



Charles W. Payne, Jr.
d. 540.604.2108 | cpayne@hf-law.com

725 Jackson Street, Suite 200
Fredericksburg, VA 22401-5720
t: 540.604.2100 | f: 540.604.2101
www.hf-law.com

November 29, 2018

BY HAND DELIVERY

Leon Hughes
Spotsylvania County Planning Department
9019 Old Battlefield Blvd., Suite 320
Spotsylvania, VA 22553

Re: Rezoning & SUP Applications for Team Crucible, LLC
Team Crucible R17-0005 & SUP17-0003

Dear Leon:

I hope this finds you well. Enclosed please find the following revised application materials for the above-referenced rezoning application:

- Original, Fully Executed Proffer Statement (clean and redline versions); and
- Revised Narrative Statement (clean and redline versions).

Below is our response to the October 30, 2018 email with Staff Comments, regarding the above referenced matter. Please consider this response as a supplement to the pending application referenced above. Please feel free to contact me if you have any questions regarding our response.

County Attorney

1. On page one of the proffer statement Team Crucible LLC and Radio Reconnaissance Technologies are both listed as the applicant. The application notes Team Crucible as the applicant.

Applicant Response: Team Crucible LLC is listed as the Applicant and Radio Reconnaissance Technologies, Inc. is listed as the Owner. This is consistent with past practice and county direction. Please see revised Proffer Statement.

2. In the property section note the property address in conformance with the GDP.

Applicant Response: The property address has been added. Please see revised Proffer Statement.

3. On page two last sentence of first paragraph remove the comma prior to “and related activities”.

Applicant Response: Please see revised Proffer Statement.

4. On page two under II. Land Use in the first paragraph in the second sentence add a colon prior to “DHR, VDOT... and remove the period after Army Corps.

Applicant Response: Please see revised Proffer Statement.

Page two Section B GDP Phasing:

5. Under item 1 (i), this is not a proffer as the VDOT will establish the acceptable entrance standard for the project.

Applicant Response: We have removed this item. Please see revised Proffer Statement.

6. In items (ii), (iii) and (iv) add hyphens to; anti-climb, 8-foot, 12-foot, 20 foot, and 10-foot...

Applicant Response: Please see revised Proffer Statement.

7. 1 (iii) - what determines if a wall or berm is constructed? If a berm is constructed clarify that the fencing will be placed on top of the berm.

Applicant Response: Constructing either a wall or berm has the same noise mitigation impact. However, we will not be able to determine which (or both) is constructed until final engineering. If a berm is constructed, fencing will not be on top of the berm, but rather will be located around the exterior of the berm, all as shown on the GDP.

8. 1 (iv) clarify that the 20-foot berm will be contiguous around all of the range areas.

Applicant Response: There are two breaks in the 20-foot berm, as shown on the GDP: one for access, which is behind the shooters; the other for the wetlands, which is what necessitates the large no shoot zone. All berms exceed industry standards.

On Page three in Section B. GDP Phasing:

9. 2 (i) add hyphen to 200-foot.

Applicant Response: Please see revised Proffer Statement.

10. 2 (ii) it is not clear when the connection of public water and sewer will occur. Is it the intent that the second building will not be constructed until public water and sewer are serving the site? Please clarify.

Applicant Response: This proffer has been removed. Please see revised Proffer Statement.

11. 2 (iii) - The adjacent site to the north is developed and could change uses without having to construct sidewalks. Clarify that the sidewalk will be constructed on the entire frontage of the subject when any adjacent property develops with sidewalks.

Applicant Response: Please see revised Proffer Statement.

Page three, Section C. Noise Mitigation:

12. Add hyphens to all height notations in items 1- 4.

Applicant Response: Please see revised Proffer Statement.

13. In C Noise Mitigation - (1) clarify that the 20-foot berms are contiguous around all of the ranges.

Applicant Response: There are two breaks in the 20-foot berm, as shown on the GDP: one for access, which is behind the shooters; the other for the wetlands, which is what necessitates the large no shoot zone. All berms exceed industry standards.

14. (5) Consider leaving all existing vegetation undisturbed in all buffer areas and replanting in excess of required screening when existing vegetation is disturbed.

Applicant Response: As noted in the Landscape Narrative on the cover sheet of the GDP, it is the intent to save and maintain as much mature growth as possible in the subject areas. There are only a couple of potential areas that will indeed need to be replanted, and will be as stated in Article 5 of the DSM to be in compliance.

15. (6) Consider limiting nighttime live and blank firing hours prior to 10:00 p.m.

Applicant Response: The current proffer dictates we will stop prior to 10:00 p.m.

On Page four Section C Noise Mitigation:

16. Item 7 Consider clarifying an ending time prior to twilight with specific enumeration, i.e. 15 minutes prior to twilight.

Applicant Response: Please see revised Proffer Statement.

17. Section D Range Controls- add a hyphen "firing-range"

Applicant Response: Please see revised Proffer Statement.

In Section D Range Controls:

18. Consider adding height limits for targets.

Applicant Response: We have added a height limit of 8 feet. Please see revised Proffer Statement.

19. Consider rewording to "All backstops shall have..."

Applicant Response: Please see revised Proffer Statement.

On Page 5 Section E. Environmental Controls

20. (7) Consider establishing a defined period for accounting for accumulated rounds for lead reclamation.

Applicant Response: We have revised to show it will be on an annual basis. Please see revised Proffer Statement.

Page 5 Section F. Community Engagement:

21. (1) Is this relationship with the contact person to remain in place in perpetuity as long as the use operates or exists?

Applicant Response: Yes, a contact person will remain in place in perpetuity as long as the use operates or exists. Please see revised Proffer Statement.

22. Items (2) & (3) are not proffers but private agreements with the individual groups noted.

Applicant Response: These items have been revised. Please see revised Proffer Statement.

23. On Page 6 Section G Cemetery appears to be a restatement of the requirements of the Code of VA and not a proffer.

Applicant Response: This Section has been removed. Please see revised Proffer Statement.

Please feel free to contact me with any questions and/or comments.

Respectfully,

A handwritten signature in blue ink that reads "Charles W. Payne Jr." followed by a stylized flourish.

Charles W. Payne, Jr.

CWP:dpl
Encls.

10636257.2 041791.00001