-20-2J-00346

License Permit Type: 20-MANUFACTURER OF EXPLOSIVES

Expiration: **September 1, 2022**

Please Note: Not Valid for the Sale or Other Disposition of Explosives.

Mid Atlantic Pyro Arts Guild

3316 Kilkenny Street

Mag, MD 2094164391239

Steven Sites  
ASST STATE FIRE MARSHAL



State Fire Marshal's Office  
1005 Technology Park Drive  
Glen Allen, VA 23059-4500  
Phone: 804/ 371-0220  
Fax: 804/ 371-3367

COMMONWEALTH of VIRGINIA  
Virginia Department of Fire Programs

Issue Date  
09/09/2019

EXPLOSIVES STORAGE PERMIT  
NUMBER PERMIT: 2019S93

Expiration Date  
09/09/2020

Location: ORANGE COUNTY Address: 32324 Shagland Farm Ln City: Locust Grove ST: VA Zip 22508

ID NUMBER: 461372950  
Designate Individual T65391239



Mid Atlantic Pyro Arts Guild  
3316 Kilkenny Street  
Silver Spring, MD 20904

Mag # Mag-1  
GPS N N38.367830  
GPS W W77.804275  
Style FIREWORKS  
Limit 10000

Mid Atlantic Pyro Arts Guild

3316 Kilkenny Street

Mag, MD 2094164391239

Steven Sites  
ASST STATE FIRE MARSHAL



State Fire Marshal's Office  
1005 Technology Park Drive  
Glen Allen, VA 23059-4500  
Phone: 804/ 371-0220  
Fax: 804/ 371-3367

COMMONWEALTH of VIRGINIA  
Virginia Department of Fire Programs

Issue Date  
09/09/2019

EXPLOSIVES STORAGE PERMIT  
NUMBER PERMIT: 2019S94

Expiration Date  
09/09/2020

Location: ORANGE COUNTY Address: 32324 Shagland Farm Ln City: Locust Grove ST: VA Zip 22508

ID NUMBER: 461372950  
Designate Individual T65391239



Mid Atlantic Pyro Arts Guild  
3316 Kilkenny Street  
Silver Spring, MD 20904

Mag # Mag-2  
GPS N N38.366465  
GPS W W77.807561  
Style FIREWORKS  
Limit 50

**LIABILITY QUOTE**

April 30, 2019

TO: David Stoddard  
OF: Mid-Atlantic Pyrotechnic Arts Guild Inc.

**Limits of Insurance: Pyrotechnic Liability – Other Than Display**

\$1,000,000 General Aggregate  
\$1,000,000 Each Accident

**Pyrotechnic Display Liability**

\$2,000,000 General Aggregate  
\$1,000,000 Each Accident  
\$1,000,000 Employee Benefits Liability  
\$50,000 Fire Legal Liability  
\$2,000,000 Total Aggregate Limit

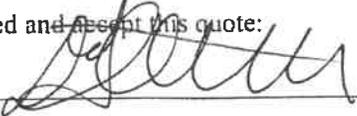
- Deductible: \$5,000
- Coverage Forms: Claims Made Basis, legal fees inside limit
- Carrier - Certain Underwriters at Lloyd's, London
- Retroactive Date: 05/20/2013
- Rating Basis: Pyrotechnic Club

Liability Premium: \$3,500.00  
Taxes: \$110.25  
Fully Earned Broker Fee: \$175.00

**TOTAL PREMIUM:** \$3,785.25  
Down To Finance: \$1,258.00

*If financing is desired, there will be a monthly interest rate - call for information.*  
25 % Minimum earned premium at policy inception; **No flat cancellations.**

I have reviewed and accept this quote:

Signature:  Date: 5/10/19

**No coverage is bound until accepted and approved by Professional Program Insurance Brokerage. Signatures on the applications and the quotation are only good for 30 days. The terms and conditions offered may differ from what has been requested.**

**Conditions:**

- NFPA Compliance
- Shooters Exclusion
- 24 Month Extended Reporting Period for Displays and Sales of 1.3G and 1.4G
- Products Liability coverage included in the Other than Display Aggregate Limit
- Club Definition

Consult the policy for all specific terms and conditions and complete policy exclusions.

**Optional Coverages:** (Additional premium and underwriting may apply)

- Higher limits of liability
- Terrorism coverage - \$350 + Taxes

## Project Cover Sheet

Property Address: 0 Woolfok Lane (no residentail address) Property Number 06100000000320

Owner Name: Carol & Edward Hostetter et/al Cardinal Garden & Gun, LLC

Mailing Address: 24073 Woolfolk Lane, Orange, VA 22960

Owner Contact Number / Email (713) 882-8207 [hostetter@goeaston.net](mailto:hostetter@goeaston.net)

### **Adjoining Land Owners**

Parcel Number 0620000000022C - 2.2 acres  
William E. Clarke, 24003 Woolfolk Lane, Orange, VA 22960

Parcel Number 06100000000310 - 134.26 acres  
Carol & Edward Hostetter et/al Cardinal Garden & Gun, LLC

Parcel Number 06100000000300 – 127.650 acres  
David G. & Sally B. Pomfret, 16253 Marquis Road, Orange, VA 22960

Parcel Number 0620000000023J – 40.40 acres  
Clearview Greenhouses, LLC, 16336 Grasty Lane, Orange, VA 22960

Parcel Number 06100000000330 – 204.758 acres  
John W. Goforth, Jr. 24279 Montvue Lane, Orange, VA 22960

Parcel Number 0620000000023H – 41.300 acres  
Kathryn S. Green, 24168 Thornhill Road, Orange, VA 22960

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Monday, July 13, 2020 5:41 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; George Yancey; Julie Zeijlmaker  
jbzeijlmaker@gmail.com; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Edward Hostetter; David  
Stoddard; 'John Steinberg'; Darvin Satterwhite; Susan Turner  
**Subject:** FW: SUP for fireworks/camping

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

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**From:** Mark Kington <mark.j.kington@gmail.com>  
**Sent:** Friday, July 3, 2020 6:22 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** SUP for fireworks/camping

I would ask that the following two articles be distributed to members of the Planning Commission and made a part of the public record. Thank you.

Mark Kington  
15150 Grelen Drive  
Orange, Virginia 22960

<https://nyulangone.org/news/common-fireworks-release-lead-copper-other-toxic-metals-air>

<https://www.cnn.com/2020/07/01/health/fireworks-toxic-air-safety-wellness/index.html>

<https://nyulangone.org/news/common-fireworks-release-lead-copper-other-toxic-metals-air>

Common Fireworks Release Lead, Copper & Other Toxic Metals into the Air

## Metals Used to Give Fireworks Color Damage Human Cells & Animal Lungs

July 2, 2020

### In this article

#### Our Experts

- [Terry Gordon](#)

#### Need help finding a doctor?

[Search all doctors](#) or call 844-698-7243.

Some of America's favorite Independence Day fireworks emit lead, copper, and other toxins, a new study suggests. These metals, which are used to give fireworks their vibrant color, also damage human cells and animal lungs.

Led by researchers at NYU Grossman School of Medicine, the study showed harmful levels of lead in 2 of 12 types of commercially available fireworks sampled. Experiments using rodents and human tissue also showed that lung exposure to particle emissions from five types of fireworks significantly increased oxidation, a chemical process in the body that can damage or even kill cells if left unchecked.

“While many are careful to protect themselves from injury from explosions, our results suggest that inhaling firework smoke may cause longer-term damage—a risk that has been largely ignored,” says study senior author [Terry Gordon, PhD](#), a professor in the [Department of Environmental Medicine](#) at NYU Langone Health.

Dr. Gordon and his team also analyzed 14 years' worth of air quality samples taken at dozens of sites across the United States by the Environmental Protection Agency (EPA) throughout each year. They found that levels of toxic metals were higher in samples taken near Independence Day and New Year's Eve celebrations than at any other time of the year. Along with lead, titanium, strontium, and copper are commonly found in fireworks.

“Although people are only exposed to these substances for a short time each year, they are much more toxic than the pollutants we breathe every day,” says Dr. Gordon.

Americans purchase more than 258 million pounds of fireworks every year, according to the American Pyrotechnics Association. Displays are used not only for holidays, but also at daily

events held at amusement parks, rock concerts, and sports venues. To create bright colors, metals are exposed to high temperatures, causing a chemical reaction that gives off a flash of colored light. For example, red fireworks can be made with strontium, and blue ones with copper.

The new study, [published online July 1 in the journal \*Particle and Fibre Toxicology\*](#), is believed to be the first to examine the effects of firework exposure in human cells and living animals, and to test for particles of common firework metals thrown into the atmosphere, the researchers say.

For the study, the research team collected emissions from a dozen types of fireworks commonly sold in the United States. These included the Black Cuckoo, the Color-Changing Wheel, and the Blue Storm firecracker, which they detonated in a chamber in the lab. Then, they exposed human lung cells and several dozen mice to the captured particles, notably in low doses thought to match a New Yorker's daily exposure to pollutants in Manhattan air.

Black Cuckoo, a fountain-style firework, was found to be the most toxic of the group, at 10 times more damaging to human cells than a nontoxic saline solution, according to the findings.

Dr. Gordon cautions that the current investigation is a first step, only addressing the potential effects of one-time exposure to the firework metals. Repeated exposure is likely a larger concern, he says. Nevertheless, he is planning to share his findings with local health officials, fireworks manufacturers, the EPA, and other regulatory agencies to alert them to the potential for harm.

Funding for the study was provided by National Institute of Environmental Health Sciences grants ES0 000260 and T32 grant ES0 7324.

In addition to Dr. Gordon, other NYU Langone investigators involved in the study are Christopher Gordon, BS; Karen Galdanes, BS; Martin Blaustein, BS; Lori Horton; Lital Yinon, PhD; and [Lung-Chi Chen, PhD](#). Additional research support was provided by James Ross at Columbia University in New York. Christina Hickey, PhD, is the study lead investigator.

## **Media Inquiries**

Shira Polan

Phone: 212-404-4279

[shira.polan@nyulangone.org](mailto:shira.polan@nyulangone.org)

<https://www.cnn.com/2020/07/01/health/fireworks-toxic-air-safety-wellness/index.html>

## Some consumer fireworks emit high levels of lead and other toxins, a new study finds

By Megan Marples, CNN

Updated 8:05 PM ET, Wed July 1, 2020





Employees ring up customer purchases at Hee Haw Fireworks in Goodlettsville, Tennessee, on Wednesday, June 30, 2020.

**(CNN)**When it comes to fireworks safety, parents may warn kids to avoid getting too close.

What families may not realize, however, is that there are other health risks associated with [setting off fireworks](#). In fact, some American consumer fireworks release toxins that are harmful for both humans and animals, according to a new study in the [journal Particle and Fibre Toxicology on Wednesday](#).

The study analyzed 12 different retail fireworks and found that once set off, five of them released particle emissions that could damage human cells and animal lungs.

Consumers tend to forget about the toxins that are released, said Terry Gordon, study author and professor in the department of environmental medicine at New York University's Grossman School of Medicine.

Content by CNN Underscored

Get gourmet coffee delivered to your door

If you're desperately missing your local coffee shop, or just want to treat yourself, these coffee subscription services deliver gourmet brews right to your door.



[Fireworks at home: Risks and safer alternatives, as sales skyrocket](#)  


Fireworks at home: Risks and safer alternatives, as sales skyrocket

"You or your family is setting off a ton of fireworks, and you're doing it safely as far as physical injury is concerned, but people ignore that they're inhaling high levels of toxic metals," Gordon said.

The toxins come from the different metals in the fireworks that make them turn different colors, according to the study. For example, the study said that blue fireworks can be made of copper and red fireworks can contain strontium.

Gordon said that his study did not analyze if certain colors released more toxic metals than others. However, certain types of firecrackers had lower toxicity levels. "The firecrackers had very very high levels of aluminum," Gordon said. "As far as toxicity, they were very low."

## Emission of lead

His experiment consisted of setting off consumer fireworks in a stainless-steel chamber, filtering the particles with a pump, then exposing human cells and mice to the particles.

During his research, Gordon said he found that two of the fireworks emitted lead particles. One of them was 10 times more damaging compared to the control in the experiment, according to the study.

Gordon said that the firework emitted lead particles at 40,000 parts per million, which is exceedingly high. Normally, lead should not be emitted at all, he said.

The [American Fireworks Standards Laboratory](#) is an independent, nonprofit organization that sets voluntary standards for American fireworks. While it tests the fireworks to ensure they are safe, the laboratory doesn't catch everything, Gordon said.

"Even though this laboratory has requirements for importing and the safety of fireworks testing, it's not broad enough to capture all the fireworks that should be made illegal," Gordon said.

John Rogers, executive director of AFSL, said that his organization randomly samples crates of fireworks because the group does not have the capacity to test every crate. His team works in Chinese factories to ensure that the fireworks not only meet federal standards, but also AFSL's own voluntary standards.

For example, federal regulations require that the ball of the shell effect cannot exceed 1.75 inches in diameter, but AFSL mandated additional safety requirements, according to Rogers.

"We talk about how high they have to go into the air, what the maximum burst radius is, and things of that nature," Rogers said.

According to Rogers, AFSL oversees about 85% to 90% of the fireworks that are shipped from China to the United States. In testing, Rogers said that his team does not typically find the presence of lead in samples.

### **Potential effects: respiratory issues**

Gordon said that his study did not research the effects that these toxins such as lead have on the body, but he said that they could lead to respiratory issues.

"I could hypothesize that people could have, especially susceptible people like asthmatics, increased episodes," Gordon said.

The particles can also have a negative effect on children's respiratory systems, according to Dr. Kristin Van Hook, chair of the American Academy of Pediatrics section on pediatric pulmonology and sleep medicine. She suggested that children avoid standing where the firework smoke is blowing.

"Allow the adults to be the ones to set off the fireworks and stay upwind from it so that the smoke is blowing in the breeze," Van Hook said.

She said she has seen cases with children who have asthma who, after breathing in fumes from fireworks displays, had to go to the emergency room. Van Hook recommended limiting the amount of time children are exposed to firework fumes and watch carefully for any signs of trouble breathing.

Gordon said that he would like to conduct experiments using humans at a fireworks show to see the real-time effects of the particles on the body, but that in the past he has faced challenges that make it difficult to test. Specifically, the changing wind direction makes it hard to know where to stand, Gordon said.

"The wind was blowing a certain way, so I put my sampler downwind," Gordon said. "When it came time, it was the wrong direction."

For families, Gordon recommended that they be aware of what their children are being exposed to and that everyone should try to stay downwind while around fireworks. The fireworks industry needs to have more safety regulations, he added.

"Given what we've found, I propose that ... they make sure they are importing safer fireworks and that that's what the consumers use," Gordon said.

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Monday, July 13, 2020 5:43 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; George Yancey; Julie Zeijlmaker  
jbzeijlmaker@gmail.com; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Edward Hostetter; David  
Stoddard; 'John Steinberg'; Darvin Satterwhite; Susan Turner  
**Subject:** FW: Fireworks SUP

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

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**From:** Steve Satterfield <saluki62@live.com>  
**Sent:** Monday, July 6, 2020 2:24 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** Fireworks SUP

Peace and tranquility are key elements of why so many people love living in the country. It is hard to imagine anything more inconsistent with those values than the proposed SUP.

It doubtful that this is desirable at all but certainly not as expansive and perpetual as proposed.

We urge that the Planning Commission recommend that the Board of Supervisors not approve this proposed SUP.

Steve and Jo Satterfield  
21041 Clarks mountain Road  
Rapidan, Virginia 22733



**Michelle Williams**  
**21103 Gum Tree Road**  
**Orange, Virginia 22960**

July 16, 2020

Dear Planning Commissioners,

My husband, Chris, and I are writing to express our **strong opposition** for SUP 20-01.

I was raised in Orange County since the day I was born. It has always been a place of beauty and tranquility. That's one of the reasons that we planted roots here for our family. It just so happens that the home we purchased just last fall is a short 6-mile drive from the proposed site for the MAPAG testing on Woolfolk Lane.

The following are the reasons we are opposed to approving SUP 20-01.

- 1) Chris and I are the new parents to a 2-month old little girl, Violet. As you can understand, the sleeping habits of a newborn baby can be quite finicky. The loud booms will cause unnecessary disruptions of Violet's sleep and quite possibly any other babies in the vicinity. I know that most of you have experienced a screaming baby who cannot be consoled. This creates stress and sleeplessness for all in the home.
- 2) We have three dogs, Hank, Oscar, and Daisy. Hank is an Orange County Animal Shelter rescue. As you can imagine, he had a rough beginning in life and is afraid of his own shadow at times. The unnecessary noise that the fireworks will create, will send our three dogs into a barking frenzy. The unnecessary stress is unfair to our dogs as well other domesticated animals in the vicinity. Not to mention, three barking dogs will wake Violet.
- 3) What revenue will MAPAG and their groupies truly bring to Orange County? They did state in their application that they plan to utilize a local company for portable restrooms. Maybe they'll eat at our local restaurants or stay at one of our cozy inns. However, as a former camper, I know that they would bring their own shelter, food, firewood, etc. The money for supplies would most likely be spent in their own communities. The possible revenue does not make up for the detriment.
- 4) Lahore Road is a well-known cut through from Route 20 to Route 522. This road is already utilized by many out-of-town boaters heading to Lake Anna as well as our citizens. As a resident of Lahore Road, I know how much litter accumulates there (and many other roads in Orange County). By approving this SUP, you'd be allowing many, many more vehicles to utilize this road and potentially create more litter. As it stands, VDOT cannot keep up with the roadside cleanup.
- 5) The smoke, debris, and noise will negatively impact our wildlife in the area. The smoke can cause respiratory issues for birds. The debris can be ingested by fish and land animals. The loud noise can create disorientation. We need to preserve the wildlife.



- 6) The increased traffic will end up increasing the number of motor vehicle accidents in that area. Part of the road near the entrance of Grasty Lane on Lahore Road does not even have lines. MAPAG has already stated that there will be campers staying on the property. This type of event creates a party atmosphere which in turn increases the use of alcohol. We need to worry about the safety of our citizens.
- 7) Most people in the Lahore area moved there for the peacefulness. If we wanted to live where it was going to be quite noisy five months out of the year, we would have moved to the city beside the interstate. The value of our homes and the resale value will decrease. Why would someone want to knowingly buy a home where there is the nuisance of fireworks noise? Knowing that MAPAG was previously conducting testing off Indiantown Road, I would not have bought a house near there.

I could continue to list reasons why approving SUP 20-01 is a disastrous idea but I know other intelligent Orange County citizens have already listed them. **Please** do not let these out-of-towners come and create a disruption in the lives of the full-time citizens who reside here.

Sincerely,

Michelle Williams

Sandra Thornton  
Planning Services Manager  
128 W. Main St.  
Orange, VA 22960

Dear Members of the Planning Commission,

I am opposed to SUP 20-01 for many of the reasons previously stated, but I would like to address the danger to domestic animals and to wildlife. **FIREWORKS CAUSE TRAUMA TO YOUR PETS.**

More pets run away on July 4<sup>th</sup> than on any other day of the year. Why? The experience of fireworks is different from other natural loud noises. They are closer to the ground, accompanied by booms, whistles, flashes and burning smells. Your pet often reacts by fleeing, hiding or having extreme anxiety shown by shaking, whining, pacing or even having seizures. Some dogs desperately destroy property in the home. Horses can sustain serious injury trying to escape danger.

Respectfully submitted,  
Jeanette B. McClendon DVM  
Orange Veterinary Clinic  
Orange, VA 22960

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Wednesday, August 5, 2020 7:30 AM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing; Darwin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: Special Use Permit for Mid Atlantic Pyrotechnic Arts Guild

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

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**From:** Diane Jadowski <djadski@gmail.com>  
**Sent:** Sunday, July 19, 2020 2:23 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>; Jim Hutchison <jhutchison@orangecountyva.gov>; jnzeijlmaker@gmail.com; Donald Brooks <dbrooks@orangecountyva.gov>; George Yancey <gyancey@orangecountyva.gov>; Jason Capelle <jcapelleorangecounty@gmail.com>; R. Mark Johnson (External) <rmarkjohnson142@gmail.com>; Jim crozier <jcrozier@orangecountyva.gov>; James K. White (External) <jimwhitedistrict2@gmail.com>; Teel Goodwin (external) <teel.goodwin@comcast.net>; Lee Frame <lframe@orangecountyva.gov>; villageroad@verizon.net; Ginger Somerville-Grant <ginger\_somerville@hotmail.com>  
**Subject:** Special Use Permit for Mid Atlantic Pyrotechnic Arts Guild

To: Members of the Planning Commission and Board of Supervisors of Orange County

From: Richmond Audubon Society, member of National Audubon Society

Date: July 19, 2020

Reference: Special Use Permit 20-01

Mid Atlantic Pyrotechnic Arts Guild

3316 Kilkenny Street, Silver Springs, MD 20904

We understand that there is a Bald Eagle's nest in the vicinity of the location noted in the Special Use Permit (SUP). Any fireworks of this size would be a disturbance of this protected bird, its nest and habitat and thus a federal violation of **The Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act** .

["The Bald and Golden Eagle Protection Act](#) (16 U.S.C. 668-668c), enacted in 1940, and amended several times since, prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald or golden eagles, including their parts\*, nests, or eggs. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner,

any bald eagle ... [or any golden eagle], alive or dead, or any part\*, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb."

"Disturb" means: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment.

A violation of the Act can result in a fine of \$100,000 (\$200,000 for organizations), imprisonment for one year, or both, for a first offense. Penalties increase substantially for additional offenses, and a second violation of this Act is a felony."

Please consider this information during your deliberations of the SUP 20-01 and consideration conducting an environmental impact study prior to any decision.

## Tracey Newman

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**From:** Sara <the\_flower\_child2001@yahoo.com>  
**Sent:** Wednesday, July 29, 2020 3:36 PM  
**To:** Sandra Thornton; Tracey Newman  
**Subject:** SUP 20-01

To Orange County Planning Commission

**As a resident of Olivette Farm immediately adjacent to the property proposed for rezoning,** I would like to address environmental factors related to frequent prolonged detonation of fireworks materials, both aerial and ground ignitions. The water sources for the beef cattle on Olivette Farm are well fed waterers throughout as prescribed by the Culpeper Water and Soil Conservation District related to the stream exclusion law. The farmer and I use well water for household and drinking purposes at our residence. At the May 21, 2020 Planning Commission Meeting there was discussion around Item # 7 of the proposal regarding cleanup with discussion focused on the 2 ponds, 3 streams, with the Pamunkey Creek on the property which is in the Lake Orange watershed and includes Wetlands and flood plains as per Ms. Thornton. It is also in the Chesapeake Bay watershed. Some may be stream fed. Dr. John Stoddard, called on by the Hostetters as representatives of MAPAG, recommended striking Item #7 stating that the only debris is cardboard, so according to him there is no danger to the waterway and he proposed striking the ability of the county to inspect and protect said waterways. He also proposed that the landlord should oversee "cleanup" , in effect having the club self monitor. I support Mr. Brooks and Mr. Hutchison in maintaining the county's ability to oversee and prevent any deterioration of the land and water related to MAPAG activities by retaining county oversight through Item #7. To this end I would like to promote an Environmental Review. Mr. Hutchison stated he would like drainage and weather further researched related to expanded parking for larger meetings. I would offer that drainage and weather also directly affect the amounts of fallout swept into the waterways. Of particular concern is particulate matter, both air and water borne. Fireworks produce particulate matter which can remain suspended in the air for some time after the display, significantly increasing concentration of particulate matter in the air. Inhalation of these particles can have adverse effects on our respiratory and cardiovascular systems. Metal compounds in fireworks persist in the environment and particles of toxic metals such as antimony increase in atmospheric concentration in the days after fireworks displays. Some other compounds such as lead and chromium used in fireworks with similar dangers, I understand, are banned from the manufacturing of fireworks in the US. Some other chemical compounds used to create colors in fireworks are also of concern to the environment. Perchlorate pollution has been studied and can contaminate bodies of water near firework displays, as per source *Fate of perchlorate in a man made reflecting pond following a fireworks display in Albany, New York, USA Qian Wu and others, 2011, Environmental Toxicology and Chemistry 30, 11, 2449-2455*. Elevated concentrations of perchlorate in water can affect wildlife and it may also affect human health if it contaminates drinking water. Fireworks lead to elevated levels of polluting gases in the atmosphere inc. nitrogen dioxide and sulfur dioxide which can cause respiratory problems. They can also react in the atmosphere to form particulate matter. Aside from concern related to myself and the farmer's health, I wish to protect the wildlife which occupies the streams and land in this beautiful rural setting. As I listen to the tree frogs and observe, frogs, toads and minnows thriving here, I feel a duty to be a good steward by raising these question for your consideration. Mr. and Mrs, Hostetter are kind people who I welcome as neighbors and whom I hope will address these concerns and do what is best for all who share this watershed. The proposed number of meetings and prolonged time of each makes this a possible cumulative environmental impact. I believe an environmental review is in order and would like a specific list of chemicals and compounds to be used by the club.

Sincerely,  
Sara Klosky

## Tracey Newman

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**From:** Sara <the\_flower\_child2001@yahoo.com>  
**Sent:** Wednesday, July 29, 2020 3:43 PM  
**To:** Sandra Thornton; Tracey Newman  
**Subject:** SUP 20-01

To the Orange County Planning Commission

My name is John Goforth and I **live adjacent to the Hostetters**. Since they have moved in to their property they have been busy getting the farm presentable, clearing fence rows, bush hogging all the fields of brush and whatever. They have been good neighbors and are above average stewards of the land. I am for their application to be approved for special use permit.

Thank you for taking time to read this. Please contact me if you have any further questions.

John Goforth

## Tracey Newman

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**From:** Cary Holladay <holladaycary@gmail.com>  
**Sent:** Saturday, August 1, 2020 11:00 PM  
**To:** Sandra Thornton; Teel Goodwin (external)  
**Cc:** Tracey Newman  
**Subject:** Citizen input on revised application for fireworks SUP

Dear Ms Thornton and Mr Goodwin:

Please read these comments into the record at the August 6 meeting. We are a married couple who are deeply invested in Orange County and want to spend our retirement and the rest of our lives here. Having read MAPAG's proposed revisions, we say No to their revised application for an SUP.

MAPAG is an out-of-state group that would exploit our rural area for their profit. The SUP's concept is at odds with OC's Comprehensive Plan, which seeks "to promote and preserve our unique historical and environmental resources."

Massive displays of fireworks create ear-splitting noise and cause the release of harmful chemicals. Loud noise is a physical and emotional assault. It is miserable to endure. Noise, pollution, and brilliant artificial nighttime lights are harmful to the health and well-being of people, pets, livestock, wildlife, and the environment. Noise and pollution are proven to reduce the life spans of people and animals.

These events may be enjoyable for those who choose to attend them, but not for the residents who would be at the mercy of MAPAG's event calendar, enduring war-zone-level explosions on a regular, ongoing basis. Other than moving away, there would be no way to escape.

Orange Countians have the legal right to enjoy the peace and quiet of their own property. There are thousands of other communities where residents already suffer from noise and pollution, but very few places that are still quiet and rural. Please give consideration to the many citizens who are voicing their vigorous and well-founded objections, and vote No on this SUP.

Thank you.

Sincerely,

Cary Holladay and John Bensko

Rapidan

To Whom it May Concern,

I have lived at 16253 Marquis Rd, Orange, for 35 years. We moved here to get away from the city, the noise and the hustle. This area is quiet calm and a perfect way of life.

Hearing that there is a possibility that a high profile pyrotechnic fireworks facility is being considered in this area is just unquestionably the most ridiculous, unconscionable move ever.

We live here for the rural nature of this area, the peace and quiet this area brings is our life.

It's not just for the people, but our animals as well as our wildlife. I myself have a kennel and the noise of such a facility would be a disaster for the animals, most of which are petrified of thunder. Imagine having them exposed to the noise of those fireworks. My neighbors have horses and cattle. I know the horses would be extremely stressed by such an environment. Also our wonderful wildlife, deer, turkey, bears, they would be forced to leave because of the stress and fear from the noise.

I am asking our boards; both planning and zoning and the Supervisor to please put our rural county first as well as our animals and turn this proposal away from

our county. They should find a less rural property to operate their facility. We, the people, the farmers, the horse owners, do not want this here.

There is no good that can be brought here from this operation, and it will bring in traffic the likes we do not have or want here. Not only that but it will bring in people, drinking, drugs and behavior we do not tolerate in this county.

Please turn this away

— Thank you for your consideration

Sally Bonjett

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 4:58 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darwin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: Fireworks SUP in Orange

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

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**From:** Barbara Cotton <bcotton01@yahoo.com>  
**Sent:** Saturday, August 1, 2020 8:06 AM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** Fireworks SUP in Orange

Dear Ms. Thornton,

Thank you for the email. With this short notice, I am unable to attend the upcoming meeting. I really wish I could attend since I am 100% against this.

I hope this email will count and can attend future meetings.

I am against this for the following reasons.

Will take away our peace and quiet. This is why we moved here and do not want to have to move out of Orange County but will if forced.

Increase in traffic.

Will bother our pets, livestock and the wildlife.

Veterans and older people will be bothered by this.

I say NO to this. Please do not let them come down here and destroy our peaceful life.

Please let me know if there is anything I can help with after next week.

Thank you,

Barb

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 4:59 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darvin Satterwhite; Edward Hostetter; jrsrocket@aol.com  
**Subject:** FW: MAPAG Special Use Permit

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

**From:** Fiona Farris-Teates <danser2.fft@gmail.com>  
**Sent:** Saturday, August 1, 2020 9:46 AM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** MAPAG Special Use Permit

Even though this Group has revised their previous proposal, this is like putting lipstick on a pig. Less noise might be better, but no fireworks works noise for hours on end would be the most desirable outcome. Because of the nature of these fireworks displays this Group has to find a rural area. They can hardly try this activity in Fairfax. This area is just the ticket. No noise ordinance and lax rules regarding use of personal property. Change the laws and you will not leave County open to this type of activity. They can call their fireworks displays anything they want, but this noise pollution plain and simple. The County will gain no benefit from approving this permit. Say NO!! Once and for all. Promote historic tourism not this mess.

Fiona Farris-Teates  
344 Birchside Circle  
Locust Grove vs 22508

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:00 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darwin Satterwhite; Edward Hostetter; jrsrocket@aol.com  
**Subject:** FW: To the planning commission of Orange County,

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

-----Original Message-----

**From:** Anthony Farone <thehandiestman@aol.com>  
**Sent:** Saturday, August 1, 2020 11:42 AM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** To the planning commission of Orange County,

To the planning commission of Orange County,

My wife and I live at 20745 Lahore road and we were some of the first of 100 or so complaints against the Special Use Permits (SUP) that were listed in the recent newspaper article.

I would like to address some issues that I have with this whole process, it seems to me the vote should already be behind us, and rejected. You keep extending the time for the board vote so that the MAPAG people get more organized.

My first reaction to this is that since most of the people in favor of this are not even from Orange County, and certainly not from Lahore, their votes should not even be counted or if counted not to carry as much weight as the locals.

Over the Fourth of July with some local fireworks in our area going off, which I am sure were not as powerful as the MAPAG varieties, our dogs had a very hard time with the noise.

As far as only Members allowed to camp during these activities, again people from out side of Orange County. Does not belong in our back yards

So for a second time I am casting my NO vote for this SUP. Please do not let this SUP be passed, and let it be an end to this once and for all.

Thank you again for your time

Anthony Farone  
20745 Lahore rd  
Orange va

Sent from my iPad

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:03 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darwin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: Fireworks

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

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**From:** Devon Adams <SOTGTEAM2@hotmail.com>  
**Sent:** Sunday, August 2, 2020 3:58 AM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** Fireworks

Sir / Ma'am,

It has come to my attention that a resident in unionville, along the road of grastly gold mine, of which I live in very close proximity, is potentially utilizing their property for a large scale recreational gathering to include professional pyrotechnics organization on a frequent basis,

I think this is going to be awesome. Who am I to say what another man can or can't do on his own property. As a disabled veteran I feel that is something I hoped to have fought for.

Provided they adhere to local noise ordnances and State/Federal laws, perhaps even a annual review with local neighborhood committees for any potential changes needed after an actual trial run couldn't hurt. And Provided crime doesn't increase in surrounding areas to a disproportionate degree to other areas in the county, I see no cause for opposition.

All That been said, I do not own live stock, I do not have children, I do not own as much property as my niehbors and i have always been a fan of fireworks.

Respectfully,  
Devon Adams

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:04 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaier; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darvin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: Fireworks Special Use Permit in Orange County

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

**From:** Kathi Gruss <grussvet@gmail.com>  
**Sent:** Sunday, August 2, 2020 4:06 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>; R. Mark Johnson (External) <rmarkjohnson142@gmail.com>; Jim crozier <jcrozier@orangecountyva.gov>; James K. White (External) <jimwhitedistrict2@gmail.com>; Teel Goodwin (external) <teel.goodwin@comcast.net>; Lee Frame <lframe@orangecountyva.gov>  
**Subject:** Fireworks Special Use Permit in Orange County

My husband and I are practicing veterinarians who opened Earlysville Animal Hospital in 1982 and are still there almost 40 years later.

Many of our clients and their pets live in Orange County.

One of my horses lives in Orange County.

I think anyone who owns pets, livestock or horses knows animals who have a true phobia to loud noises including fireworks.

A phobia is an extreme or irrational fear of or aversion to something. This is not just anxiety.

For many people who's animals have a firework phobia, management is difficult.

Animals escape from home and are lost as well as being injured jumping through windows. Many of them don't eat or drink during the event. They may be destructive trying to escape through walls.

American pet advocacy groups point out that the number of escapees is so high that Independence Day is the busiest day of the year in shelters -- and that many pets get lost, injured, or killed.

Many animal owners prepare for July 4 by medicating their animals, making a safe spot for them where they can't see the fireworks and playing music loudly to partially hide the noise. They can't leave their animal alone during the event. It takes quite an effort to protect their animal for this once a year event. I can't imagine the effort it would take to be prepared several long weekends every year.

I don't expect the animals' phobia to improve with multiple exposures. As a matter of fact, it certainly may worsen. Some animals may develop phobias to other noises.

Respectfully submitted,

Kathleen W Gruss, DVM  
Earlysville Animal Hospital  
505 St. Francis Avenue  
Earlysville, VA. 22936  
(434) 973-9699  
[www.earlysvilleanimalhospital.com](http://www.earlysvilleanimalhospital.com)  
[info@earlysvilleanimalhospital.com](mailto:info@earlysvilleanimalhospital.com)

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:06 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darvin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: MAPAG Special Use Permit

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

**From:** Steve Crawford <1guzzishop@gmail.com>  
**Sent:** Monday, August 3, 2020 6:59 AM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** MAPAG Special Use Permit

Please ensure the Board of Supervisors considers the following points as they decide whether to approve MAPAG's special use permit:

- The overall concept of this permit is NOT in line with the Orange County Comprehensive Plan, especially with respect to Goal 1, "to promote and preserve our unique historic and environmental resources."
- These types of fireworks are NOT typical fireworks, but large pyrotechnic performance-based and commercial-grade displays used for municipal celebrations.
- This represents a precedent for land use that violates the intent of land zoned Agriculture 1.
- The permit is incompatible with conservation easements obtained by residents to preserve the rural character of the community, and the legal right to enjoy peace and quiet of one's own property.
- Such noise is detrimental to pets, livestock, and horses, and is stressful to multiple wildlife and their habitat.
- Orange has a large Veteran population. This will be disturbing to Veterans, particularly those with post-traumatic stress disorder (PTSD) as result of their service to our country.

My wife and I live approximately 4 miles from the property in question. We have heard and felt the explosions that result when MAPAG is indulging in their unique form of recreation. As a veteran of military service (I served honorably in the U.S. Navy for six years) I settled in central Virginia because I love the rural nature of Orange County. My wife and I have been residents since 1982, and we have seen many changes. But this group of out-of-state folks should NOT be allowed to continue their pursuit in my backyard. The Board of Supervisors should consider why this group has chosen Orange County instead of their own home turf.

Thank you for your consideration,  
Steven R Crawford

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:16 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaier; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darwin Satterwhite; Edward Hostetter; jrsrocket@aol.com  
**Subject:** FW: Deny FIREWORKS SUP!

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

-----Original Message-----

**From:** sbrooking72@gmail.com <sbrooking72@gmail.com>  
**Sent:** Monday, August 3, 2020 12:24 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** Deny FIREWORKS SUP!

To Whom It May Concern  
Planning Commission,

I am writing to request that you deny any permits to allow the Mid Atlantic Pyrotechnic Art Guild to manufacture, store, and/or ignite high grade explosives in Orange County.

I live less than two miles from the Woolfolk Lane Farm where the out of state commercial fireworks club is requesting to disturb the peace, lower my property value, and terrify my animals.

My family and I are adamantly opposed to this request.

There would be zero benefit to our County and much potential harm.

Thank you for hearing my request.

Sincerely,  
Susan Ross Brooking  
17241 Marquis Road  
Orange, VA 22960  
540 967-7775

Susan

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:18 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darvin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: Special Use Permit 20-01 - VOTE NO

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

---

**From:** villageroad@verizon.net <villageroad@verizon.net>  
**Sent:** Monday, August 3, 2020 2:25 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>; Jim Hutchison <jhutchison@orangecountyva.gov>; jnzeijlmaker@gmail.com; Donald Brooks <dbrooks@orangecountyva.gov>; George Yancey <gyancey@orangecountyva.gov>; Jason Capelle <jcapelleorangecounty@gmail.com>; R. Mark Johnson (External) <rmarkjohnson142@gmail.com>  
**Cc:** Jim crozier <jcrozier@orangecountyva.gov>; James K. White (External) <jimwhitedistrict2@gmail.com>; Teel Goodwin (external) <teel.goodwin@comcast.net>; Lee Frame <lframe@orangecountyva.gov>  
**Subject:** RE: Special Use Permit 20-01 - VOTE NO

To: The Planning Commission and Board of Supervisors

I have written several emails opposing SUP 20-01 as proposed by MAPAG.

Having read MAPAG's proposed revisions to the SUP, I remain in total opposition to the Fireworks SUP and strongly urge the Planning Commission to vote NO to this SUP.

There are no amount of revisions that can be made to this SUP that would make it acceptable to the residents of Orange County. Prior to the June 18 hearing, the PC heard from an **overwhelming majority of those residents whom submitted their total opposition to this SUP 20-01 are residents of Orange County. It was quite distressing that the PC would then choose to postpone a decision at that hearing in order to allow this out-of-state organization time to revise their proposal.**

**The reasons for opposition remain as strong today as they were in May and June as submitted by those in opposition. In fact, I would state that even more reasons exist today for the PC to vote NO to this SUP.**

This SUP is contrary to Sec 70-141,

DIVISION 5. - SPECIAL USE PERMITS 569 Sec. 70-141. - Considerations. 570 In granting a special use permit, the planning commission and the board of supervisors shall consider 571 whether the proposed use would further the purposes of the comprehensive plan and this chapter; 572 whether it would threaten the public health, safety or welfare; whether it would be compatible with its 573 surroundings; whether it would impact the environment or any natural, scenic, or historic features; and 574 whether it would result in a substantial detriment to the surrounding property. 575 (Ord. of 5-2-1996, § 1103.01)

SUP 20-01 does NOT;

- Further the purposes of the comprehensive plan and especially with Goal 1 to “promote and preserve our unique historic and environmental resources”.
- It does threaten the public health, safety and welfare of residents who will hear and be exposed to these fireworks, including the residents’ pets, animals, livestock who will be frightened and, as one veterinarian has already stated, such noise may cause animals to escape from homes and be injured, jumping through windows, fences or otherwise. The animals may be destructive to themselves and/or their owners trying to escape. At least three veterinarians have submitted their concerns over this fireworks SUP and the environmental stress of such on animals
- SUP 20-01 is not compatible with the agricultural surroundings
- It would impact the environment, and the natural, scenic features of the agricultural area and would most certainly cause a negative environmental impact on the nest and habitats of multiple wildlife, including the bald eagles that have been sited on nearby land.
- It would cause substantial detriment to surrounding property – landowners would not be able to sell their property if such fireworks would be allowed to proceed at any time and it is incompatible with conservation easements obtained by residents to preserve the rural character of the community.

As outlined by many residents of Orange County:

- The type of fireworks intended to be used by MAPAG are not your typical fireworks, but large pyrotechnic performance-based and commercial-grade displays used for municipal celebrations.
- This SUP represents a terrible precedent for land use that violates intent of land zoned agricultural.
- The sound will be overwhelmingly disturbing to those who suffer from post-traumatic stress disorder (PTSD).

For anyone living in Orange County and even in parts of Louisa County, this noise would be overwhelming for the residents and would be in opposition to the my rights as a homeowner to “quiet enjoyment” of my property.

Please vote NO to this SUP 20-01

Jacque Johnson  
Unionville, VA

## Tracey Newman

---

**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:20 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darwin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: FIREWORKS SUP

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

-----Original Message-----

From: Julie F <julie.fithian@gmail.com>  
Sent: Monday, August 3, 2020 2:55 PM  
To: Sandra Thornton <sthornton@orangecountyva.gov>  
Subject: FIREWORKS SUP

Ms. Thornton,

I am writing to renew my opposition to the proposed Fireworks SUP. This issue has been heavily opposed by the community, and should have already been closed. This proposal would expose neighbors, livestock, and native wildlife to unacceptable, and unnecessary levels of environmental and noise pollution. It presents a fire risk, and is not in keeping with the intent of the purpose of the agriculturally zoned land.

Please see my two previous responses for a more thorough breakdown of my concerns.

V/R

Julie Fithian

Sent from my iPhone

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Monday, August 3, 2020 3:02 PM  
**To:** Barbara Cotton  
**Cc:** Tracey Newman  
**Subject:** RE: Orange SUP

Dear Ms. Cotton,

Thanks for your emails. I also have your message sent Saturday 8/1/2020. Comments will be forwarded to the planning commissioners and read for the record.

Sandra Thornton

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

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**From:** Barbara Cotton <bcotton01@yahoo.com>  
**Sent:** Monday, August 3, 2020 2:56 PM  
**To:** Sandra Thornton <sthorton@orangecountyva.gov>  
**Subject:** Orange SUP

I would like to be heard regarding the SUP on Orange.

I am totally against this for the following reasons:

Detrimental to animals, including pets and livestock.

Increase in traffic.

Detrimental to Veterans.

Noise pollution.

Decrease in property values.

We will have to move out of Orange County.

Please do not let this happen!!

Thank you,

Barb cotton

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:21 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darvin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: SUP-20-01

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

-----Original Message-----

From: Joanna Davies <nursedavies@yahoo.com>  
Sent: Monday, August 3, 2020 3:00 PM  
To: Sandra Thornton <sthornton@orangecountyva.gov>  
Subject: SUP-20-01

Sir,

I am writing to ask the Planning Commission and the Board of Supervisors to reject any request or revised request made by MAPAG. Many citizens of Orange County have voiced their objections to this SUP, including the following:

- \* This group is from out of state. Apparently they don't want their proposed facility in their own backyard. We don't, either.
- \* Veterans, naturalists, livestock owners, pet owners, neighbors, veterinarians, to name a few, have explained why the hours and hours of fireworks noise would be detrimental, if not dangerous to Orange County citizens.
- \* The various buildings will house many dangerous and controlled substances. Has the bureau of ATF and Explosives approved this project? Security measures for an operation like this must be a priority.
- \* The increased traffic would be a burden to the rural back roads of the county and would not benefit the county in any way.

Please consider the concerns and needs of your fellow citizens and reject this SUP.

Joanna Davies  
24026 Village Rd.  
Unionville, VA  
540-854-6603

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:28 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaier; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darvin Satterwhite; Edward Hostetter; jrsrocket@aol.com; David Stoddard  
**Subject:** FW: Fireworks SUP public comment

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

-----Original Message-----

**From:** hwholladay@gmail.com <hwholladay@gmail.com>  
**Sent:** Monday, August 3, 2020 3:32 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** Fireworks SUP public comment

Planning Commission members:

I urge you to vote NO on the MAPAG special use permit application. The modifications to the group's proposal do not address the core issues. Orange County has made a commitment through its zoning laws and county plan to ensure citizens a tranquil, safe, rural environment. Please don't facilitate a very bad precedent by approving this group's application.

The fireworks group has an arsenal of four tons of explosives housed in the county, according to the MAPAG website. What do the club members plan to do that justifies such a vast supply of chemicals and related explosive materials? Has the magazine holding the explosives been inspected by state and federal authorities in the past three months? Who is legally responsible if the magazine catches on fire or is vandalized? Why has MAPAG amassed so much land in the county? Have you inquired about this out-of-state group's long-term plans?

Further, the danger of fireworks to wildlife and domestic animals is a matter of basic ethics. If you are thinking about voting in favor of a SUP for this group, imagine your own pet dog or your cat or your horse or your neighbor's cattle or a songbird traumatized possibly to the point of death by violent explosions set off, during a global health crisis, in the facetious name of recreation. Can you in good conscience put living creatures in harm's way? Are the SUP applicants entitled to diminish our quality of life and harm our animals just so they can have what they consider fun?

Hilary Holladay  
7148 Rapidan Road  
Rapidan, VA

Hilary Holladay  
Sent from my iPhone

## Tracey Newman

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**From:** Dale Hilton <dale.hilton@gmail.com>  
**Sent:** Monday, August 3, 2020 4:14 PM  
**To:** Sandra Thornton; Tracey Newman  
**Subject:** SUP Mid Atlantic Pyrotechnic Arts Guild

Dear Ms. Thornton and Ms. Newman,

I'm writing to voice my **opposition** to the request for special permission for a fireworks and camping operation in Orange County. As several other opponents have stated, if granted the SUP would:

1. repeatedly compromise the quiet, pastoral nature of this area
2. provide legal precedent for land use that violates the intent of current zoning
3. give permission for a "small group of people to do things that an individual alone could not undertake" on agricultural property."
4. fail to provide environmental or financial benefit to the county.

I strongly urge the Planning Commission to reject this request by the Mid Atlantic Pyrotechnic Arts Guild. Please enter my comments into the official record for the next meeting ( during the week of August 3rd, 2020) as someone who is opposed to this land use and SUP.

Thank you,

(Ms.) Dale Hilton

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Dale Hilton  
[dale.hilton@gmail.com](mailto:dale.hilton@gmail.com)  
5320 Old Barboursville Rd.  
Barboursville, VA 22923

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:35 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darvin Satterwhite; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: Fireworks proposal

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

---

**From:** Robert Wilbanks <wilbanksdvm@yahoo.com>  
**Sent:** Monday, August 3, 2020 4:19 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Cc:** Jason Capelle <jcapelleorangecounty@gmail.com>; Donald Brooks <dbrooks@orangecountyva.gov>; George Yancey <gyancey@orangecountyva.gov>; jbzzejilmaker@gmail.com; Jim Hutchison <jhutchison@orangecountyva.gov>; Teel Goodwin (external) <teel.goodwin@comcast.net>; Lee Frame <lframe@orangecountyva.gov>; Jim crozier <jcrozier@orangecountyva.gov>; James K. White (External) <jimwhitedistrict2@gmail.com>  
**Subject:** FW: Fireworks proposal

**Ms. Thornton:**

**Today at 5:00 PM being the deadline for public comment regarding the previous proposed fireworks venue by way of this writing please reiterate into the record my prior comments which you received by e mail from me on June 1, 2020 and are attached in that e mail below. In addition:**

- **Please also read into the record that it is my assumption that before making their recommendation for approval of this permit that the Planning Commission has either done their research for themselves or the applicant has provided an acoustic engineer's study fully detailing the distance which the fireworks as proposed can be heard from. In a brief internet search I have run across data detailing that under certain atmospheric conditions certain pyrotechnics can be heard as far away as 50 miles!! Orange is only 11 miles I believe. <https://www.orangecoast.com/stuff-we-love/o-c-answer-man-disneyland-fireworks-im-hearing-south-o-c/#:~:text=When%20atmospheric%20conditions%20are%20right,far%20as%2050%20miles%20away.>**

- Please also include my comment that my not being an engineer myself nor do I believe any of the members of the planning commission hold that designation - it is my opinion that they would be remiss in their duties by not requiring such a study to be performed by a third party engineer before further consideration of this request should even be considered.
- Also for what it's worth as a retired veterinarian who spent almost 28 years of my life in small animal practice - I cannot recall the number of pets I treated that were injured from anxiety caused by fireworks around holidays. Imagine that occurring on a regular basis!. I have seen large dogs develop fireworks induced fear based anxiety causing them to jump through plate glass windows and injure themselves in countless other ways from the sound of the explosions.
- I like many other farmers in the area raise cattle. If you or the members of the commission have not witnessed what something as simple as a loud thunderstorm will do to a group of freshly weaned feeder calves, or a foil helium balloon will do when it drifts from a party into a group of cows, or Heaven forbid a hot air balloon or drone overhead will do to a group of cows – just imagine what regular fireworks will do. It's not pleasant.

Please deny this application.

Sincerely,

Robert D. Wilbanks, DVM (retired)

for themselves

From: Robert Wilbanks [<mailto:wilbanksdvm@yahoo.com>]  
 Sent: Monday, June 1, 2020 10:24 PM  
 To: 'sthornton@orangecountyva.gov' <[sthornton@orangecountyva.gov](mailto:sthornton@orangecountyva.gov)>  
 Cc: 'jcapelleorangecounty@gmail.com' <[jcapelleorangecounty@gmail.com](mailto:jcapelleorangecounty@gmail.com)>; 'dbrooks@orangecountyva.gov' <[dbrooks@orangecountyva.gov](mailto:dbrooks@orangecountyva.gov)>; 'gyancey@orangecountyva.gov' <[gyancey@orangecountyva.gov](mailto:gyancey@orangecountyva.gov)>; 'jbzeijlmaker@gmail.com' <[jbzeijlmaker@gmail.com](mailto:jbzeijlmaker@gmail.com)>; 'jhutchison@orangecountyva.gov' <[jhutchison@orangecountyva.gov](mailto:jhutchison@orangecountyva.gov)>; 'teel.goodwin@comcast.net' <[teel.goodwin@comcast.net](mailto:teel.goodwin@comcast.net)>; 'lframe@orangecountyva.gov' <[lframe@orangecountyva.gov](mailto:lframe@orangecountyva.gov)>; 'jcrozier@orangecountyva.gov' <[jcrozier@orangecountyva.gov](mailto:jcrozier@orangecountyva.gov)>; 'jimwhitedistrict2@gmail.com' <[jimwhitedistrict2@gmail.com](mailto:jimwhitedistrict2@gmail.com)>  
 Subject: Fireworks proposal

Ms. Thornton

Nearly two years ago, in response to concerns expressed by many Orange County residents, the Orange County Board of Supervisors unanimously defeated a request for a Special Use Permit by a Charlottesville developer to allow "Glamping" on Agricultural zoned land.

Last week the Planning Commission was presented with a proposal from a Maryland fireworks club to not only allow overnight tent and RV camping on 127 acres of Agricultural zoned land....but also to allow the club to shoot off fireworks from the area multiple times per month, up to 10 hours a day, indefinitely. These fireworks were described as not just small fireworks - but the more powerful types used in large pyrotectic displays for municipal celebrations.

While there are many reasons why this should not be allowed on Agricultural zoned land in Orange County a few include:

1. The earlier message sent by our residents through the BOS regarding overnight tent camping and RV's on Agricultural zoned land was made clear during the "Glamping" attempt.
2. Loud, disturbing noise from fireworks carries for miles not to mention the parties that will likely go along with them.
3. No limits were mentioned on the number of attendees at the events.
4. Wildlife habitat will be disrupted.
5. Livestock production will likely be negatively affected.
6. Our resident's quiet enjoyment of their rural way of life could be lost.

Hence, please relay this message to the Planning Commission and place me on record as opposed to this request for a recommendation by the Planning Commission to the Board of Supervisors for a Special Use Permit.

If you, the Commission members, or the Supervisors have any questions feel free to contact me.

Sincerely,

Bob Wilbanks

**Wilbanks Farm**

**9140 Rapidan Road**

**Orange, VA 22960 540 661 4250**

**210 313 7133**

[wilbanksdvm@yahoo.com](mailto:wilbanksdvm@yahoo.com)

## Tracey Newman

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**From:** Sandra Thornton  
**Sent:** Wednesday, August 5, 2020 7:35 AM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing; Darvin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: Planning Commission Meeting on SUP 20-01  
**Attachments:** Letter to Editor.pdf

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

**From:** Ray Palmer <rakkaray@gmail.com>  
**Sent:** Monday, August 3, 2020 4:49 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** Planning Commission Meeting on SUP 20-01

Sandra,

I'm disappointed that the Commission will not be holding an in-person public meeting on this issue, because I know that many Orange County residents had hoped to speak there. I am one of these.

You may recall that I expressed concerns about this proposal in an email I sent to you on June 15, 2020. I also expressed concerns in a letter to the editor published in the Orange County Review on July 30. I have attached a copy.

In this email, I would like to expand on my prior comments regarding the impact of very loud fireworks on combat veterans. First, I would like to state information from the University of Michigan Health System in an article titled "Coping with PTSD During Fireworks Season," as follows:

"For victims of gun violence and veterans of war who have post-traumatic stress disorder, the Fourth of July holiday can be a stressful time of year. For some people, Fourth of July fireworks aren't reason to celebrate."(1)

Second, I want to point out that my Company Commander in Vietnam, Paul W. Bucha, a recipient of the Medal of Honor, has been a leader in a campaign to remove any stigma related to PTSD. His premise is that the word "disorder" should be removed to recognize a broader population of Veterans that deal with "Post-Traumatic Stress" or PTS. Paul believes that all combat Veterans carry some measure of PTS. I agree with him.

For combat Veterans, there are certain sights and sounds that we cannot ever forget and that will always trigger certain emotions among us. I also agree with University of Michigan Health that fireworks can be troublesome. This applies especially to long strings of deep explosions accompanied by devices such as whistles that imitate the sound of incoming artillery rounds and eerie flares kept in the air by small parachutes.

My experiences with large fireworks shows, which I believe MAPAG wants to emulate, shows me the incredible distances these sounds can travel, sometimes with low vibrations that also travel through the ground. I came back from Vietnam in 1968 and later lived in the Boston, MA area. For those of us old enough to remember, the American Bicentennial featured incredible fireworks productions in many U.S. large cities, including Boston. On July 4, 1976. I was staying in a town about 9 miles from Boston Common. I had no interest in traveling to Boston Common and even forgot the celebration. But sometime between 8:00 and 9:00 that evening, I heard distant rumbling that grew louder and louder. It took me a few minutes to realize that it was not a series of B-52 strikes! This was eight years after I had been in the Vietnam War.

Parliament that restored the monarchy at the end of Cromwell's Commonwealth, and the 1688-89 "Convention of Lords and Commons" during the Glorious Revolution. Adds Natelson, "Citing these precedents, the Americans made much use of the convention device;" seven of the 13 colonies used conventions for their revolutionary transition into states.

In 1786, Congress called the Annapolis Convention to discuss interstate commerce, where the delegates issued the call for the 1787 constitutional convention in Philadelphia. In Federalist 38, James Madison wrote the 1787 convention was a first in the history of republics: "It is not a little remarkable that in every case reported by ancient history, in which government has been established with deliberation and consent, the task of framing it has not been committed to an assembly of men, but has been performed by some individual citizen of preeminent wisdom and approved integrity."

American political conventions democratically transformed presidential elections. It's often forgotten that Madison, in Federalist 39, described the Electoral College as a compromise between "national" and "federal" methods of election and that the Framers anticipated, "The eventual election, again, is to be made by that branch of the legislature which consists of the national representatives [the House of Representatives]."

The 1787 delegates believed the electors, representing 13 diverse and fractious states, would rarely provide the majority vote necessary to elect a president and thus the final decision would normally be made by the House. But the American two-party system emerged in the wake of President George Washington's retirement, as a means of gathering an electoral majority. By 1824, the original system of nominations by congressional party caucuses seemed elitist and state legislatures nominated the candidates in the next two elections.

Presidential historian Stefan Lorant reports that, by 1831, "The idea of a convention, with delegates chosen by the people, gained ground."

The first national party convention  
 > See GUEST EDITORIAL, page A5

## Opposing MAPAG SUP

TO THE EDITOR,

I am writing in opposition to the proposed special use permit for the Mid-Atlantic Pyrotechnics Arts Guild that has come before the Orange County Planning Commission. As a Vietnam veteran, I believe that the commission should recommend the board of supervisors reject this proposal for reasons similar to those for rejecting of the proposed tactical training center in Somerset in 2012.

I was shocked to hear of this fireworks/camping/partying proposal for land zoned as Agricultural 1 in Orange County. This proposed use sounds like college fraternity parties for adults. This does not belong in Orange County for several reasons.

First, the noise level, and its frequency and duration, will disturb the peace of rural residents and their livestock. This would be an affront to our quiet way of life in this county. The commercial-grade fireworks the club intends to use can be heard for miles. Vibrations from these explosions also can be felt for some distance.

Secondly, I can unequivocally state that as a Vietnam combat veteran, the last thing I want to hear for 10 hours is a string of loud explosions. This can be disturbing to many combat veterans, particularly any of those with post-traumatic stress

## TO THE EDITOR

disorder (PTSD).  
 I urge the readers of this newspaper to oppose this unsuitable use of prime agricultural land.

RAY PALMER  
 Orange

## If Del. Freitas doesn't follow VA rules, what would he do in Congress?

TO THE EDITOR,

(Ref: *Frietas prevails at Republican convention, Orange County Review, July 23, 2020*)

Here we go again. With another exception to the rules, Del. Nick Freitas is once more running for office. During the last election cycle, Mr. Freitas missed a filing deadline and was forced to move forward with a write-in campaign. He was able to pull off a win with the help of some substantial funding. This time, the state elections board extended the filing deadline for a form allowing his name to be listed on the general election ballot.

We elect our representatives to act on our behalf and to stay on top of legislation affecting us. That may be impossible for someone who is unable to fulfill, on time, even the basic requirements for seeking election. The delegate has exhibited an aver-

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## Orange County Review

Established 1931

146 Byrd Street, Orange, VA 22960

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## STAFF

Jeff Poole  
 Editor/General Manager  
 jpoole@orangenews.com

Hilary Holladay  
 Staff Writer  
 hholladay@orangenews.com

Cindy Anderson  
 Office Manager  
 canderson@orangenews.com

## Tracey Newman

---

**From:** Sandra Thornton  
**Sent:** Tuesday, August 4, 2020 5:37 PM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaier; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing (elansing@orangecountyva.us); Darwin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: fireworks club

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

**From:** carl white <cwhite28@gmail.com>  
**Sent:** Monday, August 3, 2020 4:57 PM  
**To:** Sandra Thornton <sthornton@orangecountyva.gov>  
**Subject:** fireworks club

i purchased a small home in unionville out in the country and also pay taxes on a home in quite unionville. marquis is just up the road. not even a mile..i do not wish to hear fireworks when i am trying to rest or sleep after working all week.my animals are offended by thunder and loud noise as well..i am opposed to this permit request.

## Tracey Newman

---

**From:** Sandra Thornton  
**Sent:** Wednesday, August 5, 2020 5:36 AM  
**To:** Donald Brooks (External); Donald Brooks; Jason Capelle; Jason Capelle; George Yancey; Julie Zeijlmaker; Jim Hutchison; R. Mark Johnson (External)  
**Cc:** Tracey Newman; Eric Lansing; Darwin Satterwhite; Edward Hostetter; David Stoddard; jrsrocket@aol.com  
**Subject:** FW: Fireworks

One I missed last evening

Sandra B. Thornton  
Planning Services Manager  
Orange County, VA  
128 W. Main St. Orange, VA 22960  
(540) 672-4347 (P) (540) 672-0164 (F)

-----Original Message-----

From: Terri Smith <tjsmith3000@aol.com>  
Sent: Monday, August 3, 2020 5:00 PM  
To: Sandra Thornton <sthornton@orangecountyva.gov>  
Subject: Fireworks

I agree with Dr from Orange vet that responded in the Orange review editorial, fireworks are extremely harmful for wildlife, pets & farm animals. The 4th of July is bad enough a "recreational" fireworks club would be absolutely cruel. Please don't allow this to happen!

Terri Smith,  
Orange County Humane Society

Love the feral soul ❤️